



Tuesday, 30 September 2025

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 8 October 2025 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 6.00 pm.

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

Yours faithfully

Zulfiqar Darr
Interim Chief Executive

To Councillors:	S P Jeremiah (Chair)	S J Carr
	P A Smith (Vice-Chair)	J Couch
	D Bagshaw	T Marsh
	P J Bales	G Marshall
	L A Ball BEM	D D Pringle
	G Bunn	D K Watts

A G E N D A

1. APOLOGIES

To receive apologies and to be notified of the attendance of substitutes.

2. DECLARATIONS OF INTEREST

(Pages 5 - 12)

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

3. MINUTES

(Pages 13 - 16)

The Committee is asked to confirm as a correct record the minutes of the meeting held on Wednesday, 10 September 2025.

4. Notification of Lobbying
5. Development Control
- 5.1 25/00457/FUL (Pages 17 - 30)

Proposed change of use from Residential Dwelling (Class C3) to Residential Care Home (Class C2) for up to two children
79 Peveril Road, Beeston, Nottinghamshire, NG9 2HU
- 5.2 25/00540/FUL (Pages 31 - 44)

Construct detached dwelling
Land to the north of 25 Nether Green, Eastwood, Nottinghamshire, NG16 3DW
- 5.3 25/00553/VOC (Pages 45 - 78)

Variation of conditions 2 (approved plans), 6 (materials), 7 (piling), 8 (CMP), 9 (Archaeology), 12 (play equipment details), 14 (LEMP), 15 (CEMP), and 16 (Badger survey) of planning permission 22/00967/FUL
Land East of Coventry Lane, Bramcote, Nottinghamshire
6. Information Items
- 6.1 Delegated Decisions (Pages 79 - 86)
7. Appeal Decisions (Pages 87 - 94)
8. Enforcement Actions
- 8.1 Enforcement Update - General (Pages 95 - 96)
9. EXCLUSION OF THE PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Act.

9.1	<u>Enforcement Update - Kimberley Brewery</u>	(Pages 97 - 100)
9.2	<u>Sandy Lane update</u>	(Pages 101 - 102)

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Report of the Monitoring Officer

DECLARATIONS OF INTEREST

1. Purpose of Report

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

Part 2 – Member Code of Conduct

General Obligations:

10. Interest

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

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. The register is publically available and protects you by demonstrating openness and willingness to be held accountable.

You are personally responsible for deciding whether or not you should disclose an interest in a meeting which allows the public, Council employees and fellow Councillors know which of your interests gives rise to a conflict of interest. If in doubt you should always seek advice from your Monitoring Officer.

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

Advice from the Monitoring Officer:

On reading the agenda it is advised that you:

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

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

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

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

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

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

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

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

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

2. OTHER REGISTERABLE INTERESTS (ORIs)

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

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

3. NON-REGISTRABLE INTERESTS (NRIs)

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

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

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

Declarations and Participation in Meetings

1. DISCLOSABLE PECUNIARY INTERESTS (DPIs)

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

Action to be taken

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

2. OTHER REGISTERABLE INTERESTS (ORIs)

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

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

3. NON-REGISTRABLE INTERESTS (NRIs)

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

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

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

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

BIAS and PREDETERMINATION

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

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

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

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

BIAS

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

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

PREDETERMINATION

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

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

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Registerable Interests

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

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

Disclosable Pecuniary Interests

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

Other Registerable Interests

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

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

No

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

No

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

No

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

No

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

No

You must:

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

You must:

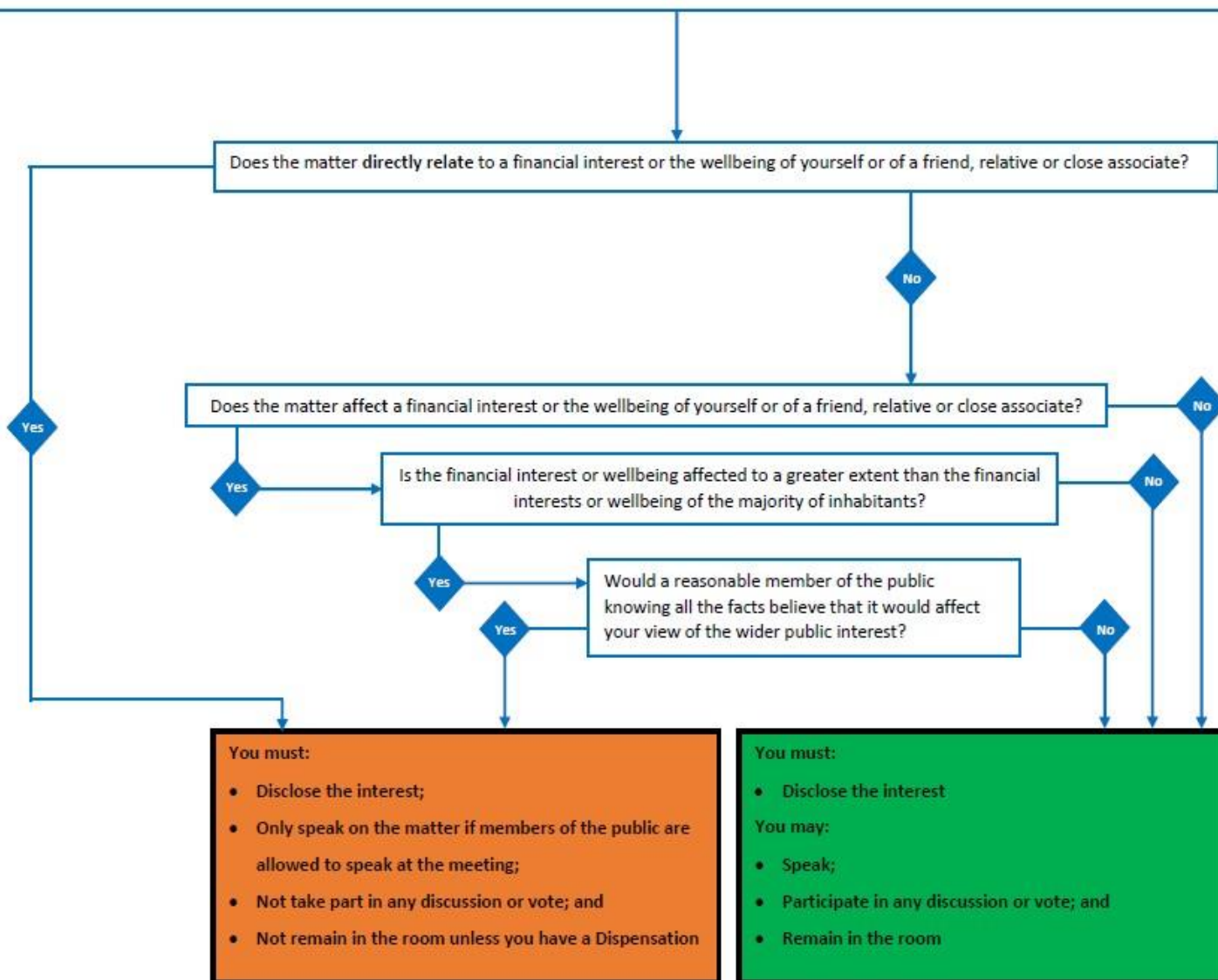
- Disclose the interest;
- Only speak on the matter if members of the public are allowed to speak at the meeting;
- Not take part in any discussion or vote; and
- Not remain in the room unless you have a Dispensation

You must:

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

Non-Registerable Interests

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



Public Document Pack Agenda Item 3.

PLANNING COMMITTEE **WEDNESDAY, 10 SEPTEMBER 2025**

Present: Councillor S P Jeremiah, Chair

Councillors: P A Smith (Vice-Chair)
P J Bales
L A Ball BEM
G Bunn
S J Carr
J Couch
G Marshall
T Marsh
D D Pringle
D K Watts
A Cooper (Substitute)
S Webb (Substitute)

Apologies for absence were received from Councillors Bagshaw (with Cllr Cooper substituting) and Skinner. Cllr Webb substituted for the place of Cllr Bofinger.

Councillor P J Owen was present as Ex-officio.

Councillor J M Owen was also present.

The officers present were R Dawson, J Chambers, K Tuck and O Wells..

14 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

15 **MINUTES**

The minutes of the meeting on Wednesday, 9 July 2025 were confirmed and signed as a correct record.

16 **NOTIFICATION OF LOBBYING**

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

17 **DEVELOPMENT CONTROL**

17.1 **24/00639/FUL**

Demolition of existing dwelling (99 Church Street) and garages and workshops to rear. Construct 15 residential units comprising 5 dwellings and 10 apartments, and single storey communal block including site office.

99 Church Street, Stapleford, NG9 8GF

Councillor R Macrae requested that this proposal come before the Committee.

There were no late items.

George Machin, on behalf of the applicant, resident Edward Johnston and Councillor Tony MacRae made representation to the Committee prior to the general debate.

Having considered all of the evidence before them, the Committee commenced the debate. A member asked for clarification as to whether the agent for the applicant had referred to endorsement from Nottingham City Council or Nottinghamshire County Council – it was confirmed it was the former. There was concern that the development would have a deleterious impact on drainage and flood risk, though works to remedy these concerns were referenced. The issues of overlooking, asbestos removal, parking, and transport links were also raised.

A motion to defer the decision on this item while changes were made to the report was raised by Cllr Watts and seconded by Cllr Carr. This was defeated, with two in favour, ten voting members against, and one abstaining.

RESOLVED that planning permission be approved.

17.2 24/00865/FUL

Construct three buildings to provide two flats and two bungalows along with parking and new access.

7 Nottingham Road, Trowell, NG9 3PA

Councillor Pringle requested that this application be brought before the Committee.

The Committee gave consideration to all representations before it, with the debate covering loss of amenity, road safety concerns, and the aesthetic character of the area.

The meeting was momentarily adjourned at 18:41 while several members momentarily left the Chamber before returning.

RESOLVED that planning permission be approved.

17.3 25/00288/FUL

Proposed change of use from House in Multiple Occupation (Class C4) to a residential children's care home (Class C2)

22 Muriel Road, Beeston, Nottinghamshire NG9 2HH

Councillor Carr requested that this application be brought before the Committee.

There were no late items or public speakers for this item.

Having considered all of the evidence before them, the Committee commenced the debate. Issues regarding antisocial behaviour and potential impacts on local amenity and policing capacity were also raised. Members noted that some of the comments raised did not pertain to Planning matters and referenced some of the well-regarded children's care homes in the borough that are well-run.

RESOLVED that planning permission be approved.

17.4 25/00354/FUL

Construct two one-bedroom flats and associated development.

Land to the rear of 137-141 Queens Road, Beeston. NG9 2FE

Councillor Bunn requested that this item be brought before the Committee.

Resident Elijah Harrison made representation to the Committee prior to the general debate.

The Committee gave consideration to all representations before it, with concerns raised about parking provision in the borough and the adequacy of public transport – it was noted that Highways requested that parking be provided as part of this scheme. Loss of amenity due to overlooking was also raised.

RESOLVED that planning permission be refused due to parking issues and a loss of amenity from overlooking at the rear of the scheme, with the precise wording of the refusal delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons:

The proposal by virtue of its scale and layout would have an unacceptable impact on the amenity of the occupiers of 137 to 145 Queens Road, in terms of loss of light and privacy and through overlooking, due to the distance to boundaries of the neighbouring properties. The proposal also fails to provide sufficient car parking for the development and would increase on street parking in surrounding areas. Consequently, the development would be contrary Policy 10 of the Broxtowe Aligned Core Strategy (2014), and Policy 17 of the Part 2 Local Plan (2019).

18 INFORMATION ITEMS

19 DELEGATED DECISIONS

The Committee noted the delegated decisions, acknowledging a small number of corrections required.

20 APPEAL DECISIONS

The Committee noted the appeal decisions.

Members requested that reports be brought to a future meeting of the Committee regarding enforcement action and the Kimberley Brewery site.

The Chairman closed the meeting at 7.40pm.

Report of the Interim Chief Executive

APPLICATION NUMBER:	25/00457/FUL
LOCATION:	79 Peveril Road Beeston Nottinghamshire NG9 2HU
PROPOSAL:	Proposed change of use from Residential Dwelling (Class C3) to Residential Care Home (Class C2) for up to two children

The application is brought to the Committee at the request of Cllr Carr. The application has been called to Planning Committee due to concerns regarding parking in this area and is subject to investigation by Nottinghamshire County Council Highways Authority.

1. Purpose of the Report

- 1.1 The application seeks planning permission for the proposed change of use from dwelling (C3) to a residential children's care home (C2).

2. Recommendation

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

3. Detail

- 3.1 The application seeks planning permission for the change of use from C3 dwelling to a residential children's home (C2).
- 3.2 The application site consists of a two storey semi-detached dwelling with a rear garden and off road parking to the principle elevation for three vehicles. The dwelling is located in a residential area consisting of semi-detached dwellings.
- 3.3 There are no external changes proposed, but the internal layout will change to create two children's bedrooms on the first floor with a bathroom and staff office. The ground floor will be changed to create a staff room/office for overnight along with the existing kitchen and lounge/dining area.
- 3.4 The application has been submitted with a bike storage plan, care management plan, missing person protocol, noise and antisocial behaviour plan, parking plan and security statement.
- 3.5 The residential children's home will be for up to two children aged between 8-16 years with emotional and behavioural difficulties. There will be 2 staff at all times (one will be a senior support worker) working on a 48 hour shift pattern.
- 3.6 The benefits of the proposal are the retention of the dwelling as a residential use, the provision of targeted accommodation to the benefit of future occupants in need of a care home and compliance with policies contained within the development plan. It is considered there would be the potential for an impact on neighbour amenity but this is outweighed by the benefits of the scheme.

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

4. Financial Implications**4.1 The comments from the Head of Finance Services were as follows:**

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

5. Legal Implications**5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.****6 Data Protection Compliance Implications****6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.****7. Background Papers:****7.1 No background papers.**

APPENDIX

1. Details of the application

- 1.1 The application seeks permission to change the use of the dwelling to a residential children's care home (Class C2). The dwelling is currently set out as family home with three bedrooms, kitchen, dining room and lounge with a garden to the rear and parking to the principle elevation. The dwelling is currently vacant.
- 1.2 The proposed change of use to a residential children's home (C2) would provide specialist care and accommodation for up to two young people aged 8-16 years with Emotional and Behavioural Difficulties (EBD).
- 1.3 The dwellings external appearance would remain unchanged but changes to the internal layout to create two bedrooms for the young residents on the first floor, two staff offices, one on the ground floor and one on the first floor, each with designated working space and provision for staff sleep-in arrangements. The ground floor provides an open plan lounge/diner, kitchen and adult room/office. The rear garden would be accessible to residents and proposed to be used for supervised leisure and activities. It has been stated there would be off-street parking for up to three vehicles and bicycle rack accommodating three bikes would be installed on site to promote active travel among staff and visitors.
- 1.4 The staffing structure would include a registered manager, deputy manager, senior support worker and residential support workers. There will be at least one senior and two support workers on shift during the day, with waking night staff providing overnight care and supervision. The submitted documentation states that there would be a maximum of two adults in the home over night and the staff would work on a 48 hour shift pattern. Therefore, the property would be staffed 24/7 by trained professionals who would oversee the safety and conduct of the residents. It has been stated in the submitted planning statement daily operations would resemble those of a typical family home, with consistent routines and supervision in place to ensure a calm and orderly atmosphere. Activities would be managed to minimise noise and disruption to neighbouring properties.
- 1.5 It has been stated within the submitted planning statement that the care home would be operated with a strong ethos of emotional stability, respect and empowerment, with a care model centred around individual needs. The care approach would include: individualised care plans tailored to each resident's emotional, behavioural and development needs; therapeutic interventions, including access to counselling and mental health services; educational support through collaboration with local schools and additional in-house learning opportunities; life skills training to build independence and confidence in day-to-day activities. The care home would be Ofsted-registered and would operate under the Quality Standards set out in the Guide to the Children's Homes Regulations (2014) and Quality Standards.

2. Site and surroundings

- 2.1 The application site consists of a two storey semi-detached dwelling, with a rear garden and off road parking to the principle elevation. The dwelling is located within a residential area with a mix of semi-detached and detached dwellings.
- 2.2 The application site is located within close proximity to Beeston Town Centre and good access to public transport. There is parking for three vehicles within the site and there is unrestricted on street parking, but given the level of parking within the site on street parking should not be required.

3. Relevant Planning History

- 3.1 22/00269/CLUP - Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4) – withdrawn application and not implemented.

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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**

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

- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution

4.3 **National Planning Policy Framework (NPPF) 2024**

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision making
- Section 8: Promoting Healthy and Safe Communities
- Section 12: Achieving well-designed places

5.0 **Consultees**

- 5.1 **Broxtowe Borough Council Environmental Health Department** has no objection but requested informatives regarding construction hours and burning of waste
- 5.2 **Environment - Bins** has no objection but provided details on bin provision.

- 5.3 **Nottinghamshire County Council Highways Authority (HA)** has not raised any objection to the application and considers the parking provision acceptable
- 5.4 **Nottinghamshire County Council – Children and Family Services** has commented on the application and stated Nottinghamshire Children and Family Service has no major concerns or objections to the proposed change, but as the applicant is a new provider to Nottinghamshire then it is advised the applicant contact NCC Children's and Family Services.
- 5.5 5 neighbours were consulted on the application and a site notice displayed. There were a total of 4 objections received all neighbours to the site: The comments can be summarised as follows:
- Houses built as community family homes, some have been subject to considerable alterations, sadly, reducing the community family homes to multiple occupation houses;
 - This change will be even more different with less chance of building a community than ever;
 - Visitors both personal and health care generating even more traffic on an already busy road;
 - Residents are also having difficulties accessing/leaving their home due to excessive and dangerous parking;
 - The houses on Peveril Road are family homes and should be used as such and not turned into care homes;
 - The Government says there are not enough homes available for families as it is;
 - Care homes should not be in residential areas
 - Fully oppose the application.

6. Assessment

- 6.1 The main issue relates to whether the principal of the proposed change of use from a dwelling (Class C3) to a residential children's care home (Class C2) is acceptable. Considerations regarding design, neighbour amenity and the impact on highway safety will also be assessed as part of the report.

6.2 Principle of development

- 6.2.1 The proposal is for a change of use from a dwelling (Class C3) to a residential children's care home (Class C2) and would provide specialist care and accommodation for up to two young people aged between 8-16 years with Emotional and Behavioural Difficulties (EBD). Within the submitted planning statement the daily operations would resemble those of a typical family home, with consistent routines and supervision in place to ensure a calm and orderly atmosphere. Activities would be managed to minimise noise and disruption to neighbouring dwellings. The dwellings external appearance would remain unchanged as part of the proposal.

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

6.3. Design and visual amenity

6.3.1 The dwellings external appearance will remain unchanged, as no proposed extensions or alterations, the only changes will be to the internal layout.

6.3.2 The submitted security statement confirm the use of external CCTV, including a doorbell camera at the main entrance, dusk to dawn lighting and secure cycle storage to the rear of the dwelling.

6.3. Amenity

6.3.1 Policy 10 of the ACS states that developments will be assessed in terms of impact on the amenity and Policy 17 of P2LP states that all development should integrate into its surroundings, have good access to public transport, provide adequate amenity space, have satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

6.3.2 A site notice was displayed and 5 neighbours were consulted on the application. A total of four objections were received and are noted above in the consultations section of the report and will be addressed below in this section of the report and highways section.

6.3.3 No specific concerns have been raised regarding impact on amenity to the existing dwellings and the submitted documentation covers noise and antisocial protocol along with good neighbour and community engagement plan that states the residential children's care home wishes to be a positive, transparent and respectful relationship with the local community and its surroundings. The company operating the residential children's care home sets expectations for staff conduct and operational behaviours to uphold the amenity of the surrounding area.

6.3.4 The company operating the residential children's care home acknowledges the children's care home exists in a shared residential environment and should complaints be received a clear point of contact for complaints is within the submitted good neighbour and community engagement plan.

6.3.5 To ensure the residential children's care home is a compatible neighbour it states within the submitted planning statement that the aim of the children's care home is to provide specialist small scale, family style home where residents can benefit from 24/7 care, therapeutic interventions, education support and structured routines.

6.3.6 To ensure continuity and minimise vehicle movements the care staff will operate on extended 48 hour shifts where possible. This approach provides stability for the residents and at the same time reduce the number of daily staff arrivals and departures. The staff shift patterns has been designed to maintaining a quiet and respectful operation in a residential setting.

- 6.3.7 The Environmental Health Officer has assessed the submitted information and has not raised any objection to the application. The informatives recommended are hours during construction works for the internal changes and no burning of waste.
- 6.3.8 Nottinghamshire County Council Children and Family Services has assessed the information submitted and has not raised any concerns with the application but has requested the applicant make contact with NCC Children's and Family Services. This information has been passed to the applicant/agent during determination of the application.
- 6.3.9 Therefore, it is considered the proposed change of use from dwelling (C3) to a residential children's care home (C2) is unlikely to result in significant impact on the amenity of neighbouring dwellings over and above the use compared to the lawful use as a C3 dwelling, which could operate as a family home with two children.

6.4 Access

- 6.4.1 Policy 17 of the Broxtowe Local Plan Part 2 (2019) states that development (including fences, walls and other structures) should not cause risk to pedestrians or road users by reducing visibility for drivers when entering or exiting the driveway.
- 6.4.2 Concerns have been raised regarding the residential children's care home generating more traffic, issues with parking around the site and access issues for neighbours entering and existing their own drives.
- 6.4.3 The site has a joint vehicular access with the neighbour at 81 Peveril Road which proves access to off road parking in front of each dwelling, hardstanding forward of the principal elevations for two/three vehicles. Joint vehicular access are common along this stretch of Peveril Road providing much needed parking.
- 6.4.4 Within the submitted documentation it has been demonstrated that there is off street parking to the principal elevation for three vehicles and the staff rotas have been designed to factor in parking provision and to ensure no impact on the existing arrangement.
- 6.4.5 The application has been assessed by Nottinghamshire County Council Highway Authority and given the submitted information the Highways Authority has not raised any objections and considers the level of parking provided acceptable.
- 6.4.6 The site lies in an area with no residential parking permits and the parking provision is the same as an traditional C3 dwelling and the aim of the residential children's care home is to not intensify the use of the dwelling and

be used as a traditional residential dwelling to provide care for two children that mirrors family life.

- 6.4.7 It is considered the proposed change of use from dwelling (C3) to a residential children's care home (C2) would not result in significant access, highway safety concerns for the occupiers or the neighbouring dwellings.

6.5 Other Issues

- 6.5.1 There has been concerns raised about the proposal and the potential for the loss of a family home. The proposed use is for a residential children's care home but the home will be operated and designed to function like a traditional family home setting.

7. Planning Balance

- 7.1 The benefit of the proposal is that there would be a new residential children's care home (Class C2), which would contribute to providing and contributing to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. The property's external appearance would remain unchanged, as there are no extensions or alterations of the existing elevations of the property. The proposal is considered unlikely to result in a significant impact upon the amenity and access and highway safety of the adjacent neighbouring dwellings. Taking all of the above into account, it is considered on balance, the proposal is acceptable and conditional planning permission should be granted.

8. Conclusion

- 8.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality and comments raised in representations received, the development is unacceptable and that there are no circumstances which otherwise would justify the granting of permission.

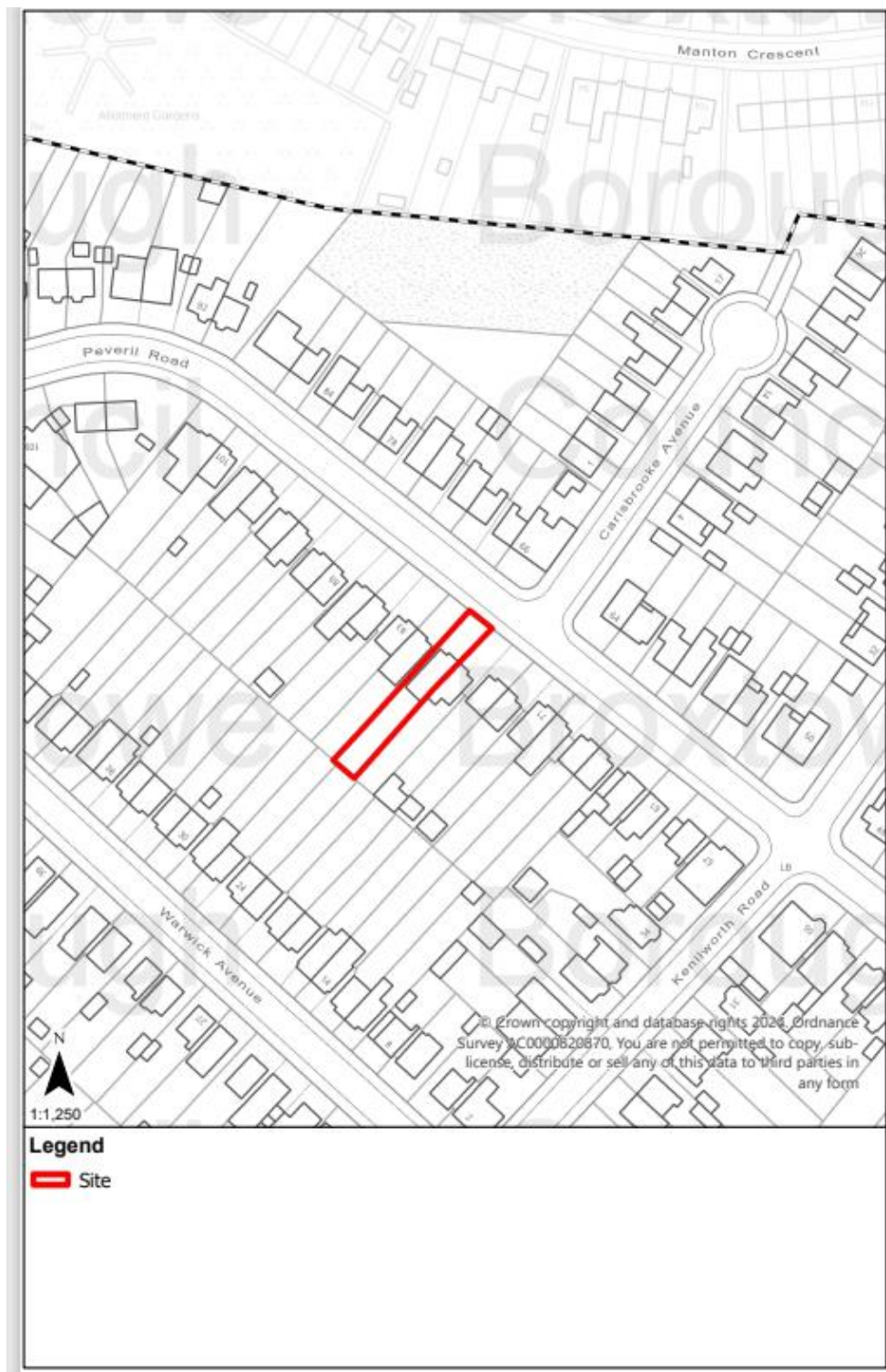
Recommendation

The Committee is asked to RESOLVE that planning permission be GRANTED subject to the prior signing of a Section 106 Agreement to secure BNG monitoring contributions, and subject to the following conditions:

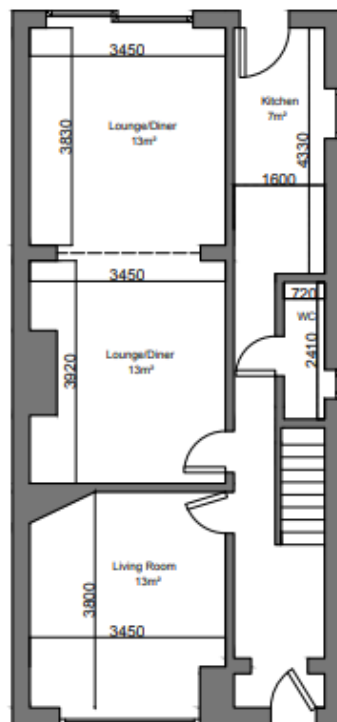
- | | |
|----|---|
| 1. | The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. |
|----|---|

	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.
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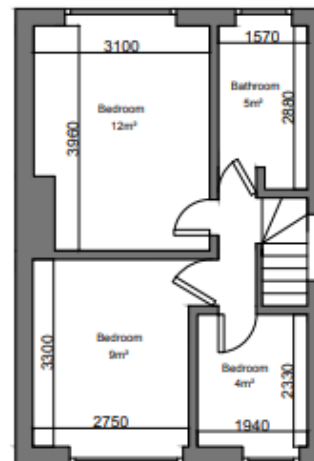
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan, bike plan, care management plan, disposal site plan, good neighbour and community engagement plan, missing child protocol and police liaison, noise and anti-social behaviour mitigation plan, parking plan, planning statement, security statement and planning statement received by the Local Planning Authority 18 June 2025.</p> <p>Reason: For the avoidance of doubt.</p>
	NOTES TO APPLICANT
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>

Map

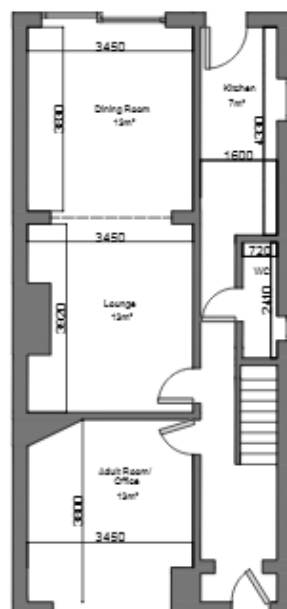
Plans (not to scale)



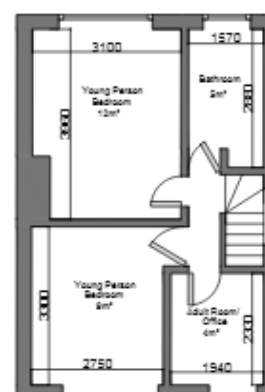
EXISTING GROUND FLOOR
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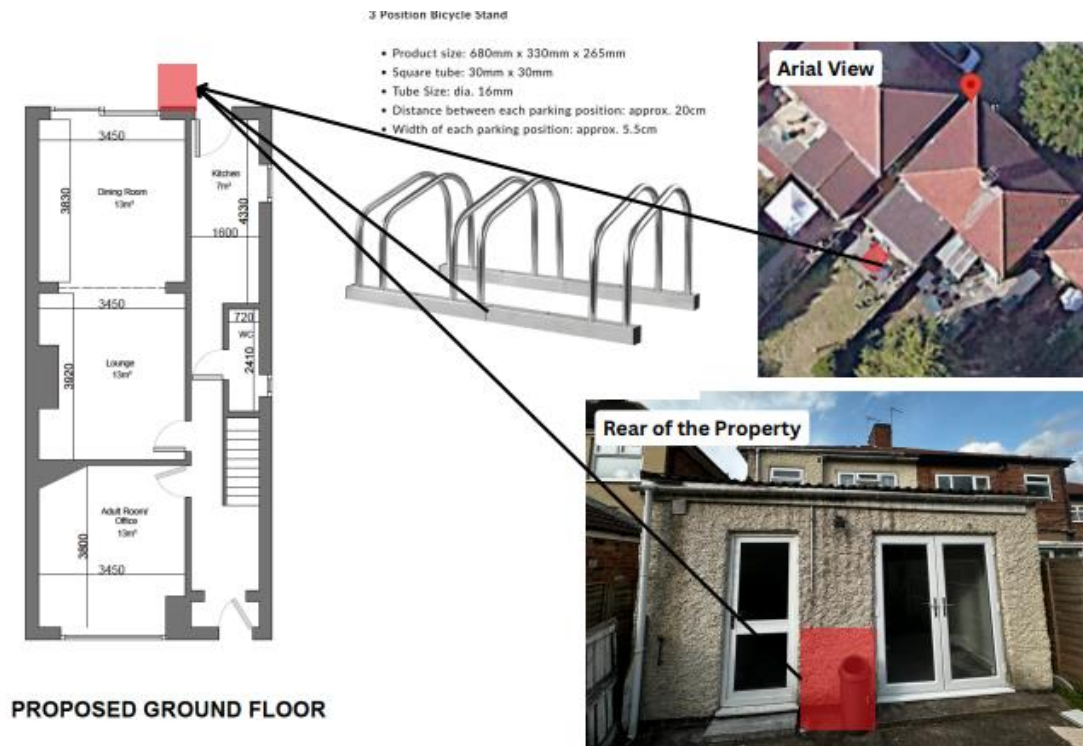
EXISTING FIRST FLOOR
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PROPOSED GROUND FLOOR
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PROPOSED FIRST FLOOR
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Parking Plan

Address: 79 Peveril Road, Beeston, Nottingham, NG9 2HU

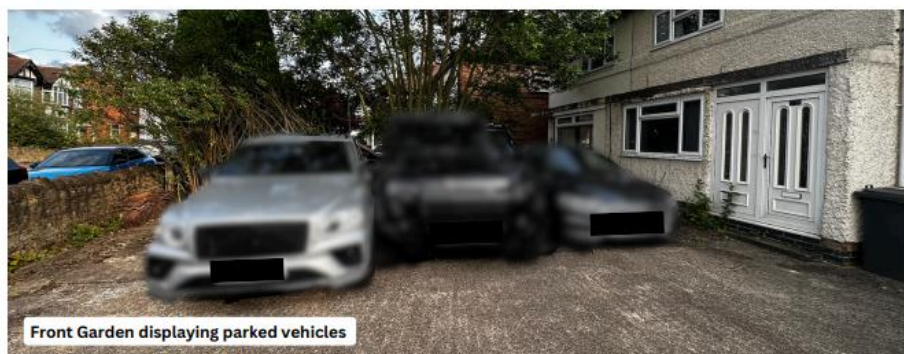
Prepared on behalf of: Usman Basharat

Date: June 2025

Prepared by: Haus Planners

Suite Ra01, 195-197 Wood Street, London, E17 3NU

0116 456 0717 | info@hausplanners.com



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Report of the Interim Chief Executive

APPLICATION NUMBER:	25/00540/FUL
LOCATION:	Land To The North Of 25 Nether Green Eastwood Nottinghamshire NG16 3DW
PROPOSAL:	Construct detached dwelling

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

1. **Purpose of the Report**

- 1.1 The application seeks full planning permission for the construction of a two-storey two bedroom dwelling within the garden area of 25 Nether Green, shared off road parking and alteration of the existing vehicular access at 25 Nether Green Eastwood.

2. **Recommendation**

The Committee is asked to **RESOLVE** that planning permission be refused as it is considered that the proposal would have a detrimental impact on the openness of the Green Belt.

3. **Details**

- 3.1 The application seeks full planning permission to construct a detached two storey dwelling within the garden area of 25 Nether Green Eastwood. The existing access serving 25 Nether Green is proposed to be altered to accommodate the additional dwelling and the existing parking is to be altered to create 4 parking spaces, two for the proposed dwelling and two for 25 Nether Green.
- 3.2 The detached dwelling is proposed to be located to the north east of the plot behind Brinsley Brook, that runs through the site north to south, and access to the proposed dwelling is via a wooden pedestrian bridge spanning over Brinsley Brook. To facilitate the dwelling there would be removal of three buildings within the garden area.
- 3.3 The proposed dwelling is to be constructed using imperial handmade rustic red clay bricks, grey roof tiles with detailed brick arches over the head of the windows. The application has been submitted as a self-build so exempt from Biodiversity Net Gain.
- 3.4 The site lies within the Nottinghamshire Green Belt where Policy 8 of the Part 2 Local Plan states that applications for development in the Green Belt

will be determined in accordance with the National Planning Policy Framework (NPPF). Paragraph 154 of the NPPF states that the construction of new buildings as inappropriate in Green Belt unless exceptions apply, specifically limited infilling in villages. Infilling is defined as being where there is built development on each side of the site and not open countryside.

- 3.5 It is considered the site is not an infill parcel of land within a village and so the proposal to create a two storey detached dwelling with off road parking would not comply with paragraph 154 e) of the NPPF and Policy 8 of the Part 2 Local Plan.

4. Financial Implications

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

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

5. Legal Implications

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

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

6 Data Protection Compliance Implications

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

7 Background papers

None.

APPENDIX**1. Details of the application**

- 1.1 This application seeks permission to construct a two storey detached two-bedroom dwelling, with a ensuite/dressing room the size of a third bedroom within the garden area of 25 Nether Green Eastwood. The existing access for 25 Nether Green is proposed to be widened to provide access/egress onto A608 for both 25 Nether Green and the dwelling. The existing parking arrangement is to be amended to create four off road parking spaces, of which two are in line. It should be noted
- 1.2 The dwelling is sited to the north east of the garden area behind Brinsley Brook. The dwelling measures approximately 11.16m in length, 10.37m wide, 3.4m to the eaves and 6.97 to the ridge. There are two porches to the dwelling one to the south and one to the western elevations. There are no land level details provided with the application.
- 1.3 The dwelling will have two bedrooms and family bathroom to the first floor with a large ensuite/dressing room accessed off bedroom 1, the ensuite/dressing room is the size of bedroom 2. To the ground floor is proposed lounge area with bay window, porch leading to a utility area, second porch leading to a hallway and ground floor shower room and kitchen/dining room.
- 1.4 The application form states the roofing material will be imperial handmade rustic red clay bricks, Staffordshire blue/grey rosemary clay roof tiles.
- 1.5 The existing access is proposed to be widened to 5.8m and extend the dropped kerb to be 5.8m with a visibility splay of 47m in both directions. There will be four off road parking spaces within the site, two for the dwelling and two for 25 Nether Green.

2. Site and surroundings

- 2.1 The application site is sited on the A608, Nether Green, the main road between Eastwood and Brinsley. The pattern of development along the A608 are traditional dwellings, some of which are terrace dwellings, in a ribbon development arrangement.
- 2.2 To the south of the site lies 25 Nether Green, a traditional end terrace dwelling that has been extended to the rear with a single storey extension. There is a small patio area to the rear and Brinsley Brook cutting through the site separating the dwelling, patio area and parking area to the main garden area, the site.
- 2.3 The site is the main garden area used by 25 Nether Green and is accessed via a wooden bridge, the garden has several structures/shed, there are mature garden with trees, shrubs and hedges to the boundary. To the north and east

of the site are open countryside with land rising east, to the south is 23 to 25 Nether Green and to the west (beyond the A608) is open land/fields.

- 2.4 When approaching the site from the south, from Eastwood, there is a difference in the nature of development being more rural in nature with open field located behind mature hedgerows/trees.

3. Relevant Planning History

- 3.1 In 2021 an application was approved by the Planning Committee, 20/00908/FUL approved 30 July 2021, for a single storey side and single storey rear extension to 25 Nether Green. This permission has since expired and not been implemented.
- 3.2 A further application was approved by Planning Committee for a two storey side extension, 22/00649/FUL approved 12 January 2023 and given a three year time limit to implement. This permission expires 12 January 2026 and has not been implemented .
- 3.3 On the 3 August 2023 an application was granted for prior approval for the construction of a single storey rear extension, extending beyond the rear wall of the original dwelling by 3.52m, with a maximum height of 4m, and an eaves height of 2.20m, 23/00495/PNH refers.
- 3.4 In 2024 planning permission was granted for a detached single garage to the north of the site, between the A608 (main road) and Brinsley Brook following the demolition of detached double garage by a lorry entering land to the north of 25 Nether Green as part of an accident. The extant permission has not been implemented and not annotated on any of the submitted plans. Planning permission expires 29 February 2027.
- 3.5 The applicant requested pre application advice regarding the potential for a dwelling on the garden land of 25 Nether Green, 24/10104/ENQ refers. The pre application advice was provided stating the Local Planning Authority considers a dwelling in the garden area as inappropriate development in the Green Belt and concerns raised regarding the position of the dwelling within the plot and the development along Nether Green.
- 3.6 25/00021/FUL is an identical application as the current application under consideration, for a detached dwelling within the garden area of 25 Nether Green. This application has been held in abeyance at the request of the applicant and at this time is undetermined. The applicant was advised the Local Planning Authority would not be in support of a detached dwelling within the garden area of 25 Nether Green.
- 3.7 25/00270/CLUP refers to a Lawful Development Certificate which was granted for the proposed lawfulness use for single storey outbuilding for uses ancillary to the main dwelling. The application form stated the outbuilding will be used

as a snooker room, home cinema, gymnasium, small secure tool store, and a garden room. The certificate was granted as the proposal complied with The Town and Country Planning (General Permitted Development) (England) Order 2015. The outbuilding has not been implemented but could be implemented.

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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 3: The Green Belt
- Policy 8: Housing, size, mix and choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

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

- Policy 8: Development in the Green Belt
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-Making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground conditions
- Policy 21: Unstable Land
- Policy 31: Biodiversity Assets

4.3 **National Planning Policy Framework (NPPF) 2024**

- Section 2 - Achieving Sustainable Development
- Section 5 - Delivering a sufficient supply of homes
- Section 4 - Decision-making
- Section 11 - Making effective Use of Land
- Section 12 - Achieving well-designed places
- Section 13 - Protecting the Green Belt
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

5. Consultations

5.1 **Broxtowe Borough Council - Refuse and Waste** - The Environmental Coordinator has assessed the information and has not raised any objection to the application subject to an informative to ensure the correct bin provision is provided and presented adjacent to the highway on bin collection days.

5.2 **Nottinghamshire County Council Highways Authority** - The Highways Authority has assessed the application on new build house, drawing no: D301-31/05/2024. The Highways Authority has suggested conditions and informatives.

- 5.3 **Ward Councillor Cllr B Bullock** - consulted and stated it appears the applicant is now planning to build a new dwelling rather than the games room that was previously suggested. The access to the site is poor and there are concerns regarding the shared parking arrangement. The applicant has been campaigning for quite some time for speed cameras on that stretch of road and at a point where the shared access would be created the road narrows and there is a slight bend which has resulted in quite a few accidents. Cllr Bullock is opposed to the application on the grounds of road safety and development in Green Belt.
- 5.4 **Eastwood Town Council were consulted** – no comments received on the application.
- 5.5 Two neighbours were consulted on the application and a site notice was displayed. There have not been any comments have been received.

6. Assessment

- 6.1 The main issues for consideration are whether or not the principle of the development is acceptable in the Green Belt, whether access to and from the highway is acceptable, impact on the upon residential amenity, and the design of the proposal.
- 6.2 **Green Belt and Principle of Development**
- 6.2.1 The application site is situated within the Green Belt and therefore the principle of the development is subject to whether or not it complies with local and national Green Belt policy. Broxtowe's Part 2 Local Plan (2019) Policy 8 states that development in the Green Belt will be determined in accordance with the NPPF. Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence and inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 6.2.2 Paragraph 153 of the NPPF continues that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.2.3 Paragraph 154 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt,

although one exception to this is the limited infilling in villages.

- 6.2.4 The site is not considered to be infilling within Eastwood or Brinsley, as there is only development on one side of the site, to the south, this being the dwelling and garden areas for 23 to 25 Nether Green. To the north lies an area of woodland and fields, to the east is open fields and the opposite side of the road is a mature woodland and then open fields. As such the development cannot be considered as 'infill' given the lack of built development to the north, east and west, within close proximity to the site..
- 6.2.5 It is noted the submitted documentation that the proposed dwelling is a custom/self-build development and this should be given significant weight in determination. There have been a number of appeal decisions where the Planning Inspector considered that the Local Planning Authorities did not grant enough plots for custom/self-build. Moderate weight should also be given to the provision of a single dwelling which contributes to the Council meeting its housing targets.
- 6.2.6 Whether there is sufficient very special circumstances to overcome the harm identified will be considered at the end of the report.

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 To the south of the site lies 25 Nether Green, owned by the applicant. The existing vehicular access is located to the north of 25 Nether Green providing hardstanding for several cars. Given the position of the proposed dwelling and the existing dwelling to the south it is considered that the proposal would not have any significant impact on the living conditions of this dwelling in terms of loss of light, outlook or privacy, subject to a condition securing appropriate boundary treatments.
- 6.3.3 It is considered the proposal would not have any impact on the living conditions of 23-25 Nether Green.

6.4 **Design and visual amenity**

- 6.4.1 Policy 10 of the ACS section 2 states that developments will be assessed in terms of d) massing, scale and proportion and e) materials and style. Policy 17 of the Part 2 Local Plan part 4 a) states that development should be of a size and design that makes a positive contribution to the appearance of the area.
- 6.4.2 The proposed two storey dwelling is to be sited on the north east of the

garden with the habitable rooms windows on all elevations providing views towards open countryside and the garden area.

- 6.4.3 The submitted plans demonstrate a dwelling with traditional features such as arched windows detail, details at the eaves and details around the chimney stack. The proportions of the dwelling are that the dwelling is top heavy with the lower portion of the dwelling being 3.4m and the roof being 3.57m resulting the roof being the dominant feature. The closest dwelling is the row of terrace properties designed to follow the road and a traditional cottage arrangement that is modest in size and proportions.
- 6.4.4 The proposal seeks to use materials that would be in keeping with the area, but the design and bulk and massing along with the proportions would be out of scale with the traditional cottages to the south of the site.
- 6.4.5 The position of the dwelling being set behind Brinsley Brook would be out of character with the pattern of development, ribbon development. It is acknowledged that there are other dwellings set away from the highway, but these developments are either farms or barn conversions, for example barn conversion located west of the site on Cockerhouse Road.
- 6.4.6 The position of the proposed dwelling, being located north east of 25 Nether Green would be viewed as an incongruous addition within the streetscape, and would be considered out of character with the pattern of development within the area and as such fails to comply to Policy 17 of the Part 2 Local Plan and the NPPF.

6.5 Highways

- 6.8.1 Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.8.2 An objection has been received by Cllr Bullock regarding the application specifically the intensification of the existing access and egress of the site. The concerns have been passed onto Highways Authority and that a speed survey has been requested to ensure the required visibility splays are adequate to enter and exit the site in a safe manor. At the time of writing the report the applicant is currently undertaking the survey and this will be reported in the late background papers.
- 6.8.3 The Highways Authority has assessed all the submitted information and has not raised any objection to the application submit subject to conditions regarding visibility splay and the standard conditions for residential developments.

6.9 Biodiversity Net Gain

- 6.9.1 The application is exempt from BNG requirements due to it being self-build application as specified in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7. Planning Balance

- 7.1 The benefits of the proposal would be in the provision of one new dwelling, which would not have a detrimental impact on neighbour amenity. Subject to conditions, the dwelling would not have an impact on highway safety. Significant weight should be given to the provision of a custom-self build property.
- 7.2 Harm has been identified in respect of the development being inappropriate within the Green Belt, having a detrimental impact on the openness of the Green Belt and not being classed as an infill plot. The position of the dwelling south of 25 Nether Green is considered out of character with the area due to the siting being set away from the highway and as a result is considered out of character with the pattern of development within the area. The design and bulk and massing along with the proportions would be out of scale with the traditional dwellings within close proximity to the site.
- 7.3 It is considered that the benefits identified are not sufficient to be considered as very special circumstances to outweigh the harm caused by the inappropriate development and harm to the openness of the Green Belt and the site is not considered to be an infill site and therefore the application should be refused on this basis.

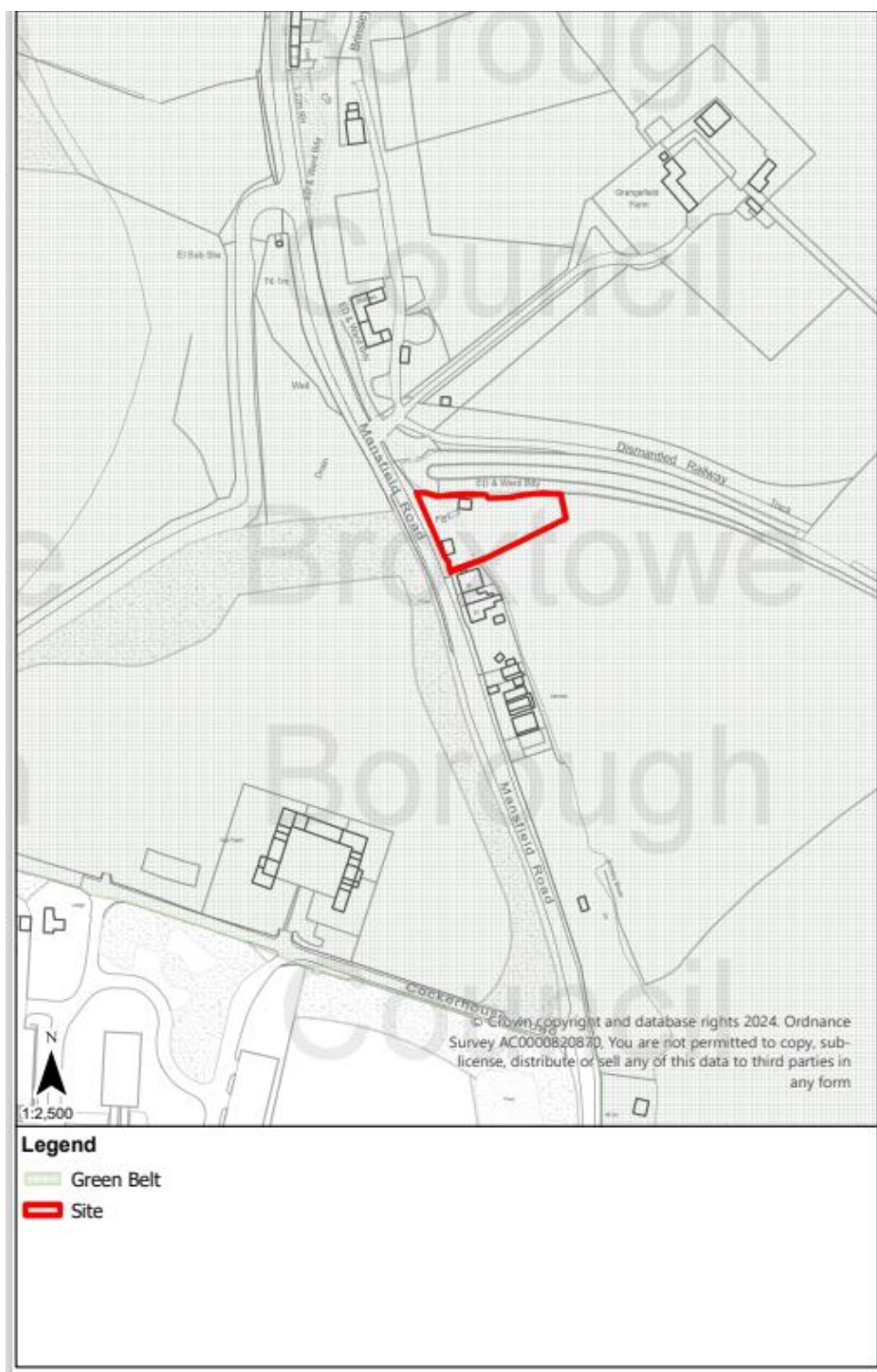
8. Conclusion

- 8.1 The proposal is considered to be inappropriate development that is harmful to the openness of the Green Belt.

Recommendation	
The Committee is asked to RESOLVE that planning permission be REFUSED for the following reasons:	
1.	The site lies within the Nottinghamshire Green Belt, where in accordance with paragraph 152 of the NPPF, inappropriate development is by definition harmful and should not be approved except in very special circumstances. The proposal constitutes inappropriate development as the detached dwelling would not be classed as an infill development and as a result would have a detrimental impact on the openness of the Green Belt. There have been no special circumstances demonstrated and the proposal is therefore contrary to Policy

	8 of the Broxtowe Part 2 Local Plan (2019) the National Planning Policy Framework (2024) and there are no other material considerations that justify treating this proposal as an exception.
2.	The position of the proposed dwelling north east of 25 Nether Green is considered out of character with the area due to the context, where it would be viewed as an incongruous addition within the streetscape, and as a result is considered out of character with the pattern of development within the area and as such fails to comply to Policy 17 of the Part 2 Local Plan and 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, allowing an Extension of Time to overcome the objections from consultees.

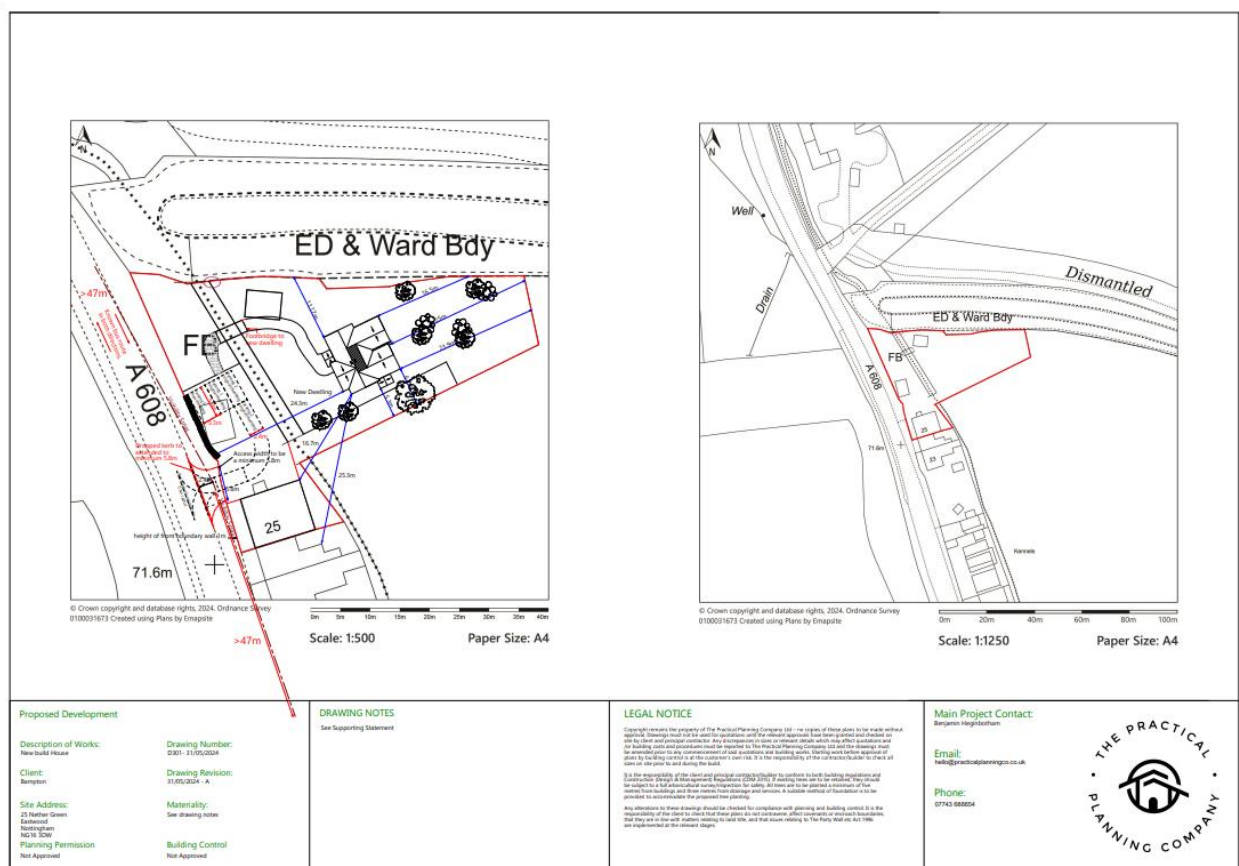
Map



The architectural drawings for the proposed house are organized into three main sections:

- Elevations and Sections:**
 - Section:** A vertical cross-section of the house, showing the internal structure, roof, and ground level.
 - East Elevation:** The side of the house facing east, featuring a gabled roof and a chimney.
 - West Elevation:** The side of the house facing west, featuring a gabled roof and a chimney.
 - Front Elevation:** The main entrance side of the house, featuring a gabled roof and a chimney.
 - Rear Elevation:** The back side of the house, featuring a gabled roof and a chimney.
- Floor Plans:**
 - Ground Floor:** The first level of the house, showing the layout of rooms and the entrance.
 - First Floor:** The second level of the house, showing the layout of rooms and the staircase.
 - Roof Plan:** A plan view of the roof, showing the layout of the roof tiles and the chimney.
- Technical Details:**
 - Section Details:** Detailed drawings of the roof, walls, and floor construction.
 - Roof Details:** Detailed drawings of the roof structure and the chimney.
 - Window Details:** Detailed drawings of the window frames and the glass.
 - Door Details:** Detailed drawings of the door frames and the hardware.

Proposed floor plans, elevations and street scene



Report of the Interim Chief Executive

APPLICATION NUMBER:	25/00553/VOC
LOCATION:	Land East Of Coventry Lane, Bramcote, Nottinghamshire
PROPOSAL:	Variation of conditions 2 (approved plans), 6 (materials), 7 (piling), 8 (CMP), 9 (Archaeology), 12 (play equipment details), 14 (LEMP), 15 (CEMP), and 16 (Badger survey) of planning permission 22/00967/FUL

The application is brought to the Committee at the request of Councillor D Watts and Councillor Steve Carr, due to public interest in the scheme in particular drainage proposals.

1. Purpose of the Report

- 1.1 The application seeks planning permission to vary conditions imposed on the original planning application (22/00967/FUL) for the development of the site for residential.
- 1.2 The original application saw planning permission granted for 470 dwellings and associated access, public open space, drainage, infrastructure, earthworks and ancillary enabling works.

2. Recommendation

The Committee is asked to resolve that planning permission be granted for the variation of conditions for the reasons outlined in the appendix.

3. Detail

- 3.1 The application seeks permission to vary the following conditions imposed under 22/00967/FUL: conditions 2 (approved plans), 6 (materials), 7 (piling), 8 (CMP), 9 (Archaeology), 12 (play equipment details), 14 (LEMP – Landscape and Ecology Management Plan), 15 (CEMP – Construction Environmental Management Plan), and 16 (Badger survey).
- 3.2 The application is as a result of Avant, the original housebuilders, with Miller Homes as secondary housebuilder, pulling out of the site, leaving Miller Homes to take on the whole site, along with St Modwen Homes, a subsidiary of Miller Homes. Consequently, there would be a change of house types being built, alongside some minor changes to the layout which needed a change to the approved plans to reflect the house type substitutions.
- 3.3 As Avant had already discharged most of the pre-commencement conditions imposed on 22/00967/FUL, Miller Homes also wish to vary the pre-commencement conditions for those conditions where details had already

been submitted and approved, and to repeat any pre-occupation or regulatory conditions where applicable.

- 3.4 Any pre-commencement conditions not discharged prior to the submission of this application, or where discharged during the life of this application, would be repeated on the decision notice should the variation of condition application be granted.

4. Financial Implications

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

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

5. Legal Implications

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

6 Data Protection Compliance Implications

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

7. Background Papers:

- 7.1 No background papers.

APPENDIX

1. Details of the application

- 1.1 The application seeks permission to vary the following conditions imposed under 22/00967/FUL: conditions 2 (approved plans), 6 (materials), 7 (piling), 8 (CMP), 9 (Archaeology), 12 (play equipment details), 14 (LEMP), 15 (CEMP), and 16 (Badger survey), following a change in applicant and housebuilder.

2. Site and surroundings

- 2.1 The application site is a former playing fields, unused for many years, which were previously associated with Bramcote College, a secondary school to the south. The site is bounded by Coventry Lane to the west, a wooded area and railway line to the north, a public right of way (extension of Moor Lane) with a housing estate beyond this, to the east, and a place of worship accessed from Moor Farm Inn Lane to the south.
- 2.2 Residential development is ongoing on sites to the west of Coventry Lane. A new signalised junction is to be provided north of Moor Farm Inn Lane, opposite Sidings Lane, to serve all three developments.

3. Relevant Planning History

3.1

Planning		
22/00967/FUL	Construct 470 dwellings and associated access, public open space, drainage, infrastructure, earthworks and ancillary enabling works.	Conditional planning permission granted
24/00612/DOC	Discharge of Condition 3 (site investigation), 5 (surface water drainage), 7 (piling), 8 (CMS) and 10 (pump station details) of application reference 22/00967/FUL	All discharged with the exception of condition 5 (surface water drainage)

24/00736/DOC	Discharge of Conditions 22/00967/FUL - Condition 6 - Materials (phase 1 only); Condition 9 - Archaeology; Condition 11 - Landscape (phase 1 only); Condition 12 - Play Equipment; Condition 13 - Solar; Condition 14 - LEMP; Condition 15 - CEMP; Condition 16 - Badger Survey	All discharged with the exception of condition 11 (landscaping, phase 1)
25/00563/DOC	Discharge of condition 9 (archaeology) of 22/00967/FUL	Details discharged 02.09.2025
25/00576/DOC	Discharge of condition 8 (CMS) of planning permission 22/00967/FUL	Pending consideration
Development Monitoring		
22/00967/FUL	Section 106 Agreement dated 30.08.2024 (LLC394)	AGREED

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 1 - Climate Change
- Policy 2 - The Spatial Strategy
- Policy 8 - Housing Size, Mix and Choice
- Policy 10 - Design and Enhancing Local Identity
- Policy 12 - Local Services and Healthy Lifestyles
- Policy 13 - Culture, Tourism and Sport
- Policy 16 - Green Infrastructure, Parks and Open Space
- Policy 17 – Biodiversity

4.2 Part 2 Local Plan 2019

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

- Policy 3 - Main Built up Area Site Allocations
- Policy 15 - Housing Size, Mix and Choice
- Policy 17 - Place-making, Design and Amenity
- Policy 19 - Pollution, Hazardous Substances and Ground Conditions
- Policy 21 - Unstable Land
- Policy 24 - The Health and Wellbeing Impacts of Development
- Policy 25 - Culture, Tourism and Sport
- Policy 28 - Green Infrastructure Assets
- Policy 31 - Biodiversity Assets

4.3 National Planning Policy Framework (NPPF) 2024

- 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 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

5. Consultations

5.1 Consultees

- Cllr H Land - Bramcote Ward – no comment
- Cllr A Kingdon - Bramcote Ward – Supports call in to committee by Councillors Watts and Carr
- Cllr D K Watts - Bramcote Ward – called in to committee
- Bramcote Neighbourhood Forum – no response
- **County Council as LLFA** – As this is a variation of conditions application that does not relate to drainage, no comments as the LLFA will expect to be consulted at discharge of condition stage.

5.2 47 Neighbours were consulted on the application. 5 responses were received, with the following comments:

- Remain concerned regarding surface water along the length of Moor Lane that flows onto Sloan Drive
- Will hedges along Moor Lane be retained, important to biodiversity
- In the CMP (Construction Management Plan), compound areas are shown to be located close to Latimer Drive, this is already lead to unnecessary noise, dust, pollution and disturbance, along with proximity of the materials store. Not acceptable and location needs to be reviewed

- The drainage proposal seeks to be designed so as to not increase the chance of (surface water) flooding on the eastern boundary, but this should be seeking to eliminate this risk
- Note inclusion of bat boxes on new houses, ask how bats are to be catered for during construction
- No reference to seagulls which are abundant on the site
- Disappointed to see historic pond on the site being filled in
- Management of invasive species on site not explored in the LEMP or CEMP

5.3 The application was also called in to committee by Councillor S Carr, the neighbouring ward councillor, for the same reasons as Councillor Watts.

6. Assessment

6.1 Principle

6.1.1 The principle of the development of the site for 470 residential units has been established under 22/00967/FUL.

6.2 Change to House Types, Layout and Choice of Materials – conditions 2 and 6

6.2.1 The number of dwellings would not change from that approved under 22/00967/FUL. Generally, the mix of house sizes and bedrooms would be maintained. The design and appearance of the houses as proposed by Miller / St Modwen are considered to be acceptable and similar to those previously approved under the Miller phase of the development.

6.2.2 Details of the proposed bricks and tiles have been submitted. The bricks allow for a mix of five different red bricks throughout the site, and a choice of two grey and dark grey tiles. Other materials include black doors and rainwater goods, with a mix of white or black window fascias. Overall, the choice of materials are considered acceptable and contribute to a cohesive palette of materials for the wider development.

6.2.3 Changes to the layout would be in the main relatively minor, seeing the road layout maintained as approved. The main changes to the layout see the play area moved to a central location, in place of the existing pond, which will be removed. An attenuation pond would be located to the west of the site, where the approved play area was to be located. It is considered that these changes to the layout and location of play area are acceptable and would still achieve the overall aims of the residential development, which are to provide adequate play area and consideration of the location of surface water mitigation.

6.3 Other conditions to be varied

6.3.1 Condition 7 – Piling. Details to comply with condition 7 were approved under application reference 24/00612/DOC on 24th February 2025. It is proposed that

the condition shall therefore be amended to ensure that the development is carried out in accordance with the approved details.

- 6.3.2 Condition 8 – Construction Management Plan (CMP). Details to comply with condition 8 were approved under application reference 24/00612/DOC. It is proposed that the condition shall therefore be amended to ensure that the development is carried out in accordance with the approved details.
- 6.3.3 Condition 9 – Archaeology. Details to comply with condition 9 were approved under application reference 24/00736/DOC. However, since that approval, further details have been submitted to be approved under reference 25/00563/DOC. These details have now been approved and as such the wording of the condition would be updated to reflect this.
- 6.3.4 Condition 12 – Play Equipment Details. This condition relates only to the play equipment and not the siting. Amended details have been submitted as part of this application. The play equipment includes equipment which is inclusive, with appropriate surfacing, seating and enclosure. The wording of the condition shall therefore be amended to ensure that the development is carried out in accordance with the approved details.
- 6.3.5 Condition 14 - (LEMP – Landscape and Ecology Management Plan). Details to comply with Condition 14 were approved under reference 24/00736/DOC on 24th February 2025. The wording of the condition shall therefore be amended to ensure that the development is carried out in accordance with the approved details.
- 6.3.6 Condition 15 - (CEMP – Construction Environmental Management Plan). Details to comply with condition 15 were discharged under application reference 24/00736/DOC on 24th February 2025. The wording of the condition shall therefore be amended to ensure that the development is carried out in accordance with the approved details.
- 6.3.7 Condition 16 – Badger Survey. Details to comply with condition 16 were discharged under application reference 24/00736/DOC on 24th February 2025. The wording of the condition shall therefore be amended to ensure that the development is carried out in accordance with the approved details.
- 6.3.8 It is important to note that pre-commencement conditions yet to be formally discharged include Condition 5 – Surface Water Drainage Scheme, and Condition 11 – Landscaping. Unless these details are approved prior to the determination of this Variation of Condition application then these conditions would need to be repeated in full on the decision notice. All other conditions that do not form part of the pre-commencement conditions (for instance, pre-occupation or regulatory conditions) would be repeated.
- 6.4 Other Matters

- 6.4.1 As outlined in paragraph 6.3.8, details of surface water drainage scheme have yet to be agreed. A condition would be imposed to ensure details are submitted and approved prior to commencement on site.
- 6.4.2 In respect of hedgerows along Moor Lane, there are no proposals to remove these. Further details of landscaping remain to be approved and a condition would be imposed on any revised decision notice.
- 6.4.3 The details of the CMP have already been approved to the satisfaction of the Highway Authority and Environmental Health. Any disturbance would be for the short term whilst the development is under construction, however should any disturbance or pollution be considered excessive, this can be reported to the Environmental Health team to investigate.
- 6.4.4 Matters relating to bats and birds and any other wildlife have been assessed and approved under conditions 14, 15 and 16, as have the habitat on site.

7. Planning Balance

- 7.1 On balance and subject to the amendment of the relevant conditions and to inclusion of any pre-commencement condition where not yet agreed, along with pre-occupation and regulatory conditions, the proposed variation of conditions are considered to be acceptable.

8. Conclusion

It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality and comments raised in representations received, the development is acceptable and that there are no circumstances which otherwise would justify refusing the variation of condition application.

Recommendation

The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:

(i) the following conditions:

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| 1. | <p>The development hereby permitted shall be commenced before 30.08.27, that is, before the expiration of three years following the granting of planning permission under reference 22/00967/FUL.</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> <ul style="list-style-type: none"> • 47039/001 REV A - Proposed Exploratory Hole Location • BRAM/BT/01 Boundary Treatments BRAM/BT/01 REV B Boundary Treatments • Miller Homes House Type Pack July 2025 • St Modwen House Type Pack • Miller and St Modwen Schedule of Accommodation • NC1v-004 REV 1.1 (substation details) • 3942/8 REV B (Plot Landscaping Plan sheet 3) • 3942/9 REV B (Plot Landscaping Plan sheet 4) • 3942/10 REV A (plot landscaping plan sheet 5) • 3942/11 REV A (plot landscaping plan sheet 6) • 3942/12 REV - (plot landscaping plan sheet 1 of 4) • 3942/13 REV - (plot landscaping plan sheet 2 of 4) • 3942/14 REV - (plot landscaping plan sheet 3 of 4) • 3942/15 REV - (plot landscaping plan sheet 4 of 4) • BRAM/PL/01 REV D Planning Layout • BRAM/DPL/01 Detailed Planning Layout • BRAM/DPL/02 Detailed Planning Layout • 25011-BMC-25-XX-DR-C-811-01 P01 Visibility Plan Sheet 1 of 2 • 25011-BMC-25-XX-DR-C-811-02 P01 Visibility Plan Sheet 2 of 2 • 25011-BMC-25-XX-DR-C-812-01 P01 Refuse Vehicle Tracking Sheet 1 of 4 • 25011-BMC-25-XX-DR-C-812-02 P01 Refuse Vehicle Tracking Sheet 2 of 4 • 25011-BMC-25-XX-DR-C-812-03 P01 Refuse Vehicle Tracking Sheet 3 of 4

	<ul style="list-style-type: none"> • 25011-BMC-25-XX-DR-C-812-04 P01 Refuse Vehicle Tracking Sheet 4 of 4 • ADC2733-DR-001 REV P5 (Off-site Highway works) • BRAM/BSD/001 Bus Stop Distribution Plan • BRAM/EMP/01 Ecology Mitigation Plan BRAM/EMP/02 Ecology Mitigation Plan • BRAM/ML/01 - Materials Layout • BRAM/ML/01 REV C - Materials Layout • BRAM/SIS/001 Site Sections • Surface water pump station drawing 3470-21752-003 • Q9229_C Play Equipment <p>Received by the Local Planning Authority on 25.07.25</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No building within a phase to be erected pursuant to this permission shall be first occupied or brought into use until:</p> <ul style="list-style-type: none"> i) All the necessary remedial measures for that phase have been completed in accordance with Eastwood Consulting Engineers, <i>Geotechnical and Geo-environmental Site Investigation</i>, ref 47039 – Issue 5, dated July 2023 and Eastwood Consulting Engineers, <i>Remediation Implementation Plan</i>, Ref 47039-ECE-XX-XX-RP-C-0004, REVISION 2, dated July 2023; and ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures for that phase have been implemented in full and that they have rendered the phase free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority. <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
4.	<p>The development hereby permitted within a phase shall not be commenced (excluding the carrying out of any site investigation and/or remediation works) until:</p> <ul style="list-style-type: none"> a) any remediation works and/or mitigation measures to address the mine entries and the shallow coal mine workings, as may be

	<p>necessary, have been implemented within a phase in full in order to ensure that the site within that phase is safe and stable for the development proposed.</p> <p>The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
5.	<p>The development hereby permitted shall not be commenced within a phase (excluding the carrying out of any site investigation and/or remediation works) until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy for that phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme for that phase 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"> • Demonstrate that the development will use SuDS throughout the phase as a primary means of surface water management and that design is in accordance with CIRIA C753 and NPPF Paragraph 169. • Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area within that phase. • Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme for that phase, including details on any attenuation system, the outfall arrangements and any private drainage assets within that phase. • 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 30 year and 1 in 100 year plus climate change return periods. • No surcharge shown in a 1 in 1 year. • No flooding shown in a 1 in 30 year. • For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. • Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from that phase. • Provide a surface water management plan for that phase demonstrating how surface water flows will be managed

	<p>during construction to ensure no increase in flood risk off site.</p> <ul style="list-style-type: none"> • Evidence of how the on-site surface water drainage systems for that phase shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness. <p><i>Reason: To ensure the development is in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>The development hereby permitted shall be built in accordance with the materials schedule set out on drawing numbers BRAM/ML/01 and BRAM/ML/01 REV C unless otherwise agreed in writing with 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 Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>The development hereby permitted shall be carried out in accordance with Eastwoods Pressure Grouting Specification report, ref 47039-003, dated 18 October 2023.</p> <p>If the method of construction alters and seeks to involve piling or other penetrative foundation design, development shall not commence until details of any necessary piling or other penetrative foundation design for that phase 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 implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
8.	<p>The development hereby permitted shall not be commenced within a phase (excluding the carrying out of any site investigation and/or remediation works) other than in accordance with the following details approved 31.03.25:</p> <ul style="list-style-type: none"> • Construction Management Plan March 2025 • Email received 30.03.25 agreeing to: <i>any mud/detritus discharged to the public highway will be removed as quickly</i>

	<p><i>as practicable. Coventry Lane is a Local Road that does not form part of the Trunk Road network.</i></p> <p>The approved statement shall be adhered to throughout the construction / demolition period.</p> <p><i>Reason: In the interests of highway and rail safety, and residential amenity, in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
9.	<p>The development hereby permitted shall be implemented in full in accordance with Written Scheme of Investigation for Archaeological Monitoring, Earthwork Survey and trial Trench Evaluation – Report Number YA/2024/210, received 04.08.25 and approved 02.09.25.</p> <p><i>Reason: In order to safeguard potential designated and non-designated heritage assets in accordance with Policy 11 of the Broxtowe Aligned Core Strategy (2014), and Policy 23 of the Broxtowe Part 2 Local Plan (2019).</i></p>
10.	<p>The Surface Water Pump Station shall be constructed in accordance with drawing number 3470-21752-003 and retained for the lifetime of the development.</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 Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>The landscaping scheme shall be carried out in accordance with the following drawings:</p> <ul style="list-style-type: none"> • 3942/8 REV B (Plot Landscaping Plan sheet 3) • 3942/9 REV B (Plot Landscaping Plan sheet 4) • 3942/10 REV A (plot landscaping plan sheet 5) • 3942/11 REV A (plot landscaping plan sheet 6) • 3942/12 REV - (plot landscaping plan sheet 1 of 4) • 3942/13 REV - (plot landscaping plan sheet 2 of 4) • 3942/14 REV - (plot landscaping plan sheet 3 of 4) • 3942/15 REV - (plot landscaping plan sheet 4 of 4)

	<p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: 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 Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
12.	<p>No more than 70% dwellings shall be occupied until the approved play equipment has been provided and made available for use.</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 Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
13.	<p>No above ground works shall take place within a phase until details of solar panels for that phase, including design, appearance and location, have been submitted to and approved by the Local Planning Authority. The solar panels shall thereafter be installed in accordance with the approved details prior to first occupation.</p> <p><i>Reason: In the interests of addressing climate change, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
14.	<p>The development hereby approved shall be implemented in accordance with the Landscape and Ecological Management Plan (LEMP) (reference BG25.317 July 2025).</p> <p><i>Reason: In the interests of ensuring that biodiversity enhancements 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).</i></p>
15.	<p>The development hereby approved shall be implemented in accordance with the Construction Environmental Management Plan (CEMP) (reference BG25.317 July 2025).</p> <p><i>Reason: In the interests of protecting existing environmental features and habitats during the construction period, 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>

16.	<p>The development hereby approved shall be implemented in accordance with the approved Badger Survey (Baker Consultants, October 2024).</p> <p><i>Reason: In the interests of safeguarding 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>
17.	<p>Prior to first occupation of the development within a phase, or the development within a phase being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the phase is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary for that phase to address the risks posed by the recorded mine entry.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019)</i></p>
18.	<p>No part of the development hereby permitted shall be brought into use unless or until plans denoting the location of two new bus stops located on Coventry Lane fronting the development to the south of the access junction have been submitted to and approved in writing by the Local Planning Authority. Details of the bus stops should include: real time bus stop poles and displays; low voltage power source to within 1 metre of the real time information pole; polycarbonate bus shelter; solar or electric lighting; raised boarding kerbs; hardstands and enforceable bus stop clearways, and a timetable for installation. The infrastructure shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
19.	<p>No part of the development hereby permitted shall be brought into use unless or until plans denoting the location of two new pairs of bus stops (four in total) within the site including two safeguarded bus stop locations within the site to facilitate the counter direction operation and two stops with infrastructure to facilitate single direction working have been submitted to and approved in writing by the Local Planning Authority. Details of the bus stops should include: real time bus stop poles and displays; low voltage power source to within 1 metre of the real time information pole;</p>

	<p>polycarbonate bus shelter; solar or electric lighting; raised boarding kerbs; hardstands and enforceable bus stop clearways, and a timetable for installation. The infrastructure shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
20.	<p>No dwelling shall be occupied until the off-site highway works relating to the site access, and no more than 50 dwellings shall be occupied until the associated highway improvements including improved cycle lanes shown indicatively on drawing reference ADC2733-DR-001 revision P5 received 25.09.23 have been provided.</p> <p><i>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
21.	<p>No dwelling shall be occupied until the boundary enclosure, parking and access pertinent to that dwelling have first been provided in accordance with the approved details. Parking bays shall be surfaced in a material other than loose gravel for a minimum of 5 metres behind the highway boundary and shall be constructed so as to prevent the discharge of surface water to the public highway and retained as such for the lifetime of the development.</p> <p><i>In the interests of the appearance of the area and to ensure highway safety and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
22.	<p>No dwelling shall be occupied until the noise mitigation measures as approved under BWB ref 220488-003 for that dwelling have been installed and shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>

23.	<p>No dwelling shall be occupied until an Electric Vehicle Charging point for that dwelling has first been provided and made operational.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
24.	<p>No more than 10% dwellings within a phase shall be occupied until a travel plan co-ordinator has been appointed for that phase. The travel plan co-ordinator shall then be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan, and whose details of shall be submitted to the Local Planning Authority. The travel plan co-ordinator shall thereafter remain in place for a minimum period of 5 years to perform this role, with any changes in details to be submitted to the Local Planning Authority.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
25.	<p>The revised Travel Plan (reference ADC2773-RP-D received 04.10.23) shall be implemented and monitoring carried out in accordance with the approved details contained within the Travel Plan.</p> <p><i>Reason: In the interests of promoting sustainable travel in accordance with Policies 14 and 15 of the Broxtowe Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Local Plan Part 2 (2019).</i></p>
26.	<p>If, during development, contamination not previously identified is found to be present at within a phase then no further development (unless otherwise agreed in writing with the local planning authority) within a phase shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.</p> <p><i>Reason: In the interests of public health and safety as well as prevention of contamination to the water system and in accordance with Policy 1 of the Broxtowe Aligned Core Strategy</i></p>

	<i>(2014) and Policies 1 and 19 of the Broxtowe Local Plan Part 2 (2019).</i>
27.	<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 / Public Holidays.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Local Plan Part 2 (2019).</i></p>
28.	<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 buildings within a phase, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</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 Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.

3.	<p>The County Council Public Rights of Way team advise:</p> <ul style="list-style-type: none"> • There should be no disturbance to the surface of the paths without prior authorisation from the Rights of Way team. • If the Public Right of Way is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. • If a structure is to be built adjacent to the paths, the width of the right of way is not to be encroached upon. • Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of Way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed. • The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line, ensuring that it is cut back so as not to interfere with the right of way. • Should scaffolding be required on or over the RoW then the applicant should apply for a license via email licences@viaem.co.uk and ensure that the scaffold is constructed so as to allow the public use without interruption. • If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), via email countryside.access@nottsc.gov.uk <p>If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit and also ensure that the RoW can still be accessed appropriately by the users permitted by its status e.g. equestrians if on a bridleway, motorised vehicles if on a byway open to all traffic.</p>
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4.	<p>The Council's Waste and Refuse team advise:</p> <ul style="list-style-type: none"> • Developer to purchase the first time provision of bins. Notice served in due course. • Each property would be allocated the following: <ul style="list-style-type: none"> • 1 x 240 litre bin for residual waste • 1 x 240 litre bin for recycling waste • 1 x 37 litre bag for glass • The size of a 240 litre bin is 1074mm (h) x 580mm (w) x 734mm (d) • Bins need to be presented at the edge of adopted highway for emptying or within 15m of the adopted highway in accordance with BS5906 for properties on private roads • The layout in the design and access statement appears to show some roads servicing properties are unadopted. The refuse vehicle and operatives will not enter these roads to collect, empty and return bins • The road needs to be wide enough to accommodate the access and manoeuvring of a vehicle with the attached specification
5.	<p>The Environment Agency advise:</p> <p>The proposed development is located on or within 250 metres of a landfill site that is potentially producing landfill gas.</p> <p>Landfill gas consists of methane and carbon dioxide. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance.</p> <p>The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.</p> <p>Under the conditions of the environmental permit for the landfill, the operator is required to monitor for sub-surface migration of landfill gas from the site. An examination of our records of this monitoring show that there is no previous evidence of landfill gas migration from the site that could affect the proposed</p>

	<p>development. This environmental monitoring data from the site is available on our public register.</p> <p>The following publications provide further advice on the risks from landfill gas and ways of managing these:</p> <ul style="list-style-type: none"> • Waste Management Paper No 27 • Environment Agency LFTGN03 'Guidance on the Management of Landfill Gas' • Building Research Establishment guidance - BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001 • Building Research Establishment guidance - BR 212 'Construction of new buildings on gas-contaminated land' 1991 • CIRIA Guidance - C665 'Assessing risks posed by hazardous ground gases to buildings' 200
6.	<p>The Coal Authority advise:</p> <p>The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.</p> <p>The undertaking of remedial measures, prior to the commencement of the development, is considered to be necessary. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.</p> <p>Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property</p> <p>Building over or within the influencing distance of a mine entry (shaft or adit) can be dangerous and has the potential for</p>

	<p>significant risks to both the development and the occupiers if not undertaken appropriately. The Coal Authority would draw your attention to our adopted policy regarding new development and mine entries: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</p>
7.	<p>Network Rail advise:</p> <p>Wayleaves and or easements for underline drainage assets: The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.</p> <p>Protection of existing railway drainage assets within a clearance area: There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution. No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent. There must be no interfering with existing drainage assets/systems without Network Rail's written permission. The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Asset Protection (assetprotectioneastern@networkrail.co.uk) for further information and assistance.</p> <p>Fail Safe Use of Crane and Plant All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a 'fail safe' manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p> <p>With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following: crane usage adjacent to railway infrastructure is subject to stipulations</p>

on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

ENCROACHMENT

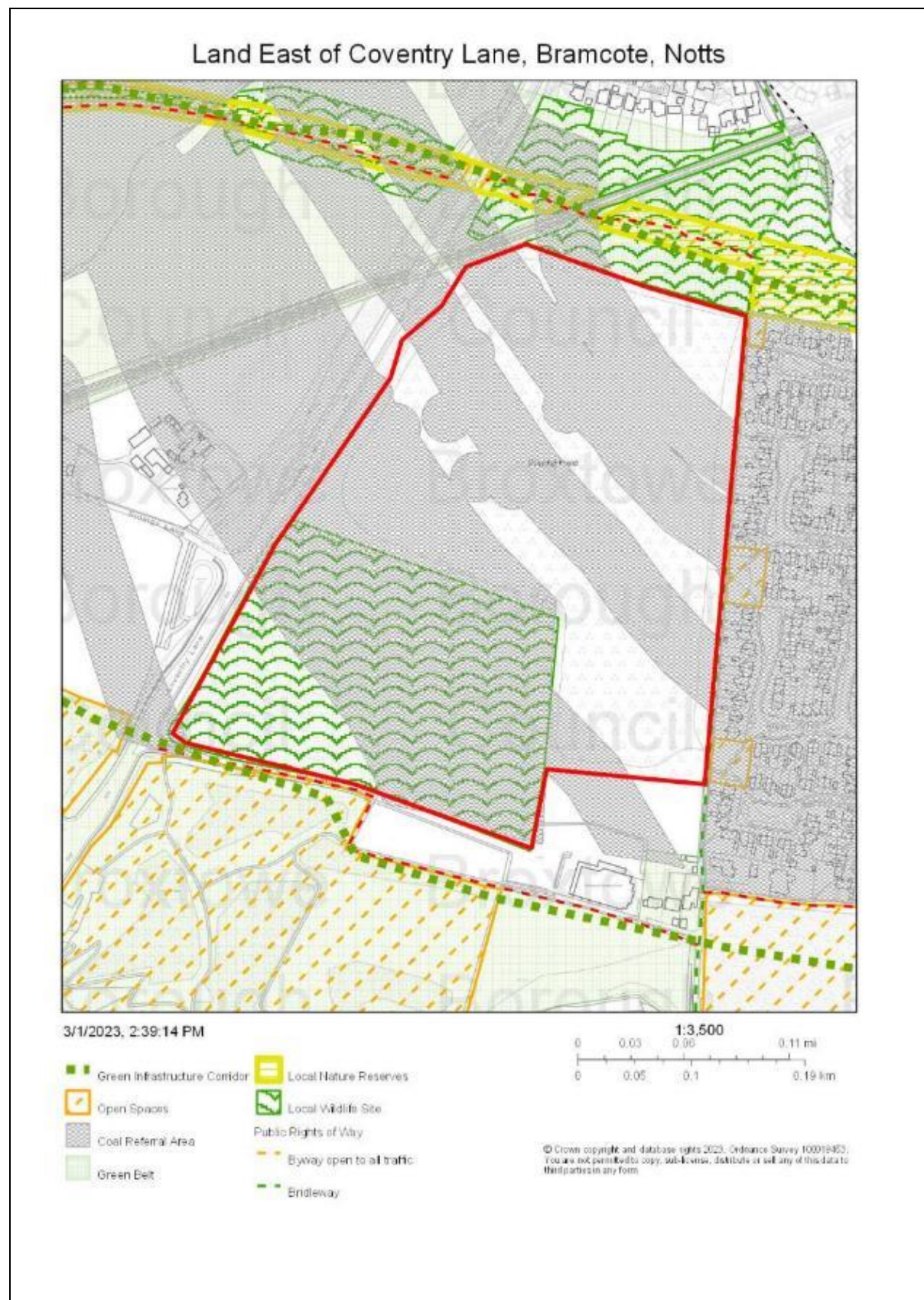
The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land they must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to the Railway

	All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.
8.	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.
9.	The Travel Plan coordinator shall commission travel surveys and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar method to be approved after the first, third, and fifth year after 50% occupation, and produce monitoring reports at intervals as required by the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates to be approved in writing by the Local Planning Authority.
10.	<p>Nottinghamshire County Council as Highway Authority advise:</p> <ul style="list-style-type: none"> • Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). 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, and /or 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 after Planning Permission is granted. • Correspondence with Highway Authority should be addressed to: hdc.south@nottscc.gov.uk • The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at: www.nottinghamshire.gov.uk/transport/roads/highway-design-guide • 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 by installing wheel washing facilities on site. • 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

	<p>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@nottsgov.uk for details.</p>
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Map



Plans (not to scale)

Miller Homes Layout:



St Modwen layout:



Extracts from Miller Homes House Types:







Extracts from St Modwen Homes House Types:









BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
25.08.2025 TO 19.09.2025**

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	:	Kathryn Parr & Stephen Southall	25/00501/FUL
Site Address	:	4 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	Construct two storey side extension and single storey rear extension.	
Decision	:	Conditional Permission	

Applicant	:	Mrs Susan Randall	25/00554/CAT
Site Address	:	Field House Shady Lane Attenborough Nottinghamshire NG9 6AW	
Proposal	:	Works to trees within a conservation area	
Decision	:	No Objection	

Applicant	:	Sylvia Dobson	25/00618/DOC
Site Address	:	The Secret Garden Attenborough Day Nursery And Pre School Shady Lane Attenborough Nottinghamshire	
Proposal	:	Discharge of condition 4 of planning reference 24/00835/FUL	
Decision	:	Discharge of Conditions	

Applicant	:	Mr Danny O'Neill	25/00631/PNH
Site Address	:	47 Bramcote Avenue Chilwell Nottinghamshire NG9 4DW	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 2.69 metres, with a maximum height of 3.73 metres, and an eaves height of 2.47 metres.	
Decision	:	Withdrawn	

Applicant	:	Mr & Mrs Taylor	25/00635/NMA
Site Address	:	10 Barratt Lane Attenborough Nottinghamshire NG9 6AF	
Proposal	:	Non material amendment to reference 24/00850/FUL to alter the position of proposed rear driveway gate from Barratt Crescent.	
Decision	:	Unconditional Permission	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mr Jeremy Prentice	25/00495/FUL
Site Address	:	84 Trowell Park Drive Stapleford Nottinghamshire NG9 3RA	
Proposal	:	Construct two storey rear extension to existing dwelling	
Decision	:	Conditional Permission	

BEESTON CENTRAL WARD

Applicant	:	Mr Colin Maber Willow Estates Ltd	25/00354/FUL
Site Address	:	Land To The Rear Of 137 - 141 Queens Road Beeston Nottinghamshire NG9 2FE	
Proposal	:	Construct two one-bedroom flats and associated development	
Decision	:	Refusal	

Applicant	:	Mr Robin Wells Btangyang Properties Ltd	25/00366/CLUE
Site Address	:	14 Thyra Grove Beeston Nottinghamshire NG9 2BL	
Proposal	:	Certificate of Lawfulness for existing use as a HMO (Use Class C4)	
Decision	:	Approval - CLU	

Applicant	:	Mr Shakeel Ahmed	25/00440/CLUE
Site Address	:	51 Lower Road Beeston Nottinghamshire NG9 2GT	
Proposal	:	Certificate of lawfulness for existing use as a C4 HMO	
Decision	:	Approval - CLU	

Applicant	:	Dr R Nam	25/00447/CLUE
Site Address	:	6 Humber Road Beeston Nottinghamshire NG9 2EF	
Proposal	:	Certificate of Lawfulness for existing 6 bed HMO	
Decision	:	Approval - CLU	
Applicant	:	Mr Gleeson	25/00552/PNH
Site Address	:	237 Lower Regent Street Beeston Nottinghamshire NG9 2DD	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.52 metres, with a maximum height of 2.98 metres, and an eaves height of 2.78 metres.	
Decision	:	Refusal	
BEESTON NORTH WARD			
Applicant	:	H Ahmed Countrywide Children Homes Ltd	25/00288/FUL
Site Address	:	22 Muriel Road Beeston Nottinghamshire NG9 2HH	
Proposal	:	Proposed change of use from House in Multiple Occupation (Class C4) to a residential children's care home (Class C2)	
Decision	:	Conditional Permission	
Applicant	:	Mr S Ahmed	25/00449/CLUE
Site Address	:	13 Peveril Road Beeston Nottinghamshire NG9 2HY	
Proposal	:	Certificate of Lawfulness for existing use as C4 Housing in Multiple Occupation	
Decision	:	Approval - CLU	
Applicant	:	Mr Jude Arulraj	25/00469/FUL
Site Address	:	11 Bletchley Close Beeston Nottinghamshire NG9 2WR	
Proposal	:	Construct detached garage	
Decision	:	Conditional Permission	
Applicant	:	Mr Michael Ellwood	25/00551/FUL
Site Address	:	25 Heather Rise Beeston Nottinghamshire NG9 3AG	
Proposal	:	Convert garage to living accommodation including external alterations	
Decision	:	Conditional Permission	
Applicant	:	Mr Babbiscott	25/00566/CLUP
Site Address	:	6 Cyprus Avenue Beeston Nottinghamshire NG9 2PG	
Proposal	:	Construct single storey rear extension	
Decision	:	Approval - CLU	
BEESTON RYLANDS WARD			
Applicant	:	Mr Andy Gilliver Keepmoat Homes	25/00520/DOC
Site Address	:	Boots Campus Beeston Nottinghamshire	
Proposal	:	Discharge of Condition 28 of 21/00670/ROC	
		Condition 28 information is as follows;	
		- Revised noise report 'RFE-0540-23-01-02 dated 20.12.2023	
		- dB Rating and Octave Band for the trickle vents	
		- 4mm & 4mm glazing performance specification	
		- Acoustic Tables Logik Modus (window frame)	
Decision	:	Discharge of Conditions	
BEESTON WEST WARD			
Applicant	:	Mr P Maltby Maltby Homes Ltd	25/00322/FUL
Site Address	:	8 West End Beeston Nottinghamshire NG9 1GL	
Proposal	:	Construct two storey and single storey extensions and insert velux windows to front elevation, to enable use as a single dwelling. Create vehicular access off Hall Croft and new boundary treatments consisting of brick wall along Hall Croft, West End and Barrydale Avenue and 1.8m close board timber fence along Barrydale Avenue.	
Decision	:	Conditional Permission	

Applicant	:	Mr A Sadj	25/00333/FUL
Site Address	:	10 Sidney Road Beeston Nottinghamshire NG9 1AN	
Proposal	:	Retention of Dormer	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Maltby	25/00433/FUL
Site Address	:	87 Bramcote Drive West Beeston Nottinghamshire NG9 1DU	
Proposal	:	Construct outbuilding to rear	
Decision	:	Conditional Permission	
Applicant	:	Mr Peter McGuinness	25/00485/FUL
Site Address	:	4 Vicarage Street Beeston Nottinghamshire NG9 1BW	
Proposal	:	External alterations including application of render to elevations; replacement tiles to roof; replacement windows; replacement roof to front elevation canopy; cladding to side elevation under access passage.	
Decision	:	Conditional Permission	
Applicant	:	Mr Phil Willmot	25/00544/CAT
Site Address	:	73 Grove Avenue Chilwell Nottinghamshire NG9 4DX	
Proposal	:	5 x leylandii - prune down to level of hedge	
Decision	:	Conditional Permission	
Applicant	:	Mr Jack Robinson	25/00585/NMA
Site Address	:	11 Hope Street Beeston Nottinghamshire NG9 1DJ	
Proposal	:	Non material amendment to 22/00603/FUL to change the cladding for the extension from black rockpanel to black vertical timber	
Decision	:	Unconditional Permission	
Applicant	:	Mr Andrew Groves	25/00601/CAT
Site Address	:	89 Park Road Chilwell Nottinghamshire NG9 4DE	
Proposal	:	Works to trees in a conservation area	
Decision	:	No Objection	
Applicant	:	Mrs Lyn Case	25/00608/CAT
Site Address	:	2 Newcastle Avenue Beeston Nottinghamshire NG9 1BT	
Proposal	:	1 x Beech - raise and thin canopy	
Decision	:	No Objection	
Applicant	:	Cornerstone Telecommunications	25/00613/TEL
Site Address	:	Queens Road West Chilwell Nottinghamshire	
Proposal	:	The installation of a 20m pole, along with 6no antennas, 1no dish, 3no cabinets and ancillary equipment	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr Brian Patrick	25/00638/CAT
Site Address	:	1 Vicarage Street Beeston Nottinghamshire NG9 1BW	
Proposal	:	Yew and Holly - Crown reduce 30%	
Decision	:	No Objection	
BRAMCOTE WARD			
Applicant	:	Mr & Mrs Bales	25/00507/FUL
Site Address	:	43 Sandy Lane Bramcote Nottinghamshire NG9 3GT	
Proposal	:	Construct front and side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr M Turville	25/00517/CLUP
Site Address	:	73 Arundel Drive Bramcote Nottinghamshire NG9 3FN	
Proposal	:	Certificate of Lawfulness for proposed external wall insulation	
Decision	:	Approval - CLU	

Applicant	:	Hampson	25/00528/TPOW
Site Address	:	6 Grangelea Gardens Bramcote Nottinghamshire NG9 3HR	
Proposal	:	T1 - Oak - Remove 1x large piece of deadwood at approx. 8m above ground level	
Decision	:	Conditional Permission	
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Applicant	:	Mrs Prince	25/00541/TPOW
Site Address	:	12 Holly Court Bramcote Nottinghamshire NG9 3DZ	
Proposal	:	T1 - Lime - Crown Lift to provide 5 metres clearance from ground level. Justification - To lift lower crown over driveway and cul-de-sac roadway to highway clearances.	
Decision	:	Conditional Permission	
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Applicant	:	Mr & Mrs C Digby	25/00558/FUL
Site Address	:	60 Moor Lane Bramcote Nottinghamshire NG9 3FH	
Proposal	:	Construct first floor dormer window	
Decision	:	Conditional Permission	
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Applicant	:	Mrs Ellie Liggins-Thompson Miller Homes	25/00563/DOC
Site Address	:	Land East Of Coventry Lane (West Of Moor Lane) Bramcote Nottinghamshire	
Proposal	:	Discharge of condition 9 (archaeology) of 22/00967/FUL	
Decision	:	Discharge of Conditions	
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Applicant	:	Mr & Mrs Adams	25/00572/FUL
Site Address	:	60 Sandy Lane Bramcote Nottinghamshire NG9 3GS	
Proposal	:	Construct rear single storey extension and insert first floor window to south elevation	
Decision	:	Conditional Permission	
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Applicant	:	Mr T Carver	25/00582/TPOW
Site Address	:	7 Grangelea Gardens Bramcote Nottinghamshire NG9 3HR	
Proposal	:	Remove Ash tree	
Decision	:	Conditional Permission	
<hr/>			
Applicant	:	Mr Ryan Head	25/00596/TPOW
Site Address	:	2 Bembridge Court Bramcote Nottinghamshire NG9 3HY	
Proposal	:	T1 - Common Lime - Crown reduce by 2 meters in height and up to 2.5 meters on the lateral branches leaving a balanced crown.	
Decision	:	Conditional Permission	

BRINSLEY WARD

Applicant	:	Mr A Bartlett	25/00573/PNH
Site Address	:	19 Broad Lane Brinsley Nottinghamshire NG16 5BX	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 3.0 metres, and an eaves height of 2.4 metres.	
Decision	:	Prior Approval Not Required	

CHILWELL WEST WARD

Applicant	:	N/A Mitchells and Butlers PLC	25/00531/FUL
Site Address	:	The Cadland Inn 342 High Road Chilwell Nottinghamshire NG9 5EG	
Proposal	:	Installation of roof mounted 37.77kW solar PV system comprising of 83 x Canadian Solar 455w modules	
Decision	:	Conditional Permission	

EASTWOOD ST MARY'S WARD

Applicant	:	Mr John McCabe	25/00474/PIP
Site Address	:	Ropewalk Farm Anchor Road Langley Mill Heanor Derbyshire NG16 3RU	
Proposal	:	Proposed redevelopment of previously developed land for the erection of 6 dwellings.	
Decision	:	PIP Refused (Permsn in Pciple Refused)	

Applicant	:	Mr Renaldas Pelanis Pelanta limited	25/00499/FUL
Site Address	:	50 Nottingham Road Eastwood Nottinghamshire NG16 3NQ	
Proposal	:	Conversion of existing outbuilding to form self contained dwelling	
Decision	:	Conditional Permission	

Applicant	:	Sherron Cooper	25/00545/FUL
Site Address	:	33 Ratcliffe Street Eastwood Nottinghamshire NG16 3BN	
Proposal	:	Construct first floor rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Vejay Pal	25/00604/TPOW
Site Address	:	116A Church Street Eastwood Nottinghamshire NG16 3HT	
Proposal	:	T1 - Beech - 30% crown reduction	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant	:	Mr M Hodgkinson	25/00504/NMA
Site Address	:	Greasley Castle Farm 120 Church Road Greasley Nottinghamshire NG16 2AB	
Proposal	:	Non material amendment to 24/00213/FUL to change the roof covering materials	
Decision	:	Unconditional Permission	

Applicant	:	Mr M Hodgkinson	25/00574/VOC
Site Address	:	Greasley Castle Farm 120 Church Road Greasley Nottinghamshire NG16 2AB	
Proposal	:	Variation of condition 2 of 24/00214/LBC	
Decision	:	Conditional Permission	

Applicant	:	Mr Adam Hall	25/00511/TPOW
Site Address	:	56A Smithurst Road Giltbrook Nottinghamshire NG16 2UD	
Proposal	:	Tree T5 Oak - Pruning of 4 branches	
Decision	:	Conditional Permission	

Applicant	:	C/o Agent Giltbrook Retail Park Nottingham Ltd	25/00535/FUL
Site Address	:	Escape Family Entertainment Centre 6 Pentrich Road Giltbrook Industrial Park Giltbrook Nottinghamshire NG16 2UZ	
Proposal	:	Sub-division to create two separate units including insertion of mezzanine floor, new entrance and access bridge for use of upper floor as gym (Class E) and ground floor as retail use (Class E)	
Decision	:	Conditional Permission	

Applicant	:	K Simmons	25/00536/CLUE
Site Address	:	24 Beamlight Road Eastwood Nottinghamshire NG16 3JG	
Proposal	:	Certificate of lawfulness for existing loft conversion with additional rear dormer	
Decision	:	Approval - CLU	

KIMBERLEY WARD

Applicant	:	Mr James Meers Futures Housing Group	25/00478/FUL
Site Address	:	The Maltings (Apartment 1-18) Old Brewery Yard Kimberley Nottinghamshire	
Proposal	:	Installation of snow guard to eaves	
Decision	:	Conditional Permission	

Applicant	:	Mr James Meers Futures Housing Group	25/00479/LBC
Site Address	:	The Maltings (Apartment 1-18) Old Brewery Yard Kimberley Nottinghamshire	
Proposal	:	Installation of snow guard to eaves	
Decision	:	Conditional Permission	

Applicant	:	Mr Liam Bentley Tanbry Construction Limited	25/00637/DOC
Site Address	:	Graphic House Noel Street Kimberley Nottinghamshire NG16 2NE	
Proposal	:	Discharge of condition 9 of planning permission 23/00856/VOC	
Decision	:	Discharge of Conditions	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Geraldine Rudham Strelley Systems Ltd	25/00490/VOC
Site Address	:	Strelley Hall Main Street Strelley Nottinghamshire NG8 6PE	
Proposal	:	Application under section 73 of the act to vary condition 4 of planning permission 24/00406/FUL to vary the opening hours of the premises	
Decision	:	Conditional Permission	

STAPLEFORD NORTH WARD

Applicant	:	Mr Daniel Carberry	25/00503/FUL
Site Address	:	64 Moorbridge Lane Stapleford Nottinghamshire NG9 8GU	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Ian Shakespeare Aston Properties (UK) Limited	25/00514/VOC
Site Address	:	Mill Farm 62 Mill Road Stapleford Nottinghamshire NG9 8GD	
Proposal	:	Variation of condition 3 of 23/00429/VOC to vary opening hours	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH EAST WARD

Applicant	:	Lisa & Simon Thorpe	25/00546/FUL
Site Address	:	3 Hickings Lane Stapleford Nottinghamshire NG9 8PB	
Proposal	:	Retain single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Ms Faustina Graca BBC Economic Development	25/00647/DOC
Site Address	:	Pavilion Hickings Lane Recreation Ground Hickings Lane Stapleford Nottinghamshire	
Proposal	:	Discharge of condition 11 of planning permission 24/00863/VOC	
Decision	:	Discharge of Conditions	

STAPLEFORD SOUTH WEST WARD

Applicant	:	Mr Martin Hendy	25/00482/FUL
Site Address	:	5 Portland Crescent Stapleford Nottinghamshire NG9 7GT	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr R LAKHANPAL	25/00518/FUL
Site Address	:	6 Derby Road Stapleford Nottinghamshire NG9 7AA	
Proposal	:	Construct retail unit to ground floor and two one bed apartments to first and second floors following demolition of existing unit.	
Decision	:	Conditional Permission	

TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr William Dean	25/00500/FUL
Site Address	:	10 Orpean Way Toton Nottinghamshire NG9 6LE	
Proposal	:	Construct first floor side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Lee Wilson	25/00510/FUL
Site Address	:	106 Seaburn Road Toton Nottinghamshire NG9 6HJ	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Southall	25/00577/CLUP
Site Address	:	43 Sheriff's Lea Toton Nottinghamshire NG9 6LJ	
Proposal	:	Certificate of lawfulness for the proposed construction of a single storey rear extension	
Decision	:	Withdrawn	

WATNALL & NUTHALL WEST WARD

Applicant	:	Mr leigh Elston	25/00502/FUL
Site Address	:	15 Kimberley Road Nuthall Nottinghamshire NG16 1DA	
Proposal	:	Construct two storey side and rear extensions	
Decision	:	Refusal	

Applicant	:	Mr John Mather	25/00537/FUL
Site Address	:	9 Main Road Watnall Nottinghamshire NG16 1HS	
Proposal	:	Construct single storey extension with glazed link	
Decision	:	Conditional Permission	

Applicant	:	Mr John Mather	25/00538/LBC
Site Address	:	9 Main Road Watnall Nottinghamshire NG16 1HS	
Proposal	:	Construct single storey extension with glazed link	
Decision	:	Conditional Permission	

Applicant	:	Mr Charles Holehouse	25/00548/VOC
Site Address	:	Fernwood Fuels Solid Fuel Distribution Centre Main Road Watnall Nottinghamshire NG16 1HA	
Proposal	:	Variation of condition 2 of planning permission 20/00423/FUL to regularise as built site access works and street lighting	
Decision	:	Conditional Permission	

Report of the Interim Chief Executive

Appeal Decision

APPLICATION NUMBER:	23/00095/FUL
LOCATION:	Works Bailey Street Stapleford Nottinghamshire
PROPOSAL:	Change of use of land to open storage and siting of storage containers and skips (Class B8) including access point off West End Street and egress point on Bailey Street

APPEAL ALLOWED

PLANNING COMMITTEE DECISION TO REFUSE

RECOMMENDATION BY OFFICER – APPROVAL

REASON FOR REFUSAL

The proposed development represents an inappropriate use within a residential area which will have a significant impact on the amenity of nearby residents, in particular from the comings and goings of large industrial vehicles which cause significant noise and disturbance and nuisance by blocking access to properties driveways. The size of the vehicles poses a significant highway safety risk which is detrimental to neighbouring properties and residents due to the width and location of the Bailey Street and West End Street. The development is therefore contrary to Policy 17 of the Part 2 Local Plan (2019), Policies 10 & 14 of the Aligned Core Strategy (2014) and Section 9 of the NPPF (2024).

LEVEL OF DECISION: WRITTEN REPRESENTATIONS

The inspector considered the main issues to consider were:

- The effects of the proposed development on safety of other highway users.

The proposed development is for the use of the site as open storage and siting of storage containers and skips. The site is classed as previously developed land within the urban area.

The Inspector noted the site is identified as an existing employment site in the Broxtowe Local Plan Part 2 (LP) whereby its redevelopment for employment purposes is supported. The assessment of the appeal gave significant weight to the identification in the development plan.

The Inspector noted the planning permission for temporary use of southern part of the site for storage and distribution uses has previously been granted by the Council (19/00779/FUL refers).

The Inspector noted that the Highway Authority has not raised any objection on highway safety or congestion grounds to the suitability of using West End Street and

Bailey Street as access and egress to the proposal. The available width of these roads, after taking into account on street parking that is primarily restricted to residents, and their junctions with Derby Road would be acceptable of accommodating the expected size of lorries.

The Inspector commented that BBC Environmental Health Officer did not raise any objection, subject to a suitable worded condition to restrict hours of access to the site.

The Inspector noted the concerns of local residents and carefully noted.

The Inspector allowed the appeal subject to the conditions.

Conclusion

For the reasons given above the appeal was allowed with the following conditions:

- 1 The development hereby permitted shall begin no later than 3 years from the date of the permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plan: PG/MF/2010/120/101 Rev B.
- 3 Within 30 days of the date of this planning permission there should be no more than 9 containers and 2 skips stationed on the site.
- 4 No more than 9 storage containers and 2 skips shall be stationed within the site and they shall not be stacked in any means or form. All the containers shall be stationed in the location shown on Drawing No PG/MF/2010/120/101 Rev B.
- 5 All deliveries and collections by commercial vehicles shall only be made to or from the site between 08:00 and 17:00 hours Monday to Friday, 08:00 and 13:00 hours on Saturday and at no time on Sunday, Bank Holidays and other public holidays.

Report of the Interim Chief Executive

Appeal Decision

APPLICATION NUMBER:	25/00421/ADV
LOCATION:	Advertising On Railway Bridge Derby Road Stapleford Nottinghamshire
PROPOSAL:	Erection of a freestanding D-Poster LED advertisement.

APPEAL DISMISSED**DELEGATED DECISION TO REFUSE****RECOMMENDATION BY OFFICER – REFUSE****REASON FOR REFUSAL –**

The proposed advertising hoarding, by virtue of its cumulative impact resulting in an unacceptable proliferation of signage in the immediate area, would cause visual harm to the locality and amenity along Derby Road thereby posing an unacceptable addition to the street scene. Accordingly, the proposal conflicts with Policy 18 of the Part 2 Local Plan (2019) and paragraph 141 of the National Planning Policy Framework (2024) and there is no justification for treating the advertisement as an exception to that guidance.

LEVEL OF DECISION: Commercial Appeals Service

The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors.

The inspector considered the main issue to consider was:

- the effect of the proposed advertisement on amenity. The Framework says that the quality and character of places can suffer when advertisements are poorly sited and that cumulative impacts should be taken into account.

The Inspector noted that the digital display would be sited close to a busy B-road on a small piece of land between the River Erewash and a vehicle recycling centre, within an immediate area of mainly industrial and commercial use, but it was also noted that there is a nearby terrace of shops with living accommodation above. The end flat having a first floor window in its side elevation facing the appeal site with some trees screening along the river.

The Inspector noted that there is numerous signage within the area, and that whilst most are mounted on buildings or poles, they disagreed with the appellants view that they do not dominate the streetscape and found on their visit that the signage appears cluttered and lacking in cohesion. Also noting that whilst one sign would be removed, it is considerably smaller in size than that proposed, and would not outweigh the harm that would be caused by an additional sign of this size even with a condition to control brightness.

In terms of the appellants suggested benefits such as a reduction in vehicle trips, reducing waste, and the ability to display emergency massaging and non-commercial campaigns, the Inspector stated whilst that might be the case some of those are minor matters and there is little substantive evidence of the benefits that would arise. In any case, those matters do not outweigh the significant harm that would be caused by this proposal.

The Inspector concluded that the proposal would result in significant harm to amenity and there are no material considerations that would outweigh that.

Conclusion

For the reasons given above the appeal was dismissed.

Report of the Interim Chief Executive

Appeal Decision

APPLICATION NUMBER:	25/00214/FUL
LOCATION:	18 Garton Close Chilwell Nottinghamshire NG9 4GH
PROPOSAL:	Double storey side extension

APPEAL ALLOWED**RECOMMENDATION BY OFFICER – REFUSAL****REASON FOR REFUSAL**

- 1. The proposed extension, by virtue of its scale, massing and design, would create an incongruous appearance within the street scene and be overly dominant on the property. Therefore the proposal would be contrary to Policies 10 of the Broxtowe Aligned Core Strategy (2014), Policies 17 of Part 2 Local Plan 2019 and section 139 of the National Planning Policy Framework.*
- 2. The proposed extension, by virtue of its scale and massing, would create a negative impact on the neighbouring property with regards to loss of light and creating an unacceptable overbearing impact. Therefore the proposal would be contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of Part 2 Local Plan 2019.*

LEVEL OF DECISION: DELEGATED

The inspector considered the main issues to consider were:

- The character and appearance of the area and
- The living conditions of neighbouring occupiers with particular regard to outlook and light.

The proposed development is for two storey side extension to an end terrace dwelling creating a large family room on the ground floor and two double bedrooms, shower room and landing to the first floor. The extension will allow for the creation of a five bedroom dwelling.

The Inspector noted the plot has a generous garden wrapping around the dwelling and the proposed two storey extension would not project forward or behind the existing elevations with the ridge and eaves height being lower than the host dwelling.

The Inspector noted the proposed extension would represent a relatively modest addition to the block of dwellings and would not appear dominant when seen from

the street scene. The use of matching materials would further ensure that the proposal assimilates with the local vernacular.

The Inspector noted that planning permission was granted in January 2025 for a one and half storey side extension, extant permission 24/00751/FUL refers, with a similar footprint and ridge height. The Inspector noted the fall-back position within the appeal decision could be implanted should the appeal fail.

In relation to the living conditions the Inspector noted the position of the proposed extension in relation to the neighbouring properties and their amenity areas. The Inspector noted there may be some additional built form in outlook from No 33 but given the distance between the proposal and the garden area and orientation there would be marginal increase in shadowing in the morning. Consequently, acceptable levels of light would be retained to the garden, conservatory and windows at No 33.

The Inspector considered the proposal to comply with Policies 10 of the Greater Nottingham Aligned Core Strategies Part 1 Local Plan (Part 1 LP) (2014) and Policy 17 of the Broxtowe Borough Council Part 2 Local Plan (Part 2 LP) (2019).

The Inspector allowed the appeal subject to the conditions below.

Conclusion

For the reasons given above the appeal was allowed with the following conditions:

The appeal is allowed and planning permission is granted for a double storey side extension at 18 Garton Close, Chilwell, Nottinghamshire NG9 4GH in accordance with the terms of application, Ref 25/00214/FUL, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:1250) - dated 18/03/2025, Proposed Development - D301 Rev B - 18/03/2025, and Existing and Proposed Floor Plans - D103 Rev B - 18/03/2025.
- 3) The external materials of the development hereby permitted shall match those used in the existing dwelling

Report of the Interim Chief Executive

Appeal Decision

APPLICATION NUMBER:	23/00447/FUL
LOCATION:	Riverside Close, Riverside Road, Beeston, NG9 1NR
PROPOSAL:	Construct 29 apartments with associated parking and landscaping

APPEAL DISMISSED**COMMITTEE DECISION - REFUSE****RECOMMENDATION BY OFFICER – GRANT CONDITIONAL PERMISSION****REASONS FOR REFUSAL –**

- The development, by virtue of the scale and massing, overbearing nature, and potential for overlooking of properties on Riverside Close, would result in a detrimental impact to neighbour amenity contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).*
- The development, by virtue of its design, scale and massing, would result in a building that would be out of character with the surroundings and would result in harm to the nearby non-designated heritage assets contrary to Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 11 of the Aligned Core Strategy (2014).*
- The development, by virtue of its layout and level of parking provision, would result in a detrimental impact to the surrounding area and to highway safety contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).*

The inspector considered the main issues to consider were:

- The effects of the appeal scheme on the character and appearance of the area including on the non-designated heritage assets of the Canalside Heritage Centre, Beeston Lock and the Lock Keeper's Cottage,
- The effects of the appeal scheme on the living conditions of existing occupiers, and
- Its effects on highway safety.

In respect of impact on character and appearance, the Inspector concluded that the massing and design of the appeal scheme does not reflect the character and the sense of place with reference to its context and the setting of the non-designated heritage assets. Whilst the site is currently under used and detracts from its immediate surroundings, the appeal scheme is not an appropriate design response to the exigencies and context of the site.

In respect of residential amenity, the Inspector found that the appeal scheme conflicts with policy 10 of the Aligned Core Strategy and policy 17 of Part 2 of the Broxtowe Local Plan which require that new development integrates into its surroundings and ensures a satisfactory level of amenity for occupiers of neighbouring properties. I conclude that the appeal scheme conflict with these policies by reason of its overbearing impact.

In respect of Highway Safety, the Inspector noted that no actual evidence to demonstrate that the appeal scheme could lead to excessive on street parking which could prejudice highway safety had been submitted. The site lies on a bus route with regularly services which could provide alternative means of transport to the City Centre. Furthermore, local roads are broad and straight allowing for clear sight lines. Although there is an absence of pedestrian crossing points around the appeal site, there is no evidence that the appeal scheme would reduce highway safety.

The Inspector concluded that the proposal would not be an appropriate design response to the context of the site, would have an overbearing impact on neighbour amenity, however would not have a detrimental impact on highway safety.

Conclusion

For the reasons given above the appeal was dismissed.

Report of the Interim Chief Executive

SUBJECT:	PLANNING ENFORCEMENT SERVICE UPDATE
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The application is brought to the Committee as requested by Councillor P Owen.

1 Executive Summary

- 1.1 The planning enforcement service aims and objectives are set out in the Planning Enforcement Policy originally adoption in October 2019 and updated in September 2023. This is due for review shortly.
- 1.2 The service currently consists of two full-time officers. Until recently, a planning officer was also assisting on a part-time basis. That officer has now left the authority.
- 1.3 In 2024, 408 enforcement complaints were received. This year to date, we have received 372 enforcement complaints. Based on this we expect to see an increase in case numbers for the year ending December 2025.
- 1.4 Numbers of enforcement complaints tend to fluctuate seasonally. For example, more complaints pertaining to untidy land and gardens can be expected during the Spring and Summer months because vegetation grows more rapidly at that time. We have also seen an increase in case numbers of cases relating to unauthorised temporary signs in the town centres. Additionally, we are now dealing with enforcement cases relating to unauthorised works to protected trees following the departure of the Council's tree officer earlier this year. All these factors will contribute to the general increase in case numbers this year.
- 1.5 At the time of writing this report, there are 228 open enforcement cases, shared between two officers.
- 1.6 In terms of a comparison with other nearby authorities:

Council	Number of Officers	Number of cases received 2024	Number of cases to date in 2025	Current open cases
Amber Valley	2	280	300	
Gedling	1	218	165	101
Newark & Sherwood	4	406	406	302
South Derbyshire	4	247	243	263
Charnwood	4	450		300
Broxtowe	2	408	372	228
Nottingham City	2 F/T & 1 P/T	124	114	

- 1.7 Income is generated by the enforcement function in terms of planning application which are retrospectively submitted in an attempt to regularise unauthorised issues, although it should be added that retrospective applications are only invited where it is believed that there is a reasonable prospect of success, in line with Government guidance (unless the applicant is insistent upon attempting to regularise a matter, in which case, they are at liberty to do so and the authority must consider that application).
- 1.8 In 2024 planning applications associated with enforcement cases generated £21,501.00 in fees, in 2023 this figure was £15,112.00 and in 2022 £19,440.00.
- 1.9 It is understood that the Government are still considering the introduction of a fee increase for retrospective planning applications to double the usual fee. This may be introduced next year.

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