



Tuesday, 13 April 2021

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 21 April 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

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

## 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 5 - 34)

The Committee is asked to confirm as a correct record the minutes of the meetings held on 10 March 2021 and 17 March 2021.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 Application number 20/00641/FUL (Pages 35 - 50)

Construct 115 dwellings, associated infrastructure, attenuation pond and vehicular access from Cordy Lane Land to the rear of Brinsley Recreation Ground, Church Lane, Brinsley

5.2 Application Number 20/00714/FUL (Pages 51 - 70)

Construct link extension and change use from residential (Class C3) to residential care home (Class C2) 259 High Road, Chilwell, NG9 5DD

5.3 Application Number 20/00667/FUL (Pages 71 - 98)

Construct pair of semi-detached dwellings following demolition of existing bungalow 28 Park Road, Chilwell, NG9 4DA

5.4 Application Number 20/00745/FUL (Pages 99 - 124)

Construct 42 dwellings with improved access, provision of an internal access road, landscaping and associated works following the demolition of buildings Old Station Yard, Station Road, Beeston, NG9 2AB

5.5 Application Number 20/00855/FUL (Pages 125 - 132)

Loft conversion including rear dormer 4 The Old School House, Gilt Hill, Kimberley, Nottingham, NG16 2GZ

5.6 Application Number 19/00605/FUL (Pages 133 - 158)

Construct 4 dwellings and associated works following demolition of existing dwelling 42 Derby Road, Beeston, NG9 2TG

5.7 Application Number 20/00791/FUL (Pages 159 - 168)

Construct two storey side extension, front porch, canopy and external alterations 39 Eastwood Road, Kimberley, Nottinghamshire, NG16 2HX

5.8      Application Number 21/00041/FUL      (Pages 169 - 180)

Construct first floor rear extension and front and rear dormer windows

42 Sandy Lane, Bramcote, Nottinghamshire, NG9 3GS

5.9      Application Number 21/00005/FUL      (Pages 181 - 192)

Construct dwelling with vehicle access and car parking, re-siting of gates and dropped kerbs

42 Greenhills Road, Eastwood, Nottinghamshire, NG16 3DG

6.      INFORMATION ITEMS

6.1      Appeal Decisions      (Pages 193 - 198)

6.2      Delegated Decisions      (Pages 199 - 208)

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## **PLANNING COMMITTEE**

**WEDNESDAY, 10 MARCH 2021**

Present: Councillor D K Watts, Chair

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

An apology for absence was received from Councillor R D MacRae.

### 59 **DECLARATIONS OF INTEREST**

Councillor P J Owen declared a non – pecuniary interest in item 5.1 as he was acquainted with a member of the organisation who owned the ransom strip. Minute number 62.1 refers.

Councillor J W McGrath declared a non – pecuniary interest in item 5.1 as he was acquainted with the developer. Minute number 62.1 refers.

Councillors R I Jackson, G Marshall and S J Carr declared a non – pecuniary interest in item 5.4 as they were members of the Beeston Town Centre Board. Minute number 62.4 refers.

### 60 **MINUTES**

The minutes of the meeting held on 10 February 2021 were approved as a correct record.

### 61 **NOTIFICATION OF LOBBYING**

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

## 62 DEVELOPMENT CONTROL

### 62.1 APPLICATION NUMBER 19/00668/FUL

Construct 62 dwellings

Beeston Maltings, Dovecote Lane, Beeston, NG9 1JG

The application had been brought before Committee as it was a major application and there were issues in respect of viability.

There were a substantial number of late items that the Committee considered, including a letter from the agent, emails from Nottinghamshire County Council regarding education, Section 106 monies, flooding and highways, amended plans, a number of changes to conditions, 28 emails objecting to the development and five further emails from residents.

Ian Jowitt, applicant and Nuala Hampson, objecting, made representation to the Committee prior to the general debate.

The Committee noted that following the deferral of the application the density of the site had been reduced and the highways on the site had been redesigned so that they could be adopted. There was a discussion regarding a ransom strip that prevented access from the Hetley Pearson site. The debate then progressed on to concerns regarding the lack of Section 106 monies for education, the problematic access to the site through Dovecote Lane and the size of the proposed properties.

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

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

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

2. **The development hereby permitted shall be carried out in accordance with drawings numbered 766 004, 766 005 rev D, 766 006 rev B, 766 008 rev C, 766009 rev D, 766 010 rev A, 766 016, 766 017, 766 018, 766 019 and F18003/19 received by the Local Planning Authority on 01.12.20, 766 020 received by the Local Planning Authority on 11.01.21, 766 002 rev G and 766 003 rev F received by the Local Planning Authority on 17.02.21, 766 001 rev C1, 600312-HEX-00-00-DR-C-0101 rev P01, 600312-HEX-00-00-DR-C-0102 rev P01, 600312-HEX-00-00-DR-C-0103 rev P01 and 600312-HEX-00-00-DR-C-0104 rev P01 received by the Local Planning Authority on 08.03.21.**

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

3. **No above ground works shall be carried out until details of the materials to be used in facing external walls and roofs 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:** To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

4. 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 any contamination or other identified problems.

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

5. The development shall not be commenced until details of piling or any other foundation designs using penetrative methods have been submitted to and approved in writing by the Local Planning Authority. A method statement should set out measures for reducing noise and vibration impact on neighbouring buildings and on the rail network. The development shall thereafter be carried out in accordance with the details as approved.

**Reason:** To protect groundwater from contamination and nearby buildings/rail network and residents from noise and vibration in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

6. The development shall not be commenced until details of a surface water drainage scheme based on the principles set forward by the approved FRA, and a drainage strategy have been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
  - a) Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
  - b) Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
  - c) Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

The scheme shall be implemented in accordance with the approved details.

**Reason:** To ensure that the development does not increase the risk of flooding in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).

7. The development shall not be commenced until a Traffic Regulation Order as shown indicatively on approved drawing 766 001 rev C1 has been entered into with the Highway Authority. The approved TRO shall thereafter be implemented prior to the occupation of any part of the site.

**Reason:** In the interests of Highway Safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).

8. The development (including demolition) shall not be commenced until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:
- a) The parking of vehicles of site operatives and visitors
  - b) Loading and unloading of plant and materials
  - c) Storage of plant and materials used in the construction of the development
  - d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - e) Wheel washing facilities
  - f) Measures to control the emission of dust and dirt during construction
  - g) A scheme for recycling/disposal of waste resulting from demolition and construction works
  - h) A risk assessment in relation to the railway

Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).

9. The development shall not be commenced until the results of further surveys in regard to Great Crested Newts have been submitted to and approved in writing by the Local Planning Authority. The survey should include details of any mitigation measures that may be required to protect, or measures proposed for the relocation of, any Great Crested Newts found on the site.

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

10. The development shall not be commenced until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of ecological enhancements, wildlife boxes, maintenance schedule, bat roost and bird nest boxes, and external lighting.

In the interests of ensuring that a biodiversity gain can be achieved, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).

11. The development shall not be commenced until a Reasonable Avoidance Measures Statement (RAMS) has been submitted to and approved in writing by the Local Planning Authority. The RAMS should detail a precautionary method of working during site clearance, ground disturbance and other development activities which have the potential to harm, kill or trap species of amphibians or mammals and should be in accordance with BS 42020:2013 Biodiversity – Code of Practice for Planning and Development and should also set out when an Ecological Clerk of Works (ECoW) is needed to be present on site, and timings for all species potentially present on site, including nesting birds. The works shall be carried out in accordance with the approved statement.

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

- 12. The development shall not be commenced until a method statement setting out a programme of archaeological investigation and recording has been submitted to and approved in writing by the Local Planning Authority. The findings of the statement shall be implemented prior to works commencing or to a timetable set out in the statement as approved.**

**Reason:** In the interests of safeguarding designated and non-designated heritage assets in accordance with the aims of Policy 23 of the Broxtowe Part 2 Local Plan (2019) and Policy 11 of the Broxtowe Aligned Core Strategy (2014).

- 13. No above ground works shall be carried out until details of a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:**

- a) Numbers, types, sizes and positions of proposed trees and shrubs**
- b) Proposed boundary treatments including the attenuation fence and details of Armco barriers**
- c) Proposed hard surfacing treatment**
- d) Planting, seeding/turfing of other soft landscaping areas**
- e) Management and maintenance of any area not falling within the curtilage of a dwelling**

**The approved scheme shall be carried out in accordance with the approved 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).

- 14. No dwelling hereby approved shall be occupied or otherwise be brought into use until the glazing and ventilation relating to that unit has been installed in accordance with the specification details set out in the Noise Assessment report 12419 v2, dated May 2019.**

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

- 15. No dwelling hereby approved shall be occupied or otherwise be brought into use until it has been certified that all necessary remedial measures have been implemented in full so as to render the site free from risk to human health from any contaminants identified.**

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

- 16. No dwelling hereby approved shall be occupied or otherwise be brought into use until the parking area associated with their respective plot has been**

surfaced in a bound material (not loose gravel) for a minimum distance of 5m beyond the highway boundary, and shall have been constructed so as to prevent to the discharge of surface water from the parking areas onto the public highway. The bound material and provision to prevent discharge of surface water shall thereafter be maintained for the lifetime of the development.

Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).

17. No dwelling hereby approved shall be occupied or otherwise be brought into use until the off-site highway works as shown for indicative purposes on approved drawing reference 600312-HEX-00-00-DR-C-0104 rev P01 have been provided to the satisfaction of the Highway Authority.

Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).

18. No dwelling fronting an unadopted (private) road hereby approved shall be occupied or otherwise be brought into use until the bin collection points as shown on the approved site layout plan have been provided.

Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).

19. The development shall be carried out in accordance with the submitted flood risk assessment (ref; Flood Risk Assessment and Drainage Strategy Report, Armstrong Stoke & Clayton Limited, April 2020, WMD105/FRA Rev E and Flood Risk - Technical Note 1, Armstrong Stokes and Clayton Limited, November 2020, WMD105/TN1) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 27.58 metres Above Ordnance Datum (AOD) as stated within the Flood Risk Technical Note, section 14 (November 2020).
- Flood resilience shall be implemented as stated within the Flood Risk Technical Note, section 14 (November 2020).
- Undercroft voids shall be provided to a minimum height of 27.28 metres Above Ordnance Datum (AOD) as stated within the Flood Risk Technical Note, section 14 (November 2020).
- Site levels will be carried out in accordance with the drawing; Proposed Site Plan, Site Block Plan & OS Plan, swish architecture & planning, 766, 001, Revision T, Mar 2019 (Uploaded to the LPA website on 07/12/2020).

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

**Reason: To ensure that the development does not increase the risk of flooding in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).**

- 20. 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).**

#### **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. 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.**
- 3. The Highways Authority advise:**

**Reference in any condition contained in this permission/refusal of permission to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to any body or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.**

**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 for which there is a fee.**

- a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some**

time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

- b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk)

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 for which there is a fee. Please contact: [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk)

The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.]

The proposed access/off-site highway works referred to in condition 7 requires a Traffic Regulation Order before the development commences to provide safe access/off-site mitigating works. The developer should note that the Order can be made on behalf of the developer by Via Est Midlands in partnership with Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the Improvements Team on 0300 500 8080 for details.

4. The developer is advised to contact Network Rail in respect of the need to submit a method statement, which should be agreed prior to commencement of works on the site.

Asset Protection Project Manager  
Network Rail (London North Eastern)  
Floor 3B  
George Stephenson House  
Toft Green  
York  
Y01 6JT

Email: [assetprotectionneem@networkrail.co.uk](mailto:assetprotectionneem@networkrail.co.uk)



## 62.2 APPLICATION NUMBER 19/00524/OUT

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

This application had been brought to Planning Committee as it was a major application where contributions were required under a Section 106 Agreement.

There were no late items and no representations from members of the public.

The Committee acknowledged the difficulties in developing the site. The application had been deferred from the meeting on 6 January 2021 to allow further consideration to be given to improving pedestrian access to the site and improve contributions towards education.

The debate covered the Section 106 contributions, the Country Park and the benefit of access to open space that would be gained from the development, including the improvement of the derelict land.

There was concern that even with the proposed improvements to pedestrian access, there could still be issues with members of the public walking through the industrial estate.

**RESOLVED 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:**

- 1. 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.**

***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.***

- 2. 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.**

***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.***

3. The development hereby permitted shall be carried out in accordance with drawings numbered 7067-L-01, PB103 B-03c, 7067-L-06-B; received by the Local Planning Authority on 13 September 2019.

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.

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

4. 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:

Appearance  
Landscaping  
Layout  
Scale

The development shall be carried out strictly in accordance with the approved details to the satisfaction of the Local Planning Authority.

***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.***

5. 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.

***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.***

6. 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:

- a) Prior to the first occupation of the twentieth dwelling; or
- b) Within 24 months of the commencement of development,

Whichever is the sooner.

***Reason: As per the terms of the hybrid permission where the country***

*park is essential to giving the residential element an 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).*

7. No dwelling shall be first occupied until the off-site footway improvement works along Soloman Road have been carried out in accordance with the works shown indicatively on the drawing number C3274-HSP-00-XX-DR-C-0001 Rev P01; received by the Local Planning Authority on 2 February 2021, in consultation with the County Highways Authority.

*Reason: To improve pedestrian connectivity, in the general interest of highway safety.*

8. 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.

*Reason: In the interest of highway safety.*

9. 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.

*Reason: In the interest of highway safety.*

10. 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.

*Reason: In the interest of highway safety.*

11. 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.

*Reason: In the interest of highway safety.*

12. 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.

*Reason: To ensure the future users of the country park have an appropriate means of access by vehicle.*

13. 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.

*Reason: In the interest of highway safety.*

14. 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.

*Reason: In the interest of highway safety.*

15. 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.

*Reason: In the interest of highway safety*

16. 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.

a) No building to be erected pursuant to this permission shall be occupied or brought into use until:-

(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and

(ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.

***Reason: In the interest of public health and safety.***

17. 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:

- An LAeq, 16-hour of 55dB (free field) in outdoor living areas between 07:00 and 23:00 hours (daytime);
- An LAeq, 16-hour of 35dB inside living rooms between 07:00 and 23:00 hours (daytime);
- An LAeq, 8-hour of 30dB inside bedrooms between 23:00 and 07:00 hours (night time);
- An LMax, fast of 45dB inside bedrooms between 23:00 and 07:00 hours (night time).

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.

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.

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.

***Reason: To protect future occupiers from excessive environmental noise.***

18. 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 approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors

- potentially unacceptable risks arising from contamination at the site

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.

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.

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.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

*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).*

19. 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.

*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.*

20. 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.

*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.*

21. 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 & 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:

- Provide justification for the use or not of infiltration, including the results of soakaway testing, in accordance with BRE 365.
- 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.
- 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.
- Show that all exceedance is to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Provide details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- 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.

*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 have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.*

22. 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.

*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).*

23. 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:

The submission of a scheme for intrusive site investigations for areas of shallow mine workings for approval;

The undertaking of that scheme of intrusive site investigations;  
The submission of a report of findings arising from the intrusive site investigations;  
The submission of a scheme of remedial works for approval; and  
Implementation of those remedial works.

These details shall be first submitted and approved in writing by the Local Planning Authority in consultation with The Coal Authority.

*Reason: In the interest of public health and safety.*

24. 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.

*Reason: To ensure the country park is maintained in a manner that is safe and acceptable for use by members of the public.*

25. 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.

*Reason: To record archaeological features affected by development in accordance with the requirements of paragraph 189 of the NPPF.*

#### **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. The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.
  - a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.



b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

Correspondence with the Highway Authority should be addressed to: [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk)

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk) for details.

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.

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.

4. The Regulated Industry team have decided it is highly probable that this will require a waste permit and consultation with the EA.

The colliery spoil must be fit for purpose, in that measures are taken to avoid the risk of pollution such as treatment, containment.

Further details on applying for a waste permit can be found by visiting <https://www.gov.uk/guidance/waste-environmental-permits>

#### 62.3 APPLICATION NUMBER 21/00023/FUL

Construct stable extension, lion's den and erect 3m high internal fencing to extend wildcat enclosure.

Land North of Home Farm Cottage and Park View Cottage, Main Street, Strelley, Nottinghamshire

This item was deferred to the meeting on 17 March 2021.

#### 62.4 APPLICATION NUMBER 21/00027/REG3

Construct mezzanines within Units 1 and 2/3  
2 Station Road, Beeston, NG9 2WJ

The application was brought before Committee as the Council was the applicant.

There were no late items and no public representations.

Discussion centred on the success of the development, which was considered to be a good example of cross party working.

**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 drawings numbered BTC-LDA-XX-ZZ-M3-A-08 004 Rev A (Proposed Site Plan) and BTC-LDA-XX-ZZ-M3-A-08 001 Rev A (Red Line – Detailed Site) received by the local planning authority on 13.1.21 and 0576-LDA-XX-00M-DR-A-2010M Rev B (Phase 1 proposed ground mezzanine floor plan) and BTC-LDA-XX-ZZ-M3-A-08 200 Rev C (Proposed sections) received by the local planning authority on 20.1.21.**

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

- 3. No ventilation and/or filtration equipment shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. Any equipment shall be in full working order prior to the commencement of the respective use. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues.**

**Reason: To suppress and disperse odour created from food preparation operations in order to protect nearby residents from excessive odour and in accordance with the aims of Policy 19 of the Part 2 Broxtowe Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

- 4. Outdoor seating areas directly associated with the commercial uses shall not be used by customers except between the hours of 08:00-23:30 and outside these hours, chairs, tables and other furniture for the purpose of or associated with facilitating outdoor seating, shall be removed from the seating areas.**

**Reason: To protect nearby residents from excessive operational noise and in accordance with the aims of Policy 19 of the Part 2 Broxtowe Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

- 5. No amplification equipment shall be used externally and no live music shall be played externally at the site between 23.00 and 08.00 hours on any day.**

**Reason: To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 19 of the Part 2 Broxtowe Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

6. **No fixed plant, machinery or equipment shall be installed within the site until a noise report, including details of the acoustic specification of such fixed plant, machinery or equipment has been submitted to and agreed in writing by the Local Planning Authority. The plant/machinery/equipment shall be installed in accordance with the agreed details and thereafter maintained in the agreed form for the lifetime of the development.**

**Reason: To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 19 of the Part 2 Broxtowe Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

7. **The rating level resulting from the cumulative use of any plant, machinery or equipment shall not exceed the existing background level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive receptor.**

**Reason: To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 19 of the Part 2 Broxtowe Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

#### **NOTES TO APPLICANT**

1. **The Council has acted positively and proactively in the determination of this application by working to determine it within the eight-week determination timescale.**
2. **Ventilation and filtration equipment may require planning permission.**

#### **62.5 APPLICATION NUMBER 20/00667/FUL**

Construct pair of semi-detached dwellings following demolition of existing bungalow 28 Park Road Chilwell NG9 4DA

The application was brought to the Committee at the request of Councillor G Marshall.

There was a late item comprised of an amended plan.

Simon Jude, applicant and Steven Zaleski, objecting, made representation to the Committee prior to the general debate.

There were concerns about the impact on the amenity of neighbouring properties because of the size and overbearing nature of the development.

It was proposed by Councillor R I Jackson and seconded by Councillor L A Ball BEM that the item be deferred until such time as a site visit could take place, or a video of the site could allow the Committee to make a more considered assessment of neighbour amenity. On being put to the meeting the motion was passed.

**RESOLVED that the application be deferred.**

62.6 APPLICATION NUMBER 20/00541/FUL

Construct 28 dwellings

42 – 44 Brookhill Leys Road, Eastwood, Nottingham, NG16 3HZ

This item was brought to the Committee as it was a major application and there were issues in respect of viability.

There were no late items and no representations from members of the public.

There was concern that the application was being brought before the Committee with the developer was asking for huge reductions to Section 106 contributions. Debate focused on striking the appropriate balance between allowing developments to progress and funding the services that would be needed for the new residents.

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

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

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

2. **The development hereby permitted shall be carried out in accordance with drawing(s) numbered Site Location Plan, 1: 1250, Plots 1 – 5 Elevations/Floor Plans, DB/RB/20/21/03, Plots 6 – 9 Elevations/Floor Plans, DB/RB/20/21/04 and Plots 12 – 14 Elevations/Floor Plans, DB/RB/20/21/06 received by the Local Planning Authority on 13 August 2020, External Materials Specification received by the Local Planning Authority on 08 December 2020, Site Block Plan 1: 500, DB/RB/20/21/02D, Plots 19 – 21 and 26 – 28 Elevations/Floor Plans, DB/RB/20/21/08 and Plots 22 – 25 Elevations and Floor Plans, DB/RB/20/21/05A received by the Local Planning Authority on 17 November 2020.**

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

3. **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 Drainage Strategy 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. The scheme to be submitted shall include:**
  - **Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA,**
  - **Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term.**

**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 have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.**

- 4. No part of the development hereby permitted shall be brought into use until the off-site footway works as shown for indicative purposes only on the drawing entitled 'Proposed Site Block Plan', drawing no. DB/RB/20/21/02 D have been provided.**

**Reason: In the interest of highway safety.**

- 5. The approved landscaping identified on drawing number DB/RB/20/21/02D received 30 September 2020 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 Part 2 Local Plan (2019).**

- 6. No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.**

**Reason: In the interest of highway safety.**

- 7. No part of the development hereby permitted shall not be brought into use until the drive and parking area has been surfaced in a hard bound material (not loose gravel), so has to prevent the discharge of surface water and materials therefrom onto the public highway and shall be retained thereafter.**

**Reason: To ensure deleterious material/surface water from the site is not deposited on the public highway causing dangers to road users.**

- 8. No part of the development hereby permitted shall be brought into use until the dropped kerb accesses on Newmanlays Road that have been made redundant as a consequence of this permission are permanently closed and reinstated to footway.**

**Reason: In the interests of Highway safety.**

- 9. No part of the development hereby approved shall be commenced until:**

- a) A Remedial Method Statement has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of**

any necessary remedial measures to be taken to address any contamination or other identified problems.

- b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-
  - (i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and
  - (ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.

Reason: In the interest of public health and safety.

#### **NOTES TO APPLICANT**

1. The Council has acted positively and proactively in the determination of this application, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.
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. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.

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.

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 and S278 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council before any work commences on site. Please contact [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk) for details.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk) for details.

4. Given the proximity of the site to other 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.
5. 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.
6. There is an associated S106 legal agreement with this development dated, and this decision should be read contemporaneously with such.

#### 62.7 APPLICATION NUMBER 20/00714/FUL

Construct link extension and change use from residential (Class C3) to residential care home (Class C2)  
259 High Road Chilwell NG9 5DD

The application had been called before Committee by Councillor T A Cullen.

There was a late item comprised of an email from a resident opposing the proposed development due to concerns regarding parking.

Ros Heath, applicant, and Victor Chidlaw, opposing, made representation to the Committee prior to the general debate.

Debate centred on whether the parking situation would improve in practice if there were to be more residents as a result of this application. There was also concern that

that passage would create a very long frontage that could be inappropriate in a conservation area.

It was proposed by Councillor R I Jacskon and seconded by Councillor T A Cullen that the item be deferred to allow the applicant to elaborate on how many residents there would be in the home once the extension was granted and what impact this might have on parking. On being put to the meeting the proposal was carried.

**RESOLVED that the application be deferred.**

63 INFORMATION ITEMS

63.1 APPEAL DECISIONS

An appeal decision was noted.

63.2 DELEGATED DECISIONS

The delegated decisions were noted.



**PLANNING COMMITTEE**  
**WEDNESDAY, 17 MARCH 2021**

Present: Councillor D K Watts, Chair

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

Apologies for absence were received from Councillors R D MacRae and P J Owen.

64 **DECLARATIONS OF INTEREST**

Councillor M Radulovic MBE declared a non – pecuniary interest in item 4.6 as he was acquainted with the Managing Director of the development company. Minute number 67.6 refers.

Councillor D Bagshaw declared a non – pecuniary interest in item 4.5 as he was acquainted with the landowner. Minute. number 67.5 refers.

65 **NOTIFICATION OF LOBBYING**

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

66 **DEVELOPMENT CONTROL**

66.1 **Items Deferred from the Previous Meeting**

There were no items to consider from the meeting of the Planning Committee on 10 March 2021.

66.2 APPLICATION NO 20/00541/FUL (IF NOT DETERMINED AT THE PLANNING COMMITTEE MEETING ON 10 MARCH 2021)

Construct 28 dwellings  
42 – 44 Brookhill Leys Road, Eastwood, Nottingham, NG16 3H

This item was determined at the Planning Committee meeting of 10 March 2021.

66.3 APPLICATION NO 20/00714/FUL (IF NOT DETERMINED AT THE PLANNING COMMITTEE MEETING ON 10 MARCH 2021)

Construct link extension and change use from residential (Class C3) to residential care home (Class C2)  
259 High Road, Chilwell, NG9 5DD

**RESOLVED that the item be deferred to allow further discussions with the applicant.**

66.4 APPLICATION NO 21/00023/FUL

Construct stable extension, lion's den and erect 3m high internal fencing to extend wildcat enclosure.  
Land North of Home Farm Cottage and Park View Cottage, Main Street, Strelley, Nottinghamshire

The application had been brought before Committee by Councillor D K Watts.

There was a late item comprised of a letter of support for the application.

Reece Oliver, applicant, Anthony Durken, objecting, and Councillor P J Owen, Ward Member, made representation to the Committee prior to the general debate.

There was concern that the proposed fencing was industrial in appearance, which would negatively impact on the openness of the Green Belt and that members of the public trying to view the animals were causing a nuisance and affecting neighbour amenity.

There was debate about whether the enclosure would be visible from the road and whether the bridleway would be affected, in particular, horses being worried by the lions. Consideration was given to whether the impact of the current enclosure would be similar to the proposed enclosure. It was noted that the Very Special Circumstances for the proposed development in the Green Belt were that the proposed enclosure would be of benefit to the health and safety of the lions without increasing the impact on the Green Belt.

As Ward Member, Councillor P J Owen exercised his right to sum up after the debate.

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

#### 66.5 APPLICATION NUMBER 20/00641/FUL

Construct 115 dwellings, associated infrastructure, attenuation pond and vehicular access from Cordy Lane.

Land to the rear of Brinsley Recreation Ground, Church Lane, Brinsley

This application was brought to Committee as it was an Allocated Housing Site within the Part 2 Local Plan.

There were a number of late items including a submission from the Coal Authority withdrawing their objections to the scheme and changes to conditions.

Robert Galij, applicant, Peter Housley, objecting, and Councillor Elizabeth Williamson, Ward Member made representation to the Committee prior to the general debate.

There was concern about the level of Section 106 contributions that were proposed for infrastructure and the use of private roads that were not to be adopted and whether the street lighting on these roads would be maintained by the local authority. It was noted that the number of houses was over the allocation. There was a request for a pedestrian crossing.

It was proposed by Councillor R I Jackson and seconded by Councillor D D Pringle that the item be deferred to allow the applicant to address concerns regarding private roads, street lighting and over intensification. On being put to the meeting the proposal was carried.

**RESOLVED that the application be deferred.**

#### 66.6 APPLICATION NUMBER 20/00056/OUT

Outline application to demolish White House Farm and construct up to 250 dwellings, including the provision of new areas of open space, childrens play, landscaping and storm water attenuation, with all matters reserved except for the formation of a vehicular access from the A6096 Shilo Way (Awsorth Bypass) and secondary access from Newtons Lane.

Land West of Awsorth (inside The A6096), Including Land at Whitehouse Farm, Shilo Way, Awsorth

The application was brought to Committee as the Section 106 contributions were not policy compliant.

There were a number of late items comprised of an email from the applicant requesting a condition to allow for development to be phased, changes to conditions and a number of emails from residents raising concerns about the development, along with an update on the Awsorth Local Plan.

Joanne Neville, on behalf of the applicant, Ian Poynter, objecting and Gillian Thornhill, objecting, addressed the Committee prior to the general debate.

Consideration was given to the application with particular concern regarding access through Newtons Lane. It was considered this would open up the bypass, that

Newtons Lane would become a rat run and that the proposed Section 106 contributions were inadequate. There was also concern that some of the houses shared a single drive.

Debate progressed to worries that the site was difficult to develop and that the phasing could lead to a partially built estate that would not deliver on Section 106 contributions or housing targets. It was stated that the Committee would benefit from a site visit so that the concerns about traffic could be fully understood.

It was proposed by Councillor D D Pringle and seconded by Councillor L A Ball BEM that the application be deferred so that the applicant could address concerns regarding access, Section 106 contributions and phasing. On being put to the meeting the motion was carried.

**RESOLVED that the application be deferred.**

#### 66.7 APPLICATION NUMBER 20/00820/FUL

Construct two storey side and rear extension  
18 Princess Avenue, Beeston

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

There was one late item, an email from the applicant in support of the application.

Chris Burton, applicant, made representation to the Committee prior to the general debate.

The debate focused on the size and scale of the proposed development, considering it to be too large for the plot, leading to a negative impact on neighbouring properties. It was considered that the style of the extension meant that it was not subservient to the main building and that this could set a precedent that could lead to a terracing effect.

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

#### Reasons

The development is overbearing and disproportionate to the plot and would set a precedent that could lead to a terracing effect. Also, the extension would impact on neighbour amenity.

#### 67 INFORMATION ITEMS

##### 67.1 NATIONAL PLANNING POLICY FRAMEWORK

The Committee noted that the first round of consultations on the National Planning Policy Framework was currently underway and that the deadline for submissions was 27 March 2021.

There was a discussion about whether a response would be sent on behalf of the Council. It was stated that all Members would be written to requesting their views and that responses would be collated and submitted by the Council.

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## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00641/FUL</b>
<b>LOCATION:</b>	<b>Land to the rear of Brinsley Recreation Ground, Church Lane, Brinsley</b>
<b>PROPOSAL:</b>	<b>Construct 115 dwellings, associated infrastructure, attenuation pond and vehicular access from Cordy Lane.</b>

The application is brought to Committee due to it being an Allocated Housing Site within the Part 2 Local Plan.

- 1.1 This application was brought before the Planning Committee on 17 March 2021. At this meeting the Committee raised concerns about the level of Section 106 contributions which was not considered sufficient, the use of private roads within the site, and the number of proposed dwellings (115 dwellings). A decision was made to defer the application to allow the applicant to address these matters.
- 1.2 Having considered the comments made by the Members of the Planning Committee, the applicant has not made any amendments to the application. The concerns raised by the members of the Planning Committee will therefore be addressed further in this report.

## 2 Section 106 Planning Contributions

- 2.1 It was previously reported to the Committee that planning contributions requests have been sought in respect of Primary Health Care (£62,315.62), the off-site provision of public open space (£95,905.40) and maintenance (£73,456.25), sustainable transport measures (bus taster tickets 115 x £50) and integrated transport measures (bus stop infrastructure at Cordy Lane £25,851.50). The total contributions therefore equate to £263,278.77. Paragraph 6.11.4 of the 17 March report stated this figure totalled £257,528.77; however, this did not take into account the cost of the bus taster tickets (115 x £50), therefore resulting in the total figure of agreed contributions being £263,278.77. Policy 15 of the Broxtowe Part 2 Local Plan also requires the site to provide 30% affordable housing. The applicant has agreed to pay all of these contributions, with the exception of the open space maintenance contributions as the applicant will instead pay a Management Company to undertake the work to maintain the open space within the site, as deemed acceptable by the council's Parks and Green Spaces Manager.
- 2.2 Additional contributions have been requested by NHS NUH Trust (£120,751). However, as the site is allocated in the adopted local plan and therefore was subject to consultation with relevant providers at the time of production, these requests cannot be justified. Similarly, a request has been made by Nottinghamshire County Council for library provision at Eastwood Library (£4,060). The provision is sought due to an existing deficiency at the library. As there is an existing deficiency the request is not considered to be reasonably related to the development and therefore the request cannot be justified.

- 2.3 Brinsley Parish Council has also made a number of requests for S106 contributions including the provision of a turning point on land belonging to Brinsley Primary School, new changing facilities, a community space and improved drainage at the existing football pitches, traffic calming measures on Broad Lane and that the affordable housing be bought or owned by the Council.
- 2.4 Section 106 Planning Contributions can be sought by the Local Planning Authority to mitigate the impact of development. Planning contributions can only be sought if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.

These tests are set out as legal tests in the Community Infrastructure Levy (CIL) Regulations, 2010, and as policy tests in paragraph 56 of the National Planning Policy Framework (NPPF). Any requests that fall outside of these tests cannot be required to make a development proposal acceptable.

- 2.5 With respect to a turning point on land belonging to Brinsley Primary School, contributions for such works, if required, could be requested by Nottinghamshire County Council, either as the Education Authority or Highways Authority. The County Council has been consulted, and has provided comments, in respect of both education contributions and highways matters, and has not raised this as an issue that requires additional contributions as a direct result of the proposal. It therefore cannot be argued that the provision of a turning point on this land is either necessary to make the development acceptable, or directly related to the development.
- 2.6 The proposed development would yield an off-site public open space contribution of £95,905.40, which the applicant has agreed to pay. If necessary, this entire amount could be spent on improving facilities at the Brinsley Recreation Ground. The requested contribution is calculated using a Council agreed formula which takes into account a percentage split of land between different usage types such as sports pitches, amenity open space and play areas. The requested contribution is therefore evidence based, and relates directly to the impact of the development in that it can be used in full, if required, at the Brinsley Recreation Ground. Additional requests on top of this to improve facilities at the Brinsley Recreation Ground would not be fairly and reasonably related in scale to the development proposed and as such would not meet the statutory tests for requesting additional planning contributions.
- 2.7 Traffic calming measures on Broad Lane have not been identified as a requirement of this development by the Nottinghamshire County Council Highways Authority who, as previously stated, have been consulted as part of this application. The development will yield a contribution of £25,851.50 for sustainable integrated transport measures (bus stop infrastructure on Cordy Lane) and a total of £5,750 in bus taster tickets to encourage future occupiers to use sustainable transport methods. In addition, the applicant will be responsible for off-site junction improvement works at A608 Cordy Lane/B600 Willey Lane.



The developers have secured land at this junction to ensure that if this permission is granted, the appropriate works can be carried out. This effectively represents an additional contribution by the developer to mitigate the impact of the proposed development on the surrounding highways network.

- 2.8 In terms of affordable housing, the development will provide the required 30% of affordable homes. The Council will be able to put forward a bid for affordable housing, along with any other registered provider. However, to require the developers to sell the affordable housing to the Council as part of this proposal would not be within the scope of any planning permission granted, and would not meet the statutory tests of the CIL Regulations, 2010.
- 2.9 In conclusion, the development will yield total planning contributions of £263,278.77, as well as providing 35 affordable homes, and will result in off-site junction improvements works at A608 Cordy Lane/B600 Willey Lane. The requested contributions are evidence based resulting from discussions with statutory and technical consultees, and as such are considered to meet the tests of the CIL Regulations, 2010, Paragraph 56 of the NPPF, and Policy 32 of the Broxtowe Part 2 Local Plan (2019) as being reasonably required to mitigate the impact of development. The applicant has agreed to pay all the contributions which are considered to meet the tests (totalling £263,278.77), with no negotiations having taken place to reduce this amount based on viability concerns. Subsequently, it is considered that any refusal on the grounds of insufficient Section 106 contributions would not be sustained at appeal, and would put the Council at significant risk of having costs awarded against them if pursued by the applicant.

### 3 Use of private roads within the proposed site

- 3.1 As stated in paragraph 6.4.9 of the original report, the proposed development will have a main road running through the site, with secondary roads leading off from this. There will be two private drives serving a number of properties, and bin collection points have been provided for residents.
- 3.2 This Highways Authority has not raised any objection in respect of the two private roads within the proposed development site. The layout of the site, including the 2 private roads, has been considered to reduce the dominance of the road and soften its appearance. The private roads will reduce the amount of tarmac used throughout the site, which will aid the legibility and connectivity through the development and reflect the different character areas within the site.
- 3.3 It is noted from the discussions that took place at the meeting on 17 March that concerns were raised regarding the future management and maintenance of private roads within the development. In order to overcome these concerns, a further condition has been agreed with the applicant that the dwellings fronting private roads shall not be occupied until arrangements and a plan for the future management of the roads has been agreed.
- 3.4 Overall, it is considered that the proposed private roads within the development are integral to the design, appearance and character of the site, and will not result in any unacceptable highway safety concerns, as highlighted by the absence of

any objection from the Highways Authority. Furthermore, the proposed additional condition is considered to be sufficient to ensure the future management and maintenance of the private roads to an acceptable standard. It is therefore considered that this aspect of the proposed development is acceptable.

#### 4 Number of proposed dwellings

- 4.1 Policy 5.1 of the Broxtowe Part 2 Local Plan (2019) requires the application site to accommodate 110 dwellings. The proposal is for 115 dwellings, which is considered to be in accordance with the policy, with the housing numbers being met. The proposal being 5 dwellings over the allocation is not considered to result in a scheme that is over-intensive, with a density of 28 dwellings per hectare not considered to be out of keeping with the character of the surrounding area. The proposal is considered to offer a suitable mix of housing types, with appropriate infrastructure and open space also factored into the design of the development.
- 4.2 On balance it is considered that the scale and density of the proposed development is acceptable, and that the provision of 115 dwellings within the site would not result in an over-intensive scheme that is out of keeping with the character of the surrounding area.

#### 5 Conditions

- 5.1 In the late items for this application at the meeting on 17<sup>th</sup> March it was reported that various amendments to recommended conditions had been made as a result of further discussions with The Coal Authority and the applicant. Notably, the wording for condition 7 was amended to specify areas within the site where piling and penetrative foundation design is required; an additional condition in respect of site investigations, including a watching brief, covering site investigations and soil stripping operations was recommended (now condition 28); and the re-wording of conditions 2 and 14. The amendments as set out in the late items to the March 17 meeting have now been made in respect of the recommended conditions that form part of this report.

#### 6 Conclusion

- 6.1 Whilst no further amendments to the proposal have been made in response to the deferral of the application at the meeting on 17 March 2021, it is considered that the proposed development is acceptable in terms of the Section 106 contributions, and its design in respect of the use of private roads within the development, and the number of dwellings to be constructed within the site. It is therefore recommended planning permission is granted in accordance with the resolution within this report.

<p><b><u>Recommendation</u></b></p> <p>The Committee is asked to RESOLVE that the Interim Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <ul style="list-style-type: none"> <li>(i) the prior completion of an agreement under section 106 of the Town &amp; Country Planning Act 1990 to secure the provision of affordable housing on the site and to cover contributions towards: provision and maintenance of open space, integrated and sustainable transport measures and Primary Health Care and</li> <li>(ii) the following conditions:</li> </ul>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawings numbered:</p> <p>Location Plan - H8060-02 Rev B  Planning Layout - H8060/P101e Rev F  Off Site Junction Arrangement ADC2052-DR-002 Revision P3  Site Access General Arrangement - ADC2052-DR-001 Rev P6  Vehicular Tracking - ENG-101-VT  Drainage Strategy - H8060-102B Rev B  General Arrangement – Drainage - H8060-102B Rev B</p> <p>Soft Landscape Proposals (1 of 3) GL1359 01E  Soft Landscape Proposals (2 of 3) GL1359 02E  Soft Landscape Proposals (3 of 3) GL1359 03E  1.8m Timber Hit &amp; Miss Fence – 2010/DET/228  0.9m Estate Railings - 2010/DET/226  1.8m Close Boarded Fence - 2010/DET/207  Boundary Wall – Type 3 - NM-SD13-013  Boundary Wall – Type 1 - DB-SD13-004 Rev C</p> <p>Street Scenes - H8060_05_01 Rev B  Materials Layout - H8060/06 Rev B  Cross Sections - H8060_05_02 Rev A  6 x 3m Double Garage - LDG2H8  6 x 3m Single Garage - LSG1H8  Standard Double Garage SDG1H8 Rev A  Standard Double (2 x single) Garage - SDG2H8 Rev A</p>

	<p><b>Standard Single Garage SSG1H8 Rev A</b></p> <p>Holden Weatherboard: house type code H4693WH7  Wilford (Gable End Terrace): P204-EG7: Rev A  Wilford (Hipped End Terrace): P204-EH7: Rev E  Wilford (Mid Terrace) : P204-I-7: Rev B  Hadley (Detached) : P341-D7: Rev B_C  Hadley (End Terrace) : P341 –E-7: Rev B_C  Henley: H588--7: Rev B_D  Holden: H469--H7: Rev D  Meriden: H429--H7: Rev C  Winstone: H421--H7: Rev D  Ingleby: H403-F7: Rev A  Abbeydale: H349-H7: Rev C  Avondale: H456-X7 Rev 3W09:  Archford (Hipped End Terrace) P382-EH7: Rev C  Archford (Mid Terrace): P382-I-7: Rev D  Archford (End Gable Terrace): P382-EG7: Rev A  Greenwood (Gable End Terrace) T322-E-7: Rev A_B  Type 74 (End Terrace): SH74-E-7  Type 58 / Type 59 (Hipped End Terrace): SF58-E-7/SF59-EH7  Type 50 (Hipped End Terrace): SH50-EH7  Type 50 (Mid Terrace): SH50-I-7: Rev C  Type 52 (Hipped End Terrace): SH52-EH7  Type 67 (Hipped End Terrace) SH67-EH7  Type 67 (mid Terrace): SH67-I-7  Type 69 (Hipped End Terrace): SH69-EH7  Type 69 (Mid Terrace): SH69 –I-7</p> <p><b>Reason:</b> To ensure that the development hereby approved is carried out in accordance with the approved plans and details.</p>
3.	<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 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. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> <li>• Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.</li> <li>• Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.</li> <li>• Provision of surface water run-off attenuation</li> </ul>

	<p>storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA</p> <ul style="list-style-type: none"> <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>• Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term resilience.</li> </ul> <p><i>Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and Policy 1 of the Broxtowe Part 2 Local Plan (2019). It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.</i></p>
4.	<p>No development, including site clearance, shall commence until measures to protect the retained hedgerows and trees on site during construction have been submitted to and agreed in writing by the Local Planning Authority. No development shall commence until the agreed protection measures are in place and these shall be retained in place until all construction in the area around the protected vegetation has been completed.</p> <p><i>Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of biodiversity and in accordance with the aims of the NPPF, Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
5.	<p>No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:</p> <ul style="list-style-type: none"> <li>a) pipes over 200mm in diameter capped off at night to prevent animals entering</li> <li>b) netting and cutting tools not to be left in the works area where they might entangle or injure animals</li> <li>c) No stockpiles of vegetation should be left overnight and if</li> </ul>

	<p>they are left then they should be dismantled by hand prior to removal</p> <ul style="list-style-type: none"> <li>d) construction lighting proposals</li> <li>e) materials, plant and machinery storage locations</li> <li>f) dust management plan</li> <li>g) proposed working practices to minimise harm to wildlife and trees</li> </ul> <p>The development shall be constructed in accordance with the agreed CEMP.</p> <p><i>Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
6.	<p>No development, including site clearance, shall commence until details of appropriate gas prevention measures have been submitted to and approved in writing by the Local Planning Authority. No building to be erected pursuant to this permission shall be occupied or brought into use until:</p> <ul style="list-style-type: none"> <li>(i) all necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</li> <li>(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.</li> </ul> <p><i>Reason: No such details were provided with the application and it is considered that the development cannot proceed safely without such details being provided before development commences to ensure that the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
7.	<p>No development shall commence until details of all necessary piling or other penetrative foundation design, specifically in the area of former open case mining within the south of the site and as identified in the Geomatters Highwall Investigation Report dated 24.11.20 have been submitted to and approved in writing by the Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be constructed in accordance with the approved details.</p> <p><i>Reason: No such details were provided with the application and it is considered that the development cannot proceed safely without such details being provided before development commences to ensure that the details are satisfactory, in the</i></p>

	<i>interests of public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i>
8.	<p>No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>v. wheel washing facilities</li> <li>vi. measures to control the emission of dust and dirt during construction</li> <li>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> </ul> <p>Reason: In the interest of highway safety.</p>
9.	<p>No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p>Reason: To protect nearby occupants from excessive construction noise and vibration <i>and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</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 number ADC2052-DR-001 Revision P6, including the proposed pedestrian refuge island across Cordy Lane has been provided.</p> <p>Reason: In the interest of highway safety.</p>
11.	<p>Occupation of the proposed dwellings shall not take place until the off-site highway works at the A608 Cordy Lane / B600 Willey Lane junction as shown for indicative purposes only on drawing number ADC2052-DR-002 Revision P3 have been provided.</p> <p>Reason: To mitigate the impact of development traffic on the</p>

	network, in the interest of highway safety.
12.	<p>Prior to works commencing above foundation level a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan should detail how protected or otherwise notable species and habitats on site will be protected throughout the construction and operation phases of the proposed development and include measures such as those to maintain connectivity for hedgehogs shall be clearly shown on a plan (fencing gaps 130mm x 130mm and/or railings and/or hedgerows. Such approved measures shall be implemented in full and maintained thereafter in accordance with details which shall first be submitted to and approved in writing by the local planning Authority.</p> <p><i>Reason: To ensure that the development contributes positively to the Borough's ecological network and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
13.	<p>Trees referenced T1, T2 and T3 in the Crestwood Environmental: Bat Activity Survey Report (CE-CL-1493-RP03A - final) shall not be removed unless and until an endoscope survey has been undertaken immediately prior to any proposed works in the presence of a suitably qualified ecologist. A report detailing the findings of this survey, including any proposed mitigation measures, shall be submitted to and agreed in writing by the Local Planning Authority. Any mitigation measures shall be carried out in accordance with the agreed details.</p> <p><i>Reason: In the interests of safeguarding habitat for bats, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
14.	<p>No development shall commence above ground floor level until a noise assessment has been undertaken detailing a scheme for protecting the proposed dwellings from noise from the multi use games area and sports pitches adjacent to the proposed development and has been submitted to and approved by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before any permitted dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To protect future occupiers from any significant adverse impact as a result of excessive recreational noise in accordance with paragraph 180 of the NPPF.</i></p>
15.	<p>Nothing shall be stored or placed in any area fenced in accordance with condition 4 and the ground levels within those areas shall not be altered, nor shall any excavation be made,</p>



	<p>without the prior written consent of the local planning authority.</p> <p><i>Reason: To ensure the retained trees are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
16.	<p>No external lighting shall be erected until a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting shall be installed and thereafter maintained in accordance with the agreed details.</p> <p><i>Reason: No such details were submitted and in the interests of safeguarding habitat for bats, in accordance with the aims of Policies 20 and 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
17.	<p>An updated Great Crested Newts survey shall be undertaken and the results submitted to the Local Planning Authority should the development not commence within 18 months of the date of the permission. All mitigation measures identified within the report shall be undertaken in full prior to the occupation of any of the dwellings hereby approved.</p> <p><i>Reason: To ensure the impact on ecology is minimised and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
18.	<p>A timetable for the implementation of the soft landscaping proposals hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality, to ensure the landscaping takes place in a timely fashion and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
19.	<p>No above ground floor level works shall commence until details of the location of all meter boxes have been submitted to and approved by the Local Planning Authority.</p> <p><i>Reason: In the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
20.	<p>Prior to the occupation of the dwellings hereby approved, details</p>

	<p>of a private management company for managing the onsite open space and a detailed landscape management plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority and maintained and retained for the lifetime of the development.</p> <p><i>Reason: To ensure the site is suitably landscaped and this is maintained for the life of the development.</i></p>
21.	<p>No dwelling shall be occupied until its own boundary treatment has been erected in accordance with the approved details.</p> <p><i>Reason: In the interests of residential amenity and the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
22.	<p>No retaining wall on any plot shall be installed until details, including section drawings where necessary, have first been submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be first occupied until the boundary treatment for the respective plot has been installed in accordance with the approved Boundary Treatment plan and any agreed retaining wall details.</p> <p><i>Reason: In the interests of residential amenity and the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
23.	<p>Occupation of the proposed dwellings shall not take place until their respective driveway/shared driveway has 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><b>Reason: In the interest of highway safety.</b></p>
24.	<p>Occupation of the proposed dwellings shall not take place until Brinsley Footpath 31 has been diverted in accordance with the details shown on drawing H8060/P101e Rev F.</p> <p><b>Reason: To prevent the obstruction of the public highway.</b></p>
25.	<p>Electric vehicle charging points shall be installed on the</p>

	<p>dwelling as indicated on the approved plans prior to their first occupation and thereafter retained and maintained for the lifetime of the development.</p> <p><i>Reason: To ensure environmental measures are incorporated within the scheme, in accordance with the aims of Policy 1 of the Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Part 2 Local Plan (2019).</i></p>
26.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking or re-enacting this order, no extensions or enlargements shall be carried out to the dwellings at plots 14, 15 and 17 hereby approved which come within Class A or B of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.</p> <p><i>In the interests of the amenity of adjoining neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
27.	<p>The first floor windows in the north facing side elevation of plots 14 and 15 shall be obscurely glazed and fixed shut below 1.7m from floor level within the room it is located.</p> <p><i>Reason: In the interests of residential amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
28.	<p>No development shall commence until a written scheme of investigation including a watching brief covering site excavations and soil stripping operations has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details. If unexpected ground conditions are discovered during development resulting in former coal mining operations being exposed work shall cease immediately. A further ground investigation report shall be submitted to and approved in writing by the Local Planning Authority highlighting the extent and nature of the previously undiscovered ground conditions including a suitable method statement enabling works to recommence on site. Any recommencement of work on site shall proceed only in accordance with these approved details.</p> <p><i>Reason: To ensure development proceeds in a safe manner reflecting ground conditions and former coal mining operations and in accordance with the aims of Policy 19 of the Broxtowe</i></p>

	<b><i>Part 2 Local Plan (2019).</i></b>
<b>29.</b>	<p>Occupation of the dwellings fronting a shared private drive shall not take place until details of the proposed arrangements and plan for future management and maintenance of the private road including associated drainage by a private management company have been submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall thereafter be maintained in accordance with the approved management and maintenance details for the lifetime of the development.</p> <p><b><i>Reason: To ensure the road infrastructure is maintained to an appropriate standard for the lifetime of the development.</i></b></p>
	<b>NOTES TO APPLICANT:</b>
<b>1.</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>2.</b>	This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
<b>3.</b>	Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
<b>4.</b>	Reference in any condition contained in this permission/ to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to any body or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.
<b>5.</b>	<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 for which there is a fee.</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</p>

	<p>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. Correspondence with the Highway Authority should be addressed to: <a href="mailto:hdc.south@nottsc.gov.uk">hdc.south@nottsc.gov.uk</a></p>
6.	<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 for which there is a fee. Please contact: <a href="mailto:hdc.south@nottsc.gov.uk">hdc.south@nottsc.gov.uk</a></p>
7.	<p>The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.</p>
8.	<p>The proposed development requires the diversion of a public right of way which is administered by the Department for Transport. The grant of planning permission for this development does not authorise the obstruction or diversion of this public right of way and an unlawful obstruction to the right of way is a criminal offence and may result in the obstructing development being required to be removed.</p>
9.	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure addresses are created.</p>

	<b>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.</b>
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## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00714/FUL</b>
<b>LOCATION:</b>	<b>259 High Road Chilwell NG9 5DD</b>
<b>PROPOSAL:</b>	<b>Construct link extension and change use from residential (Class C3) to residential care home (Class C2)</b>

### 1 Executive Summary

- 1.1 The application was first brought before Planning Committee 10 March 2021 with a recommendation for approval and the original committee report attached at appendix 2. Members resolved to defer making a decision on the application in order that a discussion with the applicant could be had in regard to the possibility of providing additional car parking within the associated site, Landermeads.
- 1.2 The application is being returned to committee following the receipt of additional information and a revised parking layout.
- 1.3 The changes to the parking layout at the adjacent Landermeads site see an additional four spaces created.
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in appendix 1. The first report is included at appendix 2.

## APPENDIX 1

1 Details of the Application

- 1.1 A brick built, flat roof link extension, with a footprint of 1.95m x 2.6m, and having a lantern style roof light, is proposed to be constructed between 259 High Road and the north east elevation of the Landermeads Care Home. A change of use of 259 from a three bedroomed residential dwelling (Class C3) to a three-bedroom residential care home (Class C2), associated with Landermeads, is proposed.
- 1.2 259 High Road would be used as a semi-independent living unit for the use of residents of the care home, in an assisted living environment.

2 Relevant Policies and Guidance

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

3 Re-consultations

- 3.1 Re-consultations were not considered necessary, as the deferral was to enable discussions to take place with a view to obtaining additional parking on the adjacent site, Landermeads.

4 Assessment

- 4.1 Additional information in the form of a parking layout at the adjacent site, Landermeads, has been submitted. This demonstrates that an additional four parking spaces can be provided.
- 4.2 Whilst it is acknowledged that the requirement to provide additional parking falls outside of the scope of the consideration of the original application, the applicant has demonstrated their willingness to work with the Local Planning Authority in order to help to address existing parking and highway concerns in the immediate area, and the additional off-street parking would result in a net gain of a minimum of two and a maximum of six spaces on the public highway.

5 Planning Balance

- 5.1 The benefits of the proposal are that the care home would enable more targeted service provision, to the benefit of the users of the facility, and would enable the retention of a residential use, which could be converted back to a dwelling should there be a demand in the future. The additional off-street parking provided would go toward addressing existing parking problems in the immediate area.
- 5.2 The negative impacts are the impact on heritage assets.
- 5.3 On balance, given the size and siting of the link building, it is considered that, for the reasons above, the negative impacts would not outweigh the benefits of the proposed development.



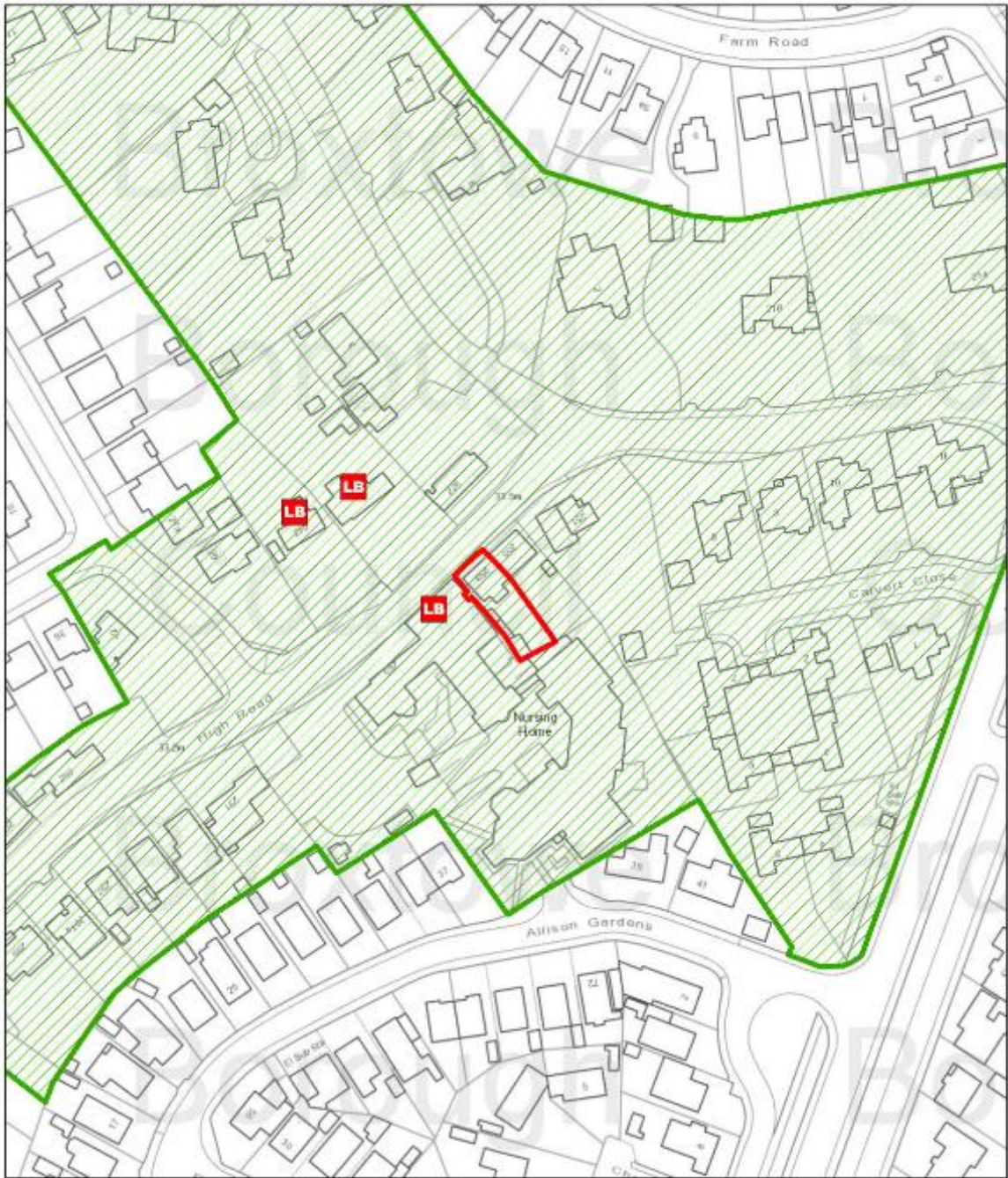
6 Conclusion

- 6.1 Recommend that planning permission be granted subject to the conditions outlined above.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<p><b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b></p> <p><b><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></b></p>
<b>2.</b>	<p><b>The development hereby permitted shall be carried out in accordance with the site location plan received by the Local Planning Authority on 16.11.20, the proposed block plan and drawings numbered 20/988/03 and 20/988/04 received by the Local Planning Authority on 10.10.20, and parking layout drawing number 20/988/06 rev B received by the Local Planning Authority on 24.03.21.</b></p> <p><b><i>Reason: For the avoidance of doubt.</i></b></p>
<b>3.</b>	<p><b>No above ground works shall be carried out until details of the manufacturer, type and colour of the door, bricks and coping stones to be used in facing 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.</b></p> <p><b><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 11 of the Aligned Core Strategy (2014).</i></b></p>
<b>4.</b>	<p><b>The development hereby approved shall not be occupied until the parking spaces shown on drawing number 20/988/06 rev B have been made available for use.</b></p> <p><b><i>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b></p>

	<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>
<b>2.</b>	<b>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 burning of waste on site at any time.</b>

259 High Road Chilwell NG9 5DD



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-  Conservation Area
-  Listed Building
-  Site

1:1,250  
0 0.01 0.02 0.04 mi  
0 0.01 0.02 0.06 km  
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third parties in any form.

Photographs



259 High Road, with Landermeads nursing home complex to the right



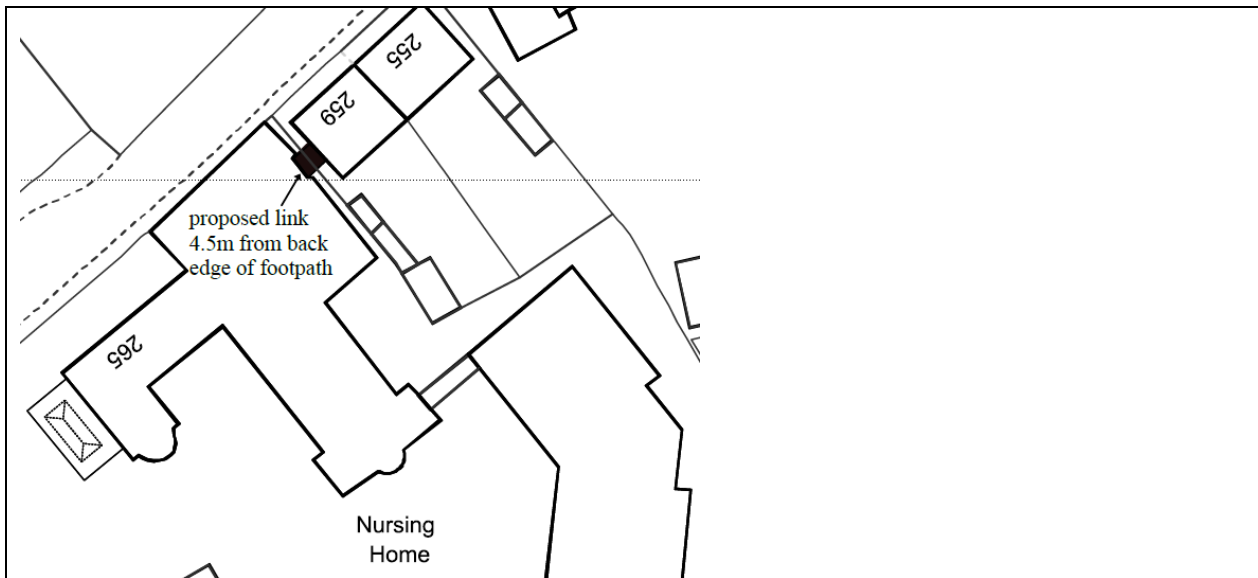
Gap between 259 and the adjacent home, site of the proposed link building



North east elevation of the adjacent building. The link would be to the flat roof element that can be seen to the rear of the adjacent building



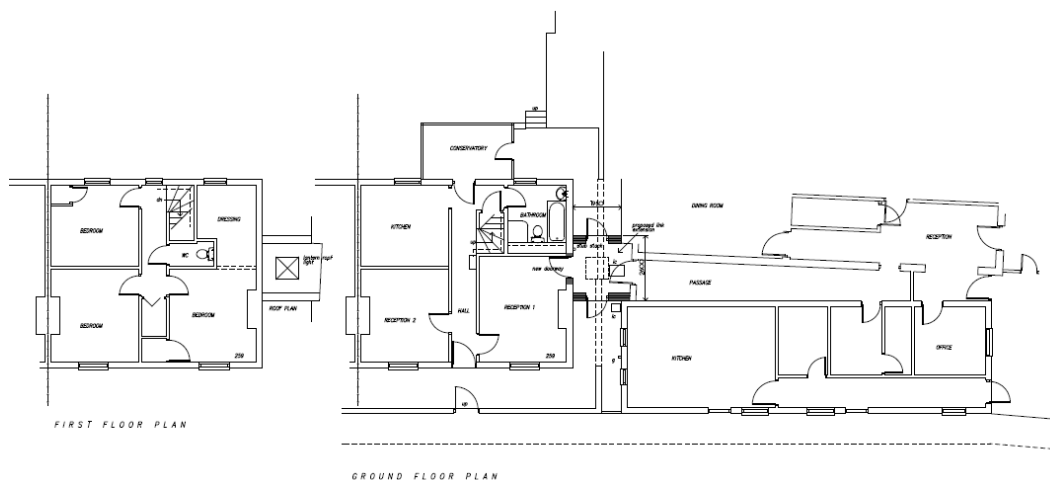
**Plans (not to scale)**



**Block Plan of proposed link between 259 High Road and Landermeads**



**Proposed elevation to High Road**



**Proposed floor plans**



Parking Layout as proposed

## APPENDIX 2

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00714/FUL</b>
<b>LOCATION:</b>	<b>259 High Road Chilwell NG9 5DD</b>
<b>PROPOSAL:</b>	<b>Construct link extension and change use from residential (Class C3) to residential care home (Class C2)</b>

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

1 Executive Summary

- 1.1 The application seeks planning permission for a single storey link extension between 259 High Road and the Landermeads complex; and a change of use of 259 High Road to a residential care home, in association with Landermeads.
- 1.2 The site currently comprises of a two storey semi-detached dwelling, and is located in the Chilwell Conservation Area.
- 1.3 The main issues relate to whether the principle of the change of use and the extension would be acceptable, if there would be harm to the character and appearance of the conservation area and to the setting of the Listed Building, and whether there will be an unacceptable impact on neighbour amenity and highway safety.
- 1.4 The benefits of the proposal are the retention of the building as a residential use, and the provision of targeted accommodation to the benefit of the existing care home residents and compliance with policies contained within the development plan. This is given significant weight. There would be the potential for an impact on designated heritage assets but this is outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix, and subject to no additional responses being received post committee.

## Appendix 1

1 Details of the Application

- 1.1 A brick built, flat roof link extension, with a footprint of 1.95m x 2.6m, and having a lantern style roof light, is proposed to be constructed between 259 High Road and the north east elevation of the Landermeads Care Home. A change of use of 259 from residential (Class C3) to a three-bedroom residential care home (Class C2), associated with Landermeads, is proposed.
- 1.2 259 High Road would be used as a semi-independent living unit for the use of residents of the care home, in an assisted living environment.

2 Site and surroundings

- 2.1 259 High Road is a two storey semi-detached property with a small front garden, enclosed by a low brick wall. Access to the rear garden and outbuildings is via a path to the south west side of the property.
- 2.2 255 High Road is the attached semi, to the north east of the site.
- 2.3 To the south west and wrapping round to the rear (south east) is the Landermeads Nursing Home complex. It is understood that the nursing home specialises in dementia care. Landermeads consists of the original house called The Meads, a Grade II listed building, which was a farmhouse originally, and is to the south west of the site. Fronting High Road, and between The Meads and the application site, is a gabled wing to the house, which has the appearance of a former barn or stables. The 'Meads' has been altered and extended such that there is a modern two storey wing to the rear of this lower height building, set away from the boundary with the application site for the most part. A glazed link is between this and the original house, and also linked to a larger single storey extension to the rear of that, which continues along the north east boundary and to the south east boundary of the Landermeads site. A parking area is to the south west of the nursing home site, accessed from High Road.
- 2.4 Opposite the site there are two dwellings, 228 High Road, a Grade II Listed Building, which is a two storey detached building set back from the road, and 226 High Road to the east of this, which is also a two storey detached dwelling, although this is set forward of its neighbour.
- 2.5 High Road itself at this point is relatively narrow, having a village character. The site is within the Chilwell Conservation Area.

3 Relevant Planning History

- 3.1 There is no relevant planning history for the site. However, the following planning history for Landermeads is considered relevant:



- 3.2 In 1987, planning permission was granted for the change of use of The Meads to a nursing home and to form a car park and vehicular access. Reference 87/00479/FUL.
- 3.3 In 1992, planning permission was granted for the construction of an extension to create 35 additional bedspaces. Reference 92/00580/FUL.
- 3.4 In 2000, planning permission was granted to construct two storey and single storey extensions, creating an additional 16 bedspaces. Reference 00/00848/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 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

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

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

- Policy 17: Place-making, design and amenity
- Policy 23: Proposals affecting designated and non-designated heritage assets

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 9 – Promoting sustainable transport.
- Section 12 – Achieving well-designed places.
- Section 16 – Conserving and enhancing the historic environment

#### 5 Consultations

- 5.1 **Council's Conservation Adviser:** the proposed structure is set back from the street and would not be visually prominent. It appears to be connected to a previous link structure rather than the front section of the Listed Building. Would suggest that the link could be 'lighter weight' for example more glazing, which would reflect that used in a previous extension on the site. However, this would not be a reason for objection, but is something that should be acknowledged. The choice of a lighter material would allow for the two buildings to have a clear distinction and may also appear more 'temporary' in nature, giving the ability to convert the dwelling back to a single unit should the requirement change.
- 5.2 **Council's Environmental Health Officer:** No objection, subject to notes to applicant in respect of sound insulation; contractor hours; and no bonfires on site.

5.3 **County Council as Highway Authority:** No concerns regarding the proposal. Note that the existing dwelling has no off-street parking and the occupants would therefore choose to park outside the dwelling on High Road, which has no traffic regulation orders. The proposal to convert the dwelling with link to the existing care home to provide an additional three bed spaces would generate the demand for one additional space as opposed to the generation of two spaces for the current use. The road safety team report no injury accidents on High Road between Bye Pass Road and School Lane, between 01.01.17 and 30.09.20. Consultations are ongoing in respect of proposals for Traffic Regulation Orders within the vicinity of the site.

5.4 Three properties either adjoining or opposite the site were consulted, a site notice was displayed and a press notice published. 13 objections were received, on the following summarised grounds:

- the nursing home has expanded without provision of parking facilities for staff and visitors, which has resulted in increased on-street parking on the High Road, causing congestion, and restriction of access/egress to neighbouring drives.
- This stretch of High Road is narrow, with footways either side being inadequate or absent, and is a bus route with frequent service. Vehicles coming along the High Road often go over the speed limit. This poses a danger to pedestrians and will worsen as more cars park on the road.
- Efforts by local residents to get parking and speed restrictions on this stretch of High Road have been unsuccessful
- Parking by staff and visitors on The Close causes an obstruction at the junction of High Road
- Additional expansion without further consideration of road layout, pedestrian crossing or traffic calming is reckless
- Whilst the proposal doesn't appear to increase the amount of residents living in the home (overall), the type of care may increase staff numbers
- Landermeads is overdeveloped and in the wrong location. This is a highly developed residential area and there is no land to expand further
- the car park is inadequate for the needs of the home
- The road flooded last year, as the drains were blocked, due to cars being parked on the road and as such the road-sweeper cannot clean that side of the road to keep the drains free of leaves and debris
- Nearby residents are being deprived of our amenities due to volume of parking at present. Street cleaning, refuse collection and emergency services can all be hampered.

## 6 Assessment

6.1 The main issues for consideration are the principle of the change of use and whether the proposal would have an impact on heritage assets, neighbour amenity and highway safety.

**6.2 Principle**

- 6.2.1 The proposed use of the building is considered to retain the residential nature of a dwelling and as such, subject to the matters below, is considered to be acceptable in principle.

**6.3 Heritage**

- 6.3.1 The buildings fronting the Landermeads site are Grade II Listed, and the site is within the Chilwell Conservation Area. There are two detached properties opposite the site (228 and 230) which are also Grade II Listed Buildings. It is considered that whilst the link building could be built of or designed with lighter materials, in order to provide a visual break in the two buildings, given the set back from the frontage, its small scale and that the link is not connecting the Listed Building to 259 High Road, the development is considered to have less than significant harm to the setting of the Listed Building and it would preserve the character and appearance of the Chilwell Conservation Area. The benefits of the proposal in providing additional accommodation for the adjacent care home and maintaining the building in a residential use are considered to outweigh any harm to heritage assets.

**6.4 Amenity**

- 6.4.1 As the link extension would be between the two buildings and not in direct view of the neighbouring properties, being set back from the front elevation, it is considered that the extension would not have a significant impact on neighbour amenity in terms of loss of light, outlook or privacy. In regard to the use, the nature of the use as residential care home would not be significantly different to the current use as a dwelling and as such it is considered that there would be no significant impact in terms of increase in noise and disturbance for the occupiers of the neighbouring semi.

**6.5 Highway Safety**

- 6.5.1 There are clearly significant concerns in regard to parking and associated problems on this stretch of High Road, which is the main topic of the objections received.
- 6.5.2 The agent and applicant have both stated that there is no intention to increase the total number of residents at the care home overall, but rather are finding further space for the people that they already support; the proposal is intended to provide assisted living facilities for a maximum of 3 residents, living semi-independently in a house setting as a family group. There would be no increase in activity, due to the link building, or to staffing levels. None of the residents would own or have access to a vehicle and as such demand for parking would be reduced, when compared to a dwelling. There is no anticipated increase in visitor numbers. A cycle shelter is on order, separate to this application, which should also help encourage staff to use more sustainable modes of transport.
- 6.5.3 The change of use of 259 from a dwelling to a care home in itself would not generate any additional demand for on street parking. The dwelling, being three bedroomed, could potentially generate two vehicles which would need to be accommodated on-street since there is no off street parking associated with the

property. The occupiers of the care home (proposed to be three residents) would not have access to their own vehicles. The applicant confirms that there would be no increase in staff levels, due to the needs of the residents who will be living semi-independently, and as such there would be no greater demand for on-street parking. It is also noted that as the site is located on a well-served public transport route; staff and visitors have the option to use this sustainable means of transport rather than the private motor vehicle.

- 6.5.4 As such it is considered that the change of use to care home, associated with Landermeads, would not result in a significant increase or cumulative impact in terms of traffic generation, or result in a detriment to highway safety, as there would be no increase in resident or staff numbers, and compared to the existing use, it would likely generate less demand for on-street parking.

## 6.6 Other Matters

- 6.6.1 Surface flooding of the road has been raised as a concern, and stated that this has been caused by the inability of the road sweeping teams to clear debris from the road, due to parked cars on High Road. This is not a material planning matter, however notwithstanding this, it is considered that the proposal would not generate any additional on-street parking and that it would have no greater impact on surface water drainage than the existing situation.
- 6.6.2 Similarly, the proposal would not result in a significant impact on the ability of refuse collection, street cleaning or emergency vehicles to carry out these services.

## 7 Planning Balance

- 7.1 The benefits of the proposal are that the care home would enable more targeted service provision, to the benefit of the users of the facility, and would enable the retention of a residential use, which could be converted back to a dwelling should there be a demand in the future.
- 7.2 The negative impacts are the impact on heritage assets.
- 7.3 On balance, given the size and siting of the link building, it is considered that, for the reasons above, the negative impacts would not outweigh the benefits of the proposed development.

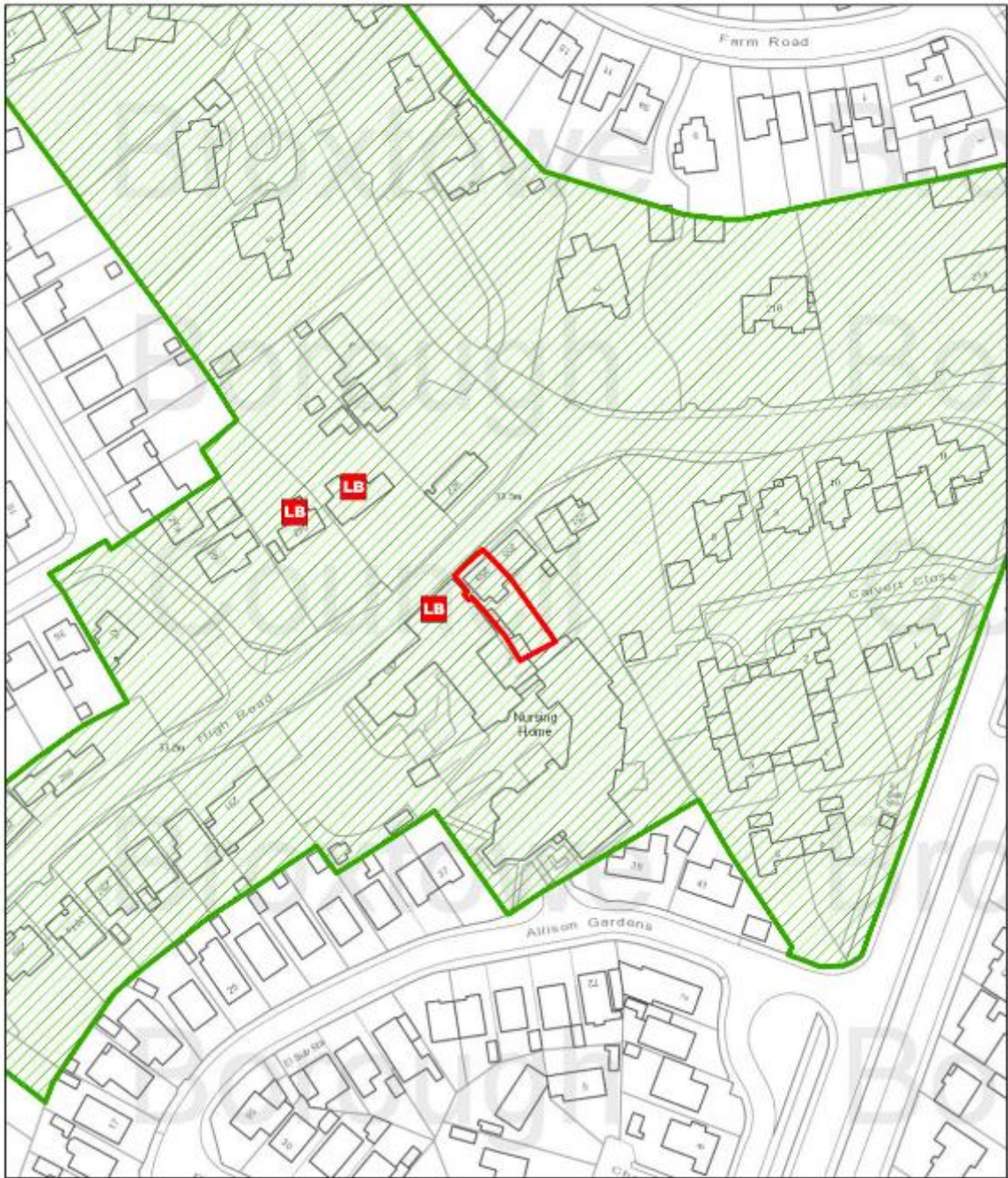
## 8 Conclusion

- 8.1 Grant planning permission subject to conditions. The proposal is in accordance with the aims of Policies A, 10 and 11 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019).

<b><u>Recommendation</u></b>	
The Committee is asked to <b>RESOLVE</b> that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan received by the Local Planning Authority on 16.11.20, the proposed block plan and drawings numbered 20/988/03 and 20/988/04 received by the Local Planning Authority on 10.10.20.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the door, bricks and coping stones to be used in facing elevations have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 11 of the Aligned Core Strategy (2014).</i></p>
<b>NOTES TO APPLICANT</b>	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The developer should ensure that sound insulation to limit the transmission of noise between each use achieves the minimum requirements as contained in the current version of British Standard Approved Document E.
3.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours

	<b>Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.</b>
<b>4.</b>	<b>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.</b>

259 High Road Chilwell NG9 5DD



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-  Conservation Area
-  Listed Building
-  Site

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Photographs



259 High Road, with Landermeads nursing home complex to the right



Gap between 259 and the adjacent home, site of the proposed link building



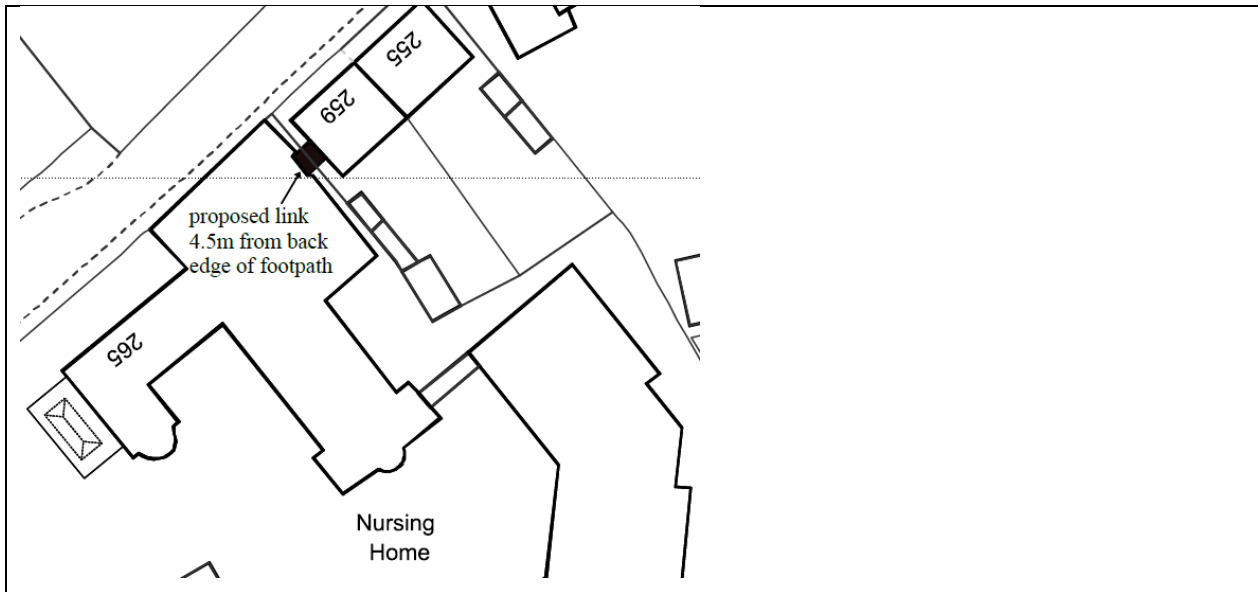
North east elevation of the adjacent building. The link would be to the flat roof element that can be seen to the rear of the adjacent building



Existing glazed link between The Meads building and Catherine Tam House, viewed from High Road



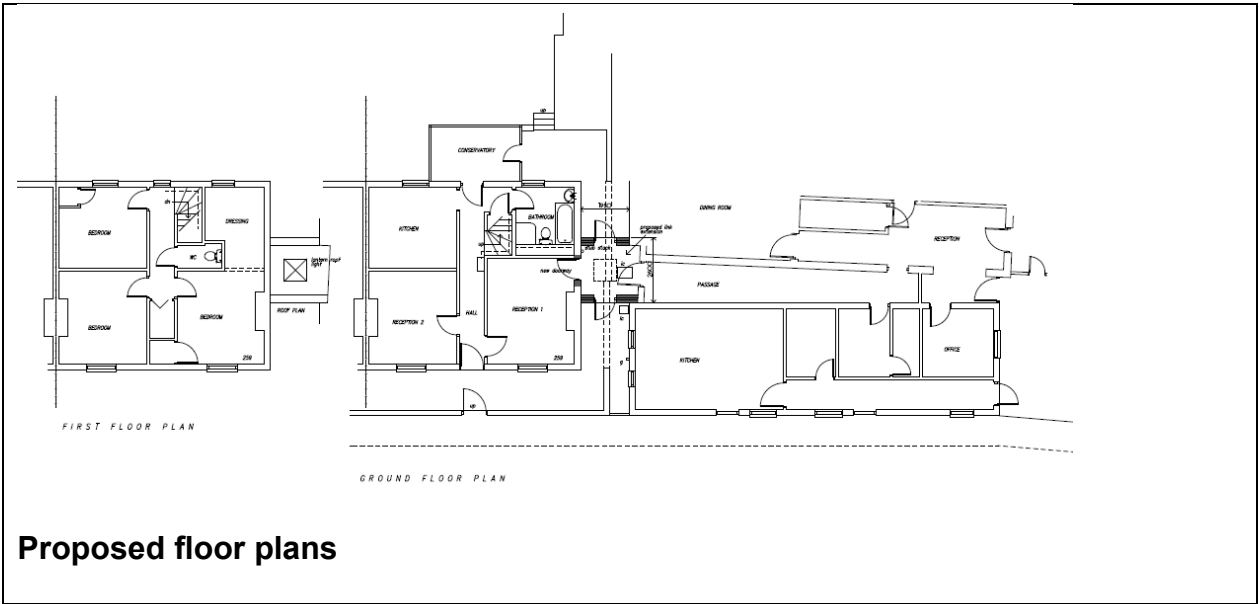
**Plans (not to scale)**



**Block Plan of proposed link between 259 High Road and Landermeads**



**Proposed elevation to High Road**



## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00667/FUL</b>
<b>LOCATION:</b>	<b>28 Park Road Chilwell NG9 4DA</b>
<b>PROPOSAL:</b>	<b>Construct pair of semi-detached dwellings following demolition of existing bungalow</b>

### 1 Executive Summary

- 1.1 The application was first brought before Planning Committee 10 March 2021 with a recommendation for approval. The original Committee report is included at appendix 2. Members resolved to defer making a decision on the application in order that a site visit be made.
- 1.2 The application is being returned to Committee following the opportunity for members to visit the site, and following the receipt of details in respect of materials.
- 1.3 The details of the materials proposed have been submitted and samples have been made available to view on site. (Imperial bricks and clay plain tiles.)
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in appendix 1.

## APPENDIX 1

1 Details of the Application

- 1.1 The proposal seeks to construct two x two storey semi-detached dwellings with a single storey extension to the rear, and associated garden area. Off street parking would be provided to the front. The buildings would be built of traditional materials and be of a Victorian style of design.

2 Relevant Policies and Guidance

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

3 Re-consultations

- 3.1 Re-consultations were not considered necessary, as the deferral was for a site visit only, so as to assess the impact of the development on the character of the area and on neighbour amenity.

4 Assessment

- 4.1 Members would have had an opportunity to visit the site in order to consider the impact of the development.
- 4.2 Additional information in the form of an email with photos and samples of materials have been submitted, which demonstrate that the applicant intends to construct a development using appropriate high-quality materials that would respect the character of the area. A condition to ensure that the development is built using these materials is recommended, or, should alternative materials be proposed, the condition would require these details to be approved.

5 Planning Balance

- 5.1 The benefits of the proposal are the provision of two dwellings suitable for occupation by a range of tenants.
- 5.2 The negatives are the impact on the Chilwell Cottage Grove Conservation Area and impact on neighbour amenity.
- 5.3 On balance, the negative impacts have been satisfactorily addressed and mitigated for by appropriate planning conditions.

6 Conclusion

- 6.1 Recommend that planning permission be granted subject to the conditions outlined below.

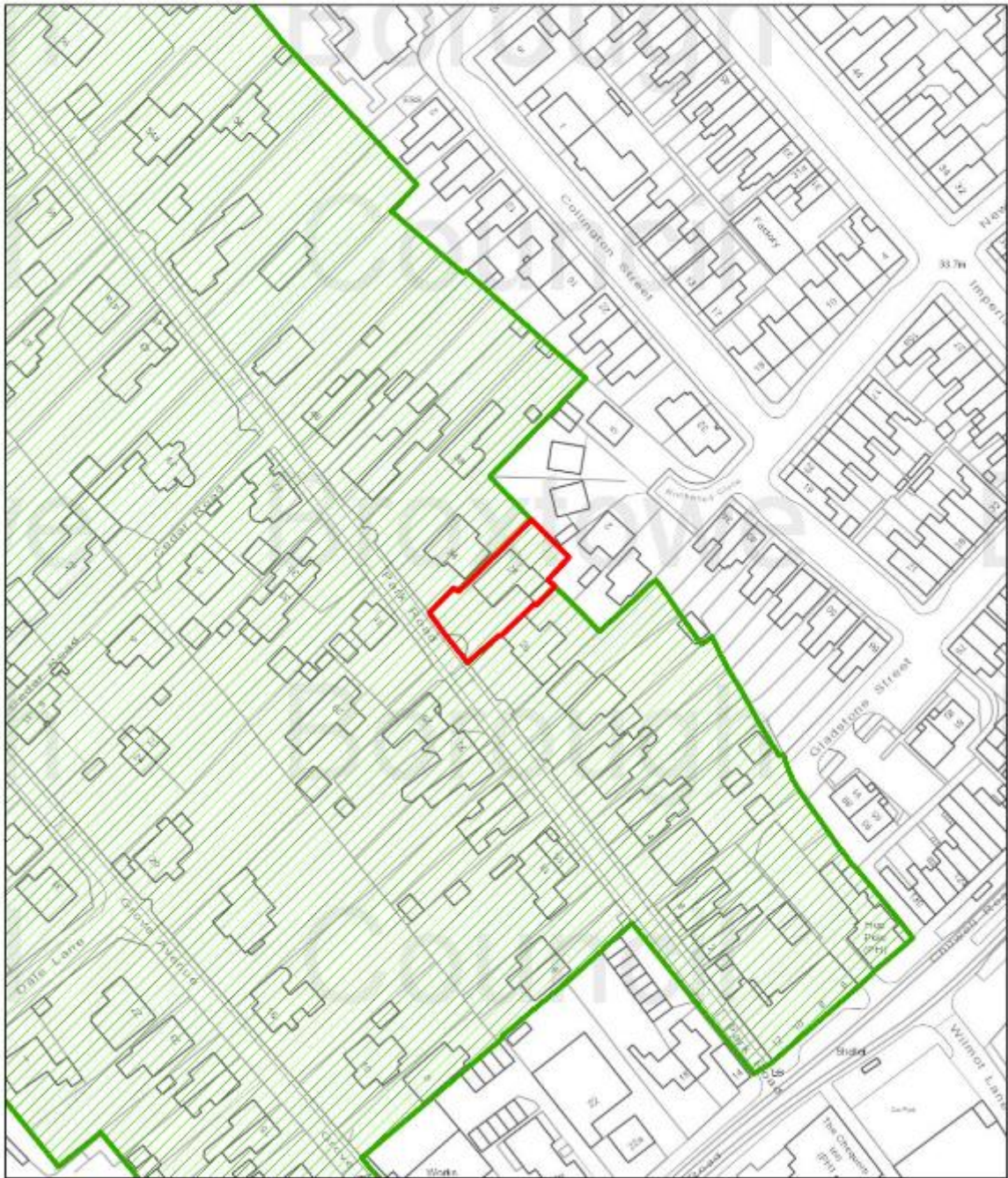
<b><u>Recommendation</u></b>	
The Committee is asked to <b>RESOLVE</b> that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawings numbered: 20/976/10 rev B, and 20/976/12 rev A received by the Local Planning Authority on 04.01.21, drawing number 20/976/11 rev C received by the Local Planning Authority on 16.02.21.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby permitted shall be carried out in accordance with the details of materials submitted by email received 22.03.21, unless alternative details have first been submitted to and approved in writing by the Local Planning Authority prior to any above ground works being carried out. The development shall be constructed only in accordance with the approved details.</p> <p><i>Reason: To ensure the development presents a satisfactory standard of external appearance within the Chilwell Cottage Grove Conservation Area, in accordance with the aims of Policy 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 and 11 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) numbers, types, sizes and positions of proposed trees, hedges and shrubs</li> <li>(b) proposed boundary treatments</li> <li>(c) proposed hard surfacing treatment</li> <li>(d) planting, seeding/turfing of other soft landscape areas</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p>

	<b><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b>
5.	<p>No dwelling hereby permitted shall be occupied until the drive and any parking area related to that dwelling has been surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.</p> <p><b><i>Reason: In the interests of highway safety in accordance with the aims of Policy 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 and 11 of the Aligned Core Strategy (2014).</i></b></p>
6.	<p>No dwelling hereby permitted shall be occupied until the drive and parking area related to that dwelling has been constructed with provision to prevent the unregulated discharge of surface water from the frontage to the public highway and shall be retained for the life of the development.</p> <p><b><i>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b></p>
7.	<p>The first floor window on the side elevation to the south east shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and the windows at second floor level in the south east and north west side elevations shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and non-opening, to a height of 1.7m above the ground floor of the room in which it is installed. Both sets of windows shall be retained in this form for the lifetime of the development.</p> <p><b><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b></p>
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

2.	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 burning of waste on site at any time.
3.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.

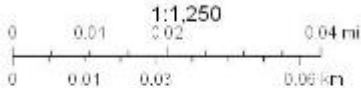


28 Park Road Chilwell



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-  Conservation Area
-  Site



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Photographs



Front elevation of 28 Park Road. The self-contained annexe is to the right.



View of existing access off Park Road



Front elevation of 34 Park Road



Side elevation of 26 Park Road



Rear elevation of 34 Park Road



Rear boundary of the site

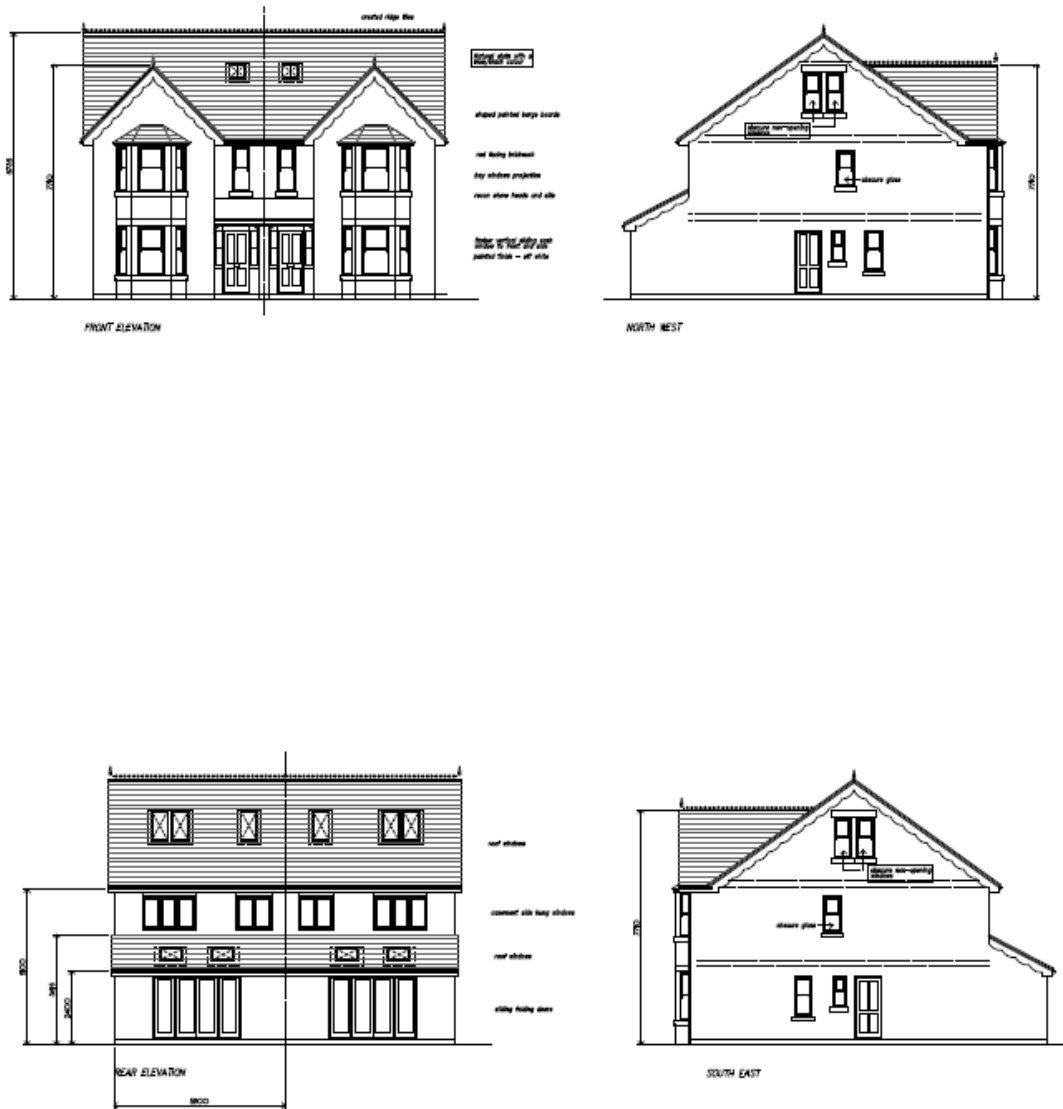


Rear elevation of 2 Rookwood Close

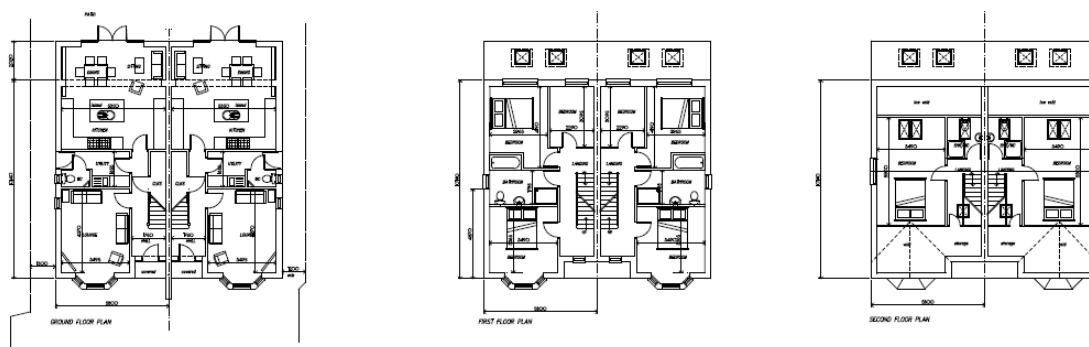
**Plans (not to scale)**



Proposed street elevation



Proposed elevations



Proposed floor plans

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## APPENDIX 2

## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00667/FUL</b>
<b>LOCATION:</b>	<b>28 Park Road Chilwell NG9 4DA</b>
<b>PROPOSAL:</b>	<b>Construct pair of semi-detached dwellings following demolition of existing bungalow</b>

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

1 Executive Summary

- 1.1 The application seeks planning permission to build a pair of semi-detached dwellings following the demolition of an existing bungalow.
- 1.2 The site currently consists of a bungalow which has been extended to the side, to provide a self-contained annexe which is being occupied as a separate dwelling. The site is located within the Chilwell Cottage Grove Conservation Area.
- 1.3 The main issues relate to whether the scale and design of the dwellings are appropriate, if there would be harm to the character and appearance of the conservation area, whether there would be an unacceptable impact on neighbour amenity and whether there would be an unacceptable impact on highway safety.
- 1.4 The benefits of the proposal are that it would provide homes suitable for occupation by a range of tenancies, and would be in accordance with the policies contained within the development plan. This is given significant weight. There would be the potential for an impact on the designated heritage asset and on parking in the local area, but these matters are outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

## Appendix 1

**1     Details of the Application**

- 1.1     The proposal seeks to construct two x three storey (rooms in the roof space) semi-detached dwellings with a single storey rear element, and associated garden area. Off street parking for a minimum of two vehicles per property would be provided to the front. The buildings would be built of traditional materials (brick and slate) with decorative ridge tiles and be of a Victorian style of design with feature front gables, shaped barge boards and double height bay windows. Each property would have four bedrooms. Amendments to the original proposal include a reduction in the ridge height of both dwellings, reduction in the width so as to allow for increased gap between the proposed dwellings and the common boundaries to either side, and re-instatement of front boundary treatment.

**2     Site and surroundings**

- 2.1     The application site consists of a gable bungalow, which is adjacent to the north west boundary, and a single storey addition which has a part flat and part gable roof, to the south east side elevation, built up to the south east boundary, which is being occupied as a separate unit of accommodation. There are therefore two dwelling units on the site. The frontage is surfaced in gravel and mainly given over to parking, and the rear garden has been subdivided so as to provide each unit with a separate garden. There is a hedge to the front boundary, with mature trees behind this. There is a close boarded fence to the side and rear boundaries, with vegetation to the rear boundary in front of the fence. The site is generally level.
- 2.2     To the south east of the site is 26 Park Road, a single storey dwelling which sits slightly forward of 28 Park Road. This property is to the full width of its site, built right up to each side boundary, and has a single storey extension to the rear, positioned to the centre of the building. There are no windows in the north west elevation facing the site, where the dwelling sits on the common boundary.
- 2.3     To the north west of the site is 34 Park Road. This is a two storey detached dwelling which sits in line with the front elevation with no. 28. It has two storey and single storey extensions to the rear. There are no windows in the side elevation facing the site.
- 2.4     2 and 3 Rookwood Close are to the rear of the site, to the north east. These properties are two storey detached properties, albeit with the first floor accommodated in the roof space, having dormer windows to the front and rear ('chalet' style). No. 2 is the property to the right when viewed from Park Road and is offset slightly such that the rear elevation faces both 26 and 28. This property has a single storey flat roof extension to the rear, and a detached outbuilding to the south east of its garden. A two storey side extension has been built to the south east elevation. No. 3 is to the north west of no. 2 and is at an angle to the application site, such that the rear elevation faces toward the rear of 34 Park Road. This property has not been extended but does have a detached outbuilding to the south east corner of the rear garden, adjacent to the common boundary with the application site.

- 2.5 To the south west and on the opposite side of Park Road is 31 Park Road, a two storey detached dwelling which has its main elevation facing south east (onto the garden) as is common with the original cottage style of properties in this area. There is a drive to the south east of this property which gives access to 29 Park Road, to the south west of no. 31. This is a large detached bungalow.
- 2.6 To the south east of the access to no. 29 is 25 Park Road, a single storey detached dwelling of more recent construction. This property has roof lights in the roof plane facing Park Road.
- 2.7 The application site falls within the Cottage Grove Chilwell Conservation Area. The area covers Park Road and Grove Avenue and was originally developed in a cottage garden style in order to provide housing with gardens suitable for growing food for occupation by textile workers, in the mid 1800's. This Conservation Area is comprised of housing of various dates, from Victorian detached and semi-detached villas to modern detached properties. Park Road itself has a broad mix of house styles and sizes, with this section of the road, to the south east, being of higher density development than the more spacious plots further along the road, towards the north west. There are examples of detached and semi-detached housing, with the majority being two storeys in height and some recent housing developments (single/two dwellings).

### 3 Relevant Planning History

- 3.1 Planning permission was granted in 1980 for alterations to convert the garage into a 'granny flat', construction of a new garage, and alterations to the boundary walls. Reference 80/00175/FUL. It is understood that the property was separated into two dwellings circa 2009. An enforcement investigation was undertaken at that time which concluded that as planning permission had been granted for an independent flat, no breach of planning permission was evident.

### 4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

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

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

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions

- Policy 23: Proposals affecting designated and non-designated heritage assets

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well-designed places.
- Section 16 – Conserving and enhancing the historic environment.

#### 5 Consultations

- 5.1 **Council's Conservation Adviser:** Initial comments: no objection to the demolition of the existing bungalow, as it does not meet the general character of the area. No objection to the chosen style, although have reservations in regard to creating a false history. Quality of the materials will be important, in order that the implementation meets the expectation. No objection to the proposed building line being brought forward from the existing. The proposed openness and loss of separation and vegetation to the front boundary is a concern, as the character of much of the road is green boundaries. Comments on amended plans: Note the inclusion of re-instated boundary planting, which is welcomed.
- 5.2 **Council's Waste and Recycling Officer:** Each dwelling to have 2 x 240 litre bins and 1 x 37 litre bag for glass. Bins / bags to be presented at the edge of the adopted highway prior to collection.
- 5.3 **County Council as Highway Authority:** On amended plans: No objections subject to conditions in respect of parking / drives to be provided prior to occupation; and to be constructed so as to prevent the unregulated discharge of surface water onto the public highway.
- 5.4 14 properties either adjoining or opposite the site were consulted, a site notice was displayed and a press notice published. 11 responses were received to the original plans, one of which was an observation and 10 of which objected on the following summarised grounds:

Design and Impact on the conservation area:

- Rear windows should be redesigned to incorporate roof type windows
- Ridge too high when compared to neighbouring property
- Proximity to side boundaries, too close and out of keeping with the character of the area
- Loss of privet hedge to front resulting in negative impact on appearance of the street and conservation area
- Design and scale is overbearing
- Over development of the site/intensity of development
- Loss of open aspect/garden like appearance of this section of Park Road
- Inappropriate choice of roof material
- The design is pastiche and there are no other similar designed properties on this road
- Allowing open frontage would set a precedent



- One dwelling only should be allowed on this site

Amenity:

- Loss of light
- Loss of privacy
- Sense of enclosure
- Impact from noise during construction and demolition

Highway safety and parking:

- Additional vehicles parked on the road would be a hazard to emergency services vehicles
- Loss of on-street parking
- Hard surfacing of the frontage would lead to surface water discharge on to other properties or onto the public highway

Other matters:

- Consider that the bungalow is still habitable and with a little time spent on the external appearance, would make a big difference
- Supporting document incorrectly refers to a property on Grove Avenue, and there is a lack of detailed measurements on the plan
- Would like to see more details in regard to landscaping
- Neighbouring occupiers have the right to peaceful enjoyment of all their possessions including their home and other land, under the Human Rights Act
- Allowing the replacement of bungalows with larger houses depletes the stock of housing suitable for elderly and disabled people at a time when there is increased demand for such properties. The ACS suggests that consideration should be given to the needs of the elderly when housing issues are considered. Nearby larger developments in the area offer very few properties suitable for elderly and disabled residents but provide plenty of larger homes

One letter of observation summarised as follows:

- Loss of light may occur. However, as the dwellings would be set further back than the existing bungalow, this may allow for early afternoon and evening sun to get through
- Properties should have a lower height and a smaller footprint
- There is a large Leylandii hedge to the rear boundary, which if this were to be removed or the height reduced, may help with loss of light. If removed a suitable planting scheme should be put in place which avoids high hedges and trees.

5.5 A further eight responses (six of objection and two with observations) were received following the receipt of amended plans summarised as follows:

- Remain of the opinion that whilst the roof height has been lowered and distance between boundaries has been increased, still object on the grounds of the density of development in a conservation area, use of hard surfacing in respect of drainage, depletion of housing stock for elderly and disabled residents, style (design) of the dwellings and out of proportion to its surroundings
- Changes to front boundary (hedges) may make parking situation worse, as now fewer cars will be able to be parked off street
- One dwelling with a garage to the side may be more appropriate

- The front boundary, now shown to be planted, should ideally be a sandstone wall, or a substantial hedge, to reflect the character of the conservation area. Concerned that the landscaping to the front may not get established and would therefore disappear
- Previous objections in regard to neighbour amenity remain (loss of privacy, loss of light)
- Does not preserve or enhance the character of the conservation area
- Proposed brickwork would be dark and imposing, in contrast to the existing light and spacious aspect.

## 6 Assessment

6.1 The main issues for consideration are impact on neighbour amenity; whether the design and scale of the development is appropriate; whether there would be a significant impact on the character and appearance of the Cottage Grove Conservation Area; and whether the proposal would be acceptable in terms of highway safety.

### 6.2 **Principle**

6.2.1 The site is within an established residential area and as such the principle of residential development is considered to be acceptable. The proposal seeks to build two x 4 bedroom properties, which would be suitable for occupation by a wide range of occupants, including families, and the ground floor layout could be readily adapted to accommodate the changing needs of the occupants, having a separate living room which could be used as a bedroom, and a utility room with WC which could be converted to a downstairs bathroom. The proposal would therefore accord with the aims of Policy 8 of the Aligned Core Strategy, and Policy 15 of the Part 2 Local Plan.

### 6.3 **Heritage**

6.3.1 The site is within the Chilwell Cottage Grove Conservation Area. The Character Appraisal notes that whilst there is no greatly dominant architectural style or continuity to the housing in this area, the majority of housing is of late 19<sup>th</sup> century to early 20<sup>th</sup> century in date, with inter-war housing being second most dominant. The overriding feel of the area is one of a quiet garden suburb. The Conservation Adviser notes that the existing bungalow does not meet the general character of the area and as such there are no objections to the demolition of the property. No objections to the proposed building line have been raised by the Conservation Adviser, and the quality of the materials to be used would be important. It is therefore considered that the proposal, as amended, and subject to the prior approval of materials, would preserve the character and appearance of the conservation area, where no particular housing style is dominant.

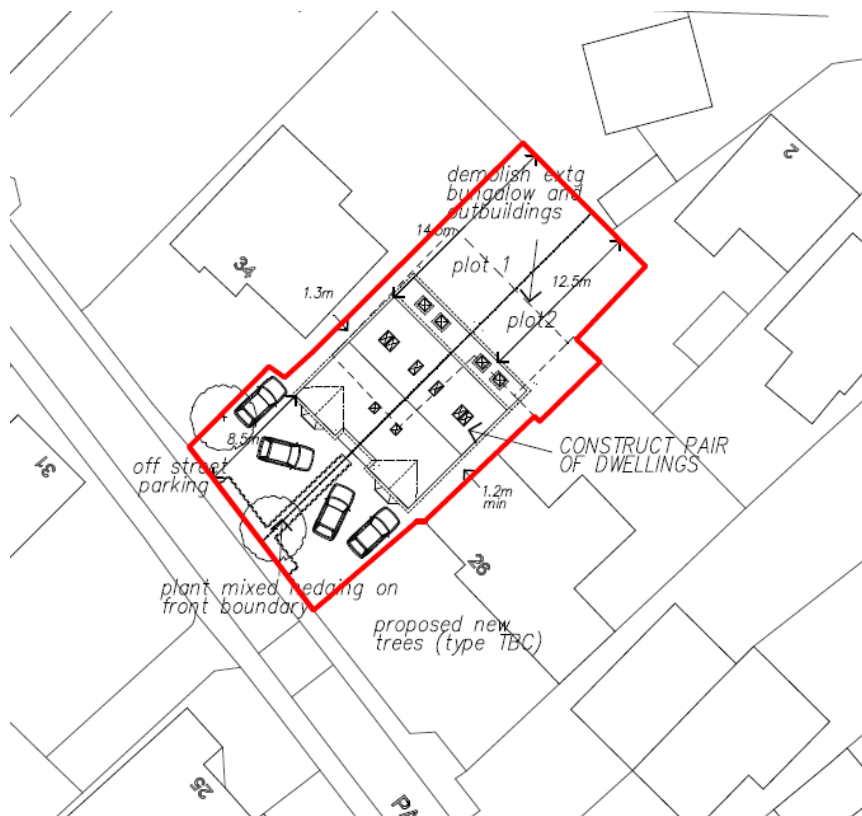
6.3.2 It is considered therefore, that the proposal would result in less than substantial harm to the Chilwell Cottage Grove Conservation Area and that this harm would not outweigh the public benefits of the scheme.

6.3.3 The reinstatement of the front boundary (hedge), originally proposed to be omitted, is considered to preserve the character and appearance of the conservation area.

## 6.4 Design and Layout

- 6.4.1 The proposed design has taken reference from the characteristics of the surrounding dwellings, where pitched roofs with feature gables are common, as are bay windows to the frontage. Red facing brickwork is proposed, again a common material used in the area. Cement fibre roof tiles were originally shown on the proposed plans; however, it is considered that slate would be more appropriate and as such, details of materials will be secured by condition.
- 6.4.2 The scale of the building as originally proposed was considered to have been out of proportion when viewed in context with the adjacent two adjacent properties, being approximately 1.4m higher than no. 34. Amended plans now show the proposed dwellings to be the same height as no. 34 and it is considered that the scale of development is acceptable.
- 6.4.3 The proposed dwellings would be in line with the front elevation of no. 26, albeit forward of no. 34. There is not a consistent building line on this part of Park Road, some dwellings having only 4m between the back of the public highway and the front elevation as at 21 and 23 opposite. In order to allow for a usable rear garden and to minimise impact on neighbour amenity to properties at the rear, it is considered that the siting of the dwellings, set in from the front boundary by a minimum of 8.5m, is acceptable.
- 6.4.4 There are several examples of pairs of semi-detached properties which occupy plots of a similar width to that of the application site, and where the properties are built close to the common boundary. This can be seen at 2 to 8, 9 and 11, 14 and 16, 17 and 19 Park Road, which are all within sight of the application site. As such, the density of the development, and relationship with the boundaries, are considered to be acceptable and in keeping with the character of this part of Park Road.
- 6.4.5 The layout of the development shows a private garden to the rear for each dwelling, and a parking area to the front. This is a typical arrangement for properties along Park Road. The original submission saw the frontage to be open plan so as to allow for frontage parking, however, as concerns were raised in regard to the impact on the conservation area, and in order to preserve the character of the area where front boundaries make a significant contribution to the setting, a boundary of mixed hedging to the frontage and between each property is proposed. Details of the landscaping scheme will be secured by condition. There is ample space within the site to accommodate the appropriate number of bins.

## 6.5 Amenity



Block plan as proposed

- 6.5.1 There would be a minimum gap of 1.2m between the common boundary of no. 26 and the proposed side elevation of the nearest new dwelling. This dwelling would project 4.7m at ground floor, and 2.7m at first floor past the rear elevation of no. 26. Given the gap between and that the dwellings are to the north west of the neighbour, it is considered the proposed development would not have a significant impact on loss of light or outlook for the occupiers of this property. As the rear windows of the proposed dwellings would not directly overlook the garden of no. 26, it is considered that the proposal would not have an impact on privacy. There are windows proposed at both first floor and second floor level in the side elevation of the proposed dwelling. The first floor window would serve a bathroom and as such a condition will be imposed to ensure that this would be obscurely glazed. The second floor window serves a bedroom and would also have access to natural light from a roof light in the rear elevation. It is considered that a condition to require the lower half of the window to be of obscure glazing, as well as a condition to require full height obscure glazing of the bathroom window, would safeguard privacy for the occupiers of no. 26.
- 6.5.2 34 Park Road is to the north west of the site. There would be a gap between the side elevation of this property and the side elevation of the nearest new dwelling of 2.3m. The rear elevation of the ground floor single storey element would be in line with the rear elevation of the single storey extension at no. 34. Whilst the front elevation of the proposed dwelling would be 4m forward of the front elevation of no. 34, it is considered that there would not be a significant impact on the amenities of the occupiers of this property in terms of loss of light or outlook. There are no windows in the side elevation of no. 34 facing the site, and as the windows in the side elevation of the proposed dwelling would be level with the side elevation of no.

34, that is, directly facing a blank elevation, it is considered that there would be no requirement for these windows to be obscurely glazed. The rear windows at first floor of the proposed dwellings would have angled views over the adjacent garden. As such, it is considered that the proposed dwellings would not have a significant impact on neighbour amenity in terms of loss of privacy.

6.5.3 2 and 3 Rockwood Close are two detached properties to the rear (north east) of the site. These are both 'chalet' style two storey dwellings, which have the first floor rear windows set in from the eaves, in a flat roof dormer. As the proposed dwellings have been set forward toward Park Road, this has enabled a greater distance between the facing rear elevations to be achieved. There would be a minimum of 21m between the rear of 2 Rockwood Close and the closest new dwelling, and a minimum of 19m between the closest corner of 3 Rockwood Close and the rear elevation of the new dwellings. No. 3 is at an angle to the application site, and faces towards the rear of no. 34. As such, it is considered that the proposed development would not have a significant impact in terms of loss of light, outlook or privacy.

6.5.4 25 and 31 Park Road are to the south and west of the site, on the opposite side of Park Road. Both are offset such that 31 is opposite 34 and 25 is opposite 26. As such there would be no direct overlooking of either property from the new dwellings. There would be a minimum distance of 21m between the front elevation of 25 and the front elevation of the closest new dwelling, and a minimum of 16m between the front elevation of the new dwelling and the side facing elevation of no. 31. This relationship is typical of dwellings which face each other across a road, on this part of Park Road and as such it is considered that the proposed development would not have a significant impact on neighbour amenity for these occupiers, in terms of loss of light, outlook or privacy.

## **6.6 Access and Highway Safety**

6.6.1 The front area to the dwellings would provide a minimum space for two vehicles via a single access to each property. This would allow for both off-street parking and the retention of one on-street parking space. There are no objections from the County Council as Highway Authority in regard to highway safety, subject to conditions in respect of provision of the parking areas prior to occupation, and construction such as to prevent unregulated discharge of surface water onto the public highway.

## **6.7 Other Matters**

6.7.1 Whilst it is acknowledged that the bungalow is still habitable and improvements to the external appearance would make a positive difference, the council have a duty to consider the development as proposed, and could not refuse an otherwise acceptable development solely on the grounds of the habitable condition of the existing bungalow.

6.7.2 Reference to the Human Rights Act is noted, and neighbour amenity is considered to be adequately protected through adopted planning policies. The development is considered to have no significant impact on neighbour amenity.

- 6.7.3 A condition will be imposed in respect of hours of construction, in order to safeguard the amenity of residents in terms of noise and disturbance, and given the particularly quiet surroundings. No objections in terms of impact on the highway have been raised by the Highway Authority.
- 6.7.4 A condition in respect of landscaping, which will include soft landscaping, will help to ensure that any loss of biodiversity is mitigated for, and is of an appropriate species / size so as to ensure future health and retention of the planting. There are no trees within the site that are considered to be particularly worthy of retention.
- 6.7.5 The granting of planning permission for one site does not automatically set a precedent for future development. Planning applications would be considered on their own merit and in the context of the site in which they are set.
- 6.7.6 Whilst a single dwelling, if proposed, may result in a less cramped development and have less impact on neighbour amenity, it is considered that it would be unreasonable to refuse planning permission for a development which otherwise is considered to accord with the aims of the policies in the adopted local plans.

## **7 Planning Balance**

- 7.1 The benefits of the proposal are the provision of two dwellings of an acceptable design which would be suitable for occupation by a range of occupants.
- 7.2 The negatives are the impact on the Chilwell Cottage Grove Conservation Area and impact on neighbour amenity.
- 7.3 On balance, the negative impacts have been satisfactorily addressed and mitigated for by appropriate planning conditions and are outweighed by the benefits of the scheme.

## **8 Conclusion**

- 8.1 Recommend that planning permission be granted subject to the conditions outlined above. The development complies with Policies A, 2, 8, 10 and 11 of the Broxtowe Aligned Core Strategy (2014) and Policies 15, 17, 19 and 23 of the Broxtowe Part 2 Local Plan (2019).

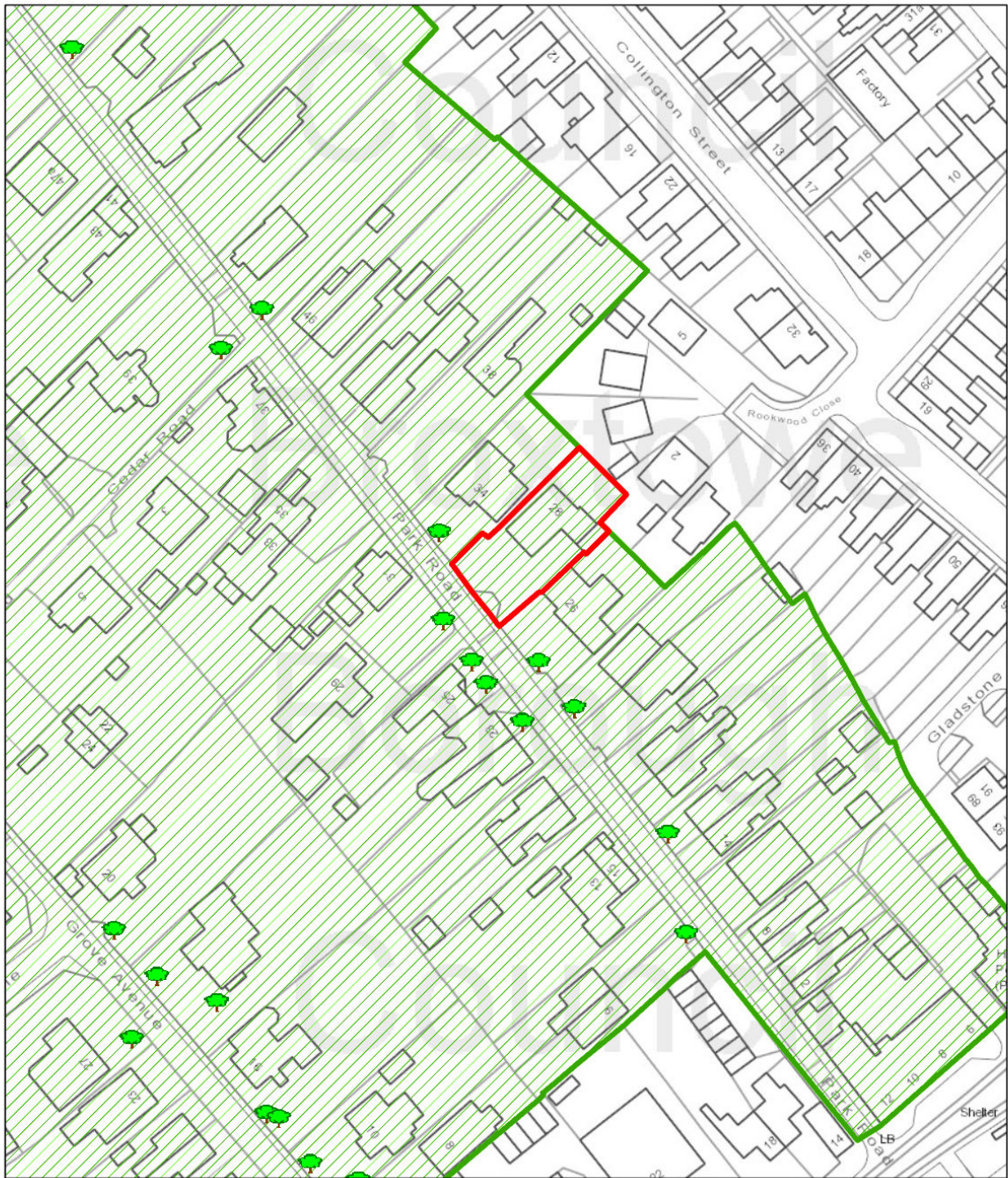
<b><u>Recommendation</u></b>	
The Committee is asked to <b>RESOLVE</b> that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawings numbered: 20/976/10 rev B and 20/976/12 rev A received by the Local Planning Authority on 04.01.21, and drawing numbered 20/976/11 rev D received by the Local Planning Authority on 16.02.21</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks, roof tiles and headers and sills to be used in facing elevations have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance within the Chilwell Cottage Grove Conservation Area, in accordance with the aims of Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 11 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) numbers, types, sizes and positions of proposed trees, hedges and shrubs</li> <li>(b) proposed boundary treatments</li> <li>(c) proposed hard surfacing treatment</li> <li>(d) planting, seeding/turfing of other soft landscape areas</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p>

	<b><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and neighbour amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b>
5.	<p>No dwelling hereby permitted shall be occupied until the parking area related to that dwelling has been surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the highway boundary and constructed with provision to prevent the unregulated discharge of surface water from the frontage to the public highway. The parking areas shall then be maintained as such for the life of the development.</p> <p><b><i>Reason: In the interests of highway safety in accordance with the aims of Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 11 of the Aligned Core Strategy (2014).</i></b></p>
6.	<p>The first floor south east side elevation bathroom window shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and the second floor south east side elevation bedroom windows shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) to a height of 1.7m above the floor level of the associated bedroom. These windows shall be retained in this form for the lifetime of the development.</p> <p><b><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></b></p>
7.	<p>Given the proximity of residential properties, noisy works including demolition shall be limited 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.</p> <p><b><i>Reason: In the interests of neighbour amenity and in accordance with the aims of Policy 19 of the Broxtowe part 2 Local Plan (2019).</i></b></p>
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.



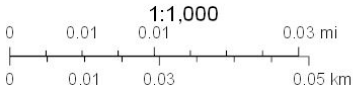
2.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.

28 Park Road Chilwell



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-  Single TPO
-  Conservation Area
-  Site



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Photographs



Front elevation of 28 Park Road. The self-contained annexe is to the right.



View of existing access off Park Road



Front elevation of 34 Park Road



Side elevation of 26 Park Road



Rear elevation of 34 Park Road



Rear boundary of the site



Rear elevation of 2 Rookwood Close

**Plans (not to scale)**



Proposed street scene



## Proposed elevations

## Proposed floor plans

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## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00745/FUL</b>
<b>LOCATION:</b>	<b>Old Station Yard, Station Road, Beeston, NG9 2AB</b>
<b>PROPOSAL:</b>	<b>Construct 42 dwellings with improved access, provision of an internal access road, landscaping and associated works following the demolition of buildings</b>

The application is brought to the Committee at the request of Councillor P Lally, and as it is a major application.

### 1 Executive Summary

- 1.1 The application seeks planning permission for the construction of 42 dwellings and associated works, including a new access.
- 1.2 The site is currently unused and overgrown, and there are a small number of industrial buildings on the site. The land has formerly been in use as sidings for the adjacent railway line, and latterly for industrial use. The site is within Flood Zones 2 and 3.
- 1.3 The main issues relate to whether the proposal is in accordance with the criteria set out as part of the allocation of the site as residential; if there would be harm to any heritage assets in the area; whether the proposal would result in an increase to flood risk; whether the proposal would have an unacceptable impact on highway safety; and whether there would be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal are that it is an allocated site for residential development and would return a vacant site back to use; would provide 100% affordable housing; is in a sustainable location with good access to public transport and to community facilities; and would provide a good standard of living accommodation for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight. There would be an impact on the local road network and on neighbour amenity but this is outweighed by the benefits of the scheme.
- 1.5 The committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix, and to the prior signing of a Section 106 Agreement.

## APPENDIX 1

**1 Details of the Application**

- 1.1 The proposed development seeks to construct 42 two storey dwellings, which will be a mix of semi-detached and terraced two and three bedroom properties. A new access into the site would be created and this would run parallel to the existing railway line. This road would also allow for access to the far north east corner, land which is to be retained by Network Rail and which is not included in the application site.
- 1.2 All dwellings would have private outdoor space, and access to off-street parking.
- 1.3 The dwellings would be of a modular build, which would take less time to construct and complete on site than a traditionally built dwelling, and the whole site would be allocated for much needed affordable housing.
- 1.4 All existing buildings on the site would be demolished.

**2 Site and surroundings**

- 2.1 The site known as Beeston Cement Works is a linear site to the north east of Station Road, and to the south east of Waterloo Road. The site is further bounded by a rail line which runs in a south west to north east direction, to the south east of the site. Access to the site is currently from Waterloo Road. The site has previously been used as railway sidings.
- 2.2 To the north west of the site, along Waterloo Road, there is a mix of housing comprising three storey apartment blocks and two storey semi-detached and terraced housing. Apartment blocks are on the opposite side of Waterloo Road, to the north west, facing the site.
- 2.3 To the south west, Station Road runs parallel to the adjacent road bridge over the railway lines. There is a taxi rank to the north east side of Station Road, directly adjacent to the site. Beeston railway station, a Grade II Listed Building, lies to the south west of the bridge and is accessed via Station Road where it continues under the bridge, to the station building. Parking and cycle storage serving the station is provided both to the front of the station and underneath the bridge.
- 2.4 To the south east of the rail line, separated by landscaping including trees, there is a development of two storey semi-detached and terraced housing. These properties have rear elevations looking toward the rail line and the site beyond.
- 2.5 Aside from the site and the train station, the immediate surrounds are predominately residential in character.
- 2.6 The majority of the site falls within Flood Zone 3, with the north east part of the site falling within Flood Zone 2.



### 3 Relevant Planning History

- 3.1 There has been no recent planning history for this site. The last application, in 1997, gave permission for the site to be used for Class B1 purposes. Reference 97/00722/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 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Space
- Policy 17: Biodiversity
- Policy 19: Developer Contributions

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

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

- Policy 1: Flood Risk
- Policy 3.7: Cement Depot Beeston
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 23: Proposals affecting Designated and Non-designated Heritage Assets
- Policy 26: Travel Plans
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.
- Section 16 – Conserving and enhancing the historic environment.

## 5 Consultations

- 5.1 **Environment Agency:** Following the receipt of additional information, no objections subject to conditions requiring the development to be carried out in accordance with the Flood Risk Assessment (FRA), prior approval of a remediation strategy to deal with the risks of contamination on the site and subsequent verification that the works as approved have been carried out, and details of surface water drainage.
- 5.2 **County Council as Highway Authority:** Initially raised concerns in respect of alignment of the turning head and parking levels on the site. Also require appropriate parking restrictions to be included so as to prevent indiscriminate parking and for access for larger vehicles such as refuse lorries. Turning heads should be provided on the private drives. Amended plans received and the Highway Authority are now satisfied with the layout, and recommend that a condition be imposed requiring the developer to apply for a Traffic Regulation Order (TRO) as shown indicatively on the submitted drawing, prior to any above ground works being carried out. Also recommend other conditions in respect of provision of driveways prior to occupation, and a Construction Method Statement to be agreed prior to demolition or commencement of works. Note to applicant in respect of works to public highway.
- 5.3 **County Council as Local Lead Flood Authority:** No objections subject to a pre-commencement condition requiring a detailed surface water drainage scheme to be approved.
- 5.4 **County Council Policy Team:** The County Council are not requesting any Planning Obligations in respect of transport or education.
- 5.5 **Council's Conservation Adviser:** In regard to the design, do not consider that the proposal would result in potential harm to the Listed Building (train station) and raise no objections. Would be interested in seeing a palette of proposed materials. The frontages appear to be dominated by driveways. Would prefer the terraces to be of three identical house types rather than the two plus one shown on the layout.
- 5.6 **Council's Environmental Health Officer:** No objections, subject to a pre-commencement condition requiring details to be submitted of a contaminated land survey, and implementation of the measures prior to occupation; noise mitigation measures as per the approved noise assessment have been installed prior to occupation; details of piling or other penetrative foundations; and a condition in respect of construction hours. Note to applicant in respect of no fires on site.
- 5.7 **Council's Parks and Environment Officer:** Request a financial contribution of £61,852.56 toward works and maintenance of parks and open spaces in the immediate area. Generally satisfied with the landscaping scheme, would like details of management of the areas of planting outside of the curtilage of dwellings.
- 5.8 **Council's Housing Officer:** The proposed split of housing is acceptable.

- 5.9 **Council's Asset Manager:** Welcomes that plots 1 to 7 would provide natural surveillance of the area for the benefit of users of the train station. Concerns regarding the two drop-off bays as these may be difficult to use and so may be lost.
- 5.10 **NHS CCG (Primary Care):** Request a financial contribution of £22,758.75 toward primary health care, to be allocated to enhancing capacity/infrastructure at existing local practices.
- 5.11 **NHS NUH Trust (Secondary Care):** Request a financial contribution of £44,100 toward secondary health care.
- 5.12 **Cadent:** There is apparatus in the vicinity of the site which could be affected by the proposed development. The developer has been informed.
- 5.13 **Beeston Civic Society:** The society welcomes the development of this brownfield site and that it would be 100% affordable housing. Observes that given the proximity of the site to several modes of sustainable transport and relative closeness to Beeston town centre, the proposed level of parking (71 spaces for 42 houses) is high and there should be a reduction in this provision. In design terms, the proposed parking areas would dominate and would have a detrimental impact on the street scene, and contribute to levels of run-off [of surface water]. Note that there was no consultation with neighbours to the site, by the developer, given that the site is already allocated for housing. Network Rail is the neighbour and the plans appear to take no account of potential conflict and difficulties which could be caused by the upcoming proposals to remodel the stairs access to the platforms from the road bridge together with the installation of passenger lifts between platforms 1 and 2 and the possible loss of drop off points and station parking opposite the access road to the site. More broadly, concerns regarding potential increased levels of vehicular access to Station Road/ Queens Road generated by the new housing on this and the site off Technology Drive, and proposed housing off Dovecote Lane.
- 5.14 **Transport Focus:** Commenting following contact from resident. Transport Focus comment that access to the station is poor and should be improved and the development at the site is the opportunity to do so. The existing platforms at the station are not long enough for the new class of trains that will call there. The access arrangements specified by the ORR land disposal – 'improved access and drop-off at the station' are not met by the submitted plans. Also believe that the land required for an extension of platform 1 appears to have been excluded from the plans as submitted.
- 5.15 **Notts Wildlife Trust:** Generally satisfied with the approach taken in the submitted Ecological Appraisal, however, would like to see a reptile survey carried out prior to the commencement of development. Recommend conditions in regard to the provision of bat and bird boxes, and that any lighting be bat sensitive.
- 5.16 **Network Rail:** The developer has served notice on Network Rail in support of the application, and has been involved in discussions with NR as necessary regarding the purchase and development of the application site. Recommend

conditions in respect of drainage; safety barriers; details of fencing; construction method statement; soundproofing; and lighting where close to the railway.

- 5.17 83 properties either adjoining or opposite the site were consulted, a site notice was displayed, and a press notice published. 15 responses were received, 1 letter of support, 2 objections and 12 observations:

Support:

- Excellent use of a large derelict piece of land.

Objections:

- Of the opinion that the application is in clear contradiction of the ORR Land Disposal Notice [understood to be Network Rail estate division] which stipulates that improved provision for drop off and circulation should be provided for rail users and that the neck of land by the current turning circle be retained for any future plans for platform extensions.
- Question need for more housing given Beeston Quarter, Myford Place, Broadgate and recent permission on the Maltings site for residential development already underway. Area would be better suited for a small primary school to deal with additional influx of school age children, or alternatively, an activity centre/playground.

Observations:

- Agree that 42 flats can go ahead but would like to know if these are council or housing association. They should have their own front door unlike the existing ones, which have bedrooms to the front and living rooms to the rear [Waterloo Road] in order to stop anti-social behaviour
- Would like re-assurance that the short stay parking spaces on the approach to Station Road, and the 2 drop off spaces at the entrance to Beeston Station will be retained, and, better still, additional parking spaces provided
- Generally in favour of the development but would like to see the two short stay parking spaces on Station Road re-sited elsewhere if possible as they are useful for drop-off / pick up from the station
- Assume that remedial work for the road bridge will not be needed in the foreseeable future given that it was built at the same time as Clifton Bridge (A52, currently undergoing major repairs), as it would be unpleasant for the new occupiers to have to endure repairs. The bridge is also unsightly, queries if there are any plans to improve its appearance, to benefit the proposed housing fronting on to Station Road
- On behalf of Pedals: Nottingham Cycling Campaign – Pedals would like to see more attention given to the promotion of cycling, as well as walking and public transport, in terms of investigating opportunities in conjunction with possible future development on adjoining sites to the east, for improving the current rather torturous alignment of Cycle Route 6 of the National Cycle Network (between Beeston Station and Murden Way), improving cycle parking and reducing car parking, given the close proximity of Beeston Station
- Would like clarification as understand that Network Rail would retain ownership of a strip of land in order to facilitate the extension of platform 1 as part of electrification plans for the Midland Main Line or similar future development of the station. Transferring the small neck of land by the current

- turning circle to the developer would appear to conflict with this, this should be checked
- Would like confirmation that a suitable noise attenuation barrier between the railway and housing would be provided
  - Are Section 106 requirements being considered for this development and if so what are these
  - The scheme has serious flaws from an environmental and sustainability perspective: the requirement to produce a travel plan is weak and does not put any real pressure on the developer to promote the walking, cycling and public transport options; although some green space has been designed in the site will be dominated by hard surfaced parking areas and since the initial proposal [allocation for 40 units in the Part 2 Local Plan], two additional homes have been added with no additional green space; the predominance of parking is frightening, with nearly 2 spaces per house, even though the homes are to be affordable housing and the site is afforded excellent access to public transport, it encourages car use which is not in line with BBC policy; there is no place for secure cycle parking in the design of the houses, no garage / workshop space, no shared cycle compounds. A disappointing scheme which [the writer] finds hard to believe conforms to the type of development which BBC should be allowing
  - The land could be used for the railway station in order to give disabled access, or the fire station could be built on the Maltings site. We don't need more houses and we don't need student properties
  - Friends of Beeston Station – make observations regarding the amount of vehicular traffic that ordinarily use the Beeston Station and consider that the additional residential traffic using the entrance off Station Road would conflict with the traffic using the station, particularly as the proposal does not include a turning area/circle. FOBS consider that a return to moving the entrance to the residential development to Waterloo Road, or, preferably, ensuring that the entrance be transformed into a fitting and appropriate 'Gateway to Beeston' accommodating both the needs of traffic and passengers as well as the needs of the future residents of the proposed residential development.

## 6 Assessment

- 6.1 The main issues for consideration are the principle of the development; impact on heritage assets; impact on neighbour amenity; whether the development is of an acceptable design and layout; impact on highway safety; and whether the development would increase flood risk on and around the site.

### 6.2 **Principle**

- 6.2.1 The site is allocated for housing (40 units) in the Part 2 Local Plan (Policy 3.7) and as such the principle of a residential development on the site is acceptable subject to the matters below.
- 6.2.2 There would be a mix of two and three bedroom dwellings (20 x two bed, and 22 x 3 bed), which is considered to be an acceptable ratio of housing for the area, providing a mix of housing type.

6.2.3 The proposed dwellings would be of modular construction which has the advantage of being capable of a rapid construction timetable, with each dwelling being capable of being completed within 3 to 4 months once groundworks have been carried out. The modular buildings themselves are built to a high level of insulation such that the running costs (heating for instance) are less than a traditional build.

### **6.3 Heritage**

6.3.1 The Beeston train station buildings, to the south west of the site, beyond the Station Road bridge, are Grade II Listed and as such are designated heritage assets. The proposed development needs to be assessed as to whether it would have a significant impact on the setting of the heritage asset.

6.3.2 Given the separation of the site from the Beeston station, due to the presence of the road bridge, it is considered that the development would have less than significant harm on the setting of the Listed Buildings.

### **6.4 Design, Scale and Layout (inc BfL etc)**

6.4.1 The layout shows a new access road running more or less parallel to the railway line (south west - north east direction) and would see seven dwellings fronting Station Road, with parking to the rear off a private access; 22 dwellings along the new access, facing toward the railway; and three private roads running off the new access with the remaining 13 dwellings. There would be a mix of terraced and semi-detached properties.

6.4.2 Most dwellings would have parking to the front, although some have parking to the side. Each dwelling would have access to a private rear garden. Bin collection points are provided on the 'side' private roads, close to the principal access road.

6.4.3 The dwellings as proposed are of a similar scale to other dwellings in the area, specifically those to the south east on Alford Close and dwellings to the north along Waterloo Road. The dwellings are of a traditional design, having a mix of gable ends and feature gable frontages, and would be faced in either a render or brick treatment, or a mix of the two, and have concrete tiles. Details of materials have been provided and their use will be secured by condition. The dwellings would be of a modular design, being partly constructed off site and then assembled on site, which would enable them to be completed and occupied in less time than a traditionally constructed dwelling. As such, the dwellings are designed so as to minimise resource use and maximise energy efficiency during both construction and occupation.

6.4.4 A Building for Life assessment has been submitted and this concludes that the development would have a good rating for each of the twelve criteria, having good connections to the surrounding area and in a sustainable location close to local facilities such as shopping, employment, health, education and leisure, and to well-served public transport routes. The development meets local housing requirements, being 100% affordable. The layout is legible with well-defined

streets and spaces, responds well to the environment and to constraints such as the railway to the south east and roads to the south west and north west.

- 6.4.5 A detailed landscaping plan has been submitted and is considered to be acceptable. This would provide landscaped areas both within the curtilage of the frontage of each dwelling and to the areas outside of the private curtilage, for example to the south east of the new access, parallel to the railway line, and to the parking areas of the side roads. A condition to secure the implementation of the landscaping and details of a management and maintenance schedule, along with details of boundary treatments, will be imposed.

## 6.5 Amenity

- 6.5.1 In terms of impact on neighbour amenity, it is considered that the properties to the south east of the site, on the other side of the railway line, would not be significantly impacted upon due to the distance between.
- 6.5.2 It is considered that the amenities of the occupiers of the day nursery, to the west of the site, and the apartments further north east along Waterloo Road, would not be significantly impacted upon in terms of loss of light, outlook or privacy due to the orientation of the buildings (being side on) and the distance between.
- 6.5.3 The closest two storey dwellings are to the north/northwest of the site, these being numbers 14 to 38 Waterloo Road. Aside from 18 to 28, which are a terrace of dwellings at 90 degrees to the site, most properties have the rear elevation facing the site. Plot 40 would be side on to 14 and 16 Waterloo Road and there would be a minimum distance of 14m between the rear of 14 and 16 and the facing side elevation of plot 40. There would be a minimum distance of 18m between the rear elevation of plots 41 and 42 and the rear elevations of 30 to 38 Waterloo Road. There are no significant differences in ground levels between the site and neighbouring land. It is considered that there would be no significant impact on neighbour amenity in terms of loss of light, outlook or privacy for the occupiers of these properties.
- 6.5.4 In regard to the proposed dwellings, these would have an internal floor area of 80 and 81 square metres for the two bedroom dwellings, and 81 square metres for the three bedroom dwellings. The two bedroom dwellings would accord with the Nationally Described Internal Space standards, which suggests a minimum of 79 square metres for a two storey dwelling, but the three bedroom properties would fall slightly short of the 84 square metres suggested for a two storey property. Notwithstanding this, it is considered that the shortfall is minimal and all dwellings would have access to an outlook and to natural light, and have access to private outdoor amenity space. Homes England are accepting of the proposed internal space as they are well within their 15% tolerance of the Nationally Described Internal Space Standards for them to fund the scheme, and additionally the Registered Provider, East Midlands Housing, are happy to take the development on, on the above basis. It is therefore considered that the amenities of the occupiers of each dwelling would be of an appropriate standard to meet their needs and are considered acceptable by both Homes England, who are providing funding for the build, and the end user, East Midlands Housing.

## 6.6 Pollution

- 6.6.1 The site is close to the railway line and as such measures to ensure that the amenities of the occupiers of the dwellings are safeguarded in terms of noise and disturbance are proposed. Noise mitigation measures submitted as part of the application are considered to be acceptable, subject to a condition requiring the measures to be implemented prior to occupation. The measures include a 1.8m acoustic barrier to the rear gardens of plots 1 to 7, and upgraded glazing and background ventilation to bedrooms on the south east façade.
- 6.6.2 Given the previous uses of the site, being industrial in nature, a contaminated land survey would need to be submitted and agreed prior to the commencement of the development, and any mitigation measures required would need to be implemented prior to occupation. These measures would ensure that the future health of the intended occupiers of the site would be safeguarded.

## 6.7 Access

- 6.7.1 The location of the new access has been defined by the constraints of the site, which is mainly the presence of the railway to the south east boundary, and therefore in order to safeguard the amenities of the future occupiers in terms of noise, the dwellings need to be set away from the railway line. This also reflects the character of Waterloo Road, which also runs in a south west to north east direction. The principle of the access is considered to be acceptable. Amended plans received now show a T junction into the site, the existing drop off bays to the end of the street removed, and indicative double yellow lines added to the south west of the road and to the initial section of the new access into the development. Network Rail are fully aware of the development proposal, as the land is being purchased from them, and it is understood that Network Rail have safeguarded land for future redevelopment/improvement to facilities at Beeston Station. It is also understood that the proceeds from the sale of the land will go toward funding these improvements. Vehicles visiting the station will be able to enter the development site to turn around and then exit onto Station Road, which is considered to be safer than carrying out this manoeuvre at the turn into the station, as currently occurs, and in any case, it is considered that the provision of a turning head would be outside of the scope of the application.
- 6.7.2 The proposed main access road will have three private drives leading from it, serving those dwellings which do not face Station Road or toward the railway. It is considered acceptable for these drives to be private (i.e. not adopted) in terms of design and is an accepted approach in the Manual for Streets as it is more pedestrian friendly and allows for free play for children. The private drives can accommodate delivery vehicles and communal bin collection points are to be provided. It is understood that as the site will be managed by one registered provider, there will be a single management company responsible for the upkeep of the private drives and the landscaped areas. Notwithstanding this, in order to ensure that the private drives and associated drainage are maintained such that occupiers are not deemed liable for the upkeep of the drives, a condition requiring details of a management and maintenance plan to be agreed prior to occupation of the units served from the private drives will be imposed.



- 6.7.3 Access to the north east of the site would be provided in order to retain access to land still within the ownership of Network Rail.
- 6.7.4 Parking to plots 1 to 7 would be provided to the rear, in order that parking to the Station Road frontage can be made available for users of the train station, including the taxi rank.
- 6.7.5 Parking spaces on the site are allocated to each dwelling. It is considered that the ratio of parking to dwellings is acceptable, given that parking restrictions would likely be required in order to discourage indiscriminate parking by users of the train station. Five of the dwellings would have outside sockets included so as to be capable of facilitating the installation of Electric Vehicle Charging points. Each dwelling would have access to a secure rear garden which could provide space for cycle storage. National Cycle Network Route 6 runs along Waterloo Road, to the north west of the site, and this provides a safe cycling route for the occupiers with links to other cycle routes in the surrounding area, which should incentivise cycle ownership/use.
- 6.7.6 A Travel Plan Statement has been submitted and this states the intention that a Residential Welcome Pack would be supplied to all residents upon first occupation. The contents could include literature on the benefits of sustainable modes of transport; maps showing local walking/cycling routes and places of interest; details of local car share schemes; details of local taxis, on-line retailers, and public transport providers, including timetables; and details of cycle hire schemes. Measures to promote walking, cycling and use of public transport will also be included.
- 6.7.7 A Key Development Requirement of Policy 3.7 of the P2LP is to provide attractive and usable walking and cycling links through the site to the railway station to provide an 'off-road' section of the National Cycle Network Route 6. Route 6 currently runs along Waterloo Road, connecting Station Road through to Humber Road South. The route continues from Station Road south west along Barton Street onto Dovecote Lane and then onto Queens Road West. The aim of the policy requirement is to provide an off-road section of cycle way in order to provide a safer route with less conflict with vehicles.
- 6.7.8 There are constraints to the site which restrict the ability of the development to provide a usable cycle link through the site, these being the third party land to Waterloo Road between the site and the adopted highway, with only a small section to the south west of 2 to 12 Waterloo Road being adjacent to the adopted public highway, and that there is no access available (no public land) beyond the north east of the site, or, even if the retained land for Network Rail were to be made accessible, there is no point of access available on to the adopted highway other than across third party land from this piece of land. Potential access through the development is therefore limited, and, realistically, would not provide much betterment than the existing route, as it would only be for a short section, and would, in any case, only provide the potential for an improved cycle way to the station, to the south west, and not to Route 6, which runs north west away from Waterloo Road.

## 6.8 Flood Risk

6.8.1 A Flood Risk Assessment (FRA) has been submitted and found to be satisfactory, subject to the development being carried out in accordance with the FRA. Details of a surface water drainage scheme would need to be submitted and agreed prior to the commencement of the development and implemented prior to occupation. The Environment Agency also require details of a remediation survey in respect of contamination on the site, in order to safeguard water supply. It is considered that subject to these matters being satisfactorily addressed, the site would not result in an increase to flood risk or harm to the water supply.

## 6.9 Biodiversity

6.9.1 The application site consists of areas of scrub and hedging, some small trees, and large areas of hard surfacing. There are some buildings on the site. The ecological survey identifies one of the buildings as providing an ecological resource for roosting bats and potentially for nesting birds. The survey recommends that as an enhancement, a small number of bird boxes should be provided on suitably located new buildings to provide enhanced nesting opportunities for local bird species. These can be secured by condition. A reptile survey is also required, prior to commencement of the development, as there is the potential for the presence of slow worms on or near the site.

## 6.10 Planning Obligations

6.10.1 The site is proposed to be 100% affordable housing. Policy 15 of the Part 2 Local Plan requires for new residential developments in the Beeston submarket for 30% of the housing to be affordable. It is considered that the proposal meets this requirement, which would need to be secured through a legal obligation.

6.10.2 The County Council do not require any planning obligations in respect of Education, as there is currently a surplus of spaces in the area, or in respect of Transport.

6.10.3 A financial contribution of £61,852.56 toward off site open space is requested by the Parks and Environment Officer, to be allocated to works and maintenance at open spaces in the locality.

6.10.4 NHS Nottingham and Nottinghamshire CCG (Primary Care) have requested a financial contribution of £22,758.75 toward the provision of enhanced capacity/infrastructure at one of three nearby GP practices (The Manor, The Oaks, and Abbey Medical Centre).

6.10.5 NUH NHS Trust (Secondary Care) have requested a financial contribution of £44,100.00. However, as the site is allocated in the Part 2 Local Plan, and therefore was subject to consultation with relevant healthcare providers at the time of production, this request cannot be justified and as such the latter will not be considered necessary in order to make the development otherwise S106 compliant.

6.10.6 The developer has agreed to pay the contributions requested in regard to Open Space and NHS CCG, and this, along with the provision of affordable housing, will be secured by a Section 106 Agreement.

#### **6.11 Other Matters**

6.11.1 It is understood that the sale of the land has been agreed with Network Rail, who are fully aware of the application site boundaries, and who have set aside land outside of the site boundary in order to safeguard land to accommodate the potential expansion of the train station facilities, to the south east boundary parallel with the railway, and have also retained land to the north east of the site for access to the line.

6.11.2 The Station Road bridge is outside of the application site boundary and the planning application does not include any proposals to improve the appearance. The maintenance of the bridge would be a matter for the County Council, as Highway Authority.

6.11.3 As the build is to be modular and therefore the construction and completion period of the development would be much shorter. And, as the modular buildings would be built to a high standard of insulation (20% more heat efficient), being built off site with waste kept to a minimum, it is considered that the proposed development would be a highly sustainable build, and would accord with the aims of the Councils' Climate Change and Green Futures Programme.

### **7 Planning Balance**

7.1 The benefits of the proposal are the provision of a 100% affordable housing scheme which is considered to be built in a sustainable manner to a high degree of energy efficiency, and re-development of an unsightly and underused site, allocated for residential development in the P2LP.

7.2 The negative impacts are increase in traffic generation.

7.3 On balance, any increase in traffic generation can be mitigated through the promotion of sustainable modes of transport and would not, in itself, outweigh the benefits of the scheme.

### **8 Conclusion**

8.1 Recommend grant of planning permission, subject to conditions.

<p><b><u>Recommendation</u></b></p> <p>The Committee is asked to RESOLVE that the Interim Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <p>(i) the prior completion of an agreement under section 106 of the Town &amp; Country Planning Act 1990 to secure the provision of affordable housing on the site and to cover contributions towards: provision and maintenance of open space, and Primary Health Care and</p> <p>(ii) the following conditions:</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan and drawings numbered PJSL20-05-001A, 600161-HEX-0-GEN-DE-C-0110 sheets 1 and 2, 9478-PL02, 9478-PL06, 9478-PL07, 9478-PL10, and 9478-PL11 received by the Local Planning Authority on 26.10.21, 9478-PL20A, 9478-PL21A, 9478-PL22A, 9478-PL23A, 9478-PL24A and 9478-PL25A received by the Local Planning Authority on 01.12.20, 9478-PL03D, received by the Local Planning Authority on 26.03.21, the indicative TRO shown on 60061-HEX-00-GEN-DR-C-0113 rev P02 and 60061-HEX-00-GEN-DR-C-0114_TRO P01 received by the Local Planning Authority on 31.03.21 and 9530-L-01 rev B and 9530-L-02 rev B received by the Local Planning Authority on 07.04.21.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development shall be constructed only in accordance with the details of materials as approved on drawing numbers 9478-PL20A, 9478-PL21A, 9478-PL22A, 9478-PL23A, 9478-PL24A and 9478-PL25A received by the Local Planning Authority on 01.12.20, unless alternative details have otherwise been agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No above ground works shall be commenced until a landscaping</p>

	<p>scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) proposed boundary treatments including Armco safety barriers</li> <li>(b) proposed hard surfacing treatment</li> <li>(c) proposed lighting details particularly in regard to lighting near railway land and which shall be bat sensitive</li> <li>(d) planting, seeding/turfing of other soft landscape areas</li> <li>(e) a management and maintenance scheme relating to the landscaped areas not within the curtilage of a dwelling</li> <li>(f) ecological enhancements which shall include the number, type and location of bird and bat boxes</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
5.	<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>No building hereby approved shall be occupied until all the appropriate remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full.</p> <p><i>Reason: In the interests of public health and safety, and to ensure that the development does not result in unacceptable levels of water pollution and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>No above ground works shall be commenced until details of any necessary piling or other penetrative foundation design have been submitted to and approved in writing by the Local Planning</p>

	<p>Authority, and shall include details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and vibration and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
7.	<p>No above ground works shall be commenced until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, and designed so as to be collected and diverted away from Network Rail property, 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. The scheme to be submitted shall include evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.</p> <p><i>Reason: In the interests of minimising flood risk, in accordance with Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
8.	<p>No part of the development (including demolition) shall be commenced until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:</p> <ul style="list-style-type: none"> <li>a) The parking of vehicles of site operatives and visitors</li> <li>b) Loading and unloading of plant and materials</li> <li>c) Storage of plant and materials used in the construction of the development</li> <li>d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>e) Wheel washing facilities</li> <li>f) Measures to control the emission of dust and dirt during construction</li> <li>g) A scheme for recycling/disposal of waste resulting from demolition and construction works</li> <li>h) A risk assessment in relation to the railway</li> </ul> <p>The development shall thereafter be carried out in accordance with the details as approved.</p> <p><i>Reason: In the interests of highway safety and the safe operation of the railway, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>

9.	<p>No part of the development shall be commenced until the results of a reptile survey has been submitted to and approved in writing by the Local Planning Authority. The survey should include details of any mitigation measures that may be required to protect, or measures proposed for the relocation of, any reptiles found on the site, and should these be required, the measures shall be implemented in accordance with the details as approved.</p> <p><i>Reason: In the interests of safeguarding a protected species, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
10.	<p>No part of the development shall be commenced until an application for a Traffic Regulation Order (TRO) as shown indicatively on approved drawing number 60061-HEX-00-GEN-DR-C-0113 rev P01 and 60061-HEX-00-GEN-DR-C-0114_TRO rev P01 has been submitted to the Highway Authority. The TRO shall thereafter be implemented in accordance with the approved TRO unless otherwise agreed in writing by the Local Highway Authority.</p> <p><i>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
11.	<p>All noise mitigation measures shall be designed and installed in accordance with the approved mitigation scheme as detailed in Omnia's Noise and Vibration Impact Assessment (B10610/1.1 Draft September 2020). No building hereby approved shall be occupied until the respective mitigation measures, relevant to that dwelling, have been installed.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12.	<p>No building hereby approved shall be occupied until the access road and communal parking / turning areas have been completed and made available for use.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
13.	<p>No building hereby approved shall be occupied until the boundary treatments and in curtilage parking pertinent to that dwelling have been provided.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance</i></p>

	<i>and in the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
14.	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment prepared by Rodgers Leask Limited, 15 October 2020 and finished floor levels shall be set no lower than 27.53 metres above Ordnance Datum (AOD)</p> <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p><i>Reason: In the interests of minimising flood risk, in accordance with Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
15.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the dwellings, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
16.	<p>No construction, demolition or site preparation work in association with this permission shall be undertaken outside of the hours of 08.00 – 18.00 Monday to Friday, 08.00-13.00 Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing by the Environmental Health team of Broxtowe Borough Council.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and vibration and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.



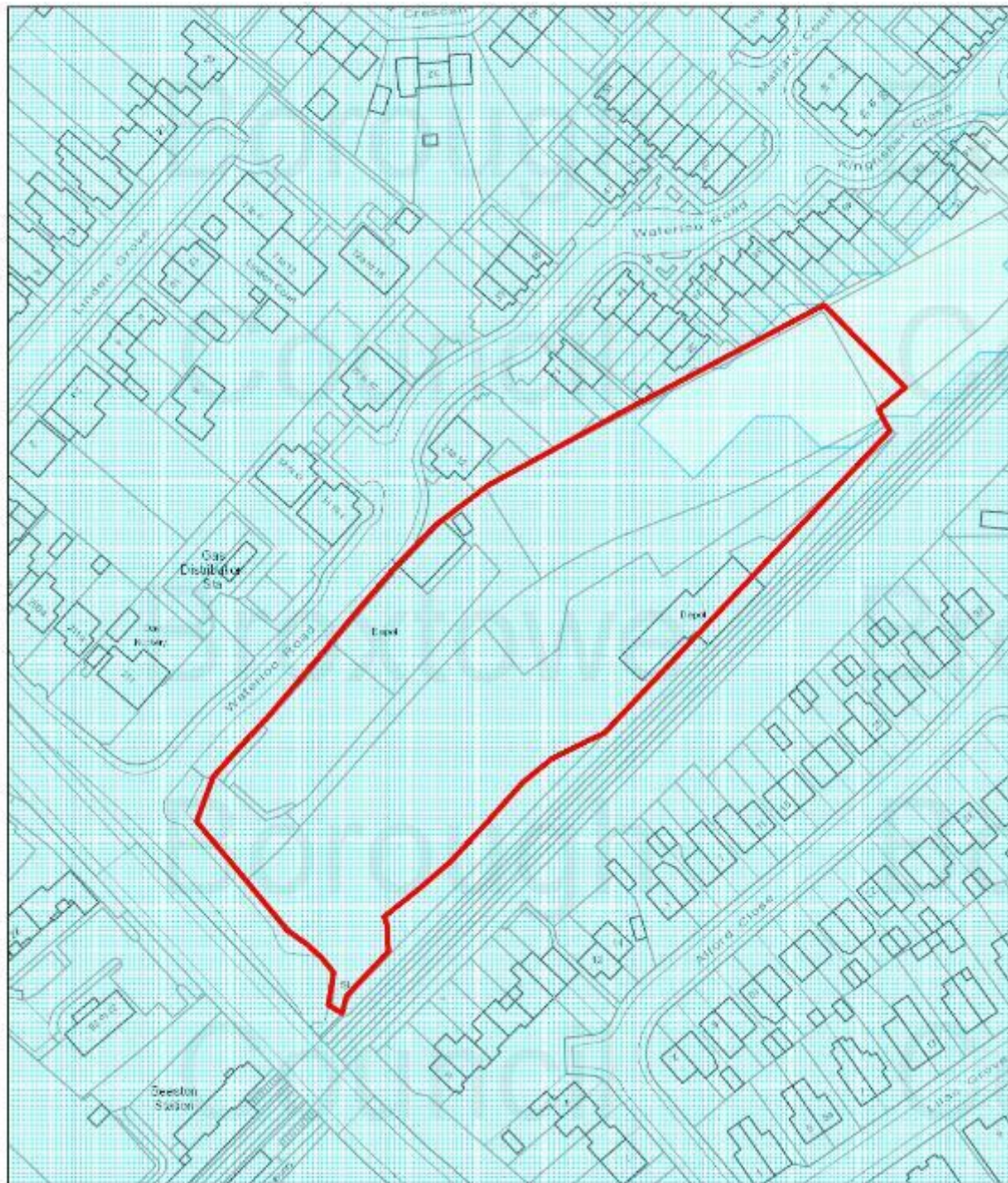
2.	This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3.	Burning of waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
4.	<p>The Highway Authority advise:</p> <p>Reference in any condition contained in this permission to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to any body or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.</p> <p>The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks for which there is a fee.</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. 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</p>

	<p>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 for which there is a fee. Please contact: <a href="mailto:hdc.south@nottsc.gov.uk">hdc.south@nottsc.gov.uk</a></p> <p>The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.]</p> <p>The proposed access/off-site highway works referred to in condition 7 requires a Traffic Regulation Order before the development commences to provide safe access/off-site mitigating works. The developer should note that the Order can be made on behalf of the developer by Via East Midlands in partnership with Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the Improvements Team on 0300 500 8080 for details.</p>
5.	<p>The developer is advised to contact Network Rail in respect of the need to submit a method statement, which should be agreed prior to commencement of works on the site.</p> <p>Asset Protection Project Manager Network Rail (London North Eastern) Floor 3B George Stephenson House Toft Green York Y01 6JT</p> <p>Email: <a href="mailto:assetprotectionlneem@networkrail.co.uk">assetprotectionlneem@networkrail.co.uk</a></p>
6.	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of</p>

	<b>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.</b>
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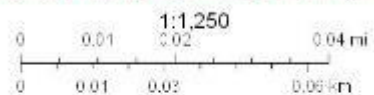


Title



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- Flood Zone 2
- Flood Zone 3
- Site



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Photographs



View of the site from the road bridge, looking north east



View of the site looking toward the rail line



Waterloo Road, view from Station Road



Station Road, looking north west from the parking area under the road bridge



Beeston Station, a Grade II Listed Building



View north east along Station Road, from the bridge. Access to the site can be seen at the bottom of the bridge

Plans (not to scale)



Proposed layout



Proposed street scene elevations





**Cardinham House Type T1**



**Cardinham House Type T2**



**Holt House Type T1**



**Holt House Type T2**



**Dalby House Type T1**



**Dalby House Type T2**

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## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00855/FUL</b>
<b>LOCATION:</b>	<b>4 The Old School House, Gilt Hill, Kimberley, Nottingham, NG16 2GZ</b>
<b>PROPOSAL:</b>	<b>Loft conversion including rear dormer</b>

This application has been called to Planning Committee by Cllr Richard Robinson.

### 1 Executive Summary

- 1.1 The application seeks to construct a dormer window to the rear elevation of the existing dwelling. The dormer will have a contemporary design and will sit atop the existing dormer window.
- 1.2 There is no site specific planning policy covering the application site, and therefore the main matters for consideration are the design and appearance of the proposed dormer and its impact on neighbouring amenity.
- 1.3 It is considered that the proposed dormer is of a significant size that will result in an overly dominant addition to the existing roof and a cramped form of development. It is therefore considered that it would be harmful to the character of the host dwelling and out of keeping with the character of the area.
- 1.4 It is considered that the proposal will not result in an unacceptable loss of amenity for the residents of any neighbouring properties.
- 1.5 On balance, it is considered that the harm of the proposal as a result of its unacceptable design and appearance, and impact on the character of the host dwelling, outweighs any potential benefits of the development. It is therefore recommended that planning permission is refused in accordance with the resolution in the appendix.

## APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct a flat roof dormer to the rear of the existing dwelling. The proposed dormer will adjoin an existing dormer in the rear elevation, and will enable a loft conversion to create an additional bedroom.

2 Site and surroundings

- 2.1 The application property is a residential dwelling which forms part of a converted school. The application property is located in a largely residential area, with residential dwellings to each side. To the rear of the site is a parking area for the development, with Gilt Hill Primary School beyond this. The application property is elevated from the highway to the front. No vegetation of significance is affected by the proposal and access will not be affected.

3 Relevant Planning History

- 3.1 In 2007, planning permission 07/00052/FUL was granted for the conversion of the school building to 5 dwellings. A condition of this permission was that permitted development rights were removed for any additions or extensions to the dwellings.

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

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

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

4.2 **Part 2 Local Plan 2019**

- Policy 17: Place-making, design and amenity

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

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

5 Consultations

- 5.1 No comments from technical consultees were required for this application.
- 5.2 Three properties either adjoining or opposite the site were consulted. Two responses from members of the public have been received, both of which raise objections. The reasons for objection can be summarised as follows:

- Dwellings within The School House already have additions.
- The proposed extension is out of keeping with the scale of the building, ruins the roof line and the aesthetics of the 19<sup>th</sup> Century building.
- The proposed design is not in keeping with the existing building.
- There are no photos within the plans to show the proposal alongside the neighbouring properties to highlight the 'ugliness' of the proposal.
- The modern design would make the building an eyesore.
- Loss of privacy and light to neighbouring properties.
- Residents were told at the time of purchase that there are planning restrictions which would not allow anyone to extend the properties, especially the rooflines.

## 6 Assessment

6.1 The main issues for consideration are the design and appearance of the proposed dormer, and the impact on neighbouring amenity.

### 6.2 **Design and appearance**

6.2.1 Policy 17 of the Broxtowe Part 2 Local Plan (2019) states that dormers should not dominate the roof. The proposed dormer is designed to wrap around the existing dormer on the rear elevation of the application property, covering almost the full width of the roof to the rear. Whilst the bottom of the dormer will be set up from the eaves, the ridge will not be significantly set down from the ridge of the dwelling, which in addition to the significant width of the proposed dormer results in an addition that dominates the existing roof.

6.2.2 The application property forms part of a converted school, with the conversion having been carried out in a sensitive manner to protect the original features and character of the building. There is an existing dormer to the rear of the dwelling, with the dwellings to each side also having dormers facing in towards the application property. Whilst these dormers are original to the building, it is considered that any further addition would result in a cramped form of development that would be harmful to the character of the existing building.

6.2.3 The proposed dormer is contained to the rear of the building and therefore will have no impact on the street scene. However, the feature will be clearly visible from the rear of the building, where there is car parking for the neighbouring properties, as well as the access to the school to the rear of the building. It is therefore considered that the negative impact of the proposed dormer on the character of the existing building, will result in a form of development that is harmful to the character of the surrounding area.

6.2.4 The proposed dormer has a modern design, with a powder coated cladding finish. The contemporary design approach is not unacceptable in itself, as it would contrast the existing red brick building, with matching materials unlikely to be achieved in a manner that does not cause further harm to the appearance of the building. However, this factor is not considered to be of such significant benefit to the existing building so as to overcome the harm that results from the proposed dormer.

6.2.5 Overall it is considered that the proposed dormer would dominate the roof of the existing dwelling and result in a cramped form of development that would be out of keeping with the character of the host dwelling and harmful to the character of the surrounding area.

### 6.3 **Amenity**

6.3.1 The proposed dormer is within a part of the roof that is set back from the principal rear elevation of the original building, which has now been converted to multiple dwellings. There are two existing dormers facing in towards the proposed dormer, each one serving the dwelling to each side of the application property. Light to these dormers is already restricted by the existing roof of the application property. The proposed dormer is set back into the roof and whilst it may result in some additional loss of light, it is not considered that this will be so significant when compared to the current situation as to be a justifiable reason for refusal.

6.3.2 The proposed dormer will not project to the rear to such an extent that it will be in line with the dormers which serve the dwellings to each side of the application property. It is therefore considered that the proposal would not result in an unacceptable sense of enclosure for the dwellings to either side.

6.3.3 The existing make-up of the dormer windows to the rear of the application property, along with those to each side, allow for some level of overlooking into each property. The openings on the rear elevation of the proposed dormer will be relatively small, and positioned at a higher level than the neighbouring dormers. The windows will also be at an oblique angle to the dormers closest to them on each side, making any direct line of sight into the existing dormers difficult. Views across from each opening to the dormer to the other side of the building will also be partially obscured by the existing dormer at the application property. Taking these factors into account it is considered that the proposal would not result in an unacceptable loss of privacy for the residents of the neighbouring property.

6.3.4 The rear of the application property is set back from the neighbouring dwellings to each side and the proposed dormer will be set back from the existing dormer on the rear elevation. It is therefore considered that the proposal will not result in any unacceptable overlooking to the rear of either of the neighbouring properties.

6.3.5 Overall, it is considered that the proposal will not result in an unacceptable loss of amenity for the residents of any of the neighbouring dwellings.

### 6.4 **Other Matters**

6.4.1 One of the comments submitted by a member of the public states that upon purchasing the dwellings it was stated that no further additions to the dwellings were allowed. The original planning permission (ref: 07/00052/FUL) which granted planning permission for the conversion of the school building to dwellings removed permitted development rights, meaning any additions, such as this proposed dormer, require planning permission. Once submitted an application for an addition can then be assessed on its merits. This condition does not automatically restrict all further development at the site.

7 Planning Balance

- 7.1 The proposal will allow for the creation of an additional room within the existing dwelling. However, it is considered that the proposed dormer would be an overly dominant addition to the roof that would result in a cramped form of development that would be out of keeping with the character of the area. On balance it is considered that the harm of the proposal outweighs any benefits.

8 Conclusion

- 8.1 In conclusion, it is considered that the proposal should be refused due to the unacceptable design and appearance of the proposal.

**Recommendation**

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

**The proposed dormer, by virtue of its substantial size, would dominate the existing roof resulting in a form of development that is harmful to the character of the host dwelling. Furthermore, due to the nature of the existing roof with the neighbouring dormers, the proposal would result in a cramped form of development that is out of keeping with the character of the surrounding area. The proposal is therefore contrary to the Broxtowe Part 2 Local Plan (2019) Policy 17.**

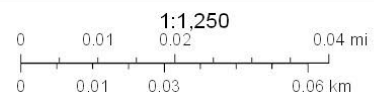
**NOTE TO APPLICANT**

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

20/00855/FUL - 4 The Old School House



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Photographs



Existing rear elevation and relationship with neighbouring properties.



Existing rear elevation and relationship with neighbouring properties.



Rear of property.

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## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>19/00605/FUL</b>
<b>LOCATION:</b>	<b>42 Derby Road Beeston NG9 2TG</b>
<b>PROPOSAL:</b>	<b>Construct 4 dwellings and associated works following demolition of existing dwelling</b>

The application is brought to the Committee at the request of Councillor Steve Carr

### 1 Executive Summary

- 1.1 The application seeks planning permission for the construction of four detached dwellings and associated works following the demolition of the existing house. The dwellings would be of two and three storeys in height. Plot 1, to the top (north) of the site, would have six bedrooms and plot 2, to the south of this, would have five bedrooms. These are both two storey dwellings. Plots 3 and 4, the three storey dwellings, would each have six bedrooms. However, the layout shows two rooms at first floor level that potentially could be used as bedrooms, resulting in a maximum of eight bedrooms. The existing access would be altered and widened where it meets the public highway.
- 1.2 The site is currently occupied by a detached two storey traditionally designed house, positioned to the north of the site.
- 1.3 The main issues relate to whether the principle of the development is acceptable, whether the design, scale and massing would have an acceptable impact on the character and appearance of the area and street scene and whether the development would have an unacceptable impact on neighbours and on highway safety.
- 1.4 The benefits of the proposal are that the development would provide an additional three dwellings. This is given significant weight.
- 1.5 The negatives of the proposal are the potential for an impact on the amenities of the neighbouring occupiers, an impact on the character and appearance of the area, and impact on highway safety. On balance, it is concluded that the development has successfully addressed the potential negative impacts.
- 1.6 The Committee is asked to resolve that planning permission be granted, subject to the conditions outlined in the appendix.

## APPENDIX

1 Details of the Application

- 1.1 The dwellings would be set out in a linear form fronting the existing access, all facing east. The proposed development would be of two and three storey high buildings with a slight slope to the roofs. The dwellings would have five bedrooms to plot 2, and six bedrooms each to plots 1, 3 and 4. A 2.5m high acoustic fence is proposed to the south west boundary, between the site and Abel Collins Homes site, and along the main road frontage to the south east. Retaining walls and hedges are proposed between each plot. The treatment to the elevations would be predominately brick, with horizontal and vertical features in render between each floor and dark grey cladding to other vertical areas and around the eaves of the roof. The cladding would continue around one side elevation, above a brick plinth, with render to the other side elevation. Each property would have panels of full height glazing to the front and rear elevations, each of these windows would have dark oak timber louvres to one half. Each dwelling would have an attached or integral flat roof double garage.
- 1.2 The design and layout of plots 1 and 2 (the two northern most plots) have been amended, following concerns in regard to scale and impact on the occupiers of neighbouring property, and now see a reduction in height from three storeys to two storeys, with an increase in width to both to accommodate the second floor rooms. These two plots would have asymmetric low rise roofs and would retain the design in terms of materials and elevational features such as the cladding and louvres to the windows on the front and rear elevations. Both plots would have an integral double garage.
- 1.3 The existing access, which comes directly off Derby Road (A52), will be realigned slightly and a turning area introduced between plots 3 and 4 (toward the south of the site). The turning area was originally shown to be between plots 3 and 4, further south along the drive, however it was considered that this would be too close to the access off Derby Road, which may have had an impact on highway safety, as vehicles entering the access may have conflicted with vehicles using the turning area. The access has also been widened since the original submission. A communal bin store area, for collection days, would be provided to the bottom of the access. This is intended to serve all eight properties, as the existing access currently serves five dwellings.
- 1.4 In addition to the alterations to the existing access serving the existing and proposed dwellings, and in order to ensure that an appropriate visibility splay can be achieved, alterations to the position of the boundary wall and gates serving the Abel Collins Homes site, adjacent to the application site, will need to be made. The alterations consist of the relocation of the gates further back into the site, by approximately 0.9m, slight realignment of wall to the west, and reduction in height of the wall to 0.5m for a length of 5m from the new position of the gates.

2 Site and surroundings

- 2.1 42 Derby Road is a detached two storey property, set back from the road. Previously the house had extensive gardens to the front and to the rear, however

the rear garden to the property has, in the past, been subdivided and built on and is now occupied by an additional four detached two storey properties, all served from the same access off Derby Road. These are known as 42a, b, c and d. Planning permission was granted for this development in 2001 (planning reference 01/00778/FUL).

- 2.2 42a Derby Road is the closest property to the application site and is side on to the north boundary. This property has a single storey extension and an attached garage to the south elevation, separating the dwelling from the application site. There is a gap of 2m between the garage and the boundary. There is a tall window serving the stairs and landing, and a smaller bathroom window on the southern side elevation. 42a is at a higher ground level than the existing detached garage at 42 adjacent (approximately 1m).
- 2.3 42b, c and d are to the north of 42a and the application site. The principle elevations of 42c and d face south, with 42b facing east. 42d has a detached garage with study / office room above, to the front of the house, and has a window at first floor which looks directly south down the access toward Derby Road.
- 2.4 To the east of the site is 40 Derby Road. This is also a large detached two storey house set back from the road and within a spacious garden, similar to 42. Again, areas to the rear of this property have also been sold off and redeveloped, and four dwellings built, known as 40c, d, e and f. There is a further fifth dwelling to the side garden of 40 (40b Derby Road). These properties are served off a separate access at the side of 40, to the east, and this access also serves a larger detached dwelling to the north at the top of the access, 40a Derby Road, which dates from the 1950's.
- 2.5 40d is directly to the rear of 40, and is a detached bungalow. This property is to the north east of the site and has its rear elevation facing west. 40c, to the north of 40d, is a detached two storey dwelling which also has its' rear elevation facing west. 40e and 40f, also two storey detached dwellings, are to the north of 40c.
- 2.6 To the west of the application site, there is a development of social housing known as Abel Collins Homes. This development consists of single storey and two storey semi-detached and terraced buildings. The closest properties are 1 Abel Collins Homes, to the south east corner of the development, which is a two storey building with its side elevation facing the site. There are habitable room windows in this facing elevation. There is a detached building north of this which appears to be in use as an ancillary (non-habitable) building, then further north there are a terrace of three bungalows (27, 28 and 29). This terrace faces the site and has habitable and non-habitable room windows in the east facing elevation.
- 2.7 To the south of the site is Derby Road (the A52), a dual carriageway, beyond which and facing the site are two storey detached dwellings. The A52 has a dedicated bus lane directly outside the access to the development and has a maximum speed limit of 40mph. 'Average speed' cameras have recently been installed along the length of the dual carriageway.

### 3 Relevant Planning History

- 3.1 01/00361/FUL - Construct 4 houses and garages on land to rear and new garage for no. 42. Refused planning permission
- 3.2 01/00778/FUL – Construct four houses and garages on land to rear and new garage for no.42 (revised scheme). Granted planning permission
- 3.3 03/00950/FUL - Construct detached dwelling house, to the front of the existing. Planning permission was refused

#### 4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 17: Biodiversity

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

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

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 31: Biodiversity Assets

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 15 – Conserving and enhancing the natural environment.

#### 5 Consultations

- 5.1 **Highways England:** Require details of an access which meets the requirements of the Design Manual for Roads and Bridges, to be submitted and agreed prior to the commencement of the development, and also details of surface water drainage, which shall be contained within the site. Further information received which includes a Road Safety Audit, at the request of Highways England. This has now been completed to the satisfaction of Highways England. Objection removed.
- 5.2 **Council's Environmental Health Officer:** No objections to the proposal, subject to conditions in respect of; installation of noise mitigation measures prior to occupation; prior approval of a Demolition and Construction Method Statement to

be agreed; and Notes to Applicant – hours of construction work and no burning of waste on site.

- 5.3 **Council's Waste and Recycling Officer:** sets out the requirements for the amount and size of bins, which would be required individually for each dwelling, both existing and proposed. The bins need to be taken to the collection point which is at the edge of the adopted highway (that is, Derby Road), unless the access is to be adopted.
- 5.4 **Nottinghamshire Wildlife Trust:** Any loss of hedgerows should be compensated for, through the planting of replacement hedges. Recommend that a detailed CEMP (Construction Environmental Management Plan) be submitted and agreed, to ensure that flora and fauna within and around the site are protected. Agree with measures set out in the ecology survey and report in regard to bats and birds.
- 5.5 17 properties either adjoining or opposite the site were consulted and a site notice was displayed. 13 letters were received in response, 11 objecting for the following reasons:
- There is a history and heritage associated with the larger houses fronting Derby Road (38, 40, 42 and the Abel Collins Homes). These houses are set back from the public highway and retain a consistent building line. Whilst development has taken place to the rear of these properties, this has been in keeping with the area by retaining the open character to the frontage. The proposal to demolish 42 and build four new dwellings is out of keeping with anything else in the immediate vicinity, and is inappropriate and over-powering, and will detrimentally change the neighbourhood.
  - The Governments' new National Design Guide sets out the 10 principles of good building. Would like to know how the new development complies with these guidelines.
  - The proposed development would result in eight properties being served off a private drive, in contravention of existing guidelines and recommendations, where private drives should not serve in excess of five dwellings, and should allow for the passage of two vehicles at the access / exit point.
  - The development appears to be driven by the desire to make money.
  - The proposal will have an impact on privacy, to all neighbouring properties, due to the external viewing decks (3<sup>rd</sup> floor), and the large amount of glazing to be used in the elevations.
  - The proposed dwellings would be overbearing and have an impact on light and potential noise.
  - The layout does not appear to allow for sufficient space for the number of vehicles that would be generated by the development of four x six bedroom homes. More space needs to be allocated for each property as otherwise vehicles will be left on the access drive, thereby blocking and restricting access to the other properties.
  - The proposal to increase the total number of dwellings to eight would result in 20 plus cars, doubling the existing amount. This would result in a highway safety issue as the existing access onto Derby Road is already dangerous with limited views from oncoming traffic, including buses in the bus lane, and additionally views to the east along the pavement are also compromised, being a danger to pedestrians and cyclists. Vehicles would have to wait in the bus lane to gain

access. The access should be widened and should also be adopted with road markings and lighting.

- Currently, the existing dwellings to the rear of 42 have to leave their bins out on the pavement of Derby Road, restricting the width of the pavement for pedestrians and cyclists, on bin collection days. The development would have the potential to result in up to 20 bins being left on Derby Road
- As the access will be amended to remove the 'kink' at the bottom, privacy for the dwelling at the top of the drive would be impacted upon.
- Many of the trees on the site have already been removed and as such the tree survey concludes that not many trees would be affected.
- There are bats which can be seen flying around the site and surrounds and the bat survey suggests that bat droppings have been found in the house (42). The survey says that bats do not inhabit the house – as a protected species the bats need to continue to be protected.
- The proposal would result in further decline of species (biodiversity) in the area due to the loss of habitat. The noise of the development would also cause disturbance to the wildlife during construction.
- Trees lost would also have a negative impact on pollution, especially nearer to Derby Road.
- The existing house is beautiful and should not be demolished as it gives a nice presence to the busy Derby Road.
- The development would create an undesirable precedent which would make it difficult for the local authority to resist similar proposals in the vicinity which would cumulatively erode the character and quality of the local area.
- The development would result in a cramped layout and create a sense of enclosure.
- If the application is to be approved, request that hours of construction and related operations be restricted.
- The development would result in loss of existing views.
- The height of the proposed 'sound reducing fence' and the close proximity of the dwelling adjacent to Derby Road, would result in a significant loss of visibility in and out of the access onto Derby Road.
- Planning permission has previously been refused for development to the front of 42 and to 40.

5.6 In addition to the letters of objections, one letter was received with no comments, and one letter raised an observation, requesting a boundary enclosure of a minimum of 1.8m in height to be to the western boundary, adjacent to the Abel Collins Homes development, and for the existing trees to be maintained.

5.7 Following re-consultation on amended plans, a further 21 responses were received.

One letter with no objections / observations:

- Occupier been widely consulted on the revisions and agreement has been made to facilitate the works on the Abel Collins site

20 objections received, on the following grounds:

- Loss of privacy to adjacent garden and house through overlooking, in particular from house no. 1 [furthest north]. The proposed louvres would benefit the future occupants but would still allow for these occupants to overlook the adjacent

properties. Internally, the 'cinema' room and store could potentially be changed to bedrooms, further increasing the opportunity for overlooking

- As the height of the buildings has not been reduced, still consider that the proposed development fails to respect the scale and proportion of nearby buildings. The close proximity combined with the extensive height will make it visually overbearing and will result in a loss of light. House 1 should be reduced to two storeys maximum, or swap the house over such that the garage is on the north side, thereby moving house (plot) 1 southwards. This third floor only has one bedroom plus cinema and store room and it is considered that the two lower floors could contain the required accommodation
- The layout has not changed significantly and as such the development would have a detrimental impact on the street scene. The dwellings are cramped, awkward looking and domineering. They do not fit into the current pattern of development. If profit were not the aim, two or three houses could be designed with larger spacing between, leaving a greater distance between house no 1 (the northernmost dwelling) to the northern boundary of the site. Queried whether they are the desired architectural design for the population of Beeston
- Highway safety is a concern, due to the close proximity of the entrance to the busy A52. Note that the traffic survey was carried out during lockdown, consider that this would not be representative of a 'normal' day on Derby Road, as traffic was very light and bus frequencies reduced. The council should commission an independent survey
- The proposed bin collection area is not big enough to be able to serve all eight properties, which could be up to 32 bins. Currently bins for the existing five dwellings are often left on the pavement which restricts access / causes obstruction for pedestrians and cyclists, particularly problematic for those with mobility issues
- The council should use its powers to alter the design, layout and heights of the buildings and the amount of glass used. Also the council should enforce controlled hours of operation and other restrictions throughout the construction period
- If trees are felled on the east side of the access road (inevitable since groundworks are likely to damage roots and make the trees unstable), this would have a greater impact on privacy for the occupiers of properties to the east
- Visibility will remain restricted when exiting the site onto the A52 unless the telegraph pole is moved and the hedging along the boundary of the Abel Collins site is cut right back and the height reduced to the height of the wall. Queried who would be responsible for maintaining the visibility splay going forward. If the post box is to be moved, have Royal Mail agreed to this
- Removal of existing hedging will impact negatively on the occupants of Abel Collins Homes in terms of noise and on the view
- Access road is still not wide enough for two vehicles to pass and may result in an incoming vehicle blocking the road
- The turning area should be further north within the site so as to avoid vehicles using the top of the access serving 42 a, b, c and d
- Have the alterations proposed to the Abel Collins boundary been agreed, no changes to the hedge and trees beyond, which will continue to obstruct the view
- Whilst parking has been provided for each proposed house, the development does not make provision for visitors or delivery vehicles, which could result in vehicles being left on the drive, restricting access
- The removal of the 'kink' at the bottom of the access would result in a reduction of privacy and increase noise and pollution [for the occupants of the existing four properties]

- There is evidence of bats in the vicinity and at 42. As a protected species, they need to continue to be protected
- Remain concerned in regard to the large window on the north elevation facing 42a – impact on privacy
- If allowed, the proposal would set a precedent for development to be allowed on other sites forward of the existing built form
- These houses would only suit the budget of a few, and would not contribute to any housing problem which may exist in the area
- Proposal constitutes an inappropriate layout with poor design and appearance, with an increase in density resulting in a negative visual impact, and is over-bearing, out of scale and out of character
- The proposed development would result in a loss of views from neighbouring properties, adversely affecting public and residential amenity
- The development would result in a negative impact on wildlife and habitat, and a further loss of trees
- There will be an increase in smell from increased waste drainage issues, the plans do little to resolve this
- Queried whether the individual residents of Abel Collins have been consulted
- Several trees have been removed on the site, prior to the application being submitted. Concerned that the development would damage the environment further
- There is a problem with drainage affecting the existing housing (42, 42a, b, c and d) and concerned that the resulting development of eight dwellings would put a huge strain on the drainage system
- Proximity of plot 4's parking area to the junction, along with the high acoustic fence, would restrict visibility for vehicles entering the access off the A52 and may result in vehicles having to wait in the bus lane to ensure no vehicles are exiting the drive of plot 4
- Queried whether Highways England and County Council Highways have been consulted
- House no 1 will overshadow property to the east
- A more conservative design, with average sized windows (instead of the large floor to ceiling windows) would be more in keeping with the local area. The larger windows result in a loss of privacy
- Remain concerned in regard to the access, which despite the amendments (hatched areas, reduction of bus lane etc) still leaves residents to the east (40, and 40 a to f) highly vulnerable to a major road traffic accident, due to increase in number of vehicular movements. No study has been submitted to show how this will affect the entry and exit to the properties to the east
- Unsure as to how painting the bus lane a different colour mitigates for the additional traffic and additional safety concerns
- Remain of the opinion that the dwellings would overlook the gardens and rear of houses 40, 40b, 40c, and 40d Derby Road, especially where there is no existing tree screening
- Remain concerned that the increase in vehicles and associated delivery and visitor traffic would lead to congestion on the access road and an increase in danger turning in and out of the access
- Consider that the alterations to the Abel Collins boundary would not be enough to solve the problem of visibility when exiting the access / is the visibility splay achievable



- Questions whether there is ample turning space to allow a large vehicle e.g. a fire tender to turn in the site and avoid reversing out onto the A52
- Concerned that whilst the revised bin collection area for 16 bins has been provided, the refuse collection personnel would not return the bins to the same place and as a consequence, there is a potential for 16 bins to be left on the public highway which would be an eyesore and also a potential danger to pedestrians, the elderly, cyclists, and those with mobility problems
- As a nice property with character, in an elevated position with superb views and a pleasant garden, considers that it is inconceivable that it would need to be demolished, with no justification both ecologically and ethically, to destroy this beautiful house
- The demolition and rebuild would result in large amounts of waste and lead to noise, land and air pollution. The transport to remove the waste would have a negative environmental impact and waste a lot of energy. The disruption would pose adverse health impacts on all neighbouring residents and object to having to be forced to live on a construction site in the years ahead
- No reference in the proposed plans for the use of renewable energy solutions
- Consider that the height of the enclosure around the bin collection area would prevent clear visibility of pedestrians and cyclists emerging from the west

## 6 Assessment

6.1 The main issues for consideration are the principle of the development, the design, scale and massing of the proposed buildings, the layout, impact on highway safety and impact on the amenities of the occupiers of neighbouring properties.

### 6.2 **Principle**

6.2.1 The application site is in an established residential area, and is not allocated in the Local Plan for any particular use. The principle of residential development is therefore considered acceptable, subject to the matters outlined below.

### 6.3 **Planning History**

6.3.1 Planning permission for the four houses north of the plot (42a, b, c and d) was granted in 2001 (reference 01/00778/FUL). These dwellings have been built.

6.3.2 In 2003, planning permission for the construction of a detached dwelling house (reference 03/00950/FUL) was refused for the reason that the proposal would have constituted an inappropriate form of development that would adversely affect the spacious setting of both the existing dwelling, and this stretch of Derby Road, which is characterised by large houses with extensive front gardens. If permitted, the development would have created an undesirable precedent which would cumulatively erode the quality and character of the locality. Additionally, the development was considered to not provide an adequate level of amenity for the future occupiers of the new dwelling. Whilst the reasons for refusal are noted, in regard to development forward of the building line, for the reasons below, which include the granting of planning permission forward of and to the side of 38 Derby Road, to the east of the site, for residential development, then it is considered that the precedent has been set.

## 6.4 Design, Scale and Massing

- 6.4.1 The predominant character of development in the surrounding area is one of two storey detached dwellings with hipped or gable roofs, and in the main, built of traditional materials such as brick with tiled or slate roofs. There are elements of render on some of the dwellings nearby, along with some examples of modern materials such as timber cladding. Window and door openings are typically traditional in form.
- 6.4.2 The contemporary design is, in principle, acceptable, and whilst reference could be taken from the materials used in the immediate area, it is acknowledged that the design would lead to a development with its own character and would be distinctive and contemporary. The materials to be used are a mix of brick, render and cladding, along with timber louvres to the windows. Details of materials would be secured by condition.
- 6.4.3 The dwellings as originally submitted were all shown to be three storeys in height, with flat or slightly pitched roofs. 42 Derby Road, the existing dwelling, and the other dwellings served by the access and no. 40 Derby Road, are all large properties of two storeys in height and have either hipped roofs or pitched roofs. The two plots to the north of the site, plots 1 and 2, have now been reduced to two storeys in height and would have asymmetric roofs. Whilst this has resulted in the floor area of these dwellings being increased, it is considered that the scale and massing of the proposed dwellings is acceptable given the roof design, and in regard to other developments nearby where these have been built within former garden areas, having similar densities.
- 6.4.4 The site is currently occupied by one large detached dwelling and the proposal will see the erection of four large detached dwellings in its place. Whilst this constitutes an increase in density of development, and would bring built development further forward of the existing property line and 40 and 38 Derby Road, it is acknowledged that there has been redevelopment on nearby sites, most notable to the east, at the junction of Middleton Crescent, which have already resulted in the incursion of the building line along this stretch of the A52. The site is considered large enough to comfortably accommodate four dwellings.

## 6.5 Highway Safety and Access

- 6.5.1 The development would result in a total of eight dwellings off the private access road. The access on to Derby Road is already considered to be substandard, and Highways England would require the access to be designed to provide a priority type junction with full height kerbs as a means of access, which would have to be installed in accordance with the approved scheme, prior to the occupation of any of the proposed dwellings.
- 6.5.2 A Vehicle Speed Survey was submitted in July 2020. This followed the introduction of 'average speed' cameras along the whole stretch of the A52. The survey was commissioned in order to assess the average speed of vehicles using the eastbound section of the A52 at this point, so as to determine the appropriate visibility splays that would be required at the proposed access point. The contents of the survey were accepted by Highways England. Whilst it is acknowledged that

the survey was carried out in April 2020, during 'lockdown', when traffic would have been lighter than usual and bus timetables adjusted, it should be noted that the purpose of the survey was to establish average speeds, and not the level of traffic, and as such is not dependent on the latter.

- 6.5.3 It is proposed that the access will be altered in order to meet the requirements of Highways England. This includes widening the access such that two vehicles can pass each other upon entering and exiting the access; introduction of tactile paving at the crossing point; alterations to the eastbound bus lane to allow for turning vehicles to cross the bus lane; and installation of signage on the public highway. The access arrangements/improvements as approved would need to be completed prior to the first occupation of the development. These measures will ensure that the safety of all users of the public highway, including pedestrians and cyclists, will be safeguarded.
- 6.5.4 In addition to these measures, a re-alignment to part of the front boundary to the adjacent site, Abel Collins Homes, is proposed. The boundary wall would be set back slightly so as to provide an enhanced visibility splay so that vehicles exiting the site can see and be seen by approaching traffic. Highways England are satisfied with these details. A condition to ensure that the improvements to the junction are carried out prior to the occupation of any of the new dwellings will be imposed.
- 6.5.5 The development would see a nett increase of three dwellings. It is considered that this would not result in a significant increase in vehicle movements, leading to congestion, as the occupiers would generally leave and arrive at differing times. Within the site, each dwelling would have off street parking for three vehicles, plus access to a double garage. This is considered to be sufficient. A turning head is proposed, located between plots 2 and 3. As this access is not proposed to be part of the adopted highway, it is considered that this arrangement is satisfactory.
- 6.5.6 A large vehicle such as a fire tender would be able to access the site, and it is considered that the changes to the access would be an improvement on the accessibility compared to the existing arrangement, where there is no turning head and where the existing access is relatively narrow.
- 6.5.7 A Demolition and Construction Method Statement, to be submitted to and agreed prior to the commencement of demolition, would ensure that the development has minimal impact on highway safety during the demolition and construction phases.

## 6.6 **Amenity**

- 6.6.1 40 Derby Road is to the east of the site. This is a large two storey detached dwelling which is set a minimum of 14m from the common boundary of the site, and there is in excess of 27m between the closest point of plot 1 to the side elevation of no. 40. Plots 3 and 4, to the southern part of the site and closest to no. 40, are three storeys in height, and it is considered that due to the distances and relationship between the development and no. 40, there would be no significant impact on the amenities of the occupiers of this property in regard to loss of light, outlook or on privacy.
- 6.6.2 42A Derby Road is to the north of the site and is side on to the proposed development. This property has two single storey extensions on its south elevation,

one of which is a double garage, separating the main house from the development site. The property has a tall window serving a stairway and a first floor window to a bathroom on the facing elevation. There would be a minimum distance of 10m between the south elevation of this dwelling and the closest point of the north elevation of plot 1. Plot 1 would have a tall window, serving the staircase, in the north elevation facing no. 42A. It is considered that whilst both facing windows serve non-habitable rooms, due to their size, the window as proposed would have the potential to have a significant impact on privacy for both the occupiers of 42A and for the future occupiers. A condition to secure obscure glazing and for the window to be non-opening is recommended. Subject to this, it is considered that in other respects, the proposed development would not have a significant impact on the occupiers of this property in terms of loss of light, privacy or outlook.

- 6.6.3 42B, 42C and 42D are to the north of 42A and are located to the top of the access. All three properties are detached two storey dwellings which face south. It is considered that as the proposed development is south of no. 42 and therefore screened from these properties, and at a distance in excess of 35m between the side elevation of plot 1 and the nearest property (42B), the development would not have a significant impact on the amenities of the occupiers of these properties. A concern has been raised in regard to the straightening of the access, as it would allow for unimpeded views directly up to the top of the access and thereby have an impact on privacy. It is considered that as the length of the access is in excess of 100m from its junction with the public highway to the top of the access, there would be no significant impact on privacy for the occupiers of existing property at the top of the access. It is considered that the straightening of the access would have the potential to increase casual surveillance of the access and beyond, to the benefit of all occupiers.
- 6.6.4 40D Derby Road is to the north of no. 40, and north east of the application site. This is a detached bungalow which has its' rear elevation facing west toward 42A Derby Road. There would be a minimum distance of 43m between the rear elevation of 40D and the closest part of plot 1. Whilst plot 1 will be a two storey property with areas of full height glazing, these are partly screened by timber louvres. It is considered that, due to the distance between, the oblique view and the introduction of the louvres, the proposal, whilst visible from 40D, would not have a significant impact on the amenities of the occupiers in terms of loss of privacy, light or outlook.
- 6.6.5 40C, 40E and 40F are further north of 40D and are two storey detached dwellings. It is considered that due to the distance between the rear elevations of these properties and the closest part of plot 1, the proposed development would not have a significant impact on the amenities of the occupiers of these properties in terms of loss of privacy, light or outlook.
- 6.6.6 To the west of the site is the Abel Collins Homes complex, a group of social housing properties. These are a mix of single storey and two storey semi-detached and terraced houses. There are four properties directly facing the application site.
- 6.6.7 1 Abel Collins Homes is a two storey end of terrace dwelling located to the south west corner and is side on to the site. There are a series of three neighbouring windows at both ground and first floor level in the side elevation facing the site.

These appear to be secondary windows. There would be a minimum distance of 21m between the rear elevation of plot 4 and the side elevation of no. 1, and as such, it is considered that the relationship between the two would not result in a significant impact on the occupiers of this property.

6.6.8 27, 28 and 29 are sited toward the north of the site and are a terrace of three bungalows. The bungalows have windows facing the site in their east facing elevations, and whilst some of these serve non-habitable rooms, each bungalow has a window serving a kitchen. There is also an entrance door, and whilst it is acknowledged that this is not the principle elevation, it is clear from the case officer site visit and from photos submitted by the applicant that the small outside area for each property, which has areas of hard surface and planted borders, is used for sitting out and the quiet enjoyment of the outdoor amenity space. The rear elevation of plot 1 would directly face these properties, and plot 2, whilst not directly facing, would over look these properties. It was considered that the initially proposed three storeys dwellings with full height glazing, would have had a detrimental impact on the occupiers of these bungalows in terms of loss of privacy and outlook. The height of plots 1 and 2 have now been reduced to two storeys in height and it is considered that the development would no longer have a significant impact on the occupiers of these three dwellings in terms of loss of privacy, outlook or light.

6.6.9 The amenity of the future occupiers of each dwelling is considered to be acceptable, allowing for access to natural light and to an outlook from each habitable room. The internal floorspace of the dwellings exceeds that set out in the Governments' Technical housing standards - Nationally Described Space Standards.

6.6.10 A Demolition and Construction Method Statement, to be submitted to and agreed by the LPA prior to the commencement of demolition, would ensure that the development would reduce any impact on the amenities of the occupiers of neighbouring property, in terms of noise and disturbance.

6.6.11 A concern has been raised in regard to an increase in smells from waste drainage and that the plans do little to resolve this. The drainage services on the site, including waste water, would need to be designed so as to comply with the relevant Building Regulations in force at the time of the build, and should not result in an increase in smells or other odours from the drainage system.

## **6.7 Landscaping, Trees and Biodiversity**

6.7.1 Several trees had been removed prior to the submission of the planning application, most notably along the frontage to Derby Road, but also along the edge of the access road, within the garden of 42.

6.7.2 The remaining trees provide an important screen to the east and west of the site and also would help to mitigate pollution in terms of noise and emissions from Derby Road. It is therefore recommended that the retained trees are protected during development, and that a landscaping scheme, which should look to mitigate for the loss of the trees, shall be submitted and agreed prior to any above ground works.

6.7.3 The landscaping scheme required by condition would include the requirement for details of biodiversity enhancements in the form of the provision of bat and bird boxes; hedgehog friendly boundary enclosures; and lighting. The Protected Species and Ecology Assessment, submitted as part of the planning application, noted that bat droppings were found in the roof space of the existing dwelling, and that whilst no evidence was found, the roof of the building was suitable for roosting bats. Bats were noted flying around and across the site. The assessment also noted that the trees and landscaped areas have the potential to provide nesting sites for birds, and the landscaped areas have potential to be a valuable resource for birds and other wildlife. As such, conditions will be imposed requiring details of landscaping, including bat and bird boxes, and a Construction Environmental Management Plan (CEMP), which seeks to protect existing flora and fauna on the site, to be agreed prior to commencement of the development

## **6.8 Noise**

6.8.1 It is acknowledged that the site is adjacent to the A52, a busy dual carriageway which runs to the south of the site. The road generates a high level of noise, especially at peak times. Plot 4, the southernmost property, is side on to the highway and would potentially be most affected by traffic noise. This property would have no habitable room windows in the south elevation and would have a 2.5m high acoustic fence along the southern boundary.

6.8.2 A Noise Report has been submitted. The contents have been found to be satisfactory, and, subject to the measures being implemented prior to occupation, and retained for the lifetime of the development, the amenities of the future occupiers would be safeguarded, in regard to noise.

## **6.9 Waste and Recycling**

6.9.1 Each dwelling would require 2 x 240 litre bins and 1 x 37 litre bag for glass, as per all other dwellings served by the access. The bins need to be collected from a point adjacent to the public highway. As this may result in a maximum of 16 bins on every other week, a bin collection point is proposed to the south east of the site, adjacent to the access where it meets the public highway. The collection area would need to serve all eight properties, and a condition to secure the retention of this area for the lifetime of the development will be imposed. Bins should not be left so as to result in a danger or nuisance to pedestrians or other road users and the Waste and Refuse team will be aware of this. The bin collection point is conveniently located adjacent to the public highway and return to this point should be achievable.

6.9.2 The demolition and re-development of the site would inevitably result in large amounts of waste products being generated. A Demolition and Construction Method Statement and a Construction Environmental Management Plan will need to be submitted prior to the commencement of the works, in order to ensure that measures are undertaken to ensure that waste is contained and disposed of in an appropriate way and that any impact on biodiversity is minimised.

## **6.10 Other Matters**

- 6.10.1 The comment in regard to the motives of the applicant is not considered to be a material planning matter.
- 6.10.2 Whilst loss of outlook is a material consideration, loss of views where it is across third party land is not considered to be a material planning matter.
- 6.10.3 Previous planning applications determined at this site or on adjacent sites is a material consideration, and have been assessed against the current proposal in the above paragraphs.
- 6.10.4 As the proposed development is not considered as a 'major' application, there is no requirement for the development to include provision for affordable housing.
- 6.10.5 The developer will need to ensure that drainage for the site will meet the requirements set out in the Building Regulations.
- 6.10.6 The existing post box is shown to be retain in its' original position. The plans indicate that the post box is behind the visibility splay line and as such there would be no requirement for the box to be re-located.
- 6.10.7 It can be confirmed that individual homes at the Abel Collins site, and Highways England have been consulted on the planning application. The County Council are not required to be consulted as because the A52 is a trunk road, the access comes under the jurisdiction of Highways England.
- 6.10.8 As the planning application is not considered to be 'major' development, there is no requirement to demonstrate that renewable energy measures would be incorporated into the design. The Design and Access statement, submitted as part of the application, states that the orientation of the buildings (east to west) allows for the maximisation of natural light, reducing reliance on artificial lighting; the buildings would have a high degree of thermal mass; and would have underfloor heating. In addition, an automated ventilation system will be installed, and glazing, wall and roof insulation would be of a higher performance standard than that required by building regulations. Notwithstanding this, the development would need to meet the minimum of the relevant building regulation standards in respect of energy efficiency.

## **7 Planning Balance**

- 7.1 The benefits of the proposal are the provision of four residential properties and an improvement to highway safety through the provision of an improved access onto Derby Road.
- 7.2 The negative impacts are impact on the amenities of the occupiers of neighbouring property.
- 7.3 On balance, it is considered that the development is acceptable and the amenity of the occupiers of neighbouring property can be safeguarded by the imposition of an appropriate condition.

8 Conclusion

- 8.1 The development accords with Policies 15, 17, 19 and 31 of the Broxtowe Part 2 Local Plan, Policies 10, 11, 14 and 17 of the Broxtowe Aligned Core Strategy, and the relevant sections of the National Planning Policy Framework. As such it is recommended that planning permission, subject to conditions, be granted.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<p><b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b></p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<b>2.</b>	<p><b>The development hereby permitted shall be carried out in accordance with drawing numbers MEIN-XX-XX-DR-A-70-004, received by the Local Planning Authority on 30.07.20, BEES-BSP-ZZ-ZZ-DR-D-0003 rev P02, D-0002 rev P01 and D-0001 P02 received by the Local Planning Authority on 01.10.20, MEIN-XX-XX-DR-A-70-001 rev 1, 002 rev 4, 003 rev 4 and 006 rev 2, MEIN-03-XX-DR-A-20-018 and 016, MEIN-02-XX-DR-A-20-011 rev 3, 010 rev 4, 009 rev 4, MEIN-02-XX-DR-A-20-007 rev 4, 006 rev 4, MEIN-01-XX-DR-A-24-001 rev 1, MEIN-01-XX-DR-A-20-005 rev 2, 004 rev 2, 003 rev 2, 002 rev 2 and 001 rev 2, received by the Local Planning Authority on 13.10.20, and MEIN-03-XX-DR-A-24-003 rev 1, MEIN-03-XX-DR-A-20-017 rev 1 and 015 rev 1, received by the Local Planning Authority on 14.10.20.</b></p> <p><i>Reason: For the avoidance of doubt.</i></p>
<b>3.</b>	<p><b>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks, render, cladding and louvres and any other external materials to be used in facing 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.</b></p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>

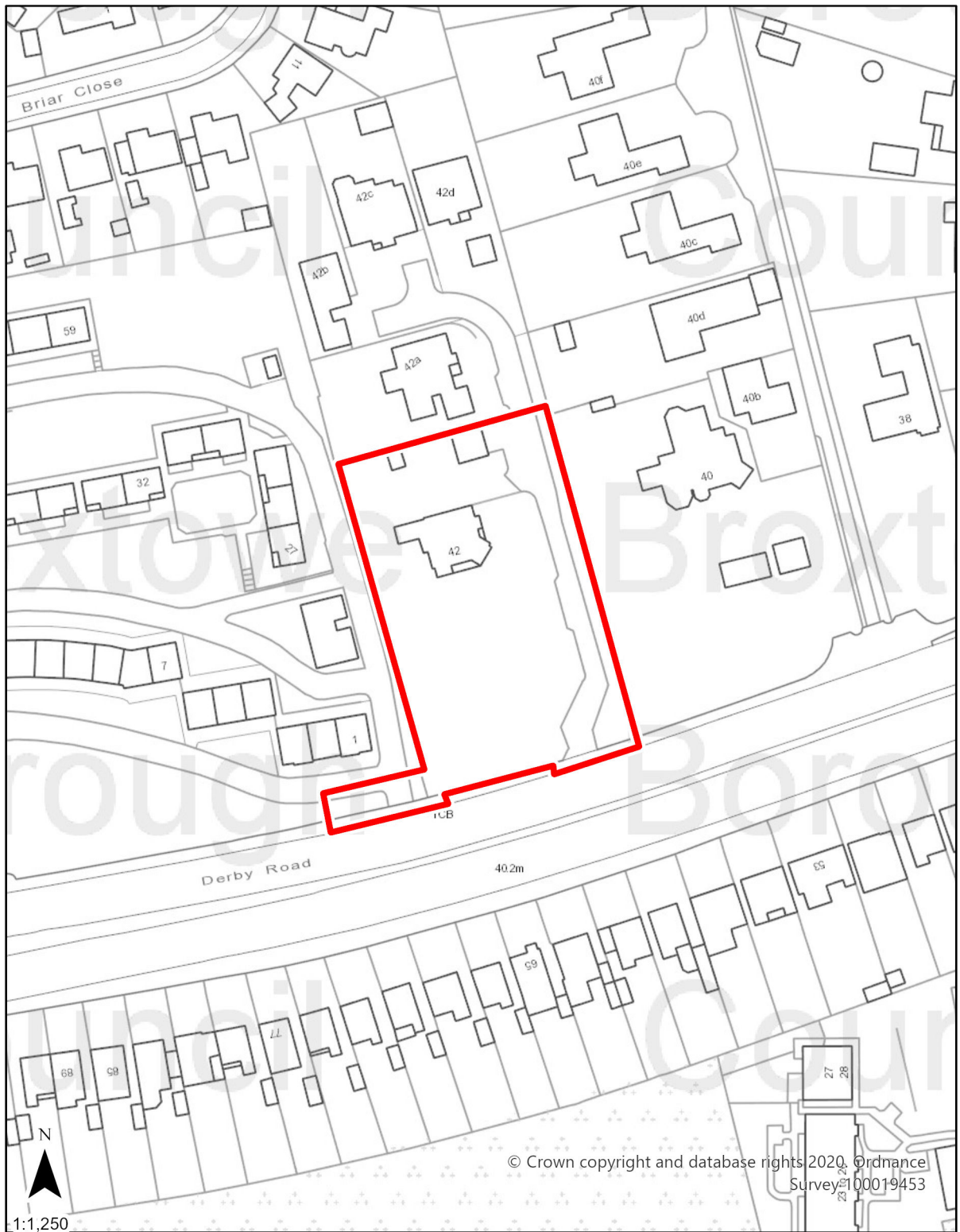


4.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) trees, hedges and shrubs to be retained and measures for their protection during the course of development</li> <li>(b) numbers, types, sizes and positions of proposed trees and shrubs</li> <li>(c) proposed boundary treatments</li> <li>(d) design including materials of the communal bin storage / collection area</li> <li>(e) proposed hard surfacing treatment</li> <li>(f) proposed lighting details</li> <li>(g) planting, seeding/turfing of other soft landscape areas</li> <li>(h) details including siting of ecological enhancements including the provision of bird and bat boxes</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and to enhance biodiversity, in accordance with the aims of Policy 17 and Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 and Policy 17 of the Aligned Core Strategy (2014).</i></p>
5.	<p>No part of the development hereby permitted shall be commenced until details of a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The CEMP shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of safeguarding biodiversity on and around the site, in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014)</i></p>

6.	<p>42 Derby Road shall not be demolished and no part of the development hereby permitted shall be commenced until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ul style="list-style-type: none"> <li>a) The means of access for construction traffic;</li> <li>b) Parking provision for site operatives and visitors;</li> <li>c) The loading and unloading of plant and materials;</li> <li>d) The storage of plant and materials used in the construction of the development;</li> <li>e) A scheme for recycling / disposal of waste resulting from construction works; and</li> <li>f) Details of dust and noise suppression to be used during the construction phase.</li> </ul> <p>The statement as approved shall be adhered to throughout the construction phase.</p> <p><i>Reason: In the interests of the amenities of the occupiers of neighbouring property, and to reduce the impact on highway safety in accordance with the aims of Policies 10 and 19 of the Broxtowe Part 2 Local Plan (2019), and Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>No part of the development hereby permitted shall be occupied until the improvements to the junction, including the alterations to the boundary at Abel Collins Homes, have been completed in accordance with the approved details.</p> <p><i>Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
9.	<p>No part of the development shall be occupied until the bin collection area, located to the southernmost part of the access drive, has been provided in accordance with the approved details.</p>

	<p>The bin collection area shall be for the use of all properties to be served off the access drive and shall be retained as such for the lifetime of the development.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in the interests of highway safety, in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
10.	<p>No dwelling hereby approved shall be occupied until the noise mitigation measures relevant to that plot and as detailed in Section 7 of the Walnut Acoustics ref WA/1119/NA-235 dated 17.11.2019 have been installed. The measures shall thereafter be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of amenity for the future occupiers of the development and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>The glazing to the window serving the stairway on the north elevation of plot 1, facing 42A Derby Road, shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>

3.	<b>The developer is reminded of his legal obligation to stop work immediately should any bats be encountered during the building of the proposed extension. The Bat Conservation Trust should be contacted on 08451300228 for further advice in the event of bats or bat roosts being found.</b>
4.	<b>Demolition works should also take place outside of the bird breeding season (March to September). Further information is available:</b>  <a href="https://www.gov.uk/guidance/wild-birds-protection-surveys-and-licences">https://www.gov.uk/guidance/wild-birds-protection-surveys-and-licences</a>
5.	<b>The CEMP shall include information regarding the best practice construction protocols:</b> <ul style="list-style-type: none"><li><b>a) Any pipes over 200mm in diameter should be capped off at night to prevent animals such as badgers and hedgehogs entering</b></li><li><b>b) Material such as netting and cutting tools should not be left in the works area where they might entangle or injure animals</b></li><li><b>c) No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal</b></li><li><b>d) During building work, root protection zones should be established around retained trees / hedgerows so that storage and movement of materials and vehicles are not carried out within these zones.</b></li></ul>
6.	<b>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.</b>
7.	<b>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</b>



**Legend**  
[Red Outline] Site Outline

**Photographs**



Front (south) elevation of 42 Derby Road, taken from garden



Rear (north) elevation of no 42



Existing access off Derby Road



Existing bus lane, with boundary to Abel Collins Homes at the back edge of pavement



View looking south down the existing access, from 42 Derby Road



Access point from Derby Road





View of site looking west from the garden of 40C Derby Road



View looking west, with 42A beyond (north of site), taken from garden of 40D Derby Road



View looking west from garden of 40 Derby Road



Side elevation of 1 Abel Collins Homes. Western boundary of the site is to the right



27, 28 and 29 Abel Collins Homes, which face the site

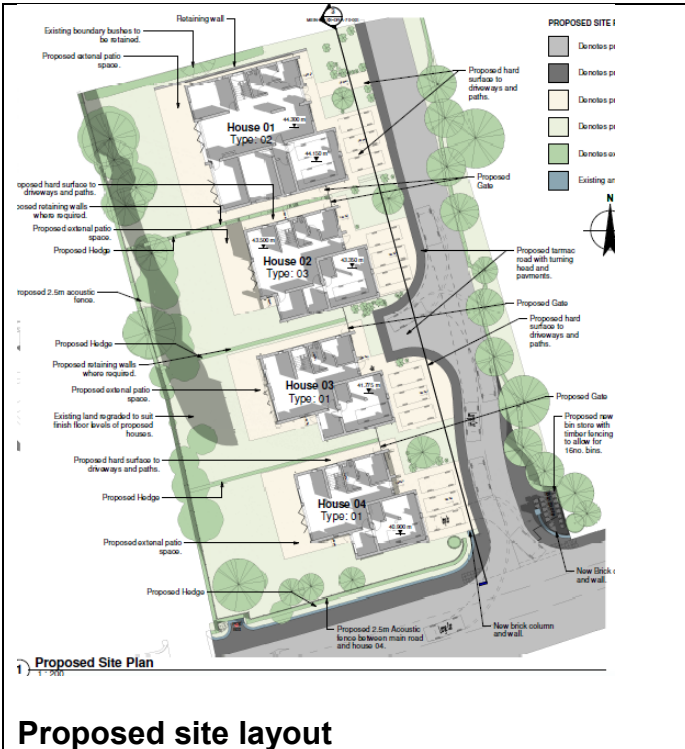


Typical section of existing fence on the west boundary to Abel Collins site



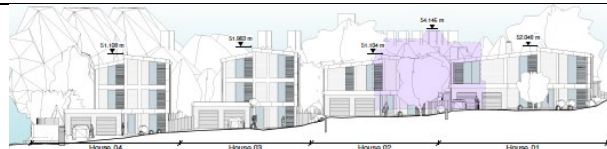
Gates and boundary wall to Abel Collins Homes site, which are to be re-positioned further into the site

Plans (not to scale)

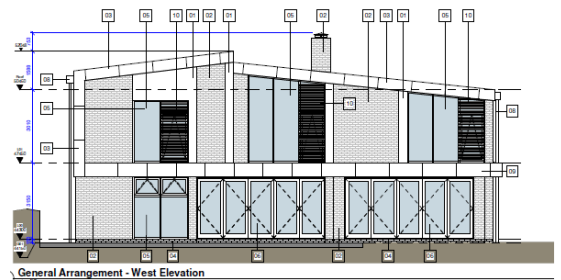
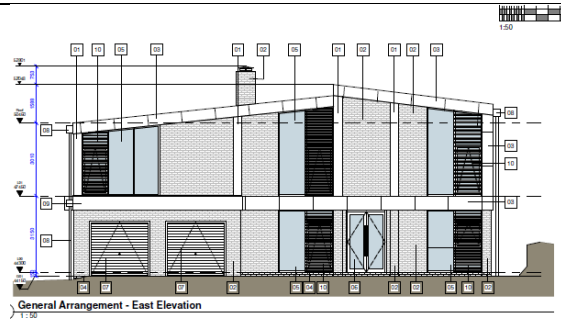


3D visual image of the development





Street view



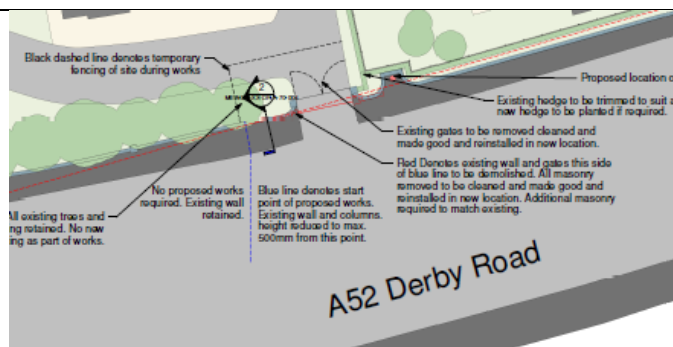
Plot 1 – proposed elevations



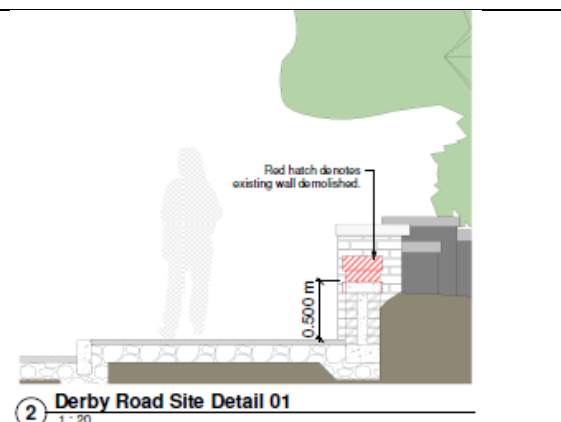
Plot 2 – proposed elevations



Plots 3 and 4 – proposed elevations



Alterations to gates and wall at Abel Collins entrance



Detail of alterations to adjacent wall and gates



## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>20/00791/FUL</b>
<b>LOCATION:</b>	<b>39 Eastwood Road, Kimberley, Nottinghamshire, NG16 2HX</b>
<b>PROPOSAL:</b>	<b>Construct two storey side extension, front porch, canopy and external alterations</b>

Councillor S Easom has requested that the application is determined by the Planning Committee.

### 1 Executive Summary

- 1.1 This application seeks planning permission for a two storey side extension, front porch, canopy and external alterations. The two storey side extension will extend to the side by 2.6m, and will have a depth of 6.8m, and a canopy at first floor level will extend to the front by 1.7m and will connect to the porch.
- 1.2 The application site is on Eastwood Road, and is a semi-detached property. All properties in the immediate vicinity are semi-detached, and similar two storey side extensions have already been approved and constructed for the immediate neighbours at 37 and 41 Eastwood Road.
- 1.3 The proposed extension will result in a gap to the neighbouring property at 37 Eastwood Road of 0.1m, which is considered to create a terracing effect in the street scene. Creating a terraced effect is contrary to Policy 17, Section 4b, of the Adopted Broxtowe Part 2 Local Plan (2019).
- 1.4 The design of the proposal, in all other respects, is considered to be acceptable. It is possible that the proposed extension may have an impact upon the amenity of neighbouring properties, however it is not considered that such an impact would be unacceptable or detrimental.
- 1.5 Overall, it is considered that the proposal is not acceptable and that planning permission should be refused in line with the resolution set out in the appendix.

## APPENDIX

1 Details of the Application

- 1.1 The proposal is for a two storey side extension, front porch, canopy and external alterations. The two storey side extension will extend to the side by 2.6m, and will have a depth of 6.8m, and a canopy at first floor level will extend to the front by 1.7m and will connect to the porch. The proposed extension will have an eaves height of 5.1m and a maximum height of 8.1m, with a gable roof design.
- 1.2 The plans show that the ground floor will be used as a carport and will have a garage door to the front, and the first floor will have a small window in the front and rear elevation, and there will be no windows in the eastern side elevation. The plans also show there will be two roof lights installed to create living accommodation on the second floor. The proposed materials will be render on the first floor of the front elevation with red brick on the other elevations to match the existing and roof tiles are to match the existing.

2 Site and Surroundings

- 2.1 The property is a two storey, semi-detached property with a gable roof. The property is partially rendered and red brick, and has an existing carport which will be replaced and a conservatory to the rear. There is a significant ground level change to the rear, as the ground level descends to the rear meaning that the rear boundary is significantly lower than the rear elevation of the property.
- 2.2 The property is located in a small cluster of semi-detached properties along Eastwood Road, and immediate neighbours on either side have both constructed similar two storey side extensions to the proposed.

3 Relevant Planning History

- 3.1 The property has previously been extended to the front for the existing porch, which was granted planning permission with reference 80/00909/FUL.

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

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

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

4.2 **Part 2 Local Plan**

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

- Policy 17: Place-making, design and amenity

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

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

#### 5 Consultation

5.1 **Council's Environmental Health Officer:** No objection subject to a gas prevention measures condition and notes to applicant regarding construction hours and burning of commercial waste.

5.2 Two neighbouring residential properties have been consulted. No responses have been received.

#### 6 Assessment

6.1 The main issues for consideration are the impact of the development on neighbouring amenity, the design of the development and the impact on the street scene.

#### 6.2 **Design**

6.2.1 In terms of mass and scale, it is considered that the extensions do not represent a disproportionate addition as the extension will extend to the side by 2.6m, and will replace the existing carport. The roof height of the extension will be marginally lower than the existing, and canopy extension to the front will create the illusion of subservience to the main dwelling, despite being two storey.

6.2.2 The design in this respect, is considered acceptable, as it will be largely in keeping with the design of the existing dwelling. The use of render on a domestic dwelling is considered an acceptable and common form of finish and the proposed materials are to match the existing and would therefore be considered satisfactory.

6.2.3 The first floor of the extension is only setback 0.3m from the front elevation of the original house. The proposed extension will leave a gap to the boundary of 0.1m, and the neighbouring property at 37 Eastwood Road has previously constructed a two storey side extension which abuts the shared boundary. Due to the small proposed gap between two semi-detached properties, this would create a terracing effect, and would negatively impact the street scene along Eastwood Road. Such a relatively small gap between semi-detached properties, together with the modest setback of the first floor and minimal set down of the roof, would create the illusion of a row of terraced properties, and the street scene would become more cramped, which is contrary to Policy 17, Section 4 (b) of the Part 2 Local Plan.

6.2.4 Overall, whilst the scale of the proposals in isolation would be satisfactory, the impact on the street scene would be significant and the proposal would negatively impact the surrounding area. This impact on the street scene is considered unacceptable, and the application should therefore not be supported.

### 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 There are no neighbouring properties to the immediate north or south of the application property, and the only neighbours who may be affected by the development would be the neighbours on either side of the site.
- 6.3.3 The neighbour to the west is 41 Eastwood Road. Due to the siting of the extension as a predominantly two storey side extension to the east of the main dwelling, this neighbour will be largely shielded from the development. The existing boundary treatment to the rear is a 2m high fence, and this neighbour has already constructed a similar extension to the proposed development. Due to the shielding from the main dwelling, the potential impact of the development on this neighbour is considered to be minimal.
- 6.3.4 The property to the east is 37 Eastwood Road. The extension will be close to the boundary with this neighbour, leaving a gap of only 0.1m between the properties, as this neighbour has already constructed a two storey side extension to abut the boundary, and has a large single storey rear extension which abuts the boundary. The boundary treatment to the rear is a 1.8m high fence. There are no proposed windows in the eastern side elevation, and whilst there is a risk of overlooking or loss of privacy to the rear due to the two storey nature of the proposed development, this impact is not considered to be significant enough to justify the refusal of planning permission.
- 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 benefits of the proposal are that it would be an extension to an existing residential dwelling, would have an acceptable design in isolation and would not have a significant negative impact on neighbour amenity. The negative impacts would be the impact on the street scene and the surrounding area, and the creation of a terraced effect, and the proposal is contrary to Policy 17 of the Broxtowe Part 2 Local Plan, and these matters are considered to outweigh by the benefits of the scheme.

## 8 Conclusion

- 8.1 Overall, the proposal is considered harmful to the street scene and is contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019), which outweighs the benefits of the development and it is therefore considered that the proposal is unacceptable and that 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 proposed two storey side extension by virtue of its location and proximity to the neighbouring property, along with the absence of any significant set-back of the front elevation or drop in roof level represents a development that would create a ‘terracing effect’. As such, this development would be of detriment to the character and appearance of the street scene. The proposed extensions would therefore be contrary to Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.</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



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Photographs



Front elevation.



Street scene and neighbour at no 37.



Rear elevation.

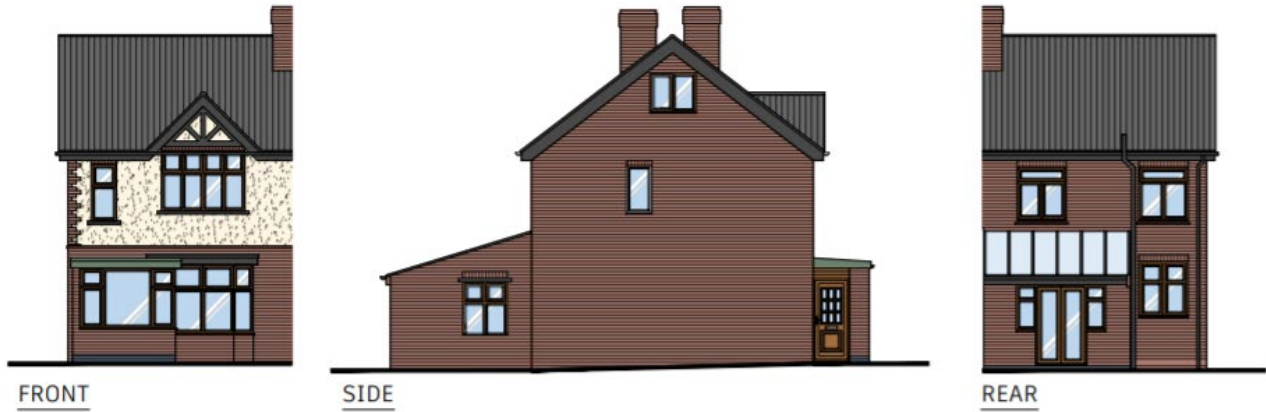


Boundary and neighbour at no 37.

**Plans (not to scale)**

**EXISTING ELEVATIONS**

SCALE 1:100

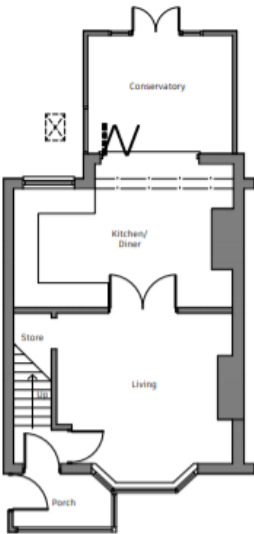


**PROPOSED ELEVATIONS**

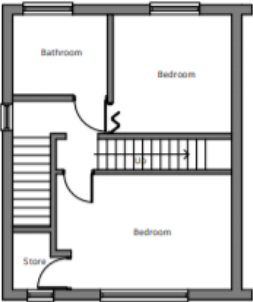
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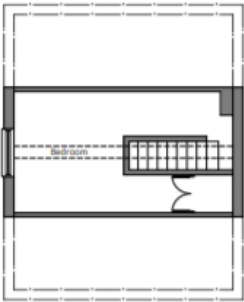
EXISTING LAYOUTS  
SCALE 1:100



GROUND FLOOR

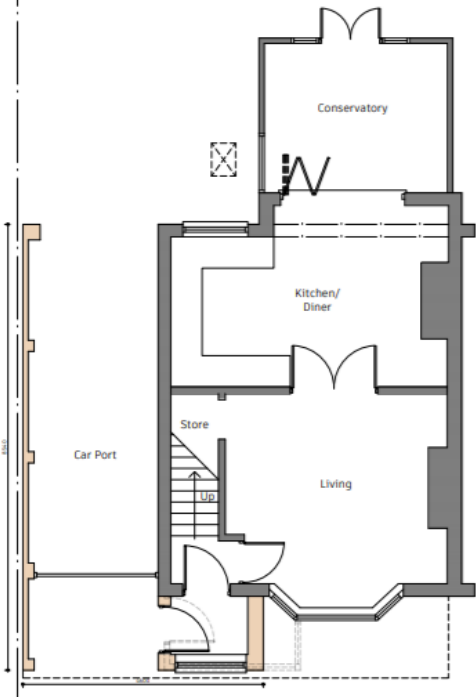


FIRST FLOOR

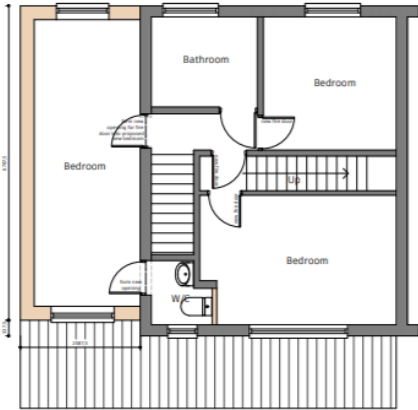


SECOND FLOOR

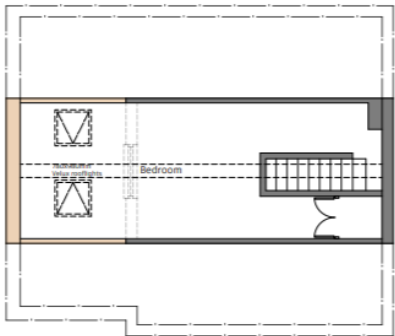
PROPOSED LAYOUTS  
SCALE 1:50



GROUND FLOOR



FIRST FLOOR



SECOND FLOOR

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## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>21/00041/FUL</b>
<b>LOCATION:</b>	<b>42 Sandy Lane, Bramcote, Nottinghamshire, NG9 3GS</b>
<b>PROPOSAL:</b>	<b>Construct first floor rear extension and front and rear dormer windows</b>

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

### 1 Executive Summary

- 1.1 This application seeks permission to construct a first floor rear extension and front dormer window. The first floor rear extension will have a setback beside the boundary with no. 44 Sandy Lane and a rear dormer.
- 1.2 During the course of the application, amendments were secured to reduce the scale of the extensions and improve the design which is explained in more detail below.
- 1.3 The main issues relate to whether the principle of the extensions is acceptable and if there is an acceptable level of design and the impact on neighbour amenity.
- 1.4 The benefits of the proposal are that it would provide additional space to a family home which reflects an acceptable level of design and would not appear out of character with the surrounding area that would be in accordance with policies contained within the development plan which is given significant weight. There is some impact on neighbour amenity but this matter is considered to be outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

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

- 1.1     This application seeks permission to construct a first floor rear extension and front dormer window. The first floor rear extension will have a setback beside the boundary with no. 44 Sandy Lane and a rear dormer.
- 1.2     The first floor rear extension will have a large gable feature with contemporary style glazing in the rear elevation, a first floor element with hipped roof and a rear dormer with hipped roof. The first floor extension will have a height to ridge of 8m and matching eaves height. The first floor extension will follow the same footprint as the ground floor extension apart from the set back next to no. 44. This element will be set back approximately 2.98m above the rear of ground floor extension (meaning it will project approximately 2.6m at first floor level beyond the rear elevation of the main house).
- 1.3     The hipped element will have a matching height to eaves and ridge. It will have a rear dormer with a hipped roof which will have a window in the rear elevation. A dormer with hipped roof is proposed to the front.
- 1.4     The internal layout of the property will be reconfigured. At ground floor level there will be a prayer room, kitchen, living room, utility room, toilet/shower room, reception room and an unidentified room. At first floor level there will be three bedrooms (one with an en-suite and two bedrooms sharing an en-suite), a bathroom and a study. At second floor level there will be two bedrooms with en-suites.
- 1.5     During the course of the application, amendments were incorporated into the design which included the removal of the flat roof side facing dormer, reduction in the first floor projection next to the boundary with no. 44 and reducing the size and altering the design of the front dormer. A first floor rear dormer was included in the rear extension.

**2     Site and surroundings**

- 2.1     The application site comprises a detached house with hipped roof, front gable feature and an integral garage. It has a single storey rear extension with pitched roof. The house is positioned within a residential area.
- 2.2     Sandy Lane slopes down from north to south. The garden is elevated above the patio. No. 44 is positioned at a slightly higher level than the application property due to the slope in the road. No. 40 is at a slightly lower level.
- 2.3     The rear boundaries consist of hedges, vegetation/trees and wall/fencing. No. 44 has a rear dormer and a conservatory up to the boundary with the application site.
- 2.4     Nos. 44 and 40 are detached houses that adjoin the site to the north and south.

**3 Relevant Planning History**

- 3.1 An application for an extension (77/00172/FUL) was granted permission in April 1977.
- 3.2 An application for garage extension (81/00537/FUL) was granted permission in August 1981.
- 3.3 An application for a two storey extension (88/00620/FUL) was granted permission in October 1988.
- 3.4 An application for a first floor rear extension (93/00631/FUL) was refused permission in December 1993. This was appealed and dismissed.
- 3.5 An application for a two storey extension (94/00200/FUL) was refused permission in June 1994. This was appealed and dismissed.
- 3.6 An application for a two storey extension (95/00411/FUL) was granted permission in September 1995.

**4 Relevant Policies and Guidance****4.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy 10: Design and Enhancing Local Identity

**4.2 Part 2 Local Plan**

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

- Policy 17: Place-making, Design and Amenity

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

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

**5 Consultations**

- 5.1 10 neighbouring properties were consulted on the application and one objection was received which can be summarised as follows:
- Loss of privacy
  - Loss of daylight/sunlight
  - Sense of enclosure
  - Side dormer and rear extension will block light to garden/conservatory
  - Side dormer right up to the boundary
  - Give appearance that property is semi-detached and not detached



- In effect be living next to a block of flats.

## 6 Assessment

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

### 6.2 **Principle**

- 6.2.1 Sandy Lane is a residential road formed of semi-detached and detached houses. The properties adjoining the site to the north and south are both detached. No. 44 has a rear dormer and conservatory. A number of properties have been extended on this road e.g. no. 66 for two storey side, single storey front and first floor rear extensions (18/00382/FUL), no. 40 for two storey side and single storey front and rear extensions (17/00872/FUL) and no. 34 for single/two storey side and rear extensions (17/00620/FUL).

- 6.2.2 It is acknowledged the property has previously been extended at two storey and single storey level; however, the proposed extension will not increase the footprint of the main property. Furthermore, it is acknowledged that two applications were refused and dismissed at appeal (see history section) but both applications were determined a significant amount of time ago in line with policies that are now out of date. Therefore, minimal weight can be afforded to this.

- 6.2.3 The initial scheme proposed was considered to be too intensive and the impact on no. 44 was considered to be unacceptable (explained in more detail below). However, the scheme has been scaled down to incorporate changes that are now considered to be acceptable and whilst there will be some impact on the adjoining neighbours, it is considered this would not warrant refusal. Furthermore, the design of the extensions and dormer are both considered to be acceptable and will not appear out of keeping with the property or surrounding area.

- 6.2.4 To conclude, it is considered the extensions and dormers are in proportion to the main plot, they will not increase the footprint of the property, the setback next to the boundary with no. 44 is considered to be sufficient and they reflect an acceptable level of design. Whilst there will be some impact on neighbour amenity, it is considered the plans have been designed and amended accordingly to overcome these concerns. The matters of design and neighbour amenity will be addressed below.

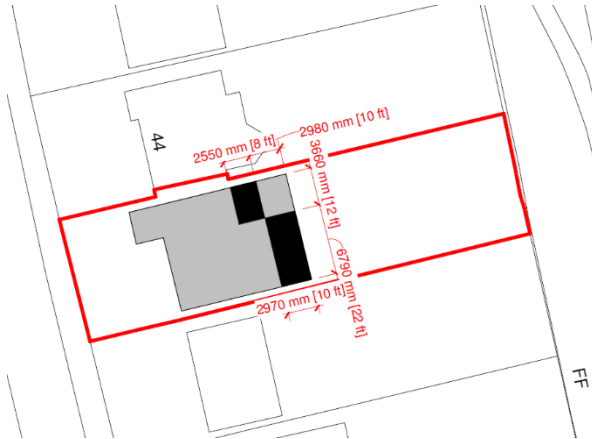
### 6.3 **Amenity**

- 6.3.1 The properties that are mostly impacted by the extensions and dormers will be nos. 44 and 40.

- 6.3.2 It is acknowledged that the property has been previously been extended; however, it is considered the proposed first floor extension and dormers can retain an acceptable relationship with both adjoining neighbours. No. 44 is positioned to the north of the plot and therefore due to this orientation would be the neighbour impacted mostly by the extension in regards to a loss of light and overshadowing from the first floor extension and overlooking from the side dormer. The side



dormer was removed and the first floor extension was scaled back so that it only projects approximately 2.6m from the rear wall of the main house (as shown below and in the design section). Whilst it is acknowledged there will still be some impact from the first floor extension on no. 44 in regards to a loss of light and overshadowing to the conservatory and garden, it is considered this is not



significant enough to warrant refusal. Furthermore, it is considered there will not a sense of enclosure caused by the proposed extension.

Block Plan (blackened out elements show new first floor extension, grey elements show original house)

- 6.3.3 The first floor extension will project approximately 2.97m beyond the rear elevation of the main house next to the boundary with no. 40. Whilst it is acknowledged that the cumulative impact of the existing and proposed extensions will impact on this neighbour, it is considered that there will not be a significant loss of light or overshadowing due to the orientation of no. 40 being to the south. Furthermore, both nos. 44 and 40 benefit from sizeable rear gardens.
- 6.3.4 Whilst it is acknowledged the glazing extending into the gable is large, it is considered this is acceptable that it is centralised within the extension and faces towards the rear and not the side.
- 6.3.5 Whilst it is acknowledged there will be some overlooking from the rear dormer, it is considered this is not dissimilar to that of a rear window and does not directly overlook any gardens to the side. It is considered the rear dormer will not have a significant impact on the amenity of any surrounding neighbours.
- 6.3.6 As the front dormer faces out onto Sandy Lane, it is considered it is a sufficient distance from all other surrounding neighbours that there will be minimal impact on their amenity.
- 6.3.7 To conclude, it is acknowledged there will be some impact on the amenity of surrounding neighbours. However, it is considered the extensions and dormers have been designed to reduce the impact by reducing the projection of the first floor extension next to the boundary with no. 44 and removing the side dormer. Furthermore, these neighbouring gardens are east facing and will already experience a loss of light towards the evening. It is considered a neighbourly relationship can be maintained with this scheme.

## 6.4 Design

6.4.1 The design of the extensions and alterations are considered to be appropriate and in keeping with the main house in terms of style and proportions.

6.4.2 The below shows the main changes from the original scheme submitted versus the amended, final scheme.

### Original scheme



**Proposed Front View**  
1 : 50

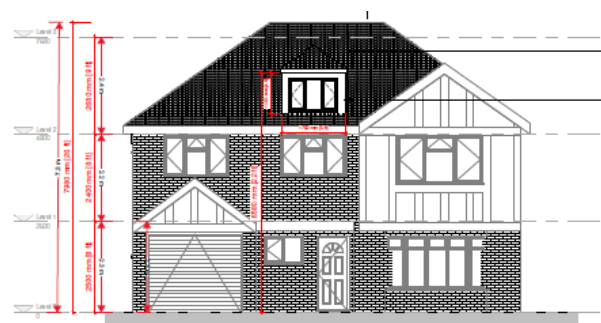


**Proposed Rear View**  
1 : 50



**Proposed North Side View**  
1 : 50

### Amended scheme



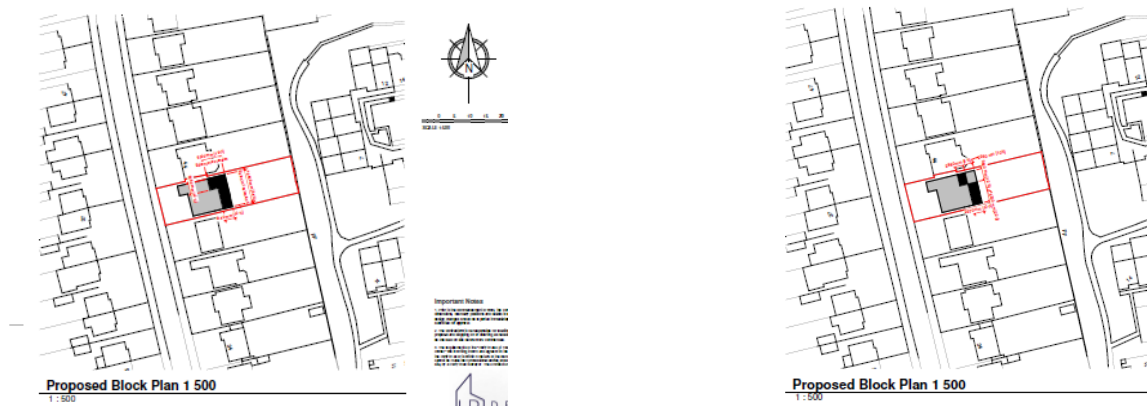
**Proposed Front View**



**Proposed Rear View**  
1 : 50



**Proposed North Side View**  
1 : 50



- 6.4.3 The first floor rear extension will have a gable/hipped roof with a dormer incorporated into the hipped element. It is considered the roofs integrate into the existing roofs and do not appear out of proportion in scale or design. The dormer to the front was reduced in size and changed from a gable to hipped roof which is considered to reduce its prominence and blend into the roof scape successfully.
- 6.4.4 The proposed rear dormer will have a pitched roof which aligns with the pitch of the hipped roof of the extension. The dormer will be clad with tiles to match the main roof which is considered sufficient to ensure this blends into the roof scape and reduces its prominence.
- 6.4.5 The contemporary style glazing is considered to be an acceptable feature and as it is centralised within the extension it reflects an element of symmetry which is considered to be a positive design feature. The use of contemporary style glazing in a property that reflects a traditional design is considered to be acceptable.
- 6.4.6 The materials will be conditioned to ensure they match the main house.
- 6.4.7 The majority of the scheme is to the rear of the property and therefore will largely be obscured from the public realm. It is considered the property will still appear as a detached house and not blend into the neighbouring properties or reflect the appearance of a block of flats.
- 6.4.8 To conclude, it is considered the extensions reflect an acceptable level of design and whilst it is acknowledged the property has been extended previously and this will be a further addition, it is considered sufficient amendments have been incorporated for it to not represent an overdevelopment of the plot.

## 7 Planning Balance

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

8 Conclusion

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

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<p><b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b></p> <p><b><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></b></p>
<b>2.</b>	<p><b>The development hereby permitted shall be carried out in accordance with drawings:</b></p> <p><b>Received by the Local Planning Authority on 21 January 2021:</b></p> <ul style="list-style-type: none"> <li>• <b>Site Location Plan (1:1000)</b></li> </ul> <p><b>Received by the Local Planning Authority on 18 March 2021:</b></p> <ul style="list-style-type: none"> <li>• <b>Proposed Floor and Roof Plans</b></li> <li>• <b>Proposed Elevations</b></li> <li>• <b>Proposed Block Plan (1:200)</b></li> </ul> <p><b>Reason: For the avoidance of doubt.</b></p>
<b>3.</b>	<p><b>The extension and dormers hereby approved shall be constructed using bricks and tiles to match the main house.</b></p> <p><b><i>Reason: To ensure a satisfactory standard of appearance is achieved and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></b></p>
	<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>

**Map**



**Legend**

Site Outline



Photos



West (front) elevation



East (rear) elevation



Rear/side boundary with no. 44



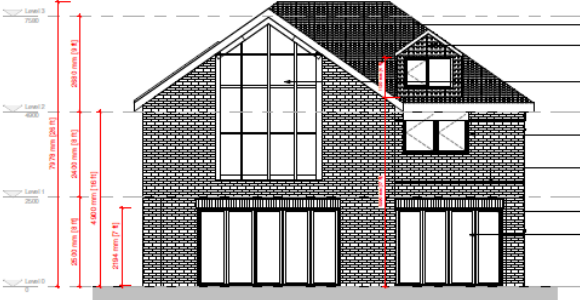
Rear/side boundary with no. 40

**Plans (not to scale)**



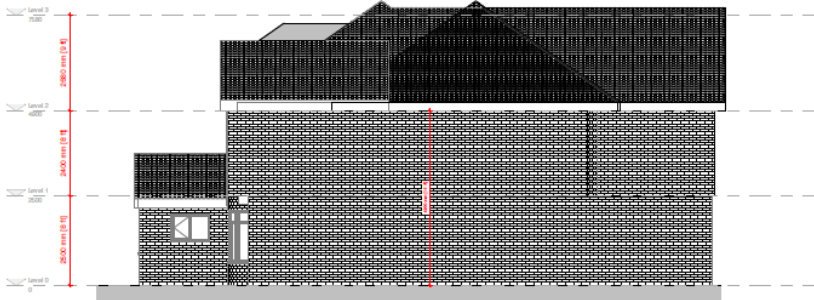
**Proposed Front View**

1:50



**Proposed Rear View**

1:50



**Proposed South Side View**

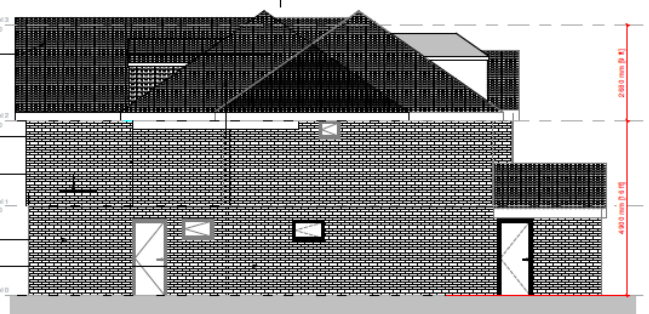
1:50

Existing Roof to be made good. New Roof on Extension to match existing.  
Proposed Dormer for staircase leading into Loft. Roof to be hipped as shown.

Existing Roof to be made good. New Roof on Extension to match existing.

Proposed Roof Light for Bedroom #3. To be top level openers  
Proposed rooflight hidden behind parapet wall

Brickwork to match existing.  
Existing door to be infilled and made good.



**Proposed North Side View**

1:50



**Proposed Block Plan 1:500**

1:500

Screen for balcony

**L00 - Proposed Ground Floor**  
1 : 50

**L01 - Proposed First Floor**  
1 : 50

**L02 - Proposed Loft Floor**  
1 : 50





## Report of the Chief Executive

<b>APPLICATION NUMBER:</b>	<b>21/00005/FUL</b>
<b>LOCATION:</b>	<b>42 Greenhills Road, Eastwood, Nottinghamshire, NG16 3DG</b>
<b>PROPOSAL:</b>	<b>Construct dwelling with vehicle access and car parking, re-siting of gates and dropped kerbs</b>

This application has been called to Planning Committee by Cllr J Parker.

### 1 Executive Summary

- 1.1 This application seeks permission to construct a detached dwelling to the east of no. 42 Greenhills Road, on the corner of Greenhills Road and Moorfields Avenue. The proposed dwelling is a 2 storey detached dwelling to be constructed using bricks and tiles.
- 1.2 One objection to the proposal has been received, with the main reasons for objection relating to the impact of the proposal on the character of the surrounding area.
- 1.3 The application site is not covered by any site specific planning policy and therefore the main considerations relate to the design and appearance of the proposed dwelling, its impact on neighbouring amenity, and its impact on highway safety.
- 1.4 The proposed dwelling would be sited on a corner plot, with the existing dwelling at no. 42 being set well back from the corner, as is the dwelling to the east side of the junction, no. 44 Greenhills Road. The proposal would therefore result in the loss of an open corner, which is considered to be an important feature in the street scene, making a positive contribution to the character of the area. The proposed dwelling would also have a relatively small rear garden, and result in the existing property at no. 42 also having a smaller rear garden than the existing dwelling and the neighbouring properties along this section of Greenhills Road. It is therefore considered that the proposal would result in an over-intensive form of development, resulting in a cramped appearance that would be harmful to the street scene and out of keeping with the character of the area.
- 1.5 It is considered that the proposal would not result in an unacceptable loss of amenity for the residents of any neighbouring properties, and would not have an unacceptable impact on highways safety.
- 1.6 On balance, it is considered that the harm caused as a result of the siting of the proposed dwelling, on the street scene and the character of the surrounding area, outweighs any benefits of the proposal. It is therefore recommended that planning permission is refused in accordance with the resolution in the appendix.

## APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct a three bedroom, hipped roof, detached dwelling to the east of 42 Greenhills Road, on the corner of Greenhills Road and Moorfields Avenue. The proposal includes a new parking space to the rear, requiring an extension to the existing dropped kerb, and with a new timber gate to secure the parking area.

2 Site and surroundings

- 2.1 The application site is formed of land associated with 42 Greenhills Road, a two-storey, semi-detached residential dwelling. The site is currently used as the parking area for the host dwelling, with the proposal indicating that the parking will now be to the front of no. 42, subject to a new dropped kerb being installed. The application site is set within a residential area, largely surrounded by residential properties. The site is bordered by a hedge along the east boundary with Moorfields Avenue. The land slopes up slightly to the rear of the site and there is a garage to the rear, which is proposed to be retained with no. 42.

3 Relevant Planning History

- 3.1 There is no relevant planning history for the application site.

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, design and amenity

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

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

## 5 Consultations

### 5.1 **Nottinghamshire County Council Highways Authority:**

No objection subject to conditions. It is also noted that there is a telegraph pole where the access is to be installed, and the applicant will have to contact the relevant parties to have this relocated.

### 5.2 **The Coal Authority:**

No objection subject to condition requiring further site investigations prior to the commencement of development.

### 5.3 **The Council's Waste and Recycling Manager:**

No objection. Developer to purchase first time provision of bins.

### 5.4 Seven properties either adjoining or opposite the site were consulted and a site notice was displayed. Two responses have been received, one of which raised no objection, and one of which objects to the proposal. The reasons for objection can be summarised as follows:

- Over-intensive development and cramped layout.
- Proposed dwelling would sit forward of the building line on Moorfields Avenue and would result in the loss of an open corner which is an important characteristic of the built form on Greenhills Road.
- The dwelling would be so close to the highway that the front door would almost open directly onto the pavement.
- The existing dwelling would be left with a very small rear garden.
- There is no reason why the existing garage should not be utilised by the new house if planning permission is granted. It may be being used for commercial use.

## 6 Assessment

### 6.1 The application site is not covered by any site specific planning policy. The main issues for considerations for this proposal are therefore the design and appearance of the proposed dwelling, it's impact on neighbouring amenity, and impact on highway safety.

### 6.2 **Design**

#### 6.2.1 The existing dwelling at no. 42 is set in from the corner of the site, resulting in an open corner on the junction of Greenhills Road and Moorfields Avenue. No. 44 Greenhills Road, to the east side of the junction, is also set back, again resulting in an open corner on the junction. The surrounding area is reasonably densely populated, with the street scene made up of a mix of detached and semi-detached dwellings. It is considered that the open corners are an important feature in breaking up the street scene, and contribute positively to the character of the area.

- 6.2.2 The proposed dwelling would be set in approximately 0.9m from the edge of the highway, resulting in the complete loss of this open corner. It is considered that this would result in significant harm to the street scene, resulting in a negative impact on the character of the surrounding area. Due to the proximity of the dwelling to the highway on the east side of the site it is considered that this would result in a cramped and over-intensive form of development that would not be in keeping with the character of the surrounding area.
- 6.2.3 During discussions with the agent throughout the process of this application, he has highlighted instances of open corners in the surrounding area being impacted by development. Notably the agent has identified a double garage built at no. 88 Greenhills Avenue, and the dwelling built at no. 92 Greenhills Avenue.



No. 88 Greenhills Avenue



No. 92 Greenhills Avenue

- 6.2.4 In the case of the garage at no. 88, this is an ancillary structure attached to the host dwelling. It is single storey in height and clearly subservient to the main dwelling. This is therefore not considered comparable to a new detached dwelling. No. 92 was granted planning permission in 2006 (planning reference 06/00669/FUL). The new dwelling constructed is set further in from the highway, allowing some element of openness on the corner to be retained. In both instances the developments are not situated within the area immediately surrounding the application site, and therefore cannot be considered to contribute to the character of the area surrounding the application property. Furthermore, taking into account the historic nature of the planning application for no. 92, approved under a historic Local Plan and superseded national planning policy, it is not considered the granting of permission for this dwelling has any material impact on the consideration of this application.
- 6.2.5 In order to accommodate sufficient parking at the proposed dwelling, the rear garden of the neighbouring garden will need to be sectioned off, reducing its overall length. When taking into account the existing garage to the rear, the garden at no. 42 is reasonably large, in keeping with the neighbouring properties at nos. 36, 38 and 40, as well as those to the east side of Moorfields Avenue. The reduced length

of the garden at no. 42, along with the limited garden to be provided with the application property is considered to be out of keeping with the pattern of development in the surrounding area, and as such is not supported.

6.2.6 Concerns have been raised that the proposed dwelling would sit forward of the established building line on the east side of Moorfields Avenue. Whilst this is the case, the existing garage for no. 42 is also forward of the building line, and this along with the distance between the proposed dwelling and the first dwelling on Moorfields Avenue is considered to result in a sufficient break for this not to be considered a reason for refusal.

6.2.7 In terms of the design of the proposed dwelling, it has a reasonably simple and traditional appearance with a hipped roof and openings that are in keeping with the neighbouring property at no. 42. However, taking into account the impact of the proposal on the street scene and character of the area, these are considered to be neutral points in an application that is on balance considered unacceptable due to its harmful impact on the street scene and being out of keeping with the character of the area.

### 6.3 **Amenity**

6.3.1 The proposed dwelling would be approximately in line with the rear of no. 42 Greenhills Road, and would be a 2 storey dwelling of a similar size. It is therefore considered that the proposed dwelling would not result in an unacceptable loss of light, or sense of enclosure for the residents at no. 42. It is also considered the proposed dwelling would not result in an unacceptable loss of privacy for the residents of the neighbouring property, with the relationship between the rear of the two dwellings being similar to that currently experienced along this part of the street.

6.3.2 The proposed dwelling would be approximately 20m from no. 1 Moorfields Avenue to the rear, which is positioned beyond the existing garage to the rear of the application site. No. 1 is positioned perpendicular to the proposed dwelling, and is a single storey property. It is considered that the proposed separation distance is sufficient to ensure the proposed dwelling would not result in an unacceptable loss of amenity for the residents of the neighbouring property to the rear.

6.3.3 The application site occupies a corner plot, and therefore there are no directly neighbouring properties to the east of the application site. The proposed dwelling would be approximately 14m from the nearest neighbouring property to the east, no. 44 Greenhills Road, and this is considered a sufficient separation distance to ensure it would not result in an unacceptable loss of amenity for the residents of the neighbouring property.

6.3.4 Overall, it is considered that the proposed dwelling would not result in an unacceptable loss of amenity for the residents of any neighbouring properties.

### 6.4 **Access**

6.4.1 The Highways Authority has raised no objection to the proposal. The proposed dwelling would result in the loss of the existing parking area for no. 42 Greenhills Road, which is proposed to be relocated to the front of no. 42, requiring a dropped

kerb being developed. Greenhills Road is not a classified road and this would therefore not require planning permission. There is sufficient space to the front of No. 42 to accommodate parking for two cars, although as noted by the Highways Authority, this would require the removal of the telegraph pole, which would be the responsibility of the applicant.

6.4.2 The proposed parking for the new dwelling would be to the rear of the property, and accessed off Moorfields Avenue. Moorfields Avenue is a relatively quiet cul-de-sac, and it is considered the proposed access would not result in an unacceptable loss of highway safety. The addition of a single dwelling is also not considered to result in a significant increase in journeys to and from the area, and therefore is not considered to have an adverse impact on traffic in the surrounding area.

6.4.3 Overall, it is considered that the proposal would not result in an unacceptable impact on highways safety for the surrounding area.

## 6.5 Other Matters

6.5.1 Objections have been raised on the grounds that the garage should remain associated with no. 42, and that it may be being used for commercial purposes. There is no requirement for the application property to have a garage and therefore whether or not the garage is included with the application property is not a material consideration. With respect to the garage being used for commercial purposes, there is no evidence to suggest this is the case. If such evidence was to be provided, this could be investigated by the Planning Enforcement Team. Notwithstanding this, it would not be a material consideration in the determination of this application.

## 7 Planning Balance

7.1 The proposed dwelling would add to the Council's housing supply, and is not considered to result in an unacceptable loss of amenity for neighbouring residents or impact on highway safety. However, the siting of the proposed dwelling would result in the loss of an open corner which is an important feature in the character of the surrounding area. The proposal is considered to be an over-intensive form of development, resulting in a cramped appearance that would be harmful to the street scene and out of keeping with the character of the area. Furthermore, the proposal would result in the loss of some of the garden at no. 42, and a relatively small garden for the proposed dwelling when compared to the neighbouring properties. The proposal would therefore not be in keeping with the existing pattern of development in the surrounding area. On balance, it is therefore considered that the proposal is unacceptable and that the application should be refused.

## 8 Conclusion

8.1 The proposed development is considered to be harmful to the street scene and out of keeping with the character of the surrounding area. It is therefore recommended that planning permission is refused for this proposal.

**Recommendation**

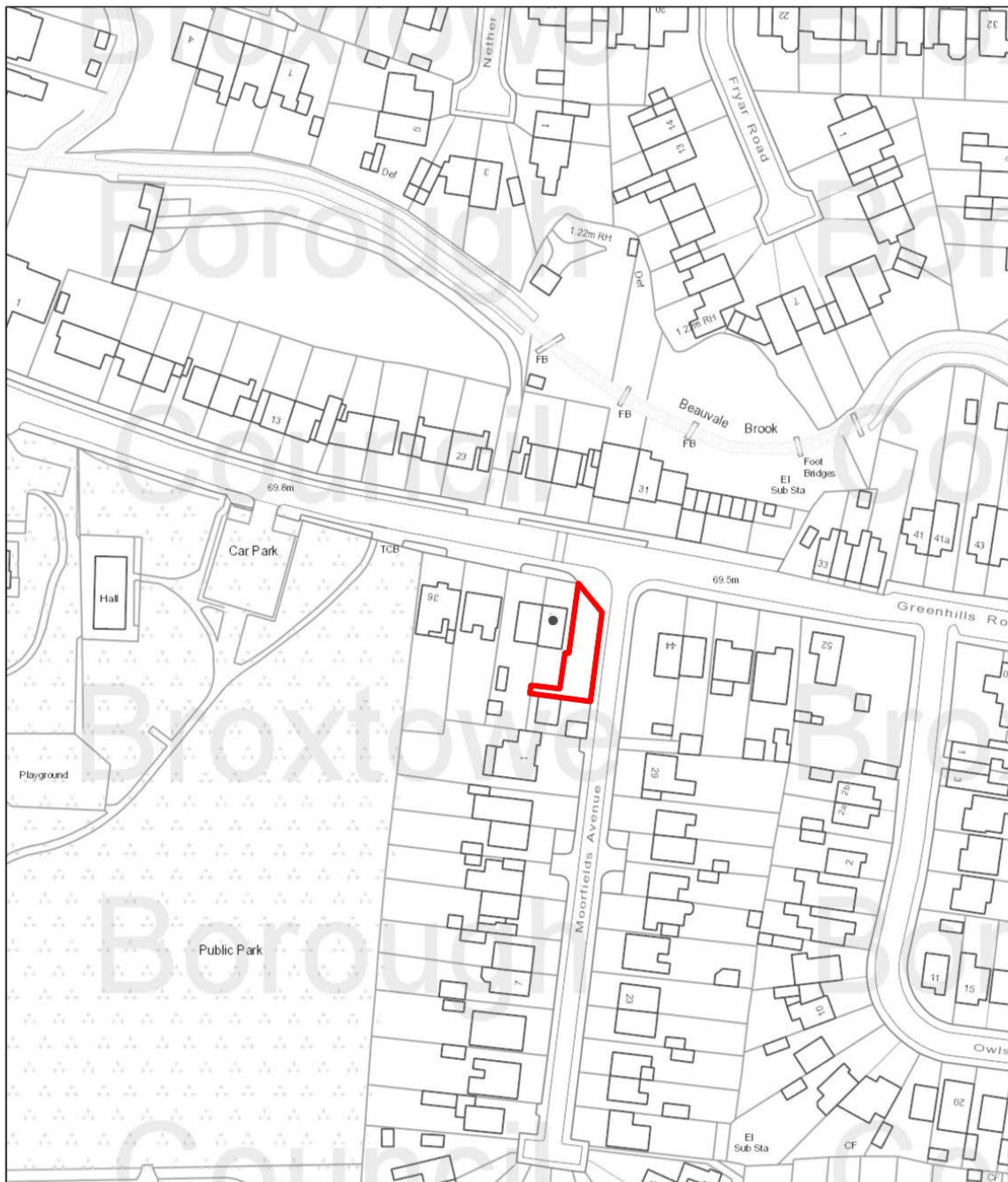
The Committee is asked to RESOLVE that planning permission be refused for the following reason.

The proposed dwelling would be sited in close proximity to the highway at Moorfields Avenue, resulting in the loss of an open corner which is a key characteristic of the surrounding area. The proposal therefore represents an over-intensive and cramped form of development that would be harmful to the street scene and out of keeping with the character of the surrounding area. Furthermore, the size of the gardens at the proposed dwelling and the neighbouring property, no. 42, as a result of the proposed development would be relatively small, which would be out of keeping with the pattern of development in the surrounding area. The proposal is therefore contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019).

**NOTES TO APPLICANT**

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

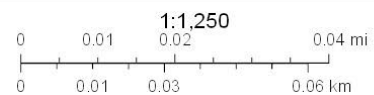
21/00005/FUL - 42 Greenhills Road, Eastwood



3/31/2021, 4:18:28 PM



Site



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Photographs



Application site from Greenhills Road.



Application site from Moorfields Avenue.

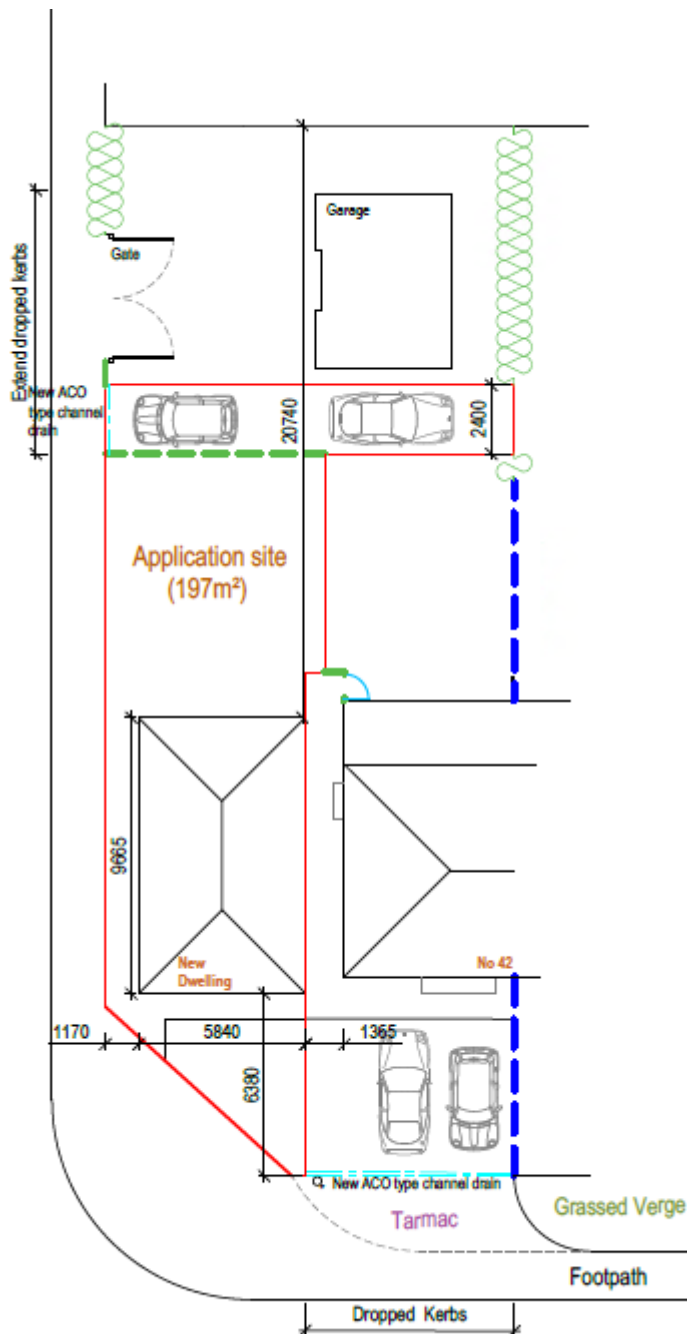


Street scene.



Application site from Moorfields Avenue.

Plans (not to scale)



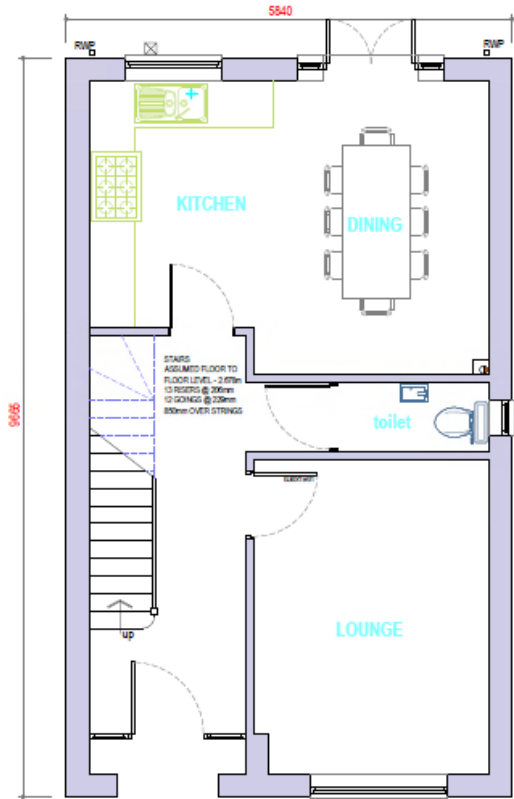
Proposed Site Plan



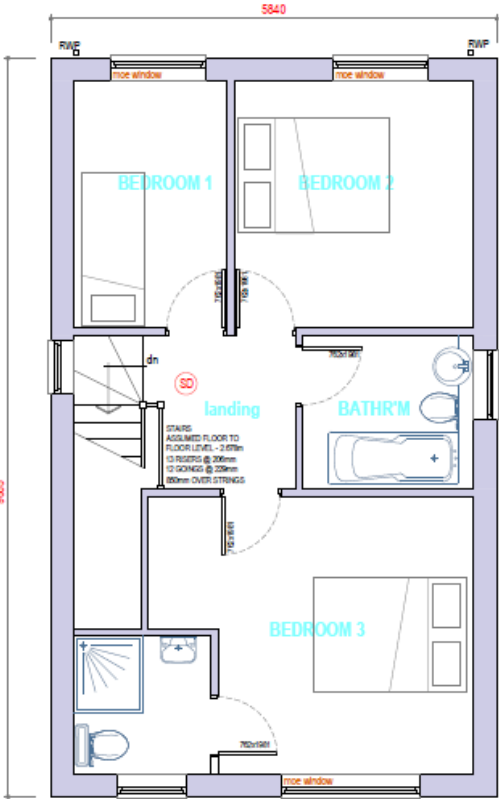
Proposed Front Elevation



Proposed Rear Elevation



Proposed Ground Floor Plan



Proposed First Floor Plan

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## Report of the Chief Executive

## APPEAL DECISION

<b>APPLICATION NUMBER:</b>	<b>19/00689/FUL</b>
<b>LOCATION:</b>	<b>102 Ewe Lamb Lane, Bramcote, Nottinghamshire, NG9 3JW</b>
<b>PROPOSAL:</b>	<b>Convert existing garage into habitable room and construct detached double garage</b>

### LEVEL OF DECISION: DELEGATED

### APPEAL DISMISSED

The Inspector dismissed the appeal due to the fact the garage would obscure most of the views of the dwelling with a substantive mass and its proximity to the highway. This would therefore be highly visible from the street, despite adjacent boundary fencing and hedges. Furthermore, it would present a frontage that would substantially reduce the existing visual interest of the plot.

Whilst the Inspector noted that nos. 100 and 99 Ewe Lamb Lane had detached double garages, these aligned with the front elevations and did not dominate the street or individual plots. It was concluded that the positioning of the proposed garage would have meant it would have been an overt, dominant addition to the street and would therefore be harmful to the appearance of the site and wider street scene due to its dominance and scale.

To conclude, the Inspector dismissed the appeal based on the proposed garage obscuring the views of the dwelling with its substantive mass and proximity to the highway, its overt dominance and harm to the wider street scene due to its dominance and scale.

Map



**Legend**  
 Site Outline

## Report of the Chief Executive

## APPEAL DECISION

<b>APPLICATION NUMBER:</b>	<b>20/00043/FUL</b>
<b>LOCATION:</b>	<b>3 Swingate, Kimberley, Nottinghamshire, NG16 2PG</b>
<b>PROPOSAL:</b>	<b>Construct four dwellings and garages</b>

**ORIGINAL RECOMMENDATION BY OFFICER - APPROVE****LEVEL OF DECISION: COMMITTEE****REASONS FOR REFUSAL:**

1. The proposal would be an over-intensive form of development due to the number of dwellings proposed relative to the size of the site. The proposal would therefore be out of keeping with the character of the surrounding area, contrary to Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.
2. The proposed development, by virtue of the siting of the dwellings in close proximity to the boundaries of the application site would result in an unacceptable loss of amenity for the residents of the neighbouring properties on Angus Close, Swingate and Clive Crescent. Accordingly, the proposal is contrary to the aims Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.
3. The proposed development, by virtue of its location off a narrow private drive would provide a substandard means of access and would be detrimental to highway safety. Accordingly, the proposal is contrary to the aims Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.

**APPEAL DISMISSED AND PLANNING PERMISSION REFUSED**

The Inspector considered the proposal to be over-intensive due to its effect on the character and appearance of the area. It is specifically noted that the dwellings and gardens at Plots 1 and 4 would be smaller than those of the surrounding properties, and the remaining garden at No. 3 would also be smaller. For these reasons it was considered the proposal would be out of keeping with the character of the area and consequently harmful to its character and appearance.

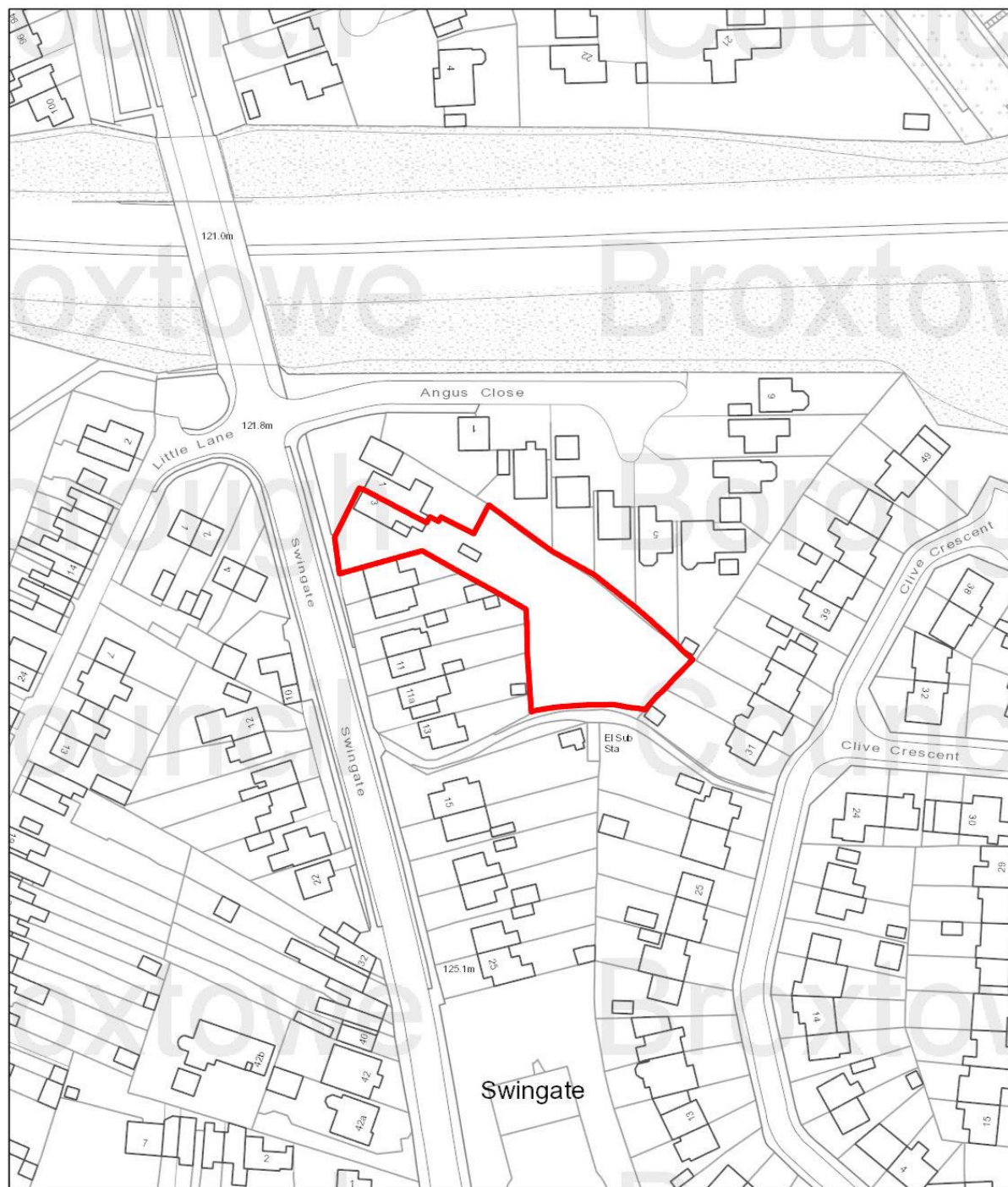
With respect to impact on neighbouring amenity, the Inspector considered that the proposed plot 1 would be sited close to the rear boundary of No. 2 Angus Close. Due to the proposed roof height of 4.6m, and relatively short distance to the rear elevation of the neighbouring property the Inspector determined that the proposal would harm the outlook from No. 2 and would be overbearing in relation to the rear private outdoor space of the neighbouring property. Consequently, the Inspector concluded that the proposal would have a detrimental effect on the living conditions of the occupiers of No. 2 Angus Close.

The Inspector addressed the highway safety reason for refusal, noting that each property would have parking and that the access specification is acceptable. The Inspector states that Swingate has a 30mph speed limit and is relatively straight in both directions. It is noted that even if a few visitors had to park on the private drive, this would not prevent cars entering the site and leaving in a forward gear. The Inspector is of the view that the proposal would not

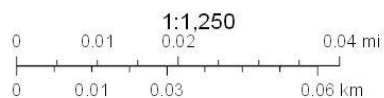
create and highway safety issues, nor would it hinder the operation of the surrounding highway network.



20/00043/FUL - 3 Swingate



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

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**PLANNING APPLICATIONS DEALT WITH FROM  
22 February 2021 TO 26 March 2021**

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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 Birkett	20/00661/FUL
Site Address	:	150 Long Lane Attenborough Nottinghamshire NG9 6BW	
Proposal	:	<b>Construct two storey side extension, loft conversion including rear dormers and single storey front and rear extensions</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs R & J Nicol	20/00731/FUL
Site Address	:	5 Brookland Drive Chilwell Nottinghamshire NG9 4BD	
Proposal	:	<b>Change of use from dwelling (Class C3) to counselling rooms (Class E)</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs Hesketh	20/00812/FUL
Site Address	:	96 Long Lane Attenborough Nottinghamshire NG9 6BQ	
Proposal	:	<b>Construct rear orangery and first floor extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mrs Sarah Gourdet	20/00882/FUL
Site Address	:	29 Hurts Croft Chilwell Nottinghamshire NG9 5DE	
Proposal	:	<b>Construct two storey side and single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs Richard Payne	20/00895/FUL
Site Address	:	6 Barkers Lane Chilwell Nottinghamshire NG9 5AF	
Proposal	:	<b>Construct single storey rear and side extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Andrew Townshend	20/00900/FUL
Site Address	:	40 Hall Drive Chilwell Nottinghamshire NG9 5BY	
Proposal	:	<b>Construct single storey side extension and single/two storey rear extension and pitched roof to front elevation (revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs Kavanaugh	21/00002/FUL
Site Address	:	74 Farm Road Chilwell NG9 5DA	
Proposal	:	<b>Construct single storey rear extension, raised patio and conversion of garage to summer house</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Paula Fenty	21/00012/FUL
Site Address	:	4 The Close Chilwell Nottinghamshire NG9 5DF	
Proposal	:	<b>Construct rear extension with undercroft area</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr M Shelton	21/00053/FUL
Site Address	:	75 Farm Road Chilwell Nottinghamshire NG9 5DA	
Proposal	:	<b>Construct single storey front extension</b>	
Decision	:	<b>Conditional Permission</b>	

## AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	William May Developments Ltd	20/00313/FUL
Site Address	:	Land At The Forge Trowell Nottinghamshire	
Proposal	:	<b>Change of use of agricultural land to recreational use including the installation of 6 holiday lodges and wetland boardwalk</b>	
Decision	:	<b>Withdrawn</b>	

## BEESTON CENTRAL WARD

Applicant	:	Mr Jamie Gleeson	19/00747/FUL
Site Address	:	72 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	<b>Retain raised patio</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Lord	20/00831/FUL
Site Address	:	72 Leslie Avenue Beeston Nottinghamshire NG9 1HT	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Tim McNeil	20/00881/FUL
Site Address	:	62 Fletcher Road Beeston Nottinghamshire NG9 2EL	
Proposal	:	<b>Construct single/two storey side and rear extension with rear dormer loft conversion</b>	
Decision	:	<b>Withdrawn</b>	

Applicant	:	Mr Jiangying Huang	21/00007/PNH
Site Address	:	28 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	<b>Construct a single storey rear extension, extending beyond the rear wall of the original dwelling by 4.715 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>	

Applicant	:	Mr C Burton	21/00061/PNH
Site Address	:	18 Princess Avenue Beeston Nottinghamshire NG9 2DH	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3 metres, and an eaves height of 3 metres</b>	
Decision	:	<b>Prior Approval Refused</b>	

Applicant	:	Mr C Burton	21/00086/PNH
Site Address	:	196 Lower Regent Street Beeston Nottinghamshire NG9 2DD	
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 metres, and an eaves height of 3 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	

Applicant	:	Mrs D Kiraly	21/00090/PNH
Site Address	:	28 Alexandra Crescent Beeston Nottinghamshire NG9 2BQ	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.4 metres, and an eaves height of 2.4 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	

Applicant	:	Dr X Xu	21/00097/PNH
Site Address	:	7 City Road Beeston Nottinghamshire NG9 2LQ	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.94 metres, with a maximum height 2.83 metres and an eaves height of 2.83 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	

## BEESTON NORTH WARD

Applicant	:	mr Wasim Ahmed	20/00704/FUL
Site Address	:	45 Dennis Avenue Beeston Nottinghamshire NG9 2PQ	
Proposal	:	<b>Construct two storey side extension, rear dormer and single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Tariq Kataria	20/00819/FUL
Site Address	:	53 Peveril Road Beeston Nottinghamshire NG9 2HY	
Proposal	:	<b>Construct first floor rear extension and two storey side extension</b>	
Decision	:	<b>Refusal</b>	
Applicant	:	Mrs Rosemary Wilde	20/00842/FUL
Site Address	:	1 Middleton Crescent Beeston Nottinghamshire NG9 2TH	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr & Mrs Hawkins	20/00853/FUL
Site Address	:	17 Cedar Avenue Beeston Nottinghamshire NG9 2HA	
Proposal	:	<b>Construct self-contained residential annexe</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr J Singh SR.AD	21/00006/FUL
Site Address	:	12 Crowborough Avenue Beeston Nottinghamshire NG8 2RN	
Proposal	:	<b>Construct single storey front extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Bechtloff & Bishop	21/00009/FUL
Site Address	:	58 Burrows Avenue Beeston Nottinghamshire NG9 2QW	
Proposal	:	<b>Construct two storey side extension with single storey porch and canopy to front, single storey bay to side and canopy to rear and chimney</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Sheeraz	21/00024/FUL
Site Address	:	Chellow Mount 40 Derby Road Beeston Nottinghamshire NG9 2TG	
Proposal	:	<b>Construct two storey rear and front balcony extension to house and first floor extension to garage</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Kerry	21/00043/PNH
Site Address	:	48 Farfield Avenue Beeston Nottinghamshire NG9 2PU	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.50 metres, with a maximum height of 3.20 metres, and an eaves height of 2.40 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	
Applicant	:	Mr I Eden	21/00094/PNH
Site Address	:	12 The Cloisters Beeston Nottinghamshire NG9 2FR	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3 metres, with a maximum height of 3.4 metres, and an eaves height of 2.3 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	

## BEESTON RYLANDS WARD

Applicant	:	Mr Christopher ward	20/00765/FUL
Site Address	:	67 Lilac Crescent Beeston Nottinghamshire NG9 1PX	
Proposal	:	<b>Retain garage</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Jason Bell	20/00799/FUL
Site Address	:	76 West Crescent Beeston Nottinghamshire NG9 1QE	
Proposal	:	<b>Retain rear dormer</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Dan Howes	21/00044/PNH
Site Address	:	10 Redwood Crescent Beeston Nottinghamshire NG9 1JF	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.5 metres, and an eaves height of 2.75 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	

## BEESTON WEST WARD

Applicant	:	Mr D Tomlinson	20/00149/FUL
Site Address	:	10 Imperial Road Beeston Nottinghamshire NG9 1ET	
Proposal	:	<b>Change of use from mixed residential/retail use (Class C3/E) to a house in multiple occupation (Class C4) and associated external alterations including render, first floor extension and boundary fence</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Lathia	20/00739/MMA
Site Address	:	Royal Oak Inn 22 Villa Street Beeston NG9 2NY	
Proposal	:	<b>Minor Material Amendment to planning permission 19/00194/FUL (4 storey building with commercial uses on ground floor and 10 apartments on upper floors) for proposed elevational changes and removal of condition 3 (materials)</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Ms Margaret Metcalfe	20/00746/FUL
Site Address	:	10 Ellis Grove Beeston Nottinghamshire NG9 1EP	
Proposal	:	<b>Construct front porch</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Hannah and Lyndsey Meanwell	20/00807/FUL
Site Address	:	43 Bramcote Road Beeston Nottinghamshire NG9 1DW	
Proposal	:	<b>Raise ridge height and extend pitched roof over rear flat roof and front hip roof</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Ellis Fermor and Negus Solicitor	20/00784/FUL
Site Address	:	2 Devonshire Avenue Beeston Nottinghamshire NG9 1BS	
Proposal	:	<b>Construct single storey front extension</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr & Mrs Grant	20/00834/MMA
Site Address	:	69 Imperial Road Beeston Nottinghamshire NG9 1FE	
Proposal	:	<b>Minor Material Amendment to planning permission reference 19/00771/FUL (single storey side extension and two storey rear extension) for amendment to rear roof valley (condition 2 - approved drawings)</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Anthony Quinn	20/00851/ADV
Site Address	:	The Durham Ox And The Pink Wing 83 High Road Beeston Nottinghamshire NG9 2LE	
Proposal	:	<b>Display signage</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr and Mrs Sarno	20/00864/FUL
Site Address	:	2 Larch Crescent Chilwell Nottinghamshire NG9 4DL	
Proposal	:	<b>Construct single storey rear extension, render and clad existing east and north facades and replace existing first floor rear windows</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Landermeads	20/00892/FUL
Site Address	:	Surgery 19 Chilwell Road Beeston Nottinghamshire NG9 1EH	
Proposal	:	<b>Change of use from doctor's surgery (Class D1) to residential care home (Class C2) and associated external alterations</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Aziz	21/00013/FUL
Site Address	:	87 Bramcote Drive West Beeston Nottinghamshire NG9 1DU	
Proposal	:	<b>Construct two storey dwelling with basement and detached garage following demolition of existing bungalow</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr & Mrs Brown	21/00025/FUL
Site Address	:	54A Park Road Chilwell Nottinghamshire NG9 4DD	
Proposal	:	<b>Retain replacement covered walkway and windows and replace garage door</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Brian Rackstraw	21/00054/FUL
Site Address	:	1A Hampden Grove Beeston Nottinghamshire NG9 1FG	
Proposal	:	<b>Construct extensions and alterations to existing bungalow to create two storey dwelling</b>	
Decision	:	<b>Conditional Permission</b>	
<b>BRAMCOTE WARD</b>			
Applicant	:	Mr Nick Tarahomi	20/00848/FUL
Site Address	:	7 Warrender Close Bramcote Nottinghamshire NG9 3EB	
Proposal	:	<b>Construct annex</b>	
Decision	:	<b>Refusal</b>	
Applicant	:	Mrs Cheryl Allum	20/00872/FUL
Site Address	:	29 Ilkeston Road Bramcote Nottinghamshire NG9 3JP	
Proposal	:	<b>Construct dropped kerb</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Eliot Caulton	20/00886/FUL
Site Address	:	43 Pimlico Avenue Bramcote Nottinghamshire NG9 3JJ	
Proposal	:	<b>Construct single/two storey extensions, partial conversion of garage to living accommodation, pitched roof over front flat roof and construct garden wall revised scheme to include widening of French doors, single storey front extension and render part of main house</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mrs Susan Bond	20/00890/FUL
Site Address	:	61 Thoresby Road Bramcote Nottinghamshire NG9 3EP	
Proposal	:	<b>Construct rear (side) extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr L Reynolds	21/00001/FUL
Site Address	:	12 Derby Road Bramcote Nottinghamshire NG9 3BA	
Proposal	:	<b>Erect first floor rear/side extension, garage conversion and detached garage</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Miss Helen Kirk	21/00008/FUL
Site Address	:	79 Sandringham Drive Bramcote Nottinghamshire NG9 3EL	
Proposal	:	<b>Construct side and rear extensions, front dormer and create loft space</b>	
Decision	:	<b>Conditional Permission</b>	



Applicant	:	Dr A Sharman	21/00010/FUL
Site Address	:	81 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	<b>Construct two storey rear and single storey side extensions and external alterations to all elevations</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr and Mrs Allen	21/00031/FUL
Site Address	:	97 Derby Road Bramcote Nottinghamshire NG9 3GW	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

## BRINSLEY WARD

Applicant	:	Mr David Cash	20/00598/FUL
Site Address	:	Brinsley Lodge 56 Mansfield Road Brinsley Nottinghamshire NG16 5AE	
Proposal	:	<b>Extension to and change of use from storage and food preparation building to provide staff accommodation</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr. Alan Butler	20/00854/FUL
Site Address	:	2 Manor Farm Mews Hall Lane Brinsley Nottinghamshire NG16 5AG	
Proposal	:	<b>Construct conservatory</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	MR JASON BRYANT	20/00867/FUL
Site Address	:	Land Adjacent To 26 Cordy Lane Brinsley Nottinghamshire NG16 5BY	
Proposal	:	<b>Construct dwelling (revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mrs Ellis Rhodes	20/00874/FUL
Site Address	:	1 Moor Road Brinsley Nottinghamshire NG16 5AZ	
Proposal	:	<b>Construct canopy for use as covered seating area for micro pub</b>	
Decision	:	<b>Conditional Permission</b>	

## CHILWELL WEST WARD

Applicant	:	Mr T Ward	21/00016/FUL
Site Address	:	2 Nursery Avenue Chilwell Nottinghamshire NG9 4GW	
Proposal	:	<b>Construct single storey / two storey side extension</b>	
Decision	:	<b>Conditional Permission</b>	

## EASTWOOD ST MARY'S WARD

Applicant	:	REDACTED	20/00877/FUL
Site Address	:	37 Derby Road Eastwood Nottinghamshire NG16 3NZ	
Proposal	:	<b>Construct two storey rear extension and external modifications</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr Barry Hutsby Gillotts Funeral Directors	20/00897/ADV
Site Address	:	Former Eastwood Police Station 146-154 Nottingham Road Eastwood Nottinghamshire NG16 3GG	
Proposal	:	<b>Display 2 non-illuminated signs</b>	
Decision	:	<b>Conditional Permission</b>	

## GREASLEY WARD

Applicant	:	Miss lisa ledger	20/00426/FUL
Site Address	:	13 Moorgreen Newthorpe Nottinghamshire NG16 2FD	
Proposal	:	<b>Construct single storey extension to the rear of the existing garage and raised patio</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Mr John Emlyn Evans	20/00605/FUL
Site Address	:	201 Willey Lane Newthorpe Nottinghamshire NG16 5FB	
Proposal	:	<b>Extensions to and conversion of outbuilding to create annexe.</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Gareth Skelton	20/00672/FUL
Site Address	:	Caunton Engineering Limited Willow House Engine Lane Moorgreen Industrial Park Newthorpe Nottinghamshire	
Proposal	:	<b>Construct extension and new roof</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Justin Peake	20/00793/FUL
Site Address	:	464 Nottingham Road Giltbrook Nottinghamshire NG16 2GE	
Proposal	:	<b>Construct two storey rear extension, front porch and external alterations</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr RYAN & AMANDA GREAVES & WHITWORTH	20/00902/FUL
Site Address	:	35 Rolleston Drive Newthorpe Nottinghamshire NG16 2BA	
Proposal	:	<b>Construct two storey side, single storey rear and front porch extensions</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Richard Broughton	21/00029/FUL
Site Address	:	1 Briar Road Newthorpe Nottinghamshire NG16 2BN	
Proposal	:	<b>Construct detached double garage</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr P Hague	21/00045/PNH
Site Address	:	21 Moorgreen Newthorpe Nottinghamshire NG16 2FD	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.18 metres, and an eaves height of 2.63 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	
Applicant	:	Mr G Redfern	21/00082/PNH
Site Address	:	37 Moorgreen Newthorpe Nottinghamshire NG16 2FD	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 8 metres, with a maximum height of 3.40 metres, and an eaves height of 2.40 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	
<b>KIMBERLEY WARD</b>			
Applicant	:	Mr M Morris	21/00062/PNH
Site Address	:	56 Valley Road Kimberley Nottinghamshire NG16 2HL	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.5 metres, and an eaves height of 2.8 metres</b>	
Decision	:	<b>PNH Approval Not Required</b>	
<b>NUTHALL EAST &amp; STRELLEY WARD</b>			
Applicant	:	Mr Graham Green	21/00004/FUL
Site Address	:	27 Drummond Drive Nuthall Nottinghamshire NG16 1BJ	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr I Hussain	21/00017/FUL
Site Address	:	139 Mornington Crescent Nuthall Nottinghamshire NG16 1QQ	
Proposal	:	<b>Construct two storey side extension (balcony to side elevation) and single storey rear extension, conversion of existing garage, new detached garage and new front boundary wall (revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant	:	Renata Bielecka	21/00056/FUL
Site Address	:	45 Highfield Road Nuthall Nottinghamshire NG16 1BQ	
Proposal	:	<b>Construct two storey side extension and single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	MR M ISHTIAQ	21/00064/FUL
Site Address	:	7 Arnos Grove Nuthall Nottinghamshire NG16 1QA	
Proposal	:	<b>Construct single storey rear and two storey side extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr & Mrs M Dexter	21/00069/FUL
Site Address	:	50 Horsendale Avenue Nuthall Nottinghamshire NG16 1AN	
Proposal	:	<b>Construct two-storey side extension/roof over porch and canopy to front elevation with render finish to extension and existing front elevation of dwelling (revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	
<b>STAPLEFORD NORTH WARD</b>			
Applicant	:	Ms M J A T E Gill	20/00533/CLUP
Site Address	:	20 Hartwood Drive Stapleford Nottinghamshire NG9 8HF	
Proposal	:	<b>Certificate of Lawfulness to use land for siting of mobile home ancillary to main dwelling</b>	
Decision	:	<b>Withdrawn</b>	
Applicant	:	MICHELLE JANE ANDERSON TRACEY ELLEN GILL	20/00534/FUL
Site Address	:	20 Hartwood Drive Stapleford Nottinghamshire NG9 8HF	
Proposal	:	<b>Construct single storey granny annexe for ancillary use to the main dwelling</b>	
Decision	:	<b>Conditional Permission</b>	
<b>STAPLEFORD SOUTH EAST WARD</b>			
Applicant	:	Dr W Ali	20/00786/FUL
Site Address	:	Hillside Medical Centre Doctor's Surgery 162 Nottingham Road Stapleford Nottinghamshire NG9 8AR	
Proposal	:	<b>Construct first floor side and rear extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr & Mrs David Johnson	20/00901/FUL
Site Address	:	13 Gainsborough Close Stapleford Nottinghamshire NG9 7HX	
Proposal	:	<b>Construct single storey side and front porch</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Ms Veronica Lee	21/00030/FUL
Site Address	:	20 Hillfield Road Stapleford Nottinghamshire NG9 8PT	
Proposal	:	<b>Construct single storey rear extension and replacement garage and carport</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr G Newman	21/00042/FUL
Site Address	:	136 Toton Lane Stapleford Nottinghamshire NG9 7HY	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	
<b>STAPLEFORD SOUTH WEST WARD</b>			
Applicant	:	Mr. Tatham The Power House Gym and Fitness Limited	20/00648/FUL
Site Address	:	M F Knitting Co Ltd Bessell Lane Stapleford Nottinghamshire NG9 7BX	
Proposal	:	<b>Change of use from warehouse (Class B8) to gymnasium (Class E)</b>	
Decision	:	<b>Conditional Permission</b>	

## TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr & Mrs Hull	20/00614/FUL
Site Address	:	189 Spinney Crescent Toton Nottinghamshire NG9 6GE	
Proposal	:	<b>Construct single storey extension, including rendering to existing house</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Dave Wakelin	20/00869/FUL
Site Address	:	110 Seaburn Road Toton Nottinghamshire NG9 6HJ	
Proposal	:	<b>Construct single storey side and rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mr Jiangying Huang	20/00899/FUL
Site Address	:	83 Seaburn Road Toton Nottinghamshire NG9 6HN	
Proposal	:	<b>Construct single storey side and rear extension and front gate and boundary wall with wrought iron panels</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mr Andy Horwood Tesco	20/00906/ADV
Site Address	:	Tesco Swiney Way Toton NG9 6QX	
Proposal	:	<b>Retain LCD media screen and 2 flag pole signs</b>	
Decision	:	<b>Conditional Permission</b>	

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## WATNALL & NUTHALL WEST WARD

Applicant	:	Mr G Kamaly-Asl	20/00682/FUL
Site Address	:	11 Trough Road Watnall Nottinghamshire NG16 1HQ	
Proposal	:	<b>Construct single storey rear extension</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Ms Heather Coulton	20/00694/FUL
Site Address	:	99 Main Road Watnall Nottinghamshire NG16 1HF	
Proposal	:	<b>Construct single storey rear extension, porch and associated external alterations</b>	
Decision	:	<b>Conditional Permission</b>	

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Applicant	:	Mr A Staley	21/00110/PNH
Site Address	:	6 Deeley Close Watnall Nottinghamshire NG16 1FY	
Proposal	:	<b>Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.62 metres, with a maximum height of 3.36 metres, and an eaves height of 3.36 metres.</b>	
Decision	:	<b>PNH Approval Not Required</b>	

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