



Tuesday, 7 April 2026

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 15 April 2026 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 J Marsh
	P J Bales	G Marshall
	L A Ball BEM	D D Pringle
	G Bunn	D K Watts
	S Camplin	

## AGENDA

1. Apologies

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

2. Declarations of Interest

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

Further information can be found at: [Member Code of Conduct of Broxtowe Borough Council](#)

3. Minutes (Pages 5 - 10)

The Committee is asked to confirm as a correct record the minutes of the meeting held on Wednesday, 18 March 2026.

4. Notification of Lobbying

5. Appeals Procedure Update (Pages 11 - 14)

6. Development Control

- 6.1 26/00070/FUL - Willoughby Almshouses (Pages 15 - 24)

Construct communal covered parking to rear of Almshouses.  
Provide associated layout and landscaping  
Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire

- 6.2 26/00071/LBC - Willoughby Almshouses (Pages 25 - 36)

Construct communal covered parking to rear of Almshouses.  
Provide associated layout and landscaping  
Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire

- 6.3 26/00084/FUL - Land off Vernon Court Nuthall (Pages 37 - 52)

Construct two storey building to provide two flats  
Land off Vernon Court, Nuthall

- 6.4 26/00100/FUL - 18 Garton Close, Chilwell (Pages 53 - 64)

Construct dwelling in lieu of approved household extension  
18 Garton Close, Chilwell NG9 4GH

- 6.5 25/00914/FUL - 22 Barlow Drive North, Awsworth (Pages 65 - 76)

Change of Use from Residential (Class C3) to Children Home (Class C2)  
22 Balow Drive North, Awsworth NG16 2RQ

6.6 25/00254/ENF - Garage adjacent 62 Fletcher Road, Beeston (Pages 77 - 78)

Demolition of sectional garages and construction of new  
garage  
Garage adjacent 62 Fletcher Road, Beeston

7. Information Items

7.1 Delegated Decisions (Pages 79 - 86)

8. Appeal Decisions (Pages 87 - 88)

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## PLANNING COMMITTEE

WEDNESDAY, 18 MARCH 2026

Present: Councillor S P Jeremiah, Chair

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

Apologies for absence were received from Councillors T J Marsh and S Camplin.

59 DECLARATIONS OF INTEREST

None received.

60 MINUTES

The minutes of the previous meeting were agreed as a correct and accurate record, with two minor amendments.

61 NOTIFICATION OF LOBBYING

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

The Chair noted that all Members of the Committee had been lobbied with respect to application 25/00547/FUL and asked that this be recorded in the Minutes.

62 DEVELOPMENT CONTROL

62.1 25/00547/FUL - BLUE MONKEY BREWING LIMITED, PENTRICH ROAD, GILTBROOK INDUSTRIAL ESTATE

Retrospective change of use from B8 warehouse, showroom and distribution unit to B2 Brewery with Ancillary Retail & Tap Room to the ground floor and first floor boardroom / meeting room / office. Changes to forecourt parking area including provision to site outdoor seating and food vendor.

The application is brought to the Committee at the request of Councillors Watts, Bales and Owen.

There were late items comprising a resident comment in support of the application, an amended proposed site plan with amended conditions, and a supportive statement submitted by the applicant.

There were no public speakers for this item.

The Committee gave consideration to the representations before it, with debate covering the appropriateness of the site for the development, conditions concerning parking, parking spaces being used for goods storage, and opening hours. Conditions relating to its status as a taproom, playing music were, and conditions 3, 4 and 5 were also discussed.

Following discussion, the Committee amended several of the conditions.

**RESOLVED that planning permission be approved subject to the following conditions, as amended:**

- 1. Within three months of the date planning permission granted the parking area to the front of the brewery unit (unit 10 & 11) must be made available for vehicles in accordance with the submitted drawing: Proposed Site Plan (Drawing Reference 002b).**

**Reason: To ensure parking remains available in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

- 2. The development hereby permitted shall be carried out in accordance with the following plans:**

- Proposed Site Plan (Drawing Reference 002b)  
(Received by the Local Planning Authority 13/03/26)**
- Site Location Plan (Drawing Number: 001)**
- Proposed Ground Floor Plans (Drawing Reference 201)**
- Proposed First Floor Plans (Drawing Reference 202)  
(Received by the Local Planning Authority 23/07/25)**

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

- 3. The tap room hereby approved shall only be open to customers during the following hours and at no other times unless otherwise agreed in writing by the Local Planning Authority.**

- Monday to Sunday 12 midday until 11pm.**

**Reason: In the interests of neighbour amenity in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

- 4. No external PA System, or music played by speakers shall be permitted outside the building except during the following hours and at no other times unless otherwise agreed in writing by the Local Planning Authority:**

- Monday to Sunday 12 midday until 10pm.**

**Reason: In the interests of neighbour amenity in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

- 5. The catering vehicle shall only be sited as shown on the submitted drawing: Proposed Site Plan (Drawing Reference 002b) and only be open to customers on a Friday, Saturday and Sunday between 12 midday and 10pm, unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: To ensure parking remains available and in the interests of neighbour amenity in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

- 6. No deliveries, commercial loading, unloading or servicing, nor vehicle activities associated therewith shall take place except between hours 07.30am and 10pm Mondays to Saturdays, and 9am and 6pm Sundays.**

**Reason: In the interests of neighbour amenity in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

#### **Note to Applicant**

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

#### **62.2 26/00038/FUL - MOSS COTTAGE, 27 CHURCH LANE, COSSALL**

Construct single storey side extension to east elevation and single storey side extension to west elevation to form garage

#### **Moss Cottage, 27 Church Lane, Cossall**

The application is brought to the Committee at the request of Cllr Pringle as the application site is within Nottinghamshire Green Belt.

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

The Committee gave consideration to the representations before it, with debate covering Green Belt policy relating to recommendations to refuse planning permission and the size of the proposed development.

**RESOLVED** that planning permission be approved, subject to the following conditions:

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following drawings received by the Local Planning Authority on 4 February 2026:**
  - Site Location Plan and Proposed Block Plan Revision E (drawing no. 3308 E-11)**
  - Proposed Floor Plan Revision E (drawing no. 3308 E-03)**
  - Proposed Roof Plan Revision E (drawing no. 3308 E-05)**
  - Proposed Elevations Revision E (drawings nos. 3308 E-08 and 3308 E-09)**
  - Proposed Section A-A Revision E (drawing no. 3308 E-10)**

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

- 3. The proposed development shall be constructed using materials as annotated on the approved plans unless otherwise agreed in writing by the Local Planning Authority. The new timber garage door on the street facing front elevation must be natural timber. Composite or synthetic timber materials are not permitted.**

**Reason: to preserve the character and appearance of the conservation area street scene, to ensure a satisfactory standard of external appearance and in accordance with the aims of Policies 10 and 11 of the Aligned Core Strategy (2014) and Policies 17 and 23 of the Part 2 Local Plan (2019).**

#### **Note to Applicant**

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week determination timescale.**
- 2. You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).**

- 3. The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.**

**Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK**

**Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: [www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property) What is a permit and how to get one? - GOV.UK ([www.gov.uk](http://www.gov.uk))**

**In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.**

**If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, noncoal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>**

**If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK**

62.3 FOOTPATH DIVERSION ORDER - FOOTPATH 27

Proposed diversion of Eastwood Footpath Number 27

Former Lynncroft School, Eastwood

This item is brought to Committee to make a diversion Order under the Town and Country Planning Act 1990 following an application received by the Council for a public path diversion order to stop up part of Eastwood footpath number 27 and create an alternative footpath. The site forms part of the Former Lynncroft School in Eastwood.

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

The Committee discussed the fact that the footpath was being diverted as little as possible and that it will pass through the a nearby estate.

**RESOLVED that Footpath Diversion Order 27 be made.**

63 INFORMATION ITEMS

64 DELEGATED DECISIONS

The Committee noted the delegated decisions.

65 APPEAL DECISIONS

The Committee noted the appeal decisions, discussed the planning appeals process, and decided to write a letter to the Planning Inspectorate raising concerns about procedures.

## Report of the Interim Chief Executive

<b>BRIEFING NOTE</b>	<b>Planning Appeals Procedure Update</b>
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The application is brought to the Committee as an information item.

### 1. Purpose of the Report

- 1.1 This item is brought to Committee as an information item and for discussion following changes to the planning appeal system which came into effect 1<sup>st</sup> April 2026.

### 2. Details

- 2.1 There are three procedures for handling appeals, these being: written representations; hearings; and inquiries. The Planning Inspectorate decide which procedure each appeal will follow. In most cases appeals follow the written representations procedure, with only the more complicated or contentious appeals being determined by way of a hearing or an inquiry.
- 2.2 From 1<sup>st</sup> April 2026, in respect of written representations procedure, there will now be a two-part system. Part 1 being an 'expedited' procedure, and Part 2 being the same written representations procedure in place up until 31<sup>st</sup> March 2026.
- 2.3 To explain further, the Part 1 procedure will now see the LPA only being allowed to submit a completed questionnaire (information containing details of the application; copies of neighbour and statutory consultee responses; copies of Local Plan Policies) to the Planning Inspectorate as well as copies of either the officer report (delegated or committee report) and, where heard at committee, a copy of any minutes from that meeting. Once received there is no further opportunity for the LPA, the appellant or third parties to submit new evidence or to submit representations in the form of a Grounds of Appeal statement. The Planning Inspectorate will then visit the site and issue an appeal decision.
- 2.4 Appeals that fall into the following categories will follow the part 1 (expedited procedure):
- Appeals against a refusal of planning permission
  - Appeals against a grant of planning permission subject to conditions that the applicant objects to
  - Appeals against a refusal of prior approval
  - Appeals against a refusal of advertisement consent
  - Appeals against the refusal of an application to approve a reserved matter
  - Appeals against the LPA's refusal of an application to modify or remove a condition under section 73 of the Town and Country Planning Act 1990

- Appeals against the LPA’s refusal of an application for planning permission for development already carried out under section 73A of the Town and Country Planning Act 1990
  - Appeals against permission in principle or refusal of technical details consent
- 2.5 The Part 2 procedure will follow the same route as Part 1, with the exception of allowing both parties (appellant and LPA) to submit grounds of appeal and third parties to submit further comments.
- 2.6 Appeals that fall into the following categories will follow the Part 2 procedure:
- Appeals against the LPA’s failure to determine an application within their time limit for doing so (‘non-determination’ cases)
  - Appeals in relation to an application for Listed Building Consent
  - Appeals in relation to a discontinuance notice
- 2.7 Implications in respect of the Part 1 procedure should be noted as this route to determine planning appeals may result in more appeals being upheld and an increased risk of costs being awarded.
- 2.8 Delegated reports by Planning Officers will be written in a way so as to ensure the argument for the refusal is strengthened.
- 2.9 In respect of committee reports where the members resolve to refuse the proposed development contrary to the officer recommendation, it is important to acknowledge that the committee report and minutes of the meeting only, would be taken as the LPA’s case to be assessed as part of an appeal. The officer report would be written in the positive – that is, with a recommendation to grant planning permission subject to conditions. As such, it is important to ensure that full minutes in respect of the member discussion and planning matters that the members resolve to refuse the development on are recorded, as the minutes of the committee meeting would be the only opportunity for the LPA to put their case forward as grounds for refusal.
- 2.10 There is a risk that failure to present minutes that outline the reasons for refusal, which should clearly be based only on adopted planning policies, to the Planning Inspectorate, may result in costs being awarded to the appellant.
3. Financial Implications
- 3.1 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.

3.2 Notwithstanding the above, consideration should be made in respect of award of costs should an appeal be lodged, as outlined in paragraphs 3.7 and 3.8 above.

4. Legal Implications

4.1 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.

5 Data Protection Compliance Implications

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

6. Background Papers:

6.1 [Planning appeals: procedural guide. For appeals relating to applications dated on or after 1 April 2026. - GOV.UK](#)

Explainer: [The Town and Country Planning \(Appeals\) \(Written Representations Procedure\) \(England\) \(Amendment and Saving Provision\) Regulations 2026](#)

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**Report of the Interim Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>26/00071/LBC</b>
<b>LOCATION:</b>	<b>Willoughby Almshouses Church Lane Cossall Nottinghamshire</b>
<b>PROPOSAL:</b>	<b>Construct communal covered parking to rear of Almshouses. Provide associated layout and landscaping.</b>

The application is brought to the Committee at the request of Cllr Pringle.

1. Purpose of the Report

1.1 The application seeks Listed Building consent to construct a communal covered parking area to the rear of the Almshouses, provide associated layout and landscaping.

2. Recommendation

**The Committee is asked to RESOLVE that listed building consent be granted subject to the conditions outlined in the appendix.**

3. Detail

3.1 The application seeks Listed Building consent to construct a communal covered parking to rear of Almshouses, provide associated layout and landscaping.

3.2 A separate full planning application is currently pending consideration under reference number 26/00070/FUL.

3.3 The application site lies within Cossall Conservation Area and the Nottinghamshire Green Belt.

3.4 Both planning permission and Listed Building consent were previously granted under reference numbers 23/00510/FUL and 23/00511/LBC to construct residential extensions to a Grade II\* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. Works are currently well under way to build out the approved consents.

3.5 The main issue relates to whether or not the proposal will impact on the conservation area and Grade II\* Listed Building.

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 Listed Building consent to construct a communal covered parking to rear of the Almshouses, provide associated layout and landscaping.
2. Site and surroundings
  - 2.1 The application site is located within the Cossall Conservation Area and Nottinghamshire Green Belt and is located within the centre of Cossall Village. To the front of the site there is a wall to the front boundary with an overgrown garden area beyond. To the rear there is also an overgrown garden area. The Almshouses currently consist of six, one bedroom dwellings and one, three bedroomed dwelling. The building has been extended in the past with the provision of small flat roof extensions to the rear. The site is located within a predominantly residential area with residential properties to the side and directly opposite, with the Parish Hall to the opposite side.
  - 2.2 The Willoughby Almshouses and the adjoining boundary walls are a Grade II\* listed building. The Grade II\* listing reflects the more than special architectural and historic interest of the group. This places the Willoughby Almshouses within the top 8% of listed buildings in England. The Almshouses date from 1685. They were endowed by George Willoughby, a member of a wealthy local family, which included Sir Francis Willoughby, who built the nearby Wollaton Hall. The red brick with plain tile roof building originally consisted of a row of eight individual dwellings for four poor men and women, two of which have been merged. A central unit was designed with a ridged roof. The three to the left and four to the right were expressed with steep gables, which gives the building a wide and grand frontage, despite it being comprised of humble dwellings. The fenestration to the frontage mainly consists of stone chamfered mullioned windows with cast-iron leaded casements and flat drip moulds. The central section of the building has a sundial on the front façade. The principal façade has survived unaltered.
3. Relevant Planning History
  - 3.1 Planning permission and Listed Building Consent was granted under reference numbers 10/00044/FUL and 10/00045/FUL to rebuild the front wall.
  - 3.2 Planning permission was granted under reference number 21/00507/FUL to construct residential extensions to a Grade II\* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.

- 3.3 A Listed Building Consent application for the same description as 21/00507/FUL was formally withdrawn.
- 3.4 Both planning permission and Listed Building consent were previously granted under reference numbers 23/00510/FUL and 23/00511/LBC to construct residential extensions to a Grade II\* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. Works are currently well under way to build out the approved consents.
- 3.5 A Non Material amendment to 23/00510/FUL to change the approved Velux rooflights to conservation rooflights as required in planning condition 11 and revision to the rooflight layout was granted under reference number 24/00495/NMA.
- 3.6 A Non Material amendment to 23/00510/FUL to amend the existing modern flat roof dormers on the rear of the building to be fitted with pitched roofs was granted under reference number 25/00251/NMA.
- 3.7 Listed Building consent was granted for the installation of an electric gate, revision to shared driveway layout, changes to internal layouts and rooflight layout of all four houses and proposed new windows to house 4 under reference number 25/00458/LBC.
- 3.8 A variation of condition 2 of planning permission 23/00510/FUL and Listed Building consent 23/00511/LBC to alter approved drawings to include installation of electric gate, revision to shared driveway layout, changes to internal layouts and rooflight layout of all four houses and proposed new windows to house 4 was granted under reference numbers 25/00561/VOC and 25/00876/LBC.
- 3.9 A further variation of condition 2 (approved plans) of planning permission 23/00510/FUL and Listed Building consent 23/00511/LBC was granted under reference numbers 25/00832/VOC and 25/00876/LBC.
- 3.10 A separate full planning application application is currently pending consideration under reference number 26/00070/FUL.

4. Relevant Policies and Guidance

4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 3 – Green Belt
- Policy 10 - Design and Enhancing Local Identity.
- Policy 11 – The Historic Environment

#### 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 11: The Historic Environment
- Policy 17 - Place-making, design and amenity.
- Policy 23 - Proposals affecting Designated and Non-Designated Heritage Assets

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

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making.
- Section 12 - Achieving well-designed and beautiful places
- Section 13 – Protecting Green Belt land
- Section 16 - Conserving and enhancing the historic environment

### 5. Consultations

#### 5.1 Consultees

- **Conservation Officer** – no objections, advises the proposed amendments and submitted details represent a thoughtful and conservation-led evolution of the previously approved scheme. the proposals reflect discussions held on site with the applicant and demonstrate a clear understanding of the significance of the Grade II\* Listed Willoughby Almshouses.
- **Cllr L A Ball** – Awsworth, Cossall and Trowell Ward – no comment
- **Cllr D Pringle** - Awsworth, Cossall and Trowell Ward – called in to committee.
- **Cossall Parish Council** – No objections.
- **Historic England** - Advise that On the basis of the information submitted, they do not wish to offer any comments. They suggest that we seek the views of our specialist conservation adviser.
- **(LB) 6 Amenity Bodies** – No comments received.

5.2 A site notice was posted, with no objections having been received.

### 6. Assessment

#### 6.1 Design and Impact on Conservation Area

6.2 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

6.3 Policy 23 of the Part 2 Local Plan 2019 states that proposals will be support ` where heritage assets and their settings are conserved or enhanced in line with

- their significance. Policy 11 of the Aligned Core Strategy states that development will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their assets and significance.
- 6.4 The proposed carport will be open on all four sides and will measure 25.5m in length, 5.5m in width, 2.1m to the eaves and 4.5m in total height to the pitch of the roof. The carport will be sited along the northern boundary to the rear and will be sited over the 9 parking spaces serving the site. In terms of materials, the carport will consist of open timber trusses and plain tiles to match the main Almshouses building.
- 6.5 The Council's Conservation Officer advises the current application relates to revisions to the previously approved scheme, specifically the alteration of the internal driveway arrangement and the introduction of a shared timber carport structure within the rear part of the site.
- 6.6 The rear of the site has historically been subject to change and is of lesser heritage sensitivity than the principal south elevation of the Almshouses. In addition, the rear of the site is relatively well screened from public viewpoints within the Conservation Area. As such, development within this part of the curtilage has a reduced potential to affect the significance of the listed building when compared to works affecting the principal elevation or boundary frontage. The proposed carport is described as a freestanding timber structure constructed in oak with open sides and traditional roof trusses. The use of simple traditional materials and an open-sided form helps to reduce the visual mass of the structure and ensures that views of the historic boundary wall are not substantially obscured.
- 6.7 Whilst the introduction of a new structure within the curtilage of a Grade II\* listed building inevitably results in a degree of change to its setting, the scale, siting and open form of the proposed carport are considered to limit the level of harm arising. The proposal must therefore be considered in the context of paragraph 215 of the National Planning Policy Framework, which requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.
- 6.8 In this instance, the wider scheme seeks to secure the repair, restoration and viable long-term use of a Grade II\* listed building which has been vacant and in poor condition for a number of years. The provision of an appropriate parking arrangement is a practical requirement to enable the building to function as residential accommodation and thereby secure its ongoing conservation.
- 6.9 Overall, the revised proposals are considered to result in a low level of less than substantial harm to the setting of the Grade II\* listed building and its curtilage. This harm is limited by the siting of the carport to the rear of the site, its relatively modest scale, and the use of traditional materials. When weighed against the public benefits associated with securing the repair, reuse and long-term

conservation of a highly significant Grade II\* listed building, the proposal is considered to be acceptable in heritage terms.

6.10 Ultimately, if the carport was not constructed, then cars would be parked to the rear of the dwellings (as there is no other location) and the cluster of cars parked in an unconcealed location is deemed to be more harmful to the setting of the GII\* listed Almshouses. Thus I do not object and I recommend the following conditions are applied:

- the new carport must be constructed from natural oak. Any other timber is not supported and would require a new approval;
- the use of synthetic timbers are not permitted;
- the roof of the carport must be constructed using the same reclaimed plain tiles that are being used in the re-roofing of Willoughby Almshouses. Any other roofing material is not supported and would require a new approval.

6.11 On this basis, the proposal is considered acceptable and are assessed as preserving the special architectural and historic interest of the listed building, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national conservation policy.

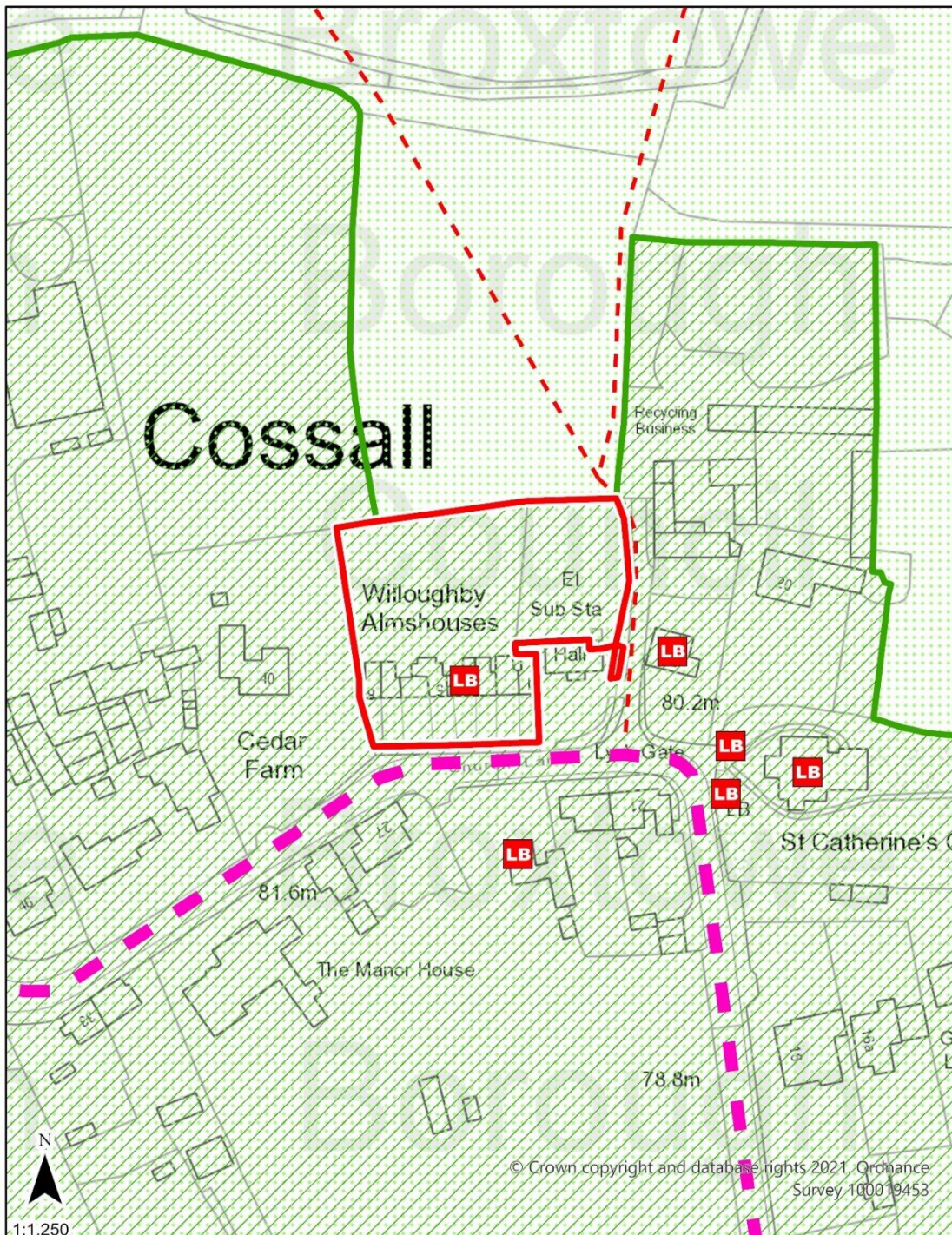
7. Conclusion

7.1 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 Duty and comments raised in the representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that listed building consent be granted subject to conditions outlined in the Appendix.</b>	
<b>1.</b>	<b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this consent.</b>  <b>Reason: To comply with S18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</b>
<b>2.</b>	<b>The development hereby permitted shall be carried out in accordance with the following plans received by the Local Planning Authority on 04 February 2026:</b>  <ul style="list-style-type: none"> <li>• <b>Site Location Plan;</b></li> <li>• <b>Proposed Carport plan and Elevations – 2259/42;</b></li> <li>• <b>Proposed Carport Sections – 2259/42, and;</b></li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Hard and Soft Landscape proposals – 23-035-P-01D</b></li> </ul> <p><i>Reason: For the avoidance of doubt.</i></p>
<p><b>3.</b></p>	<p><b>No building operations shall be carried out until details of the materials to be used have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</b></p> <p><b>Reason: No such details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 23 of the Broxtowe Local Plan Part 2 (2019) and Policy 11 of the Aligned Core Strategy.</b></p>
	<p><b>NOTES TO APPLICANT</b></p>
<p><b>1.</b></p>	<p><b>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</b></p>

Map

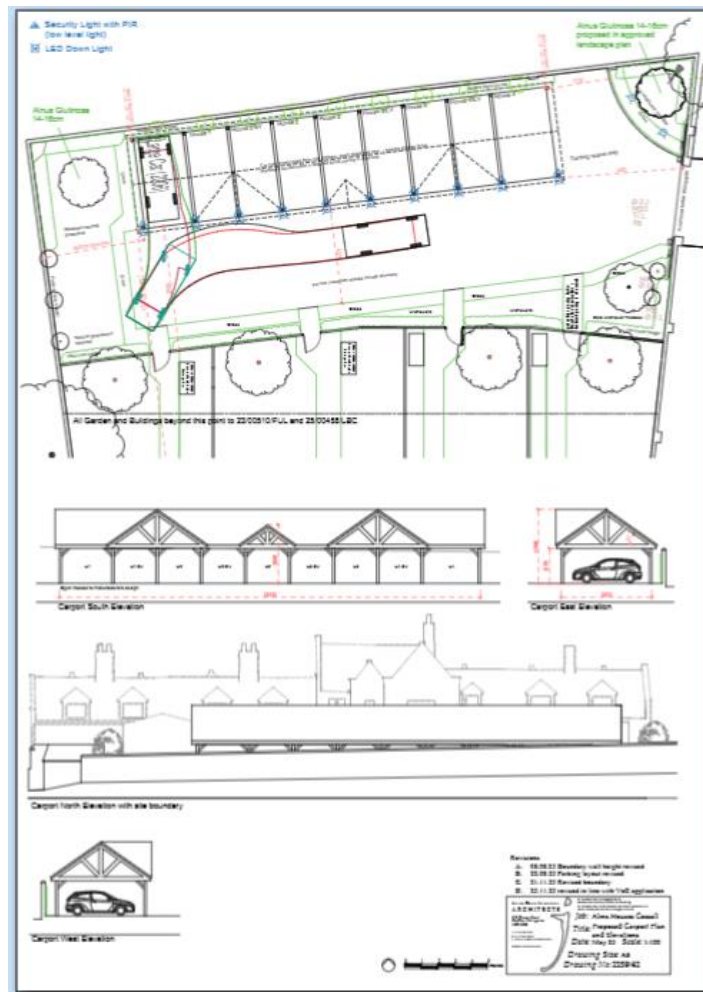


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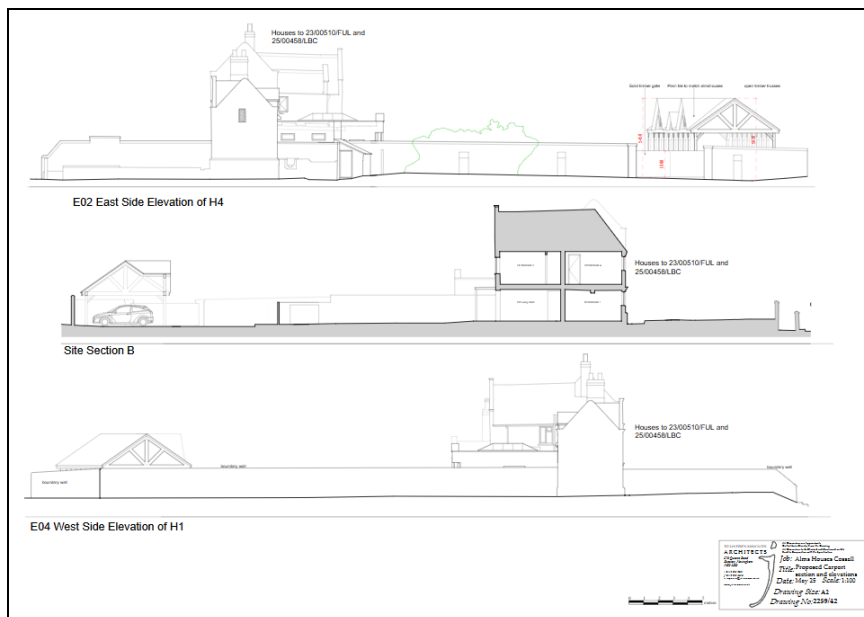
-  Site Outline
-  Classified Road
-  Footpath
-  Conservation Area
-  Green Belt
-  Listed Building

**Plans (not to scale)**

**Site Layout and Elevations**



**Site Sections**



**Report of the Interim Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>26/00070/FUL</b>
<b>LOCATION:</b>	<b>Willoughby Almshouses Church Lane Cossall Nottinghamshire</b>
<b>PROPOSAL:</b>	<b>Construct communal covered parking to rear of Almshouses. Provide associated layout and landscaping.</b>

The application is brought to the Committee at the request of Cllr Pringle as the application site is within Nottinghamshire Green Belt.

1. Purpose of the Report

1.1 The application seeks planning permission to construct a communal covered parking area to the rear of the Almshouses, provide associated layout and landscaping.

2. Recommendation

**The Committee is asked to RESOLVE that planning permission be refused for the reasons outlined in the appendix.**

3. Detail

3.1 The application seeks planning permission to construct a communal covered parking to rear of Almshouses. Provide associated layout and landscaping.

3.2 A separate Listed Building consent application is currently pending consideration under reference number 26/00071/LBC.

3.3 The application site lies within Cossall Conservation Area and the Nottinghamshire Green Belt.

3.4 Both planning permission and Listed Building consent were previously granted under reference numbers 23/00510/FUL and 23/00511/LBC to construct residential extensions to a Grade II\* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. Works are currently well under way to build out the approved consents.

3.5 The main issues relate to whether or not the principle of development is acceptable in the Green Belt, design, impact on the conservation area and Grade II\* Listed Building, neighbour amenity and BNG.

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 planning permission to construct a communal covered parking to rear of Almshouses, provide associated layout and landscaping.
2. Site and surroundings
  - 2.1 The application site is located within the Cossall Conservation Area and Nottinghamshire Green Belt and is located within the centre of Cossall Village. To the front of the site there is a wall to the front boundary with an overgrown garden area beyond. To the rear there is also an overgrown garden area. The Almshouses currently consist of six, one bedroom dwellings and one, three bedroomed dwelling. The building has been extended in the past with the provision of small flat roof extensions to the rear. The site is located within a predominantly residential area with residential properties to the side and directly opposite, with the Parish Hall to the opposite side.
  - 2.2 The Willoughby Almshouses and the adjoining boundary walls are a Grade II\* listed building. The Grade II\* listing reflects the more than special architectural and historic interest of the group. This places the Willoughby Almshouses within the top 8% of listed buildings in England. The Almshouses date from 1685. They were endowed by George Willoughby, a member of a wealthy local family, which included Sir Francis Willoughby, who built the nearby Wollaton Hall. The red brick with plain tile roof building originally consisted of a row of eight individual dwellings for four poor men and women, two of which have been merged. A central unit was designed with a ridged roof. The three to the left and four to the right were expressed with steep gables, which gives the building a wide and grand frontage, despite it being comprised of humble dwellings. The fenestration to the frontage mainly consists of stone chamfered mullioned windows with cast-iron leaded casements and flat drip moulds. The central section of the building has a sundial on the front façade. The principal façade has survived unaltered.
3. Relevant Planning History
  - 3.1 Planning permission and Listed Building Consent was granted under reference numbers 10/00044/FUL and 10/00045/FUL to rebuild the front wall.
  - 3.2 Planning permission was granted under reference number 21/00507/FUL to construct residential extensions to a Grade II\* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.

- 3.3 A Listed Building Consent application for the same description as 21/00507/FUL was formally withdrawn.
- 3.4 Both planning permission and Listed Building consent were previously granted under reference numbers 23/00510/FUL and 23/00511/LBC to construct residential extensions to a Grade II\* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. Works are currently well under way to build out the approved consents.
- 3.5 A Non Material amendment to 23/00510/FUL to change the approved Velux rooflights to conservation rooflights as required in planning condition 11 and revision to the rooflight layout was granted under reference number 24/00495/NMA.
- 3.6 A Non Material amendment to 23/00510/FUL to amend the existing modern flat roof dormers on the rear of the building to be fitted with pitched roofs was granted under reference number 25/00251/NMA.
- 3.7 Listed Building consent was granted for the installation of an electric gate, revision to shared driveway layout, changes to internal layouts and rooflight layout of all four houses and proposed new windows to house 4 under reference number 25/00458/LBC.
- 3.8 A variation of condition 2 of planning permission 23/00510/FUL and Listed Building consent 23/00511/LBC to alter approved drawings to include installation of electric gate, revision to shared driveway layout, changes to internal layouts and rooflight layout of all four houses and proposed new windows to house 4 was granted under reference numbers 25/00561/VOC and 25/00876/LBC.
- 3.9 A further variation of condition 2 (approved plans) of planning permission 23/00510/FUL and Listed Building consent 23/00511/LBC was granted under reference numbers 25/00832/VOC and 25/00876/LBC.
- 3.10 A separate Listed Building consent application is currently pending consideration under reference number 26/00071/LBC.

#### 4. Relevant Policies and Guidance

##### 4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 3 – Green Belt
- Policy 10 - Design and Enhancing Local Identity.
- Policy 11 – The Historic Environment

#### 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 11: The Historic Environment
- Policy 17 - Place-making, design and amenity.
- Policy 23 - Proposals affecting Designated and Non-Designated Heritage Assets

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

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making.
- Section 12 - Achieving well-designed and beautiful places
- Section 13 – Protecting Green Belt land
- Section 16 - Conserving and enhancing the historic environment

### 5. Consultations

#### 5.1 **Consultees**

- **Conservation Officer** – no objections, advises the proposed amendments and submitted details represent a thoughtful and conservation-led evolution of the previously approved scheme. the proposals reflect discussions held on site with the applicant and demonstrate a clear understanding of the significance of the grade ii\* listed Willoughby Almshouses.
- **Ecology Officer** – No objections
- **Cllr L A Ball** – Awsworth, Cossall and Trowell Ward – no comment
- **Cllr D Pringle** - Awsworth, Cossall and Trowell Ward – called in to committee.
- **Cossall Parish Council** – No objections.
- **Historic England** - Advise that on the basis of the information submitted, they do not wish to offer any comments. They suggest that we seek the views of our specialist conservation adviser.
- **(LB) 6 Amenity Bodies** – No comments received.

5.2 7 Neighbours were consulted on the application along with the posting of a site notice, with no objections having been received.

### 6. Assessment

#### 6.1 Principle

6.1.1 The Broxtowe Part 2 Local Plan (2019) Policy 8 states that proposals for development in the Green Belt will be determined in accordance with the NPPF. NPPF paragraph 153 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, although an exception to this is the extension or alteration of a building provided

that it does not result in disproportionate additions over and above the size of the original building. Policy 8 states that additions which result in an increase of more than 30% of the volume of the original building will be regarded as disproportionate.

- 6.1.2 The proposed development is for an outbuilding in the form of a shared carport. Whilst outbuildings can sometimes be considered as an addition to the dwelling in accordance with paragraph 153 of the NPPF, this would typically be for outbuildings sited in very close proximity to the host dwelling. The proposed carport would be sited to the rear of the Almshouses within the approved parking area, and as such is not considered to fall within the criteria of an addition to the dwelling, but as a separate building it is own right. The NPPF does not make any allowances for such buildings being an exception to inappropriate development in the Green Belt.
- 6.1.3 The proposed carport is of a significant size and will consist of two parking spaces for each of the dwellings being created within the conversion of the Almshouses with a total of 9 parking bays, will be open on all four sides and will measure 25.5m in length, 5.5m in width, 2.1m to the eaves and 4.5m in total height to the pitch of the roof. When viewing from the north across the open fields from Awsworth Lane the extensive roof serving the carport will be highly visible.
- 6.1.4 In support of the application the agent considers that in relation to the Green Belt, very special circumstances exist as the existing building is a heritage asset which is currently vacant and badly in need of repair. It is further advised that proposals for parking and access at and to the site are therefore essential for the repair and retention of the Listed Building and its continued beneficial use. The proposal is to include a carport as the protected parking spaces will be more suited to the high quality of the proposed dwelling than parking spaces delineated with hard landscaping only. The proposed carport will be a shared structure with dedicated spaces for each dwelling and will be open on all sides to ensure the view of the existing boundary walls is not obstructed. The carport is to be constructed with oak framing and trussed rafters, befitting the rural surroundings of the green belt. As such, the proposal meets the very special circumstances policy requirements for the Green Belt.
- 6.1.5 It should be noted that the Grade II\* Listed Building already benefits from both planning permission and listed building consent under reference numbers 23/00510/FUL and 23/00511/LBC to construct residential extensions for refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site. Works are currently well under way to build out the approved consents. As part of the planning permission a rear parking area was approved indicating individual parking spaces along with a detailed landscaping scheme. The provision of the carport will be positioned to cover

these parking spaces and it is not considered necessary for the repair and retention of the Listed Building and its continued beneficial use and does not represent very special circumstances to grant planning permission.

- 6.1.6 Taking the above into account, it is considered that the proposal would be inappropriate development in the Green Belt and no very special circumstances have been put forward by the applicant. It is therefore considered that the principle of the development in the Green Belt is not acceptable.

## 6.2 Design and Impact on Conservation Area

- 6.2.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

- 6.2.2 Policy 23 of the Part 2 Local Plan 2019 states that proposals will be supported where heritage assets and their settings are conserved or enhanced in line with their significance. Policy 11 of the Aligned Core Strategy states that development will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their assets and significance.

- 6.2.3 The proposed carport will be open on all four sides and will measure 25.5m in length, 5.5m in width, 2.1m to the eaves and 4.5m in total height to the pitch of the roof. The carport will be sited along the northern boundary to the rear and will be sited over the 9 parking spaces serving the site. In terms of materials, the carport will consist of open timber trusses and plain tiles to match the main Almhouses building.

- 6.2.4 The Council's Conservation Officer advises the current application relates to revisions to the previously approved scheme, specifically the alteration of the internal driveway arrangement and the introduction of a shared timber carport structure within the rear part of the site.

- 6.2.5 The rear of the site has historically been subject to change and is of lesser heritage sensitivity than the principal south elevation of the Almshouses. In addition, the rear of the site is relatively well screened from public viewpoints within the Conservation Area. As such, development within this part of the curtilage has a reduced potential to affect the significance of the listed building when compared to works affecting the principal elevation or boundary frontage. The proposed carport is described as a freestanding timber structure constructed in oak with open sides and traditional roof trusses. The use of simple traditional materials and an open-sided form helps to reduce the visual mass of the structure and ensures that views of the historic boundary wall are not substantially obscured.

6.2.6 Whilst the introduction of a new structure within the curtilage of a Grade II\* listed building inevitably results in a degree of change to its setting, the scale, siting and open form of the proposed carport are considered to limit the level of harm arising. The proposal must therefore be considered in the context of paragraph 215 of the National Planning Policy Framework, which requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.

6.2.7 In this instance, the wider scheme seeks to secure the repair, restoration and viable long-term use of a Grade II\* listed building which has been vacant and in poor condition for a number of years. The provision of an appropriate parking arrangement is a practical requirement to enable the building to function as residential accommodation and thereby secure its ongoing conservation.

6.2.8 Overall, the revised proposals are considered to result in a low level of less than substantial harm to the setting of the Grade II\* listed building and its curtilage. This harm is limited by the siting of the carport to the rear of the site, its relatively modest scale, and the use of traditional materials. When weighed against the public benefits associated with securing the repair, reuse and long-term conservation of a highly significant Grade II\* listed building, the proposal is considered to be acceptable in heritage terms.

6.2.9 Ultimately, if the carport was not constructed, then cars would be parked to the rear of the dwellings (as there is no other location) and the cluster of cars parked in an unconcealed location is deemed to be more harmful to the setting of the Grade II\* listed Almshouses. Thus I do not object and I recommend the following conditions are applied:

- the new carport must be constructed from natural oak. Any other timber is not supported and would require a new approval;
- the use of synthetic timbers are not permitted;
- the roof of the carport must be constructed using the same reclaimed plain tiles that are being used in the re-roofing of Willoughby Almshouses. Any other roofing material is not supported and would require a new approval.

6.2.10 On this basis, the proposal is considered acceptable and are assessed as preserving the special architectural and historic interest of the listed building, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national conservation policy.

### 6.3 Amenity

6.3.1 Due to the location of the carport to the rear of the building, it is not considered the proposal would give rise to any significant impacts upon the amenity of existing surrounding residential properties. The proposal would also provide adequate living conditions and outdoor amenity space for future residents.

#### 6.4 Highway Safety

6.4.1 Vehicular access to the rear of the building leading to the proposed parking area is proposed via an existing driveway to the side of Cossall Parish Hall and number 22 Church Lane. The existing private driveway is proposed to be widened to 5.3m, which will lead to a driveway running across the land to the rear of the Parish Hall into a parking area. The provision of the parking to the rear of the Almshouses has already been established through the granting of planning permission under reference number 23/00510/FUL. There are no highway safety issues relating to this proposal.

#### 6.5 Biodiversity Net Gain (BNG)

6.5.1 The Council's Ecology Officer advises that appropriate biodiversity net gain assessment has been completed by Betts Ecology dated 30 September 2025 which identifies the site to comprise an existing base-line of 0.88 habitat units and 0.21 hedgerow units. As site clearance and formation of a new car park has already begun these calculations are based on historic photographic evidence and the results of a previous survey carried on the site by Dr Stefan Bodnar.

6.5.2 Based on the current proposal the scheme will result in a net biodiversity loss of minus -65.37% habitats and as such does not achieve the statutory 10% biodiversity net gain requirement, does not meet the trading rules and this will need to be resolved to meet the mandatory 10% net gain requirement and satisfy the pre-commencement net gain condition.

#### 7. Planning Balance

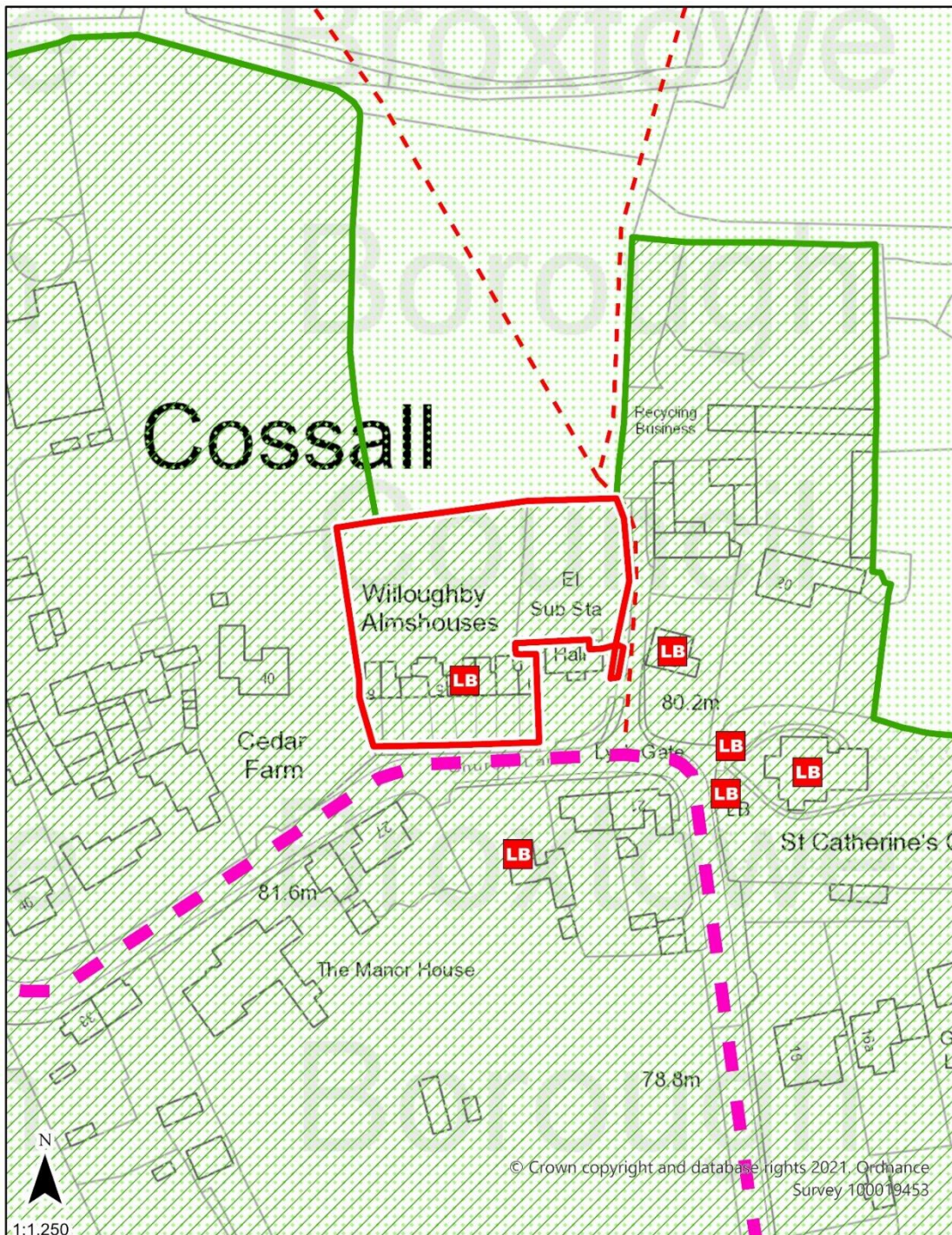
7.1 The proposed carport would be set in the Green Belt and does not meet any of the criteria to be considered as an exception to inappropriate development as set out by paragraph 153 of the NPPF. Whilst it would not result in an unacceptable upon the Conservation Area or Grade II\* Listed Building, loss of amenity for neighbouring properties or highway safety, the harm as a result of its inappropriateness in the Green Belt outweighs its benefits and therefore on balance the proposal is considered unacceptable.

#### 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.

<b><u>Recommendation</u></b>	
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 153 of the NPPF inappropriate development is by definition harmful and should not be approved except in very special circumstances. The proposed development does not meet any of the exceptions to inappropriate development as set out by paragraphs 154 and 155 of the NPPF. The proposal is therefore contrary to the Broxtowe Part 2 Local Plan (2019) Policy 8 and Section 13 of the National Planning Policy Framework (NPPF) 2024 and no very special circumstances have been demonstrated or other material considerations to treat the proposal as an exception to these policies.
	<b>NOTES TO APPLICANT</b>
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

Map

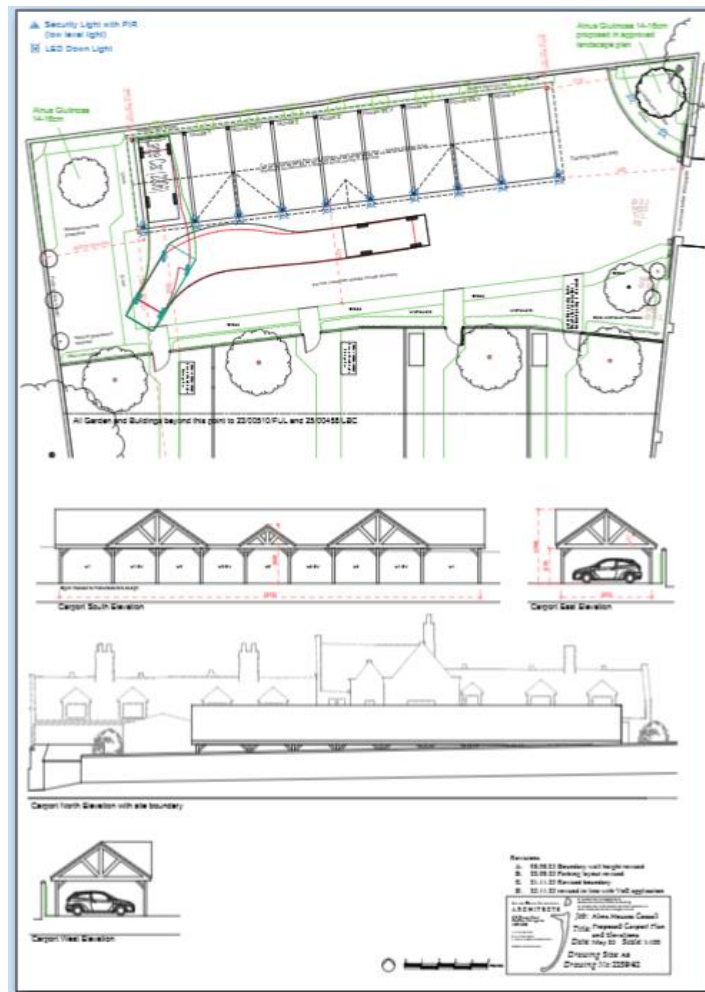


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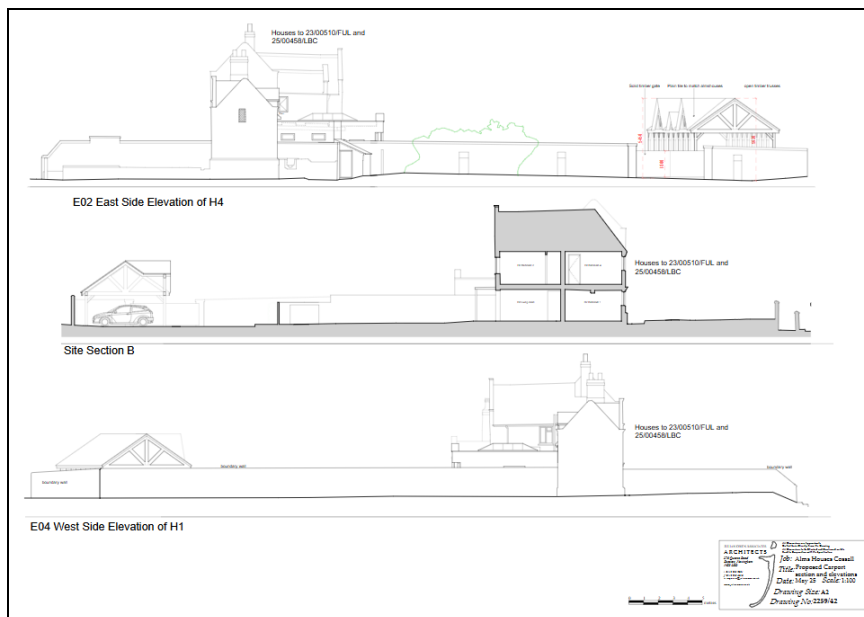
-  Site Outline
-  Classified Road
-  Footpath
-  Conservation Area
-  Green Belt
-  Listed Building

**Plans (not to scale)**

**Site Layout and Elevations**



**Site Sections**



**Report of the Interim Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>26/00084/FUL</b>
<b>LOCATION:</b>	<b>Land Off Vernon Court, Nuthall</b>
<b>PROPOSAL:</b>	<b>Construct two-storey building to provide two flats</b>

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

1. Purpose of the Report

1.1 The application seeks planning permission for the erection of a two-storey building to accommodate two residential flats. The building will be a traditional two storey property with gable roof. Each flat will have a single bedroom, kitchen/dining/living room and shower room with toilet. A communal bin store to the front and a grassed area to the side and rear of the building will be provided. The building would have solar panels and an EV charging point which will be located to the side.

2. Recommendation

**The Committee is asked to RESOLVE that planning permission be granted for the reasons outlined in the appendix.**

3. Detail

3.1 The application seeks permission for the construction of a two storey building to accommodate two residential flats as outlined in paragraph 1.1 above.

3.2 The main issues relate to whether the principle of two flats is acceptable in terms of location, design, scale, parking issues and impact on neighbour amenity.

3.3 The benefits of the proposal are that it would add to the housing supply within Broxtowe and be sited within an urban location with access to regular sustainable transport links in accordance with policies contained within the development plan which is given significant weight. There would be some impact on neighbour amenity but these matters are considered to be outweighed by the benefits of the scheme, as 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 for a two-storey building comprising two flats. Each flat would have a single bedroom, kitchen/dining/living room and shower room with toilet. The ground floor flat would have an area of 41.05 sqm and the first floor flat would have an area of 44 sqm. A communal external bin store, EV charger and a shared private yard will be provided to the side and rear of the building.
- 1.2 The plans submitted specify the overall height being 7.3m to the ridge, 5.1m to the eaves. Access to the flat1 would be positioned on the front elevation and to Flat 2 in the rear elevation. The front elevation would have two windows at first floor level, a window and a door at ground floor level. The northeast elevation, facing the front elevations of 14 to 17 Vernon Court would have two windows at first floor level, and three windows at ground floor level, one serving the rear porch. The northwest elevation, facing 18 to 21 Vernon Court would have two windows one to each level and Flat 2's door. The southwest elevation facing numbers 24 to 32 Vernon Drive, would have a window at ground floor level.
- 1.3 The building would be built adjacent to the boundary with nos. 24 to 28 Vernon Drive and would be set in 10.5m from these properties' rear elevations. The northwest elevation would be 24.1m from nos. 19 and 21 Vernon Court's front elevation and would be 14.8m away from 14 to 17's front elevations.

2. Site and surroundings

- 2.1 The application site includes a hard standing courtyard off Vernon Court. There is a 1.6m high brick wall along the boundary with nos. 24 to 32 Vernon Court. Other properties in the vicinity have open frontages.
- 2.2 The site lies within a residential area and is within walking distance (approx. 11 minutes) to regular bus services. The site is mainly flat.
- 2.3 14 to 17 Vernon Court is a two storey block of flats positioned to the north east of the application site, 18 to 21 and 24 to 32 are terrace properties which are to the north west and south west of the application site respectively .

3. Relevant Planning History

- 3.1 An application to construct one building to form 2 apartments (ref. 24/00431/FUL) between nos.14-17 and 18-19 Vernon Court was refused for the following reasons: *The proposal represents an unsatisfactory form of development which is out of keeping with the pattern of development within the immediate vicinity of the application site. By virtue of its siting, layout and design the proposal fails to positively integrate into its surroundings. As a result, the development will be harmful to the appearance and character of the*

area and is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014), Policy 17 of the Broxtowe Part 2 Local Plan (2019), Policy 1 New Housing and Policy 5 Design and the Historic Environment of the Nuthall Neighbourhood Plan 2018. The application was appealed and the appeal was allowed.

- 3.3 The Planning Inspector stated that the development plan demonstrates that the proposed building would not result in a cramped relationship and the general scale and form of the development would complement adjacent built form allowing it to successfully integrate into its surroundings. The Inspector continues that the building would not appear isolated in this context and would not be out of character with the varied plot formations in the area. In respect of privacy, the Inspector concluded that the separation distances and relative window positioning would be sufficient to ensure no adverse overlooking issues would occur.

#### 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 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity.
- Policy 14: Managing Travel Demand

##### 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.

##### 4.3 **Nuthall Neighbourhood Plan 2018**

- Policy 1: New Housing
- Policy 5: Design and the Historic Environment

##### 4.4 **National Planning Policy Framework (NPPF) 2024**

- Section 2: Achieving sustainable development
- Section 4: Decision-making.
- Section 5: Delivering a sufficient supply of homes
- Section 11: Making effective use of land
- Section 12: Achieving well-designed and beautiful places

5. Consultations

5.1 **Consultees**

- Cllr P Owen - called application in to committee
- Cllr J Couch – raised no objection to the proposed development as the land is pretty derelict. Recommended to consult the bungalows on Vernon Drive
- **Environmental Health** – raised no objections subject to the following conditions:
  - ✓ No construction hereby approved shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:
    - a) The means of access for construction traffic;
    - b) parking provision for site operatives and visitors;
    - c) the loading and unloading of plant and materials;
    - d) the storage of plant and materials used in construction of the development;
    - e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and
    - f) details of dust and noise suppression to be used during the construction phase.

The approved statement shall be adhered to throughout the construction period.

- ✓ No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect nearby occupants from excessive construction noise and vibration.

- **NCC Highways** – requested a revised plan showing increased access width to 5.8m for the first 8m. Access drives will need to be hard surfaced with suitable drainage. Revised plans were received to address NCC Highways request.

5.2 25 Neighbours were consulted on the application and a site notice was posted on Vernon Court on 10<sup>th</sup> March 2026. Five responses were received from immediate neighbours, raising objections to the proposed development which can be summarised as follows:

- Disruption
- Noise and dust disturbance
- Loss of light
- Sense of enclosure
- Proposed development is not feasible
- Loss of privacy/overlooking

- Proximity of proposed building to neighbouring properties
- Lack of maintenance of the grounds by landlord
- Lack of consideration for residents
- Access to Vernon Court during construction works
- Impact on quality of life
- Loss of view
- Boundary issues
- Information about the tree on site is inadequate
- Impact on existing trees located beside the northern boundary
- Benefit of new dwellings
- Lack of construction plan

## 6. Assessment

### 6.1 Principle

6.1.1 The principle of a two-storey building to create two flats is deemed acceptable in regard to the character of the surrounding area. The site is located within an urban location close of Nuthall. It is therefore considered the principle of residential development on the land is acceptable.

### 6.2 Design and Layout

6.2.1 Policy 8 of the ACS paragraph 4 states that the appropriate mix of house size, tenure and density within housing development will be informed by c) local demographic context and trends, d) local evidence of housing need and demand, f) area character, site specific issues and design considerations, and g) the existing or proposed accessibility of a location by walking, cycling and public transport. Policy 15 of the P2LP states in Section 6 that development should provide an appropriate mix of house type, tenure and density to ensure that the needs of the residents of all parts of the Borough.

6.2.2 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that new development should a) integrates into its surroundings, b) provides, or is close to, community facilities, c) has good access to public transport, k) provides adequate external storage and n) encourages walking and cycling.

6.2.3 The proposed building would have a gable roof and is of a size and scale that is in keeping with the surrounding area which is characterised by terrace properties/ block of flats with gable roofs, and detached bungalows. The front façade has been designed in a manner that is sympathetic to the surrounding properties. Considering the mix of designs and materials, it is considered that the proposed building would not appear out of character with the surrounding area.

- 6.2.4 Information provided on the submitted Planning Statement indicates that the proposed building will be constructed using brick, exterior cladding and with interlocking concrete roof tiles to reflect the materials used on neighbouring properties.
- 6.2.5 To summarise, it is considered the proposed development achieves an acceptable level of design that is not out of keeping with the surrounding area.

### 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 Numbers 30 and 32 Vernon Drive and 20-21 Vernon Court are two storey terrace properties which are to the north west of the application site, and due to the orientation of these properties in relation to the proposed building, they will face the building's rear elevation. The proposed building will have one window to each floor level on the rear elevation, and will be 14.8m away from no.30's rear elevation and 24.1m away from nos.20-21's front elevations. Given the distance between these properties and the proposed building, it is considered this relationship is acceptable as there is already a mutual level of overlooking between the existing properties, so the impact of the building in terms of overlooking would be unlikely different to the existing situation.
- 6.3.3 Numbers 14, 15, 16 and 17 are to the north of the application site. Whilst the proposed building would have two windows at first floor level facing these properties' front elevations, taking into consideration the location of the building within the site (setback 3.4m from the site's front boundary) and the position of these windows in the facing elevation) it is considered that loss of privacy and overlooking should be minimal. Furthermore a separation distance of 14.7m from these properties has been proposed.
- 6.3.4 The properties most directly affected by the development will be numbers 24, 26, and 28 Vernon Drive due to the separation distance. These properties are located to the south west of the application site and have windows at first floor level facing the application site. However, the side elevation of the proposed building would have no windows at first floor level and will only have one window at ground floor level, facing mainly numbers 24 and 26's rear boundary wall. The Planning statement indicates that the building has been designed to prevent any impact in terms of overlooking. Furthermore, the nearest rear windows are 10.5m away from the proposed building.
- 6.3.5 Having regard to the overall height and scale of the proposed building, its siting in relation to neighbouring dwellings and there being only two windows at first floor level on the north east (side) and north west (rear) elevations which are at a suitable distance, and that whilst this would introduce a built form close to these properties where there is currently none, on balance and

due to these reasons it is considered the proposed development would not have a significantly detrimental impact on the occupants of these neighbouring properties.

6.3.6 Overall, it is considered that whilst there would be some degree of overlooking, this is a built up area which is already overlooked by first floor windows. To conclude, it is acknowledged that there will be some impact on neighbour amenity, however, the impact would not be so detrimental as to warrant a refusal.

6.3.7 In respect to the amenity of future occupiers, each flat would be for single occupancy and would have a minimum of 41 square metres gross internal floor space, which is in line with the Government's Technical Housing Standards. A small outdoor amenity space is provided and to store bins. Overall, it is considered that the amenity of future occupiers has been considered adequately.

#### 6.4 Access

6.4.1 Some concerns have been raised regarding access to Vernon Court and lack of construction plan given the narrow nature of the street. However, the Council's Environmental Health Department has requested the inclusion of a pre-commencement condition that covers these issues.

6.4.2 In respect to access to the new building, NCC Highways has requested the following requirements: access drive to be 5.8m in width for the first 8m, hard surfaced with suitable drainage. A revised plan was submitted to address Highway's request.

6.4.3 With regard to the tree to the rear of the site, the proposed block plan shows that the tree will be retained.

#### 7. Other matters

7.1.1 An observation was made regarding potential disruption during construction (noise). A degree of disturbance, is to be expected from construction works. Anything that is considered to be excessive could be dealt with by the Environmental Health Department.

7.1.2 Issues of site's lack of maintenance by landlord and boundary issues, whilst these are valid concerns, they are not material planning considerations as they are covered by other legislation. Loss of view is not a material planning consideration that would be afforded significant weight. Comments made about impact of proposed development on existing trees are related to planning permission 24/00431/FUL which was allowed by appeal.

7.1.3 In relation to the Ash tree located within the application site, the proposed block plan shows that the tree will be retained and although the proposed building will be close to the tree, there is a distance of approximately 1.4mm

between the rear elevation and the tree (which is not protected by a TPO). However, the tree report submitted states that this tree is infected with Chalara Ash Dieback and whilst no action is required at the moment, the report advice is that it should be removed and replaced with a new tree. As the tree will be retained and taking into consideration this observation, the applicant will be advised of the need to avoid any damage to this tree during the construction works.

8. Planning Balance

8.1 The benefits of the proposal are that it would provide two additional homes within an existing urban area, the new residential units would have an acceptable design and provide an appropriate density for this residential area and would be in accordance with policies contained within the development plan. Whilst it is acknowledged there will be some impact on the amenity of neighbours, this is outweighed by the benefits of the scheme.

9. 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 the refusal of permission.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</b>	
<b>(i) the following conditions:</b>	
<b>1.</b>	<b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b>  <b><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></b>
<b>2.</b>	<b>The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 10 February 2026 and the Proposed Block Plan, floor plans and Elevations Revision C (drawing numbered DB/RD/25/22/02) received by the Local Planning Authority on 17 March 2026.</b>

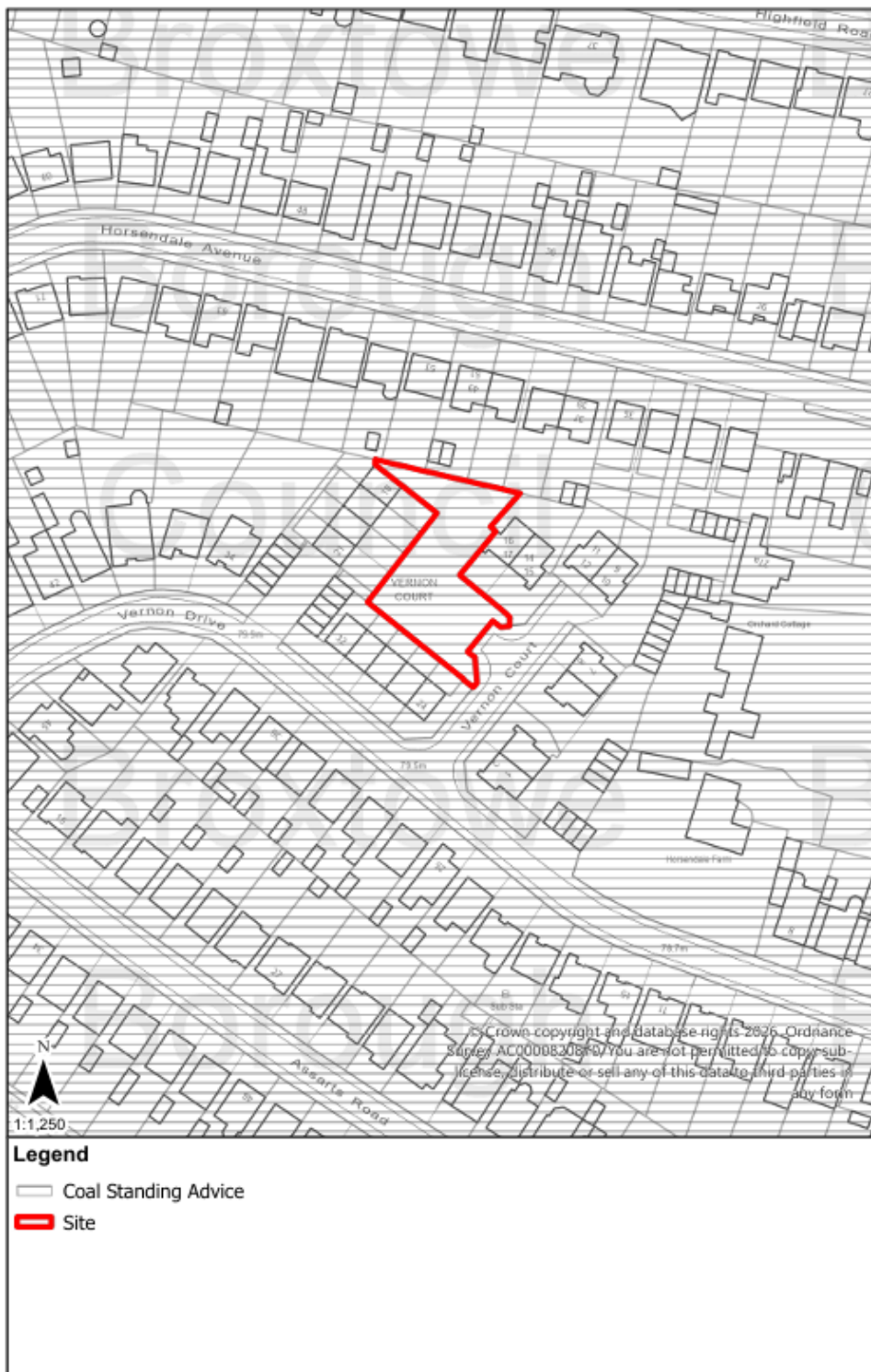
	<i>Reason: For the avoidance of doubt.</i>
3.	<p>The proposed development shall be constructed in accordance with the materials contained within the Supporting Statement ref. PG/2024/22, section Appearance received by the Local Planning Authority on 10 February 2026.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019) and Policies 1 and 5 of Nuthall Neighbourhood Plan 2018.</i></p>
4.	<p>No construction hereby approved shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ul style="list-style-type: none"> <li>a) The means of access for construction traffic;</li> <li>b) parking provision for site operatives and visitors;</li> <li>c) the loading and unloading of plant and materials;</li> <li>d) the storage of plant and materials used in construction of the development;</li> <li>e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and</li> <li>f) details of dust and noise suppression to be used during the construction phase.</li> </ul> <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect nearby residents from excessive disturbance and loss of amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
5.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and in accordance with Policy 17 and 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>

	NOTES TO APPLICANT
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK</p> <p>Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority’s website at: <a href="http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-onyour-property">www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-onyour-property</a> What is a permit and how to get one? - GOV.UK (<a href="http://www.gov.uk">www.gov.uk</a>)</p> <p>In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.</p> <p>If any future development has the potential to encounter coal seams which require excavating, for example excavation of</p>

	<p>building foundations, service trenches, development platforms, earthworks, noncoal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <a href="https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements">https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements</a></p> <p>If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK</p>
<p>3.</p>	<p>As this permission relates to the creation of new residential units, please contact the Council’s Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure an address is 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.</p>
<p>4.</p>	<p>The applicant is advised that during the construction works, no materials, equipment or machinery shall be stored beneath the branches of the existing tree.</p>

**Map**

**Site Location Plan**



**Plans (not to scale)**

**Site Location Plan and Proposed Block Plan**



**SITE LOCATION PLAN**



**PROPOSED SITE BLOCK PLAN**

Proposed Floor Plan



PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR

Proposed Elevations



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

**Report of the Interim Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>26/00100/FUL</b>
<b>LOCATION:</b>	<b>18 Garton Close, Chilwell NG9 4GH</b>
<b>PROPOSAL:</b>	<b>Construct dwelling in lieu of approved household extension</b>

The application is brought to committee at request of Councillor Stephen Jeremiah.

**1. Purpose of the Report**

1.1 The application seeks planning permission to change the use of the two-storey side extension to form a semi-detached new dwelling.

**2. Recommendation**

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

**3. Detail**

3.1 The application seeks full planning permission to convert the approved two storey side extension into a new dwelling. The proposed dwelling would have one bedroom and a bathroom at first floor level, and an open plan kitchen/dining/living room and WC at ground floor level.

3.2 The application site consists of a two storey end of terrace dwelling with a drive way and garden area to the front/side and a garden to the rear. The dwelling is located in a residential area formed mainly by terraced properties.

3.3 In regard to neighbouring properties, the site is located in a built up residential area of Chilwell with adjacent neighbours to the north west (nos.33 to 37 Valley Road), to the south (17 Garton Close) and to the west (no.1 Lark Close).

3.4 The benefits of the proposed development are that it would add to the housing supply within a residential area. However, the proposal fails to demonstrate that a new dwelling can be accommodated within the site without resulting in a contrived and cramped form of subdivision that fails to reflect the established character and pattern of the surrounding residential area. The proposal is also considered to be an overdevelopment of the site to the detriment of the living conditions of future occupants.

**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 planning permission to change the use of the approved householder side extension into a new dwelling.
- 1.2 The new dwelling would have a depth of 6.5m and a width of 5.3m. It would have a gable roof with two dormers on the front roof slope. The side elevation would have a door and the rear elevation would have two windows. The front elevation would have a door and a window.
- 1.3 The proposed dwelling would have one bedroom and a bathroom at first floor level, and an open plan kitchen/dining/living room and WC at ground floor level. The property would have one parking space to the front and a front/side garden area.

2. Site and surroundings

- 2.1 The application site is located within a predominantly residential area and consists of a two storey end of terrace house with a gable roof. The host property has a single storey rear extension with lean-to roof which is still under construction. The rear garden is relatively generous with a length of 22m.
- 2.2 The site is flat and there is a gravelled driveway partially open to Garton Close with parking space for two or three vehicles.
- 2.3 Nos.33 Valley Road is a two storey end of terrace property situated to the north west of the application site. The terrace properties are oriented east to west and have first floor windows on the rear elevation facing the host dwelling's rear garden.
- 2.4 No.17 Garton Close is the adjoining two storey dwelling situated to the south of the application site.

3 Relevant Planning History

- 3.1 A full planning application (24/00751/FUL) to construct a one and a half storey side extension was granted permission in January 2025.
- 3.2 An application (25/00214/FUL) to construct a two storey side extension was refused in April 2025 due to the scale, massing and design of the extension which would create an incongruous appearance within the street scene and the negative impact in terms of loss of light and overbearing impact on the neighbouring property.
- 3.3 The applicant appealed the decision and the appeal was allowed. The inspector concluded that the proposed extension would have an acceptable effect on the character of the area and that there would not have an unacceptable impact on the amenity of neighbouring properties in terms of

outlook, loss of light, privacy or overbearing impact. Nor it would give rise to undue pressure on on-street parking or highway safety.

#### 4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 8: Housing size, mix and choice
- Policy 10: Design and Enhancing Local Identity

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

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

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity

##### **4.3 Chetwynd: The Toton and Chilwell Neighbourhood Plan**

4.3.1 The Council adopted the neighbourhood plan on 15 May 2024

- Policy 16: Urban Design: Amenity Space & Privacy

##### **4.4 National Planning Policy Framework (NPPF) 2024:**

- Section 2 – Achieving Sustainable Development.
- Section 5 – Delivering a sufficient supply of homes
- Section 12 – Achieving well-designed places.

#### 5. Consultations

5.1 Seven properties either adjoining or adjacent to the site were consulted and two responses were received from same neighbour raising objections for the following reasons:

- Change of use from householder extension to a new dwelling
- Loss of privacy due to side door and rear roof windows
- Sense of enclosure
- Loss of light
- Extension not built as approved
- Parking issues during construction works
- Lack of information about drainage, soil pipe and existing manhole
- Demolition of party wall

## 6. Assessment

- 6.1 The application proposes the provision of a two storey one-bedroom property attached to the host dwelling no. 18 Garton Close following the approval of a two storey side extension. The main issues relate to whether the proposed change of use would be acceptable, the impact on the character of the area and whether there would be an unacceptable impact on neighbour amenity including the amenity of future occupiers.
- 6.2 The existing driveway will remain which serves the host dwelling, with the provision of a new driveway to the front of the proposed dwelling.
- 6.3 In terms of mass and scale, the Inspector assessment states that the approved extension would read as a subservient addition, with the form of the original dwelling clearly discernible and would not appear dominant when seen from the street scene.
- 6.4 In terms of design, the side extension was considered acceptable and having a gable end, it would have a similar profile to other terraces in the street scene.
- 6.5 According to the Inspector assessment, the approved side extension was not considered to result in an unacceptable loss of amenity for neighbouring residents. However, the current scheme seeks permission for a new dwelling (semi-detached) and the impact of the change of use must be assessed as such.
- 6.6 At pre application stage it was advised the following:  
There are significant concerns with regards to the fragmentation of the site to the detriment of the spacious character of the locality. As the private garden area would be fronting the highway and set side on to the front driveway of the existing property, it is likely future occupier would install 2m high fencing to provide privacy which would increase the sense of enclosure. The proposed plot layout would also be at odds with surrounding plots with rear gardens. In light of the above, the proposal would cause the general erosion of the spacious setting, therefore adversely affecting the character and appearance in this location.
- 6.7 It was advised that according to Policy 17 of the Part 2 Local Plan any new development should be adequately separated from any neighbouring properties to ensure the amenity of any neighbouring properties is protected in terms of any potential overlooking, overbearing or overshadowing impact. There are concerns regarding the level of garden privacy provided for future occupiers of the new dwelling due to the main garden area fronting the highway. All proposed residential units should provide an acceptable level of outlook and daylight.

- 6.8 With regard to the impact on nearby properties the main issue is to the rear and side of the proposal and would have its main impact on 33 Valley Road. Objections have been received from in respect of loss of light, sense of enclosure and overlooking issues. This property used to have a rear garden with no buildings on its rear boundary. This has been detrimentally altered by the new development, which has had an impact on the occupiers of no.33, loss of light and privacy. However, it is noted that the built form is the same as the one previously approved at appeal and as such, this proposal will not have any additional impact compared to the approved scheme on existing neighbours.
- 6.9 In respect of amenity for future occupiers, whilst the new dwelling is considered to provide an acceptable standard of accommodation for the future occupiers, the host dwelling will be significantly close to the proposed dwelling which will not only cause a cramped form of development but will also likely cause a cramped form of development which could be particularly overbearing for existing and new occupants of the site. During the site visit it was noted that the site is of insufficient size to accommodate an additional dwelling. Whilst it is acknowledged that the site has a decent frontage, this is not considered sufficient as useable private amenity space. Furthermore, the rear of the site would be 1.4m away from the boundary with no.33 Valley Road.
- 6.10 It is also considered that the proposed development would result in a contrived and cramped form of subdivision that fails to reflect the established character and pattern of the surrounding residential area. The development would create a plot arrangement and garden configuration that is markedly at odds with the prevailing layout of neighbouring properties. The proposal therefore fails to integrate into its surroundings and would be contrary to Policy 17 of the Part 2 Local Plan.
- 6.11 Overall it is considered that the site is of an insufficient size to accommodate an additional dwelling with the necessary garden area and would appear contrived and out of keeping. It is also considered the proposal is a contrived effort in creating a new dwelling within the footprint and massing of a household extension. Accepting such development would set a precedent for additional subdivision of plots immediately adjacent to the site.

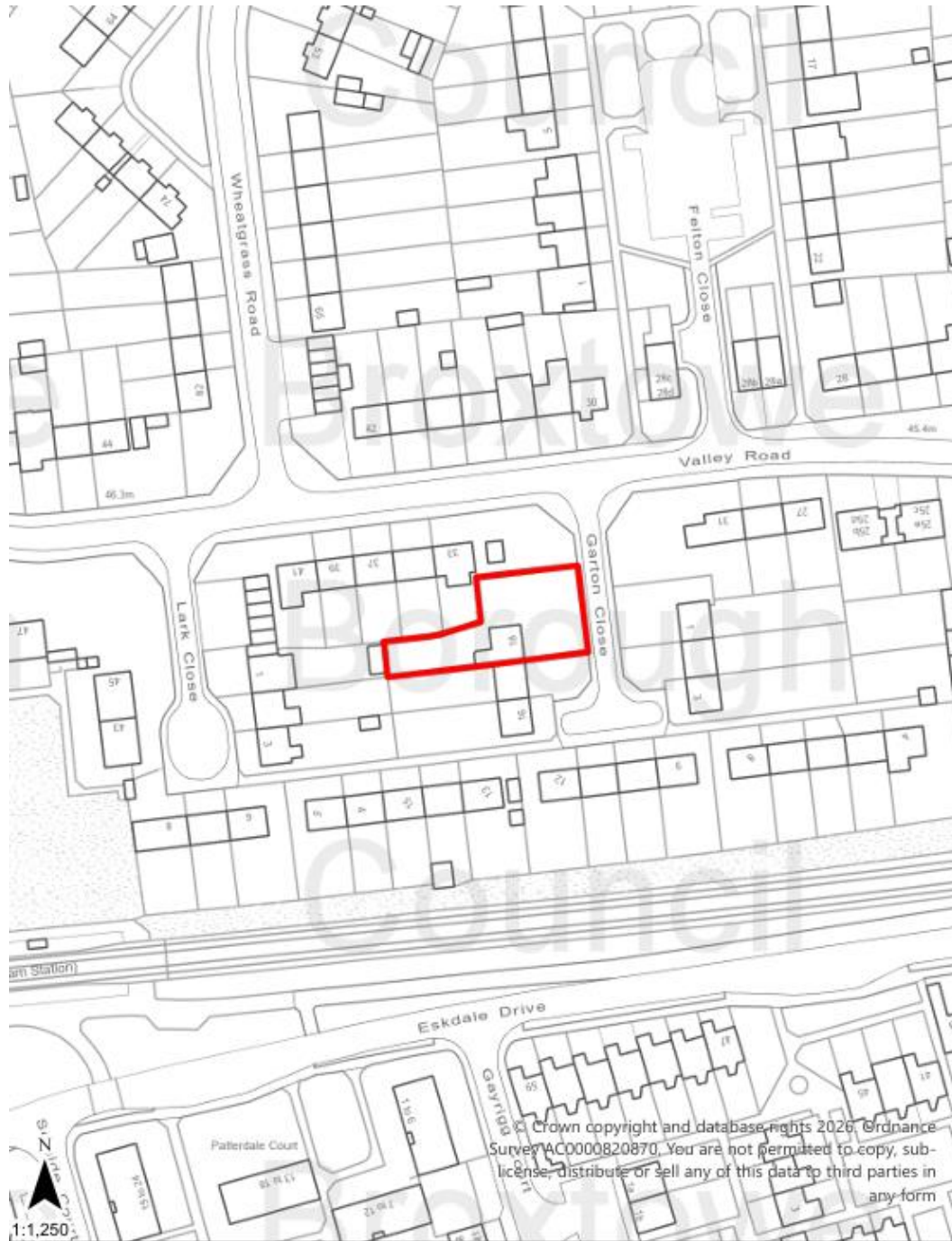
## 7. Conclusion

- 7.1 It is considered the principle of a proposed dwelling in this location is unacceptable. Whilst it is acknowledged the host dwelling is contained on a substantial sized plot due to it being positioned on a corner which can be typically generous in size, it is considered the shape of the site and its relationship with neighbours would result in a contrived form of development.
- 7.2 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including comments raised in the representations received, the development is

unacceptable and that there are no circumstances which otherwise would justify the granting of permission.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be refused for the following reasons.</b>	
<b>1.</b>	<b>The proposed development would result in a contrived and cramped form of subdivision that fails to reflect the established character and pattern of the surrounding residential area and would result in a detrimental impact on the amenity of future occupiers. The development is therefore contrary to Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019), Policy 16 of Chetwynd Neighbourhood Plan and NPPF (2024).</b>

Site Location Plan



Legend

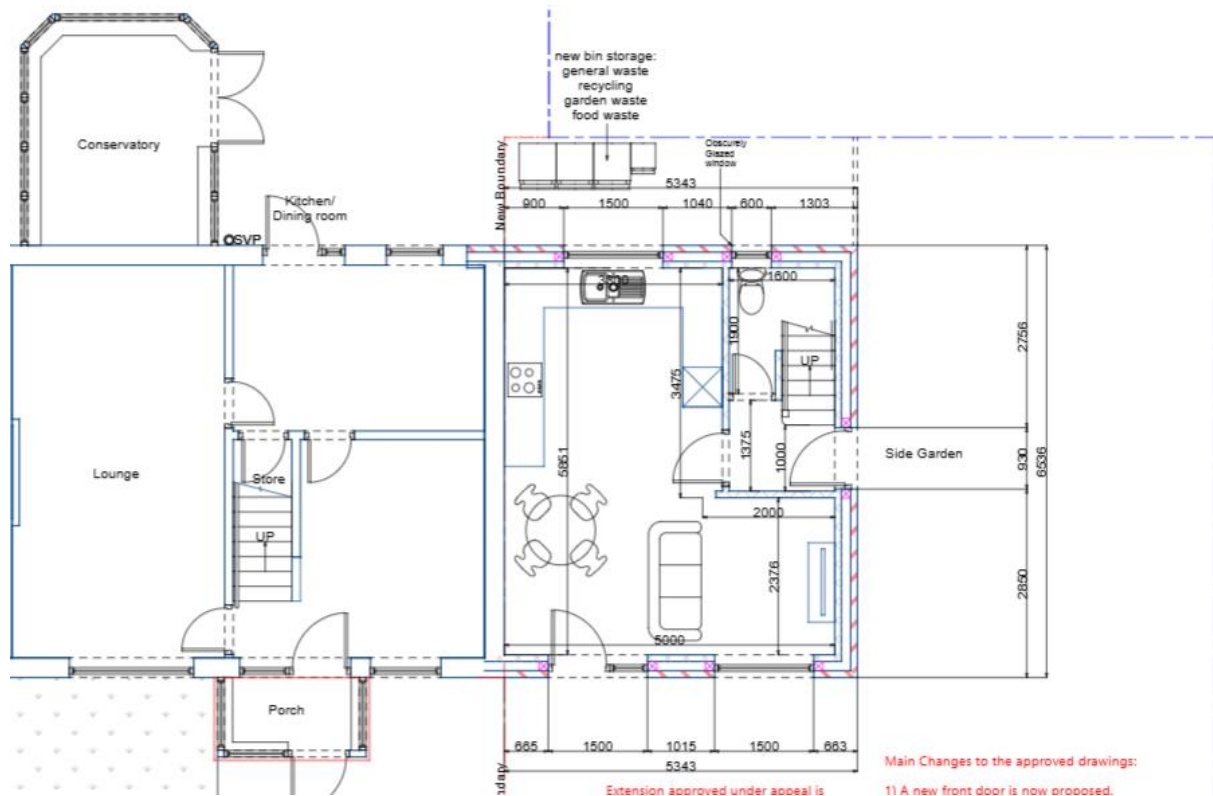
 Site

**Plans**

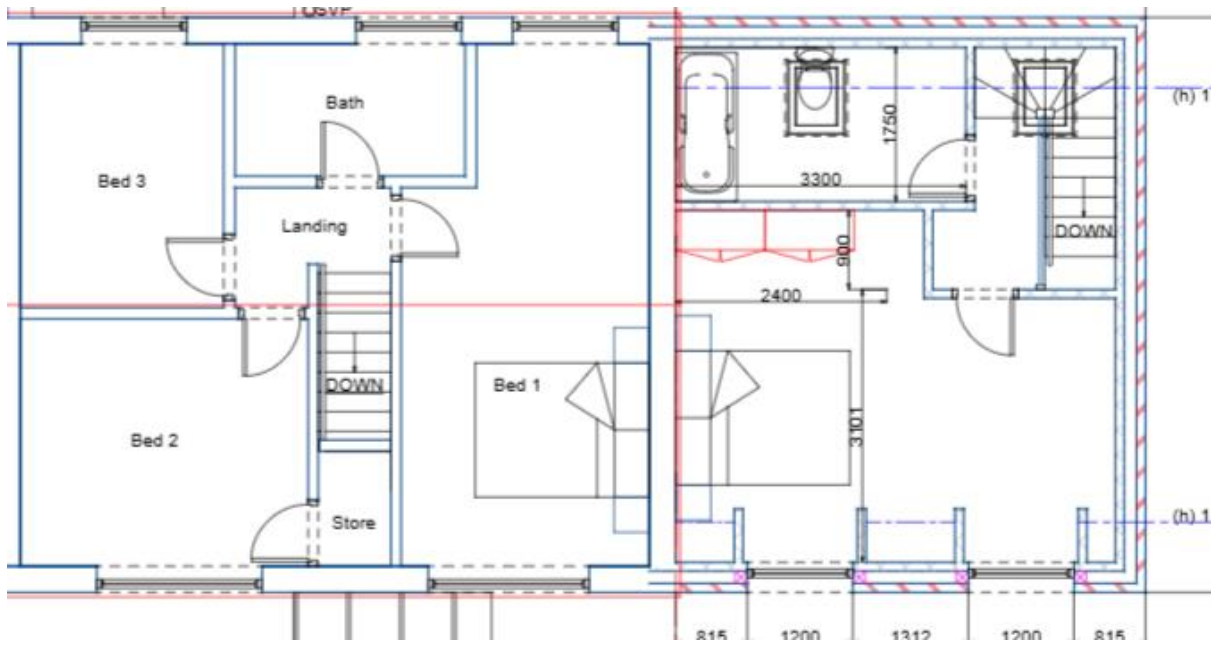
**Site Location Plan**



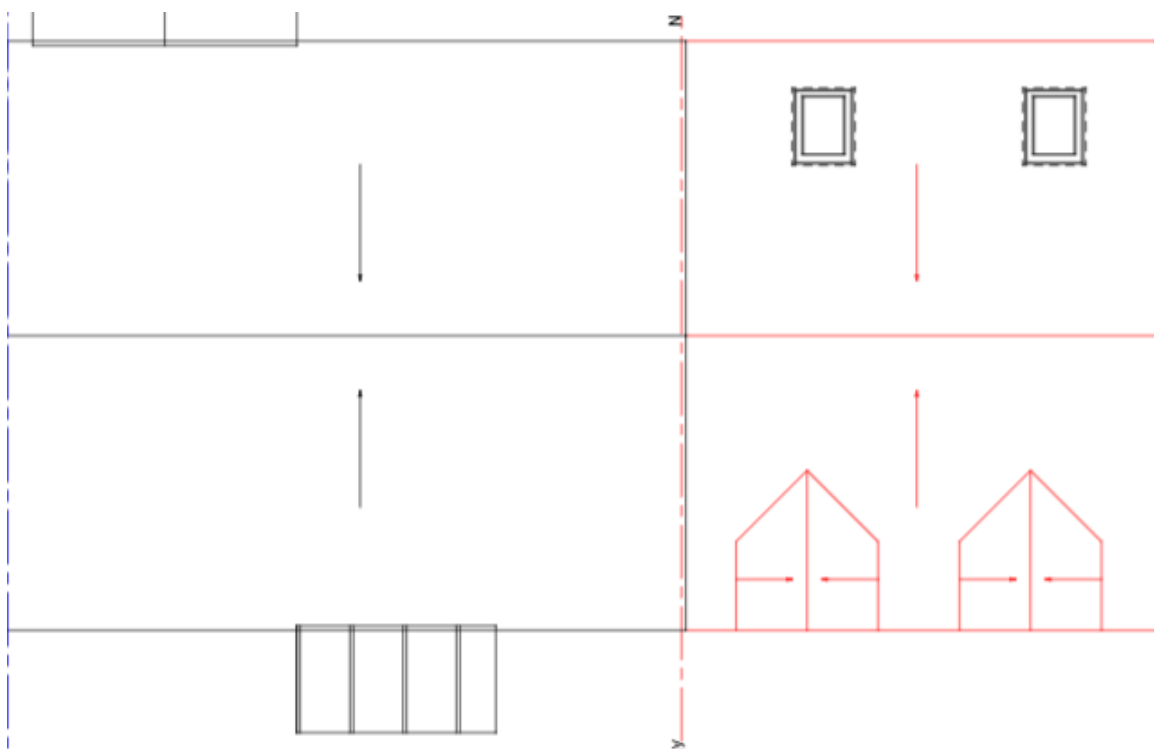
**Proposed Floor Plans and Roof Plan**



Proposed Ground Floor Plan

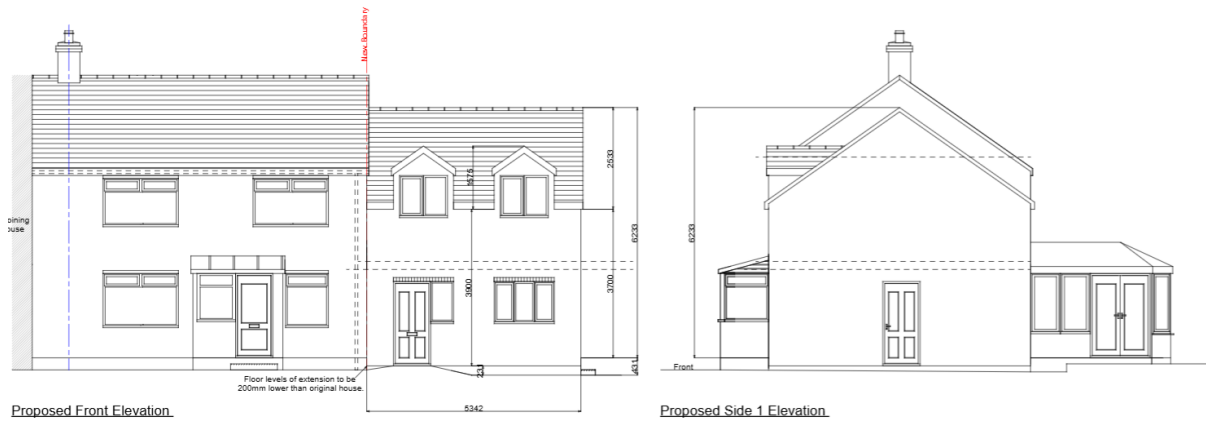


Proposed First Floor Plan



Proposed Roof Plan

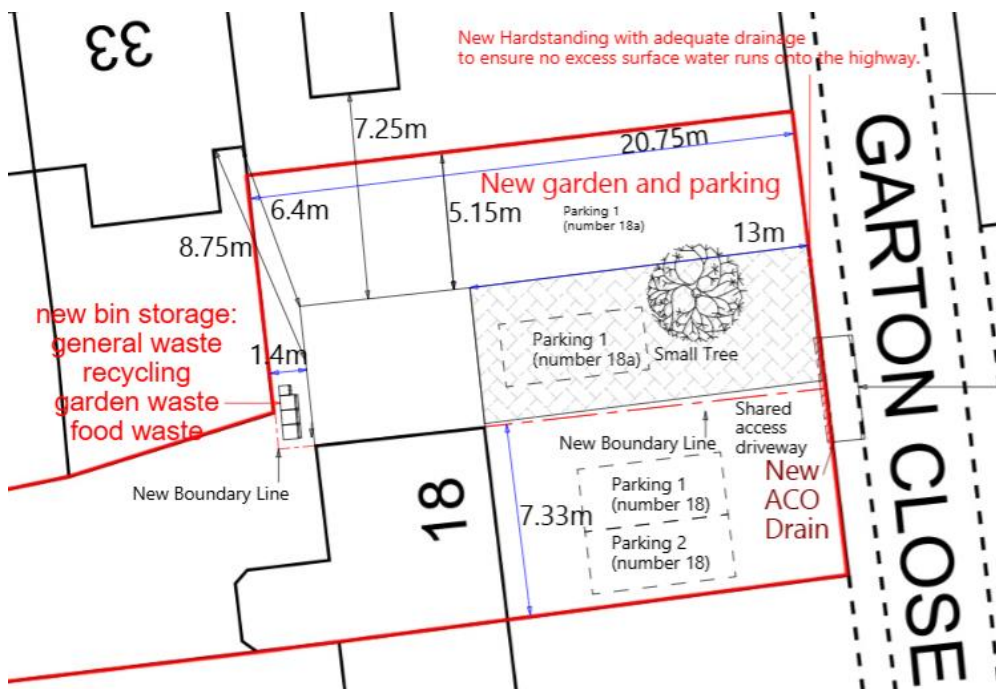
Proposed Elevations



Proposed Front and Side (north) Elevations



Proposed Block Plan



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**Report of the Interim Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>25/00914/FUL</b>
<b>LOCATION:</b>	<b>22 Balow Drive North, Awsworth NG16 2RQ</b>
<b>PROPOSAL:</b>	<b>Change of Use from Residential (Class C3) to Children Home (Class C2)</b>

The application is brought back to the Committee following deferral from 11<sup>th</sup> February committee.

1. Purpose of the Report

1.1 The application seeks planning permission to change the use of the property from residential (C3) to a residential children’s home (C2).

2. Recommendation

**The Committee is asked to RESOLVE that planning permission be granted for the reasons outlined in the appendix.**

3. Detail

3.1 The application seeks planning permission to change the use of the property from residential (C3) to a residential children’s home (2).

3.2 The main issues relate to whether the principle of the change of use is acceptable in terms of location, parking issues and impact on neighbour amenity.

3.3 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. There would be the potential for an impact on neighbour amenity but this is outweighed by the benefits of the scheme.

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 planning permission to change the use of the property from residential (Class 3) to a residential children's home (C2). The revised information provided states that the type of care will be the provision of care for four young persons aged between 5 to 18 years old as opposed to 5 to 12 years old, who have behaviour, social and emotional needs. The dwelling will be the children's main residence and according to information submitted within the supporting Design and Access Statement accompanying the application, the children would be taken to school, outings and activities by the staff on site.
- 1.2 The staffing structure has also been modified and would include a home manager and Care workers. The children will be looked after by staff working at the property providing 24-hours cover, on a rota basis, with two in the daytime and two overnight (one member of staff awake during the night). The shift patterns for the care staff will be from 7:30/8:00 am to 7:30/8:00pm and 7:30/8pm to 7:30/8am, so potential for more than two vehicles to be parked on the road only during the change overs. There are minimal external changes as the garage would be converted to create a staff office and a sensory/therapy space. Three rooms will be occupied by children and one by staff at first floor level. There would be two ground floor rooms which will be occupied by the staff and by one of the children. An additional off-street parking space will be provided.
- 1.3 The Design and Access Statement also advises that the home will provide family-oriented, community-integrated home where children can flourish emotionally, socially and educationally. There will be a process of community engagement to address any concerns regarding noise and disturbances, as well as noise mitigation measures.
- 1.4 It has been stated within the submitted statement that any visits additional to the staff on shift, will take place off-site at an approved contact centre to ensure the home remains domestic in nature. The care approach is guided by a personalised care plan that promotes independence, self-esteem, and holistic development through a balance of educational, recreational, and therapeutic activities.

**2. Site and surroundings**

- 2.1 The dwelling is a detached two storey house. The property has a front porch, a conservatory and a two storey rear and single storey side extensions. The site is considerably at lower level than the highway and has off street parking space for one vehicle.
- 2.2 To the north of the application site is located 20 Barlow Drive North, a detached two storey dwelling. This property has a single storey front extension and single storey side extensions that extends beside the whole

shared boundary. Opposite to the site are located nos. 1 and 2 Hawthorn Rise, detached two storey properties.

- 2.3 To the south is located 24 Barlow Drive North, a detached two storey dwelling. This property has a single storey rear extension and a garage to the rear.

### **3. Relevant Planning History**

- 3.1 Planning permission was granted in 1975 to construct a brick garage and in 1981 for extensions to the property.

### **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 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

#### **4.3 Awsworth Neighbourhood Plan 2021**

The Council adopted Awsworth Neighbourhood Plan on 21 July 2021

- Policy H2: Housing Mix

#### **4.4 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-design places

### **5. Re-Consultations**

- 5.1 As the plans were amended and new information was submitted to address the Planning Committee concerns, the neighbours and consultees were given a period of 14 days to comment on the new information. Two responses were received. One stating that the new information addresses concerns previously raised, the second letter confirms the objection raised stating that does not address satisfactorily the concerns raised in terms of:

- ✓ Suitability of site for proposed parking provision
- ✓ Highway safety

- ✓ Number of staff
- ✓ Change of use issues

5.2 **Nottinghamshire County Council** raise no concerns and advised that in order to consider new external providers, the team evaluates the following information, which is not exhaustive:

- The location of the property and its access to local amenities such as education, health and leisure facilities
- Access to green spaces to support healthy living
- The size of the home and how many children they are looking to support
- The layout and grounds of the home, with reference to privacy, safeguarding and parking
- Risk assessments, staff training and staff rotas to ensure their operational approach does not adversely impact the local area
- Other children’s homes operating in the immediate or wider community
- How this home fits within our sufficiency strategy
- Evidence of an engagement strategy with the local community

Based on the information submitted, NCC states that the applicant has met NCC’s previous concerns with suitable changes. NCC.

## 6. **Assessment**

6.1 The main issues relate to whether the principle of the change of use would be acceptable and whether the proposal would have an unacceptable impact on neighbour amenity.

### 6.2 **Principle**

6.2.1 The proposal is for a change of use from a dwelling (Class C3) to a residential children’s home (Class C2) and would provide specialist care and accommodation for up to four children aged between 5 to 12 with Emotional and Behavioural Difficulties (EBD).

6.2.2 The proposed use of the property 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**

6.3.1 Minimal external changes have been proposed to convert the garage into living accommodation. The new external alteration proposed includes the provision of an additional off-street parking space within the front garden. Internally it has been proposed that there would be one staff bedroom to each level.

## **6.4 Amenity**

- 6.4.1 Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, provides convenient access and ensures a satisfactory degree of amenity for occupiers of new development and neighbouring properties.
- 6.4.2 The application does not propose any major external changes to the dwelling and only relates to the change of use from C3 to C2, therefore there would not be any issue with loss of light. No.20 has a single storey side extension beside the whole boundary with the application site with an approx. length of 20.3m. Regarding the conversion of the garage into a staff office and sensory room, it would be situated beside the boundary with no.24, however sound insulation has been proposed to minimise disruption and reduce noise transfer. Therefore having regard to the nature of the proposed change of use, on balance, it is considered the proposed use would not have a significantly detrimental impact on the occupants of these neighbouring properties.
- 6.4.3 In respect of amenity for the intended occupiers of the property, it is considered that the use as C2 residential would be similar in terms of how the property is used to that of a dwelling house, that is, it would have a layout expected in a house, for example, living/dining room and kitchen to the ground floor, sleeping accommodation to the first floor. As for the objection in respect of accessibility for an occupier with a disability, there is no indication of access needs in the submitted information and in any case, this would be a matter for the operator to consider the suitability of the property for each child's needs, as would be the case for a C3 dwelling.
- 6.4.4 It remains the consideration that the proposed change of use is not considered to result in an unacceptable loss of amenity for neighbouring residents. The proposed shift pattern proposes that the staff changeover would be between 7:30 and 8:00 am and pm to avoid more than three staff present in the property at one time.
- 6.4.5 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 four children.

## **7 Access**

- 7.1 It is clear that there are significant concerns regarding the residential children's care home generating more traffic and issues with on street parking.

- 7.2 The dwelling offers off road parking for one vehicle. The proposed parking layout submitted on 2 March 2026 shows that an additional off-street parking space will be created within the front garden, there is also space in front of the property for a car to park and the road is capable of accommodating on street parking without detriment to highway safety. Furthermore, the Addendum to the Design & Access Statement submitted on 2 March 2026 advises that a Staff Travel Plan will be put in place to enable staff to use taxis when appropriate. The proposal has demonstrated that the change of use would not result in high level of vehicular activities or visits. As such, it is considered that the proposed use would not result in a significant detriment to highway safety or result in inconvenience to local residents in terms of parking at such a significant level to be considered as a reason for refusal on this basis alone. Bicycle storage for up to four bicycles has been also proposed to support sustainable travel.

## **8 Other Matters**

- 8.1 In regard to the concern raised about the originally proposed age range causing disruption or continuity to the level of care, the applicant has advised that the proposed home will operate for children aged 5 to 18 years old. As such, the home will offer placement stability, will align with Ofsted's regulatory framework and will enable children to remain in a familiar environment. The location of staff bedrooms has also been revised to allow members of staff to be closer to the children's bedrooms. NCC has advised that this will revision reflect regulatory standards and will ensure the provider will meet the needs of the children they intend to support.

## **9 Planning Balance**

- 9.1 The benefits of the proposal are that the care home would enable more targeted service provision to the benefit of the users of the facility and to the benefit of the wider community, and would enable the retention of a residential use, which could be converted back to a dwelling should there be a demand in the future, without recourse to major alterations.
- 9.2 The negative impact is the potential noise issues arising from the use, however, subject to the implementation of noise mitigation measures within the Management Plan (which will be conditioned); it is not considered sufficient to outweigh the positives. Furthermore, a dwelling occupied under Use Class C3 could generate similar levels of noise.
- 9.3 On balance. It is considered that, for the reasons above, the benefits of the proposed development would outweigh any potential negative impact and that planning permission should be granted.

## **10 Conclusion**

- 10.1 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 acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<b><u>Recommendation</u></b>	
<p><b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:</b></p>	
<p><b>1.</b></p>	<p><b>The use hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b></p> <p><b>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.</b></p>
<p><b>2.</b></p>	<p><b>The development hereby permitted shall be carried out in accordance with the Site Location Plan and Proposed Rear and North (Side) Elevations (drawing numbered CEN-CHA-ZZ-DR-A-0010) received by the Local Planning Authority on 19 December 2025, the Proposed Front and South (Side) Elevations (drawing numbered BAR-CHA-ZZ-DR-A-0009) received by the Local Planning Authority on 21 January 2026, and the Proposed Floor Plans revision C (drawing numbered BAR-CHA-XX-DR-A-0007), the Proposed Car Parking Layout (drawing numbered BAR-CHA-XX-DR-A-010), and the Addendum to the Design &amp; Access Statement received by the Local Planning Authority on 2 March 2026</b></p> <p><b>Reason: For the avoidance of doubt.</b></p>
<p><b>3.</b></p>	<p><b>Prior to the use of the property as a residential children’s home, a Resident Management Plan (RMP) shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall thereafter be carried out in accordance with</b></p>

	<p>the approved RMP, for the lifetime of the use. For the avoidance of doubt, the RMP shall include the following:</p> <ul style="list-style-type: none"> <li>i) Details of on-site staffing, including a dedicated property manager during normal office hours supported by designated wardens who will stay at the premises and will deal with any emergencies or incidents outside office hours including night time supervision;</li> <li>ii) Details of how the property manager and wardens will liaise with local residents throughout the year and how residents can make contact in the event of any disturbance, emergencies or any other management issues;</li> <li>iii) The proposed management of servicing and deliveries;</li> <li>iv) Details of noise management including measures to ensure that noise disturbance to neighbouring residential properties is minimised.</li> </ul> <p>Reason: To protect the amenities of neighbouring residents and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 17 and 19 of the Part 2 Local Plan (2019).</p>
4.	<p>The premises shall only be attended by a maximum of two staff members at any one time, except during staff handover periods or scheduled staff meetings</p> <p><i>Reason: to ensure a satisfactory standard of neighbour amenity and highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	<p><b>NOTES TO APPLICANT</b></p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>The applicant should ensure that sound insulation to limit the transmission of noise between properties is installed and achieves the minimum requirements as contained in the current version of British Standard Approved Document E.</p>

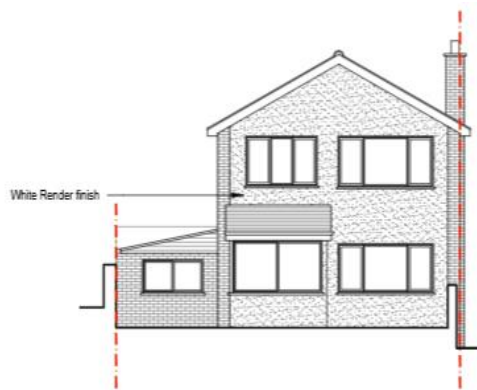
Map



**Plans**



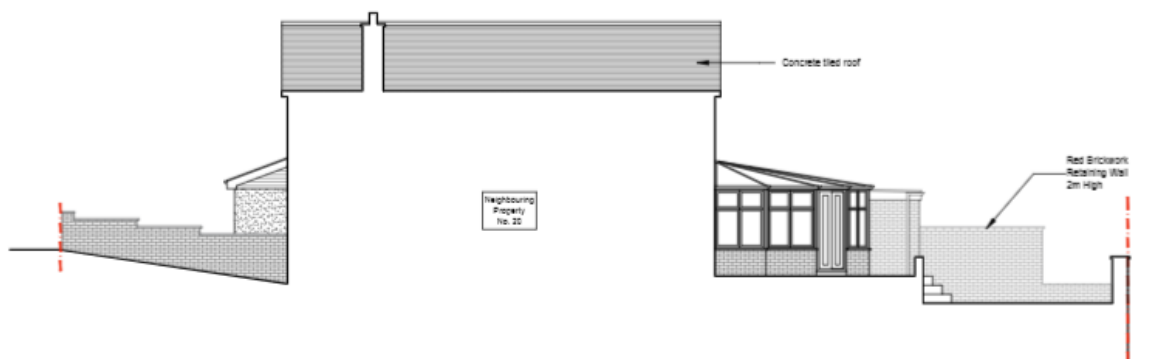
Site Location Plan and Proposed Block Plan



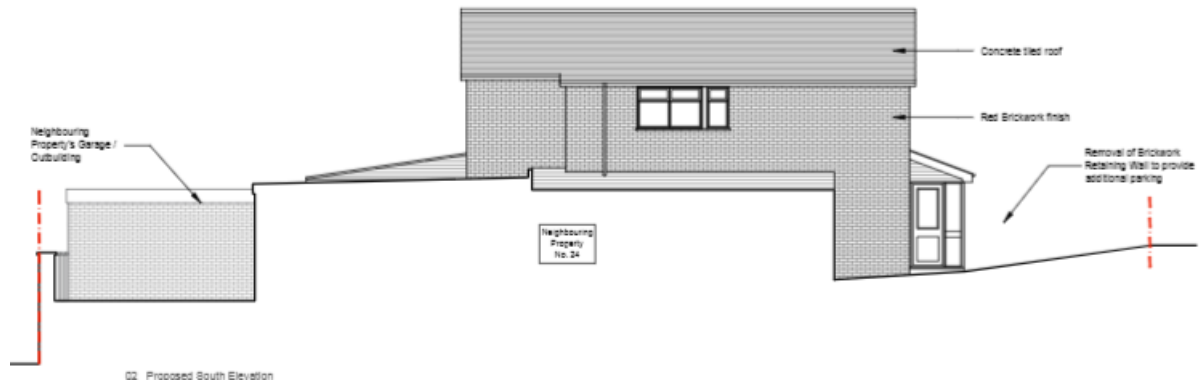
Proposed front elevation



Proposed rear elevation



Proposed side (north) elevation



Proposed side (south) elevation



Proposed floor plans

**Report of the Interim Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>25/00254/ENF</b>
<b>LOCATION:</b>	<b>Garage Adjacent 62 Fletcher Road, Beeston</b>
<b>PROPOSAL:</b>	<b>Demolition of Sectional Garages and Construction of New Garage</b>

1. Purpose of Report

This report is brought before the Committee as an enforcement case.

2. Recommendation

**The Committee is asked to RESOLVE that the matter be considered non-expedient and the case file closed.**

3. Detail

- 3.1 In July 2025 it was brought to the Council’s attention that a pair of concrete sectional garages adjacent to number 62 Fletcher Road had been demolished and that a new structure was under construction. The garages and the parcel of land are not in the same ownership as number 62 and are in no way connected as far as we can ascertain. Nor are they in the same ownership as the adjacent building site.
- 3.2 Following communication with the land owner, a retrospective planning application was invited. Planning officers were of the view that an application to retain the newly constructed garages would likely receive officer support. However, no planning application has ever been submitted in an attempt to regularise the building.
- 3.3 It was concluded that no further action was expedient in this case and, in line with the Council’s Scheme of Delegation, the Chair, Vice Chair and ward members were consulted to this effect by email on 15 January 2026.
- 3.4 Councillor Bunn raised an objection to the case being closed on this basis, advising that she had received report from a local resident that the garage was being used in connection with storage of plant and materials for the adjacent building site on Fletcher Road. The garage is alleged to have been constructed by the same building contractors who are currently working on the adjacent building site. That fact is correct however, no evidence of the claim that is being used for storage in association with the adjacent site has been found or provided to date. If, however, evidence of this does come to light at a later date, the Council can consider enforcement action at that time.

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

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**PLANNING APPLICATIONS DEALT WITH FROM  
02 MARCH 2026 27 MARCH 2026**

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### **CONTENTS**

Planning applications dealt with under Delegated Powers

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

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

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**PLANNING APPLICATIONS DETERMINED BY  
DEVELOPMENT CONTROL**

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**ATTENBOROUGH & CHILWELL EAST WARD**

Applicant : Mr & Mrs Townshend 26/00010/FUL  
Site Address : 168 Attenborough Lane Attenborough Nottinghamshire NG9 6AB  
Proposal : **Construct two storey front, side and rear extensions, and dormer to front**  
Decision : **Conditional Permission**

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Applicant : Mr Steve Spaven Portakabin Ltd 26/00046/FUL  
Site Address : Portakabin Ltd Nottingham Road Attenborough Nottinghamshire NG9 6DP  
Proposal : **Install modular building for use as stores**  
Decision : **Conditional Permission**

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Applicant : Mr Simon Barnes 26/00061/FUL  
Site Address : 121 Meadow Lane Chilwell Nottinghamshire NG9 5AJ  
Proposal : **Hip to gable roof extension and construct gable roof over existing first floor extension**  
Decision : **Conditional Permission**

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Applicant : Mr Raffaele Russo Big Pistachio Ltd 26/00067/DOC  
Site Address : Boat House Barton Lane Attenborough Nottinghamshire  
Proposal : **Discharge of condition 4 of 24/00419/FUL**  
Decision : **Enquiry Closed**

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Applicant : Mr & Mrs Lucyszyn 26/00072/CLUP  
Site Address : 80 Woodland Grove Chilwell Nottinghamshire NG9 5BQ  
Proposal : **Certificate of Lawfulness for proposed part demolition of existing garage, removal of existing conservatory, and construct new single storey rear extension**  
Decision : **Approval - CLU**

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Applicant : Mr Dean Skrabania Attenborough Lawns Tennis Club 26/00077/CAT  
Site Address : Attenborough Lawn Tennis Club Shady Lane Attenborough Nottinghamshire NG9 6AW  
Proposal : **T4 - Lime - Pollard to previous points and remove all arisings.  
G5 - Hawthorn - Crown raise over road to 5.2m remove significant deadwood.  
Remove all arisings.  
TG1 - Common Beech - Crown lift to 5 meters all around and remove deadwood larger than 25mm diameter.**  
Decision : **No Objection**

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Applicant : Susan Beer 26/00103/CAT  
Site Address : 2 Barratt Close Attenborough Nottinghamshire NG9 6AE  
Proposal : **T1 - Maple - prune to reduce by no more than 30%**  
**T2 - Maple - prune to reduce by no more than 30%**  
**T3 - Crab Apple - remove tree**  
**T4 - Maple - prune to reduce by no more than 30%**  
**T5 - Crab Apple - remove fallen branch where trunk has split and reduce remaining tree by no more than 30%**  
**T6 - reduce by no more than 30%**  
**T7 - reduce by no more than 30%**  
Decision : **No Objection**

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Applicant : Mrs Emily Christie Cameron Homes 26/00202/DOC  
Site Address : Bartons Land Between High Road And Queens Road West High Road Chilwell Nottinghamshire NG9 4AJ  
Proposal : **Discharge of Conditon 2 of planning permission 21/00578/REM Facing materials (including chimneys) and windows and doors**  
Decision : **Discharge of Conditions**

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#### BEESTON CENTRAL WARD

Applicant : Simon Taylor Taylor Roofing Services 26/00140/DOC  
Site Address : 1 Padge Road Boulevard Industrial Park Beeston Nottinghamshire NG9 2JR  
Proposal : **Discharge of condition 9c of 25/00879/FUL. Biodiversity Unit Purchase Certificate, produced by Environment Bank Email confirming purchase (dated 27 February 2026)**  
Decision : **Discharge of Conditions**

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#### BEESTON NORTH WARD

Applicant : Mr Nawazish Ali Zaidi 26/00049/CLUE  
Site Address : 69 Peveril Road Beeston Nottinghamshire NG9 2HU  
Proposal : **Certificate of Lawfulness for existing HMO (Use Class C4)**  
Decision : **Approval - CLU**

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Applicant : Vik Lalli 26/00052/FUL  
Site Address : Morrisons Daily 101 - 103 Central Avenue Beeston Nottinghamshire NG9 2QS  
Proposal : **Retain plant**  
Decision : **Withdrawn**

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Applicant : Mrs Kathy Simpson 26/00089/VOC  
Site Address : 20 Endsleigh Gardens Beeston Nottinghamshire NG9 2HJ  
Proposal : **Variation of condition 3 of planning permission 25/00652/FUL - Materials**  
Decision : **Conditional Permission**

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#### BEESTON RYLANDS WARD

Applicant : Miss Kelly Batley 26/00001/FUL  
Site Address : 67 Lilac Crescent Beeston Nottinghamshire NG9 1PX  
Proposal : **Retain single storey side extension for beauty business**  
Decision : **Refusal**

---

Applicant : Miss Ding 26/00036/FUL  
Site Address : 30 East Crescent Beeston Nottinghamshire NG9 1QA  
Proposal : **Construct single storey side and rear extension, rear dormer and alterations to roof including a hip to gable to facilitate loft conversion. Insert window in ground floor side elevation. Raised patio to rear.**  
Decision : **Conditional Permission**

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Applicant : Mr Shane Blackburn Thompsons Building Contractors 26/00060/DOC  
Site Address : Meadow Lodge 23 Meadow Road Beeston Nottinghamshire NG9 1JP  
Proposal : **Discharge of condition no.5 (ecological enhancements) of planning reference 25/00308/FUL.**  
Decision : **Discharge of Conditions**

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Applicant : Mr Benjamin Burman Cadxtra 26/00066/FUL  
Site Address : D95 Building First Avenue Boots Campus Beeston Nottinghamshire  
Proposal : **Install solar panels**  
Decision : **Conditional Permission**

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#### BEESTON WEST WARD

Applicant : Dr Connie Pullan Beeston Methodist Church 25/00759/ADV  
Site Address : Beeston Methodist Church Chilwell Road Beeston Nottinghamshire NG9 1EH  
Proposal : **Display signage of individual letters affixed to brickwork on the front elevation**  
Decision :

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Applicant	:	Mrs E Rowe The Manor Surgery	25/00924/FUL
Site Address	:	The Manor Surgery Middle Street Beeston Nottinghamshire NG9 1GA	
Proposal	:	<b>Construct first floor extensions to form flat roof two storey building, and construct two storey extension to front with first floor link over part of car park.</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mrs Paramjit Sidhu Vardaan 4 Properties Ltd	26/00016/FUL
Site Address	:	6 Chilwell Road Beeston Nottinghamshire NG9 1EF	
Proposal	:	<b>Conversion of first floor offices to 3no. flats. Construct additional storey to create an additional 2no. flats. Use of Ground Floor as Food Retail Use Class E. Insertion of windows, Juliet balcony and external alterations.</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Jowett	26/00030/FUL
Site Address	:	2A Glebe Street Beeston Nottinghamshire NG9 1AF	
Proposal	:	<b>Construct two-storey side and rear extension</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mrs Lynda Robertson	26/00068/CAT
Site Address	:	1 Grange Avenue Beeston Nottinghamshire NG9 1GJ	
Proposal	:	<b>15% crown lifting and thinning, and removal of some overhanging lower branches to Copper Beech</b>	
Decision	:	<b>No Objection</b>	
Applicant	:	Asiana Developments Ltd	26/00069/CLUP
Site Address	:	Royal Oak Inn 22 Villa Street Beeston Nottinghamshire NG9 2NY	
Proposal	:	<b>Certificate of Lawfulness to confirm that the consented development has commenced in accordance with conditions for reference 19/00194/FUL and within 3 years from the approved planning decision notice dated 21/06/2019.</b>	
Decision	:	<b>Approval - CLU</b>	
Applicant	:	Mrs Chloe Bradley	26/00108/CAT
Site Address	:	13 Park Road Chilwell Nottinghamshire NG9 4DA	
Proposal	:	<b>Yew Tree - 30% canopy reduction (maximum) to retain canopy shape and trim back branches growing in proximity to overhead cables.</b>	
Decision	:	<b>No Objection</b>	
Applicant	:	Mrs S Snuber	26/00124/CAT
Site Address	:	22 Elm Avenue Beeston Nottinghamshire	
Proposal	:	<b>Reduce the whole tree by 2 metres and remove deadwood to mitigate the risk of falling branches</b>	
Decision	:	<b>No Objection</b>	
Applicant	:	Mr P Maltby Maltby Homes Ltd	26/00127/DOC
Site Address	:	Land Between Hall Croft And Barrydale Avenue Beeston Nottinghamshire NG9 1EL	
Proposal	:	<b>Discharge of conditions 3,4,5,6,7 and 8 of planning reference 25/00690/FUL</b>	
Decision	:	<b>Discharge of Conditions</b>	
Applicant	:	National Grid	26/00152/STAT
Site Address	:	Chesterfield To Willington	
Proposal	:	<b>The Chesterfield to Willington Project. Statutory consultation under section 42 of the Planning Act 2008 and The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP).</b>	
Decision	:	<b>Notification under Regulation 13 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). Enquiry Closed</b>	

**BRAMCOTE WARD**

Applicant : Mr Steven Byrne 26/00041/FUL  
Site Address : 37 Marshall Drive Bramcote Nottinghamshire NG9 3LE  
Proposal : **Construct single storey rear/side extension**  
Decision : **Conditional Permission**

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Applicant : Mr and Mrs Imtiaz and Shareen Hasan 26/00044/FUL  
Site Address : 3 Ranmore Close Bramcote Nottinghamshire NG9 3FR  
Proposal : **Construct single storey rear extension and single storey front extension. Convert existing double garage to single garage and utility/ storage room.**  
Decision : **Conditional Permission**

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Applicant : Mrs Charlotte Densham 26/00079/FUL  
Site Address : 40 Seven Oaks Crescent Bramcote Nottinghamshire NG9 3FW  
Proposal : **Construct hip-to-gable roof extension, rear dormer and front porch extension**  
Decision : **Conditional Permission**

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#### BRINSLEY WARD

Applicant : Leigh Cade 25/00901/FUL  
Site Address : 142 Broad Lane Brinsley Nottinghamshire NG16 5BE  
Proposal : **Retain 2 cabins in rear garden in association with a child care business and 1 cabin as an office**  
Decision : **Refusal**

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Applicant : Mrs Sally Rawson 26/00013/FUL  
Site Address : 110 Broad Lane Brinsley Nottinghamshire NG16 5BD  
Proposal : **Conversion of existing integral garage to create living accommodation**  
Decision : **Conditional Permission**

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Applicant : Mrs Lisa Baker 26/00014/FUL  
Site Address : 8 Church Lane Brinsley Nottinghamshire NG16 5AB  
Proposal : **Retain pagoda and storage shed**  
Decision : **Conditional Permission**

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#### EASTWOOD HILLTOP WARD

Applicant : Mrs D Kaya Yes Properties 25/00862/ADV  
Site Address : 151 - 155 Nottingham Road Eastwood Nottinghamshire NG16 3GJ  
Proposal : **Display illuminated and non-illuminated fascia signs, and removable A- Board**  
Decision :

---

Applicant : Mr Ian Richardson 26/00019/FUL  
Site Address : Land Adjacent 94 Lynncroft Eastwood Nottinghamshire NG16 3ES  
Proposal : **Construct detached two storey dwelling**  
Decision : **Conditional Permission**

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#### EASTWOOD ST MARY'S WARD

Applicant : Mr. P Burke Homesbyhoney 26/00064/TPOW  
Site Address : Land On South East Side Of Farrington Way Eastwood Nottinghamshire  
Proposal : **T1, T2, T3, T4, T5 Oak - Crown reduction to reduce canopy overhang within the development site.**  
**All trees are located within the rear gardens of adjacent dwellings and are close to the property boundary.**  
Decision : **Conditional Permission**

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#### GREASLEY WARD

Applicant : Mrs Emily Wilson Nature Tots 25/00909/VOC  
Site Address : High Park Cottages Moorgreen Newthorpe Nottinghamshire  
Proposal : **Variation of condition 4 of planning permission 24/00486/FUL to allow for opening on Sundays**  
Decision : **Conditional Permission**

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Applicant : Mr Ashley Brandy 26/00035/FUL  
Site Address : 12 Church Road Greasley Nottinghamshire NG16 2AB  
Proposal : **Alterations and increase of roof height to facilitate loft conversion. Partial demolition of dwelling to either side. Construct raised patio area to rear.**  
Decision : **Conditional Permission**

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#### **KIMBERLEY WARD**

Applicant : Mr Wardle Gray House Developments 25/00915/FUL  
Site Address : Former Church Hill School Church Hill Centre Kimberley Nottinghamshire NG16 2HY  
Proposal : **Change use from education (Class D1) to three dwellings (Class C3), including external alterations**  
Decision : **Conditional Permission**

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Applicant : Mr Jake Wright 26/00002/FUL  
Site Address : 12 Wentworth Court Kimberley Nottinghamshire NG16 2XB  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr And Mrs R Strickland 26/10028/ENQD  
Site Address : 10 Tewkesbury Drive Kimberley Nottinghamshire NG16 2QG  
Proposal : **Proposed infill of existing covered area to form internal space including canopy over**  
Decision : **Enquiry Closed**

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Applicant : Ms Lucy Lilley 26/00082/CAT  
Site Address : 4 Station Road Kimberley Nottinghamshire NG16 2NR  
Proposal : **Removal of front boundary hedge**  
Decision : **No Objection**

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Applicant : Mr Simon Leadley RBSL Brewery Tower Ltd 26/00083/DOC  
Site Address : Former Brewery Tower Hardy Street Kimberley Nottinghamshire  
Proposal : **Discharge of condition 4 of planning reference 22/00627/FUL**  
Decision : **Enquiry Closed**

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Applicant : Andrew & Angela Szyszlak 26/00087/FUL  
Site Address : 5 Flixton Road Kimberley Nottinghamshire NG16 2TJ  
Proposal : **Construct First floor extension to front elevation.**  
Decision : **Conditional Permission**

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Applicant : Beth Jackson 26/00092/VOC  
Site Address : 16 Ascot Avenue Kimberley Nottinghamshire NG16 2TU  
Proposal : **Variation of condition 2 of application reference number 24/00236/FUL. Amend the approved drawing to show a change of the rear extension roof to a flat roof instead of pitched.**  
Decision : **Conditional Permission**

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#### **NUTHALL EAST & STRELLEY WARD**

Applicant : Mrs Jean McLeod Chawsheen Property Ltd 25/00908/FUL  
Site Address : 68 Drummond Drive Nuthall Nottinghamshire NG16 1BL  
Proposal : **Construct rear dormer loft conversion.**  
Decision : **Refusal**

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#### **STAPLEFORD SOUTH EAST WARD**

Applicant : Mr & Mrs Simon & Emily Hunt 26/00015/FUL  
Site Address : 18 Welch Avenue Stapleford Nottinghamshire NG9 8EE  
Proposal : **Two storey side and single storey front extensions**  
Decision : **Conditional Permission**

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Applicant : Mrs Rohini Anderson 26/00045/FUL  
Site Address : 27 Pritchard Drive Stapleford Nottinghamshire NG9 7GW  
Proposal : **Alterations to front porch and façade, two storey and single storey rear extensions.**  
Decision : **Conditional Permission**

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#### STAPLEFORD SOUTH WEST WARD

Applicant : Mr R Lakhanpal 26/00056/DOC  
Site Address : 6 Derby Road Stapleford Nottinghamshire NG9 7AA  
Proposal : **Discharge of condition 3 (External Materials) and 4 (Construction / Demolition Method Statement) of planning permission 25/00518/FUL**  
Decision : **Discharge of Conditions**

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Applicant : Mr Tyrone Thompson-Dixon Bright Futures Accommodation 26/00123/CLUP  
Site Address : 1A West End Street Stapleford Nottinghamshire NG9 7DA  
Proposal : **Certificate of Lawfulness for proposed use of single family dwelling as a care home for a single child placement with two non resident carers sleeping overnight.**  
Decision : **Approval - CLU**

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#### TOTON & CHILWELL MEADOWS WARD

Applicant : Mr Deepak Sharma 25/00822/FUL  
Site Address : 2 Kindlewood Drive Chilwell Nottinghamshire NG9 6NE  
Proposal : **Convert garage to living space**  
Decision : **Conditional Permission**

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Applicant : Adam Phillimore 26/00054/FUL  
Site Address : 27 Leafe Close Chilwell Nottinghamshire NG9 6NR  
Proposal : **Construct single storey rear and side extensions**  
Decision : **Conditional Permission**

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#### WATNALL & NUTHALL WEST WARD

Applicant : Mr Aaron Bond 26/00063/TPOW  
Site Address : 1 Middleton Close Nuthall Nottinghamshire NG16 1BX  
Proposal : **Works to chestnut tree TPO/NUT/02**  
Decision : **Refusal**

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**Report of the Interim Chief Executive**

**Appeal Decision**

<b>APPLICATION NUMBER:</b>	<b>25/00354/FUL</b>
<b>LOCATION:</b>	<b>Land to the rear of 137-141 Queens Road, Beeston NG9 2EX</b>
<b>PROPOSAL:</b>	<b>Construct two one-bedroom flats and associated development</b>

**APPEAL ALLOWED**

**RECOMMENDATION BY PLANNING COMMITTEE – REFUSAL**

**RECOMMENDATION BY OFFICER – APPROVAL**

**REASON FOR REFUSAL –**

*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.*

**LEVEL OF DECISION: WRITTEN REPRESENTATIONS**

The Inspector identified the main issues as being whether the proposed development would provide adequate living conditions for occupiers of neighbouring dwellings with particular regard to loss of light, overlooking and privacy, and the effect of the proposed development on parking provision and highway safety.

- i) The inspector concluded that in terms of overlooking and privacy, whilst there would be potential for overlooking towards the rear of nos.137-141 to occur, the proposed first floor windows within the side elevation would be limited in size and the overlook would result in brief and transitory views, therefore any such views would be momentary and would not constitute sustained or intrusive overlooking towards the rear of nos.137-141. The inspector also noted that while the proposal will introduce direct views from first floor windows in the rear elevation towards properties on Hawthorn Grove and 143-145's rear gardens, it was concluded that there is already a significant degree of intervisibility due to the existing relationship, orientation and limited separation distances.
- ii) The inspector considered that any potential overlooking and loss of privacy from the ground floor patio doors and windows within the side elevation towards nos.137-141, it could be adequately mitigated through the provision of an appropriate boundary treatment.

- iii) With regard to the potential impact on light to neighbouring properties, having regard to the separation distance, orientation and roof form, it is considered that the scheme would not give rise to a material reduction in daylight or sunlight to any neighbouring habitable rooms or their private amenity spaces.
- iv) The inspector concluded that subject to the imposition of planning conditions, the proposed development would not cause material harm to the living conditions of neighbouring occupiers in terms of loss of light, overlooking or loss of privacy.
- v) In terms of parking provision and highway safety, whilst the site has been used for vehicle parking on an informal basis, no formal arrangement is currently in place that provides permission for residents to park their vehicles within the site. Therefore the use of the site as informal parking does not carry the weight of a formal parking entitlement.
- vi) The Inspector determined that whilst there would be a lack of on-site parking, given the availability of public transport and local facilities in Beeston town centre being reachable on foot, the evidence does not indicate that the current capacity for on-street parking within the vicinity of the appeal site is inadequate such that additional vehicles resulting from the proposed development, or those displaced from the appeal site, would be likely to lead to unacceptable levels of on-street parking that would cause harm to highway safety.

**Conclusion**

The Inspector found that subject to the conditions, the proposal is acceptable in terms of neighbour amenity, character of the area and highway safety, and the appeal is allowed.