



Tuesday, 29 June 2021

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 7 July 2021 in the Council Chamber, Council Offices, Foster Avenue, Beeston NG9 1AB, commencing at 7.00 pm.

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

Yours faithfully

Chief Executive

To Councillors:	D K Watts (Chair)	G Marshall
	J W McGrath (Vice-Chair)	P J Owen
	D Bagshaw	S Paterson
	L A Ball BEM	D D Pringle
	D Grindell	R S Robinson
	M Handley	R D Willimott
	R I Jackson	J M Owen

A G E N D A

1. APOLOGIES

To receive apologies for absence and notification 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.

3. MINUTES

(Pages 5 - 12)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 23 June 2021.

Council Offices, Foster Avenue, Beeston, Nottingham, NG9 1AB

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4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 Application Number 20/00891/FUL (Pages 13 - 44)

Conversion of existing college building to student accommodation comprising 162 bedrooms including external alterations

Central College Nottingham, High Road, Chilwell, Nottinghamshire, NG9 4AH

5.2 Application Number 21/00049/FUL (Pages 45 - 64)

Construct 5 dwellings including demolition of kennels, access and landscaping
Babbington Hall, Westby Lane, Babbington, NG16 2SS

5.3 Application Number 20/00645/FUL (Pages 65 - 86)

Construct dwelling following demolition of garage
9 Glebe Street, Beeston, Nottinghamshire, NG9 1BZ

5.4 Application Number 21/00184/FUL (Pages 87 - 122)

Construct 66 bedroom residential care home and associated external works

Land between Ellis Grove and Wilmot Lane, Ellis Grove, Beeston, Nottinghamshire

5.5 Application Number 21/00353/REG3 (Pages 123 - 130)

Construct a single storey rear extension
86 Queens Road South, Eastwood

5.6 Application Number 21/00254/FUL (Pages 131 - 142)

Construct multi use games area (MUGA) facility including fencing

Awsorth Junior and Infant School, The Lane, Awsorth, Nottinghamshire, NG16 2QS

5.7 Application Number 21/00313/FUL (Pages 143 - 150)

Retain detached single garage
14 Cherry Tree Close, Brinsley, Nottinghamshire, NG16 5BA

5.8 Application Number 21/00291/FUL (Pages 151 - 160)

Change of use from changing facility to café, add mono-pitched roof, render building, and siting of cabin for changing facility
Pavilion, Long lane Recreation Ground, Attenborough, Nottinghamshire

6. INFORMATION ITEMS

6.1 Delegated Decisions (Pages 161 - 168)

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PLANNING COMMITTEE

WEDNESDAY, 23 JUNE 2021

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
D Grindell
M Handley
R I Jackson
G Marshall
J W McGrath
P J Owen
S Paterson
D D Pringle
R D Willimott
S J Carr (Substitute)

An apology for absence was received from Councillor R S Robinson.

6 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

7 **MINUTES**

The minutes of the meeting on 2 June 2021 were confirmed and signed with a minor correction to the Declarations of Interest.

8 **NOTIFICATION OF LOBBYING**

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

9 **DEVELOPMENT CONTROL**

9.1 **APPLICATION NUMBER 21/00092/FUL**

Construct 3 and 4 storey building comprising 9 apartments (Use Class C4) and provision of parking area.

129-131 High Road Beeston NG9 2LL

The application was brought to the Committee at the request of Councillor S J Carr.

Members considered the late items for the application which included 25 letters of objection against the proposed development and two letters of support.

Mr Sandit Leihal (applicant), Mr Neville Bostock (objecting) and Councillor B C Carr (Ward Member) addressed the Committee prior to the general debate.

Members debated the application with particular reference to the parking problems that already exist on Peveril Road and Marlborough Road and the impact of the proposed development on homes on Cedar Avenue including loss of light and privacy. There was also concern that purpose built student accommodation was failing to take pressure off the general housing stock.

Debate progressed on to the size of the development which was considered to be overwhelming for the plot and too tall in comparison with neighbouring properties.

RESOLVED that planning permission be refused due to its scale and design being totally out of keeping with the area, with a proposal that results in the overdevelopment of the plot, and would exacerbate existing local parking issues. This creates a development at odds with its surroundings and one which creates an overbearing and overly dominant impact on neighbouring properties, to the detriment of the amenity of neighbouring properties. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

Reason

The application proposes the overdevelopment of the plot to the detriment of neighbour amenity.

9.2 APPLICATION NUMBER 20/00423/FUL

Proposed alterations to site access roadway, improvements to main road junction, alterations to existing coal stock yard site entrance and new commercial development comprising B1C, B2 and B8 units with associated roadways, hard-standings and landscaping.

Watnall Disposal Point, Main Road, Watnall, Nottinghamshire, NG16 1HA

The request for this item to be brought before Planning Committee was made by Councillors J M Owen and R D Willimott.

There were no late items for the Committee to note.

Mr Charles Holehouse (applicant) addressed the Committee prior to the general debate.

Councillor R D Willimott asked for his comments to be recorded as follows:

In an email from Nottinghamshire County Council, they ask for the provision of such a crossing near to the existing bus stops. However, in their response to the current application this provision is omitted. I would support the application with the reinstatement of a crossing with a refuge as originally proposed. This measure would follow the recent precedent set by the provision of such a crossing on Main Road as part of the Aerofab Development at approximately 250 metres north of this location.

The debate also included comments regarding traffic problems relating to the site and the dust caused by open storage of coal and gypsum on the site.

It was proposed by Councillor D K Watts and seconded by Councillor J W McGrath that the item be deferred to allow the clarification of Nottinghamshire County Council's position on the need for a pedestrian crossing and for consideration to be given a condition regarding open storage on the site.

RESOLVED that the application be deferred.

9.3 APPLICATION NUMBER 21/00119/FUL

Demolish existing dwelling and construct 2 dwellings
18 Bramcote Drive, Beeston, Nottinghamshire, NG9 1AS

This item was brought to Committee by Councillor S J Carr.

There were no late items for the Committee to consider.

Miss Danielle Asano (applicant) and Mr Norman Ronald (objecting) addressed the Committee prior to the general debate.

The Committee noted that there were a range of house types on Bramcote Drive and that the proposed development would be in-keeping with its surroundings. It was also considered that this was a large plot that could comfortably accommodate two detached houses and that this proposal made good use of the available space.

RESOLVED that planning permission be granted subject to the following conditions:

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

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

2. **The development hereby permitted shall be carried out in accordance with drawing numbers TC/20005/2 received by the Local Planning Authority on 17 February 2021 and TC/20005/3 Rev A, TC/20005/4 Rev A, TC/20005/5 Rev A, TC/20005/6, TC/20005/7 and TC/20005/8 received by the Local Planning Authority on 17 February 2021.**

Reason: For the avoidance of doubt.

3. **No demolition or construction hereby approved shall take place until a Demolition and 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;**

- e) a scheme for the recycling/disposal of waste resulting from demolition/construction works; and
- f) details of dust and noise suppression to be used during demolition and construction.

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

Reason: To protect nearby residents from excessive disturbance and loss of amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

- 4. During demolition and construction, the mitigation measures as detailed in sections 5.4-5.7 of the Preliminary Ecological Assessment (PEA) shall be implemented.

Reason: To ensure that any protected species which may be present on site are not adversely affected, in accordance with the NPPF (2019) section 15, Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Aligned Core Strategy (2014).

- 5. No dwelling hereby permitted shall be occupied until the parking area related to that dwelling has been surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres behind the highway boundary and constructed with provision to prevent the unregulated discharge of surface water from the frontage to the public highway. The parking areas shall then be maintained as such for the life of the development.

Reason: In the interests of highway safety in accordance with the aims of Policies 17 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 of the Aligned Core Strategy (2014).

- 6. On Plot 1, the bathroom windows on the first floor south west (side) elevation and the loft room (bedroom 5) window on the north east elevation, and on Plot 2, the upper floor stair window and non-opening section of the dormer window (as shown on drawing number TC/20005/5 Rev A) on the first floor south west (side) elevation and the upper floor windows on the north east (side) elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and for the Plot 2 south west dormer, any opening elements shall be a minimum of 1.7m above floor level. All windows shall be retained in this form for the lifetime of the development.

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

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

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

8. If works do not commence on site within 12 months of the date of this decision, an updated bat survey shall be submitted to and agreed in writing by the local planning authority. Any necessary mitigation shall be implemented in accordance with the agreed details.

Reason: To ensure that protected species are not adversely affected, in accordance with the NPPF (2019) section 15, Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Aligned Core Strategy (2014).

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the extended determination timescale.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3. Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
4. The developer is reminded of their legal obligation to stop work immediately should any bats be encountered during the demolition and building of the existing and proposed dwellings. The Bat Conservation Trust should be contacted on 08451300228 for further advice in the event of bats or bat roosts being found.
5. If possible demolition works should also take place outside of the bird breeding season (March to September), otherwise the affected areas need to be checked by an experienced ecologist prior to removal. Further information is available: <https://www.gov.uk/guidance/wild-birds-protection-surveys-and-licences>

9.4 APPLICATION NUMBER 21/00160/FUL

Construct single storey rear extension, rear balcony and patio area
46 Broadgate, Beeston, Nottinghamshire, NG9 2FW

Councillor L A Lally asked that the application be determined by Planning Committee.

There were no late items to be considered for this proposal.

Mr Simon Griffiths (applicant) addressed the Committee prior to the general debate.

It was noted that the applicant had worked with neighbours to address concerns that they had about proposals.

RESOLVED that planning permission be granted subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with drawing numbers C1-A3, C2-A3, C4-A3 Rev A, C7-A3 Rev A, C8-A3 Rev A, 38262_T and 38262_01_PES received by the Local Planning Authority on 5 March 2021; C9-A3 Rev B received by the Local Planning Authority on 8 May 2021 and C3-A3 Rev B, C5-A3 Rev C, C6-A3 Rev C, C10-A3 Rev C and C11-A3 received by the Local Planning Authority on 20 May 2021.

Reason: For the avoidance of doubt.

3. The 1.8m high screens on the north east side of the balcony extension and south west side of the rear element hereby approved shall be installed prior to first use of the extended balcony and thereafter retained for the lifetime of the development.

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

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the extended determination timescale.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

9.5 APPLICATION NUMBER 21/00098/FUL

Construct single/two storey rear extension, single storey infill side extension and replace front hedge with stone wall and timber gates
Broad Oak Farm, Main Street, Strelley

Councillor P J Owen had requested that this application be brought to Planning Committee.

There were two late items comprised of a letter in support of the application and a letter documenting changes to the proposed development from the applicant.

Mr M Yarlett (applicant) made representation to the Committee prior to the general debate.

The debate included noting that the proposed changes were sympathetic to the style of the property and that they would not have a material impact on openness of the Green Belt or neighbour amenity.

RESOLVED that planning permission be granted subject to conditions regarding time, materials and plans.

10 INFORMATION ITEMS

10.1 DELEGATED DECISIONS

The Committee noted the delegated decisions.

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Report of the Chief Executive

APPLICATION NUMBER:	20/00891/FUL
LOCATION:	Central College Nottingham, High Road, Chilwell, Nottinghamshire, NG9 4AH
PROPOSAL:	Conversion of existing college building to student accommodation comprising 162 bedrooms including external alterations

This application is brought to the Committee because of the size of the proposed development.

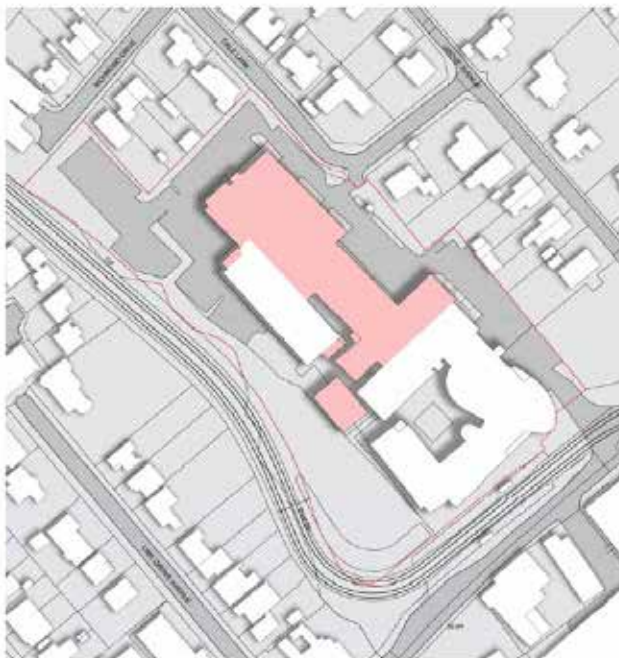
1 Executive Summary

- 1.1 This a major planning application seeking permission to convert part of the existing college building into student accommodation comprising 162 bedrooms with external alterations.
- 1.2 As part of the application a Design and Access Statement, Planning Statement, Health Impact Statement, Building for Life Assessment, Energy Statement, Noise Assessment, Drainage Strategy, Flood Risk Assessment, Sequential Test, Transport Assessment, Travel Plan, Preliminary Ecological Survey and Statement of Community Involvement were submitted.
- 1.3 The main issue relates to whether the conversion of the building into student accommodation would be acceptable, if there is an acceptable level of design from the external alterations, if there is an acceptable impact on neighbour amenity, if it is acceptable in flood risk terms and if it is acceptable in relation to highway safety.
- 1.4 The benefits of the proposal are that the building is currently vacant and it would be brought back into use with minimal changes to the external appearance and would be accommodation specifically for students which would reduce the pressure for C3 dwellings to be occupied as a C4 use (under permitted development). The site is in a sustainable location with good access to public transport and to facilities such as retail, leisure, health and education, reducing reliance on private vehicles. Furthermore, the layout would provide an acceptable standard of living for the future occupiers. The development would be in accordance with the policies contained within the development plan which is given significant weight. There would be some impact on neighbour amenity but this is outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This is a major planning application seeking permission to convert part of the existing college building into student accommodation comprising 162 bedrooms with external alterations. The building will not increase in footprint and the central courtyard will be retained.
- 1.2 The existing access from High Road will be retained and will provide access to 15 car parking spaces, five motorcycle spaces and 40 cycle spaces to the side and rear of the site. There is a second access into the site from Dale Lane but this is not considered within this application as it is outside of the site location plan. The internal layout will consist of cluster flats and studio flats ranging from studio flats to eight bed flats.
- 1.3 The college building considered in this application consists of a mixture of two and half to four storeys in height. The rear element is traditional in design and the front element, contemporary. The main external alterations to the building include, replacement windows, changes to fenestration, insertion of windows in various elevations, tile panels replaced with externally insulated render panels and existing curved balcony to the front infilled with windows and solid paneling.
- 1.4 This application is the first of three phases to redevelop the whole site for a mixture of student accommodation, residential apartments and houses. The below is an indicative plan to show the redevelopment of the site. Application 2 and 3 have not been submitted and are not considered as part of this application.



Missing to be Demolished



Planning Application Strategy

Application 1—Student accommodation
Application 2—Student accommodation
Application 3—Residential apartments and houses

2 Site and surroundings

- 2.1 The application site comprises a large building ranging from two and half storeys to four storeys in height. The wider site comprises buildings that are part of the college that have largely been demolished; however, these are not considered as part of this application.
- 2.2 The site is enclosed by vegetation, concrete fencing, brick walls and railings.
- 2.3 The site is relatively flat and located within mainly Flood Zone 2 and partly within Flood Zone 3 which is land with a high probability (1 in 100 or greater) of river flooding.
- 2.4 The site faces High Road and is located within a commercial/ residential area and is located just outside of the Centre of Neighbourhood Importance for Chilwell Road/ High Road and Chilwell Cottage Grove Conservation Area. The site is largely enclosed by residential properties but the tram line separates the residential properties from the site to the south west and south east.

3 Relevant Planning History

- 3.1 Planning permission (93/00628/FUL) was granted in December 1993 to construct a link block with a disabled ramp between the existing library and office accommodation.
- 3.2 Planning permission (03/00291/FUL) was granted in August 2003 to demolish temporary classrooms and construct extensions forming new classrooms, staff rooms, ancillary areas, entrance foyer, reception, cafeteria, media centre, lecture theatre/auditorium, library and resource centre and re-siting of vehicular access from High Road.
- 3.3 Planning permission (05/00248/FUL) was granted in May 2005 to construct extensions forming new classrooms, staff rooms, ancillary area, entrance foyer, reception, cafeteria, media centre, lecture theatre/auditorium, library and resource centre (amendments to the siting, layout, design and external appearance approved under planning permission ref: 03/00291/FUL).
- 3.4 Planning permission (07/01013/FUL) was granted in January 2008 for amendments to approved elevations, a single storey ground floor extension, an extension parapet of an approved roof plant room and installation of ventilation units.
- 3.5 Planning permission (13/00325/FUL) was granted in in July 2013 to construct an external facade to G-Block tower and kitchen buildings.

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 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 14: Managing Travel Demand
- Policy 17: Biodiversity
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

4.2 Part 2 Local Plan

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

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)
- Policy 17: Place-making, Design and Amenity
- Policy 20: Air Quality
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions
-

4.3 National Planning Policy Framework (NPPF) 2019:

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

5 Consultations

5.1 **Council's Environmental Health Officer:** Environmental Health has not raised any objection in relation to the change of use and has stated that any incidents of excessive noise should be reported to the Council and would be dealt with via relevant legislation. Advise conditions restricting the hours of construction, the submission of a Demolition and Construction Method Statement and that the fenestration as detailed in Section 6 of the Noise Assessment is installed to the specified details. An advisory is advised in respect of prohibiting burning waste on site.

5.2 **Council's Business and Projects Manager (Environment):** no request for open space contribution.

5.3 **Council's Housing Strategy and Development Officer:** no objection.

- 5.4 **Council's Private Housing Officer:** no objection but require further information on licensing.
- 5.5 **Council's Waste and Recycling Officer:** advise bin requirements and on requirements for the road to accommodate refuse vehicles if they are adopted.
- 5.6 **Council's Conservation Officer:** No objection: assessed this application based only on the conversion and alterations to the existing building and have not assessed this application as a Phase I of a wider application site (as this is not part of the application).

The fundamental alteration is the change of use of the building from education to living accommodation, specifically student accommodation. Alterations will predominantly affect the internal arrangement, with some external changes such as fenestration. The built environment will have minimal changes from this application.

It is considered that the change of use would have minimal potential impact upon the neighbouring heritage asset, namely the adjacent conservation area. The requirement of conservation is to preserve and enhance the character and appearance of the conservation area. The built environment will be largely preserved in its existing form. The neighbouring character of the area is residential, therefore the proposed use, albeit student accommodation, is not contrary to the character.

- 5.7 **Nottinghamshire County Council as Highways Authority:** The Transport assessment demonstrates that the college could have generated up to 1179 daily trips next to the student accommodation which could be up to 35 daily. Therefore, satisfied that the difference between the two uses will not result in a material increase in traffic.

The number of parking spaces supports the anticipated level of motor vehicles associated with the site.

The Residents Parking Scheme (RPS) would push any potential displacement of vehicles outside the limits of the RPS but beyond the point of inconvenience.

Recognise that the site is being promoted as "car free" and has frequent public transport services.

Further detailed comments were made in relation to the Transport Strategy and a request for more information was made.

Further information provided in relation to the Transport Strategy: approved the travel plan.

Comments in relation to if the internal road could be adopted: When the future aspirations to develop the site come forward, main concern will be vehicles entering/exiting the site – if the geometry of the access will be sufficient to ensure two-way flows can take place without vehicles backing out across the tram line. It

will be a case of whether the signalised junction has enough spare capacity to absorb the additional loading.

The swept path analysis showing the refuse vehicle would not mean that road would be adopted as this depends on the geometry of the road and if this meets design standards.

As the future roads within the site will remain private, will need to make sure they are provided with a standard commensurate for their intended use, that measures are put in place to ensure that appropriate provision is secured to ensure future maintenance regimes and the Highways Authority is not petitioned to adopt them.

5.8 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** have reviewed the application and it is not required to make bespoke comments. Advise comments in relation to flood risk, drainage and SUDS.

5.9 **Nottinghamshire County Council Planning Policy:** no request for financial contributions.

5.10 **Environment Agency:** initial comments: object as the Flood Risk Assessment (FRA) does not adequately assess the flood risks posed by the development in relation to: how people will be kept safe from the identified flood hazards, flood emergency planning, provide finished floor levels, resistance and resilience measures and provision of safe access and egress routes.

Comments in relation to FRA Addendum: withdraw objection and advise that the development is carried out in accordance with the FRA and Addendum.

5.11 **Severn Trent Water:** no comments received.

5.12 **Cadent Gas:** apparatus identified in area, advise the contractor contacts Plant Protection.

5.13 **NHS Nottingham City Clinical Commissioning Group (CCG):** has made a health contribution request for £35,113.50 for primary health care.

5.14 **Nottingham NHS Trust:** request a financial contribution of £72,693.00 to provide additional health care services to meet an increase of patient demand as a result of this development.

5.15 **Nottinghamshire Wildlife Trust:** initial comments (holding objection): The Preliminary Ecological Appraisal Report does not provide a fully comprehensive assessment of the application site for biodiversity. Raise concerns with the desktop study and a more thorough assessment is needed, lack of detail provided in relation to hedgerows (advise that all hedgerows are retained where possible), insufficient detail provided in relation to the potential importance of the wildlife corridor (recommend it is retained as a wildlife corridor). Report does not include an assessment of the buildings on site in relation to bats. Support recommendations in respect of vegetation clearance but recommend that nesting bird checks are undertaken by a qualified ecologist. Location of amphibians and reptiles is not stipulated. Recommend Precautionary Working Measures (PWM) are

implemented and adhered to throughout the development stage. No reference to hedgehogs and their presence cannot be ruled out. Report does not make reference to biodiversity net gains and welcome enhancements on an around the site.

Second comments: the ecologist has included the location and date of the species record which is welcomed. The information highlights there are bats in the area therefore, should bat roosting features be present on the buildings, nocturnal surveys should be undertaken. Welcome recommendation for further nocturnal bat surveys. Works must cease until further bat survey(s) is undertaken. Recommend that four bat surveyors carry out surveys to the building. Recommend a condition in respect of a lighting strategy to reduce light pollution is included. Support ecologists declaration that there will be no constraints to the development in regards to great crested newts. Fully support that efforts should be made to retain green corridor. Boxes designed for starlings would be most suitable for nesting birds in line with this type of development. Bat and bird boxes are welcomed but not sufficient to cover the loss of habitat(s). Therefore, a condition should be imposed requiring a submission of a Landscape and Economical Management Plan (LEMP) mapping the ecological enhancements on site. A condition securing Reasonable Avoidance Measures (RAMS) should also be included.

Third comments: reviewed the bat survey document and content with the conclusions. Therefore, works may proceed in regard to the building demolition. However, all the recommendations outlined in the RammSanderson report must be implemented. If any bats are found, works must cease and RammSanderson contacted for further advice. Summary of outstanding concerns which can be dealt with via conditions: lighting strategy required, retention of green corridor adjacent to tramline required, removal of inclusion of swallow cups and replace with starling boxes, install swift/ sparrow boxes and LEMP to highlight biodiversity enhancements; and reasonable avoidance measures secured via planning condition to reduce impacts to wildlife including nesting birds, terrestrial mammals, and amphibians.

- 5.16 **NET:** no objection subject to a condition requesting a Construction Traffic Method Statement to be agreed with the operator before works commence. The applicant should liaise with Tramlink Nottingham in regards to bulk tram ticket purchases. Funding is required from the developer to change the name of the tram stop due to the change in use from a college to residential accommodation.
- 5.17 **Nottingham Police Crime Prevention Design Advisor:** identified several key features that could potentially contribute to crime and disorder and seek further clarity on these: proposed visitor access control system, residential access control, bicycle parking and security, details of the proposed management and maintenance program for the car park.

Second comments: no further comments to make based on additional information provided.

- 5.18 81 neighbouring properties were consulted on the application, a petition with 20 signatures objecting to the proposal, 5 newspaper articles, 60 objections (two

containing the same newspaper article) and 12 observations were received. The comments will be summarised as follows:

- Noise and disturbance from students (should be conditioned)
- Overlooking
- Most residents on Dale Lane are of a retirement age
- Developers have provided information on existing noise levels during lockdown when people are isolating
- Glazing will not prevent noise travelling, especially through open windows
- Density is inappropriate
- Should have no outdoor recreational space to ensure noise is managed
- Landscaping and boundary treatments for noise should be considered
- Sense of enclosure
- Unclear on boundary treatments
- Telecommunication aerials are unsightly and their visual impact should be reduced
- Out of character with area
- Building should not exceed current height
- Materials should be in keeping with conservation area and age well
- Concerns with flooding and drainage, especially due to flooding last year
- Flood risk will be made worse by further development
- The site is within 20m of a watercourse (culverted under tramline) but FRA fails to state this
- Two trees providing screening from development and request for these to be retained
- Removal of green space to the south west of college building is unacceptable
- Trees were planted to replace TPO's removed from the tram
- Hedgehogs should be considered
- Trees and hedges should be planted
- Proposal fails to satisfy Policy 1 of the Aligned Core Strategy in relation to minimising carbon emissions (as a minimum new glazing should be double or triple glazed)
- Developer such reconsider the heating and hot water strategy
- Plans should demonstrate how the roof area has been used to maximise the on-site generation capacity of the proposal
- Condition should be imposed requiring energy generating technology to be monitored
- Existing access to be utilised from High Road is welcomed
- Existing access is problematic
- Additional traffic should be mitigated on southern side of Grove Avenue by finding alternative parking for J&B Autos vehicles
- Concerned that the Dale Lane entrance may be utilised as it is narrow with limited visibility
- Insufficient parking
- Central College undertook great efforts to dissuade students from parking on Dale Lane and Grove Avenue which should be repeated
- Application underestimates peak traffic events such as summer schools and open days
- Booking system for traffic/parking will not work
- Students should not be issued parking permits

- Concerns of parking outside of permitted hours on nearby roads
- Further consultation should take place with residents on non-permitted part of Park Road
- Tram will be overcrowded with additional students
- Tram lines are life-threatening for cyclists
- Should be refused on highway safety grounds for risk to cyclist's safety
- Concerns with the Transport Assessment and it failing to highlight sufficiently the risk to cyclists
- Extension to college building will increase pressure on limited parking
- Parking spaces doesn't consider visitor parking
- Grove Avenue does not have a pavement and increase in traffic from Dale Lane access will mean it is difficult to navigate as a pedestrian
- Highways Authority should extend permitted times to control out of hours traffic on surrounding roads
- Access should be considered to the rest of the site in this application and if not, should be refused
- Signage should be put in place to direct cars away from Grove Avenue
- Access road onto High Road should be adopted
- Grove Avenue has not been resurfaced for a significant period of time
- Excessive noise and disturbance from demolition of buildings
- Not informed of demolition of buildings
- Student accommodation is taking over Beeston, should be converted into affordable residential living for the community or nursing home
- The college should remain as a place of learning
- Student accommodation should be restricted to campuses or adjacent areas
- 285 students means there will be 75 more students inhabiting the site more than Nottingham University halls of residence
- Will be unable to live in properties, unable to sell them and will depreciate in value
- Antisocial behaviour and activities associated with students
- Smaller flats, eight bed flats are too large
- Should have a minimum age for residents (e.g. less than 21)
- A sound barrier should be built
- A curfew should be agreed
- Concerns for cyclists and pedestrian's safety
- Concerns with access for emergency vehicles and takeaway delivery vehicles
- Excessive litter
- Increase strain on local services
- Lack of publication during lockdown
- Concerns with impact on Richmond Drive sheltered accommodation
- Overdevelopment
- Open spaces should be considered for students
- The Council has not informed all local residents of the application
- Loss of community
- Phase 2 and 3 should be considered as part of the wider context of the site
- Concerns with Phase 2 and 3 in relation to additional students, noise, environmental factors, overlooking, loss of amenity, parking and extension to the main college buildings
- Application should be refused on the impact on the conservation area alone
- Reduction in need for student housing due to Covid-19

- Media attention around illegal student gatherings during lockdown
 - Results of overpopulation of students has been witnessed in Lenton/Dunkirk area and has contributed to the decline of these areas
 - Students will not integrate with community in a purpose built student complex
 - NET should organise a cycle-friendly alternative for cyclists via quiet roads of provide a good quality segregated cycleway highway adjacent to the tramline
 - Should be 24 hour security
 - Phone number to contact if problems occur with the site
 - Misleading deadlines on consultation
 - Lime Grove Avenue has not been consulted
 - Full name of applicant should be given
 - Does not meet policies regarding environmentally sensitive design and construction, reducing the risk of flooding, and promoting the use of low carbon technologies or housing mix
 - Not included in development plan as an allocated site
 - Owners should be held accountable by planning conditions to ensure the site is managed and supervised correctly
 - Increase in crime
 - Later applications are more likely to be approved if this application is approved
 - Removal of educational building has been detrimental to economic and educational opportunity in the area
 - Object to any pedestrian access around border of property
 - Transient population doesn't suit long-term residential area
 - Existing courtyard area is limited as recreational space
 - External lighting around site but not bright enough to impact on adjoining neighbours
 - Student development application at former Kings Carpets site on Marlborough Road
 - Projects including Technology Drive, Barton Quarter and the Myford site encourage a vibrant town centre but conversion of an educational building is inappropriate
 - Too far from university campus
 - Conditions in respect of access, green spaces, noise, residents parking and S106 contributions should be considered
 - No economic benefit to area
 - Could benefit retailers in area
 - Students should be integrated into area with local residents
 - Positive use of site.
- 5.19 Observations were received by the Beeston Civic Society which can be summarised as follows: concerned that the number of occupants could have a negative impact on neighbour amenity in regards to nuisance, noise and potential overlooking. These concerns would outweigh any positives for the local economy. Infrastructure improvements will be required for pedestrians and cyclists. Landscaping should be retained and enhanced. A robust management plan should be required before occupation and expect conditions in respect of waste management, noise and car parking. There is little or no evidence of community involvement prior to the submission of the application. Intensification would detract from the character of the wider area, in particular, the conservation area. Developers of large scale university student accommodation should be required to

provide evidence that such extensions to the university campus on sites such as this one do actually free up family homes.

6 Assessment

6.1 The main issues for consideration are the principle of the development, including the proposed change of use; design; amenity; flood risk, and impact on highway safety and parking.

6.2 **Principle**

6.2.1 It is evident from the number of objections received that the principle of the change of use is strongly opposed and one of the main reasons is the perceived transient nature of students inhabiting the site. However, the Council does not have any policies restricting student development and each application submitted should be considered on its own merit. It is acknowledged that an application is being considered under 21/00092/FUL to demolish a vacant retail unit formerly occupied by Kings Carpet for a C4 Use. In addition to this, a vacant residential unit was granted permission under (18/00607/FUL) for an 83 bed student accommodation. All these sites are/were vacant, privately owned buildings and therefore the Council must deal with submissions as they are presented.

6.2.2 Whilst there might be a preference for affordable housing on this site, it is acknowledged that affordable housing is still secured through multiple sites within the borough through Section 106 agreements. Beeston and Chilwell periphery are inevitably popular places for student accommodation given their sustainable transport links connecting them to Nottingham University and Nottingham Trent University in Nottingham City Centre. Furthermore, granting approval for schemes such as these can relieve pressure on the conversion of the conversion of family homes into C4 uses which is permitted development.

6.2.3 The application site is considered to be a good location for student accommodation, being close to a wide range of amenities within the Centre of Neighbourhood Importance for Chilwell Road/ High Road and centre of Beeston (as opposed to amidst a predominately housing area). It is within close proximity to sustainable transport options such as the tram route immediately outside the site on High Road (and regular bus services). For these reason, it is considered that the principle of the proposed change of use and bringing this vacant building back into use is acceptable.

6.2.4 To conclude, it is considered the principle of the development is acceptable and matters in relation to design; amenity; and impact on highway safety and parking will be addressed below.

6.3 **Flood Risk**

6.3.1 The site is partially located within Flood Zone's 2 & 3 which is land with a high probability (1 in 100 or greater) of river flooding. A Flood Risk Assessment has been submitted with the application. Paragraphs 155 – 158 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but

where it is necessary, should be undertaken without increasing flood risk elsewhere.

- 6.3.2 Within Beeston there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. Sequentially, it is considered the site is acceptable and it is considered a positive that this location minimises additional development in the Green Belt in Broxtowe. Furthermore, it is the conversion of a vacant building which makes good use of an existing site. Therefore, when assessing whether other sites are 'reasonably available', this site can be viewed as a 'sustainability benefit' and the Green Belt must be treated as a major constraint.
- 6.3.3 The application site is located predominantly within Flood Zone 2 and Flood Zone 3 where there is a high risk of flooding. In line with the National Planning Policy Framework (NPPF), any application for residential development within Flood Zone 2 or 3 is subject to a sequential test. This test aims to steer new development to Flood Zone 1 where there is a lower probability of river or sea flooding.
- 6.3.4 A Flood Risk Assessment has been submitted which confirms that the existing floor level of the building will remain at 32.90m AOD (Above Ordnance Datum). According to the FRA, the existing finished floor level of the building is substantially raised above the adjacent site boundary levels to the adjacent existing tram line. The FRA concludes the following: *"It is therefore inferred that the existing building FFL is not at risk of fluvial flooding, as surrounding infrastructure and associated areas are currently located below the existing building level, as evidenced by site specific topographical data, and will likely displace any floodwaters before reaching such a level as to affect the existing building."*
- 6.3.5 In relation to access and egress, the FRA states the following: *"As the Flood Zone 3 extents appear to encroach into the development site from the western boundary, safe access and egress may be achievable from the existing site access off High Road and also the existing retained building entrance (which are located with Flood Zone 1)."* Resistance and resilience measures such as raised electrical sockets, resilient wall and floor finishes will also be included in the conversion of the building.
- 6.3.6 The Environment Agency (EA) initially objected to this application due to the absence of an acceptable Flood Risk Assessment. Further information was submitted via an addendum in relation to floor levels, access and egress and flood resilience and resistance measures. The EA overturned their objection and are now in support of the application.
- 6.3.7 The Lead Local Flood Authority did not raise any objection or make any bespoke comments in relation to the application.
- 6.3.8 Taking these factors into account, it is considered that a sufficient assessment of alternative sites has been made given that a failure to permit the change of use of an existing building which is protected by good quality flood defences, and has a site specific FRA demonstrating the development is acceptable on flood risk grounds, will lead to alternative locations being required in less sustainable locations including the Green Belt.

6.4 Design

- 6.4.1 The existing building is of a contemporary, striking appearance with a strong visual presence in the street scene of High Road positioned at the end of the Centre of Neighbourhood Importance for Chilwell Road/ High Road but relatively isolated in appearance. The proposal will largely retain this appearance that there will be minimal changes to the façade.
- 6.4.2 The external alterations to the building include, replacement windows, changes to the fenestration, insertion of windows in various elevations, tile panels replaced with externally insulated render panels and existing curved balcony to the front infilled with windows and solid paneling.
- 6.4.3 The façade has been retained in relatively good condition. The older traditional element of the building that connects to this part to the rear will be updated with new windows to match the front element of the building.
- 6.4.4 Insulated render panels to match existing paneling will be used on different elements of the building. Where fenestration is bricked up, matching bricks will be used.
- 6.4.5 A condition will be included to provide samples of external facing materials to ensure these are in keeping with the main building and due to the proximity to the adjoining conservation area.
- 6.4.6 The building will not increase in height or footprint.
- 6.4.7 To conclude, as the building will largely retain the same design but will be “made good” where appropriate to accommodate for internal changes, it is considered the design is acceptable. The building will not increase in height or footprint.

6.4 Amenity

- 6.4.1 A number of concerns have been received in relation to the building causing a sense of enclosure, overlooking and excessive noise and disturbance.
- 6.4.2 Concerns have been raised in relation to phases 2 and 3 but as they are not within the red line of this application, they cannot be considered. The building considered in this application will not increase in height or footprint, therefore the relationship with neighbours in regards to the massing of the building will remain unchanged. It is considered there will be some level of overlooking but not to a detrimental level that would be refusable.
- 6.4.3 Whilst it is acknowledged the fenestration will be amended and new windows will be inserted, it will largely retain the same outlook and appearance and the building is a minimum of approximately 27m at its nearest point to any adjoining neighbour which is considered to be a substantial distance. Furthermore, whilst it is also acknowledged that the building is of a substantial size in comparison to the neighbouring residential properties, the building has been established for a number of years and is not increasing in size or massing, therefore it is considered the

building itself, even with the proposed change of use, will not have a detrimental impact on the amenity of adjoining neighbours.

- 6.4.4 It is acknowledged that a degree of noise and disturbance will be experienced from the change of use of the building into student accommodation. However, it is also acknowledged that a degree of noise and disturbance will have been experienced from its use as a college. Environmental Health has not raised any objection in relation to the change of use and has stated that any incidents of excessive noise should be reported to the Council and would be dealt with via relevant legislation. A condition to control noise levels would not be included as this is dealt with via different legislation as mentioned above. In addition to this, a condition has been advised to ensure the fenestration as detailed in Section 6 of the Noise Assessment is installed to the specified details.

6.5 Highways and Access

- 6.5.1 The Highways Authority has not objected to the application. A Transport Assessment (TA) was submitted with the application which has considered the likely impact of the development on the local road network and highway infrastructure. It has been estimated by the College's facilities and management team that the total number of students and staff occupying the site was approximately 3250. The Transport assessment demonstrates that the college could have generated up to 1179 daily trips which is significantly higher when compared with the anticipated 35 daily trips generated from the student accommodation. Therefore, it is considered the difference between the two uses in regards to trip generations will not have significant impact on traffic.
- 6.5.2 The Highway Authority has concluded that the number of parking spaces would support the anticipated level of motor vehicles associated with the site and that the Residents Parking Scheme (RPS) on neighbouring roads would push any potential displacement of vehicles outside the limits of the RPS but beyond the point of inconvenience.
- 6.5.3 With regard to parking provision across the site, the future managers of the site have proposed a 'no car ownership' policy for all students, that will prevent them taking up residence without signing a contract to agree to not having a car on site. The site owners have also suggested that there could be a clause added into any S106 agreement to give greater 'support' to this argument. Whilst the notion of restricting car ownership is supported, it is not considered reasonable or practically enforceable to add a planning condition to this effect. This is an issue for the management of the site, by the future owners, rather than something that can be enforced by the planning department. In the same vein, it is not considered justified to add this into any legal agreement as it would not be CIL compliant.
- 6.5.4 Discussions were undertaken in relation to the site access and internal road and pavements being amended in order for the road to be adoptable. However, this was declined by the agent and therefore the S106 will include reference to the site access, roads and pavements being managed privately with no responsibility falling onto the Local Authority or Highways Authority.

- 6.5.5 There are two accesses into the site, one via High Road and one via Dale Lane; however, the access via Dale Lane is not in use and not considered as part of this application as it outside the site location plan. The proposed access for pedestrians and vehicles will remain from High Road. The site will provide 15 car parking spaces, five motorcycle spaces and 40 cycle spaces to the side and rear of the site. Based on the expected trip generations and lack of objection from the Highways Authority, it is considered this is acceptable.
- 6.5.6 It is evident within the consultation responses that there is concern that the development does not include sufficient parking provision and that this will lead to increased demand for on-street parking which would be detrimental to the area. In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.5.7 NET has not raised any objection to the application subject to a Construction Method statement that is agreed in advance of works commencing. The applicant is advised to liaise with Tramlink Nottingham in regards to bulk tram ticket purchases and funding will be required from the developer to change the name of the tram stop due to the change in use from a college to residential accommodation.
- 6.5.8 To conclude, the site lies within a sustainable location with access to regular bus services along High Road (with a bus and tram stop being positioned in front of the site). The site is within close proximity to the Centre of Neighbourhood Importance for Chilwell Road/ High Road and within walking distance of Beeston town centre. It is considered that car ownership associated with the site will be low but for the reasons stated above, it is considered that the proposed change of use would not have a detrimental impact on traffic, parking or highway safety. In addition to this, the Highways Authority has not objected to the scheme on highway safety grounds or for any other matter. Therefore, it is considered that a pragmatic approach needs to be taken in respect of bringing this vacant building back into use.

6.6 Ecology

- 6.6.1 A Preliminary Ecological Appraisal was undertaken to determine the presence of any important habitats or species which would need to be considered through the proposed conversion of the building.
- 6.6.2 It was concluded that the site was considered to be of low value to wildlife and that only a small range of floral species were present, three species of birds were observed which were all Species of Low Conservation Concern. None of the trees on the site contained any features which could be considered suitable for roosting bats and there were no signs of Otters or Water Voles. The site was unsuitable for amphibians and reptiles as there were no still water wetland features. The site was dominated by buildings and hardstanding, with only a small area of grassland and

scrub and as such it was concluded that there was low potential for significant invertebrate assemblages.

- 6.6.3 The survey highlights the possible impacts of the proposed works and recommendations to overcome these. Some of these include removal of trees and shrubs outside of the bird nesting season (but where unavoidable a qualified ecologist would be required to provide clearance before works commenced), escape routes from open trenches for potential wildlife and safe removal of hedgehogs. Bird and bat boxes are also recommended.
- 6.6.4 The Nottinghamshire Wildlife Trust (NWT) raised a holding objection and listed a number of concerns with the Preliminary Ecological Appraisal section 5.15 of this report. A more thorough assessment within the Preliminary Ecological Appraisal and a Preliminary Bat Survey were provided. NWT concluded they were content with the additional information and advise conditions in respect of the following: lighting strategy, retention of green corridor adjacent to tramline, removal of inclusion of swallow cups and replace with starling boxes, installation of swift/sparrow boxes and LEMP to highlight biodiversity enhancements; and reasonable avoidance measures secured via planning condition to reduce impacts to wildlife including nesting birds, terrestrial mammals, and amphibians.
- 6.6.5 The Preliminary Ecological Appraisal has identified that there is a low risk of amphibians and reptiles on the site due to there being no wetland features and being located in an urban area, therefore it is considered unreasonable to include a condition for precautionary working measures throughout the process and such a condition would be unpractically enforceable by the Council. Furthermore, there is legislation to protect any protected species which should be adhered to.
- 6.6.6 Whilst NWT has requested for the green corridor to the south west to be retained via a condition, this is outside of the site location and therefore cannot be conditioned.

6.7 Heritage

- 6.7.1 The site is located just outside of the Chilwell Cottage Grove Conservation Area and therefore the Conservation Officer was consulted on the application. No objection was raised and it was recognised that the external changes to the building proposed are minimal. It is considered that the change of use would have minimal potential impact upon the neighbouring heritage asset, namely the adjacent conservation area. It was recognised that the built environment will largely be retained and that the proposed use of student accommodation next to residential properties would not be contrary to the character.
- 6.7.2 To conclude, as the building will largely be retained in its current form, it is considered the impact on the neighbouring conservation area is acceptable. Whilst it is recognised the use is changing to accommodate students, this is a residential use which is prevalent in the area and therefore on heritage grounds, the application is considered to be acceptable.

6.8 Financial Contributions

- 6.8.1 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010, planning obligations can only be used if they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
- 6.8.2 As this application is for student accommodation, no financial contributions towards affordable housing will be sought.
- 6.8.3 NHS Nottingham City Clinical Commissioning Group (CCG) has made a health contribution request for £35,113.5 for primary health care which has been agreed to be paid by the agent.
- 6.8.4 The NHS Trust has requested a financial contribution of £72,693.00 to provide additional health care services to meet an increase of patient demand as a result of this development. The agent has declined to pay this contribution. As there is no requirement within Broxtowe's adopted planning policy to a contribution of this nature to be requested, it would not be justifiable to refuse this application based on this reason.
- 6.8.5 In conclusion on S106 matters, the proposed obligation is considered to meet the tests set out in the NPPF in terms of being necessary, directly related and fairly and reasonably related in scale and kind to the development.
- 6.8.6 The S106 heads of terms have been agreed and the S106 document is currently being drawn up and finalised with the Council's legal department.
- 6.9 Other Matters**
- 6.9.1 The Nottingham Police Crime and Prevention Design Advisor identified several key features that could potentially contribute to crime and disorder and requested further clarity on these from the agent. The concerns raised in relation to this scheme were in respect of: proposed visitor access control system, residential access control, mail delivery, bicycle parking and security, details of the proposed management and maintenance program for the car park.
- 6.9.2 The agent confirmed that visitor access will be controlled via an intercom system with a door release function, cycle stores will have security features, parking will be managed on site by the operator and a secure mail and letter box delivery unit will be installed. The Police Crime and Prevention Design Advisor did not raise any further comments in relation to this response.
- 6.9.3 Licensing is not a material planning consideration and is dealt with by the Council's Private Sector Housing department.
- 6.9.4 Whilst it is acknowledged there is a mix of demographics in the area, some of which include older residents, this would not be a reason to refuse the application. Furthermore, any potential excessive noise and disturbance should be reported to the Council's Environmental Health department.

- 6.9.5 Whilst it is accepted that the noise assessment was conducted within unusual circumstances that could have led to different results, Environmental Health has been consulted on the application and has not raised any concerns or objections to the results or proposed change of use.
- 6.9.6 The glazing will be conditioned to ensure it meets the specific requirements as stated in Section 6 of the Noise Assessment which will be in line with Building Regulations. It is considered this is sufficient to mitigate the impact of excessive internal noise. It is acknowledged that when windows are open that noise may be experienced on a higher level but it is considered this would not be to a detrimental level, especially given the separation distances to nearby properties.
- 6.9.7 It is an accepted practice that student accommodation is high density but it is considered that the density is acceptable given that this is a change of use and the footprint is not increasing. The Private Housing team has not raised an objection in regards to the layout or density.
- 6.9.8 The external usable space will be located in a central courtyard, enclosed on all sides by the accommodation buildings which will mitigate some noise and disturbance.
- 6.9.9 A condition in respect of landscaping will be included which will include details of trees, planting and boundary treatments. The Statement of Community Involvement states the following: *"There is currently no intention to remove any existing trees or vegetation along the boundaries and as part of the applications for the remaining phases a study of the locations, size etc of existing vegetation will take place as part of the biodiversity report. In the unlikely event that any cutting back / removal becomes necessary this would be discussed directly with the resident on the affected shared boundary."* The agent has confirmed the intention to retain all trees within this phase of the application.
- 6.9.10 There are legal requirements in place to retain the telecommunications equipment and therefore requesting their removal would be unreasonable, especially as this is a conversion of the building and they are existing features.
- 6.9.11 Parking permits are issued via Nottinghamshire County Council as Highways Authority.
- 6.9.12 It would be unreasonable to find alternative parking for J&B Autos as a result of the approval of this application.
- 6.9.13 The Statement of Community Involvement states that the High Road access will be the only access into the site for all phases of development and is not proposed via Richmond Drive or Dale Lane. However, if there was a proposal for access via these two roads with another application, the Highways Authority would assess the suitability of both accesses in line with the scheme proposed.
- 6.9.14 Whilst there will be an increased usage on the tram service, given the nature of students attending lectures are different times throughout the day and frequency of the tram service, it is considered this would not put detrimental pressure on the service. Furthermore, NET has not raised any concerns in respect of this.

- 6.9.15 The Highways Authority has not raised any concern in respect of highway safety and cyclists and the application would not be refused on this.
- 6.9.16 It would be unreasonable to include a curfew for occupants of the site and the operations of the site will likely be managed by a management company.
- 6.9.17 A number of concerns have been raised in respect of the second and third phase of development and that this should be considered in line with this application. However, only the site within the site location plan can be considered. Should this application be approved, any future applications would be considered alongside this.
- 6.9.18 The proposed application will be for 162 students and future phases are anticipated to be private residential properties, not specifically students; however, this would be subject to assessment with future applications.
- 6.9.19 Any alterations to existing highways or infrastructure in the local area would be carried out by the Highways Authority. The Highways Authority has not request any financial contributions to mitigate the development on local infrastructure.
- 6.9.20 Concerns have been raised in regards to the noise and disturbance created from the demolition of the existing buildings on site which is being dealt with by Environmental Health. It is considered that planning permission is not required for the demolition of the buildings on site.
- 6.9.21 The depreciation of house values is not a material planning consideration.
- 6.9.22 Any anti-social behaviour should be reported to the police.
- 6.9.23 Whilst it is acknowledged there will be some impact on local services, this is considered to not be detrimental. There are a number of developments in the area (Technology Drive, Barton Quarter and the Myford site) that cumulatively will impact on local services but will also provide opportunity for services to expand and increase which will add to the local economy of Beeston and Chilwell.
- 6.9.24 All adjoining neighbours and two site notices (one in front of the site on High Road and one on Grove Avenue) were displayed to publicise the application which is sufficient in line with statutory requirements. There is usually a cross over between the consultation length of time stated in letters and when site notices are put up by the officer. This means that sites such as these can receive longer than the statutory 21-day period to provide comments but never shorter.
- 6.9.25 Considering the neighbouring developments which have been approved and are under construction, it is considered this development will add to the mix of residents in the area and not detract from it.
- 6.9.26 Newspaper articles in relation to anti-social behaviour of students have been provided but these are isolated incidents and it cannot be assumed that all students will replicate this behaviour.

- 6.9.27 There is no requirement for the applicant to state their full name on the application.
- 6.9.28 Electrical charging points are proposed for a percentage of the car parking spaces.
- 6.9.29 Whilst this isn't an allocated site for housing, it does not mean that residential accommodation cannot be occupied on it.
- 6.9.30 Planning conditions imposed on the development must meet the relevant tests as stated within Paragraph 55 of the NPPF. Imposing conditions for the long term maintenance of the building would be unreasonable and would be undertaken by a management company.
- 6.9.31 A preliminary Energy Efficiency Statement was submitted which has explored the proposed energy consumption of the building in regards to providing double glazing windows and solar panels on the roof as well as exploring other forms of renewable energy such as air source heat pumps and CHP (Combined Heat and Power Systems).
- 6.9.32 The agent has confirmed that a monthly newsletter will be sent out to the local community to keep neighbours informed of what is happening on the site and future development. This will contain information for neighbours to contact the construction team directly.
- 6.9.33 FHP Student Living Team are proposing to manage the site subject to receiving permission. They have provided a "Student Living Management Plan" and it states the following in relation to potential disturbance in the area *"We recognise that the development of student properties has the risk of disturbing local residents and we recognise the need for and promote on-going dialogue and communication during the design, construction and operational phases. Our management team and systems will ensure an effective and responsive interface with the community and the control of issues such as Noise and Parking and wider ASB policies. We will ensure that all potential impacts on the community are dealt with promptly and locally, including the timely removal of waste and repairs so that the development always looks in optimum condition. We plan to be an active part and asset to the community and will encourage community engagement for the benefit of all."*
- 6.9.34 The Student Living Management Plan states the following in relation to conduct: *"The tenancy agreement will include a set of rules of conduct which the tenant will sign up to and be bound by during their stay at Broxtowe College... There is likely to be a further list of site rules that are more specific to the nature of each site we manage, bespoke to the local surroundings. This will be flexible for further years to reflect the specific nature of occupation and any situations that may occur. Where students breach the agreement, there will be escalating levels of enforcement which may include financial penalties for damage, written and final warnings and ultimately expulsions for serious breaches."*
- 6.9.35 The Student Living Management Plan states the following in relation to noise and anti-social behaviour *"Local residents will be given a single point of contact should there be any problems relating to noise or other anti-social behaviour, so that any problems can be dealt with expeditiously. We will provide feedback to local residents where any problems have been communicated. FHP Student living"*

believe open on-going dialogue with locals and residents is important in mitigating issues in relation to noise and ASB... The management team will also maintain a 24-hour telephone contact service for local people should they need to get in touch with a member of the management team out of hours. FHP Student Living in addition to 24/7 maintenance teams, have access to on-call caretakers when ASB and disturbances arise at FHP managed sites."

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide an acceptable standard of accommodation which would reflect an acceptable standard of design and would potentially relieve pressure on residential family homes being converted into small bed houses in multiple occupancy. On balance, whilst it is acknowledged there will be a degree of noise and disturbance experienced and impact on traffic and local services, it is considered this is outweighed by the positives of the scheme. Furthermore, the scheme is considered to be in accordance with the policies contained within the development plan which is given significant weight.

8 Conclusion

- 8.1 It is recommended that planning permission be granted, subject to the conditions set out below.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:</p> <p>(i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of health of a contribution</p> <p>(ii) the following conditions:</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawings:</p> <p>Received by the Local Planning Authority on 22 December 2020:</p> <ul style="list-style-type: none"> · 19119-CBP-Z1-XX-DR-A-4000-S4-P01 · 19119-CBP-Z1-XX-DR-A-1010-S4-P01 · 19119-CBP Z1-03-DR-A-3300-S4-P01

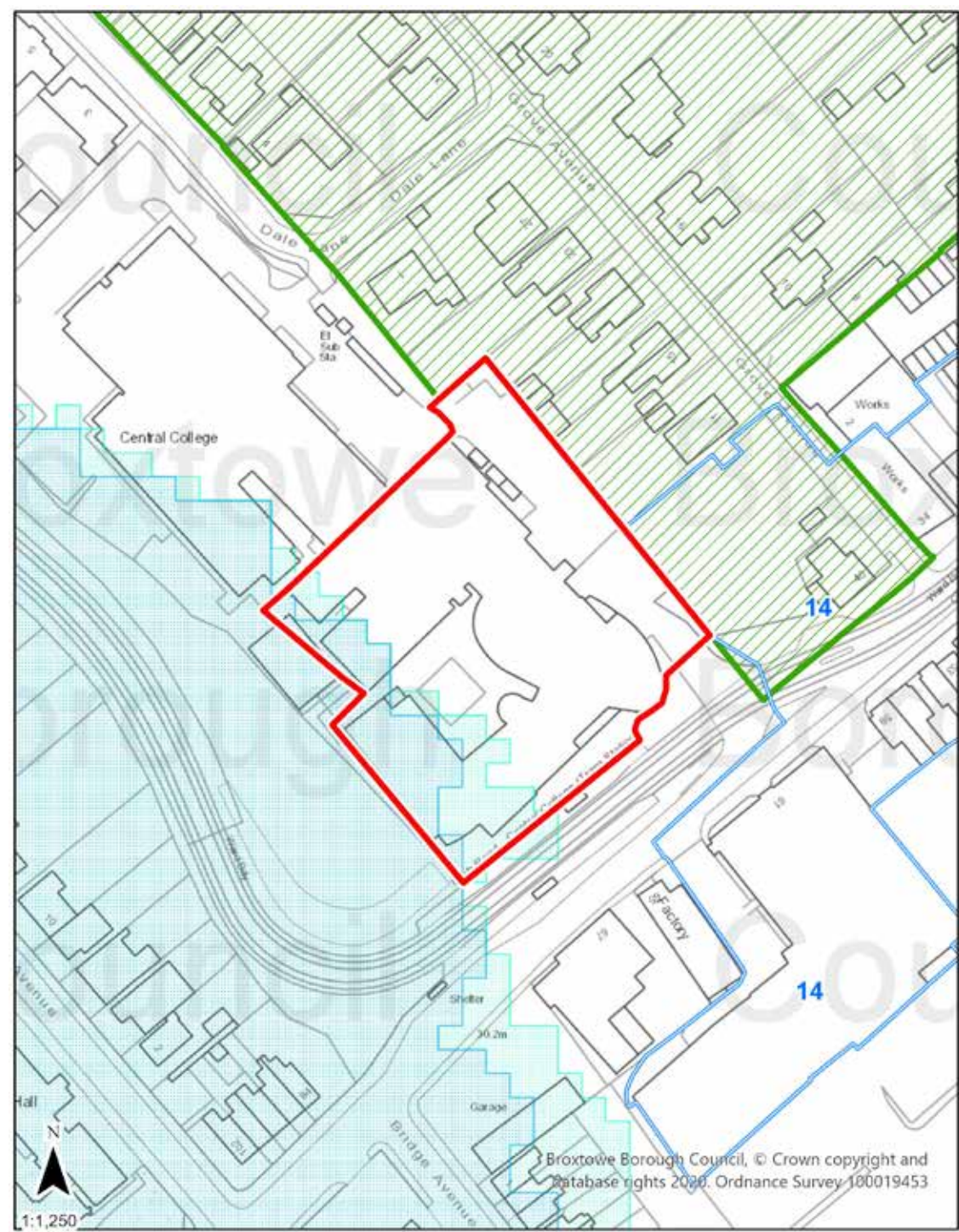
	<ul style="list-style-type: none"> 19119-CBP-Z1-01-DR-A-3100-S4-P01 <p>Received by the Local Planning Authority on 6 January 2021:</p> <ul style="list-style-type: none"> 19119-CBP-Z1-XX-DR-A-4001-S4-P02 <p>Received by the Local Planning Authority on 21 May 2021:</p> <ul style="list-style-type: none"> 19119-CBP-Z1-GF-DR-A-3000-S4-P03 19119-CBP-Z1-02-DR-A-3200-S4-P03 <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No development hereby approved shall commence until a detailed construction plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall outline access and egress arrangements with specific regard to preventing any damage or disruption to the operating procedures of the adjacent Nottingham Express Transit route.</p> <p><i>Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
4.	<p>No development shall commence until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the construction period. The Demolition and Construction Method Statement shall provide for:</p> <ul style="list-style-type: none"> a) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 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 constructing the development; e) measures to control the emission of dust and dirt during construction. <p><i>Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>

5.	<p>No development shall commence until a Reasonable Avoidance Measures Statement (RAMS) is produced and subsequently approved in writing by the Local Planning Authority. Works shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: To ensure the impact on ecology is minimised and within the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
6.	<p>No development shall commence until a Landscape and Economical Management Plan (LEMP) mapping the ecological enhancements on site has been submitted to and approved in writing by the Local Planning Authority. The enhancements shall be constructed only in accordance with the approved details and prior to the first occupation of the building.</p> <p><i>Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
7.	<p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p><i>Reason: No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a) numbers, types, sizes and positions of existing/proposed trees, shrubs and hedgerows and measure for their protection during construction. No development shall commence until the agreed protection measures are in place b) details of boundary treatments; c) proposed bin and cycle stores; d) proposed hard surfacing treatment; e) planting, seeding/turfing of other soft landscape areas; and f) timetable for implementation of the scheme. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or</p>

	<p>diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</i></p>
9.	<p>Prior to the first occupation of the building following the change of use hereby approved, the fenestration shall be installed in accordance with the details as outlined in section 6.0, page 18 of report titled Spire Environmental ref: R20.1435-1N-AG dated 18th December 2020.</p> <p><i>Reason: To minimise disturbance to neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
10.	<p>Prior to the first occupation of the building following the change of use hereby approved, a detailed lighting strategy shall be submitted and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details and maintained for the lifetime of the development.</p> <p><i>Reason: To minimise light pollution and Chilwell Cottage Grove Conservation Area and in accordance with the aims of Policies 10 and 11 of the Broxtowe aligned Core Strategy (2014) and Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
11.	<p>Prior to the first occupation of the building following the change of use hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment by HSP Consulting Engineers Ltd ref: HSP2020-C3450-C&S-FRAS1-38 dated 15 December 2020 and subsequent technical memorandum by HSP Consulting Engineers Ltd ref: C3450/TM001 dated 30 April 2021.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
12.	<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>

	<i>Reason: To minimise disturbance to neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3.	Any discharge of surface water from the site should look at: 1) infiltration 2) watercourse 3) sewer, as the priority order for discharge location. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4.	Burning waste on site is prohibited.
5.	The future owners/occupiers of the proposed dwelling should sign up to the Environment Agency's Flood Warning Direct Service.
6.	The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151 of the Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the <u>applicant / contractors / the owner or occupier of the land.</u>
7.	Due to the presence of gas apparatus on site, you are required to contact Cadent's Plant Protection Team for approval before carrying out any works, plantprotection@cadentgas.com or tel: 0800 688 588.
8.	Vegetation clearance should be avoided during the bird breeding <u>season of March-August inclusive.</u>
9.	Street name and numbering.

Map



Legend

- Site Outline
- Conservation Area
- Flood Zone 3
- Flood Zone 2
- Centre of Neighbourhood Importance

Photos



South east (front) elevation



South east (front) elevation



Next to north east (side) elevation of college facing south east



North east (side) elevation



Rear of site facing north east



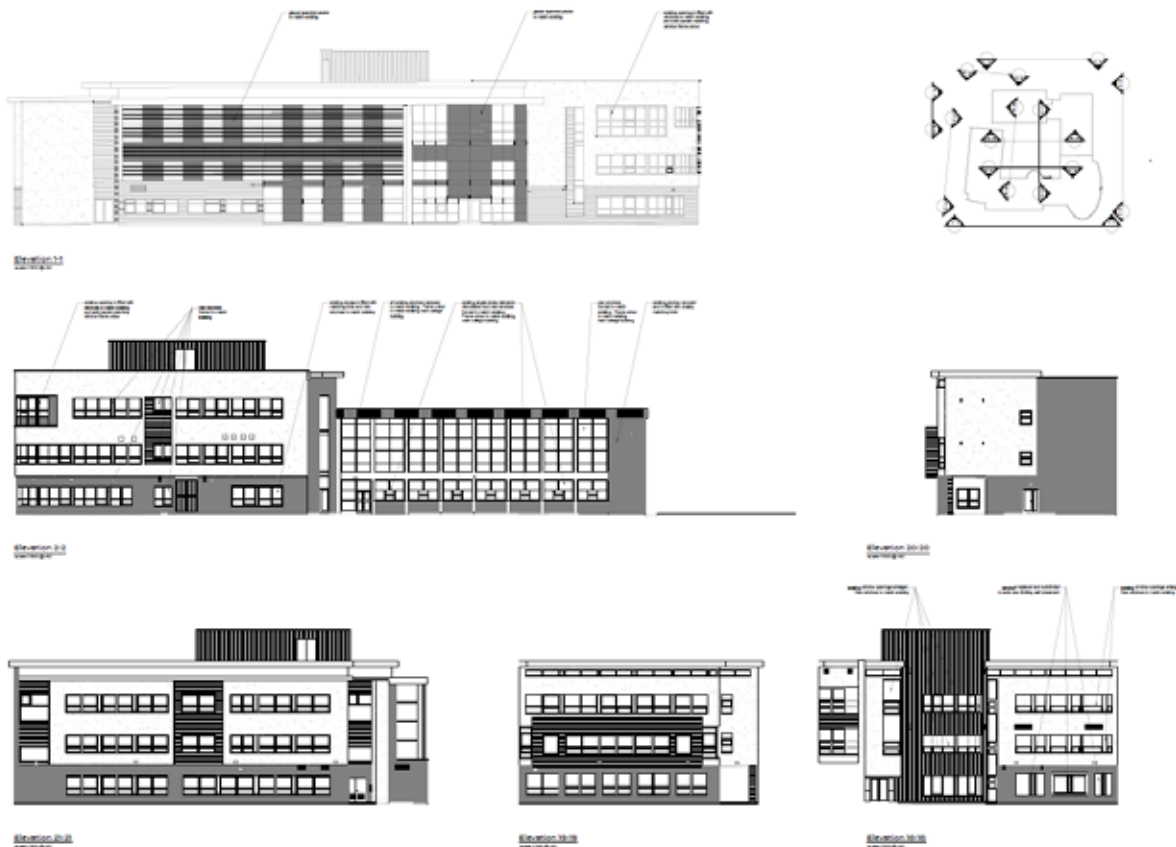
Rear of site facing north east

Plans (not to scale)

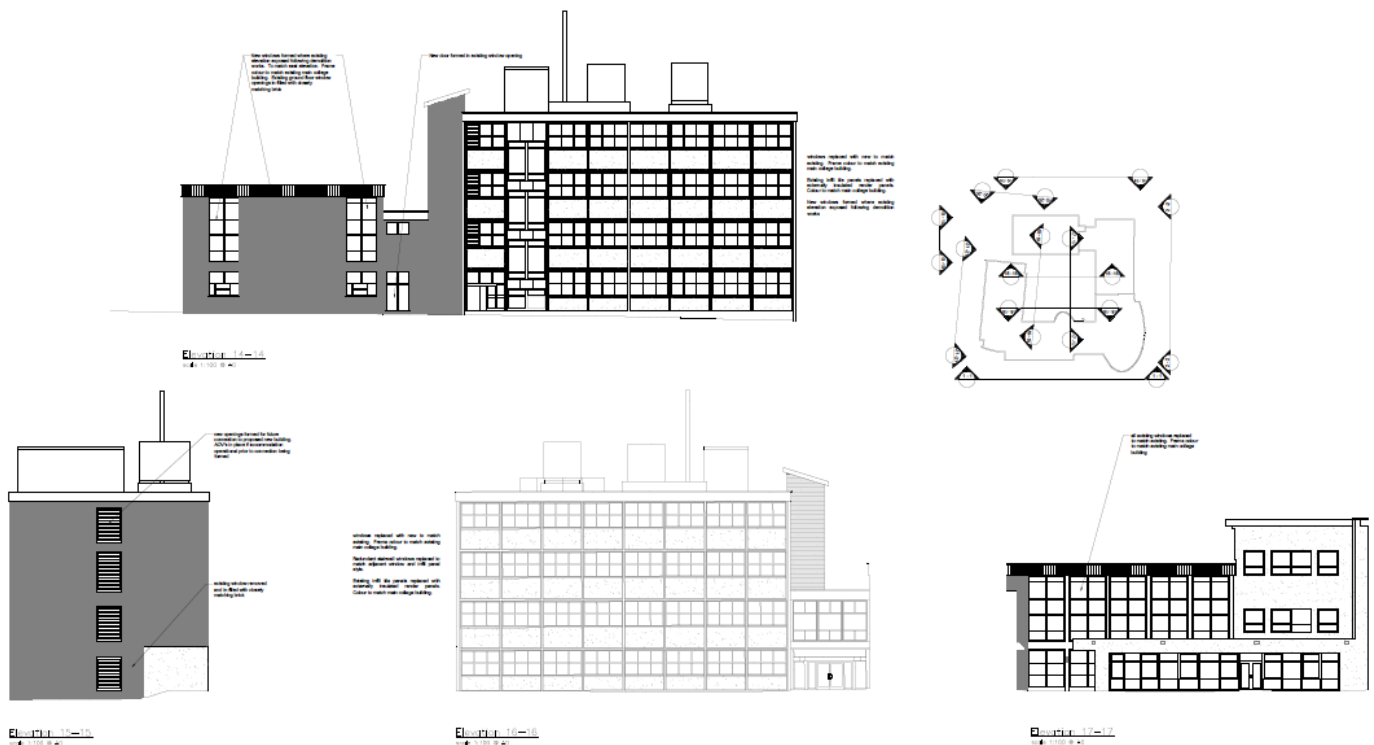


Site Plan

Plans (not to scale)



Proposed Elevations



Proposed Elevations

Plans (not to scale)



Ground Floor Plan

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Report of the Chief Executive

APPLICATION NUMBER:	21/00049/FUL
LOCATION:	Babbington Hall, Westby Lane, Babbington, NG16 2SS
PROPOSAL:	Construct 5 dwellings including demolition of kennels, access and landscaping

This application has been called to Planning Committee by Councillor M J Crow

1 Executive Summary

- 1.1 This application seeks permission to construct five dwellings, following the demolition of the kennels at the Babbington Hall site. One kennels building will be retained and used by the applicant, who resides at Babbington Hall, for rescue dogs.
- 1.2 The application site is within the Nottinghamshire Green Belt. The proposal is considered to be an exception to inappropriate development in accordance with Paragraph 146 g) of the NPPF which allows the redevelopment of previously developed land so long as it does not result in additional harm to the openness of the Green Belt.
- 1.3 The scheme has been amended from the original proposal which was for six dwellings, and now proposes five dwellings. The design has also been amended from the original proposal, with the proposed dwellings now having more traditional, rural designs with features that are considered to be in keeping with the character of the surrounding area. It is considered that an acceptable standard of design has been achieved.
- 1.4 There is one neighbouring property for the application site, and it is considered that the proposal will not result in an unacceptable loss of amenity for the residents of this dwelling, or any other nearby properties. It is considered that the proposal will offer acceptable levels of amenity for the future occupiers of the site.
- 1.5 The Highways Authority has not raised any objections to the proposal, and have acknowledged that the change of use will likely result in a reduced number of trips to and from the site. It is considered the proposal will not result in an unacceptable impact on highway safety.
- 1.6 The ecological impacts of the proposal have been assessed and the Council's Tree Officer and Nottinghamshire Wildlife Trust raise no objections. Conditions have been recommended to preserve and enhance the ecology on the site.
- 1.7 Overall it is considered that the proposal is in accordance with the policies set out in the Council's Local Plan and the NPPF. It is therefore considered that the proposal is acceptable and that planning permission should be granted in accordance with the recommendations set out in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct five detached dwellings on the site at Babbington Hall, which is currently occupied by Babbington Dog Rescue Centre. As part of the proposal the kennels and other buildings currently used as part of the rescue centre will be demolished.
- 1.2 The existing dwelling at Babbington Hall will be retained for residential use, and one outbuilding will be retained to continue with some limited dog rescue work.

2 Site and surroundings

- 2.1 The application site consists of Babbington Hall, which is a Local Interest Building and the original residential dwelling on the site. To the north and east of the hall is an extensive range of building associated with the rescue centre. These are used mainly for kennels, as well as for the reception and shop for the rescue centre.
- 2.2 The application site is relatively flat, occupying an elevated position with the land falling away to the south and west of the site. The land beyond the rescue centre to the south and west consists of open fields. To the north of the site is a neighbouring residential dwelling, No. 27 Westby Lane, with the access road being to the east of the site.
- 2.3 The site is located entirely within the Nottinghamshire Green Belt and within a Mature Landscape Area. The surrounding area largely consists of agricultural land, including Westby House Farm which operates to the south side of Westby Lane. There are further residential dwellings on Westby Lane to the east end of the village.

3 Relevant Planning History

- 3.1 It is understood that the site has been used for kennelling dogs since 1962. The application site has a detailed planning history and the details of the most relevant historic applications are outlined below.

- 3.2 88/00289/FUL - In 1988, planning permission was granted to construct a purpose built cattery building.

92/00404/FUL – In 1993, planning permission was granted for the refurbishment of the existing dog pens and an extension to form new pens and a feed store.

99/00543/FUL – In 1999, planning permission was granted to extend the residential element of Babbington Hall.

04/00174/FUL – In 2004, planning permission was granted to erect timber stabling at the site. The stables were positioned in the more built up area of the application site, to the north east of Babbington Hall.

08/00286/FUL – In 2008, planning permission was granted to construct a new kennel block and to extend the curtilage of the kennelling operation including the change of use of land from agriculture. This application was determined by Planning Committee with the case for Very Special Circumstances being put forward due to the demand for the nature of the applicants work in housing rescue dogs, notably from a number of neighbouring authorities. In this case it was noted that the positioning of the extension to the kennels would not project significantly further into the open countryside when seen in context with the existing buildings on the site. A condition was attached to this permission stating that the development shall only be used for the kennelling of rescue dogs, and for no other purpose.

09/00095/FUL – In 2009, planning permission was granted by Planning Committee for the construction of a new building incorporating a reception, office, education centre and staff facilities. Whilst it was established that the development was inappropriate in the Green Belt, it was concluded that the requirement for the facilities in supporting an established kennelling facility represented very special circumstances which outweighed the harm to the Green Belt.

10/00752/FUL – In 2011, planning permission was granted by Planning Committee for a kennel block and run to replace a building of the same purpose. The proposal was once again established to be inappropriate development in the Green Belt, but it was concluded that very special circumstances existed by virtue of the fact that modern kennelling was required to provide appropriate facilities at the site. A condition was attached to this permission stating that the development shall only be used for the kennelling of rescue dogs, and for no other purpose.

18/00236/FUL – In 2018, planning permission was granted for a poly tunnel to the south of the application site, to be used in connection with the rescue centre for dog training. Planning permission was granted for one year as the building was not considered suitable for permanent retention and to allow the applicant time to find a suitable permanent option.

19/00508/FUL – in 2019, planning permission was granted for the permanent retention of the poly tunnel.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 8: Housing Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

4.2 Part 2 Local Plan 2019

- Policy 8: Development in the Green Belt
- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, design and amenity
- Policy 23: Proposals affecting designated and non-designated heritage assets
- Policy 30: Landscape
- Policy 31: Biodiversity Assets

4.3 National Planning Policy Framework (NPPF) 2019:

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

5 Consultations

5.1 **Council's Conservation Officer:** No objection raised.

5.2 **Council's Environmental Health Officer:** No objection raised. Note to applicant required regarding noisy works and burning of waste.

5.3 **Highways Authority:** Internal roads will be private so no objection raised.

5.4 **Rights of Way Officer:** No objection. Note to applicant to advise them of their responsibility in respect of the right of way.

5.5 **The Coal Authority:** No objection subject to condition requiring intrusive site investigations and any necessary remedial works.

5.6 **Nottinghamshire Wildlife Trust:** No objections subject to conditions to secure an additional bat survey, bat boxes within the new development, demolition works should be undertaken under the supervision of an appropriately licensed and experienced bat ecologist, demolition works on the roofs should be carried out between the months of February to November, swallow nesting provisions, measures to mitigate ecological impacts during construction, ecological enhancements post development.

5.7 **Tree Officer:** TPO should be sufficiently far away from the development as not to be impacted. Care should be taken to limit any damage to the Ash which is not protected.

5.8 **Parks and Green Spaces Manager:** Supports the landscaping plan, particularly the proposed orchard area.

5.9 **Kimberley Town Council:** Access to the village is severely restricted and concerned that allowing this development could create difficulties in resisting future similar proposals.

5.10 **Waste and Recycling Manager:** No objection.

5.11 Three properties either adjoining or opposite the site were consulted and a site notice was displayed. Eight responses were received, six of which raise objections and one of which is generally supportive, although with observations in respect of parking provision, the potential upgrading of the bridleway, and privacy for neighbouring properties. The reasons for objection can be summarised as follows:

- The development is too large and out of keeping with the character of the small village.
- Negative impact on valued landscape.
- Impact on green assets.
- The kennels were only allowed to be built due to exceptional circumstances, this should not then allow for a change to housing.
- Traffic increase on the narrow lane was accepted for exceptional circumstances for the kennels, but must be re-considered if it is for housing.
- Babbington is one of the last remaining unspoiled pieces of Green Belt.
- It would create a new suburb in a sparsely populated area.
- The design of the dwellings is not sympathetic to the existing architecture of Babbington, its environment and its industrial heritage.
- Objection to any improvement of the single track lane leading to the site as improvements may encourage more traffic to use it as a cut through.
- Not in accordance with Local Plan Policy 17. Design of development is not in keeping with the rural character of the village.
- Not sufficient parking for visitors or delivery may impact the wider area.
- Landscaping on north boundary will not provide sufficient screening to protect privacy of existing residents at No. 27.
- Would rob the area of a much needed dog rescue centre.
- The road leading to the proposed houses

5.12 A seven day re-consultation has been carried out on the amended plans. Three responses to this have been received, one of which makes no further comments to their original comments, and two of which raise further objections, which can be summarised as follows:

- Does not comply with national or local planning policies.
- Proposal lacks architectural merit.
- Proposal would increase the size of Babbington, adding almost 25% more dwellings on the existing number.
- The density and layout of the development does not reflect the historical linear, ribbon like development of Babbington and is more reflective of a suburban cul-de-sac.
- Increase in the proportion of the dwellings in a Green Belt area is excessive.
- The kennels were allowed to be developed due to their charitable status. If this had not been allowed the proposed development would not be compliant.
- The existing buildings to be demolished fit in better with the existing rural character of the area.
- Object to the improvement of the access road.
- The information used in the traffic assessment does not correspond with the local area. Traffic generation could be higher than present.

- No affordable housing proposed as part of the development.
- Conversion of existing buildings should be only option.
- The area is not identified in the Local Plan for housing development.
- Should not be considered on top of 250 house development on Newton's Lane and development of Dry Ski Slope at Cossall. This site and these ones were/are abutting wildlife havens.
- Existing dwellings can only extend by up to 30%. It is not right to then allow new housing.
- The proposal will set a precedent for further development in the village.
- Concerns about potential impact on wildlife.
- Cannot see a justification for any more than 2 houses.
- Development should adopt green credentials and make provisions to preserve and enhance wildlife.
- If the kennels are to close the site should be restored to its original size, status and topography.

6 Assessment

6.1 The main issues for consideration are whether or not the proposal is inappropriate development in the Green Belt, the design and appearance of the proposed development, impact on neighbouring amenity of the proposed development, impact on the local highway network, and ecological impact of the development.

6.2 **Green Belt**

6.2.1 Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that very special circumstances will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations. Paragraphs 145 and 146 set out a list of exemptions to inappropriate development. Paragraph 145 g) states that an exception to inappropriate development is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

6.2.2 The application site is largely covered by a range of buildings associated with the dog rescue centre. The buildings vary in terms of height and styles, but they cover a significant amount of floorspace across the site, with limited space between the buildings. The demolition of the existing buildings on the site is considered to be beneficial to the appearance of the surrounding area, as whilst the existing buildings serve a clear function, they have not been designed specifically to enhance the rural surroundings.

6.2.3 Whilst the proposed dwellings have been designed to be reasonably substantial, two storey dwellings, will result in a net reduction in terms of the volume of the buildings on the site. The density of the proposed development is considered to be more in keeping with its rural surroundings, with more open spaces within the site and views available through the site. It is therefore considered that the proposed development would not have a greater impact on the openness of the Green Belt,

and as it represents the redevelopment of previously developed land, it is considered that the proposal is in accordance with paragraph 145 g) of the NPPF. It is therefore considered that the principle of development is acceptable subject to an assessment of the design and appearance of the scheme, impact on neighbouring amenity, ecological impacts, and impact on highway safety.

- 6.2.4 It is noted that the kennels have been expanded over the years with additional buildings being built with very special circumstances for the use as a dog rescue centre being identified as the justification for granting permission. The NPPF does not make exceptions for sites that have been developed on the grounds of very special circumstances, as at this time the balance of harm to the Green Belt has already been assessed. Once the land is identified as previously developed land, which in this case it is, the key consideration is whether or not the proposed redevelopment of the site would amount to further harm to the Green Belt, which in this instance it is not considered to.
- 6.2.5 Notwithstanding the above, the applicant has submitted evidence of Babbington Hall, including the rescue centre and kennels, having been available for purchase on the market for some time with no success. Whilst the applicant is not required to provide this as this application does not rely on a very special circumstances case, it does highlight that the original intention for the applicant was for the existing use to continue under new ownership.

6.3 Design and Appearance

- 6.3.1 A number of discussions have taken place with the applicant regarding the design of the development, with a view to achieving a scheme that contributes positively to the character of the surrounding area. The original proposal was for six dwellings, with a more contemporary design put forward. Following an assessment of the plans as well as a review of the consultation responses, and a meeting with the local councillor, the applicant was asked to revise the scheme with a particular focus to reducing the density, and designing dwellings that are more in keeping with the character of the surrounding area.
- 6.3.2 The proposed dwellings will be reasonably well spaced throughout the site, ensuring the development is not overly dense or out of keeping with the rural character of the site. The dwellings will be reasonably well separated from the existing building, Babbington Hall, which is a locally listed building, and therefore the siting of the proposed dwellings are not considered to be harmful to the setting of the existing building. The reasonably large, detached style of the dwellings are in keeping with the surrounding area, which has similarly large dwellings set within substantial plots. Whilst the gardens for each of the dwellings is not overly large, the plots are of reasonable sizes, providing a good amount of space around each dwelling.
- 6.3.3 The proposed dwellings are made of three house types, 4.1, 5.1 and 5.3. All house types are of a traditional design with proposed red brick elevations and slate tiled roofs. Babbington Village has a mix of red brick and rendered houses, with notable nearby dwellings, No. 27 and 22 Westby Lane, being rendered and red brick respectively. As the existing building at Babbington Hall is rendered, it is considered that the contrast of traditional red brick is most appropriate for the site, providing

clear historical legitimacy in respect of the original building and the later development. It is recommended that should planning permission be granted that samples of the materials to be used are approved prior to above ground works taking place.

- 6.3.4 The design of the dwellings has been considered to incorporate features that are typically found on countryside dwellings and cottages. The eaves have been designed to overhand the elevations, and dormers have been incorporated into house types 5.1 and 5.3, a feature which is noticeable on the neighbouring property at No. 27 Westby Lane. The windows and doors will be of timber construction, with red brick header details and stone sill details which are in keeping with existing dwellings in the surrounding area. Timber canopy's over the front doors have been incorporated on house types 4.1 and 5.1, which work to break up the front elevations of these dwellings.



Example of dormers at No. 27 Westby Lane (Google Street View).

- 6.3.5 The proposed house types are considered to be of a design and appearance that is in keeping with the character of the surrounding area. The proposed residential development is of a scale and density that is considered to be in keeping with the area, and is considered to result in an improved appearance compared to the existing kennels buildings that currently cover the site.
- 6.3.6 In terms of landscaping, there is a strong focus on soft landscaping throughout the site, with the main boundaries along the south and west of the site to be made up of native hedgerows. This will help to incorporate the development into the rural surroundings, and ensure it is not overly prominent in the local landscape. Further planting is proposed throughout the site which will also enhance the rural nature of the development, with an orchard proposed in the north west corner of the site, providing some open space for the development as well as further screening of the dwellings.
- 6.3.7 Overall it is considered that an acceptable standard of design has been achieved and that the proposal will contribute positively to the local landscape, when compared to the existing land use.

6.4 Amenity

- 6.4.1 The only neighbouring residential property that is directly adjacent to the application site is No. 27 Westby Lane, to the north. The proposed Units 1 and 2 are in closest proximity to No. 27, with Unit 1 being approximately 8.9m from the north boundary of the site. No. 27 is also set back from the boundary, and faces towards the application site. The land slopes up towards No. 27, meaning the proposed units will be at a lower level. Overall it is considered that there will be sufficient separation between No. 27 and the proposed units to ensure the proposal will not result in an unacceptable loss of light, sense of enclosure or loss of privacy for the residents at No. 27.
- 6.4.2 The application site is currently home to Babbington Kennels and Rescue. It has capacity for a large number of dogs, and historical applications to expand the kennels have often been met with objections from members of the village due to the noise generated by the dogs. The proposed development will replace the kennels, thereby significantly reducing the amount of noise generated by the site. The applicant resides at the existing dwelling at Babbington Hall, and is proposing to retain the adjacent outbuilding to the rear, in order to continue with a small amount of dog rescue work. It is anticipated that there will be capacity to keep up to 6 rescue dogs in the remaining kennel. The Council's Environmental Health Officer has not raised any objection to this in respect of the impact on the amenity of the future occupiers of the dwellings, and notes that due to the change in circumstances the applicant would have to re-apply for their license for the kennels, so any additional impacts could be further assessed at this time. The applicant has indicated that the kennel will be retained for rescue dogs only, and it is considered appropriate to condition this, as well as to condition that no more than 6 dogs can be kept at the kennels at any one time. Given the significant reduction in the number of dogs that can be kept at the site, it is considered that the proposal will not result in an unacceptable loss of amenity for neighbouring residents in terms of noise generation.
- 6.4.3 The proposed dwellings all meet the nationally prescribed internal space standards. The dwellings will all provide sufficient natural light to principal living rooms, as well as sufficient private outdoor amenity space. The development is considered to be designed in a manner to ensure unacceptable overlooking between dwellings, or with the existing dwelling on the site will not be experienced. Whilst the separation between Unit 2 and the existing dwelling is marginally less than what is typically sought, the existing dwelling is designed to have its main openings on the south elevation, and therefore it is considered unacceptable overlooking between the two dwellings will not occur.
- 6.4.4 Overall it is considered that the proposal will not result in an unacceptable loss of amenity for the residents of any neighbouring properties, and will provide sufficient levels of amenity for the future occupiers of the dwellings within the site.

6.5 Access

- 6.5.1 The proposed development will be served by the existing road that leads to the kennels. It is considered that the residential development will generate significantly

fewer journeys than the existing kennels, and therefore the Highways Authority has raised no objection to the proposal.

- 6.5.2 Concerns have been raised by members of the public that the proposal will lead to the resurfacing of the road leading to the site, which would result in increased use and “rat-running” through the village. There are no plans to resurface the road, which is outside of the control of the applicant, and the Highways Authority has not stated that this would be required. Therefore, the resurfacing of this road is not considered to be any more likely as a result of the proposed development than the existing use.
- 6.5.3 The proposed development will be served internally by private roads that will not be adopted by the Highways Authority. Taking into account the relatively limited size of the proposed development it is considered that this is acceptable. Whilst the roads will be private, the Council’s Waste and Recycling Officer has noted that as the current arrangement is for refuge vehicles to access the site, which aids the vehicles in turning, this will continue. The layout of the site is considered suitable in terms of allowing the vehicles to turn.
- 6.5.4 Overall it is considered that the proposal will not result in an unacceptable impact on highway safety.

6.6 Ecology

- 6.6.1 The Council’s Tree Officer has assessed the proposal and considers the proposed dwellings to be sufficiently far away from the Tree Preservation Order (TPO) on the site to ensure it will not have an unacceptable impact on the protected tree. To ensure the TPO is protected it will be conditioned that no building materials are stored in close proximity to the tree during development.
- 6.6.2 The Nottinghamshire Wildlife Trust (NWT) has been consulted on this application. The NWT has requested that further bat surveys are carried out during the 2021 bat season, to ensure all buildings have been covered prior to any demolition works taking place. This can be secured by way of condition.
- 6.6.3 The NWT notes that both swallow and swift nests have been identified within the application site. They recommend that swallow nesting provisions should be secured by way of a condition, although it is also noted that swift nesting boxes are recommended as swift nesting sites have diminished considerably. The NWT notes that swift boxes would not meet the ecological requirements of swallows as the two species have quite different nesting habits. It is considered appropriate to condition that a scheme of swallow and swift boxes to meet the needs of each species is submitted to and approved in writing by the Council, prior to any development taking place.
- 6.6.4 The ecological appraisal makes recommendations on ways to enhance the site post-development, which are supported by the NWT. The NWT therefore recommends conditions to secure ‘hedgehog highways’, and the retaining of feature of ecological interest and wildlife value on the site. The proposed landscape plan shows that the borders of each dwelling will be made up of hedgerows, as opposed to close boarded timber fencing. It is therefore not considered necessary

to condition the 'hedgehog highways'. The landscape plan also identifies a number of additional hedgerows and trees to be planted, as well as the provision of the orchard in the north west corner of the site. It is considered that these measures will provide sufficient natural habitats to preserve and enhance the ecological interest and wildlife value of the site.

- 6.6.5 It is considered that the proposal will not result in an unacceptable impact on the ecology of the site, and that subject to the recommended conditions, the proposal can bring about benefits for the wildlife in the surrounding area.

7 Planning Balance

- 7.1 The benefits of the proposal are that it will result in the demolition of a large number of buildings that cover the application site. The buildings to be demolished are not particularly attractive, or in keeping with the open, Green Belt location. The proposal will provide a more open development with dwellings that have been designed to be in keeping with the character of the surrounding area.
- 7.2 Whilst the application site is within a Green Belt location, it is considered to be an exception to inappropriate development in accordance with paragraph 145 g) of the NPPF, by virtue of the fact that it involves the redevelopment of a previously developed site and will not have a more harmful impact on the openness of the Green Belt
- 7.3 The proposal is not considered to result in an unacceptable loss of amenity for the residents of any neighbouring properties and is not considered to result in an unacceptable impact on highway safety or ecology. On balance it is therefore considered that the proposal is acceptable.

8 Conclusion

- 8.1 The proposed development is considered to be in accordance with the aims of the policies within the Broxtowe Aligned Core Strategy (2014) and the Broxtowe part 2 Local Plan (2019, as well as the NPPF. It is therefore considered that the proposal is acceptable subject to the recommended conditions set out below.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.

- | | |
|----|--|
| 1. | <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p> |
|----|--|

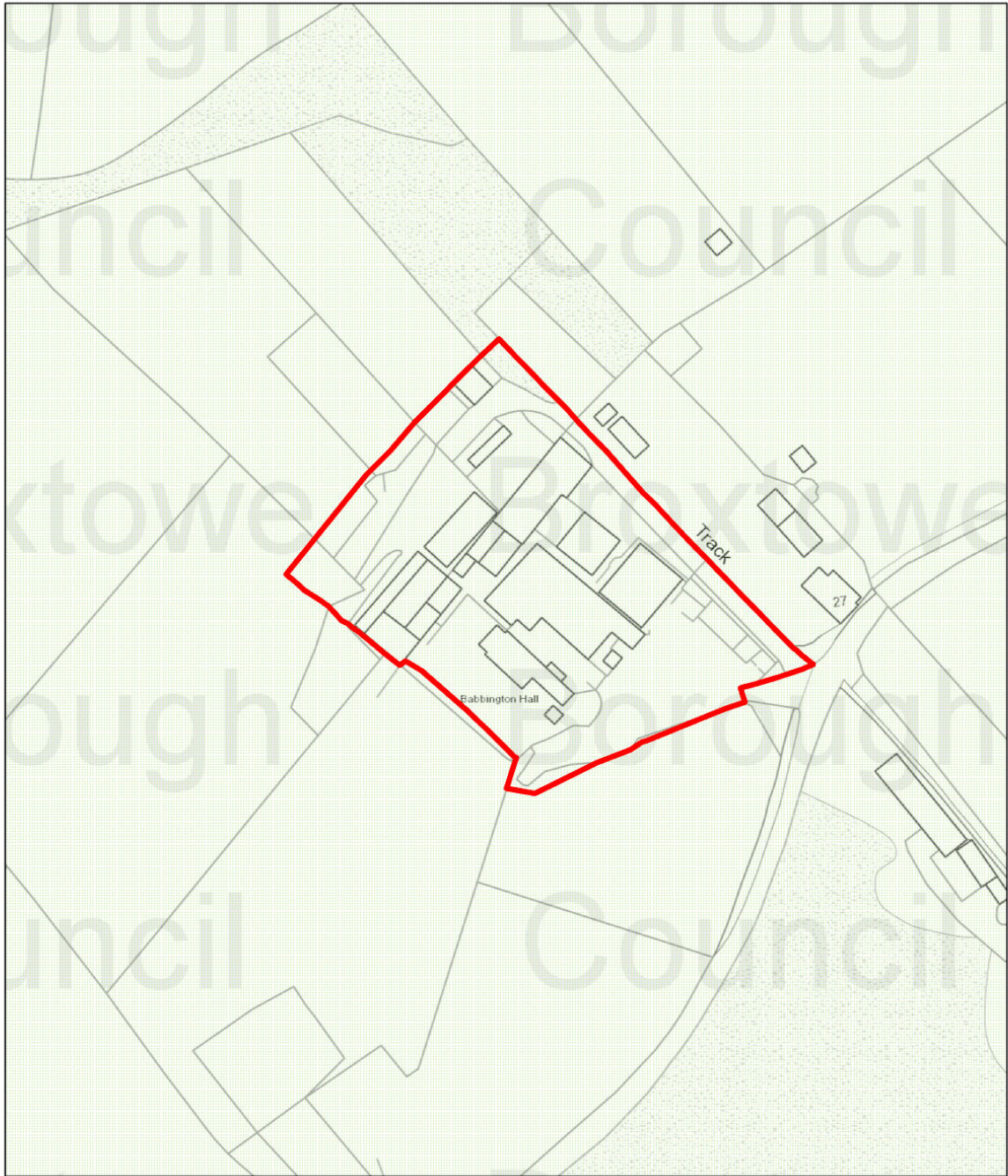
2.	<p>The development hereby permitted shall be carried out in accordance with the drawings numbered:</p> <ul style="list-style-type: none"> - 7445 (08) 01 – Site Location Plan - 7445 (08) 10 Revision N – Proposed Site Plan - 7445 (08) 11 Revision C – Proposed Site Sections - 7445 (08) 12 Revision B – Proposed Landscape Plan - 7445 (08) 20 Revision E – House Type 4.1 - 7445 (08) 21 Revision G – House Type 5.1 - 7445 (08) 23 Revision C – House Type 5.3 <p>Received by the Local Planning Authority on 22 January and 7 June 2021.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground building operations shall be carried out until details of the manufacturer, type and colour of the bricks and tiles; to be used in facing elevations and roofs of the dwellings hereby approved; have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: No such details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
4.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
5.	<p>During the construction works, no materials, equipment, machinery, temporary buildings or surplus soil shall be placed or stored beneath the branches of the trees protected by a Tree Preservation Order, and no oil, bitumen, cement or other materials likely to be injurious to a tree shall be discharged within 10 metres of the trunk. If any trenches for services are required within the canopy areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 25mm (1 inch) or more shall be left unsevered.</p> <p><i>Reason: To ensure the existing tree protected by a Tree Preservation Order is not adversely affected.</i></p>

6.	<p>No development shall commence until:</p> <p>a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;</p> <p>b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.</p> <p>The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.</p> <p><i>Reason: In the interest of public health and safety.</i></p>
7.	<p>Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.</p> <p><i>Reason: In the interest of public health and safety.</i></p>
8.	<p>Prior to any above ground works being carried out, a scheme showing the positioning and details for the provision of bat roosting boxes, swallow nesting boxes, and swift nesting boxes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme, which shall remain in place for the lifetime of the development.</p> <p><i>Reason: In the interests of preserving biodiversity in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
9.	<p>No development shall commence until an additional bat survey has been undertaken which follows a substantively similar format to that submitted with this application. The development shall then be carried out in accordance with the recommendations of the survey subject to prior written approval from the Local Planning Authority.</p> <p><i>Reason: In the interests of preserving biodiversity in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
10	<p>The development hereby permitted shall be carried out in a manner that minimises ecological impacts. Notably, any steep-sided excavations created during construction should be covered/filled/provided with ramps to prevent mammals becoming trapped and any pipes over 150mm in diameter should be capped off at night.</p>

	<i>Reason: In the interests of preserving biodiversity in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i>
11	<p>Any operations which may disturb nesting habitat should be conducted outside the main bird nesting season (usually taking place at the beginning of March to the end of August). If this is unavoidable, a preclearance inspection by a suitably experienced ornithologist will be required immediately prior to construction works to identify whether any nests are present, and ensure appropriate action is taken.</p> <p><i>Reason: In the interests of preserving biodiversity in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12	<p>The outbuilding to be retained to the north of the existing dwelling at Babbington Hall shall be used for the keeping of rescue dogs only. No more than 6 dogs shall be kept in these kennels at any one time.</p> <p><i>Reason: To protect the amenity of the residents of neighbouring dwellings from operational noise.</i></p>
	NOTES TO APPLICANT
1	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
3	Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
4	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
5	<p>Kimberley Footpath 63 runs to the south of the site, Kimberley Bridleway 5 to the east and Kimberley BOAT 61 to the south west. The applicant should be aware of the following:</p> <ul style="list-style-type: none"> - The paths should remain open, unobstructed and be kept on their legal alignment at all times. Vehicles should not be parked

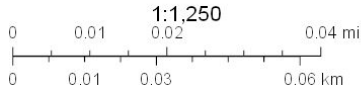
	<p>on the RoW or materials unloaded or stored on the RoW so as to obstruct the paths.</p> <ul style="list-style-type: none"> - There should be no disturbance to the surfaces of the paths without prior authorisation the Rights of Way team. - The safety of the public using the paths should be observed at all times. - If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. - If a structure is to be built adjacent to the path, the width of the right of way is not to be encroached upon. - Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed - The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way. - Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boards If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottscc.gov.uk - If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic
6	<p>Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.</p>

21-00049-FUL - Babbington Hall



6/23/2021, 9:24:02 AM

-  Green Belt
-  Site



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Photographs



Babbington Hall (taken from south of the site).



Application site and access (taken from north east of the site).



Kennels within the central part of the site (taken from north of the site).



Kennels on the west side of the site (taken from west side of the site).



Babbington Hall (taken from south of the site).

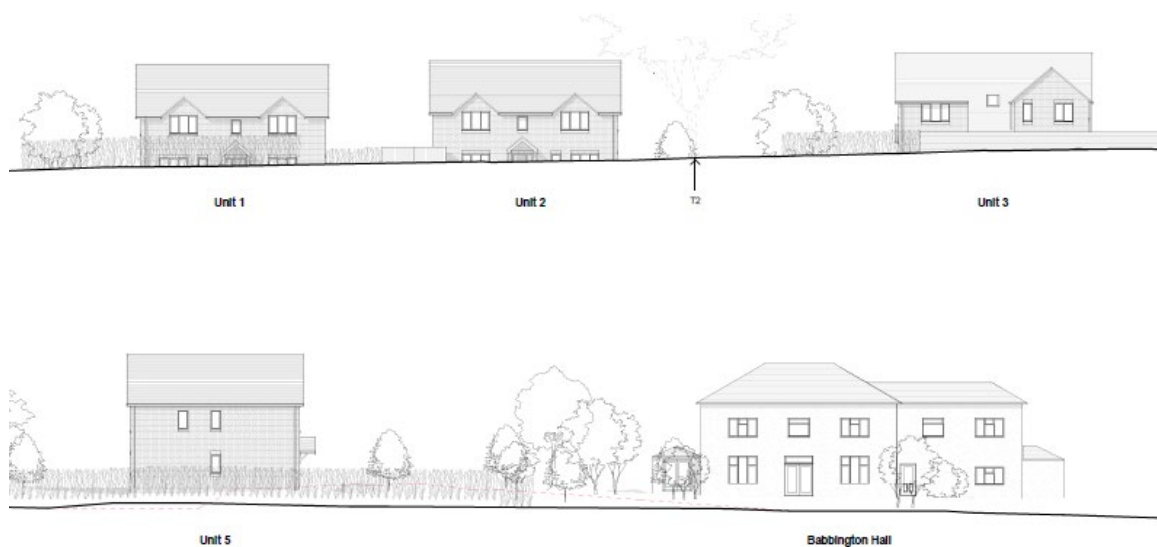


Aerial view of the application site.

Plans (not to scale)



Site Plan with landscaping details



Proposed north and south site sections



Proposed east and west site sections



House Type 4.1



Front Elevation
1 : 100



Rear Elevation
1 : 100

House Type 5.1



Front Elevation
1 : 100



Rear Elevation
1 : 100

House Type 5.3

Report of the Chief Executive

APPLICATION NUMBER:	20/00645/FUL
LOCATION:	9 Glebe Street, Beeston, Nottinghamshire, NG9 1BZ
PROPOSAL:	Construct dwelling following demolition of garage

Councillor J C Patrick has requested this application be determined by the Committee.

1 Executive Summary

- 1.1 The application seeks permission to construct a dwelling following the demolition of a detached garage.
- 1.2 The site consists of a detached bungalow with living space in the roof. It has a detached double gabled garage and the proposal is to subdivide the land following the demolition of the garage to build a detached dwelling. The site is a spacious corner plot and has two car parking spaces accessed from Glebe Street. The site is located within St John's Grove Conservation Area and the host dwelling is identified as having a positive contribution in the conservation area in accordance with the Broxtowe's Conservation Area Character Appraisal for St John's Grove.
- 1.3 The main issues relate to whether the principle of a dwelling would be acceptable, the impact on the conservation area, parking and access, design and whether there will be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal would mean one additional home within an urban location which would be in accordance with policies contained within the development plan which is given significant weight. Whilst it is acknowledged there would be a change in character to this part of the conservation area and there would be some impact on neighbour amenity, it is considered these matters are outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX**1 Details of the Application**

- 1.1 The application seeks permission to construct a dwelling following the demolition of a detached garage. The site consists of a detached bungalow with living space in the roof. It has a detached double gabled garage and the proposal is to subdivide the land following the demolition of the garage to build a detached dwelling. The site is a spacious corner plot and has two car parking spaces accessed from Glebe Street. The site is located within St John's Grove Conservation Area and the host dwelling is identified as having a positive contribution in the conservation area in accordance with the Broxtowe's Conservation Area Character Appraisal for St John's Grove.
- 1.2 The proposed dwelling will largely align in height and no. 7 Glebe Street. It will be a maximum of 7.9m (to the highest gable) and will be between 3.4m and 5.4m from the host dwelling and no. 7. The proposed dwelling will reflect a contemporary design and will have a mixture of hipped/gable/flat roofs. There would be space for three cars (one in an integral garage and two on the driveway to the front). A private garden would be accommodated to the rear.
- 1.3 During the course of the application a number of changes were made to the design in order to improve its appearance. The main changes included the following: increase in distance between neighbouring properties, reduction of height to align more with neighbouring properties, roofline amended to reduce visual impact, set back and stepped front elevation to focus on the front entrance (and not the garage) and contemporary style garage door. The property was extended in length by approximately 1m.

2 Site and surroundings

- 2.1 The host dwelling is a detached bungalow with some living space in the roof. It has various elements including a flat-roofed rear dormer, south west bay window, north west front canopy and a detached double garage. The property has a slate roof with red brick plinth and detailing and white pebbledash render. The boundaries are a 2m high hedge (with pedestrian gate on Glebe St) and the site is relatively flat. There are two off-street parking spaces and a detached double garage accessed from Glebe Street.
- 2.2 The site is within the Beeston St John's Grove Conservation Area and is identified as a positive building within the conservation area. The application site is a corner plot between Glebe Street and Elm Avenue. The following examples represent the contemporary designed development in the area:

- 6A Glebe Street – extensions to dwelling and alterations to roof (06/00098/FUL and 06/01034/FUL)



Google Maps, Sept 2020

- 7 Glebe Street – conditional permission to construct front canopy, two storey side extension, single storey rear extension, demolition of rear extension and the installation of external insulation with rendered finish (18/00586/FUL) (partially implemented)
- 23 Devonshire Avenue – has a two/single storey side, front and rear extensions, replacement windows, application of rendering and cladding to walls and replacement roof covering (14/00074/FUL)



Google Maps, Sept 2020

- 4 Devonshire Avenue – has a two storey side and rear extensions, detached garage / annexe, new driveway, external alterations and erect gates following partial demolition of front boundary wall (17/00629/FUL)



Google Maps, 2021

3 Relevant Planning History

- 3.1 An application to form bedrooms in the roof space (90/00773/FUL) was granted permission in January 1991.
- 3.2 An application to construct two storey and single storey extensions, including new roof, gated access and external alterations (19/00402/FUL) was granted permission in April 2020 (not implemented).
- 3.3 An application for a detached garage (20/00645/FUL) was withdrawn in June 2021.
- 3.4 An application for a revised scheme to 19/00402/FUL to construct two storey and single storey extensions, including new roof, gated access and external alterations (21/00328/FUL) is awaiting determination.

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 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment

4.2 **Part 2 Local Plan (2019):**

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

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets

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

- Section 4 – Decision-making
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places
- Section 16 – Conserving and Enhancing the Historic Environment

5 Consultations

- 5.1 **Council's Conservation Officer:** In the first instance, the existing double garage is contemporaneous with the existing dwelling, which would correspond to Historic England's guidance that new housing developments started to incorporate space for a domestic vehicle from about 1930. This dwelling is unusual (in this setting) in its architectural style and a little out of character with the rest of the surrounding area; its layout and arrangement has historically had minimal active frontage for

this large corner plot, the single storey layout and the Edwardian Arts and Crafts architecture being different from the neighbouring plots. The hedge restricts views to the host dwelling, a small pedestrian gated entrance to the front door allowing the only glimpse of a front elevation, but the main visual to the plot being the opening in the boundary hedge for the vehicle access. The existing positioning of the garages also impacts upon the privacy and separation of the front, side and rear gardens for the owners. Historic mapping can help to demonstrate how the plot size has changed over time.

Based on the Council's earliest records, the existing bungalow predominantly sits within the plot numbered **279** (see maps below). Part of plot numbered **883** is also relevant, and the section to which is referred is highlighted in each of the maps below, for ease of comparison. The mapping provides a clear record of how the area was laid out into plots, how each plot was developed, and the progressive development of St. John's Grove. When the existing bungalow appears on the 1937-1939 map note the curtilage is outlined in green. This curtilage changes in the next image, creating a much larger side garden (the principal elevation being to Glebe Street) up until the 1960s. In the 1960-69 map the curtilage that we see today has been established, with two new dwellings developed on the side garden to no.9 Glebe Street (overlaid in orange). Changes to the immediate local area have been highlighted in **orange**, in the year in which they appear on the map, which demonstrates gradual change to the character and street scene is ongoing.

The maps demonstrate that the plots as originally laid out have been developed in a piecemeal way, not necessarily as one dwelling per plot, or indeed maintaining the exact layout (although it is acknowledged that the general grid pattern was always maintained). Through each generation, the area has subtly changed. Plots have been subdivided, gardens have been developed.



Broxtowe Maps

It is therefore concluded that it is not a unique situation that an application to develop a garden into a development plot is received. That is not to say that all gardens are suitable for subdivision or development. As per all applications, it is considered on its own merit and potential impact upon the conservation area.

What has emerged as a final proposal is the result of a number of assessments and style comparisons, therefore it is considered that the suitability of the site and the style now proposed has been assessed, modified, appraised and improved from the original submission.

The proposed dwelling has been adjusted to:

- Increase distance between the proposed dwelling and the two neighbouring houses
- Reduce the height of the proposed dwelling
- Amended roofline to reduce the visual impact
- Set back and stepped front elevation to focus on the front entrance and not the garage

Based on an earlier assessment, plus the alterations made to lessen the visual impact of the proposed replacement building, it is considered that the proposal would result in less than substantial harm to the character and appearance of the conservation area.

A number of contemporary design ideas were mooted, and elements of style investigated and compared, prior to the final option. It was useful to explore alternative designs. This has enabled the scheme to accommodate a style that may 'infill' an area which was largely laid out in the Edwardian era, but has had ongoing changes appropriate to the year of construction of further developments. This has produced an attractive suburban character. It was important during conversations that the style of the proposed dwelling should be of its time. There are examples of modern construction directly across the road from this plot. They do not affect the character of the conservation area, indeed they add a new layer of character, and one that is in keeping with the original ethos of the area, where largely, each plot was individually designed, and continued piecemeal development. Do not object to the proposed architectural style of the replacement building.

Whilst the points for objection, especially those highlighting elements in relation to the Conservation Area Appraisal, are understood and the site is of a positive appearance, it is considered the quality and usability is not what would be suggested as significant quality to protect all elements in situ. The rich tapestry of heritage has only been achieved through change, some planned and some fortuitous. It is not the role of conservation to prevent all change but rather protect significance and manage potential harm.

With regards to the garage, this is an occasion where a building without any designation as a heritage asset may be considered for loss. It is considered there should be a compromise made between what can realistically be insisted to keep, and what may be lost, if the resulting change can meet (preserve) or improve (enhance) the existing character and appearance. It is considered that the significant elements of the host dwelling have been retained during planning discussions. Initial proposals were to engulf the existing property with extensions until no element of the original was visible. An alternative was to demolish the site and rebuild a contemporary 'arts and crafts' style building. The application for the principle dwelling took a long time to develop into a scheme whereby the original property is still legible. A balance between historic legible style, with contemporary architecture and liveability was sought and agreed.

In the context of the approved scheme for the host dwelling, it is considered it will sit well in the proposed new curtilage of the plot. Landscaping can be designed in keeping with the final scheme, with new access points from Elm Avenue. The mixture of historic and contemporary has been established as an acceptable design

style. As per the initial background and mapping assessment, the area was developed in a piecemeal manner, with a range of architectural style, materials and alignment within the plot. As such, the area has evolved with new architectural layers added over time. It is appropriate that there should be fine examples of architectural style of its time to establish an area.

There are examples of more recent developments adjacent and opposite to this development site that have added to the tapestry of character, style and materials. The Character Appraisal refers to these as having a negative contribution to the character of the Conservation Area. This is an example whereby the appraisal is a subjective opinion. Not necessarily in agreement with this assessment and comment should explain why. Every planning application should be considered on its own merits and it is considered that a small number of contemporary additions (this is also the case with extensions), can be justified within conservation areas. The role of conservation is to ensure that proposals are of high quality architectural merit, with attention to detail, and add to the character of the area. It is considered that the approved application for 9 Glebe Street, plus this proposal for a new dwelling will produce an end result that achieves this aim.

- 5.2 **Council's Waste and Recycling Officer:** raises no objection and advises bin requirements.
- 5.3 **Councils Tree Officer:** no objection - there does not appear to be any trees of special significance between no. 9 Glebe Street and no. 7 Glebe Street, so no concerns with trees in the area of the new build. There is a Cedar tree and Rowan tree that are covered by TPOs but they are adjacent to Elm Avenue and should not be compromised by the proposed development.
- 5.4 11 properties were consulted and a site notice and amended site notice were displayed. 39 representations were received (all objections), they can be summarised as follows:
- Impossible to judge if design and layout is consistent with conservation area 19/00402/FUL is built and should be considered with all applications associated with host dwelling
 - Too tall
 - Plot too small and narrow for a detached house
 - No architectural merit
 - Spacious character would be eroded
 - Proposed dwelling would dwarf host dwelling (even under 19/00402/FUL application)
 - Limited depth of plot will result in cramped form of development
 - Remove open spacious character of site resulting in overdevelopment
 - Design results in unsatisfactory composition which doesn't respond successfully to other elements found in the designation
 - Depth is almost double of neighbouring dwellings to the east which means it would be dominant and excessive which would be glimpsed from the public realm
 - Boxy single storey rear extension and unacceptable roof form
 - Incorporates several different forms of fenestration and lacks rhythm and cohesion

- Proposed dwelling would result in less than substantial harm to the character and appearance of the conservation area by reason of size, scale, design, massing and siting
- Motivated by money
- No attempt to harmonise with fabric and aesthetics of conservation area
- Smaller extensions and amendments to a property requiring permission have required further scrutiny
- Layout of the designation has not fundamentally changed since Conservation Area Guide (dated 1994) which states that proposals for new properties in existing gardens would affect the spacious character of the designation
- Loss of historic connection and the physical relationship between host dwelling and garage
- No public benefit has been identified
- Would not preserve or enhance
- Fails test of NPPF
- Cumulative impact must be considered with host dwelling applications
- Out of keeping with surrounding area and conservation area
- Application for garage is a step-by-step approach to development
- The principle of infill is unacceptable and discouraged and could set a precedent for the area
- The garage is identified as a positive feature
- Scheme would diminish ambience of area and materially change conservation area
- Loss of green space
- Commercially driven
- Contrary to requirements of preserving or enhancing the special character of the area
- Increased density
- Contrary to the St John's Grove Conservation Area Appraisal
- If accepted it should be subordinate to neighbour's properties, screened by hedging and clear of architectural merit
- Should be considered in context of other applications associated with this plot
- Redevelopment of no. 9 Glebe Street more suitable in size and scale
- Size and scale is inappropriate
- Further forward than neighbouring properties
- Inadequate space for front garden
- Loss of large mature garden
- Materials and triangular windows are out of keeping with conservation area
- Conservation area status is being compromised
- Should be linked to arts and crafts host dwelling
- Other modern developments have enhanced rather than detracted from conservation area
- Amendments are minimal

6 Assessment

- 6.1 The main issues relate to whether the principle of a dwelling would be acceptable, the impact on the conservation area, parking/access, design and whether there will be an unacceptable impact on neighbour amenity.

6.2 Principle and Conservation Area

- 6.2.1 The main dwelling and garage are identified as a positive feature within the Beeston St John's Grove Conservation Area. The area is defined by streets lined with mature trees and large, leafy, mature gardens to the front and sides of the majority of properties. The area has Edwardian dwellings, as well as Elm Avenue containing large, high-quality inter-war housing.
- 6.2.2 Several concerns have been raised within representations received as to the unacceptable principle of an infill dwelling, that the scheme fails to preserve or enhance the conservation area and the negative impact on the conservation area. Furthermore, reference has been made to the Conservation Area Appraisal for St John's Grove and its reference to infill development in large gardens eroding the historical regularity of plot sizes.
- 6.2.3 It is accepted that the Conservation Area Appraisal (CAA) for St Johns Grove is a useful document in outlining the key characteristics of the conservation area, including the threats to its erosion with future development. Nevertheless, the CAA is not given the same level of weight as local and national policy, and it doesn't have 'development plan' status, so it doesn't carry as much weight as a Local Plan policy (or a Neighbourhood Plan policy, for those areas that have them). It also doesn't have the status of a Supplementary Planning Document. The CAA still carries some planning weight, although considering the updated Core Strategy and Broxtowe Local Plan part 2 and the detailed commentary from the Conservation Officer (in section 5.1 onwards) this weight has to be tempered somewhat. Consequently, it would seem justified to give more weight to the Conservation Officers comments in this instance. In addition to this, each site is determined on its own merit and whilst the principle of an infill plot on this site is considered to be acceptable, it does not mean it would be acceptable for all other plots with large gardens.
- 6.2.4 The Conservation Officer has firstly outlined the principle of the acceptability of infill development in this part of the conservation area. The historical mapping in section 5.1 demonstrates that the surrounding area has been subject to infill plots and therefore the principle of this argument in relation to this plot is considered to be acceptable.
- 6.2.5 The width of the overall plot is of a significant size and even with the subdivision, it is still considered that it will reflect an acceptable size that it will not be detrimental to the character of the surrounding area or conservation area. This is explained in more detail in section 6.3.2.
- 6.2.6 The principle of the width and length of the plot is comparable to other plots within the conservation and is explained in more detail in section 6.3.1 below.
- 6.2.7 The principle of contemporary style development in conservation areas is a widely accepted design concept and examples of these are provided in section 2.2 above.
- 6.2.8 Paragraph 196 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this

harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

- 6.2.9 Paragraph 201 of the NPPF states: “Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.”
- 6.2.10 The Conservation Officer has assessed the application as having less than substantial harm on the impact of the conservation area. Whilst it is recognised there will be some harm, it has been assessed as less than substantial and the loss of the garage is outweighed by the benefits of an additional home in the borough which is in accordance with local and national policy. The principle of infill has shaped part of the conservation area and the proposed dwelling will not compromise the spaciousness of the host dwelling
- 6.2.11 In regards to the preserve or enhance element of the scheme, it is considered that the scheme is an example of preserving the conservation area by representing a contemporary ‘arts and crafts’ appearance that takes visual cues (e.g. gable roof, similar height to surrounding properties, retaining spaciousness, set back from road and dominant in appearance to address the street scene) from surrounding development, and in particular the approved scheme of the host dwelling. Furthermore, dwellings in the surrounding area are relatively large and although predominantly from the Edwardian era, have gradually developed over time with no consistent style or size of dwelling. Therefore, it is considered the proposed dwelling is not contrary to this character and will therefore preserve the character of the conservation area.
- 6.2.12 It is acknowledged the garage is identified as having a positive contribution in the conservation area in accordance with the Conservation Area Appraisal. However, it is not designated and therefore the insistence of it not being removed for a dwelling that is considered to be acceptable in this location is considered unjustifiable. Furthermore, as mentioned above, the Conservation Area Appraisal is subjective, is not adopted policy and its basis was formed on local and national policy that is now out of date. The contemporary design of the proposed dwelling will be in keeping with the host dwelling under the 19/00402/FUL but as it takes visual cues from the surrounding area, will still not appear out of character.
- 6.2.13 The Conservation Officer has stated the following in relation to the scheme *“In the context of the approved scheme for the host dwelling, it is considered it will sit well in the proposed new curtilage of the plot. Landscaping can be designed in keeping with the final scheme, with new access points from Elm Avenue. The mixture of historic and contemporary has been established as an acceptable design style. As per the initial background and mapping assessment, the area was developed in a piecemeal manner, with a range of architectural style, materials and alignment within the plot. As such, the area has evolved with new architectural layers added*

over time. It is appropriate that there should be fine examples of architectural style of its time to establish an area."

6.2.14 The Conservation Officer concludes with the following *"There are examples of more recent developments adjacent and opposite to this development site that have added to the tapestry of character, style and materials. The Character Appraisal refers to these as having a negative contribution to the character of the Conservation Area. This is an example whereby the appraisal is a subjective opinion. Not necessarily in agreement with this assessment and comment should explain why. Every planning application should be considered on its own merits and it is considered that a small number of contemporary additions (this is also the case with extensions), can be justified within conservation areas. The role of conservation is to ensure that proposals are of high quality architectural merit, with attention to detail, and add to the character of the area. It is considered that the approved application for 9 Glebe Street, plus this proposal for a new dwelling will produce an end result that achieves this aim."*

6.2.15 To conclude, it is considered there will be some harm to the conservation area but this is considered to be not substantial harm and the level of harm identified is outweighed by the positives of the scheme by providing an additional family home in an existing urban location.

6.3 Design and Layout

6.3.1 The design of the proposed dwelling is considered to be acceptable and not out of keeping with the character of the conservation area. A number of amendments were made to the scheme in order to improve the design which included the following: increase in distance between neighbouring properties, reduction of height to align more with neighbouring properties, roofline amended to reduce visual impact, set back and stepped front elevation to focus on the front entrance (and not the garage) and contemporary style garage door. A request for the property to be extended in length by approximately 1m was accepted given the substantial length of the plot and that it wouldn't be readily visible from the street scene.

6.3.2 The proposed design will reflect a contemporary appearance which is a welcomed design approach and defines development by different eras which is in line with the advice given by Historic England. The materials would be conditioned to ensure samples are submitted in advance and further consultation would be undertaken with the Conservation Officer on their acceptability. The proposed design is considered to reflect an acceptable design, there is an element of symmetry with



the double gable roofs but the asymmetrical element also mirrors that of the asymmetrical roof belonging to no. 7. The roof line largely aligns with no. 7 and the approved scheme for the host dwelling under ref: 19/00402/FUL. The angled glazing and louvre panels to the front are considered to add visual interest and are typical of contemporary design features.

- 6.3.3 It is considered the plot of approximately 13m in width and 35m in length is acceptable and would not appear out of character with the conservation area. No. 18 Elm Avenue is approximately 13.1m in width, no. 1 Glebe Street is approximately 10.1m in width and 25.6m in length, no. 2 Glebe Street is approximately 11.4m in width and 25.6m in length. Nos. 24 and 26 Devonshire Avenue are both approximately 13m in width and 22.3m in length and no. 19 Devonshire Avenue is approximately 13m in width. Therefore, it is considered the length and width of the proposed plot would be acceptable and not out of keeping with the surrounding area or conservation area.
- 6.3.4 The proposed dwelling will be approximately 11m in width. It is considered this width is acceptable and will not be appear out of keeping with the widths of existing houses in the surrounding area. Whilst it is accepted there is a wide mix of different widths, no. 14 Avenue is a detached property and is approximately 9.5m in width, no. 27 Elm Avenue, a detached property is approximately 8.4m in width and no. 8 Glebe Street, a detached property is approximately 11m in width. Therefore, the width of the proposed dwelling is comparable to some properties in the area that it is considered it will not appear out of keeping.
- 6.3.5 The width of the overall plot is of a significant size (approximately 35m in length and 42.5m in width). In comparison, the width of the plot is comparable to the total width of the plots of nos. 8 and 10 Glebe Street which in total are an approximate width of 42.8m. Furthermore, the total width of the plots for nos. 23 Devonshire Avenue and no. 7 Glebe Street (to the north east of the application site) are a total approximate width of 42.2m. No. 7 Glebe Street is approximately 17m in width and no. 23 Devonshire is approximately 25.6m in width. Whilst it is accepted the application site will not be equally divided into two plots, it does demonstrate the significant size and width of the plot and why the principle of an infill plot on this site



is acceptable in regards to existing plots sizes. In addition to this, once subdivided, the host dwelling would be approximately 28m in width which is more than no. 23 Devonshire Avenue which is approximately 26m in width. In regards to proximity to boundaries of houses and neighbouring properties, the proposed dwelling will be between 3.4m and 5.4m from the host dwelling and no. 7 Glebe Street. No. 7 Glebe Street is approximately 4m from no. 23 Devonshire Avenue, no. 6A Glebe Street is approximately 4.3m from no. 6 Glebe Street, no. 33 Elm Avenue is approximately 1.8m from the flats at no. 31 Elm Avenue. It is therefore concluded that the resultant width and length of the plot, proximity to boundaries and remaining plot size of the host dwelling are all acceptable and will not appear out of keeping with the dimensions of plots in the surrounding area.

- 6.3.6 To conclude, it is considered the plot is of a substantial size and that even with the proposal of a new dwelling, both plots when subdivided will still relate to plots sizes in the immediate area and the development will not appear out of character with the conservation area. The principle of contemporary development is considered to be acceptable and the proposed dwelling is considered to be of an acceptable design.

6.4 **Amenity**

- 6.4.1 The property that will be mostly impacted by the development is no. 7 Glebe Street which is positioned to the north east of the plot. The proposed dwelling will be 5.4m from the side elevation of no. 7. No. 7 also has a rear single storey extension (approximately 4.7m in length) which will increase the separation distance between the primary amenity space and the new dwelling. There are two first floor windows in the side elevations serving a bathroom and en-suite, these will be conditioned to be obscurely glazed which is considered to reduce overlooking to neighbours to an acceptable level.
- 6.4.2 The proposed dwelling is considered to offer a reasonable amount of amenity space via a private rear garden and bedrooms with outward facing windows.
- 6.4.3 It is considered the proposed dwelling will be a sufficient distance from all other neighbouring properties (including the host dwelling) that there will not be a detrimental impact on their amenity.

6.5 **Access and Parking**

- 6.5.1 The proposed dwelling will be served from the existing access from Glebe Street in front of the garage. There will be space for 2 cars in front of the proposed house and one within the integral garage. The approved application 19/00402/FUL, although not implemented, shows a new access from Elm Avenue and parking for 3+ cars.
- 6.5.2 It is considered there would be sufficient parking for both properties and there would not be a detrimental impact on highway safety.

6.6 **Other Issues**

- 6.6.1 As applications must be dealt with in a timely manner, it is considered unreasonable to request that the 19/00402/FUL application approved for extensions and alterations to the host dwelling, is completed before this application can be considered.
- 6.6.2 The application for a detached garage (20/00645/FUL) in the garden of the host dwelling was withdrawn in June 2021.
- 6.6.3 It is considered that a substantial amount of green space and garden area will remain even with the approval of the dwelling.
- 6.6.4 A condition would be included to ensure landscaping is considered.
- 6.6.5 The revised scheme under 21/00328/FUL is awaiting determination.

7. Planning Balance

The benefits of the proposal are that it would provide one additional family home which reflects an acceptable level of design and would not appear out of character with the surrounding area. Although there will be some impact on neighbour amenity, it is considered these are not detrimental issues that would warrant a refusal. Furthermore, it is considered the proposal would have an acceptable impact on St John's Grove Conservation Area. On balance, the scheme is acceptable and should be approved.

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 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.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.

1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawings:</p> <p>Received by the Local Planning Authority on 2 June 2021:</p> <p>· 012 Rev B</p>

	<p>Received by the Local Planning Authority on 9 June 2021:</p> <ul style="list-style-type: none"> · 010 Rev J <p>Received by the Local Planning Authority on 10 June 2021:</p> <ul style="list-style-type: none"> · 011 Rev E <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No development above ground level shall be carried out until samples and full details of the colour, type and texture of respective external facing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: Insufficient details were included with the application and to ensure the satisfactory appearance of the development and in accordance with Policies 17 and 23 of the Part 2 Local Plan (2019) and Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014).</i></p>
4.	<p>No development above ground level shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ol style="list-style-type: none"> trees, hedges and shrubs to be retained and details of any works to existing; numbers, types, sizes and positions of proposed trees, hedges and shrubs; planting, seeding/turfing of other soft landscape areas; details of boundary treatments and curtilage boundary treatments; proposed hard surfacing treatments and a timetable for implementation of the scheme. <p>The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.</p> <p><i>Reason: Insufficient details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>

5.	<p>The dwelling hereby approved, shall not be first occupied until the driveway and parking area has been surfaced in a hard, bound material (not loose aggregate) and designed to prevent the unregulated discharge of surface water onto Glebe Street.</p> <p><i>Reason: To ensure surface water from the site is not deposited on Peache Way, in the interests of highway safety and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
6.	<p>The first floor windows in the north east and south west (side) elevations serving a bathroom and en-suite shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	Positive and Proactive.
2.	Street name and numbering.
3.	The applicant is advised to contact the Council's Waste and Recycling Section on telephone number: 0115 917 7777 to discuss waste and refuse collection requirements.

Map



Legend

- Site Outline
- Single TPO
- Conservation Area
- Group TPO

Photographs



Facing north east, side elevation of no. 7



Facing north east, side elevation of no. 7



Facing north east, side elevation of no.7



Facing north west towards Glebe Street



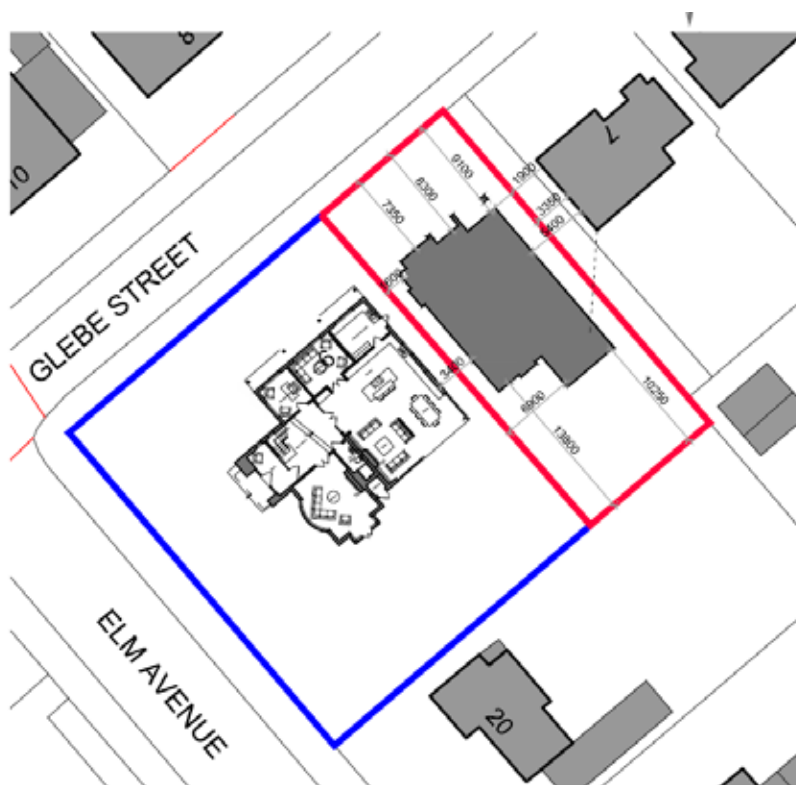
Facing south east, view of no. 7



Facing south east, view of site and no. 7

Proposed Front Elevation & Street Scene Elevation

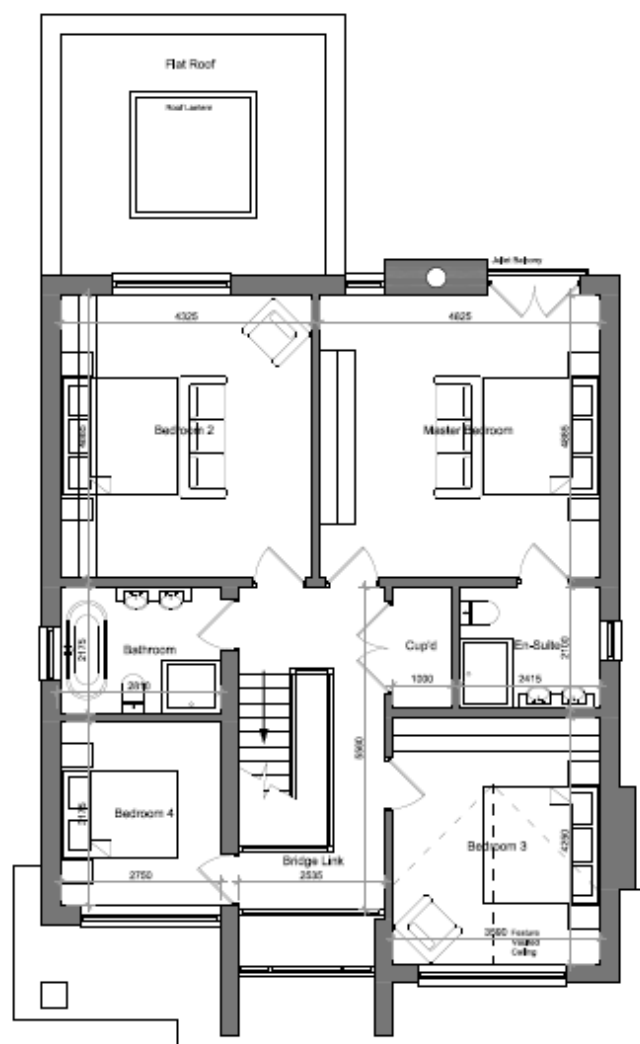
Proposed Side Elevation



Proposed Site Block Plan 1:500

Proposed Ground Floor Plan

The plan shows a large garage (9350) with a car, a utility room, a plant room, a living area (6300) with a patio, a lounge, a feature hall, a boot room, a cloak, a WC, and a double drive (7600) with two cars. The plan also includes dimensions (1900, 3400, 1600, 8400, 9350, 7600) and notes on new paving and fencing.



Proposed First Floor Plan
127.0m² + 101.8m² = 228.8m² / 2,482 SqFt.

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Report of the Chief Executive

APPLICATION NUMBER:	21/00184/FUL
LOCATION:	Land Between Ellis Grove And Wilmot Lane, Ellis Grove, Beeston, Nottinghamshire
PROPOSAL:	Construct 66 bedroom residential care home and associated external works

The application is brought to the Committee at the request of Councillor J C Patrick.

1 Executive Summary

- 1.1 This major planning application proposes the construction of a 66-bedroom residential care home, bin and cycle stores, landscaping and 26 space car park. Access would be from Ellis Grove. The flat roofed, U shaped building would be single/two storey in height to the south east and three-storey to the north east and north west. It would have a central courtyard garden for the residents and landscaping beside the boundary with the Barrydale Avenue houses which includes a visitor's garden area. Two terraces are proposed at first floor; one to the north east (front) associated with a bar and one to the south west (rear) associated with the tea room.
- 1.2 The benefits of the proposal are the provision of specialist accommodation for the elderly in a purpose built building on a brownfield site in a highly sustainable location. The negative impact of the proposal is some harm would be caused to the amenity of existing residents, particularly those on Barrydale Avenue. However, this harm is considered to be outweighed by the benefits of the scheme and to be mitigated by the lower height of the south eastern wing of the building, the use of obscure glazing (including for the tea room terrace) and the landscaping proposed on the boundary with these houses.
- 1.3 The Committee is asked to resolve that the application be approved subject to the conditions outlined in the appendix and to the prior signing of a Section 106 Agreement (to secure a contribution to healthcare facilities).

APPENDIX**1 Details of the Application**

- 1.1 This major planning application proposes a 66-bedroom care home and associated works. The building would be red brick with areas of black brick and it would be predominantly three-storey, with a single and two storey section to the rear of the houses on Barrydale Avenue. It would have a flat roof and be U-shaped with a central courtyard garden. All bedrooms would have an en-suite bathroom and communal facilities would be provided for residents including lounges, dining rooms, cinema, activity room and spa. Two balconies are proposed adjacent to the internal courtyard facing lounges at first and second floor. A kitchen, laundry room, staff room and plant room would be provided within the south eastern wing of the building. Two outside terraces are proposed at first floor; one to the north east (front) associated with a bar and one to the south west (rear) associated with a tea room. The tea room terrace would have 2m high obscure glazed screens on its external perimeter (the terrace would have a clear glazed screen beside the internal courtyard - north west) and the bar terrace would have a 1.6m clear glazed balustrade. There would also be a visitor's garden area to the north east of the building adjacent to the 26 space car park. There would be landscaping to the north west and north east of the building and along the south east site boundary adjoining Barrydale Avenue, the existing trees would be largely retained, with additional planting proposed. There would be a cycle store within this landscaping and there would be a bin store adjoining the car park, opposite the proposed north eastern entrance to the care home. To the rear of the building, there would be a pitched roof garden/maintenance store.
- 1.2 The following documents form part of the application submission:
- Design and Access Statement
 - Noise Assessment
 - Planning Statement
 - Arboricultural assessment
 - Transport Statement
 - Travel Plan.
- 1.3 During the course of the application, the plans were amended with the main changes being the re-location of the bin store away from the Barrydale Avenue boundary, revisions to the proposed tea room terrace screening to 2m high and to confirm which windows would be obscurely glazed and/or non-opening.

2 Site and surroundings

- 2.1 The site has an area of 0.48 hectare and was previously part of the larger Myfords (engineering) site. It is an area of land that slopes down approximately 2m from Ellis Grove towards the south eastern boundary. The site is vacant land but has recently been used as part of a compound for the construction of the development to the north west and south west of the site. The site currently has vehicular access from Lacemaker Road (formerly known as Wilmot Lane) to the south west.
- 2.2 To the immediate north west of the site lies a vacant site beside the Chilwell Road tram stop. A public footpath runs beside part of the south western site boundary

connecting Vincent Avenue with High Road/Chilwell Road. The site also adjoins a pair of newly constructed three storey semi-detached houses on Lacemaker Road to the south west, with 1.8m close boarded fencing on their northern and north eastern boundaries (forming part of the development approved under 17/00723/FUL as referenced above). Other newly constructed dwellings are located on the western side of Lacemaker Road. Ellis Grove adjoins part of the north eastern site boundary, and the south western wall of the commercial property known as the Raven Group directly adjoins this boundary. The Royal British Legion Social Club is located to the north east, beside the Raven Group.

- 2.3 Semi-detached and terraced properties on Barrydale Avenue adjoin the south eastern site boundary. These houses have various rear boundary treatments and there is a row of mature deciduous trees on the site side of the south eastern boundary. The houses on Barrydale Avenue are at a lower level than the site.
- 2.4 Beyond the land to the north west of the site, there are various shops/commercial units on the north western side of Chilwell Road opposite the tram stop. There is a car park associated with the newly constructed retail unit with apartments above directly beyond the footpath to the west of the site and a Council owned car park fronting Chilwell Road to the north west (front) of this four storey, flat roofed building.

3 Relevant Planning History

- 3.1 Outline planning permission (13/00003/OUT) was granted on 12 December 2014 for the redevelopment and change of use of the larger former Myfords site for residential/commercial uses (to include Classes A1, A2, A3, A4, A5, B1(a), C2, C3 and D1 uses). This permission has expired but was granted contemporaneously with a S106 Agreement requiring 25 per cent of the housing on site to be affordable and financial contributions towards education, transport and open space.
- 3.2 A prior notification application for the demolition of the buildings on the larger former Myfords site was approved on 30 June 2017 (reference 17/00370/DEM). Demolition has been completed.
- 3.3 Planning permission to construct a 75 bed care facility; 30 supported living apartments (Class C2); bistro; gym/spa; hairdressers; bin, cycle and scooter stores; emergency generator; substation, car parking and landscaping was granted permission by Planning Committee in January 2019 (18/00268/FUL). This development is not being pursued. The site of this approved building included additional land to the north west of the current application site and excluded land to the south east (now included in the current application site):



- 3.4 A planning application to vary condition 21 (relating to first occupation of the building by Belong) of planning permission 18/00268/FUL was approved by committee on 22 July 2020).
- 3.5 Planning permission (17/00723/FUL) for 47 dwellings and a retail unit on the southern and western parts of the larger former Myfords site was granted on 24 May 2018, following the grant of planning permission (reference 17/00511/FUL) for a road to serve the southern part of this site on 29 September 2017, to enable its early implementation. Construction of this road, the retail unit and most of the dwellings has been completed. However, plots 29-32 (3 storey houses) in the north eastern corner of the site have not been constructed and this part of the 17/00723/FUL site forms part of the current planning application site.

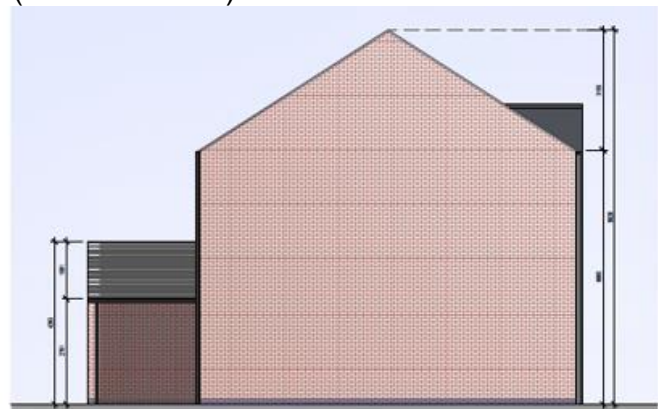
Masterplan for 17/00723/FUL:



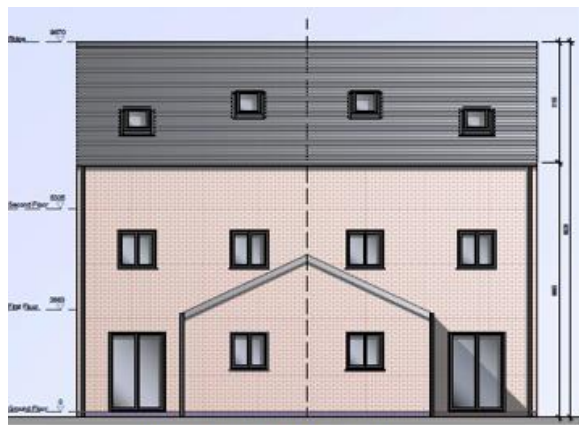
House Type B as proposed on plots 29-32 (17/00723/FUL):



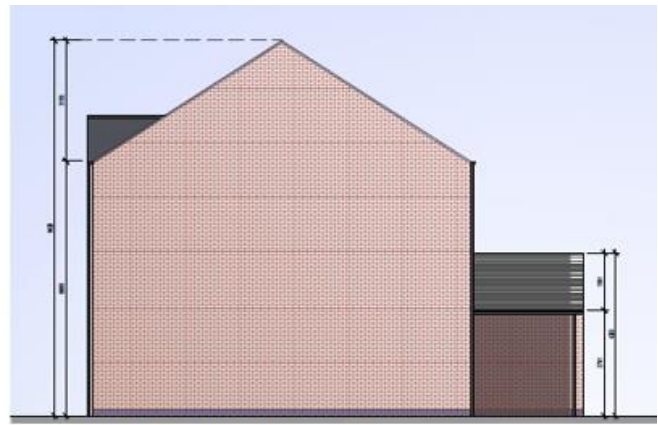
House Type B, Front Elevation



House Type B, Side Elevation 1

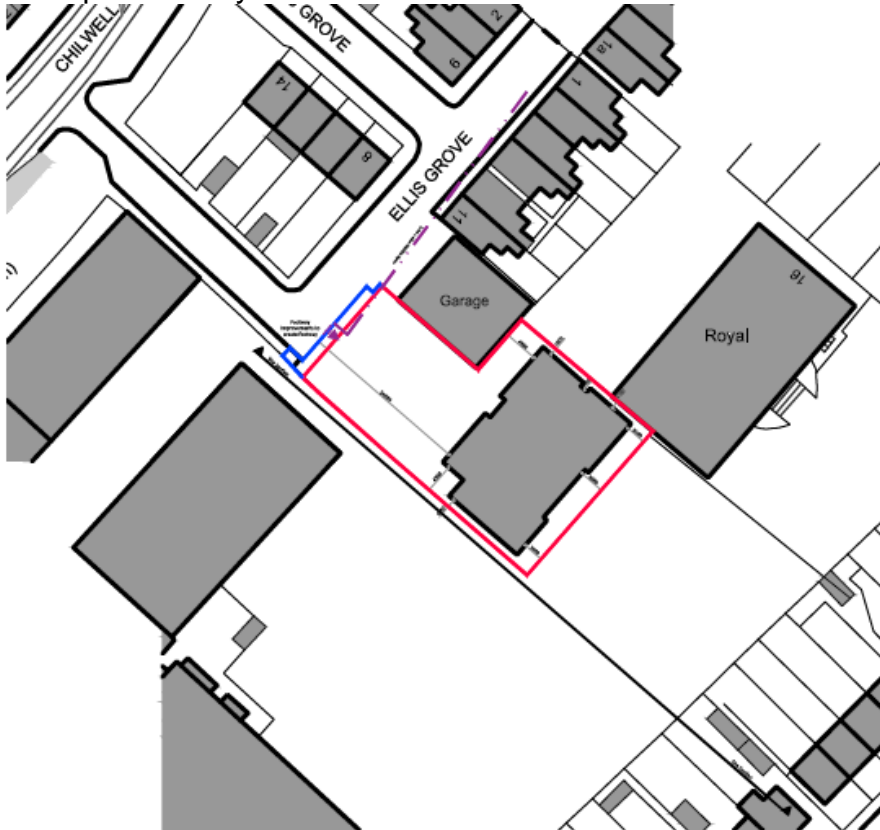


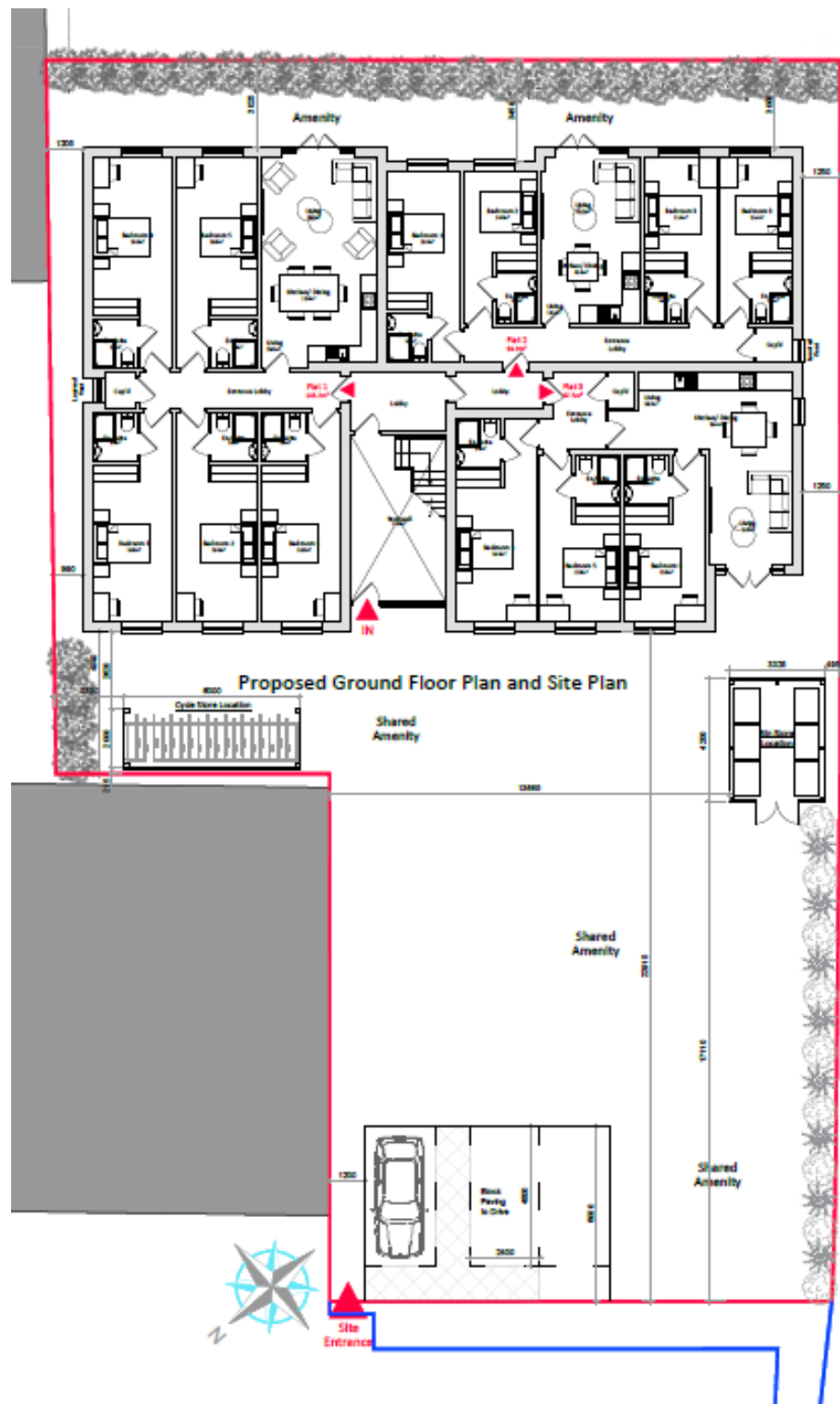
House Type B, Rear Elevation



House Type B, Side Elevation 2

- 3.6 Planning permission for 15 apartments on the adjacent site to the north east (18/00538/FUL) currently occupied by the Raven Group (warehouse to be demolished) was granted on 16 October 2019. A current application for a 3 storey building comprising 9 student apartments (Use Class C4) on the Raven Group site is pending consideration (21/00349/FUL). The proposed site location plan and ground floor plan/site layout for 21/00349/FUL are shown below:





4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change

- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Space
- Policy 19: Developer Contributions

4.2 **Part 2 Local Plan 2019:**

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

- Policy 14 - Centre of Neighbourhood Importance (Chilwell Road/High Road)
- Policy 15 - Housing Size, Mix and Choice
- Policy 17 - Place-making, Design and Amenity
- Policy 19 - Pollution, Hazardous Substances and Ground Conditions
- Policy 20 – Air Quality
- Policy 24 - The Health and Wellbeing Impacts of Development
- Policy 26 - Travel Plans
- Policy 32 - Developer contributions

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport.
- Section 11 – Making effective use of land.
- Section 12 – Achieving well-designed places.
- Section 15 – Conserving and enhancing the natural environment.

5 Consultations

5.1 **Nottinghamshire County Council as Highway Authority (11.5.21):** requests amendments in relation to the access and additional information regarding swept path analysis. Advises measures should be put in place to prevent rat run between Wilmot Lane and Ellis Grove. Confirms a new application for a Traffic Regulation Order on Ellis Grove will be required to remove on-street parking. Parking provision on site is sufficient.

21.5.21 & 24.5.21 Double yellow lines and tracking acceptable. Further information regarding how access works will tie into existing highway requested. Parking on site should remain available for intended end users through use of signage. Link to Wilmot Lane should be closed to through traffic by continuing full height footway across central aisle.

4.6.21: Requests further details of site access construction. Following revisions to Travel Plan, confirms this is acceptable.

11.6.21 comprehensive drawing to show how both frontages tie in would have been useful to prevent any abortive works. Nevertheless, recommends conditions relating to provision of parking/turning/servicing areas, site access and the making

of an application for a Traffic Regulation Order (TRO) to remove on-street parking on Ellis Grove.

- 5.2 **Nottinghamshire County Council as Lead Local Flood Authority** has no objection.
- 5.3 **Nottinghamshire County Council Rights of Way (Via East Midlands Ltd):** advise that Beeston Footpath No. 55 runs to the west of the site and make advisory comments regarding not obstructing this path.
- 5.4 **Nottinghamshire County Council Policy:** suggest waste audit is submitted. No contributions sought.
- 5.5 **NHS Nottingham West Clinical Commissioning Group:** request a contribution of £14,305.50 towards provision of additional primary care facilities in the area (reconfiguration or extension of existing GP premises or a new build).
- 5.6 **Nottingham University Hospitals NHS Trust:** advises the Trust is operating at full capacity and request a contribution of £29,616 towards the cost of providing additional health care services for the occupants of the development.
- 5.7 **Nottingham Express Transit:** encourages developer to provide strong pedestrian links between the site and tram stop and to discuss with Tramlink Nottingham the potential to offer discounted ticket scheme for employees. Advise operation of Chilwell Road should not be compromised by additional development traffic and vehicles should not obstruct tramway at any time. Working methods would need to be agreed with NTL prior to construction commencing.
- 5.8 **Force Designing out Crime Officer, Nottinghamshire Police:** no objections
- 5.9 **Council's Environmental Health Officer:** no objections subject to conditions relating to contamination, delivery hours, glazing and ventilation specification, rating level of plant and equipment, piling/penetrative foundation design, construction hours, Construction Method Statement, ventilation/filtration and external lighting details. Notes to applicant regarding burning of commercial waste, food registration and food safety and health and safety requirements.
- 5.10 **Council's Parks and Green Spaces Manager:** no objections - landscaping is good and detailed scheme.
- 5.11 **Council's Waste and Abandoned Vehicle Officer:** no objection - can provide trade waste agreement for site. Bin store location acceptable. Access road should be built to adoptable standards with a minimum 5m width and foundations to withstand the weight of a refuse vehicle.

5.12 **Council's Tree Officer:** development appears to have accommodated the trees on site and they are to be retained apart from T3 (Norway Maple) which is a class C tree and its removal would not be a major loss to the site. T4 will require some minor pruning to give clearance and this would be acceptable. There will be some incursion into the RPA of T5 (Beech) by the siting of the cycle store but this will be minor and the arboricultural report deals with how this can be accomplished with no major detriment to the tree. Subject to the implementation of the report's recommendations, no objections.

5.13 49 properties either adjoining or opposite the site were consulted and three site notices were displayed. 10 representations were received to the initial consultation, summarised as follows:

1 observation:

- fence on boundary with Raven Group should be 2m not 3m high to side of this existing building (3m height to rear is acceptable)

9 objections:

- Scale of building will dwarf Barrydale Avenue houses and be taller than new three storey houses on Lacemaker Road
- Building will be overbearing
- Loss of light as building is too high
- Myfords only operated during day and buildings provided barrier to any noise generated by external activity
- Loss of view
- Terrace should only be used between 8:00-22:00 and no playing of music etc should be allowed
- No detail of proposed plant or hours of operation – proper noise assessment required
- Ventilation condition required to prevent odour nuisance
- No provision for smokers – condition for smoking area required so residents on Barrydale Avenue are not affected by smoke
- Large tree to rear 34 Barrydale Avenue previously shown to be removed should be as roots damaging path
- Concerns regarding noise, activity and odours - servicing area of home (including plant room, staff rooms, kitchen and bin store) is located too close to rear of Barrydale Avenue houses which have peaceful gardens – should be re-located away from residents
- Noise and light from traffic using car park
- Alarms will cause dogs to bark
- Adverse impact on mental health
- Plans should be revised as unfair on existing residents
- Original plans for site showed two pairs of semi-detached houses – previous plans better for neighbours
- No community areas as offered in previous proposal
- Proposal for 66 bedrooms is financially greedy
- Consider proposed residents would prefer to live on main road as previous proposal
- Dense vegetation and boundary fence of sufficient height to maintain privacy should be provided on Barrydale Avenue boundary

- Screening provided by existing trees overstated in application documents
- CCTV cameras should be placed to not affect existing residents' privacy and condition used accordingly
- Residents have endured over 10 years of disturbance due to construction of tram then construction of housing. Negative effect on health and well-being.
- Loss of privacy – from proposed roof terraces (materials of enclosure unclear) and building. Windows in south west elevation to rear of 20 & 21 Lacemaker Road houses should be obscure
- Unclear how proposed and existing boundary treatments will co-exist
- Noise assessment contains wrong site layout and refers to care home in Lincoln which is not comparable to proposed development
- Site and properties on Barrydale Avenue flooded last year – surface water flooding mitigation measures for site queried
- Support landscaping proposals but request vinca major and vinca minor are omitted as invasive
- More wildlife friendly aspects should be incorporated into building e.g. bee bricks, bat bricks
- Conditions on previous permission relating to piling, delivery hours, construction hours and noise levels should be repeated
- Sufficient care homes in the area

5.14 In relation to the re-consultation on the amended plans, 9 representations were received, summarised as follows:

3 observations:

- vast flat roof suitable for solar panels or green sedum roof
- living panels could green up the brick walls which look industrial/prison like
- tree to rear of 34 Barrydale Avenue should be removed as previously classed as dangerous
- request thick, tall hedge is planted on Barrydale Avenue boundary to minimise noise and disturbance.

6 objections:

- loss of privacy from laundry room window
- bedrooms and resident's day areas too small – too dense
- 'green screen' queried
- Disappointing lack of changes in response to concerns raised
- No amplified or live music should be allowed on terrace areas
- Bin store too close to windows of building with planning permission on Raven Group site – request for it to be moved to opposite side of car park
- No objection to building but object to painting of yellow lines by entrance and removal of two parking spaces on Ellis Grove due to parking problems on road and given Hive and Raven developments will add circa 45 people with only 3 parking spaces
- Bar terrace needs north east obscurely glazed screen
- Terrace screens appear to be less than 2m high
- Queried whether the noise condition just relates to plant or noise from the tea room and bar too
- Remain concerned about lack of information about levels in car park and whether 2m high boundary fence is sufficient to maintain privacy for Barrydale

Avenue residents. Requests condition regarding levels in this area to be no higher than ground level at base of boundary fence

- Confused by agent's statement that the boundary fence 'will be inside the residents' fence' as the existing boundary fence was erected by Myfords some years ago. If a new fence is erected away from the existing fence, queried who would be responsible for land inbetween.

6 Assessment

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

6.2 **Principle**

6.2.1 The site has previously been granted permission for residential use and is a committed housing site in the Part 2 Local Plan. Although a care home is not a Class C3 use, it is a residential use. Such a use is therefore considered to be acceptable subject to consideration of the matters below.

6.3 **Design**

6.3.1 The proposed building would be U-shaped, located in the south western and central part of the site and predominantly three storey, with a single/two storey wing parallel to the boundary with the Barrydale Avenue houses to the south east. This step down in height respects the lower height of the houses on Barrydale Avenue. It will be flat roofed with a maximum height of 10.3m (three storey part of the building). The building will have projecting and recessed elements which adds interest to the elevations. It will be faced in red bricks, with black brick used on the single/two storey south eastern element. The ground floor of the building will have vertical black brickwork detailing which adds visual interest at eye level. Use of brick will link the building to the predominant use of brick in the immediate surroundings. Material samples will be conditioned to secure suitable bricks.

6.3.2 Windows will generally be large and tall and have been located in symmetrical positions, achieving a rhythm to the design. The communal lounge and dining room areas will have glazed walls with balconies at first and second floor facing the internal courtyard garden. There will be an outside bar terrace to the front of the building and a tea room terrace to the rear of the building. A cycle store will be located to the south east of the building, a bin store to the north east and a garden/maintenance store to the south west. These buildings will be predominantly constructed using timber. The garden store will have a pitched roof, with the bin and cycle stores having a flat roof with a gap for ventilation between the roof and top of the timber surround. These buildings are considered to be of an acceptable design, fit for purpose.

6.3.3 Due to the location of the building away from the public highway, it will not be prominent in the street scene of Ellis Grove. The rear of the building will be visible from the footpath to the rear of the site, Lacemaker Road and Wilmot Lane but it is considered the height and design of the building will be in keeping with the newly constructed retail unit with flats above (four storeys) fronting Chilwell Road.

6.3.4 The car park will be located to the north east of the building, and beside the boundary with the Raven Group site, the British Legion site and the Barrydale Avenue houses. A 12m wide visitors garden and small play area will be provided to the north west of the site boundary with Barrydale Avenue. A courtyard garden and garden to the north west of the building are proposed with planting at the site entrance and to the immediate front of the building. Existing deciduous trees (maple beech, lime, poplar and sycamore) will be retained beside the Barrydale Avenue boundary (one to be removed) and additional tree planting is proposed beside this boundary and across the site (47 trees proposed). The landscaping proposed will provide an attractive setting for the building and a pleasant outlook for residents and staff.

6.3.5 To conclude on the design of the proposed development, it is considered a good quality of design has been achieved which will not have an adverse impact on the character or appearance of the street scene, particularly given the location of the development away from the public highway.

6.4 **Amenity**

The houses on Barrydale Avenue are located at a lower level than the site (approximately 1.5m lower) and the height of the building has been designed to respect this by being single/two storey (approximately 4.5m/8m high) beside the south eastern site boundary. It is acknowledged the building will be approximately 6m away from this boundary at its closest point but there is in excess of 24m between the proposed building and the rear elevation of the Barrydale Avenue houses and comprehensive planting is proposed to take place beside this boundary. Although the building will change the outlook for the rear of the Barrydale Avenue houses, it is considered this is sufficient distance to ensure the proposed building will not be overbearing, will not cause harm to mental health or cause any significant loss of light or visual amenity for the occupants of Barrydale Avenue. In relation to the previous scheme approved for part of the application site, plots 29-32 were three storey semi-detached houses, 9.8m high (planning permission reference 17/00723/FUL). Although this building has a larger footprint, the height beside Barrydale Avenue is lower than that of the approved houses.

6.4.2 In terms of privacy, all of the windows in the closest south eastern elevation will be obscurely glazed and the first floor window will be non-opening. A 2m high close boarded fence will be installed on the boundary which is considered to be sufficient to maintain privacy, particularly given the proposed obscure glazing. Some concern has been expressed about the impact of the proposed car park on the occupants of Barrydale Avenue. The proposed car park will be separated from the rear boundary of the Barrydale Avenue houses by a garden area (includes play area) with a minimum width of 12m which comprises existing mature trees and proposed planting of trees, shrubs and hedging. A 2m high fence is proposed on the south east car park boundary. It is considered this will be sufficient to protect the privacy of the occupants of Barrydale Avenue, taking into account the level difference.

6.4.3 Some concern has been raised about the proposed terraces in relation to noise and privacy. The tea room terrace screen has been amended so as to be a 2m high obscurely glazed screen on the south east and south west elevations. It is considered this will be sufficient to maintain privacy. The bar terrace is located to

the front of the building and faces the car park. It will be approximately 16m away from the south east boundary with the plant room immediately beside it so it is considered no loss of privacy will occur from this terrace which will have a 1.6m high clear glazed balustrade. Use of the terraces will be controlled by condition to between 8:00 and 22:00. No restriction on the use of music etc is considered to be necessary for the terraces given the nature of the proposed use.

- 6.4.4 In terms of noise generated by the proposed development, a noise assessment was submitted with the application. The plant room will contain condensers to enable the drug rooms to be kept cool for medicines. The noise assessment concludes the plant noise would have a low impact as a noise receptor. The Environmental Health Officer has raised no objection to this report subject to conditioning the noise level of plant, machinery and equipment. Subject to this condition, the potential for noise disturbance from the development is considered to be acceptable. The hours that deliveries/collections by commercial vehicles can occur will be restricted by condition, with the exception of urgent medical items, to protect residents from undue noise at unsocial hours.
- 6.4.5 It is recognised that the servicing parts of the site will be within the section of building closest to the houses on Barrydale Avenue and Lackmaker Road. In response to neighbours' concerns about this, the applicant has advised that the servicing areas cannot be moved as due to Covid, the building has been designed so as to ensure staff do not have to travel through a bedroom unit to get to another bedroom unit (staff use lifts). All bedrooms are therefore located together in 18 or 24 bedroom units and the servicing areas of the building cannot be swapped with some of the bedrooms. The three storey bedroom part of the building has been located away from residents to minimise overlooking. The last use of the site was generally unrestricted industrial use. Accordingly, it is considered that the proposed residential institution use will have less impact on neighbour amenity, particularly given the nature of the use – managed care facility. Environmental Health are satisfied with the findings of the noise report and conditions will be imposed relating to plant noise and requiring the submission of details of ventilation, odour arrestment and filtration equipment. Subject to these conditions, it is considered there will be no significant impact on neighbour amenity from noise or odour.
- 6.4.6 The bin store has been relocated from beside the Barrydale Avenue boundary to within the car park beside the Raven Group site. The owners of the Raven Group site have objected to this as the bin store will be close to the windows of the building proposed on this site. However, the building is yet to be built on the Raven Group site, the proposed bin store will have a roof, be regularly emptied/cleaned and the plans for the Raven Group site include a bin store which is closer to the building than the proposed bin store. It is therefore considered the bin store will have no significant adverse impact on the residents of the as yet to be built building.
- 6.4.7 The approved apartment building on the Raven Group site (reference 18/00538/FUL) would be located to the north east and north west of the proposed car park. This apartment building would be three storeys (9.3m high), with kitchen and bathroom windows in the south west (side) elevation and located 20m from the proposed care home which will have bedroom windows in the north east facing elevation. As planning permission has been granted for the application on this neighbouring site, some weight can be attached to this proposal. Limited weight

can be attached to the revised proposal (21/00349/FUL) submitted for this site as it is still pending consideration. Nonetheless, it is considered the proposed development will not have an adverse impact on the amenity of the future occupants of the Raven Group site and vice versa given the separation distance.

- 6.4.8 As access to the site will be taken from Ellis Grove, there is the potential for increased vehicular movements/activity to have an impact on the amenity of other occupants on Ellis Grove given the dwellings front directly onto the pavement. However, given the previous use of the site, which would have generated activity/traffic, this is considered to not be a significant concern.
- 6.4.9 To the rear of the proposed building, the site adjoins the rear gardens of a pair of recently constructed three storey houses (Lacemaker Road). These houses are at a similar ground level to the proposed building and the closest part of the building to these houses is single storey with a laundry and kitchen window in the south west elevation. There will be a 2.5m high garden/maintenance store building with planting either side to the rear of the gardens of these two houses and a 2m high close boarded fence on the boundary. The store will largely obscure the kitchen window and the laundry window will be obscurely glazed (and conditioned as such). The tea room terrace will be over 24m away from the rear elevation of these houses and will be screened to the south west by a 2m high obscurely glazed screen. It is therefore considered the impact on these neighbours will not be significant.
- 6.4.10 Concern has been expressed about the impact of construction works on existing residents. Although some disruption is an inevitable part of construction, given the proximity of this development site to neighbours, it is proposed to restrict the hours that construction can take place in order to minimise disturbance to residents. For the same reason, a condition is recommended in relation to piling or other penetrative foundation methods. In relation to concern expressed about the length of build, the applicant has advised that they anticipate a construction programme of approximately 12 months.
- 6.4.11 Odour from the bin store and smokers are considered to have little weight as planning considerations.
- 6.4.12 Given the previous use of the site, some contamination is present on site so a condition requiring a contamination survey and remediation methods will be recommended accordingly. This condition will ensure the building is safe for occupation in terms of public health considerations.
- 6.4.13 The Council's Environmental Health Officer has recommended that the glazing and ventilation specification of the building accords with the recommendations of the noise report. This will be conditioned. Accordingly, it is considered the proposed residents will not be subject to undue noise.
- 6.4.14 The proposed landscaped/garden areas will provide attractive outlooks from most bedrooms. It is considered the proposed residents will have a satisfactory standard of amenity and the room sizes far exceed the minimum standards of 12 sqm bedrooms and day space of 4.1 sqm per resident. The site is in a sustainable location, close to shops and local amenities which will be of benefit to the proposed residents and staff.

6.4.15 It is considered that the proposed residents will have a satisfactory standard of amenity but that some harm will be caused to the amenity of the residents on Barrydale Avenue. It is considered this harm would be addressed through the use of conditions relating to noise, ventilation and filtration equipment, boundary treatment, obscure glazing and the hours of use of the terraces.

6.5 Highway safety

6.5.1 Vehicular access to the site will be from Ellis Grove which is a one way street with double yellow lines on the north east side of the carriageway, opposite the proposed site access. As part of the approved outline reference (13/00003/OUT), access was to be taken from Ellis Grove for part of the development. County Highways have no objection to the proposed access position. It is considered that the proposed vehicular access to the site is acceptable.

6.5.2 A 26 space car park (2 spaces with EVCs and 6 spaces with electric infrastructure) is proposed. A total of 60 staff will be employed at the care home and a maximum of 23 staff would be on site per shift; shift change will be based on two patterns changing at 8am and 8pm. The site is located in close proximity to a tram stop and several frequent bus routes. A cycle store with provision for eight bicycles is proposed. Staff and visitors cannot be forced to use these more sustainable modes of transport but it is considered reasonable to expect that some will. It is considered sufficient parking is proposed for the development and the provision of this car park prior to first use of the building will be conditioned.

6.5.3 To ensure use of the car park by the end users only, the applicant will utilise signage to state that parking is for staff and visitors of residents only. The site plan also shows a shared surface on the road layout, forming the main entrance into the care home car park which will help to define the space as private.

6.5.4 To enable a refuse vehicle to safely exit the site, an additional section of double yellow lines will be required to be secured through a Traffic Regulation Order (TRO) to restrict on-street parking to the west of the access on Ellis Grove and ensure that sufficient carriageway widths are maintained. A condition will be imposed accordingly. The concerns regarding loss of two on-street parking spaces on Ellis Grove are recognised but are not considered sufficient reason to warrant refusal of this application which provides sufficient on-site parking.

6.6 S106

6.6.1 The NPPF requires planning contributions to be necessary, directly related and fairly and reasonably related in scale and kind to the development. Given the previous use of the site and its very sustainable location, a contribution towards sustainable transport measures is not required. No open space contribution has been requested as open space is to be provided on site and no education contribution is required for this proposed use.

6.6.2 NHS CCG have requested a contribution of £14,305.50 towards provision of additional primary care facilities in the area. The applicant has agreed to pay this contribution and a s106 will secure this amount. A contribution of £29,616 is sought for NHS NUH Trust. However, as the site is a committed site in the adopted local plan, and therefore was subject to consultation with relevant healthcare providers

at the time of production, this request cannot be justified and as such is not considered necessary in order to make the development otherwise S106 compliant.

6.7 Other matters

- 6.7.1 No planning application has been made for the section of the former Myfords site to the north west of the application site. An indicative layout for a development on this adjacent site has been shown on the proposed site layout but this can be given no significant weight.
- 6.7.2 The County Council as Lead Local Flood Authority have no objection to the application. As the site is not located in a flood zone and does not exceed 1 ha in area, there is no requirement to consult the Environment Agency. The site does slope down towards the south east boundary but there will be a landscaped area between the car park and Barrydale Avenue so it is considered this will act as a soakaway for any surface water run-off. Discharge rates are proposed to be significantly reduced as part of the proposal through use of on-site storage methods (attenuation tank) and flow control.
- 6.7.3 Environmental Health are satisfied with the methodology of the submitted noise assessment.
- 6.7.4 The fencing surrounding the Raven Group site will be a mesh fence with climbing plants growing up the fence (2m high to the south east (rear) of this adjacent site and 3m high to the south west side). There will be no gap between the proposed and existing boundary treatments to the rear of Barrydale Avenue.
- 6.7.5 The landscaping plans were amended in response to a resident's concerns about the use of Vinca Major and Minor. The Parks and Green Spaces Manager has confirmed that the landscaping is a good and detailed scheme. The applicant proposes the following wildlife benefits:
- Retention of the majority of existing trees, supplemented with additional tree planting
 - Establishment of a network of planting, offering corridors for wildlife within the scheme and the wider landscape
 - A range of planting structure is proposed, with a varied planting palette, including a high proportion of native plants and species of known ecological interest
 - Log piles for hedgehogs could be provided to the northern garden within the planting, also small holes within the eastern boundary fence (13x13cm) to allow them to move from the adjoining gardens through the site.
- 6.7.6 Tree T7 to the rear of 34 Barrydale Avenue is considered to be in an acceptable condition and is not currently proposed to be removed but its condition will be monitored by the applicant. It is accepted that the existing trees are deciduous and will not provide a screen all year round but they will provide a good screen for several months. The proposed planting will create a significant buffer beside the south eastern site boundary.
- 6.7.7 No condition will be imposed regarding CCTV as it is considered the potential use of CCTV will cause no significant loss of neighbour privacy and will provide security

for users of both the proposed and existing development. In any case the applicant has advised CCTV will only be used inside the building.

6.7.8 There is no legal requirement to provide a smoking shelter and the applicants have advised the care home will be a smoke free environment.

6.7.9 Alarms causing dogs to bark is not considered to be a significant issue and it is unlikely any alarms will be heard beyond the site boundaries.

6.7.10 The applicant has advised solar panels are not cost effective and sedum roofs/green walls pose a fire risk. The building will be highly sustainable in terms of insulation. EVCs are proposed in the car park and the planting proposed includes many native species.

6.7.11 The motives of the applicant and need for the development are not material planning considerations.

6.7.12 There is no requirement for the applicant to provide community areas which a previous applicant did (18/00268/FUL).

7 Planning Balance

7.1 The benefits of the proposal are the provision of specialist residential accommodation in a highly sustainable location, the provision of jobs (short term during construction and long term once the building has been constructed) and the re-use of a brownfield site.

7.2 The negative impact is the loss of some amenity for residents on Barrydale Avenue and Lacemaker Road by virtue of the location of the building in proximity to their rear boundaries. Other potential harm to amenity through noise and potential disturbance is considered to be limited by the use of planning conditions.

7.3 On balance, the harm to neighbour amenity is considered to be outweighed by the benefits of the scheme.

8 Conclusion

8.1 The proposed development will provide specialist accommodation in a sustainable location and the design of the development is considered to be acceptable. There are no highway safety concerns subject to conditions. Some harm is considered to be caused to the amenity of residents on Barrydale Avenue and Lacemaker Road. However, this is considered to be significantly and demonstrably outweighed by the benefits of the scheme in terms of provision of specialist accommodation, the sustainable location of the site and the re-use of a previously developed land.

<u>Recommendation</u>	
	<p>The Committee is asked to RESOLVE that planning permission be granted subject to:</p> <p>i) the prior signing of a Section 106 Agreement to secure a health contribution for the CCG and</p> <p>ii) the following conditions:</p>
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the following drawings (dates in brackets as to when received by the Local Planning Authority):</p> <ul style="list-style-type: none"> • Proposed site plan 105E (8.6.21) • Proposed colour site plan 106D (28.5.21) • Proposed ground floor plan 110C (28.5.21) • Proposed first floor plan 111B (28.5.21) • Proposed second floor plan 112B (8.3.21) • Proposed elevations sheet 1 120D (28.5.21) • Proposed elevations sheet 2 121B (28.5.21) • Proposed elevations in context 122D (28.5.21) • Proposed elevations sheet 1 – Landscape removed 125C (28.5.21) • Proposed elevations sheet 2 – Landscape removed 126B (28.5.21) • External stores as proposed sheet 1 108C (19.5.21) • External stores as proposed sheet 2 109B (28.4.21) • Planting plan 383-P-002 Rev B (11.6.21) • Proposed terrace sections 155A (28.5.21) • Hard Works Plan 002A (11.6.21) • Site location plan 100A (8.3.21). <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>a) No development shall commence until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the local planning authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p>

	<p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <ul style="list-style-type: none"> (i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and (ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified. <p><i>Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests public health and safety and groundwater protection and in accordance with the aims of Policy 19 of the Broxtowe Local Plan (2019).</i></p>
4.	<p>No development shall commence until details of any necessary piling or other penetrative foundation design have been submitted to and approved in writing by the local planning authority, including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented on accordance with the approved details.</p> <p><i>Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, to ensure nearby occupiers are protected from excessive construction noise and vibration and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 17 and 19 of the Broxtowe Local Plan (2019).</i></p>
5.	<p>No development 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"> 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 constructing the development; e) a scheme for the recycling/disposal of waste resulting from construction works; and f) details of dust and noise suppression to be used during the construction phase.

	<p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of highway safety, to avoid conflict with the tram and to protect residential amenity 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).</i></p>
6.	<p>Suitable ventilation, odour arrestment and filtration equipment shall be installed to suppress and disperse odour created from food preparation operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues. Details of the equipment shall be submitted to and approved by the local planning authority prior to the commencement of the development. Equipment shall be installed and in full working order to the satisfaction of the local planning authority prior to the commencement of use.</p> <p><i>Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, to ensure nearby occupiers are protected from excessive odour and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 17 and 19 of the Broxtowe Local Plan (2019).</i></p>
7.	<p>No development shall be commenced until the retained trees have been protected in accordance with the tree protection measures as detailed in section 3.3 and on the Tree Protection Plan of the Indigo Surveys Tree Survey, Arboricultural Implications Assessment & Method Statement. The development shall be carried out in accordance with the recommendations included in paragraphs 3.3.2, 4.3 and 4.6 and section 5 of this method statement.</p> <p><i>Reason: In the interests of retaining the trees on the site boundary with Barrydale Avenue and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Local Plan (2019).</i></p>
8.	<p>No development above slab level shall be carried out until samples of the materials to be used in the facing walls (including windows and doors) and rainwater goods have been submitted to and approved in writing by the Local Planning Authority, and the</p>

	<p>development shall be constructed only in accordance with those details.</p> <p><i>Reason: Full details were not submitted, in the interests of the appearance of the development 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).</i></p>
9.	<p>Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment (including design, size and illuminance) scheme in line with the current guidance from the Institute of Lighting Professionals Lighting Guide ref 01/20 guidance note for the reduction of intrusive light, shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting shall be installed in accordance with the agreed details.</p> <p><i>Reason: To protect the nearby residents from potential light nuisance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 17 and 19 of the Broxtowe Local Plan (2019).</i></p>
10.	<p>The landscaping as shown on the approved drawings shall be carried out not later than the first planting season following the practical completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality 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).</i></p>
11.	<p>The building shall be constructed and the glazing and ventilation installed in accordance with the specification details in the BSP noise report ref: TWBN-BSP-ZZ-RP-C-001-P01_Environmental_Noise_Assessment dated 7 December 2020.</p> <p><i>Reason: To protect future occupiers from excessive environmental, commercial and industrial noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
12.	<p>The building shall not be first occupied until the boundary treatments and the tea room terrace screen (Pilkington level 4 or 5 obscurity or equivalent) have been provided in accordance with the approved boundary treatments plan and first floor plan and</p>

	<p>proposed elevations respectively. These boundary treatments and terrace screen shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of the amenities of nearby residents and proposed residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
13.	<p>The building shall not be first occupied until the parking, turning and servicing facilities have been provided in accordance with the approved plans (including the provision of the EVCs) and constructed so as to prevent the unregulated discharge of surface water therefrom onto the public highway. These facilities shall thereafter be retained in the agreed form for the lifetime of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.</p> <p><i>Reason: In the interests of highway safety to ensure satisfactory access, servicing and parking arrangements are provided, in the interests of sustainability and in accordance with the aims of Policies 17 and 20 of the Part 2 Local Plan (2019).</i></p>
14.	<p>The hereby approved development shall not be brought into use until the site access has been provided in accordance with the approved drawings and constructed with provision to prevent the discharge of surface water from the access road to the public highway. The provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety to ensure a satisfactory access is provided and in accordance with aims of Policy 17 of the Part 2 Local Plan (2019).</i></p>
15.	<p>No part of the development hereby permitted shall be brought into use until an application for a Traffic Regulation Order to remove on-street parking from the site entrance along the south western side of Ellis Grove has been made.</p> <p><i>Reason: In the interests of highway safety to ensure egress from the site by larger vehicles is not hindered by parked vehicles beside the access and in accordance with aims of Policy 17 of the Part 2 Local Plan (2019).</i></p>
16.	<p>No deliveries or collections by commercial vehicles (excluding the delivery of urgent medical supplies) shall be made to/from the site except between the hours of 07:00 - 22:00 on any day.</p> <p><i>Reason: To protect nearby residents from excessive noise 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).</i></p>

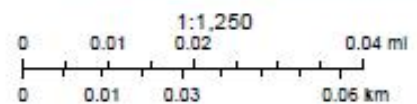
17.	<p>The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant this permission, shall not exceed the existing background sound level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive premises.</p> <p><i>Reason: To protect residents from excessive plant noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
18.	<p>The windows shown on the approved plans as being obscurely glazed and the south eastern second floor landing window (beside bedroom 43), up to a height of 1.7m above second floor level, shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority). The first floor activity room window in the south east elevation shall be non-opening. These windows shall be retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
19.	<p>The outdoor terraces shall only be used between 08:00 and 22:00 on any day.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
20.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and vibration and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policies 17 and 19 of the Broxtowe Local Plan (2019).</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.	This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
4.	The applicant is advised that the proposed use will require a Food Registration. Please contact the Council's Environmental Health Department on Tel: 0115 9173485.
5.	The internal layout, design and construction of the premises must meet the current Food Safety and Health and Safety requirements. The applicant must therefore contact the Council's Food and Occupational Safety Section on Tel: 0115 9173485.
6.	It is not permitted for any vehicles to obstruct the tramway at any time and consideration should be given to erecting a warning sign at the construction site exit point to warn of overhead lines. Please contact the Nottingham Express Transit (NET) Project Office for further information (0115 876 4095).
7.	In order to carry out the off-site works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under section 278 of the Act. Please contact hdc.south@nottscc.gov.uk for details.
8.	It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.
9.	The developer should note the Traffic Regulation Order referred to in condition 15 above can be made on behalf of the developer by Via East Midlands (in partnership with Nottinghamshire County Council) at the developer's own expense. Please contact the Highway Improvements Team on 0300 500 8080 for details.
10.	As this permission relates to the creation of a new unit, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk 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.



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- | | | | |
|---|-------------------|---|---------------------------|
|  | Conservation Area |  | Public Rights of Way |
|  | Flood Zone 2 |  | Byway open to all traffic |
|  | Flood Zone 3 |  | Bridleway |
|  | Tram Route |  | Footpath |
| | |  | Site |



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Photographs



Site viewed from Wilmot Lane to west



North east part of site facing British Legion



20 & 21 Lacemaker Road



Looking towards Chilwell Road from site



Rear of 20 & 21 Lacemaker Road



SE boundary beside Barrydale Avenue



Ellis Grove access point from within site



SW elevation of Raven Group building



Looking SE towards Barrydale Avenue



Plans (not to scale)

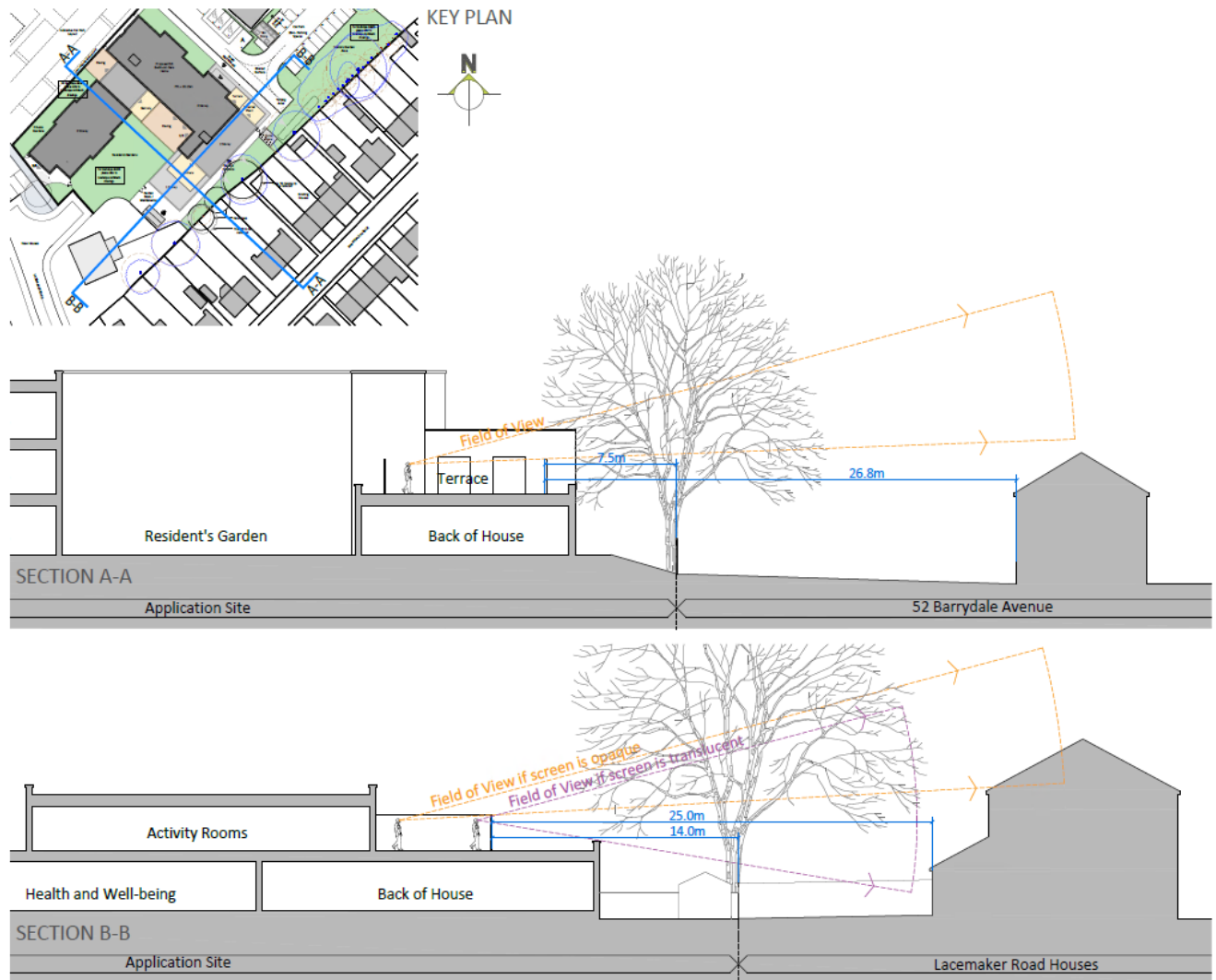
Proposed site plan



Visual from Ellis Grove entrance



Proposed terrace sections

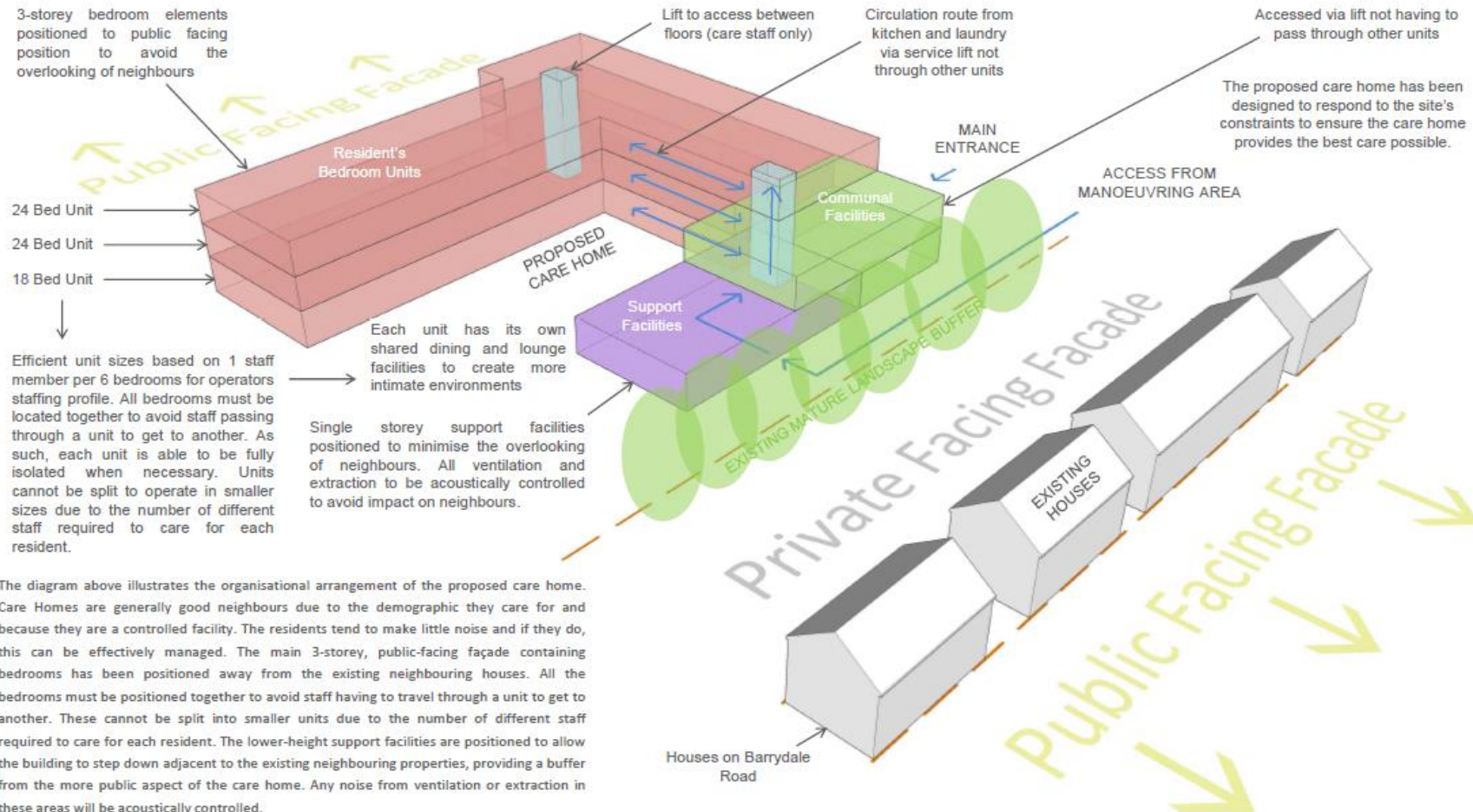


Entrance visual

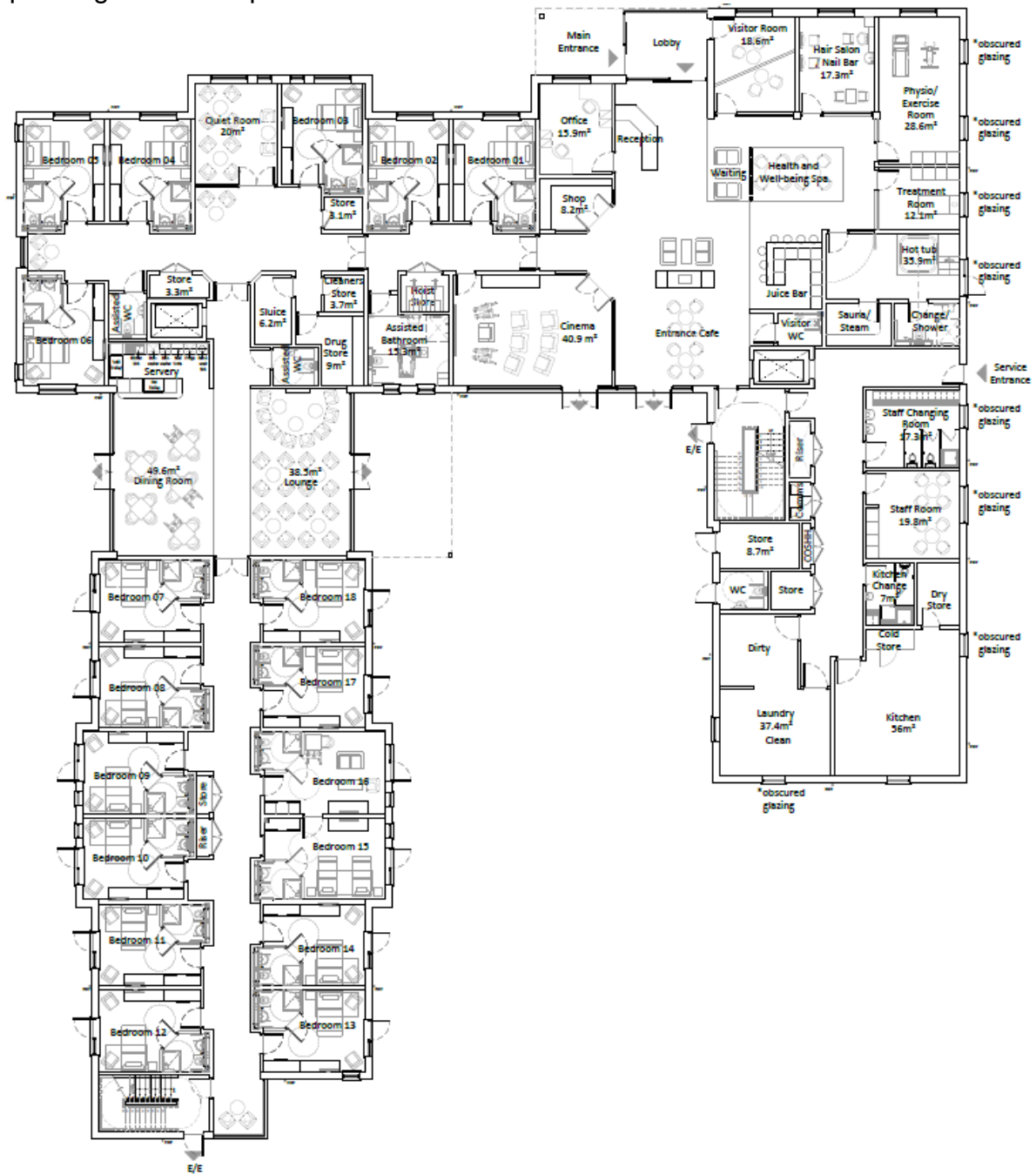


Organisational diagram

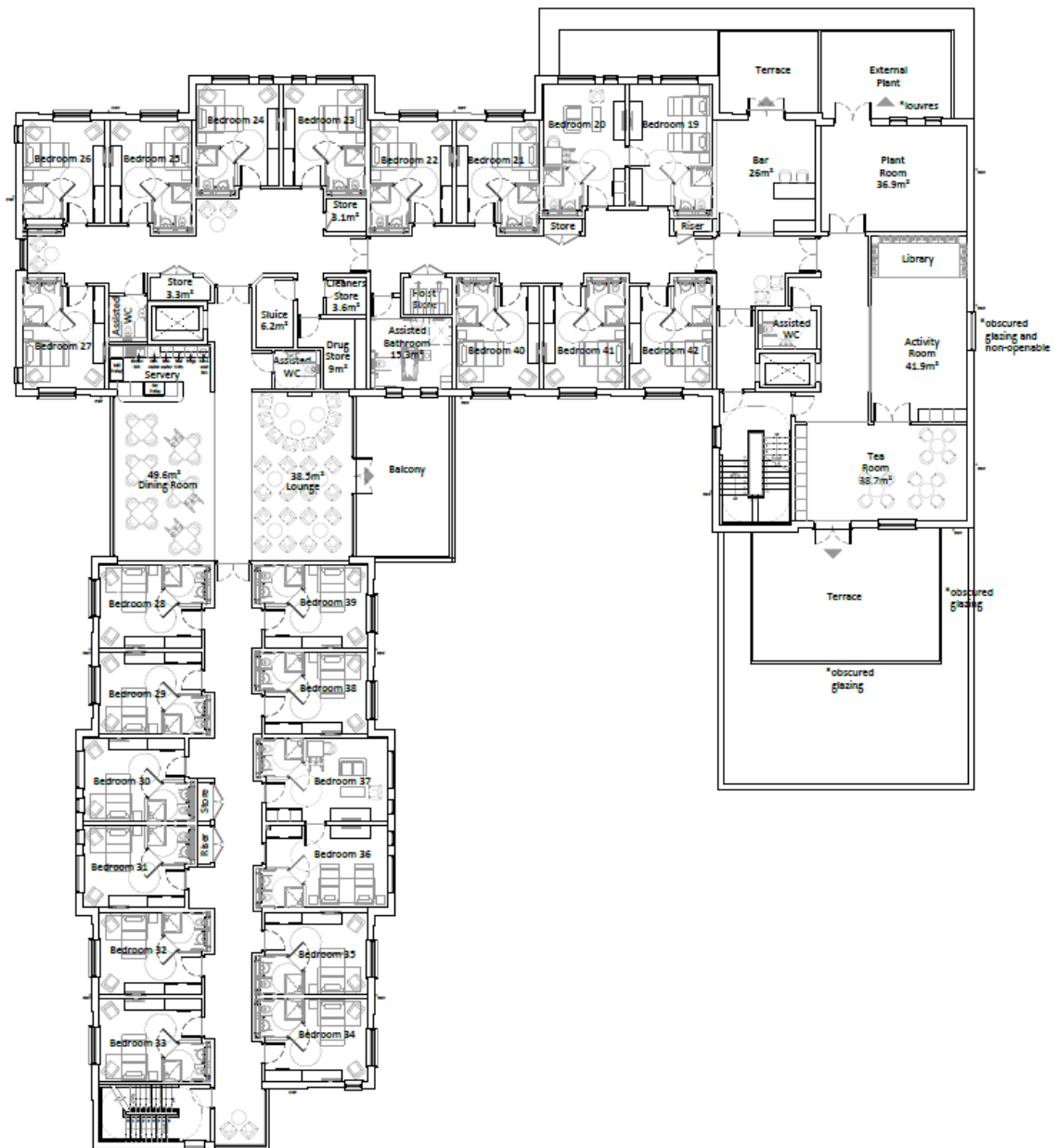
Organisational Diagram



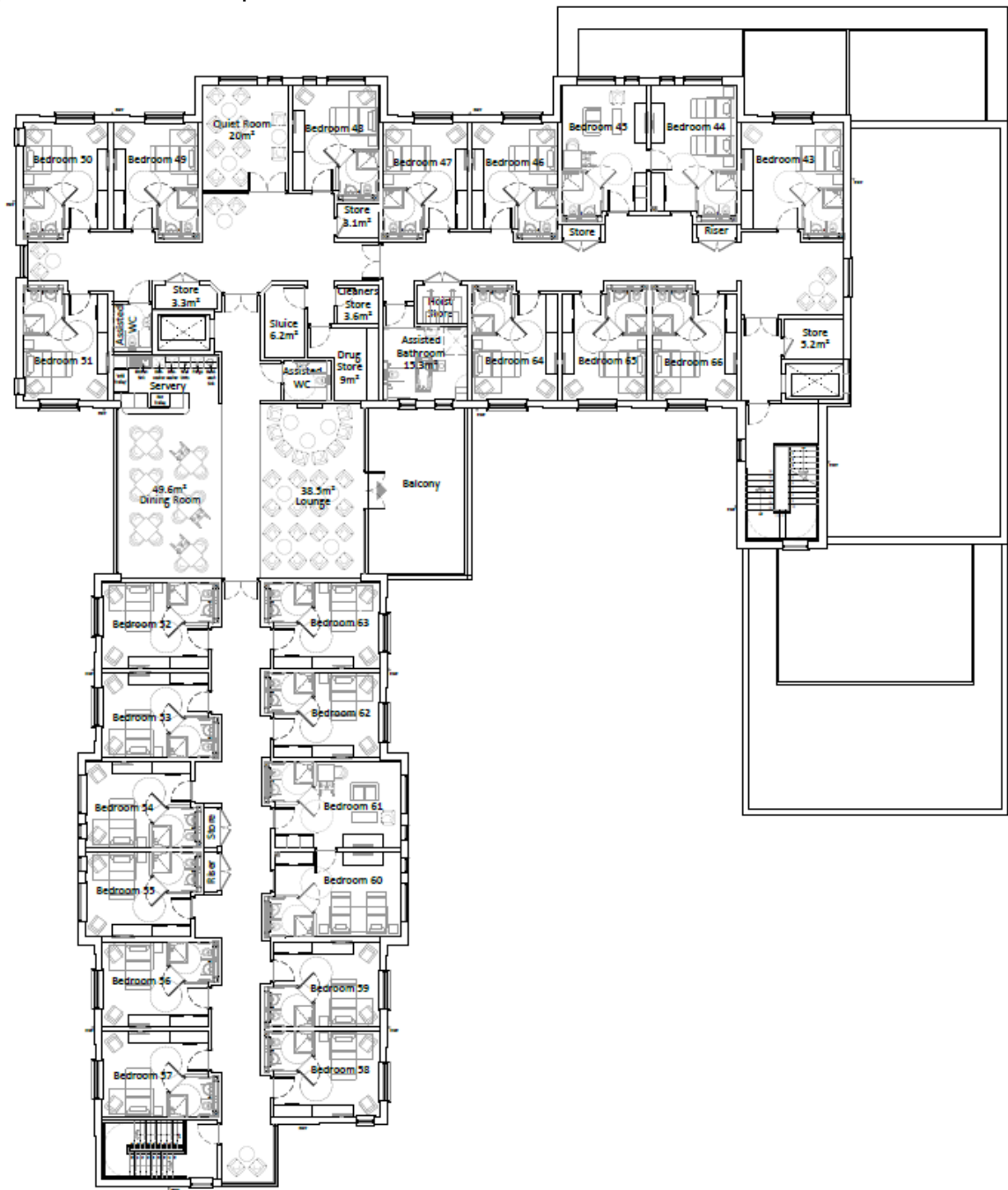
Proposed ground floor plan



Proposed first floor plan



Proposed second floor plan



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Report of the Chief Executive

APPLICATION NUMBER:	21/00353/REG3
LOCATION:	86 Queens Road South, Eastwood
PROPOSAL:	Construct a single storey rear extension

This application is brought before the Committee as it is an application for development by Broxtowe Borough Council.

1 Executive Summary

- 1.1 This application seeks planning permission to construct a single storey rear extension.
- 1.2 The proposed single storey extension would have a depth of 3.5m and a width of 3.1m. It would have a flat roof with a maximum height of 2.8m. The extension will create a wet room.
- 1.3 The benefit of the development is that it would make the property suitable for disabled occupants.
- 1.4 The design of the proposed extension is considered to be acceptable. It is considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring properties.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks planning permission to construct a single storey rear extension.

The single storey rear extension would have a flat roof with a maximum height of 2.8m. It would have a window on the north west (side) facing no. 84, the south west (rear) and south east (side) elevations would be blank. In terms of materials, the information provided indicates the use of brick to match the existing and felt on the flat roof.

2 Site and Surroundings

- 2.1 The application property is a semi-detached, hipped roof, two storey dwelling with a detached flat roofed element to the side. The materials are red brick and red plain tiles on roof.

- 2.2 The site is located within a residential area with mainly semi-detached two storey dwellings. Directly to the rear (south west) there are nos. 5 and 6 Robin Hood Close, two storey semi-detached dwellings, the boundary with nos. 5 and 6 is a 1.6m high fence. Directly adjacent the site (to the south east) there is number 88 a two storey dwelling, the boundary with no.88 is a 1.8m high fence. To the north west of the site there is number 84, a semi-detached two storey property, the boundary with no.84 is a 1.5m high hedge.

- 2.3 The rear garden of the property slopes down from east to west.

3 Relevant Planning History

- 3.1 There is no relevant planning history for this site post 1974.

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

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

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

4.2 **Part 2 Local Plan**

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

- Policy 17: Place-making, design and amenity

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.

- Section 12 – Achieving well-designed places.

5 Consultation

- 5.1 Four neighbouring properties were consulted, with no representations received.

6 Assessment

- 6.1 The main issues for consideration are the design of the proposal and the impact on neighbour amenity.

6.2 **Design**

- 6.2.1 The proposed rear extension will have a flat roof and a window on the north west elevation and would be 2m and 7.1m away from the boundary with numbers 88 and 84 Queens Road South respectively. The roof style is considered to be acceptable for this domestic property, and because it would be to the rear, the extension would not be readily visible from the street scene of Queens Road South.

- 6.2.2 The facing brickwork would match the existing. It is considered that the materials to be used are acceptable.

- 6.2.3 The main garden area is to the rear of the property. Whilst the garden area would be reduced in size following the completion of the extension, it is considered it will still provide sufficient outdoor amenity for the occupants. It is considered the proposed extension is a proportionate addition to the house.

- 6.2.4 The proposed extension will provide a downstairs wet room for an occupant who has a medical condition. This is a material planning consideration which carries significant weight.

6.3 **Amenity**

- 6.3.1 Directly to the south west of the application site are nos.5 and 6 Robin Hood Close. The host dwelling is set behind the rear of these neighbouring properties by approximately 22.9m and 26.5m respectively. Between the application site and nos.5 and 6 there is an existing group of mature pine trees located within the curtilage of these neighbouring properties. The south west (rear) elevation would be blank. As such, it is therefore considered that the proposal will not have any significant impact on the amenity of these immediate neighbouring properties in terms of loss of light, outlook or privacy.

- 6.3.2 Directly to the north west is no.84 Queens Road South. No.84 has a single storey rear element with lean-to roof. The proposed development would be set 7.1m from the boundary with no.84. Between the application site and no.84 there is an existing 1.5m high hedge. Within the side (north west) elevation of the proposed single storey rear extension, there would be a window facing no.84. Given that the window will be facing no.84, it is considered reasonable to condition the wet room window to be obscurely glazed and retained as such for the lifetime of the development. As such, it is considered that the proposed rear extension would not have a significant

impact on the amenities of the occupiers of this property in terms of loss of light, outlook or privacy.

6.3.3 Directly to the south east is no.88 Queens Road South the adjoining two storey dwelling. The proposed development would be set 2m from the boundary with no.88 which is a 1.8m high fence. No.88 has a conservatory beside the boundary with the application site. The south east (side) elevation of the proposed extension would be blank. It is therefore considered there would be no significant negative impact on the amenities of the occupiers of this property in terms of loss of light, outlook or privacy.

6.3.4 The impact upon all neighbouring properties is considered acceptable.

7 Planning Balance

7.1.1 The benefits of the proposal are that it would be an extension to an existing residential dwelling, would improve the property to the benefit of a disable person, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan.

8 Conclusion

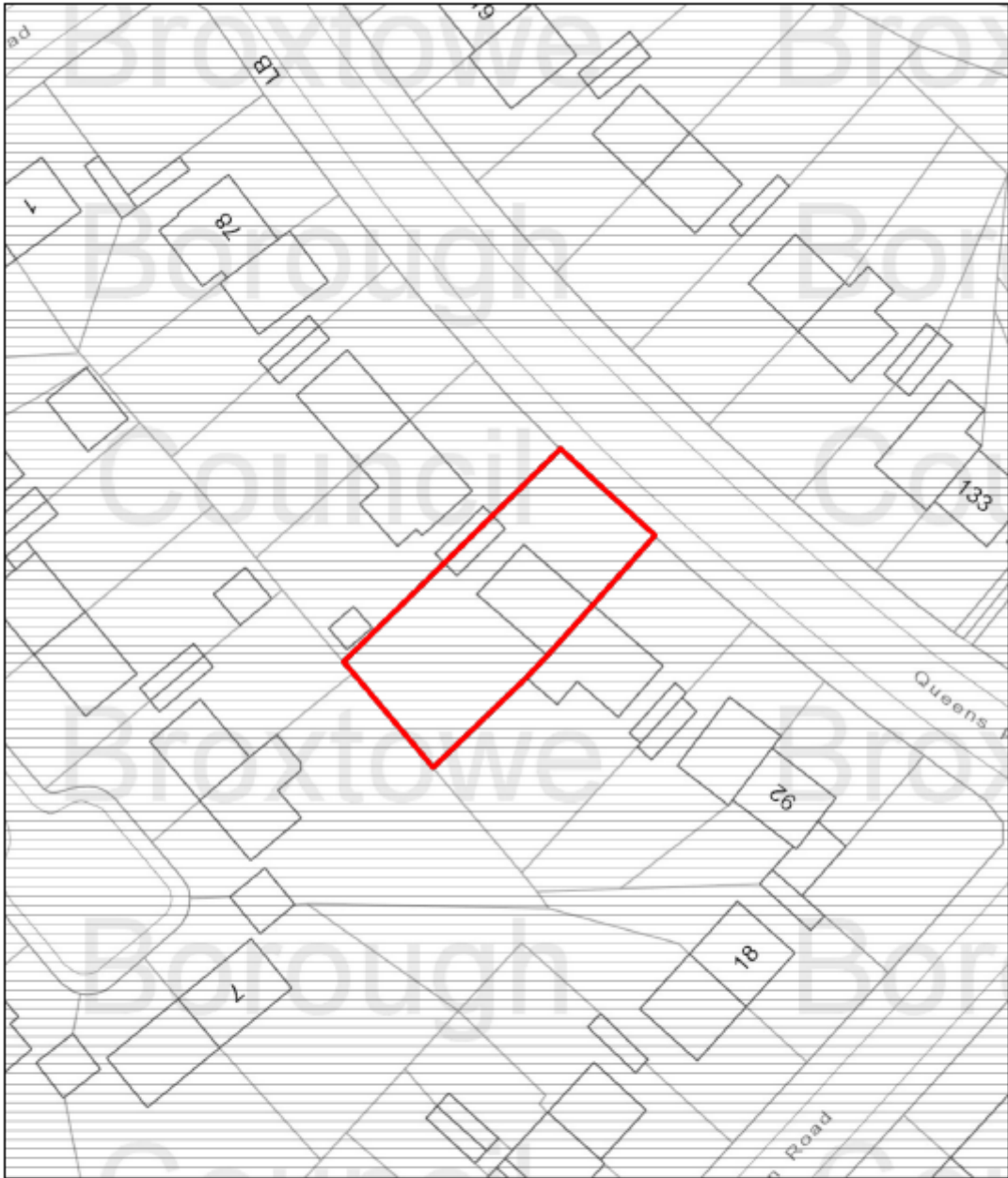
8.1 Overall, it is considered that the proposal is acceptable and that planning permission should be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <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>
2.	The development hereby permitted shall be carried out in accordance with the Proposed Floor Plan and Proposed Sections received by the Local Planning Authority on 21 April 2021, Proposed Roof Plan received by the Local Planning Authority on 13 May 2021, Site Location Plan, Proposed Block Plan, and Proposed Elevations, received by the Local Planning Authority on 25 May 2021. <i>Reason: For the avoidance of doubt.</i>



	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the eight-week determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

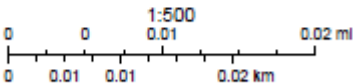
Site Map

21/00353/REG3, 86 Queens Road South. Eastwood



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-  Coal Standing Advice
-  Site



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Photographs



Front elevation



Rear boundary with no.88



Rear boundary with no.84



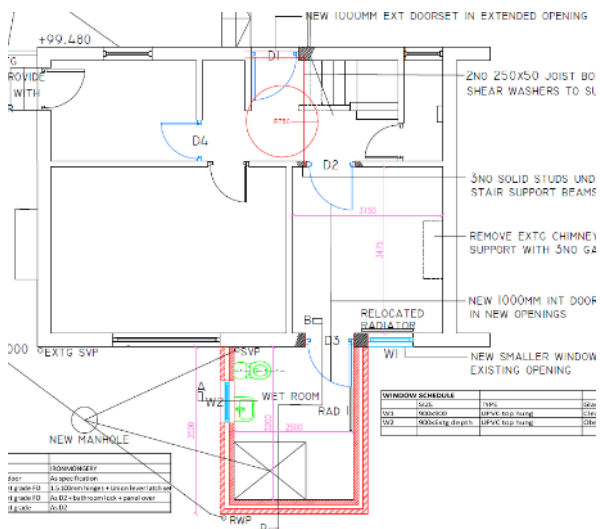
Rear boundary with nos. 5 and 6 Robin Hood Close



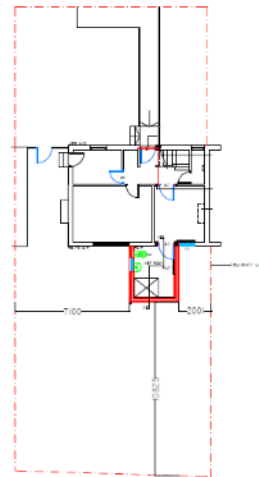
Plans (not to scale)



Proposed elevations



Proposed floor plan



Proposed block plan

Report of the Chief Executive

APPLICATION NUMBER:	21/00254/FUL
LOCATION:	Awsworth Junior and Infant School, The Lane, Awsworth, Nottinghamshire, NG16 2QS
PROPOSAL:	Construct multi use games area (MUGA) facility including fencing

This application has been called to Planning Committee by Councillor D Pringle.

1 Executive Summary

- 1.1 This application seeks permission for a multi-use games area (MUGA), with 3m high mesh fences to be located on the school playing field in the north west corner of the site. The MUGA will provide a year round, purpose build sports facility that will benefit the physical education of the pupils.
- 1.2 There are no site specific planning policies affecting the application site. The main considerations are the design of the proposal and impact on neighbouring amenity.
- 1.3 The Council has received two letters of support and three letters of objection to the proposal. One letter raising no objection has also been received. The main reasons for objection are based on potential noise issues as a result of the proposal.
- 1.4 The proposed MUGA is set into the site and is considered to be in keeping with the school surroundings. It is not considered to be harmful to the street scene or out of keeping with the character of the area.
- 1.5 The proposed MUGA is not considered to result in an unacceptable loss of amenity for neighbouring residents, and a number of conditions have been recommended to mitigate against any potential noise impacts of the proposal. It is set significantly in from the north and west boundaries of the site which are closest to residential dwellings, with these boundaries being made up of substantial hedgerow.
- 1.6 Overall it is considered that the proposal is acceptable and that planning permission should be granted in accordance with the recommendations within the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct a multi-use games area (MUGA) facility at Awsworth Junior and Infant School. The proposed MUGA will have an artificial surface, allowing for all weather use, and will be bordered by 3m high mesh fencing. The proposed MUGA will be situated in the north west corner of the school site, land which currently forms part of the school playing field.

2 Site and surroundings

- 2.1 The application site forms part of the school playing fields. The site borders residential dwellings to the north and west, with the border to each side made up of a hedge circa 2m in height. The land falls away to the south where the school buildings are located, with access to the site being taken from the east boundary onto The Lane. Access is not affected by the proposal and no vegetation of significance is affected.

3 Relevant Planning History

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

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity
- Policy 12: Local Services and Healthy Lifestyles

4.2 **Part 2 Local Plan 2019**

- Policy 17: Place-making, design and amenity

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

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

5 Consultations

- 5.1 **Council's Environmental Health Officer:** No objection subject to conditions regarding operating hours, no hire or public use, maintenance, and lighting restrictions.

5.2 **Awsworth Parish Council:** Made the following comments:

- Concerns regarding noise impact for nearby residents.
- Suggested moving the facility away from the north west side or turning it 90 degrees. Moving it may require screening though as more prominent from the road.
- Acknowledges that it will be set in from the boundary to mitigate noise impacts.
- Suggested a condition should be placed on hours of use and that no applications for lighting or flood lighting will be approved in the future.
- Would like the mesh fencing to be green.
- Would like some compensatory measures for loss of grass.
- Could the turf to be removed to accommodate the MUGA be reused on the site?

5.3 Thirty five properties either adjoining or opposite the site were consulted. Six responses have been received from members of the public, two of which support the proposal, one raises no objection, and three raise objections. The reasons for support can be summarised as follows:

- It will be good for the school and children.
- It will improve the facilities at the school.

The reasons for objection can be summarised as follows:

- It is sited where it will cause most nuisance to the largest number of neighbours.
- Concerns it will be used as a public facility creating noise into the evenings and weekends.
- Potential flooding issues due to impact on the artesian spring line.
- No obvious reason for the facility.
- Noise concerns.
- Reduced area around the MUGA will create difficulties for maintaining the land around it.
- Concerns about lighting in the future.

6 Assessment

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

6.2 **Principle**

6.2.1 Policy 12 of the Broxtowe Aligned Core Strategy (2014) states that new, extended or improved community facilities will be supported where they meet a local need. The proposed MUGA will provide improved facilities at the school for sport and physical education, to the benefit of the local children who attend. It is therefore considered that the principle of development is acceptable subject to an assessment of the design and appearance of the proposal and its impact on neighbouring amenity.

6.3 Design

- 6.3.1 The proposed MUGA will be sited in the north west corner of the application site, away from the main access to the school and the street scene along The Lane to the east. Whilst the MUGA represents a reasonably large development in terms of the surface area it covers, the fencing will have a maximum height of 3m, which is not considered excessive, in relation to its surroundings. The existing school buildings along with gated access to the school are to the south of the site, and it is considered that the proposed development will not be out of keeping with these surroundings. The boundaries to the north and west of the site are made up of high hedgerows which will largely screen the MUGA from the view of neighbouring properties, at least at ground floor level, and is therefore not considered to be harmful to the visual amenity of neighbouring properties.
- 6.3.2 The specification for the proposed MUGA states that the fencing will be finished with either green or black powder coated paintwork. It is considered that green would enable the development to best blend in with the surrounding area, especially considering the existing fencing and gates at the school follow this colour pattern. It is therefore considered appropriate to condition this.
- 6.3.3 Overall it is considered that the proposal will not be harmful to the street scene, out of keeping with the character of the area or harmful to the visual amenity of the neighbouring residents.

6.4 Amenity

- 6.4.1 The proposed MUGA will be approximately 12.5m from the west boundary of the site, and 6.8m from the north boundary of the site at the closest point. Taking into account the high existing boundary treatments along the north and west of the site, it is considered that these distances are sufficient to ensure the proposal will not result in an unacceptable loss of light or sense of enclosure for the residents of the neighbouring properties to the north and west. There are no directly neighbouring properties to the south and east of the site that would be affected by the proposed development.
- 6.4.2 Concerns have been raised by members of the public and the Parish Council regarding impact on neighbouring residents of increased noise and disturbance as a result of the proposal. In an email from the agent for the application received by the Council on 14 May 2021, it was confirmed that the proposed MUGA would be for use during term and school hours only, not extending beyond 4.30pm. It was also confirmed that the MUGA would not be available for hire to members of the public and that no flood lighting is proposed as part of the development. In consultation with the Council's Environmental Health Officer, and the agent for the application, it has been agreed that should planning permission be granted, conditions will be attached limiting hours of use to Monday to Friday 07.30 – 18.00, that the MUGA is to be for school use only and not hired out to members of the public, and that no floodlighting would be installed without the prior agreement in writing from the Local Planning Authority, which would need to be as part of a new planning application.

- 6.4.3 With regards to noise as a result of the general use of the MUGA, the agent notes that the spec allows for rebound panels at the base of the fence which are designed to eliminate the noise resulting from balls hitting the fence. The Environmental Health Officer has reviewed the spec and is satisfied with this, subject to a condition requiring that MUGA is maintained in accordance with the manufacturer guidance to prevent excessive noise from wear and tear.
- 6.4.4 Comments raised by members of the public question the location of the proposed MUGA, being the closest part of the field to neighbouring residential properties. The proposed location was identified as the most suitable part of the field due to the topography of the site, with this being the most level portion of the field. It is closest to the gate where the proposed foot path access will be from. Whilst it may be the closest area of the field to the residential properties, it will be set significantly in from the boundaries of the site and it is considered that the noise impacts of the development can be mitigated by the recommended conditions.
- 6.4.5 Overall it is considered that subject to the recommended conditions that the proposal will not result in an unacceptable loss of amenity for the residents of the neighbouring properties.

6.5 Other Matters

- 6.5.1 Concerns have been raised by members of the public regarding potential impacts on local flooding as a result of the proposal. The application site is not within flood zone 2 or 3 and is not considered to be at risk of flooding.
- 6.5.2 The Parish Council has suggested that a condition should be included on any permission granted to say that no applications for lighting or flood lighting will be approved in the future. Whilst a condition can be imposed to prevent the installation of lighting without planning permission, a condition cannot be used to prevent or pre-determine future applications. The agent for the application has stated that there is no intention to install flood lighting at the site. However, should an application for this be submitted in the future it would be determined based on the merits of the proposal.

7 Planning Balance

- 7.1 The proposed MUGA will provide a high quality sports facility that can be used year round for many different activities within physical education, therefore providing clear benefits to the pupils of Awsworth Junior and Infant School. The development will be sited in a location within the site that will make it least prominent from the public realm, and is not considered to have a harmful impact on the character of the surrounding area. Whilst there are neighbouring residential dwellings to the north and west of the site, the MUGA will be set in from the boundaries, and the hedgerow to these sides provides a substantial boundary treatment to mitigate against the visual impacts of the proposal. Whilst some noise from the facility is inevitable, it is unlikely that it will be significantly from the activities that can currently take place on the school playing fields, and the recommended conditions are considered sufficient to mitigate these impacts.

7.2 On balance it is considered that the benefits of the proposal significantly outweigh any limited harm, and on balance it is considered the proposal is acceptable.

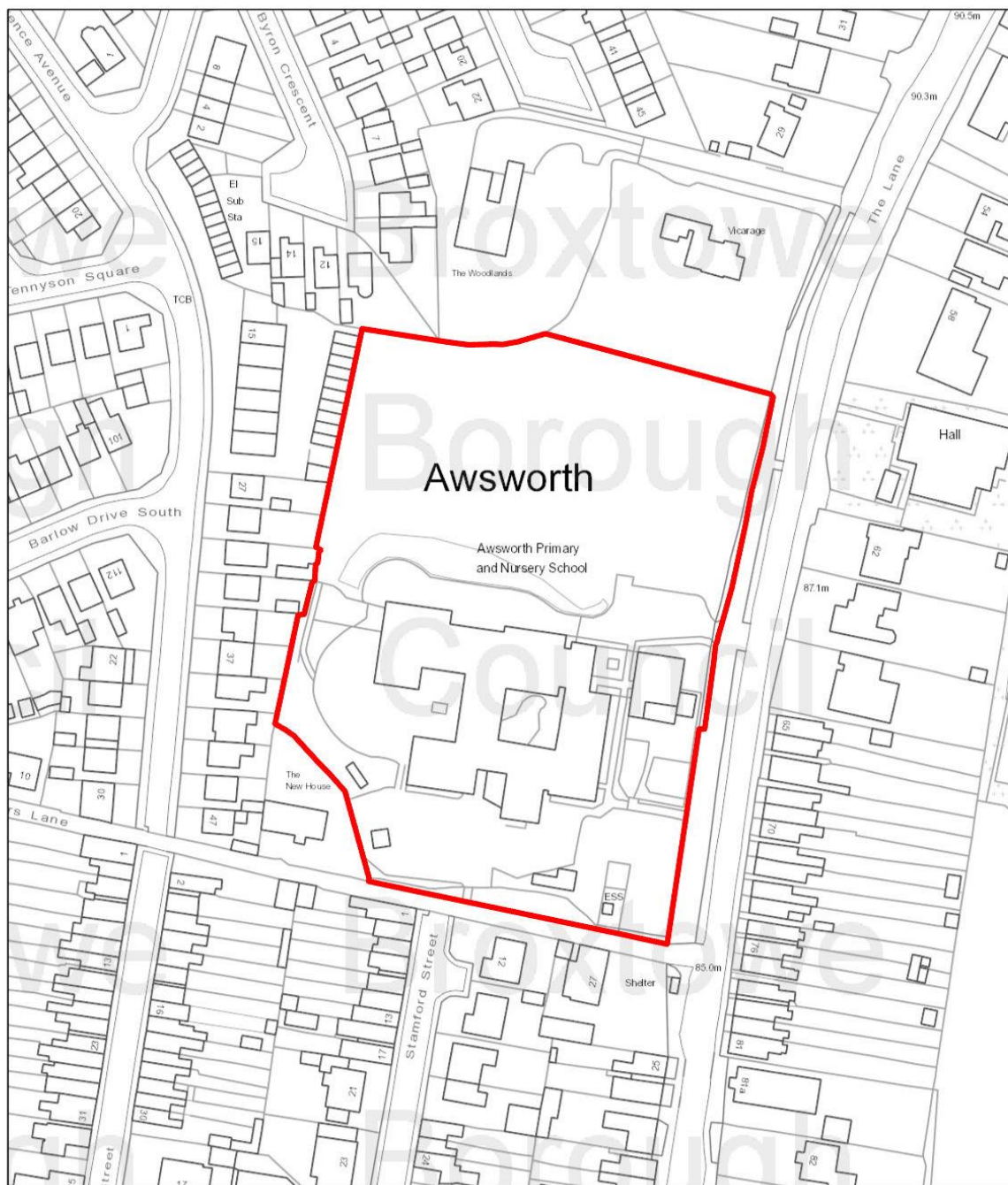
8 Conclusion

8.1 overall it is considered that the proposal is acceptable and that planning permission should be granted subject to the conditions listed in the recommendation.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the drawings numbered 20201-16 (P) 01 rev P1, 20201-16 (P) 06 rev P1, 20201-16 (P) 05 rev P1, 20201-16 (P) 04 rev P1; received by the Local Planning Authority on 16 April 2021.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The MUGA shall not be used except between 07.30 -18.00 hours Monday to Friday and at no time on Saturday or Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
4.	<p>The MUGA shall be for use by Awsworth Primary and Junior School only and no hire or public use shall be permitted.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
5.	<p>The MUGA shall be maintained in accordance with the manufacturers guidance to prevent excessive noise from wear and tear.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
6.	<p>There shall be no floodlighting installed without the prior agreement in writing of the Local Planning Authority.</p>

	<i>Reason: To protect nearby residents from excessive operational light pollution.</i>
7.	<p>The mesh fencing of the MUGA shall be green in colour and shall be retained as such for the lifetime of the development.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance in accordance with Policy 17 of Broxtowe Part 2 Local Plan (2019).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
3.	Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.

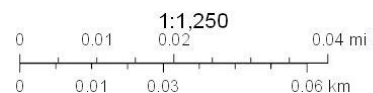
21/00254/FUL - Awsworth Primary and Junior School



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Site



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Photographs



Location of proposed MUGA and north and west boundaries of site.



Location of proposed MUGA and west boundary of site.

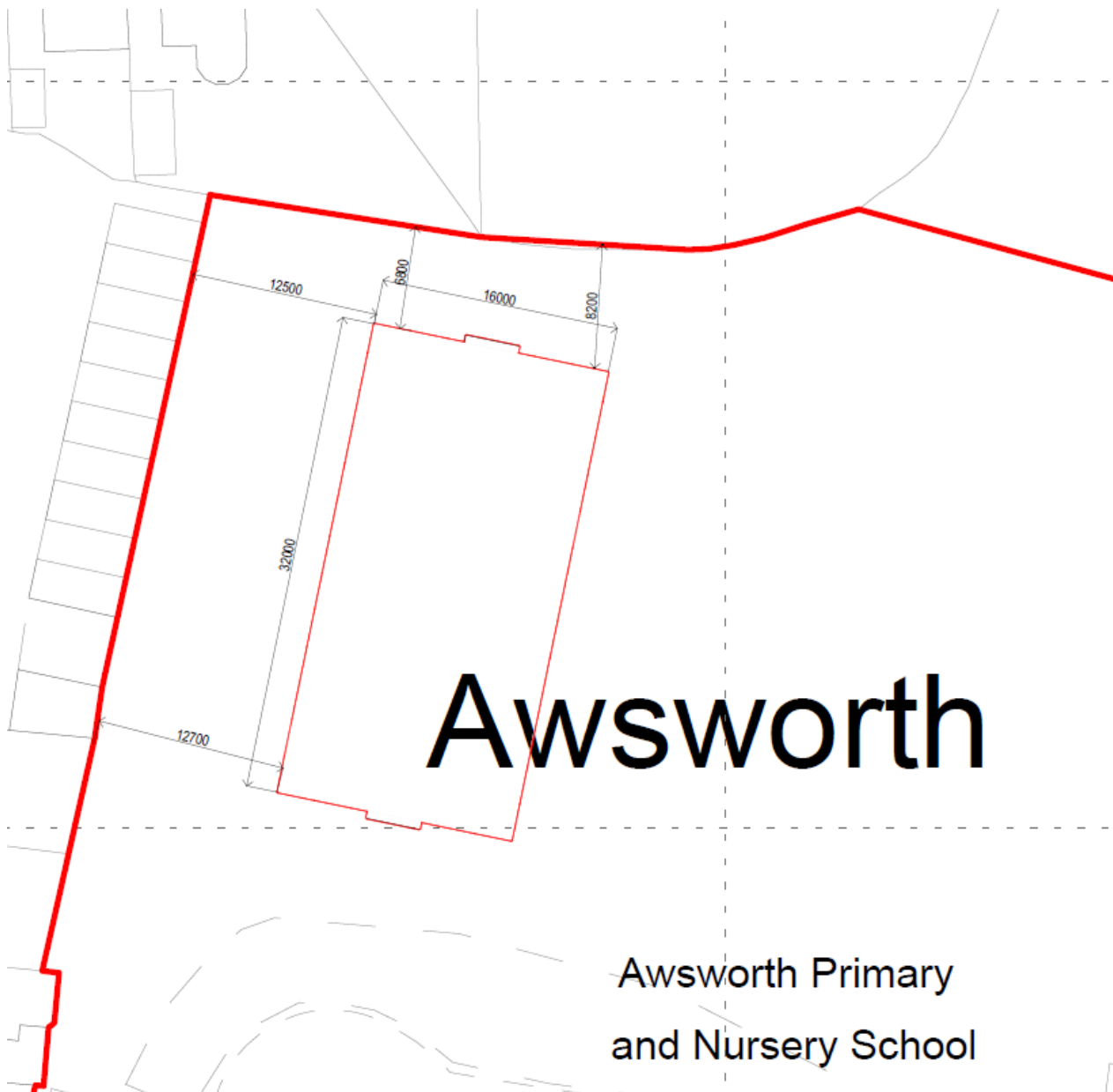


Location of proposed MUGA taken from north west corner of the site.



Application site taken from access to School at The Lane.

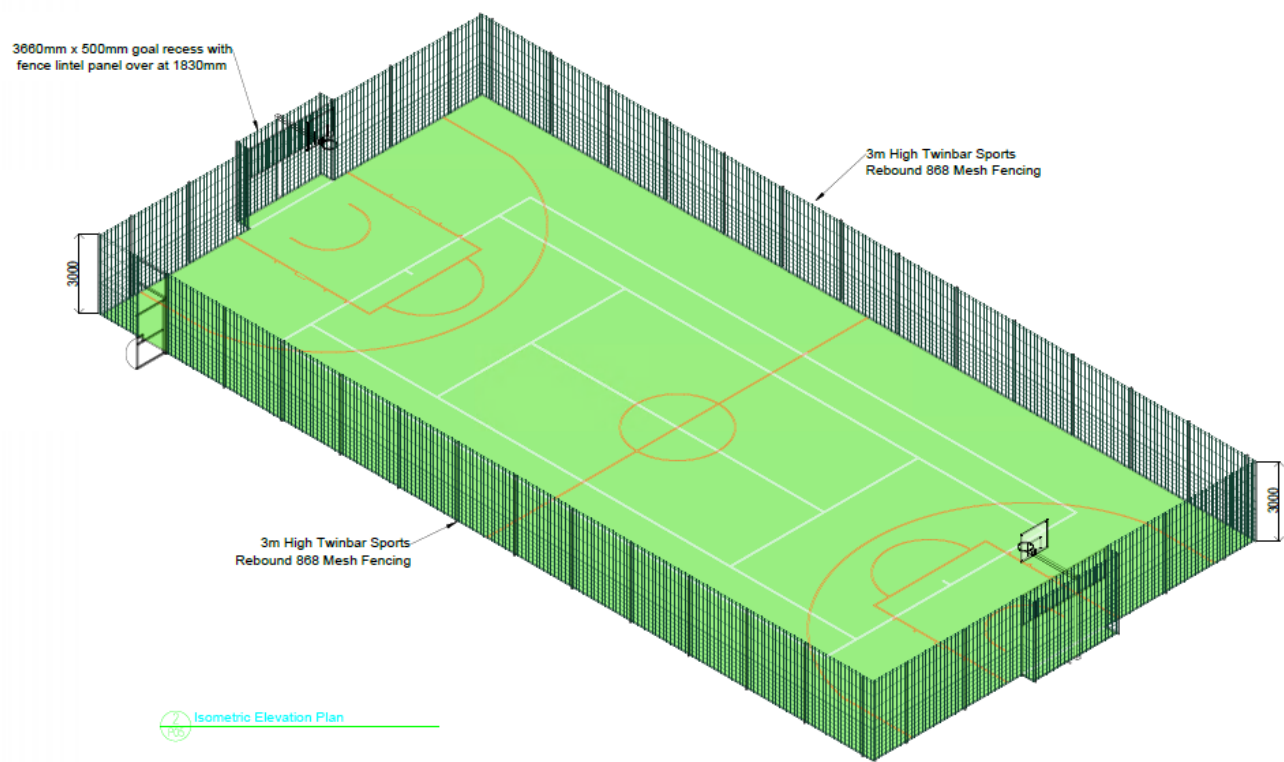
Plans (not to scale)



Site Block Plan



MUGA Floor Plan



MUGA Elevations

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Report of the Chief Executive

APPLICATION NUMBER:	21/00313/FUL
LOCATION:	14 Cherry Tree Close, Brinsley, Nottinghamshire, NG16 5BA
PROPOSAL:	Retain detached single garage

This application has been called to Planning Committee by Councillor E Williamson.

1 Executive Summary

- 1.1 This application seeks permission to retain the detached single garage to the rear of the application property.
- 1.2 The application property is not covered by any site specific planning policy. The main issues for consideration are whether the design and appearance of the garage is acceptable and whether or not it will have an unacceptable impact on neighbouring amenity.
- 1.3 The garage is considered to be of a size and scale that is in keeping with the character of the host dwelling, is not harmful to the street scene or out of keeping with the character of the surrounding area.
- 1.4 Whilst the garage is in close proximity to the north west boundary of the site, it has a limited height and is not considered to result in an unacceptable loss of amenity for the residents of any neighbouring properties.
- 1.5 Overall it is considered that the proposal is acceptable and that planning permissions should be granted in accordance with the recommendation in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to retain the detached single garage to the rear of the application property. The garage is adjacent to the north west boundary of the site and has a dual pitched roof.

2 Site and surroundings

- 2.1 The application property is a detached single storey dwelling. The property is situated within an established residential area with neighbouring dwellings to each side and to the rear. The two side boundaries and rear boundary of the site is made up of a timber fence. The application site is reasonably flat, no vegetation of significance will be affected by the proposal and access will not be affected.

3 Relevant Planning History

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

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

- Policy 17: Place-making, design and amenity

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

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

5 Consultations

- 5.1 No comments from technical consultees are required for this application.

- 5.2 **Brinsley Parish Council:** Wrote to Borough Councillor to request visit from Planning Committee.

- 5.3 Five properties either adjoining or opposite the site were consulted. Four comments from members of the public have been received, 3 of which object and 1 which raises no objection. The reasons for objection can be summarised as follows:

- The garage was built without planning permission, despite permission being required.
- Loss of daylight/sunlight due to the height of the garage.
- Sense of enclosure due to the height of the garage.
- Access down the side of the dwelling would be easier if the garage was built smaller.
- The imposing design runs along the length of the side boundary of the site.
- The application states the garage replaced a garage that was already there, but this must have been much smaller as it was not so visible from neighbouring properties.
- It was claimed that the garage was built to store a couple of bikes but is clearly for alternative uses.
- Such a large structure is not needed as unlikely a car can access it down the side of the house.
- The garage is unnecessarily large, has water and electricity running to it and a roof window.

6 Assessment

6.1 The application property is not covered by any site specific planning policy. The main issues for consideration are whether the design and appearance of the garage is acceptable and whether or not it will have an unacceptable impact on neighbouring amenity.

6.2 **Design and Appearance**

6.2.1 The garage is considered to be of a size and scale that is in keeping with the character of the application property. The garage is set down from the height of the principal dwelling and has a limited footprint ensuring it is clearly subservient to the host dwelling. The garage is set back to the rear of the dwelling and is therefore not overly prominent in the street scene. Whilst the application property has a limited rear garden, the garage is not considered to have such a substantial footprint so as to result in a cramped effect that would be out of keeping with the character of the area.

6.2.2 Historical mapping shows that there was previously a flat roof garage in the location of the new garage. There is also evidence of a similar style garage on the opposite side of Cherry Tree Close, at No. 30, which was granted planning permission in 2010 (reference: 10/00292/FUL). It is therefore considered that the proposal is in keeping with the character of the surrounding area.

6.2.3 Overall it is considered that an acceptable standard of design has been achieved.

6.3 **Amenity**

6.3.1 The garage is in close proximity to the north west boundary of the application site, with No. 12 Cherry Tree Close. Whilst the building is in close proximity to the boundary and to the rear elevation of the neighbouring property, the garage has a limited height of 3.7m, with eaves at 2.1m and the roof pitched away from the neighbouring property. It is therefore considered that the development does not result in an unacceptable sense of enclosure for the residents of the neighbouring

property. Whilst the garage may result in some limited loss of light for the neighbouring, the properties have west facing rear gardens, and therefore the proposal does not have a significant impact on afternoon or evening sunshine for the residents of No. 12. It is therefore considered that the proposal does not result in an unacceptable loss of light for the residents of the neighbouring property.

- 6.3.2 The neighbouring property to the rear is set well away from the boundary and taking into account the limited height of the garage it is considered that it does not result in an unacceptable loss of amenity for the neighbouring properties to the rear.
- 6.3.3 The garage is set away from the south east boundary of the site and is not considered to result in an unacceptable loss of amenity for the residents of No. 16.
- 6.3.4 Overall it is considered that the proposal will not result in an unacceptable loss of amenity for the residents of any neighbouring properties.

7 Planning Balance

- 7.1 The garage provides additional storage space for the occupier of the application property. It is not considered to be harmful to the street scene or out of keeping with the character of the area. Whilst it is situated in close proximity to the north west boundary of the application site, it has a limited height and is not considered to result in an unacceptable loss of amenity for the residents of any neighbouring properties. On balance it is therefore considered that the proposal is acceptable.

8 Conclusion

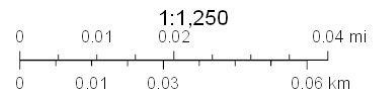
- 8.1 The proposal is considered to be in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019). It is therefore considered that planning permission should be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be retained in accordance with the Site Location Plan, and drawings numbered 1 and 2A; received by the Local Planning Authority on 12 and 22 April 2021. <i>Reason: For the avoidance of doubt.</i>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

21/00313/FUL - 14 Cherry Tree Close, Watnall



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Photographs



Front elevation of garage.



Relationship with No. 12
Cherry Tree Close.



Side elevation of garage
and rear boundary of site.



South east boundary of
site.



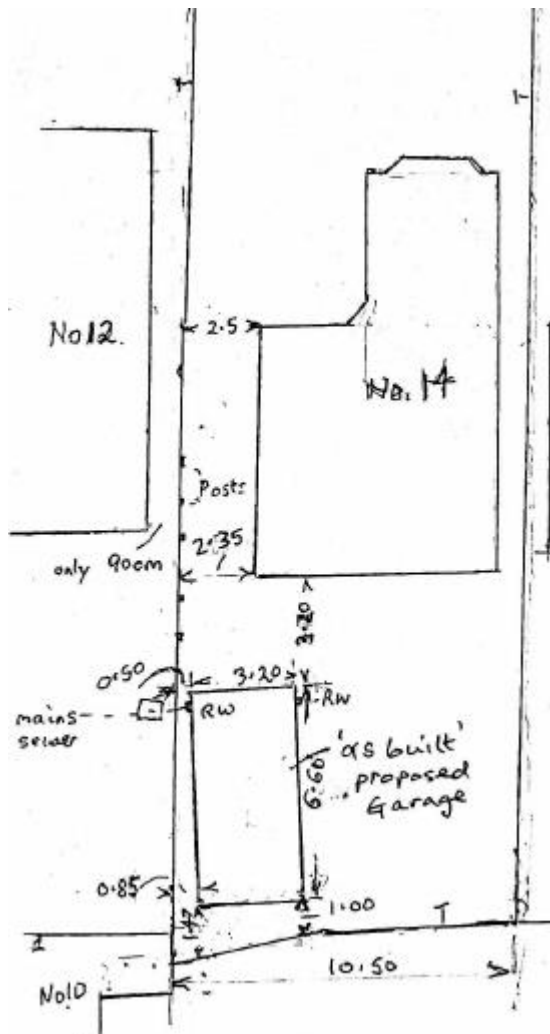
Street scene.



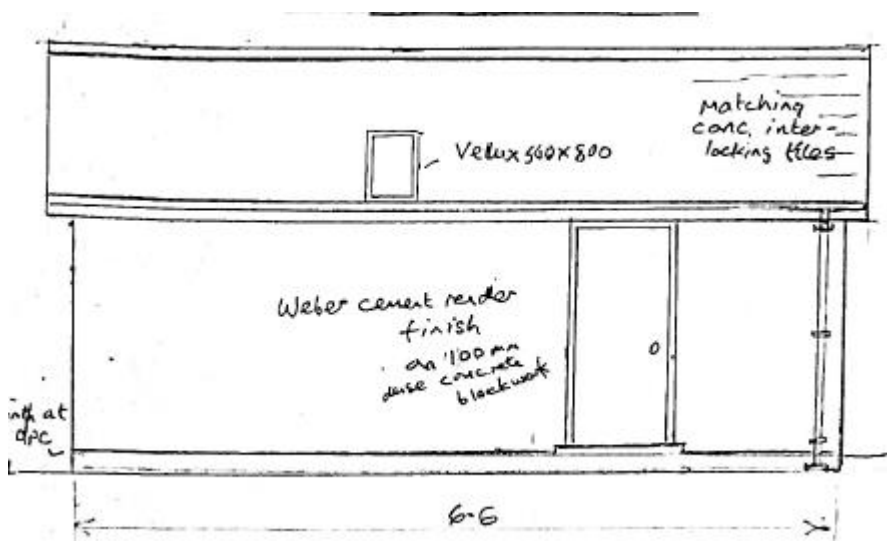
Garage at 30 Cherry Tree Close.

Plans (not to scale)

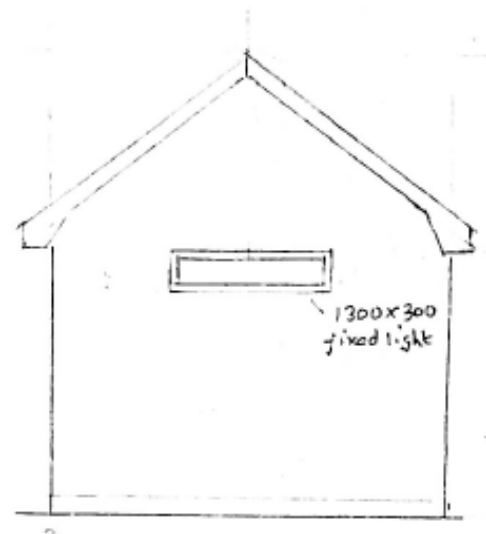
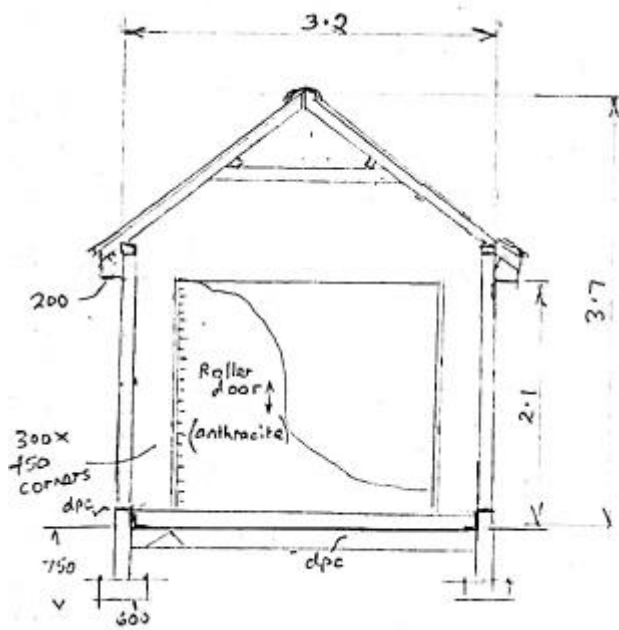
Block Plan



South East Side Elevation



Front and Rear Elevations



Report of the Chief Executive

APPLICATION NUMBER:	21/00291/FUL
LOCATION:	Pavilion, Long Lane Recreation Ground, Long Lane, Attenborough, Nottinghamshire
PROPOSAL:	Change of use from changing facility to café, add mono-pitched roof, render building, and siting of cabin for changing facility

This application is before the Planning Committee as the Council owns the application site.

1 Executive Summary

- 1.1 This application seeks permission to change the use of the existing pavilion to a café. Proposed external alterations to the building include the replacement of the existing flat roof with a mono-pitched roof and the rendering of the facing elevations. It is also proposed to site a timber clad cabin at the site to provide replacement changing and storage facilities.
- 1.2 The existing pavilion is underutilised and suffers from vandalism and anti-social behaviour. The Chairman of the Attenborough Colts Football Club who use the pavilion has confirmed the replacement facilities meet the needs of the club and that they are in support of the proposed café which would give the club a better home. The Council's Parks and Green Spaces Manager raise no objection to the change of use and replacement facility.
- 1.3 The proposal is considered to be acceptable in terms of its design and appearance and is not considered to result in an unacceptable loss of amenity for the residents of neighbouring properties. It is also considered that the proposal will not result in an unacceptable impact on highway safety.
- 1.4 Overall it is considered that the proposal is acceptable and that planning permission should be granted in accordance with the recommendation in the appendix.

Appendix 1

1 Details of the Application

- 1.1 This application seeks permission to change the use of the existing pavilion at the Long Lane Recreation Ground, to a café. A new timber clad cabin is proposed to provide the changing and storage facilities that will be lost. External alterations to the existing pavilion include replacing the flat roof with a mon-pitched roof, and rendering the facing elevations.

2 Site and surroundings

- 2.1 The application site is set within the Long Lane Recreation Ground, with the pavilion situated on the south side of the recreation ground, adjacent to the existing car park which is accessed via Long Lane. The existing pavilion is a flat roof building of brick construction. It is set fairly centrally in the frontage of the site, with the neighbouring properties located to each side being a reasonable distance from the pavilion. The land is relatively flat, there is an existing access to the site, and no vegetation of significance will be affected.

3 Relevant Planning History

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

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019**

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity
- Policy 28: Green Infrastructure Assets

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

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

5 Consultations

- 5.1 **Council's Parks and Green Spaces Manager:** Taking into account the support of the project from the Chairman of the Attenborough Colts, no objections are raised to the perceived loss of changing facilities.
- 5.2 **Council's Environmental Health Officer:** No objection subject to conditions regarding operating hours, delivery times, suitable ventilation equipment.
- 5.3 **Highways Authority:** Notes that there will be Section 106 contributions available from nearby development to upgrade car park and provide more spaces. Should the number of car parking spaces be increased, the access will require widening. As the car parking spaces will remain the same for the time being, with no further vehicle movements, no objections are raised.
- 5.4 **Nottinghamshire County Council Lead Local Flood Authority:** No Objection
- 5.5 **Rights of Way Officer:** No objection
- 5.6 Four properties either adjoining or opposite the site were consulted and a site notice was displayed. No responses were received.
- 5.7 Due to the nature of the application the Chairman of the Attenborough Colts Football Club has been consulted, as they are the main users of the pavilion. A summary of the response is provided as follows:
- The pavilion is only used by the Attenborough Colts as other teams use the facilities at Chilwell Olympia. The showers within the pavilion have been removed.
 - The league's Colts are members of require the club to have changing facilities if required and WC facilities. However, over the years it has become common practise for youth teams to arrive at the ground already changed and therefore the need for changing rooms has reduced to just odd occasions. The Colts therefore only require one changing room for odd occasions, and storage.
 - The proposed changing facility is therefore considered more than sufficient.
 - The pavilion has been subject to vandalism over the years, and therefore the change of use to a bistro/café would be positive.
 - The bistro would give the teams more of a base to call home.

6 Assessment

- 6.1 The main issues for consideration are whether or not the principle of development is acceptable in terms of the replacement of a changing facility at a recreation ground, the design and appearance of the proposal, impact on neighbouring amenity, and impact on highway safety.
- 6.2 **Principle**
- 6.2.1 The existing pavilion provides changing facilities for the users of the Long Lane Recreation Ground, notably the Attenborough Colts football club. The existing pavilion provides two changing rooms, a kitchen facility, store and WCs. It originally also had showers, but these have been removed. The condition of the existing

facilities is not ideal, and they are not fully utilised in terms of use as a changing facility. The pavilion is a frequent target for anti-social behaviour, and vandalism, with the flat roof design making it relatively easy to access the roof unlawfully.

- 6.2.2 The proposed change of use to a café would bring the building into more frequent, viable use, which is likely to go a long way to reducing anti-social behaviour as there will be staff and customers in attendance at the site more frequently. The replacement of the flat roof with a mono-pitched roof will also make it less easy to access, and the rendering of the building will make it more attractive, and therefore less likely to be vandalised.
- 6.2.3 As confirmed by the Chairman of the Attenborough Colts football club, the pavilion is underused, with most youth teams now arriving changed for matches, and Chilwell Olympia being utilised by most teams, particularly adult teams for changing facilities and the place where equipment such as goal nets and corner flags are stored. Therefore, whilst the replacement cabin proposed is significantly smaller than the existing pavilion, it would allow for at least one team to change within it if required, and it will provide sufficient space for storage of equipment. The café will be open on match days and for training, and will provide WC facilities for players and members of the public in attendance. The overall provision of facilities is therefore considered to be improved as a result of the proposal.
- 6.2.4 Policy 28 of the Broxtowe Part 2 Local Plan states that planning permission will not be granted for development that results in the loss of Green Infrastructure Assets, which playing pitches and recreation grounds. The proposal will not result in a loss of any Green Infrastructure Assets, and the facilities proposed are likely to enhance the use of the site by providing refreshments for members of the public, resulting in a destination that may be an attraction in itself. It is therefore considered that the proposal is in accordance with Policy 28.
- 6.2.5 Taking the above into account it is considered that the principle of development is acceptable subject to an assessment of the design and appearance of the proposal, impact on neighbouring amenity and impact on highway safety.

6.3 Design and Appearance

- 6.3.1 The proposed external alterations to the existing pavilion include the replacement of the flat roof with a mono-pitched roof, including new composite cladding on the external facing elevations. It is also proposed to render the external elevations. The existing building is not in a good condition in terms of external appearance, and it is considered that the proposed amendments will result in a more modern appearance that would enhance the building, improving its appearance and having a positive influence on the character of the surrounding area.
- 6.3.2 The proposed cabin for changing will be of a size and scale that is in keeping with the existing pavilion and will not negatively impact on the character of the area. It is proposed that it will have a timber clad finish, which will be in keeping with the more modern design for the proposed café.
- 6.3.3 Overall it is considered that an acceptable standard of design has been achieved.

6.4 Amenity

- 6.4.1 The pavilion and proposed cabin are approximately 15.5m from the west boundary of the site, neighbouring No. 39 Long Lane, and more than 40m from the east boundary of the site, neighbouring No. 79 Long Lane. Taking into account the limited size and scale of the physical development proposed, it is considered these distances are sufficient to ensure the proposal will not result in an unacceptable loss of light or sense of enclosure for any neighbouring properties.
- 6.4.2 The main consideration in terms of impact on neighbouring amenity is the extent to which increased noise generation from the proposed café could impact neighbouring properties. The proposed café will be run primarily during the daytime, and will notably be required during times when the football club are training and have matches. The café will be primarily serving daytime food and drink, which is not considered likely to draw overly noisy crowds. It is therefore considered that the proposal in principle is unlikely to result in an unacceptable level of noise generation that will result in a loss of amenity for the residents of neighbouring properties.
- 6.4.3 The applicant has indicated initially that the café will be open Tuesday to Friday 10.00 to 17.00 and Saturday and Sunday 08.00 to 15.30. The Environmental Health Officer has therefore recommended these operating hours are conditioned. However, this is a new endeavour for the applicant, and therefore a more flexible approach to operating hours may be appropriate. Furthermore, the Council will retain the freehold of the building, acting as the landlords, and will therefore have powers outside of planning to take action if unacceptable disturbance to local residents is caused as a result of the proposed use. It is therefore considered appropriate to condition that the operating hours should be limited to 09.00 to 20.00 throughout the week. This allows greater flexibility to cover evening training sessions and weekend football matches.
- 6.4.4 the Environmental Health Officer has also suggested a condition restricting times of deliveries. The applicant has noted that daily fresh bread deliveries will be required at 05.30. Taking into account the size of the café, which is indicative of the size of the deliveries, along with its location reasonably well set away from neighbouring properties, it is considered that this condition is not necessary in this instance. Again, taking into account the Council's role as the freeholder of the building, there will be powers operating outside of planning that can take action should this generate a noise nuisance for neighbouring properties.
- 6.4.5 Any noise generated by the proposed change of use is likely to be conversational noise from customers, with limited noise from the operation of the café. This could however change should amplified music be played on the proposed decking area or outside the café. Given the open nature of the rear of the property, such noise would likely travel to nearby residential properties, potentially resulting in nuisance for residents. It is therefore considered appropriate to condition that no amplified music or speech shall be played outside the café at any time. This will protect the amenity of nearby residents.
- 6.4.6 Subject to the aforementioned conditions it is considered that the proposal will not result in an unacceptable impact on neighbouring amenity.

6.5 Access

- 6.5.1 The existing site is served by a car park. Given the café is likely to be utilised by people already visiting the recreation ground, as well as those living in the local vicinity, it is considered that the 9 spaces provided by the existing car park will be sufficient.
- 6.5.2 The Highways Authority suggested that the access to the car park from Long Lane should be widened to allow two cars to pass at a time. The development to the south of Long Lane (ref: 17/00778/OUT) is required to make Section 106 contributions in the sum of £27,956 for surfacing and car park improvements at Long Lane Recreation Ground. Therefore, there will be funding in place in the future to make alterations to the car park which could include increasing its capacity, and widening the entrance. Therefore, it is not considered worthwhile or proportionate to make alterations to the car park at this stage, given future works will be carried out in response to increased capacity as a result of the neighbouring development. Furthermore, the road from which the car park is accessed has a 30mph limit and is not overly busy. The risk of cars waiting to access the car park from the road is therefore considered limited.
- 6.5.3 Overall it is considered that the proposal will not result in an unacceptable impact on highways safety.

6.6 Flood Risk

- 6.6.1 The application site is set within Flood Zone 3 in an area protected from all flood events up to the 1 in 100 year+ climate change event. The proposal is for a change of use as well as the siting of a container to be in the same use as the existing use of the site. The finished floor levels will be the same as those of the current development, and it is not considered necessary to raise this for the proposed development. Taking into account the scale of development proposed it is considered that the proposal will not increase the flood risk for the surrounding area. The proposal is considered to be acceptable in terms of flood risk.

7 Planning Balance

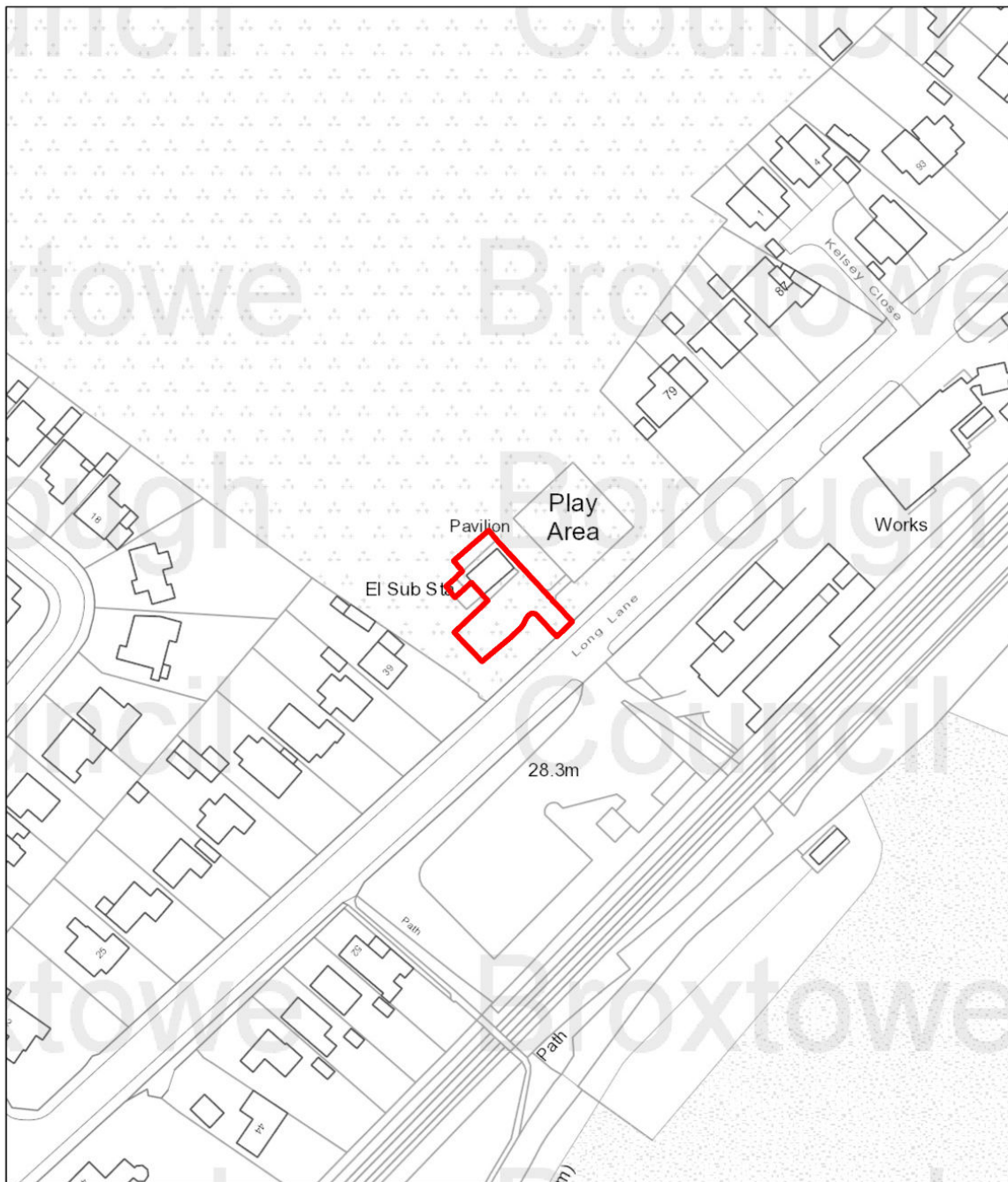
- 7.1 The proposed change of use will bring the existing building into more regular use, improve its appearance and provide a replacement changing/storage facility. The proposal is not considered to have a harmful impact on the character of the area, or result in an unacceptable loss of amenity for the residents of any neighbouring residents. It is also not considered to have a negative impact on highway safety. On balance it is therefore considered that the proposal is acceptable.

8 Conclusion

- 8.1 The proposal is considered to be in accordance with the policies set out in the Local Plan and the NPPF. It is therefore considered that the proposal is acceptable and that planning permission should be granted subject to the recommended conditions.

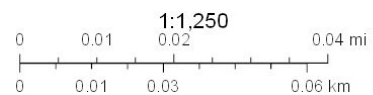
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawing number 3519/01B; received by the Local Planning Authority on 25 May 2021.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The premises shall not be used except between 08.00 and 20.00 Monday to Sunday.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
4.	<p>No amplified speech or music shall be operated on the outside area of the café hereby approved at any time.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

21/00291/FUL - Pavilion, Long Lane Recreation Ground



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 Site



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Photographs



South elevation of pavilion.



North elevation of pavilion.

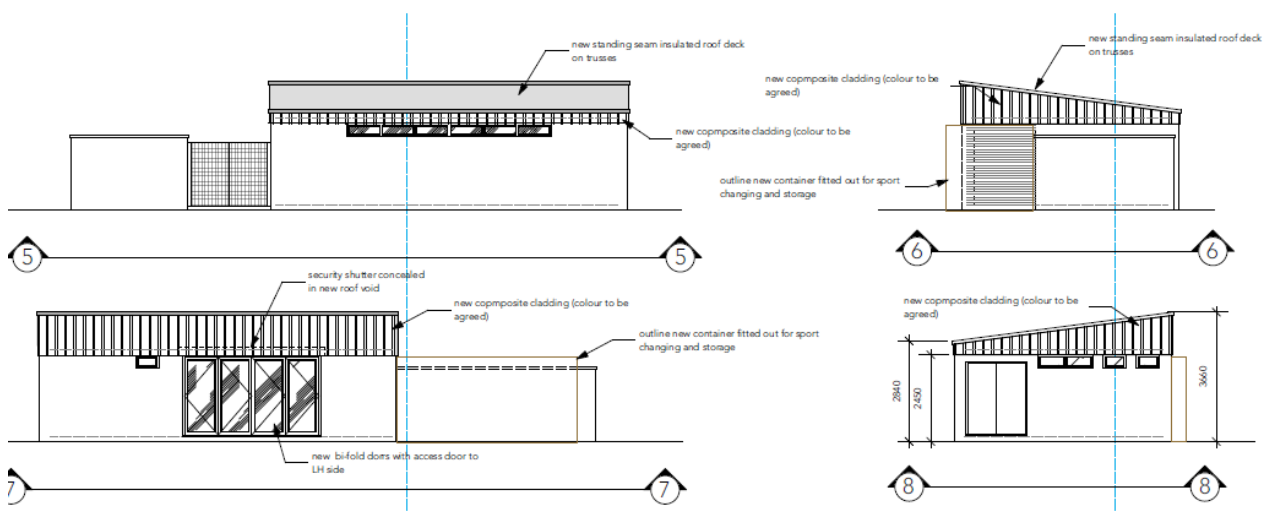


Relationship with neighbouring property to the west of the site.

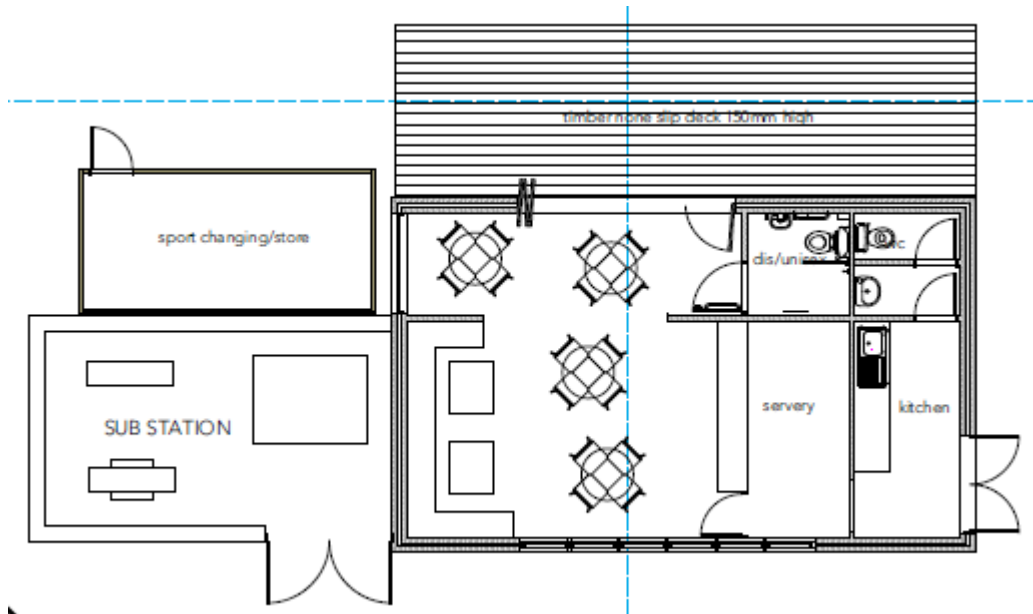


Car park and access.

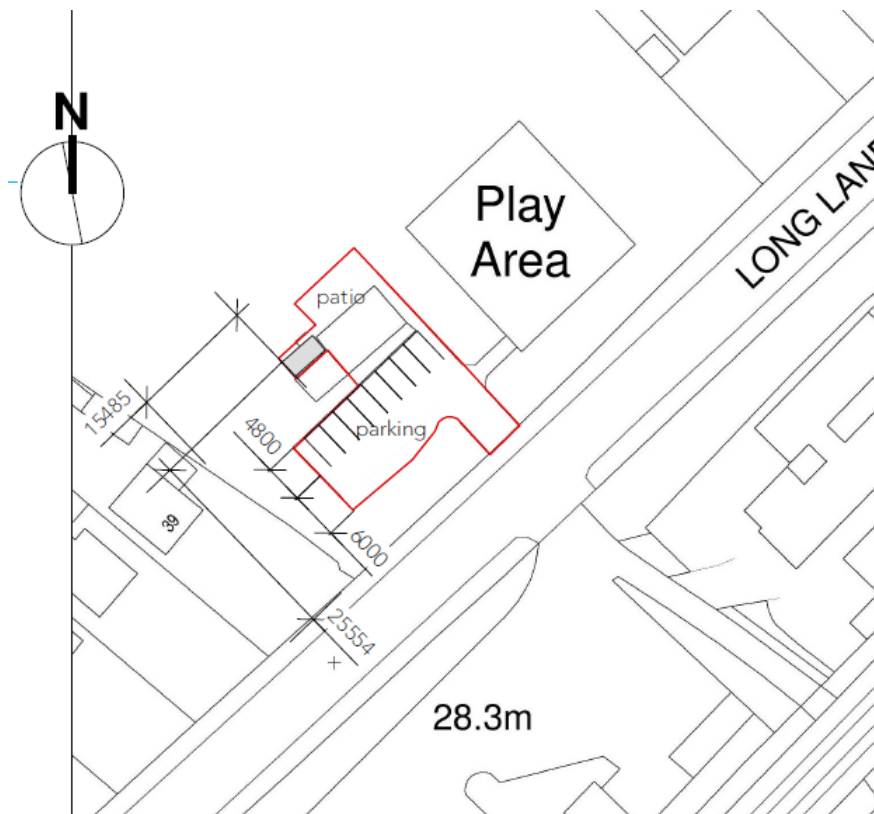
Plans (not to scale)



Proposed Elevations



Proposed Floor Plan



Proposed Site Plan

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
31 May 2021 TO 18 June 2021**

CONTENTS

Planning applications dealt with under Delegated Powers

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

BROXTOWE BOROUGH COUNCIL

DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant	:	Mr Simon Taylor	20/00497/REM
Site Address	:	198 Cator Lane Chilwell Nottinghamshire NG9 4BE	
Proposal	:	Construct 10 flats (reserved matters - access and landscaping - relating to planning reference 19/00267/OUT)	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Cattaway	21/00202/FUL
Site Address	:	3 Reigate Drive Attenborough Nottinghamshire NG9 6AX	
Proposal	:	Construct first floor and single storey rear and side extension	
Decision	:	Conditional Permission	

Applicant	:	Dave Tebbutt	21/00226/FUL
Site Address	:	229 Attenborough Lane Attenborough Nottinghamshire NG9 6AL	
Proposal	:	Construct detached orangery in rear garden and gates to front of driveway	
Decision	:	Conditional Permission	

Applicant	:	Mr Edwards	21/00255/FUL
Site Address	:	19 Clarence Road Attenborough Nottinghamshire NG9 5HY	
Proposal	:	Construct garage (following removal of existing)	
Decision	:	Conditional Permission	

Applicant	:	Mr Mansell Sanderson	21/00261/FUL
Site Address	:	51 St Marys Close Attenborough Nottinghamshire NG9 6AT	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Berry Housing Investments Ltd	21/00343/PNH
Site Address	:	3 Bridge Avenue Chilwell Nottinghamshire NG9 4AP	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.00 metres, with a maximum height of 2.85 metres, and an eaves height of 2.63 metres	
Decision	:	PNH Approval Not Required	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mr Haggerty	21/00109/FUL
Site Address	:	21 Ilkeston Road Trowell Nottinghamshire NG9 3PY	
Proposal	:	Construct first floor rear extension with juliet balcony	
Decision	:	Withdrawn	

Applicant	:	Mrs Robinson	21/00240/FUL
Site Address	:	13 Awsworth Lane Cossall Nottinghamshire NG16 2SA	
Proposal	:	Change of use of existing slaughter house to a detached dwelling with single storey side extension	
Decision	:	Withdrawn	

BEESTON CENTRAL WARD

Applicant	:	Mr James Roberts	21/00274/FUL
Site Address	:	223 Queens Road Beeston Nottinghamshire NG9 2BT	
Proposal	:	Construct single storey rear extension to create 6 bed house in multiple occupation	
Decision	:	Conditional Permission	

Applicant	:	Mr J Huang	21/00333/PNH
Site Address	:	73 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.00 metres, with a maximum height of 3.00 metres, and an eaves height of 3.00 metres	
Decision	:	Withdrawn	

BEESTON NORTH WARD

Applicant	:	Mr CHEN	20/00229/FUL
Site Address	:	119 High Road Beeston Nottingham NG9 2LH	
Proposal	:	Install Roller Shutter	
Decision	:	Refusal	

Applicant	:	Alexia & Richard Ringrose & Reuss	21/00235/FUL
Site Address	:	13 Kenilworth Road Beeston Nottinghamshire NG9 2HX	
Proposal	:	Construct single storey rear extension and garage conversion including raising of existing garage pitched roof	
Decision	:	Conditional Permission	

Applicant	:	Mrs A Infield	21/00289/FUL
Site Address	:	1A Middleton Crescent Beeston Nottinghamshire NG9 2TH	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Le Chang	21/00314/CLUP
Site Address	:	21 Peveril Road Beeston Nottinghamshire NG9 2HY	
Proposal	:	Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4)	
Decision	:	Refusal	

BEESTON RYLANDS WARD

Applicant	:	Mr Richard Hinsley A Hinsley Ltd	21/00108/REM
Site Address	:	41 Trent Vale Road Beeston Nottinghamshire NG9 1ND	
Proposal	:	Construct 3 dwellings (reserved matters - access, appearance, landscaping, layout and scale - planning reference 18/00036/OUT)	
Decision	:	Conditional Permission	

Applicant	:	Mr Leroy Payne Trent Vale Community Sports Association	21/00262/MMA
Site Address	:	Sports Ground And Pavilion Trent Vale Road Beeston Nottinghamshire	
Proposal	:	Minor Material Amendment to 20/00742/FUL (perimeter fence) to extend the replacement fencing on South Road	
Decision	:	Conditional Permission	

Applicant	:	Mrs S Jones	21/00292/FUL
Site Address	:	6 Thorndike Close Beeston Nottinghamshire NG9 1LS	
Proposal	:	Construct single storey side and front extensions	
Decision	:	Conditional Permission	

Applicant	:	Miss R Forrest	21/00320/PNH
Site Address	:	41 Trent Road Beeston Nottinghamshire NG9 1LJ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.5 metres, with a maximum height of 3.8 metres, and an eaves height of 2.5 metres	
Decision	:	PNH Approval Not Required	

BEESTON WEST WARD

Applicant	:	Mr Tom Baker	20/00741/FUL
Site Address	:	9 Glebe Street Beeston NG9 1BZ	
Proposal	:	Construct double garage	
Decision	:	Withdrawn	

Applicant	:	Mr Rashid Ahmed	21/00319/FUL
Site Address	:	4 Sidney Road Beeston Nottinghamshire NG9 1AN	
Proposal	:	Conversion of garage to bedroom & shower room	
Decision	:	Conditional Permission	

BRAMCOTE WARD

Applicant	:	Mr R Kothari	21/00179/FUL
Site Address	:	5 Claremont Avenue Bramcote Nottinghamshire NG9 3DG	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	MR & MS MICHAEL & STAVROULLA EVANS & APOSTOLOU	21/00252/FUL
Site Address	:	7 Rufford Avenue Bramcote Nottinghamshire NG9 3JG	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Colette Morris	21/00281/FUL
Site Address	:	46 Arundel Drive Bramcote Nottinghamshire NG9 3FN	
Proposal	:	Construct two storey front and side extensions & single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr And Mrs Mark Harris	21/00332/FUL
Site Address	:	292 Derby Road Bramcote Nottinghamshire NG9 3JN	
Proposal	:	Construct rear hip to gable roof extension and side dormer (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr E Ellis	21/00305/PNH
Site Address	:	18 Burnside Drive Bramcote Nottinghamshire NG9 3EE	
Proposal	:	Construct single storey extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.4 metres and an eaves height of 2.75 metres	
Decision	:	Withdrawn	

BRINSLEY WARD

Applicant	:	Mr Jon Beresford	21/00242/FUL
Site Address	:	69 Hobsic Close Brinsley Nottinghamshire NG16 5AX	
Proposal	:	Construct single storey rear extension and proposed glazed canopy to side and rear elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Cann	21/00286/FUL
Site Address	:	50 Hall Lane Brinsley Nottinghamshire NG16 5AN	
Proposal	:	Construct single storey rear extension and render to front elevation	
Decision	:	Conditional Permission	

CHILWELL WEST WARD

Applicant	:	Miss Hollie Peat	21/00163/FUL
Site Address	:	33 Haddon Crescent Chilwell Nottinghamshire NG9 5JU	
Proposal	:	Construct first floor extension above existing garage and single storey front/side extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Kate Dassanaika	21/00301/FUL
Site Address	:	2 Ravenhill Close Chilwell Nottinghamshire NG9 5FW	
Proposal	:	Conversion of garage into habitable room, new pitched roof to existing garage and new windows and door positions	
Decision	:	Conditional Permission	

Applicant	:	Mr R McGuigan	21/00318/FUL
Site Address	:	25 Baskin Lane Chilwell Nottinghamshire NG9 5GA	
Proposal	:	Construct side and rear extensions and rear dormer	
Decision	:	Conditional Permission	

EASTWOOD HALL WARD

Applicant	:	Mr Mark Stones Stones Sankey Developments Limited	21/00298/ROC
Site Address	:	2 Brandyline Gardens Newthorpe Nottinghamshire NG16 3TS	
Proposal	:	Variation of condition 2 of application reference 15/00767/FUL for alteration to parking arrangement of plot 2	
Decision	:	Conditional Permission	

EASTWOOD ST MARY'S WARD

Applicant	:	Ms J Sadler	21/00380/PNH
Site Address	:	10 Grange View Eastwood Nottinghamshire NG16 3DE	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.00 metres, with a maximum height of 3.45 metres, and an eaves height of 2.70 metres	
Decision	:	PNH Approval Not Required	

GREASLEY WARD

Applicant	:	Miss R Hussain	20/00670/FUL
Site Address	:	Beauvale House Moorgreen Newthorpe Nottinghamshire NG16 3QY	
Proposal	:	Install 13 CCTV cameras	
Decision	:	Refusal	

Applicant	:	Mr R Brown	21/00134/FUL
Site Address	:	78 Moorgreen Newthorpe Nottinghamshire NG16 2FB	
Proposal	:	Construct front boundary wall	
Decision	:	Conditional Permission	

Applicant	:	Mr Mike Smith	21/00187/FUL
Site Address	:	14 Bacon Close Giltbrook Nottinghamshire NG16 2UW	
Proposal	:	Construct single storey side extension - attached garage	
Decision	:	Conditional Permission	

Applicant	:	Mr M Kunica	21/00223/FUL
Site Address	:	123 Moorgreen Newthorpe Nottinghamshire NG16 2FF	
Proposal	:	Construct 2 detached dwellings along with the associated amenity space and access arrangement	
Decision	:	Conditional Permission	

Applicant	:	Mr Butler	21/00312/CLUP
Site Address	:	9 Southwell Rise Giltbrook Nottinghamshire NG16 2WQ	
Proposal	:	Certificate of Lawfulness for proposed ground floor rear extension	
Decision	:	Approval - CLU	

KIMBERLEY WARD

Applicant	:	Mr Simon Cooke	20/00861/FUL
Site Address	:	78 Swingate Kimberley Nottinghamshire NG16 2PQ	
Proposal	:	Construct two storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr K Wallbank	21/00277/AGR
Site Address	:	Babbington House Farm Westby Lane Babbington Village Nottingham Nottinghamshire NG16 2SS	
Proposal	:	Prior notification to construct agricultural building	
Decision	:	Prior Approval Not Required	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Mr Scott Tipper Centiq Ltd	21/00200/ADV
Site Address	:	Edmond Shipway Construction Consultants 2 Millennium Way West Nuthall Nottinghamshire NG8 6AS	
Proposal	:	Display 2 signs	
Decision	:	Conditional Permission	

Applicant	:	G Cooper Hickorys	21/00225/FUL
Site Address	:	Old Moor Lodge Mornington Crescent Nuthall Nottinghamshire NG16 1QE	
Proposal	:	Construct single storey lightweight verandahs, 1 internal to front and 1 external to rear	
Decision	:	Conditional Permission	

Applicant	:	Mr B Singh	21/00236/FUL
Site Address	:	4 Holborn Close Nuthall Nottinghamshire NG16 1QZ	
Proposal	:	Construct single storey front extension, boundary wall and gates	
Decision	:	Conditional Permission	

Applicant	:	Michaela Cox	21/00233/FUL
Site Address	:	32 Longfield Avenue Strelley Nottinghamshire NG8 4JP	
Proposal	:	Construct single storey front extension, side infill, partial conversion of the garage and front hard standing	
Decision	:	Conditional Permission	

STAPLEFORD NORTH WARD

Applicant	:	Mr M Richmond	20/00655/FUL
Site Address	:	Land Adjacent To 232 Pasture Road Stapleford Nottinghamshire NG9 8HA	
Proposal	:	Construct dwelling	
Decision	:	Conditional Permission	

Applicant	:	Mr Andrew Roy	21/00147/FUL
Site Address	:	108 Pasture Road Stapleford Nottinghamshire NG9 8GL	
Proposal	:	Erection of pre-fabricated detached single garage	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Richard Lowe	21/00154/FUL
Site Address	:	264 Pasture Road Stapleford Nottinghamshire NG9 8HA	
Proposal	:	Construct first floor side extension and front canopy	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH EAST WARD

Applicant	:	Company Application Sandiccliffe Ltd	20/00341/FUL
Site Address	:	Sandiccliffe Accident Repair Centre Nottingham Road Stapleford Nottinghamshire NG9 8AQ	
Proposal	:	Construct 15 unit five-storey apartment block and 9 dwellings with ancillary car parking, landscaping and new access off Cemetery Road, following demolition of existing industrial buildings	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Tim Dobbs	21/00128/CLUP
Site Address	:	69 Toton Lane Stapleford Nottinghamshire NG9 7HB	
Proposal	:	Double hip to gable loft conversion with two rear dormers	
Decision	:	Approval - CLU	

Applicant	:	Mr B Gunn	21/00227/FUL
Site Address	:	25 Toton Lane Stapleford Nottinghamshire NG9 7HB	
Proposal	:	Convert garage into granny annexe	
Decision	:	Conditional Permission	

Applicant	:	Mr Arshad	21/00258/FUL
Site Address	:	153 Nottingham Road Stapleford Nottinghamshire NG9 8AY	
Proposal	:	Construct front porch, two/single storey rear extension and pitched roof over flat roofed side extension. Insert first floor side window	
Decision	:	Conditional Permission	
Applicant	:	Mr Neil Harrison	21/00365/PNH
Site Address	:	4 Wesley Place Stapleford Nottinghamshire NG9 8DP	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.15 metres, with a maximum height of 2.80 metres, and an eaves height of 2.40 metres	
Decision	:	PNH Approval Not Required	
STAPLEFORD SOUTH WEST WARD			
Applicant	:	Mr J Roe	21/00075/FUL
Site Address	:	35 Rossell Drive Stapleford Nottinghamshire NG9 7EG	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Proctor	21/00239/FUL
Site Address	:	68 Gibbons Avenue Stapleford Nottinghamshire NG9 7DQ	
Proposal	:	Construct single storey side/rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mrs Lindsay Trail	21/00374/ADV
Site Address	:	George Spencer Academy Arthur Mee Road Stapleford NG9 7EW	
Proposal	:	The advertisement is a banner to promote a brand new school that is currently being built in the city centre.	
Decision	:	Withdrawn	
TOTON & CHILWELL MEADOWS WARD			
Applicant	:	Mr Will Hallam	21/00162/FUL
Site Address	:	8 Joyce Avenue Toton Nottinghamshire NG9 6JU	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Tooley	21/00191/FUL
Site Address	:	119 Spinney Crescent Toton Nottinghamshire NG9 6GE	
Proposal	:	Construct single storey rear extension and front porch	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Doherty	21/00253/FUL
Site Address	:	56 Sandown Road Toton Nottinghamshire NG9 6JW	
Proposal	:	Construct single storey front, rear and two storey side extensions, re-tiling of existing roof and rendering	
Decision	:	Conditional Permission	
WATNALL & NUTHALL WEST WARD			
Applicant	:	Mrs Samantha Wagland	21/00249/FUL
Site Address	:	43 Holly Road Watnall Nottinghamshire NG16 1HP	
Proposal	:	Construct rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr R Warnes	21/00276/FUL
Site Address	:	17 Carman Close Watnall Nottinghamshire NG16 1JX	
Proposal	:	Construct single storey rear extension and first floor side extension	
Decision	:	Conditional Permission	

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