



Monday, 23 August 2021

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 1 September 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	

A G E N D A

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 5 - 18)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 28 July 2021.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 Application Number 20/00891/FUL

(Pages 19 - 64)

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 21/00247/FUL

(Pages 65 - 74)

Change of use to convert garage and rear garden to be used as part of public house.

Roots Micro Bar, 17 Nottingham Road, Kimberley, Nottinghamshire, NG16 2NB

5.3 Application Number 21/00349/FUL

(Pages 75 - 94)

Construct 3 storey building comprising 9 student apartments (Use Class C4)

The Raven Group, Ellis Grove, Beeston, NG9 1EP

5.4 Application Number 20/00674/FUL

(Pages 95 - 110)

Construct 3 Storey Building to contain 6 houses of multiple occupancy (class C4) and construct cycle store and bin store.

Land to the rear of Methodist Church, Wollaton Road, Beeston, Nottinghamshire. NG9 2NG

5.5 Application Number 21/00443/FUL

(Pages 111 - 122)

Retention of entrance gates, perimeter fencing, pathway and driveway retaining wall

Hill Top Farm Blake Road Stapleford NG9 7HP

6. INFORMATION ITEMS

6.1 Appeal Decision 19/00465/FUL (Pages 123 - 126)

Erection of 11 dwellings and provision of infrastructure works to facilitate the creation of a community park.

Bramcote Ridge Open Space Sandgate Beeston (aka Land of Edenbridge Court NG8 2RS)

6.2 Delegated Decisions (Pages 127 - 136)

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PLANNING COMMITTEE

WEDNESDAY, 28 JULY 2021

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
D Grindell
R I Jackson
G Marshall
P J Owen
S Paterson
D D Pringle
R S Robinson
R D Willimott
H E Skinner (Substitute)
S J Carr (ex-Officio)

Apologies for absence were received from Councillors J W McGrath and M Handley

17 DECLARATIONS OF INTEREST

Councillor R I Jackson declared a non pecuniary interest in item 6.2 as he was acquainted with the applicant. Minute number 21.2 refers.

18 MINUTES

The minutes of the meeting on 7 July 2021 were confirmed and signed as a correct record.

19 NOTIFICATION OF LOBBYING

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

20 DEVELOPMENT CONTROL

20.1 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

This application was brought before Planning Committee by Councillor J M Owen and Councillor R D Willimott.

There were no late items for the Committee to consider.

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

The application was deferred at the meeting of the Planning Committee on 23 June 2021 in order to seek clarity from the Highway Authority on the need for a refuge point. It was noted that there were no objections to the proposal from the highway authority and that no additional works were requested.

A discussion followed regarding the need for pedestrian access to the site, the high volume of traffic on Main Road, Watnall, as well as the need to have infrastructure to support residents to make environmentally sound choices.

The debate progressed on to the recommendations from the Highway Authority and it was noted that the Road Safety Assessment did not support a request for a refuge.

The Committee received legal advice.

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 Site Location Plan 1: 1250 1846 (P03), Roof Plan 1846 (P08), Coal Yard Customer Collection Canopy Elevation, 1846 (P09), Elevations Units 7 – 10 1846 (P06), Elevations Units 1 -6 & 15 – 20 1846 (P05), Elevations Units 11 – 14 1846 (P04) Elevations Units 21 & 22 1846 (P07) received by the Local Planning Authority 02 July 2020, Proposed Site Plan 1846 (P01A) and Proposed Site Access 1846 (P02A) received by the Local Planning Authority 11 December 2020.**

Reason: For the avoidance of doubt.

3. a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.
- b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-
- (i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and
- (ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.

Reason: In the interest of public health and safety

4. 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.

Reason: To protect existing residents from excessive plant noise.

5. 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.

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

6. No part of the development hereby permitted shall be brought into use until the site access arrangement as shown for indicative purposes only on drawing number MRW-BWB-GEN-XX-DR-TR-110 Revision P5 has been provided.

Reason: In the interest of highway safety.

7. No part of the development hereby permitted shall take place until the measures to control two-way vehicular flows along the site access road as shown for indicative purposes on drawing numbers 1846 P01A and 1846 P02A have been provided. The method of controlling two-way vehicular flows along the site access road shall then be maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interest of highway safety.

8. The new driveway to the retained dwelling shall be surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

Reason: In the interest of highway safety.

9. No part of the development hereby permitted shall be brought into use until the parking and turning areas shown on drawing number 1846 P01 Revision A have been provided. The parking and turning areas shall be maintained in accordance with the approved details and shall not be used for any purpose other than the parking and turning of vehicles.

Reason: In the interest of highway safety.

10. No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote sustainable travel.

11. No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as part of a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecologist clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

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.

12. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - . all previous uses
 - . potential contaminants associated with those uses
 - . a conceptual model of the site indicating sources, pathways and receptors
 - . potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

13. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

14. The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

15. No development or site clearance shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:

- (a) Numbers, types, size and positions of trees and shrubs and existing trees to be retained;
- (b) Measures for the protection of retained trees;
- (c) A detailed plan which demonstrates biodiversity net gains across the site (based on the recommended Biodiversity Metric provided in the submitted Preliminary Ecological Appraisal) (ECUS March 2020);
- (d) Planting, seeding/turfing of other soft landscape areas;
- (e) Details of site boundary treatments;
- (f) A timetable for implementation of the scheme.

The landscaping scheme shall be carried out in accordance with the approved timetable and the tree protection measures shall be in place before any site clearance/development commences. 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.

Reason: In the interests of visual amenity and of enhancing biodiversity, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Part 2 Local Plan (2019).

16. The premises shall be used for Class E Business, B2 and B8 and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt.

17. The open areas of the site shall not be used for any form of storage of goods, merchandise or materials of any description without the prior written approval of the Local Planning Authority.

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

NOTES TO APPLICANT

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

- 2. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:**

<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>

- 3. 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.**

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

- 5. As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**

20.2 APPLICATION NUMBER 20/00908/FUL

Construct single storey side and single storey rear extension
25 Nether Green, Eastwood, Nottinghamshire, NG16 3DW

Councillor J P T Parker requested that this application be brought before Committee.

There was a late item correcting the front sheet of the agenda to state that the extension was to be single storey and would be an increase of 34.1% of the original volume of the original volume of the dwelling.

Councillor J P T Parker (Ward Member) addressed the Committee prior to the general debate.

The Committee considered the application noting that there was no impact on neighbour amenity, that the design was acceptable and that the proposal was not overpowering.

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

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

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

- 2. The development hereby permitted shall be carried out in accordance with the site location plan received by the Local Planning Authority on 31 December 2020 and the amended ground floor plan, amended roof plan, amended side elevations, amended rear elevation and amended front elevation received by the Local Planning Authority on 2 July 2021.**

Reason: For the avoidance of doubt.

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

Reason: To ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

NOTES TO APPLICANT

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

2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 7626848.

Further Information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

20.3 APPLICATION NUMBER 21/00395/FUL

Remove existing flat roof and replace with pitched roof and dormer to front elevation with terrace to rear elevation

3 Drayman Court, Kimberley, Nottinghamshire, NG16 2TR

The application had been brought before Committee by Councillor R S Robinson.

The Committee noted the late item which was comprised of nine emails of support from other residents of Drayman Court.

Matthew Murphy (applicant) addressed the Committee prior to the general debate.

The Committee debated the proposed development noting that it was modest in scale and that the replacement of the flat roof with a pitched roof would be more in keeping with the appearance of the old brewery building.

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

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

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

2. The development hereby permitted shall be carried out in accordance with the site location plan received by the Local Planning Authority on 31 December 2020 and the amended ground floor plan, amended roof plan, amended side elevations, amended rear elevation and amended front elevation received by the Local Planning Authority on 2 July 2021.

Reason: For the avoidance of doubt

3. The extension hereby approved shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing dwelling.

Reason: To ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

NOTES TO APPLICANT:

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

20.4 APPLICATION NUMBER 21/00040/FUL

Retain 1.8m high perimeter fence
St Patrick's Church Hall, Back Lane, Nuthall, Nottinghamshire

Councillor J M Owen had asked that this matter be determined by the Planning Committee.

The Committee noted the late item comprised of an email from a resident objecting to the fence.

Reverend Barbara Holbrook (applicant) addressed the Committee prior to the general debate.

The Committee debated the application with particular reference to the appearance of the fence, security, the proximity to the conservation area and neighbour amenity.

RESOLVED that planning permission be granted subject to the following condition.

1. The development hereby permitted shall be retained in accordance with the Site Location Plan, Elevation Plans and Block Plan; received by the Local Planning Authority on 29 January and 1 March 2021.

Reason: For the avoidance of doubt.

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.

20.5 APPLICATION NUMBER 21/00358/REG3

Construct single storey toilet block including accessible toilet and create green wall above to rear

Land off Styring Street, Beeston

This application was brought to Committee because the Council is the applicant.

There were no late items or public speakers on this proposal.

The Committee debated the application, noting the time it had taken to build these public toilets and the benefits to the community.

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

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

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

2. **The development hereby permitted shall be carried out in accordance with the site location plan received by the local planning authority on 24.5.21, elevations CW22.001.04 received by the local planning authority on 14.5.21 and proposed block and floor plan CW22.001.02 received by the local planning authority on 5 July 2021.**

Reason: For the avoidance of doubt.

NOTES TO APPLICANT

1. **The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
2. **The applicant should liaise with NTL (the tram operator) regarding any required work permits.**

20.6 APPLICATION NUMBER 21/00354/REG3

Construct a single storey rear extension
72 Chilton Drive Watnall Nottinghamshire NG16 1JL

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

There were no public speakers and no late items for the Committee to consider.

The Committee discussed the application.

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

1. 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.

Reason: For the avoidance of doubt.

2. The hereby approved extension shall be constructed with appropriate gas prevention measures, in accordance with the current version of BS 8485 and the email from the applicant received on 21 June 2021.

Reason: In the interests of public health and safety and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 19 of the Part 2 Local Plan (2019).

3. Upon removal of the external store, the existing brickwork on the boundary with no. 74 shall be retained or replaced with a fence to match the style and height of the existing boundary fence.

Reason: To ensure a satisfactory standard of neighbour amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

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. Gas prevention measures will require approval and inspection during installation by Building Control.

21 INFORMATION ITEMS

21.1 APPEAL DECISION 19/00791/FUL

Retain two/single storey extensions, boundary fence, hard standing area and sub-division of property to create additional dwelling unit
116 Marlborough Road, Beeston, Nottinghamshire, NG9 2HN

The appeal decision was noted by the Committee.

21.2 APPEAL DECISION 20/00154/FUL

Construct detached dwelling with associated car parking, drive and vehicular access and construct boundary wall following the demolition of existing wall and outbuilding
21 Barratt Lane, Attenborough, Nottinghamshire, NG9 6AD

The appeal decision was noted by the Committee.

21.3 APPEAL DECISION 20/00183/OUT

Outline application (with some matters reserved) to construct 2 dwellings (revised scheme)
84 Cow Lane, Bramcote, Nottinghamshire, NG9 3BB

The appeal decision was noted by the Committee.

21.4 APPEAL DECISION 20/00538/FUL

Construct three storey side extension, rear dormer, first floor rear extension and convert existing house to create 7 apartments, demolish existing garage, external alterations, new vehicular and pedestrian access, 6 car parking spaces and bin and cycle stores (revised scheme)
232 Queens Road Beeston Nottinghamshire NG9 2BN

The appeal decision was noted by the Committee.

21.5 APPEAL DECISION 20/00326/FUL

Retain marquee extension and a sheltered bar servery and variation of condition 3 of planning approval 13/00533/FUL to permit amplified music and speech within the marquee and marquee extension
Star Inn, 22 Middle Street, Beeston, Nottinghamshire NG9 1FX

The appeal decision was noted by the Committee.

21.6 APPEAL DECISION 20/00603/FUL

Construct single/two storey side and rear extensions and front porch (revised scheme)
34 Sandy Lane, Bramcote, Nottinghamshire NG9 3GS

The appeal decision was noted by the Committee.

The Committee went on to discuss all of the reported appeal decisions in general terms. It was considered that there was a lack of consistency in the decision making process and it was proposed by Councillor P J Owen and seconded by Councillor D K Watts that a letter be written to the Secretary of State outlining the concerns of Councillors and Officers regarding appeals decisions. The letter would be written by the Chair of the Planning Committee in agreement with the Head of Planning and Economic Development.

On being put to the meeting the motion was carried.

RESOLVED that a letter be written to the Secretary of State for Housing, Communities and Local Government outlining the concerns of Councillors and Officers regarding appeals decisions. The letter would be written by the Chair of the Planning Committee in agreement with the Head of Planning and Economic Development.

21.7 DELEGATED DECISIONS

The Committee noted the delegated decisions.

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

1 Executive Summary

- 1.1 This application was first brought before Planning Committee on 7 July 2021 with a recommendation for approval (original report attached as appendix 2). Members deferred making a decision on the application due to concerns regarding insufficient parking, inadequacy of Section 106 financial contributions, the potential for Dale Lane to be used as an access point for any phases of the site, working hours on site and lack of landscaping detail. It was also highlighted there is a need for family homes in the area.
- 1.2 The agent has considered the issues raised by the Planning Committee and has made the following changes and considerations:
- Parking spaces increased from 15 to 25
 - Confirmation that Dale Lane will not be used for vehicle or pedestrian access for this phase or any future phases
 - Agreement to further landscaping planting under relevant conditions
 - Offered an additional £32,000.00 towards financial contributions.
- 1.3 The applicant has amended the plans in line with the comments raised by Members and therefore it is considered the scheme is acceptable.
- 1.4 The Committee is therefore asked to resolve that planning permission be granted subject to the conditions outlined in appendix 1.
- 1.5 All issues raised as part of any 'late items' submissions from the previous consideration of this application have been incorporated below, if they were not previously covered in the original appraisal (attached at the appendix).

APPENDIX 1

1 Details of Application

- 1.1 The main concerns regarding the application were in relation to insufficient parking, inadequacy of Section 106 financial contributions, the potential for Dale Lane to be used as an access point for any phases of the site, working hours on site and lack of landscaping detail. It was also highlighted there is a need for family homes in the area.
- 1.2 As stated above in section 1.2, the developer has agreed to additional financial contributions, increased parking, confirmation that Dale Lane will not be used as a pedestrian or vehicular access for this phase or future phases and agrees to a condition in respect of landscaping.
- 1.3 The agent has confirmed that the proposed development will be served from High Road only and there will be no vehicle or pedestrian access to the site from Dale Lane. The internal site access road will serve only the current proposal and further phases of development on the wider site. The Dale Lane access will not be brought back into use as part of future phases of the site masterplan.
- 1.4 The agent has confirmed that parking on site will be managed by the operator of the development and allocated to students based on their need and application. In all other cases, students will not be permitted to bring cars onto site and will be advised of parking restrictions in the surrounding area. During the start and end of term times, parking on site will be allocated with pick up and drop off bays via a booking system.
- 1.5 A condition controlling the hours of construction on site is already included in the recommendation and will be repeated (condition 12).
- 1.6 A landscaping condition was previously included in the original recommendation which will be repeated.

2 Re-consultation

- 2.1 An amended site plan was submitted which includes in the increase in parking spaces. A further 7-day consultation has been undertaken with the occupants of neighbouring properties and those who previously commented on the scheme. An amended site notice was also posted on Grove Avenue and to the front of the site on High Road. Four representations were received, one raising observations and three raising objections which can be summarised as follows:
- More parking spaces should be provided
 - A minimum of 54 spaces should be provided
 - Applicant is not paying towards local health costs
 - Insufficient money being paid under the S106 agreement
 - Mental health issues from noise and disturbance
 - Should encourage walking and cycling and discourage use of cars
 - Concerns with working hours on site outside of sociable hours
 - Insufficient enforcement on parking on nearby roads but residents still have to pay for permits on their own roads

- Better infrastructure to deal with the addition of the housing development opposite the college
- School places and doctor's surgery should be accounted for with influx of more people.

3 Appraisal

- 3.1 As the Highways Authority has not objected to the application and more parking has been provided from feedback from the previous committee, it is considered the level of parking proposed is sufficient and will aid in the start and end of term times when the site is most likely to be busy with occupants moving in and out.
- 3.2 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. Therefore, it is considered the health contribution of £35,113.50 is reasonable and fair to mitigate the development. This was the only contribution requested from the consultees for this application where there is a requirement under policy for it to be paid.
- 3.3 The applicant has offered an additional £32,000.00 in financial contributions for an unspecified purpose. However, the contribution would not meet the tests for requiring planning obligations (detailed in the above paragraph) as it would not be deemed necessary to make the development acceptable even if directly related to the development. The advice to the previous committee was that the development was deemed acceptable with the proposed sole NWCCG contribution so there would be no planning merit to accepting this additional contribution to make the development acceptable in planning terms. Therefore, it would not be in accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010 and the strong advice would be not to accept this payment.
- 3.4 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. Furthermore, any potential excessive noise and disturbance should be reported to the Council's Environmental Health department.
- 3.5 The tram being situated right outside the site will promote the use of sustainable transport. Furthermore, there will be cycle storage and local amenities are within walking distance.
- 3.6 The approval of the application will ensure that the working hours on site are conditioned (as specified in condition 12) and therefore can be controlled.
- 3.7 Any concerns in regards to vehicles parking without permits should be reported to the Council's Parking Services team.

- 3.8 The Highways Authority has not requested any improvement via financial contributions to improve infrastructure in the area and therefore the request of this would be unjustified.
- 3.9 Students will be likely attending local universities and therefore will not impact on school places. Whilst it is acknowledged there will be an increase in patients at local surgeries, this is not considered a reason for refusal of the scheme.
- 3.10 All relevant conditions attached to this planning permission will be considered and discharged in collaboration with the relevant specialists, as is standard practice.
- 3.11 Nottingham City Council Local Plan Part 2 is a planning policy document for Nottingham City Council and irrelevant to the determination of this planning application.

4 Planning Balance

- 4.1 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.

5 Conclusion

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

<u>Recommendation</u>	
The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:	
(i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of contribution to health.	
(ii) 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>

<p>2.</p>	<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 Z1-03-DR-A-3300-S4-P01 • 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>Received by the Local Planning Authority on 28 May 2021:</p> <ul style="list-style-type: none"> • 19119-CBP-Z1-XX-DR-A-1010-S4-P04 <p>Received by the Local Planning Authority on 29 July 2021:</p> <ul style="list-style-type: none"> • 19119-CBP-Z1-XX-DR-A-1010-S4-P07 <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<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 Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>4.</p>	<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>

	<p>a) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;</p> <p>b) parking provision for site operatives and visitors;</p> <p>c) the loading and unloading of plant and materials;</p> <p>d) the storage of plant and materials used in constructing the development;</p> <p>e) measures to control the emission of dust and dirt during construction.</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 Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>5.</p>	<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 (2021).</i></p>
<p>6.</p>	<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 (2021)</i></p>
<p>7.</p>	<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>
<p>8.</p>	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the</p>

	<p>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 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>
<p>9.</p>	<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>
<p>10.</p>	<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 light pollution in Chilwell Cottage Grove Conservation Area and in accordance with the aims of Policies 10 and 11 of the Broxtowe aligned Core Strategy (2014)</i></p>

	<i>and Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF (2021).</i>
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 on Saturdays and at no time on Sundays or Bank Holidays.</p> <p><i>Reason: To minimise disturbance to neighbours 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>
	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.	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.
3.	Burning waste on site is prohibited.
4.	The future owners/occupiers of the site proposed dwelling should sign up to the Environment Agency's Flood Warning Direct Service.
5.	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>
6.	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 telephone: 0800 688 588.
7.	<u>Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.</u>
8.	As this permission relates to the creation of a new units, 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.
9.	The proposed access and layout does not meet adoptable highway standards and therefore, all roads, paths, street lighting, footways and waste management must be maintained at the expense of the applicant/land owner.

Photos



South east (front) elevation



South east (front) elevation



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



North east (side) elevation

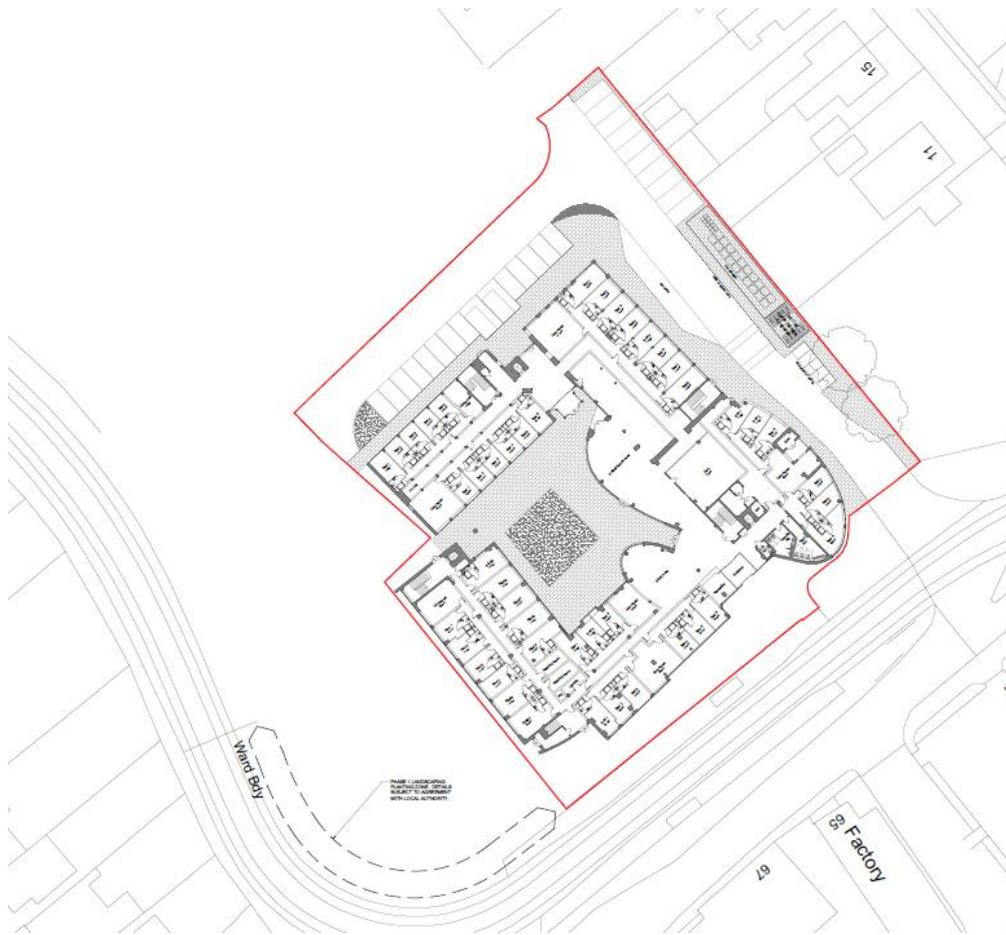


Rear of site facing north east



Rear of site facing north east

Plans (not to scale)



Site Plan

Plans (not to scale)



Ground Floor Plan

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 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 is 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>	
The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:	
(i) 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	
(ii) 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 drawings: Received by the Local Planning Authority on 22 December 2020: <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

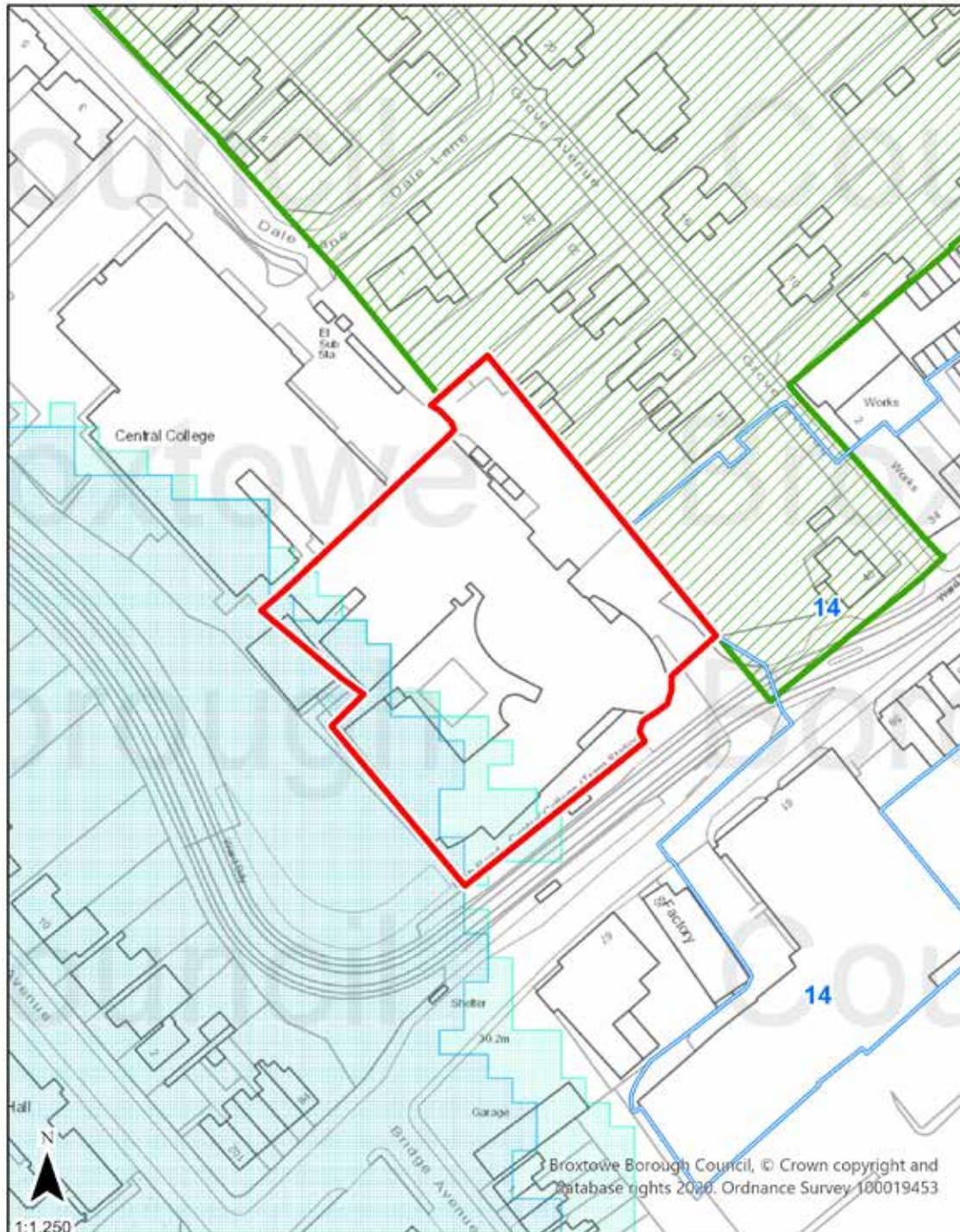
	<ul style="list-style-type: none"> · 19119-CBP-Z1-01-DR-A-3100-S4-P01 <p>Received by the Local Planning Authority on 6 January 2021:</p> <ul style="list-style-type: none"> · 19119-CBP-Z1-XX-DR-A-4001-S4-P02 <p>Received by the Local Planning Authority on 21 May 2021:</p> <ul style="list-style-type: none"> · 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>
<p>3.</p>	<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>
<p>4.</p>	<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>

<p>5.</p>	<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>
<p>6.</p>	<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>
<p>7.</p>	<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>
<p>8.</p>	<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 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 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



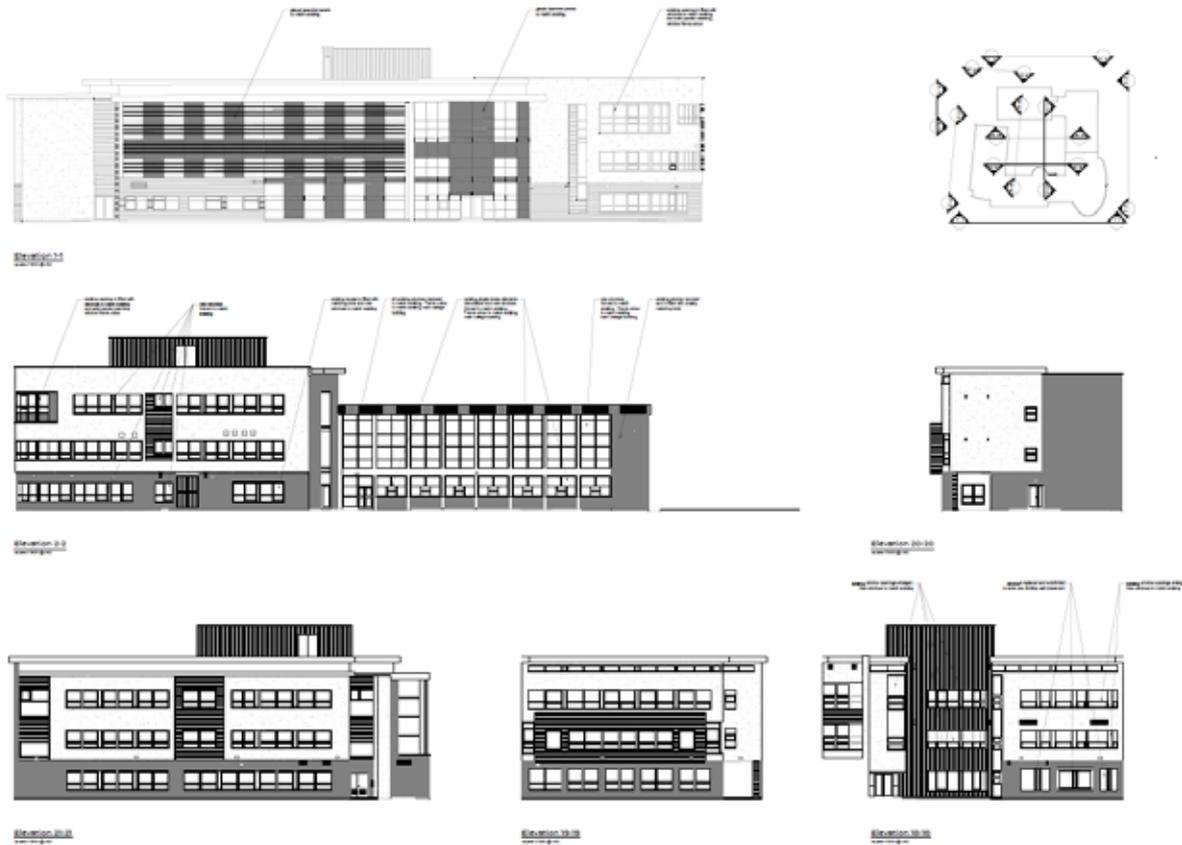
Rear of site facing north east

Plans (not to scale)

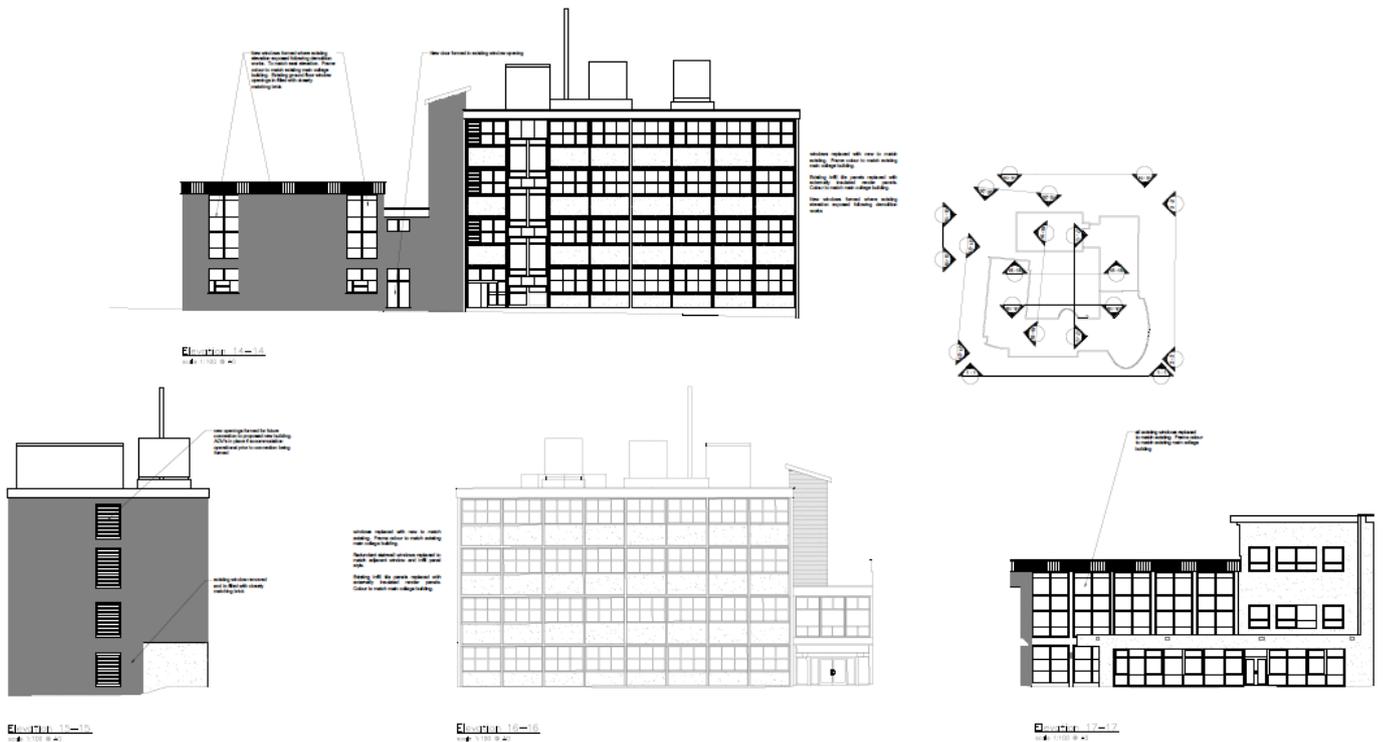


Site Plan

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:	21/00247/FUL
LOCATION:	Roots Micro Bar, 17 Nottingham Road, Kimberley, Nottinghamshire, NG16 2NB
PROPOSAL:	Change of use to convert garage and rear garden to be used as part of public house

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

1 Executive Summary

- 1.1 This application seeks consent to change the use and convert an existing detached garage and rear garden area to be used as part of the existing Micro Bar business.
- 1.2 Planning permission was granted in 2016 for the change of use from retail (A1) to micro pub (A4), along with alterations to the front elevation.
- 1.3 The application site is not covered by any site specific planning policy. The main issues for consideration are whether the design and appearance of the converted garage is acceptable and whether or not it will have an unacceptable impact on neighbouring amenity.
- 1.4 The submitted plan indicates the conversion of the existing detached garage located to the rear of the main building which would provide the provision of four tables internally, along with an external consumption area which would have the capacity to accommodate one or two tables maximum.
- 1.5 The benefits of the proposal are the expansion of a small micro bar business located on the outskirts of Kimberley Town Centre.
- 1.6 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 consent to change the use and convert an existing detached garage and rear garden area to be used as part of the existing Micro Pub business.

2 Site and surroundings

- 2.1 The application site is located on the main Nottingham Road route into and out of Kimberley Town centre which is a short walk away. The site consists of a two storey detached building set back from the main road, with a small garden and garage to the rear.
- 2.2 Directly to the east and opposite on Nottingham Road there are residential properties. To the west there is an access road and public right of way which leads to Kimberley Town Football Club, a bowling green and outdoor recreation facilities. Beyond this there is a medical centre.

3 Relevant Planning History

- 3.1 Planning permission was granted under reference number 02/00172/FUL for the construction of a ground floor rear extension.
- 3.2 Planning permission was granted under reference number 16/00322/FUL for the change of use of part of the ground floor from retail (A1) to micro bar (A4), including alterations to the front elevation doors and shop front.

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 6: Role of Town and Local Centres
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

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

- Policy 13: Proposals for main town centre uses in edge of centre and out of centre locations
- 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** – Raise no objections, request conditions relating to the restriction on hours of the outside areas including the converted garage, no sound or reproduction or amplification equipment and no recorded or live music.
- 5.2 Two neighbouring properties were consulted during the processing of the application along with the posting of a site notice, with one letter having been received objecting on the grounds of impact upon residential amenity through associated noise and parking problems.

6 Assessment

- 6.1 The main issues for consideration are the principle of development, design and impact upon visual amenity, impact upon residential amenity and highway safety. These will be discussed in turn as follows:

6.2 **Principle**

- 6.2.1 Planning permission was granted in 2016 under reference number 2016/00322/FUL for the change of use of the building from retail (A1) to micro pub (A4). The conversion of the existing garage and rear garden to the rear of the building will provide a small increase in the seating capacity of the existing micro bar. Given there is an existing planning permission in place for the change of use, the principle of development is considered acceptable.

6.3 **Design**

- 6.3.1 The existing garage to the rear of the property is located built up to the north west boundary of the site. Along the boundary down the side of the main building and the adjacent access track there is an existing 2m high close boarded timber fence. The only change proposed to the external elevations of the garage involve the bricking up of existing garage doors on the rear elevation and the provision of by – folding doors to the front elevation. A small retaining wall and access steps are proposed to provide patrons access into the outbuilding and outdoor consumption area. Whilst a variety of internal alterations are proposed, these would not require planning permission. Given the small nature of the changes to the external elevations of the and its location, it is not considered the proposal will give rise to any significant detrimental impact upon the visual amenity of the area.

6.4 **Amenity**

- 6.4.1 Concerns have been raised in respect of additional noise from the use of the garage and rear area for customers.
- 6.4.2 Along the boundary of the immediate neighbouring property there is a 1m high brick wall with a 2m high close boarded timber fence on top of it, making the height of the existing boundary treatment 3m in total. In addition to this are a variety of trees and shrubs protruding higher than the fence by approximately

300mm and which are within the garden of the neighbouring property. To the rear of the neighbouring property there is a large garden area with the main dwelling set approximately 8m from the rear garden area serving the micro bar. Given the limited size of the garage to be converted and the outdoor garden space providing a limited number of tables, the use of these areas for customers is considered acceptable.

- 6.4.3 Generally drinking establishments can be associated with noisy activities, gatherings of people at unsociable hours and sometimes unwanted unruly behaviour of people. However, it should be taken into account that this establishment is a small scale micro bar which has a unique appeal for enjoying real ales and ciders in an intimate surrounding rather than a traditional pub with events and music.
- 6.4.4 During the consideration of the original change of use application in 2016 under reference number 2016/00322/FUL, the Council's Environmental Health Officer raised no objections to the application subject to conditions restricting the opening hours between the hours of 12pm and 10.30pm Monday to Friday and 10pm on Sundays, Bank and Public holidays and there being no amplified music played. In respect of this application, again no objections have been raised by the Environmental Health Officer subject to the implementation of these conditions for the proposed outdoor areas including the converted garage. However, if there is a future nuisance by reason of noise and disturbance the Council's Environmental Health Department can take action under their own powers.
- 6.4.5 Given the minor nature of the conversion of the existing garage and rear garden area to provide additional customer seating, there being no objections from Environmental Health and the proposed conditions restricting the hours of use and outdoor music being played etc. it is not considered the proposal will give rise to any unacceptable impact upon the amenity of the occupiers of the immediate neighbouring properties or properties located opposite on Nottingham Road.

6.5 Highway Safety

- 6.5.1 Given the nature of the use of the existing building as a micro bar, it is unlikely that many visitors to the premises will be driving and therefore the use is not considered to significantly impact parking provision in the surrounding area. Furthermore, the application site is within close proximity of the town centre of Kimberley with access to public transport facilities.
- 6.5.2 Whilst it is noted that customers and staff to the micro bar may cause inconvenience to the existing residents who have parking demands in the area, considering the size of the establishment it is not considered that the proposal could be refused on this basis. There are no highway safety issues relating to this application.

7 Planning Balance

- 7.1 On balance the benefits of the increase in seating capacity for the existing established micro bar outweigh the negative impacts upon the residential amenity of the immediate neighbouring properties which can be mitigated by the restrictive

planning conditions proposed upon the hours of use and there being no amplified speech or music allowed. There is also the provision of unrestricted on street parking and the application site is within walking distance of Kimberly town centre, which is served by public transport links.

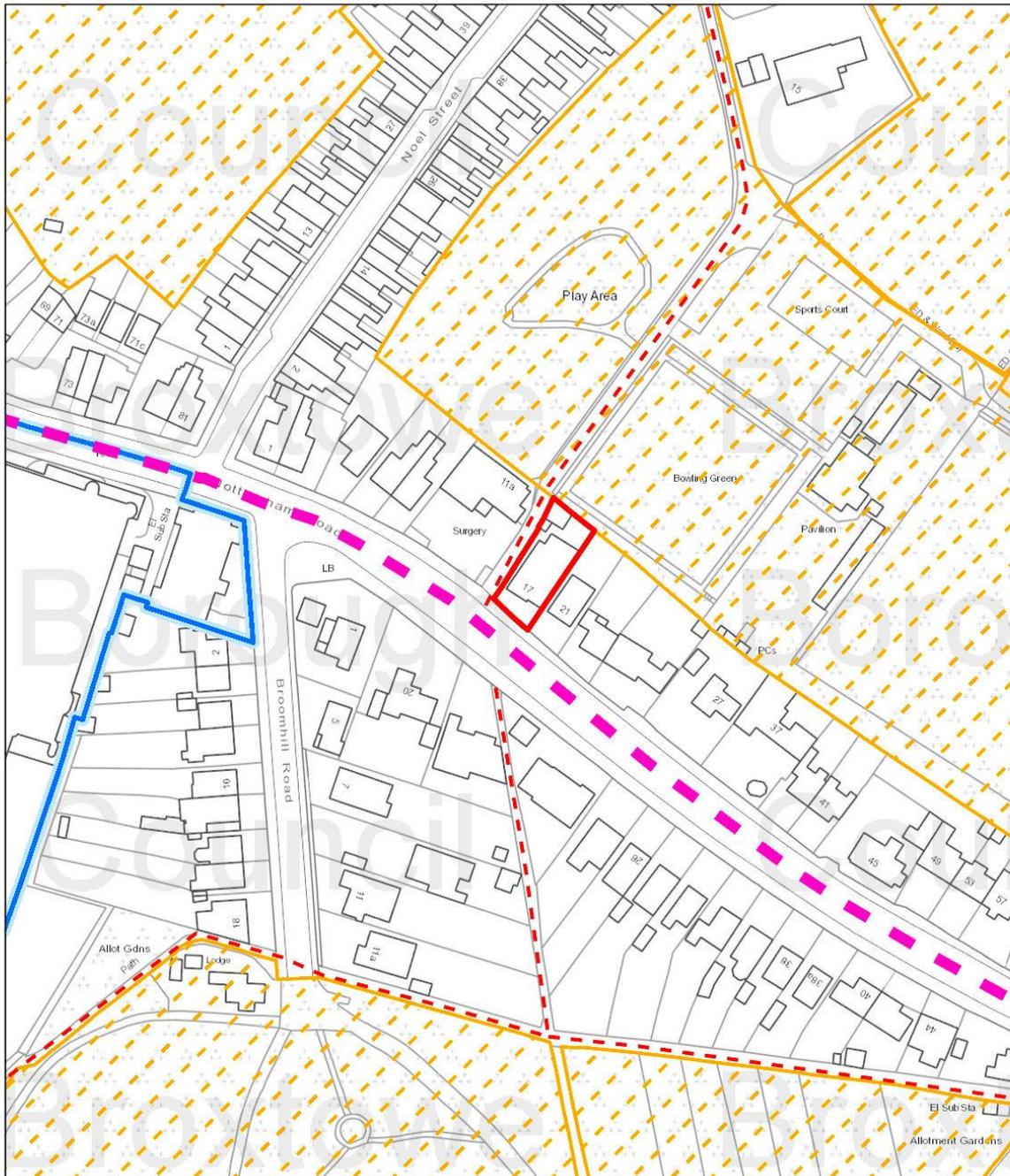
8 Conclusion

8.1 It is considered that, having regard to the relevant policies of the Development Plan, National Planning Guidance and to all other material considerations, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

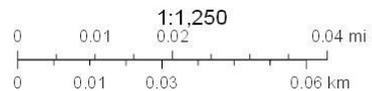
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: To comply with S91 of the 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 Proposed Elevations, Floor Plans and Block Plan 1: 500, JG/JH/16/017/01 received by the Local Planning Authority on 19 May 2021. <i>Reason: For the avoidance of doubt.</i>
3.	The outside area shall not be used except between 12.00-22.30 hours Monday to Saturday and 12.00-22.00 hours Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority. <i>Reason: To protect nearby residents from excessive operational noise.</i>
4.	No sound reproduction or amplification equipment (including public address systems, loudspeakers, etc) which is audible at the site boundary shall be installed or operated externally without prior written consent of the Local Planning Authority. <i>Reason: To protect nearby residents from excessive operational noise.</i>
5.	No recorded, live music or amplified equipment shall be permitted externally without prior written consent of the Local Planning

	<p>Authority.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within agreed determination timescale.</p>
2.	<p>As the area is under a Smoke control order any Multi-fuel or wood burning appliance installed should be an DEFRA approved appliance and installed in accordance with the current guidance and by a suitable accredited supplier.</p>
3.	<p>The applicant is advised to ensure all relevant licensing requirements are met and should contact the Council's licensing team licensing@broxtowe.gov.uk Tel: 0115 9173496.</p>

17 Nottingham Road, Kimberley, Nottinghamshire, NG16 2NB



06/07/2021 11:28:10



- Open Spaces
- Classified Road
- Public Rights of Way
- Byway open to all traffic
- Bridleway
- Footpath
- Site
- Town Centre Boundaries

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Photographs

Front Elevation.



View of garage to be converted from Nottingham Road.



Boundary with neighbouring property.



Garage to be converted.



Patio area adjacent garage.



Report of the Chief Executive

APPLICATION NUMBER:	21/00349/FUL
LOCATION:	The Raven Group, Ellis Grove, Beeston NG9 1EP
PROPOSAL:	Construct 3 storey building comprising 9 student apartments (Use Class C4)

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

1 Executive Summary

- 1.1 The application seeks planning permission for the erection of a three storey detached building comprising 9 student apartments falling within Use Class C4.
- 1.2 The site is currently occupied by a business housed in a single storey industrial warehouse building which covers the whole site, and which has off street parking to a forecourt directly off the street.
- 1.3 The main issues relate to whether the principle of residential development would be acceptable, whether the design and scale of the building is appropriate, whether there will be an unacceptable impact on neighbour amenity, and whether there would be an unacceptable impact on highway safety.
- 1.4 The benefits of the proposal are that the building would provide purpose built accommodation suitable for student occupation; the residential use is compatible with the character of the area and is of an appropriate design and scale; there would be an acceptable impact on neighbour amenity and highway safety. The proposal would be in accordance with policies contained within the development plan. This is given significant weight. There would be a loss of employment use but as the site is not allocated as being safeguarded for employment it is considered that this is outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The proposal seeks to construct a three storey detached building which would accommodate a total of 9 apartments comprising three per floor (1 x 3 bed, 1 x 4 bed and 1 x 5 bed per floor).
- 1.2 The building would be sited toward the rear of the site, adjacent to the south east boundary. The front of the site would accommodate the bin storage area, cycle storage, and a parking area for five vehicles. The parking area would be accessed from Ellis Grove. The remainder of the frontage is shown to be a mix of hard and soft landscaping.
- 1.3 The building would be contemporary in appearance, having a flat roof, and the elevations would have a mix of inset areas of glazing, cladding panels to the window core, and the main material being red and buff brick. Juliette balconies are to the front and rear elevation.
- 1.4 In terms of appearance, the scale and design is similar to that approved under 18/00538/FUL.

2 Site and surroundings

- 2.1 The application site is currently occupied by a warehouse, the footprint of which occupies the whole site. The building is set directly to the back edge of the highway, and has a roller shutter door for goods, along with a pedestrian door and windows to the office. To the north of the site and outside of the application boundary, also fronting Ellis Grove, there is a separate building housing a car repair business. The application site extends 21m to the rear of this. Two storey terraced housing runs along the remainder of Ellis Grove on this side, and housing is also opposite the site, to the north west.
- 2.2 To the north east of the site, there is a social club and associated car park, which is housed in a detached building, and which is accessed from Hall Croft. The side elevation of this building is adjacent to the north east boundary of the site. Beyond that, to the north east, there are residential properties which front Hall Croft.
- 2.3 To the south east and south west (rear and side) of the application site, the land is undeveloped but formerly occupied by Myfords. Planning permission for a 66-bedroom residential care home and associated external works has recently been granted planning permission at committee in June 2021. Reference 21/00184/FUL. Access to the site would be from Ellis Grove, adjacent to the application site. This site wraps around to the rear of the application site and forms a buffer between the site and the residential properties on Barrydale Avenue which is to the south east of the Myford site.

3 Relevant Planning History

- 3.1 11/00587/FUL – Change of use from motor repair shop to offices (Class B1) and electrical/plumbing warehouse (Class B8). Granted conditional planning permission November 2011
- 3.2 18/00538/FUL – Construct 15 apartments following demolition of warehouse. Granted conditional planning permission October 2019 (following resolution at planning committee November 2018, and prior signing of Section 106)

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

4.2 **Part 2 Local Plan 2019:**

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

- Policy 9: Retention of good quality existing employment sites
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions

4.3 **National Planning Policy Framework (NPPF) 2021:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 **County Council as Highway Authority:** Concerns in regard to the siting of the parking spaces (straight off the street) and to potential conflict with the access to the care home recently approved on the adjacent site. Following amended plans which address the above, no objections subject to conditions in respect of parking and turning areas to be provided, provision of 2m wide footway, and provision to ensure the prevention of surface water onto the public highway, all prior to first use of the site.

- 5.2 **Council's Private Housing Officer:** No objections following amendment to layout of flat 9, to provide protected fire escape route.
- 5.3 **Council's Waste and Recycling Officer:** The site will require the equivalent of 6 x 1100 litre bins for residual and recycling waste and 3 x 140 litre glass recycling bins, which need to be sited within 10m of the adopted highway and be accessible.
- 5.4 **Council's Environmental Health Officer:** No objections subject to conditions relating to contaminated land survey, details of which to be submitted and agreed prior to development commencing and any remedial measures to be carried out as approved; a noise report to be submitted and agreed and implemented as approved; and details of a construction / demolition method statement which shall be adhered to as approved. In addition, a condition requiring details of an external lighting scheme to be submitted and implemented as approved. Notes to applicant in regard to no burning of waste on site; asbestos survey required; and notification of arrival of Mobile Crushing Plant.
- 5.5 Sixteen properties either adjoining or opposite the site were consulted. Six responses were received, one in support, one with observations, and four objections.

Observations:

- There appear to be 36 individual bedrooms
- There is a small outdoor amenity area to the rear to serve the 36 residents, and whilst the site frontage is denoted as shared amenity, no indication of how this area will be treated
- Note there is a small cycle store
- Three parking spaces to serve 36 residents
- The introduction of such a high concentration of students into a predominately residential area could have adverse impacts on existing residents due to noise disturbance and comings and goings

Support:

- Consider that the design is reflective of the surrounding character and will improve the overall appearance of Wilmot Lane
- Proposed materials are of a contemporary style which would harmonise with that proposed at the approved care home adjacent
- Would request that windows in the south west elevation (kitchens) are obscurely glazed. The proposed elevations do appear to show these as obscurely glazed and (the writer) considers this necessary in order to protect the privacy of residents rooms which will be within 10m and which would directly face the proposed development

Objections:

- No need for more student accommodation – a sustainable long-term view of Beeston housing needs is required
- This a residential area and should not be turned into a transitory student area with ensuing problems as in other areas such as Lenton and Broadgate. Studentification will not deliver long term income for the council and will strongly foster resentment among local residents

- Use of the site (for students) is inappropriate and does not take into account the existing use of our premises (residential)
- Unclear what boundary treatment / acoustic fencing will be erected between the British Legion car park and the site
- Building itself looks quite nice; shared area to front suggests noise will be to the front and would affect the neighbours
- Parking is already a problem on Ellis Grove. The previous application approved had 15 spaces and this development only has three. Unreasonable to think only three of the potential 36 residents would have cars. Another development on the High Road (The Hive) approved without parking, making a potential 45 new dwellings with only three parking spaces
- Visitors to the wine bar and restaurant nearby already park on the frontage out of hours because of lack of parking in the area. New developments really do need extra parking
- Use will bring increased risk of nuisance and anti-social behaviour when compared to conventional residential accommodation
- Locating student accommodation next to next to a care home and retirement flats is ill-conceived
- The Design and Access Statement states that the proposed apartments create a variety of accommodation types suitable for a range of occupants – on the contrary it creates a single accommodation type designed to meet the perceived requirements of students – for instance the inclusion of en-suites in all bedrooms is an inefficient use of space and would be less attractive to most potential occupiers, requiring substantial alterations to reconfigure. The building is not readily capable of conversion to another use
- Condition imposed on the 2018 application in respect of windows and balconies to the rear elevation to be part glazed with obscure glazing to help safeguard privacy of occupiers on Barrydale Avenue should be repeated, as should the condition in respect of hours of construction / demolition
- A management plan should be developed and incorporated into the planning permission by Section 106 or other suitable method. The plan should cover matters such as parking; noise (comings and goings); length of occupancy; and neighbouring properties to be given details of contacts for the management.

6 Assessment

6.1 The main issues for consideration are the principle of the development; whether the design and scale is appropriate; whether there would be an unacceptable impact on neighbour amenity; and whether there would be an unacceptable impact on highway safety.

6.2 **Principle**

6.2.1 The principle of residential development on the site has been established under planning permission reference 18/00538/FUL, which was for a building of similar size, design and scale, albeit for 15 x 2 bed apartments. Whilst the description of the development refers to students, it is acknowledged that the tenancy of the

approved scheme of 2018 did not determine the tenancy type of the development, and therefore did not preclude the occupation of the building by students or indeed any other specific tenancy group.

6.3 Design, Scale and Layout

6.3.1 The size and scale of the building is generally similar to that approved in 2018. It is considered that the scale of the building, at three storeys in height, is acceptable and would not be out of character with the surrounding area, given the recently constructed four storey building to the south west of the Myford site, and to other recent approvals in the immediate area including the three storey care home on the adjacent Myford site. Subject to details of materials, which will be the subject of a condition, it is considered that the design, appearance and scale of the building is acceptable.

6.3.2 The layout is also considered to be acceptable, subject to details of hard and soft landscaping which shall include boundary treatment, and satisfactorily demonstrates that cycle and bin storage can be accommodated within the site, alongside areas for parking and amenity areas.

6.4 Amenity

6.4.1 The closest residential properties to the proposed building are the terrace to the north of the site, which fronts Ellis Grove. 11 Ellis Grove is the closest of these, being the last dwelling in the terrace, and has its side elevation adjacent to the motor repair garage. There are windows in the rear elevation of this property and also in the side of the two storey addition to the rear, both of which face the site. However, it is considered that as the angle of view would be oblique and as the garage would act as a buffer between, there would not be a significant impact on the amenities of the occupiers of this property in terms of loss of light, outlook or privacy.

6.4.2 It is considered that the occupiers of other residential properties on Ellis Grove and those on Hall Croft that are beyond the social club building, would not be significantly affected due to the angle of view and due to the distances between the proposal and any existing property, which is a minimum of 55m to the closest facing rear elevation on Hall Croft.

6.4.3 In regard to the adjacent Myford site, the approved layout on that site (reference 21/00184/FUL) shows a three storey detached building, to be occupied as a care home. There are bedrooms in the facing north east elevation of this approved building, and there would be a minimum distance of 16m between this elevation and the south west boundary of the site. A request has been made by the developer of the care home to condition that the windows on the south east elevation be obscurely glazed in order to safeguard the privacy of the occupiers of the care home. It is considered that this is reasonable, and as the windows are to a room which has access to a larger window on the north west elevation, the occupants of the proposed building would not be prejudiced by this requirement. The building as proposed would not have any significant impact on the amenities of the occupiers of the care home in terms of loss of light or to outlook.



Approved layout on the adjacent Myford site. Raven Group site is to the top of this plan



North west elevation of the approved care home.

6.4.4 There are two storey dwellings to the south east of the site, separated from the site by the Myford site which is between. This part of the Myford (approved care home) site would be used for car parking and gardens and provides a ‘buffer’ between the site and the properties on Barrydale Avenue. There would be a minimum distance of 50m between the rear elevation of the properties on Barrydale and the rear elevation of the proposed building. Whilst it is noted that the ground level is higher on the application site than that of Barrydale Avenue, by approximately 2m, it is considered that the distance between is adequate and would not result in a significant loss of light or outlook, or loss of privacy. It is not considered necessary for a condition to require glazing to the rear elevation of the building to be part obscurely glazed, given the distance between.

6.4.5 Details of any external lighting scheme associated with the development would first need to be submitted and agreed prior to installation, in order to safeguard neighbour amenity.

6.4.6 The future occupants of the proposed development would benefit from an adequate level of internal space and have access to natural light and to an outlook. A small area has been set aside as an amenity space, to the frontage. There are sources of potential noise in close proximity to the site, these being the motor repair garage which fronts Ellis Grove, the adjacent social club and from road traffic along Chilwell Road. Details of a noise assessment would need to be submitted and approved prior to the commencement of the development.

6.4.7 It is considered that the amenity area to the front would not result in a high level of use due to its modest size, and thus would not result in significantly high levels of noise disturbance to neighbouring occupiers.

6.5 Access and Highway Safety

6.5.1 The layout as originally submitted proposed three parking spaces accessed directly off Ellis Grove. An amended layout now shows five parking spaces, perpendicular to the road and accessed from a point off Ellis Grove, located to the north east against the adjacent motor repair building. One of the parking spaces would be set aside for delivery vehicle or for use by disabled occupiers or visitors. The amount of parking provided is considered to be acceptable given the highly sustainable location of the development, in close proximity to a well-served public transport route (bus and tram) and to local services such as shops and other facilities. The site is also within convenient walking distance of Beeston Town Centre and to a wider range of facilities including health and leisure. A cycle store capable of accommodating up to 18 cycles is proposed, which would enhance opportunities for more sustainable modes of transport and reducing reliance on the private motor vehicle.

6.5.2 The access has been sited away from the approved access into the care home site, so as to avoid conflict. Conditions relating to details of a Construction Method Statement to be agreed (so as to avoid public nuisance on the highway); provision of parking and turning areas prior to occupation (and retention thereafter); surfacing; and provision of widened footway are to be imposed in order to protect highway safety.

6.6 Other Matters

6.6.1 It is considered that whilst the internal layout of the building as proposed would lend itself more to students or shared accommodation, the internal layout could be reasonably re-configured if necessary at a later date, and as the building is of a similar scale and footprint to that approved under 18/00538/FUL, it can be seen that apartments of one and two bedrooms could be achieved.

6.6.2 Given the relatively small scale of development, a Section 106 or condition to require a Management Plan be submitted and agreed is considered to be unreasonable and disproportionate to the scale of the development.

7 Planning Balance

7.1 The benefits of the proposal are that the building would provide self-contained apartments suitable for use as shared accommodation, thereby potentially

releasing dwellings for occupation by families; the residential use is compatible with the character of the area and is of an appropriate design and scale; there would be an acceptable impact on neighbour amenity and upon highway safety. The proposal would be in accordance with policies contained within the development plan. This is given significant weight.

7.2 The negative impacts are the loss of an employment use. Notwithstanding this, the site is not allocated as a good quality existing employment site suitable for retention.

7.3 On balance, as the principal of residential development on the site has been established under 18/00538/FUL, and given the above benefits and subject to appropriate conditions, the development accords with adopted plan policies.

8 Conclusion

8.1 Recommend that conditional planning permission 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 drawing number 456 003 rev D (includes site location plan) received by the Local Planning Authority on 20.04.21, drawing number 456 004 rev F received by the Local Planning Authority on 19.05.21, and drawing number 456 002 rev K received by the Local Planning Authority on 21.07.21. <i>Reason: For the avoidance of doubt.</i>
3.	a) Prior to the commencement of development, an investigative survey of the site shall first have 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>b) No building to be erected pursuant to this permission shall be first occupied or brought into use until:</p> <ul style="list-style-type: none"> i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and ii) it has been certified to the satisfaction of the Local Planning Authority that the 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, unless an alternative has first been approved in writing by the Local Planning Authority. <p>The approved measures shall be retained for the lifetime of the development. <i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>4.</p>	<p>Prior to the commencement of development, details of a report, prepared in accordance with the provisions of the current BS4142 shall first have been submitted to and approved in writing by the Local Planning Authority. Predictions shall be contained in the report which sets out: a large scale plan of the proposed development; noise sources and measurement/prediction points marked on a plan; a list of noise sources; a list of assumed noise emission levels; details of noise mitigation measures; description of noise calculation procedures; noise levels at a representative sample of noise sensitive locations; a comparison of noise level with appropriate criteria. Where criteria are exceeded at any location the applicant should explain why that excess is immaterial or what further mitigation will be undertaken to ensure that criteria will be met. The development shall thereafter been constructed in accordance with the approved details and retained for the lifetime of the development.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>5.</p>	<p>Prior to the commencement of development, details of a Construction / Demolition Method Statement shall first have 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 construction / demolition of the development;

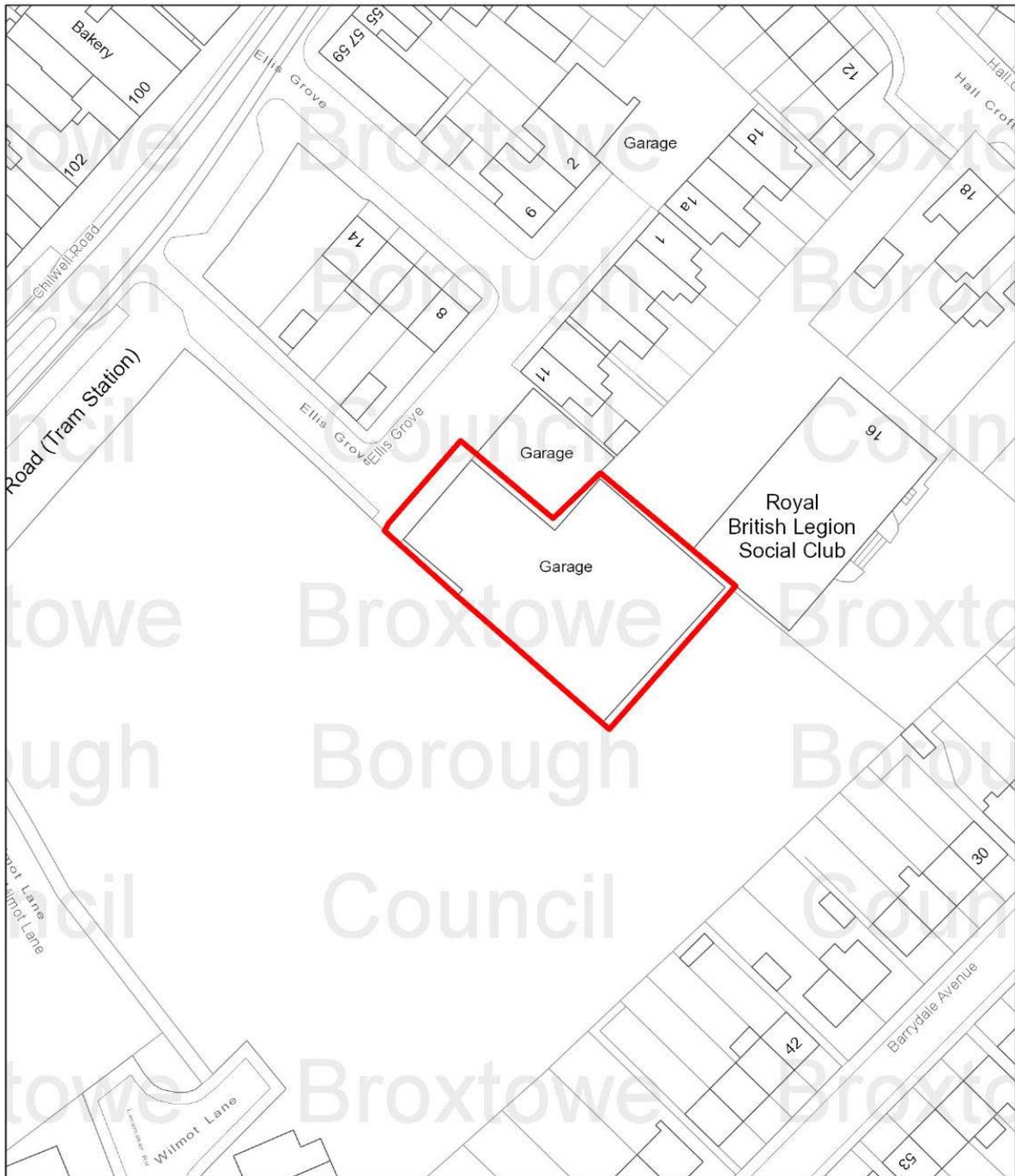
	<p>e) A scheme for the recycling/disposal of waste resulting from construction / demolition works; and f) Details of dust and noise suppression to be used during the construction phase.</p> <p>The details as approved shall be adhered to throughout the construction / demolition period.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>6.</p>	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks, cladding, window and door frames and external guttering to be used in facing elevations have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of any proposed trees and shrubs (b) proposed boundary treatments (c) proposed hard surfacing treatment (d) planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>8.</p>	<p>Prior to the installation of any external lighting associated with the development, details which need to include and Artificial Lighting Assessment (including design, size and illuminance) in line with the current guidance from the Institute of Lighting Professionals Lighting Guide reference 01/20 guidance note for the reduction of intrusive light shall first have been submitted to</p>

	<p>and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
9.	<p>No part of the development hereby permitted shall be brought into first use until the parking and turning areas as approved have been provided. These areas shall thereafter not be used for any other purpose and shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
10.	<p>No part of the development hereby permitted shall be brought into first use until the areas to the frontage have been surfaced in a suitable hard bound material (not loose aggregate) and constructed with provision to prevent the discharge of third party surface water to the public highway, and retained as such for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>No part of the development hereby permitted shall be brought into first use until a 2m wide footway as shown indicatively on drawing 002 revision K has been provided along the site frontage.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
12.	<p>No construction or site preparation works in association with this permission shall be undertaken outside the hours of 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Bank Holidays.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
13.	<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, whichever is the sooner and any trees or plants which, within a period of 5 years,</p>

	<p>die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
14.	<p>The windows on the south west elevation at first and 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) and non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
3.	The development makes it necessary to carry out works to widen the vehicular crossings over the footway of the public highway. These works shall be constructed to the satisfaction of the Highways Authority and the Highways Authority should be contacted on 0300 500 80 80 to arrange for the works to be carried out.
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. All reasonable steps, including damping down site roads, shall be

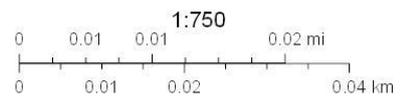
	taken to minimise dust and litter emissions whilst works of demolition and construction are in progress.
5.	The Environmental Health team will require sight of the Asbestos survey and documentation relating to its safe removal from site prior to commencement of demolition.
6.	The Environmental Health team will need to be notified of the arrival on site of the Mobile Crushing plant for them to carry out an inspection of the crushing equipment in line with the operational permit issued under the Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2010 (as amended).

The Raven Group, Ellis Grove, Beeston, NG9 1EP



7/26/2021, 11:11:15 AM

 Site



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Photographs



Raven Group, to the right of the photo. Building to be demolished



Ellis Grove looking north east, site is to the right and out of shot of the photo



Looking south west with the site to the left side, last building



View over the adjacent site from Wilmot Lane (land approved for a care home building)

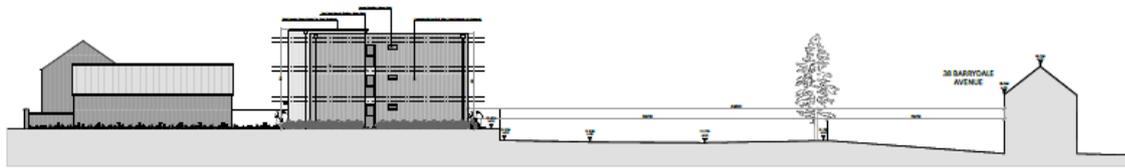
Plans (not to scale)



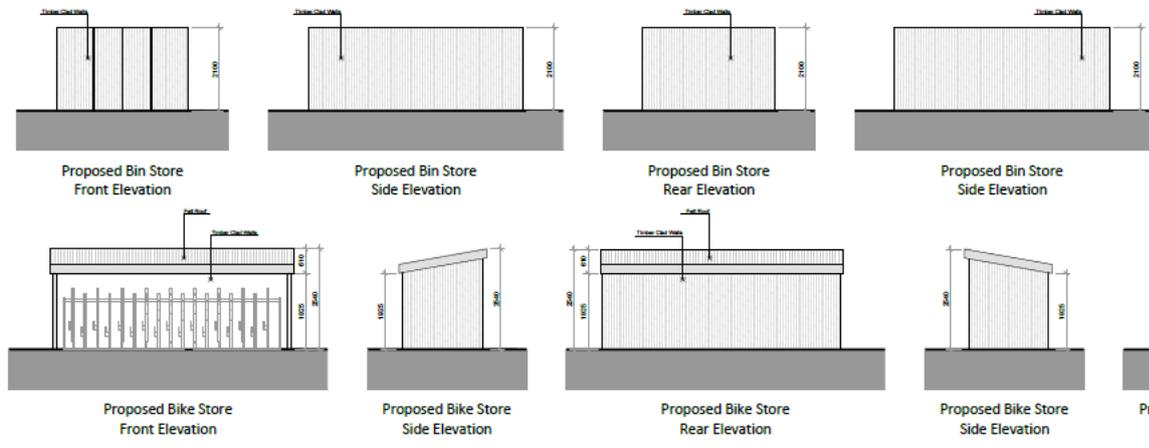
Proposed elevations



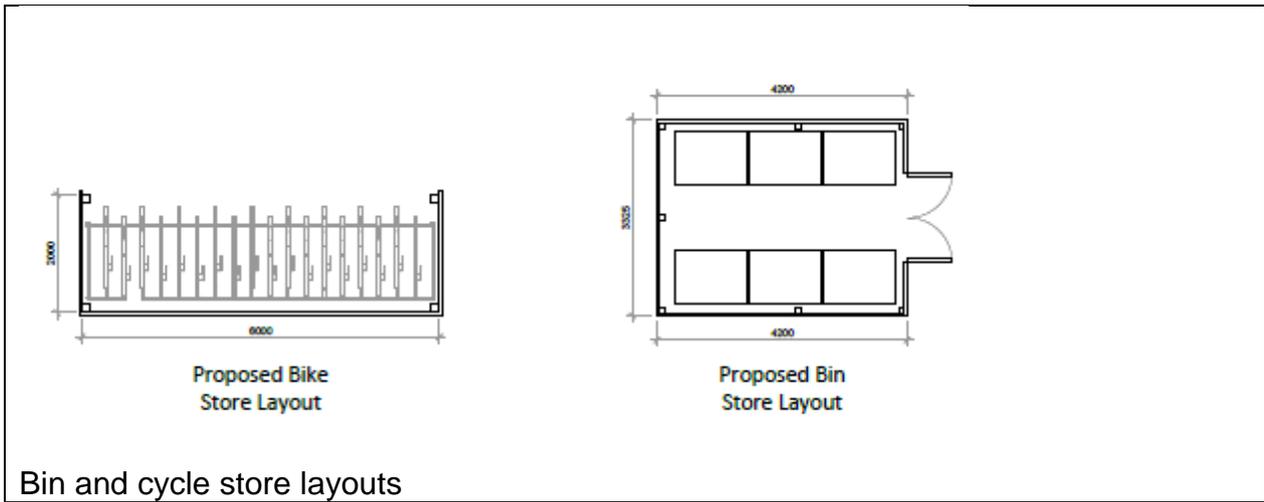
Proposed floor layout and external layout



Proposed site section through to Barrydale Avenue



Proposed bin and cycle storage elevations



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Report of the Chief Executive

APPLICATION NUMBER:	20/00674/FUL
LOCATION:	Land to the rear of Methodist Church, Wollaton Road, Beeston, Nottinghamshire, NG9 2NG
PROPOSAL:	Construct 3 storey building to contain 6 houses of multiple occupancy (Class C4) and construct cycle store and bin store

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

1 Executive Summary

- 1.1 The application seeks permission for the construction of a three storey building comprising six Houses in Multiple Occupancy (HMO) flats and the provision of a cycle and bin store.
- 1.2 The site is located within the town centre to the rear of the Methodist Church. The building would physically connect to the rear elevation of the Methodist Church. The Methodist Church has received permission to be converted from a place of worship to three houses in multiple occupancy with dormers and external alterations.
- 1.3 The main issue relates to whether the principle of the building would be acceptable, if there is an acceptable level of design, if there is an acceptable impact on neighbour amenity and if it is acceptable in relation to highway safety.
- 1.4 The benefit of the proposal is that it would provide additional residential accommodation in an existing urban area. However, it is considered that the building represents an overdevelopment of the plot due to its excessive massing and proximity to neighbouring boundaries. It is considered the excessive massing and scale and proximity to boundaries would give a poor outlook for future occupiers at ground floor level and also have a detrimental impact on the amenity of the neighbours on Wilkinson Avenue. The design is considered to be unacceptable due to it being a mix between traditional and contemporary which would have a negative impact on the Methodist Church. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. On balance, although the scheme would result in six HMO flats, this is not enough to overcome the concerns raised and therefore the application should be refused.
- 1.5 The Committee is asked to resolve that planning permission be refused subject to the reasons outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks permission for the construction of a three storey building comprising six HMO flats (Houses in Multiple Occupancy) and the provision of a cycle and bin store. Each floor would have two flats consisting of between three to five bedrooms, en-suites and kitchen/living/dining areas. The main entrance would be accessed next to the rear elevation of the Methodist Church.
- 1.2 The building would have a flat roof, with windows and dormers in each elevation. The building will physically adjoin the Methodist Church and internal access will be created between the two buildings at second floor level. The building would be between 0.9m and 2.7m from the adjoining boundaries.
- 1.3 An L-shaped cycle store for 30 bicycles and a bin store will be positioned to the north east of the building.
- 1.4 The building would be constructed from bricks, stone detailing and aluminum cladding. The ground and first floor would reflect a traditional appearance with red brick, long, curved windows with stone headers. The second floor would reflect a contemporary appearance with rectangular dormers in an aluminium clad flat roof.

2 Site and surroundings

- 2.1 The application site forms part of a garden area that would have been formally used by the Methodist Church. The boundaries are made up of walls and concrete fencing ranging from 1.5m to 2.2m in height. The boundary with the residential properties to the south east is a brick wall ranging in different heights (1.5m – 2.2m) partially covered in vegetation.
- 2.2 The site is relatively flat and is a mixture of hardstanding to the south east and north west and grass to the rear.
- 2.3 The site has no parking.
- 2.4 The site is located with Beeston town centre which has a mixture of commercial and residential buildings. To the south east of the site are terraced residential houses with rear gardens adjoining the site. The Quadrant (offices) is positioned to the south west of the site. The Commercial Inn is a pub positioned to the north west. Offices are positioned beyond Wollaton Road to the north east.

3 Relevant Planning History

- 3.1 Planning permission (20/00091/FUL) was granted in May 2020 to change the use of the Methodist Church from a place of worship (Class D1) to 3 houses in multiple occupation (Class C4), construction of dormers, cycle store, bin store, dropped kerb and external alterations.

4 Relevant Policies and Guidance

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

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

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

4.2 **Part 2 Local Plan 2019:**

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

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity

4.3 **National Planning Policy Framework (NPPF) 2021:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 **Council's Environmental Health Officer:** Environmental Health has not raised any objection subject to a condition in respect of a Construction Method Statement and advisories in respect of working houses and prohibiting the burning of waste.

5.2 **Council's Waste and Recycling Officer:** advise bin requirements.

5.3 **Council's Conservation Officer:** (Initial comments) The Methodist Church building to the front of the site has no statutory designation but is a prominent and historic building within the street scene.

Raise concerns in regards to the following:

- Scale and massing in relation to the host building; the Methodist Church is dominated by the proposed extension and the setting is significantly altered
- If all other planning matters are established to agree the principle of an extension, would be in support of the use of contemporary style and materials to clearly define the development of the building. However, there should be a link to the host building. In this case, it is not considered any such link has not yet been established. At this stage, this appears to be a standard block. This may be one situation where a more distinctive solution is required. There is no relationship or connectivity to the two buildings, whether that be in scale, alignment or shape
- As has been mentioned in the Civic Society comments, there is no Heritage Statement provided, or further analysis of the site. Whilst this is not a designated heritage asset, in this case, reference to the historic building and its setting would be useful to establish the significance of the site.

(Final comments on amended plans): The Methodist Church has no statutory protection, as the Civic Society has highlighted it is a building of local interest, as demonstrated by its inclusion in the Pevsner guide.

- The proposal must be assessed with regards to the potential impact on the preservation and/or the enhancement of the existing church, and the change to the existing character and appearance
- Concerning that there is a mix of traditional and contemporary within the alterations proposed. Extending a historic building is a challenge and requires a unique solution. It is usually preferable for a clear division between old and new, sometimes with a link glazed section of build and a contemporary extension. It is not considered that there is sufficient architectural division between the historic building and the proposed extension. The scale and massing may also overwhelm the existing.

5.4 **Council's Private Sector Housing Officer:** no objection but note that a HMO licence will be required and that en-suite doors and means of escape doors could collide.

5.5 **NCC Highways Authority:** request for the dropped kerb to be removed from the plans. Condition in respect of the cycle store being in use before the building is occupied.

5.6 24 neighbouring properties were consulted on the application and four objections were received which can be summarised as follows:

- Loss of privacy
- Loss of daylight and sunlight
- Sense of enclosure and overshadowing
- Gardens nearby will be unusable
- Unsure of access arrangements
- Inappropriate development
- Overbearing in scale and higher than church
- Dominate surrounding area
- No parking provided
- Traffic hazard as on busy road
- No provision for disabled parking, access or deliveries
- Taller than church
- Cramped
- Fire safety concern
- No outdoor useable space
- Change dynamics to neighbouring properties.

5.7 An objection was received by the Beeston Civic Society which can be summarised as follows:

- A Heritage Statement should be submitted which includes and an Archaeological Desk Based Assessment

- Does not make an assessment of the significance or contribution of the Heritage Asset in accordance with Paragraph 189 of the NPPF
- Under paragraph Local Planning Authorities are required to take account of opportunities to draw on the contribution made by the historic environment to the character of a place
- Scale and mass are over intensive
- Unacceptable impact on amenity of residents on Wilkinson Avenue
- No attempt has been made to reflect or complement the architecture of the Chapel which is the work of important local architect R. C. Sutton as is recognised by its recent inclusion in the 2020 Nottinghamshire Pevsner Guide to Buildings.

6 Assessment

6.1 The main issue relates to whether the principle of the building would be acceptable, if there is an acceptable level of design, if there is an acceptable impact on neighbour amenity and if it is acceptable in relation to highway safety.

6.2 **Principle**

6.2.1 Concerns were raised in regards to the overall height and massing of the building and the unacceptable impact on amenity this would have on future occupants and neighbouring occupants. Whilst it is acknowledged the height has been reduced by one storey, it is still considered that the proposal is unacceptable due to its massing and scale.

6.2.2 Whilst it is acknowledged that the site could support residential development, it is considered that significant amendments would be required in order for this to be acceptable. Therefore, the principle of the scheme is unacceptable.

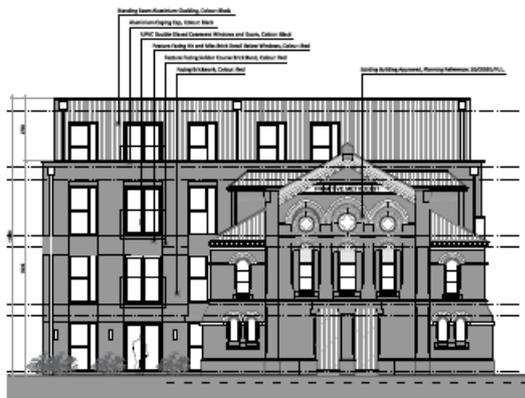
6.2.3 Due to the location of the building within Beeston town centre, it is considered the proposal of no parking is acceptable given the walking distance to regular bus and tram services and local amenities. Furthermore, the Highways Authority has not objected.

6.2.4 To conclude, whilst it is acknowledged that the site could accommodate some form of residential development, it is considered the proposal fails to demonstrate an acceptable balance between the building, future occupants and surrounding neighbours and street scene. It is considered the proposal reflects a confused design which a mixture of traditional and contemporary elements, is an over development of the plot, would give rise to a poor level of amenity for future occupants, create an oppressive and overbearing impact on adjoining neighbours on Wilkinson Avenue and have an unacceptable impact on the Methodist Church and street scene due to its scale and massing.

6.3 **Design**

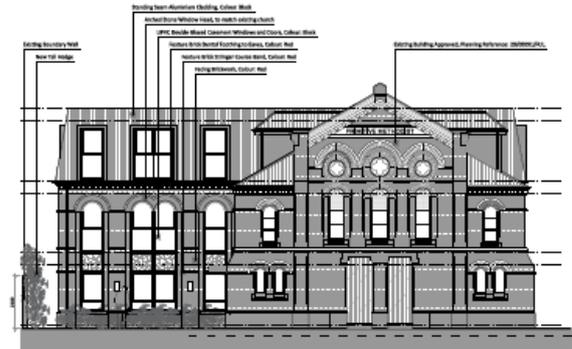
6.3.1 As stated above, concerns were raised over the design and in order to overcome these, significant amendments were requested. However, the proposal was amended to remove the fourth storey and change the design so that it reflects a

mix between traditional and contemporary. The images below show the initial proposal versus the amended proposal.



Proposed Front Elevation

Initial proposal



Proposed Front Elevation

Amended proposal

6.3.2 In regards to the scale and massing, it is considered this is excessive for the size of the plot and represents over development which is emphasised by the close proximity to neighbouring boundaries. Although it is acknowledged this is a town centre location, an element of spaciousness is experienced between the rear gardens of Wilkinson Avenue, the application site and the Commercial Inn. The building would be between 0.9m and 2.7m from neighbouring boundaries which for the massing and scale of the building is considered to represent an overly compact presence, especially when coupled with the adjoining Methodist Church. Therefore, the building fails to integrate into its surroundings.



Proposed Site Plan Layout 1:200

6.3.3 It is considered the overall design is confusing and partially competes with the Methodist Church at ground and first floor but has a contemporary style roof and dormers at second floor level. The Conservation Officer provided comments on the application due to the comments received from the Beeston Civic Society. The Conservation Officer is in agreement that the mix of traditional and contemporary design is concerning and that extending the main building requires a unique solution. Although there is not strictly a design method for linking a traditional and new building together, a usually successful approach is with a glazed structure which then connects to a contemporary building. In this case, the link between the buildings has windows but isn't fully glazed to show the break between the old and new buildings. Due to the size and materials of the linking structure and the size of the new building, it is considered these blur into one development and do not represent a successful extension (as shown below). The second floor has an aluminium clad roof with rectangular dormers which do not respond to the traditional appearance at ground and first floor. Furthermore, the lack of subservience of the dormer windows when viewing the fenestration of the building from ground to second floor adds to the excessive mass and scale. In addition to this, the number of dormers is excessive due to the overdevelopment of the plot.



Proposed Side Elevation

6.3.4 Although it is acknowledged the Methodist Church is an attractive building, it is considered to not be a non-designated heritage asset and therefore the proposed scheme would not be required to be assessed in line with Section 16 of the NPPF (2021). A Heritage Assessment was requested due to the comments raised from the Beeston Civic Society but this was not provided by the agent. This would not equate to a reason for refusal. However, valid comments were raised by both the Conservation Officer and Civic Society that the scale of the building is over intensive, overwhelming and has a lack of architectural division with the Methodist Church.

6.3.5 It is considered the proposed cycle store is an acceptable scale and design. Elevations of the bin store have not been provided but these could have been provided if the application was recommended for approval within a landscaping condition.

6.3.6 To conclude, it is considered the proposed building represents an over development of the plot due to its excessive scale, massing and proximity to neighbouring boundaries. The design is considered to be confusing due to the mix between traditional and contemporary which would have a negative impact on the Methodist Church and surrounding area. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. This directly contravenes Policy 10 of the Aligned Core Strategy (2014) Policy 10 2 (d and e) which references that development will be assessed in respect of massing, scale and proportion, materials, architectural style and detailing and Policy 17 1 (a) of the Part 2 Local Plan (2019) which states that development should integrate into its surroundings.

6.4 Amenity

6.4.1 A number of concerns have been received in relation to the building causing a sense of enclosure, overshadowing, loss of privacy and loss of daylight/sunlight. Further concerns were raised which are detailed in section 5.6.

6.4.2 Whilst it is acknowledged the plans were amended to reduce the number of windows in the south east elevation to nine and so they serve en-suites to reduce overlooking, this still does not overcome the concerns of the massing and scale of the being and its oppressive presence which would be experienced by neighbours occupying the Wilkinson Avenue properties. It was requested for the building to be moved further away from the south east boundary and then step up from single to two storey to provide a large separation distance and minimise the impact of the building experienced by these neighbours but this was not included in the amended plans. Therefore, it is considered unreasonable for these neighbours to go from an empty site to a building that is 8.9m in height, approximately 16.8m in width and between 0.9m and 1.7m from their boundary. Nos. 8, 10, 12 and 14 Wilkinson Avenue are the properties that will experience the impact of the building the most and although the gardens are north facing, it is still considered the presence of the building will give rise to a sense of enclosure and oppressive feeling when using their rear gardens. The length of the rear gardens from the rear projection to south the north west boundary are on average 11m which is considered to be significantly small. The side elevation below shows the proposed building as experienced from the rear gardens of Wilkinson Avenue. It is considered the building will have an unacceptable impact on the amenity of these neighbours due to the excessive scale and massing and height of the south east elevation with its proximity to the south east boundary. Furthermore, although the gardens are north facing, it is still considered they will experience a loss of light and overshadowing that the gardens would not be usable.



Rear gardens of Wilkinson Avenue properties beyond south east wall of site

- 6.4.3 It is considered the impact on other surrounding buildings is acceptable given that they are not residential properties. Whilst it is acknowledged there will be some impact on the rear courtyard of the Commercial Inn, it is considered this would not be detrimental. Furthermore, the pub has a reasonably sized rear courtyard area.
- 6.4.4 It was advised that the amenity of future occupants was unacceptable due to the ground floor windows facing concrete paneled fencing and walls. Whilst the plans state there will be shared amenity space surrounding the building, due to its small width, and being dwarfed by the height of the building, it is unlikely to be used. Whilst it is accepted that flats such as these do not strictly require outside amenity space, it is concerning that due to the overdevelopment of the site, that the ground floor bedrooms do not have a satisfactory outlook and therefore reducing the footprint could provide both to overcome these concerns.
- 6.4.5 It is considered the proposed cycle store is an acceptable height, and scale that it would have minimal impact on the amenity of the surrounding neighbours. Elevations of the bin store have not been provided but these could have been provided if the application was recommended for approval within a landscaping condition.
- 6.4.6 To conclude, it is considered the building would provide an unacceptable standard of amenity for future occupants on the ground floor of the building due to their close proximity to neighbouring boundaries which would result in a poor outlook. Furthermore, it is considered the building would have a significant, detrimental impact on the neighbours of Wilkinson Avenue, due to the height, scale, massing and proximity to their rear boundary. This directly contravenes Policy 17 1 (a) of the Part 2 Local Plan (2019) which states that new development should provide a satisfactory degree of amenity for occupiers and neighbouring properties and Policy 10 of the Aligned Core Strategy (2014) Policy 10 2 (f) which references that development will be assessed in respect of the impact on amenity of occupiers and nearby residents

6.5 Highways and Access

- 6.5.1 The Highways Authority has not objected to the application following the request that the dropped kerb was removed due to an access for vehicles from Wollaton

Road being unsafe. A condition was advised that the cycle store should be constructed before occupants inhabit the building.

6.5.2 However, a concern was raised in respect of the number of people living here that delivery and service vehicles should be accommodated for. Whilst it is accepted that the Highways Authority requested for the dropped kerb access to be removed due to highway safety concerns on Wollaton Road, if the building was reduced in size then ultimately the number of occupants would be reduced which would mean there is less pressure to provide an area for off-street parking for service vehicles. The total number of occupants within the Methodist Church and this building would equate to at least 33 occupants meaning delivery vehicles stopping on Wollaton Road would likely cause a nuisance to other drivers. Furthermore, a bus stop is situated right outside the Methodist Church meaning this would cause further issues.

6.5.3 Whilst it is acknowledged that parking would not be appropriate on site due to access from Wollaton Road which is a busy town centre road, it is concerning that due to the overdevelopment of the site that the number of vehicles serving the building (and neighbouring Methodist Church) will likely cause a nuisance to drivers along Wollaton Road.

6.6 Other Matters

6.6.1 Fire safety concern is a matter that is dealt with via Building Regulations legislation.

7 Planning Balance

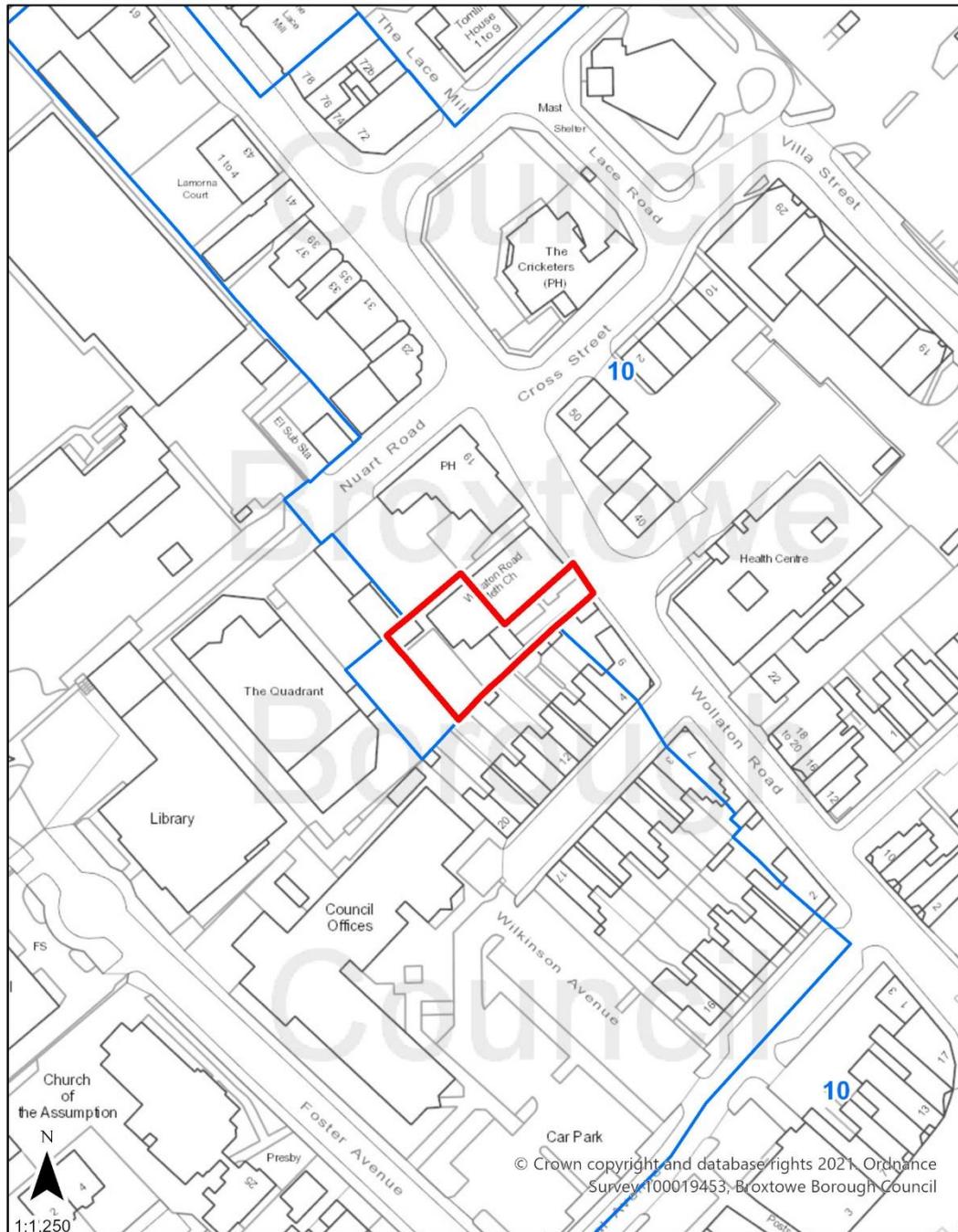
7.1 The benefit of the proposal is that it would provide additional residential accommodation in an existing urban area. However, it is considered that the building represents an overdevelopment of the plot due to its excessive massing and proximity to neighbouring boundaries. It is considered the excessive massing and scale and proximity to boundaries would give a poor outlook for future occupiers at ground floor level and also have a detrimental impact on the amenity of the neighbours on Wilkinson Avenue. The design is considered to be unacceptable due to it being a mix between traditional and contemporary which would have a negative impact on the Methodist Church. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. On balance, although the scheme would result in six HMO flats, this is not enough to overcome the concerns raised and therefore the application should be refused.

8 Conclusion

8.1 It is recommended that planning permission be refused, subject to the reasons set out below.

<u>Recommendation:</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reasons:	
1.	The development, by virtue of its scale, massing and proximity to neighbouring boundaries fails to provide a suitable outlook for future occupants on the ground floor and therefore does not provide satisfactory living conditions or provide a satisfactory level of amenity.
2.	The development, by virtue of its scale, massing, height and proximity to the south east boundary would create a dominant and oppressive relationship with occupants on Wilkinson Avenue therefore resulting in a detrimental impact on their amenity and living conditions.
3.	<p>The development, by virtue of its scale and massing, would create a building that dominates the Methodist Church to the detriment of its character. Furthermore, the contrasting traditional and contemporary design creates a scheme that has a juxtaposition of styles competing with one another to its detriment. Therefore, the scheme appears out of keeping with the Methodist Church and consequently would appear out of keeping within the street scene.</p> <p>Accordingly, the proposal is contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (2021).</p>
<u>NOTES TO APPLICANT</u>	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.

Map



Legend

- ▭ Site Outline
- ▭ Town or District Centre

Photos



View from Wollaton Road



Facing south east boundary towards Wilkinson Avenue



Both photos showing rear elevations of Wilkinson Avenue properties

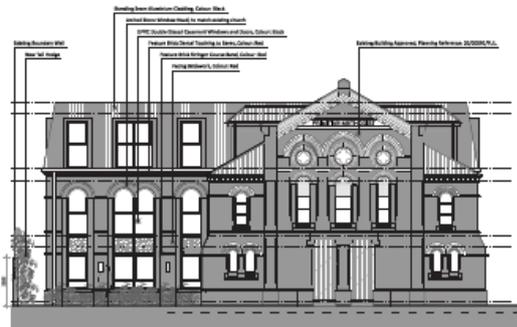


Facing north west towards Commercial Inn pub

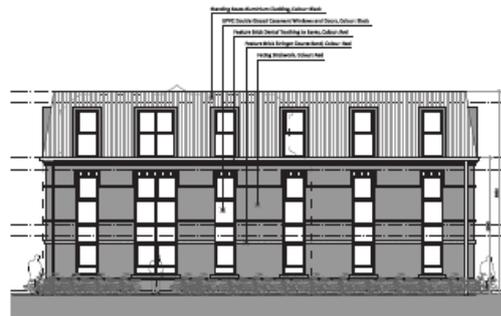


Facing south west (rear) boundary

Plans (not to scale)



Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation

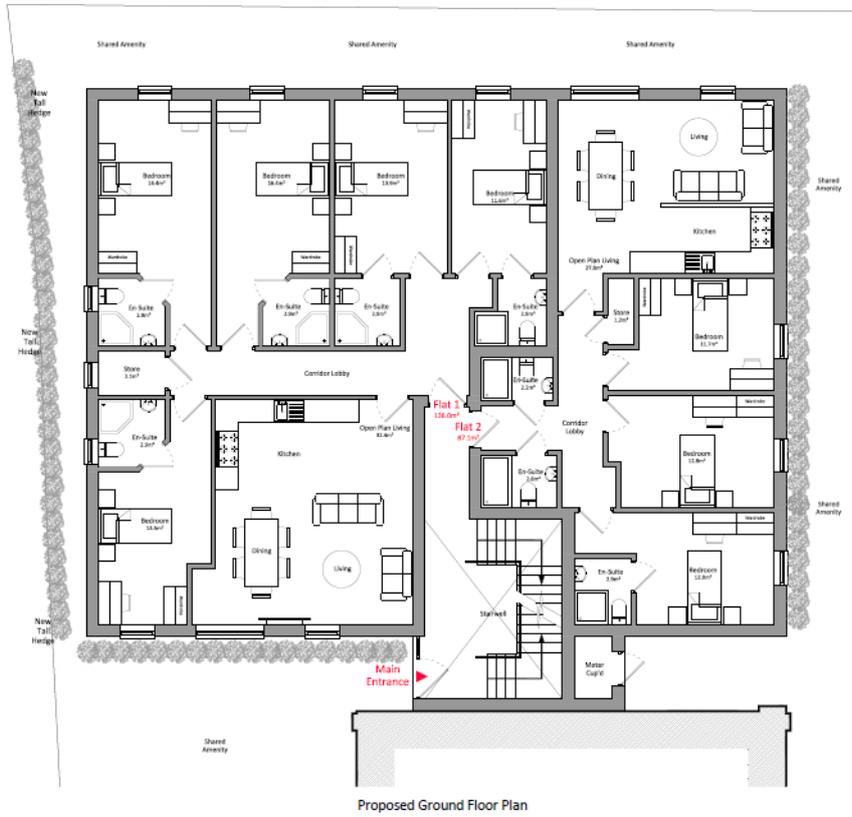


Proposed Side Elevation

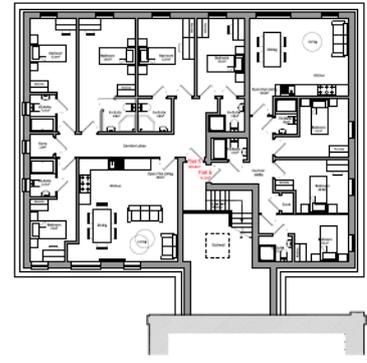


Proposed Site Plan Layout 1:200

Plans (not to scale)



Proposed Ground Floor Plan



Proposed Second Floor Plan



Proposed First Floor Plan

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Report of the Chief Executive

APPLICATION NUMBER:	21/00443/FUL
LOCATION:	Hill Top Farm Blake Road Stapleford NG9 7HP
PROPOSAL:	Retention of entrance gates, perimeter fencing, pathway and driveway retaining wall

The application is brought to the Committee at the request of Councillor D K Watts as the proposal is for minor development in the Green Belt.

1 Executive Summary

- 1.1 The application seeks planning permission to retain 2.2m high perimeter fencing, gates to the entrance and retaining wall to the driveway.
- 1.2 The site contains a farmhouse and agricultural buildings and has a small wooded area and gardens. The site is located entirely within the Green Belt and a small part sits within Windmill Hill Prominent Area for Special Protection.
- 1.3 The main issues relate to whether the development would have an unacceptable impact on the Green Belt and the Green Infrastructure Asset, whether the design would have an unacceptable impact on visual amenity, whether there would be an impact on neighbour amenity and whether there would be an impact on highway safety.
- 1.4 The benefits of the proposal are that the enclosures provide security for both the application site and the neighbouring properties and enhances highway safety by providing an off street waiting area. This is given significant weight. The negative impacts are that the proposal is inappropriate development in the Green Belt, and development within a Green Infrastructure Asset. However, on balance it is considered that the very special circumstances demonstrated outweigh the harm to the Green Belt and that the design and siting of the perimeter fencing does not have a significant impact on Windmill Hill, a Prominent Area for Special Protection.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks to retain 2.2m high mesh fencing in green colour to the entire boundary of the site, including the part of the site that is currently part of a field. The fencing to the rear of the houses has been supplemented with Laurel hedging behind it. The remainder of the fencing, to the adjacent fields, would have screen planting in thorn quicks. A 1.5m path would run behind the planted areas for maintenance access. The perimeter fencing would provide security for the farmhouse, agricultural buildings and associated equipment within the site.
- 1.2 In addition to the fencing to the perimeter of the site, the application seeks to retain a large electronically operated sliding gate to the top of the access from the road. The gates are 2.2m in height and 2.9m high brick piers to either side, the latter not yet built, are proposed. A pedestrian gate in the same mesh fencing as the perimeter fencing is proposed to the left (north west) of the main gate.
- 1.3 A brick retaining wall is proposed to the north west side of the existing access leading up to the new gates. The brick piers between would have a maximum height of 1.8m with the wall between being a minimum of 1.2m and a maximum of 1.5m.

2 Site and surroundings

- 2.1 Hill Top Farm is located to the north and east of houses on Blake Road and has fields to the north and east of the site. As the name suggests, the site is located on higher ground than the surrounding housing, with the land rising toward the north east of the site. The access to the farm is to the south west from Blake Road, and leads to a two storey detached farmhouse and to a series of agricultural buildings. Within the curtilage and to the north west of the buildings there is a wooded area surrounding a large grassed area which it is understood was once used as tennis courts. The north east corner of the site encompasses part of the adjacent field and which is part of Windmill Hill, a Green Infrastructure Asset. There is a telecommunications mast located to the north east of the site, within the wooded area.
- 2.2 To the west of the application site there are detached bungalows (although some have accommodation in the roof), the rear elevations of which face the site and the rear gardens forming the common boundary. These properties are mostly at a lower ground level than the application site (approximately one metre at the point of the boundary). These properties have relatively small gardens measuring between 6.5m to 8m in length and have a variety of enclosures to the common boundary (some having none or relying on planting).
- 2.3 To the south of the site and south east of the access, the house types change to semi-detached bungalows and semi-detached two storey dwellings as the properties continue southwards. Again, these properties are at a lower ground level but tend to have longer gardens the further south east they go. Two storey detached dwellings to the head of Gainsborough Close back onto the remainder of the southern boundary of the site. Again, there is a variety of enclosures to the common boundary.

2.4 The entirety of the site falls within the Green Belt.

3 Relevant Planning History

3.1 Aside from planning permissions in relation to telecommunications equipment within the site, and an application currently being considered for a replacement mast and antennas (reference 21/00601/FUL), there is no relevant planning history for the site.

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 3: The Green Belt
- Policy 10: Design and Enhancing Local Identity
- Policy 16: Green Infrastructure, Parks and Open Space

4.2 **Part 2 Local Plan 2019:**

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

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, Design and Amenity
- Policy 28: Green Infrastructure Assets

4.3 **National Planning Policy Framework (NPPF) 2021:**

- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt Land
- Section 15: Conserving and enhancing the natural environment

5 Consultations

5.1 29 properties either adjoining or opposite the site were consulted, a site notice was displayed and a press notice published. The consultation period expired on 27.08.21. Nine responses were received, 3 objections, 1 observation and 5 in support/no objection

Grounds of objection:

- There has been felling of trees and digging up of undergrowth during (bird) breeding and nesting season (considers this needs permission) – Notts Wildlife Trust and Notts Wildlife Crime Officer (police) contacted
- Since work has been carried out, no badgers or hedgehogs have been seen, and bird numbers have declined
- Work already underway prior to the submission of the application

- Noise during works to cut down trees/erect fencing, and fires on the site
- Will be storing buses on the property
- The fence is unattractive and gives a feeling of enclosure, which is more apparent in winter when trees are not in leaf
- Once the hedge beyond the fence grows, will block out light into the garden
- Concerned regarding the eventual height of the hedging and the trees planted behind it as this would be quite daunting

Observations:

- Work has already been completed so has been done without approval
- No objection but should provide provision for movement of wildlife such as hedgehogs, foxes and other small mammals

Support/no objection:

- The fence to rear of property is of an open construction, green and unobtrusive
- Enhances security to rear of property backing onto the site

6 Assessment

6.1 The main issues for consideration are whether the development would have an unacceptable impact on the Green Belt and the Green Infrastructure Asset, whether the design would have an unacceptable impact on visual amenity, whether there would be an impact on neighbour amenity and whether there would be an impact on highway safety.

6.2 **Principle**

6.2.1 The principle of the erection of fencing and other boundary enclosures to secure a site is acceptable, subject to the details below. Planning permission is not required for enclosures which are 2m or below in height from ground level where it is not directly adjacent to the vehicular highway, and where enclosures are proposed adjacent to the vehicular highway, planning permission is not required for enclosures which are 1m or below in height.

6.2.2 There are no Tree Preservation Orders on or adjacent to the site, nor is the site within a conservation area. As such removal of trees would not require planning permission.

6.3 **Design**

6.3.1 It is considered that the fencing, gates and retaining wall are acceptable in terms of design and visual impact. The fencing around the perimeter of the site is lightweight and coloured green so as to blend in with the landscaping beyond. The main gate is set back from the public highway and is not visually intrusive. The retaining brick wall, to the left side of the drive, would provide an attractive entrance to the access.

6.4 **Impact on Green Belt and Green Infrastructure Asset (Windmill Hill)**

- 6.4.1 The application site is entirely within the Green Belt boundary and the fencing is not technically an exception to inappropriate development as it does not fall into any of the categories identified in the NPPF.
- 6.4.2 Paragraph 147 of the NPPF 2021 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.
- 6.4.3 The site is located on the edge of built development, to the west and south, and the edge of open fields, to the north and east, and is within a tree'd setting aside from the agricultural buildings to the south east of the site.
- 6.4.4 The NPPF does not identify the erection of a boundary enclosure as an exception to inappropriate development in the Green Belt. The fencing has been erected to the perimeter of the site and is within the applicant's ownership. It is considered that taking into account the size, colour and openness of the style of the 2.2m high fencing around the perimeter of the site, it is considered that the fencing, which would be seen in the context of the tree'd areas to the north and east and against the backdrop of domestic properties to the south and west, does not result in any additional harm to the openness of the Green Belt and that very special circumstances have been demonstrated by virtue of the security that they provide for the applicant. The fencing is therefore considered acceptable in terms of its impact on the Green Belt.
- 6.4.5 To the north east corner of and shown to be within the site, there is part of a field which falls within the Windmill Hill – Prominent Area for Special Protection (Policy 28 of the Part 2 Local Plan – Green Infrastructure Asset). Windmill Hill is a hill comprising a prominent area of attractive landscape which provide a distinct and permanent landmark near the edge of the Greater Nottingham conurbation. It is considered that, as the part of the field to be enclosed represents a very small part of Windmill Hill, and is directly adjacent to the agricultural buildings and the tree'd area beyond, that the fencing would not have a significant impact on the Green Infrastructure Asset given its context, being viewed against the backdrop of the trees, and would be well within the site such that views from the public domain would not be harmed.

6.5 Neighbour Amenity

- 6.5.1 The fencing to the perimeter where it is located on or adjacent to the common boundary with the housing on Blake Road and Gainsborough Close is green mesh fencing, typical of the kind used to enclose school grounds and playing fields. As it is of an open design and coloured green to blend in with the surrounds, it is considered that the fencing, which although appearing higher from the gardens of Blake Road due to levels differences, would not have a significant impact on neighbour amenity in terms of loss of light or outlook, and would have far less

impact than an alternative fence of solid construction such as close boarded timber fencing.

- 6.5.2 The fencing would enhance security to the rear of the properties surrounding the site, to the benefit of the occupants.

6.6 Access and Highway Safety

- 6.6.1 Prior to the installation of the main gates, a single leaf gate was sited to the start of the access, where it abuts Blake Road. The removal of this gate and construction of the retaining wall with the new gates set quite a way back along the access would enhance highway safety as it would allow for vehicles to be able to wait within the site for gates to be opened rather than waiting on the public highway.

6.7 Other Matters

- 6.7.1 Works have been commenced without the benefit of planning permission, however this is not a criminal offence and is not considered to prejudice the determination of the application now submitted.

- 6.7.2 Felling of the trees and digging up of undergrowth in itself does not require planning permission and as none of the trees are protected by Tree Preservation Orders and the site is not within a conservation area, the owner of the site has the right to remove any trees or undergrowth. Any harm to protected species would be a matter for the police to investigate and consider prosecution where deemed appropriate. It is understood from comments received that the Police Wildlife Crime Officer and the Notts Wildlife Trust have visited the site. In any case, any action to be taken would not be a material planning matter to consider.

- 6.7.3 Any planting on the site whether to screen the fencing or for any other purpose, would not need planning permission and as such any impact that the planting of trees and hedging may have on neighbour amenity would not be a material planning matter.

- 6.7.4 Excessive noise and noise outside of reasonable times of the day / week can be reported to the Environmental Health team for investigation, as can any burning of waste which is causing a nuisance, and would not be a reason to refuse or amend the application.

- 6.7.5 Boundaries to gardens backing on to the site are varied, with some being of solid construction and others absent. The through movement of fauna is therefore already constrained in part and in any case, a boundary enclosure of 2m or less could be constructed without planning permission and could be of a more solid construction, thereby inhibiting movement of fauna even further. Notwithstanding this, the free movement of fauna is not specifically controlled by adopted policy and cannot, therefore, be a material planning matter which carries any significant weight.

7 Planning Balance

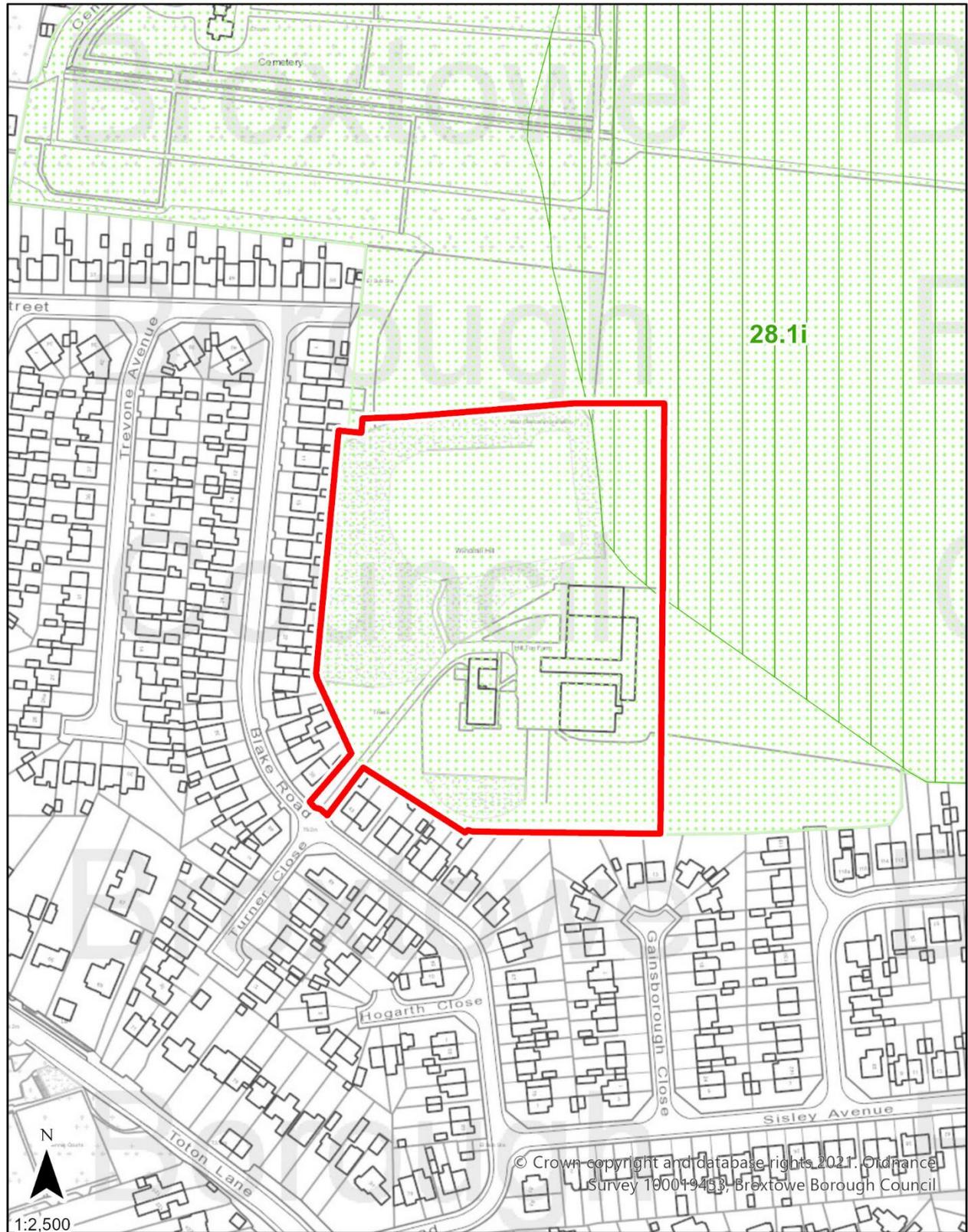
7.1 The benefits of the proposal are that the enclosures provide security for both the application site and the neighbouring properties and enhances highway safety by providing an off street waiting area.

7.2 The negative impacts are that the proposal is inappropriate development in the Green Belt, and development within a Green Infrastructure Asset. However, on balance it is considered that the very special circumstances demonstrated outweigh the harm to the Green Belt and that the design and siting of the perimeter fencing does not have a significant impact on Windmill Hill, a Prominent Area for Special Protection.

8 Conclusion

8.1 Due to the nature of the proposal it is not considered that the proposal would have a significant detrimental impact upon the character or openness of the Green Belt, the Prominent Area for Special Protection, residential amenity or highway safety. There are no other issues which need to be considered as part of this application. It is recommended that the application be approved subject to conditions.

<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 carried out in accordance with the site location plan and drawings numbered 21022.01, 21022.02, 21022.03, 21022.04 and 21022.05 received by the Local Planning Authority on 18.06.21. <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.



Legend

- Site Outline
- Green Belt
- Town or District Centre
- Local Green Space (Prominent Areas for Special Protection)

Photographs



Access from Blake Road. New gate can be seen to the rear, with existing gate to the foreground. The retaining wall is to be built to the left side



New gate, showing area to the left for pedestrian gate



Fencing as installed to the rear of houses on Blake Road, looking south



Fencing to east boundary, adjacent to the fields

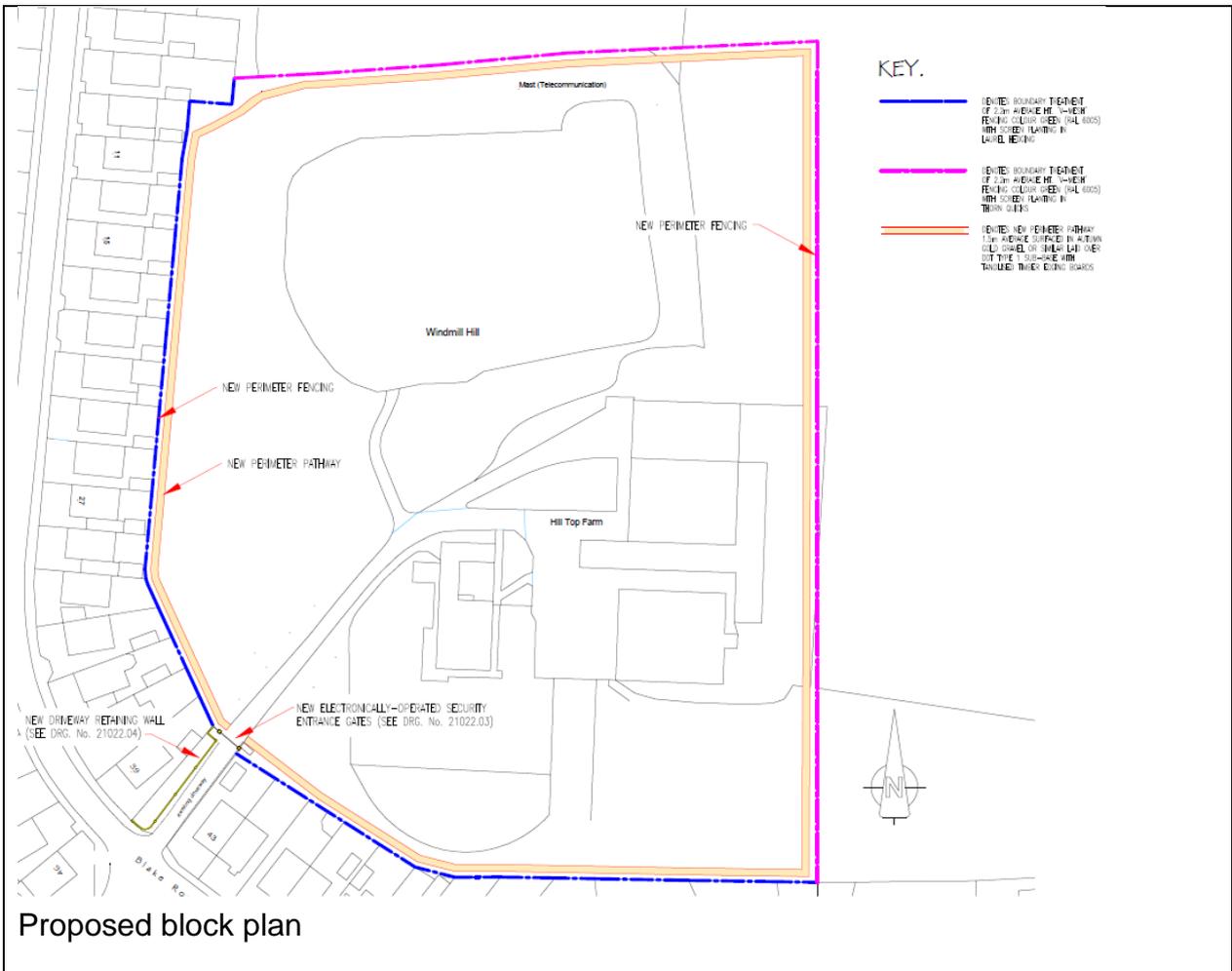


Fencing to fields east of the agricultural buildings

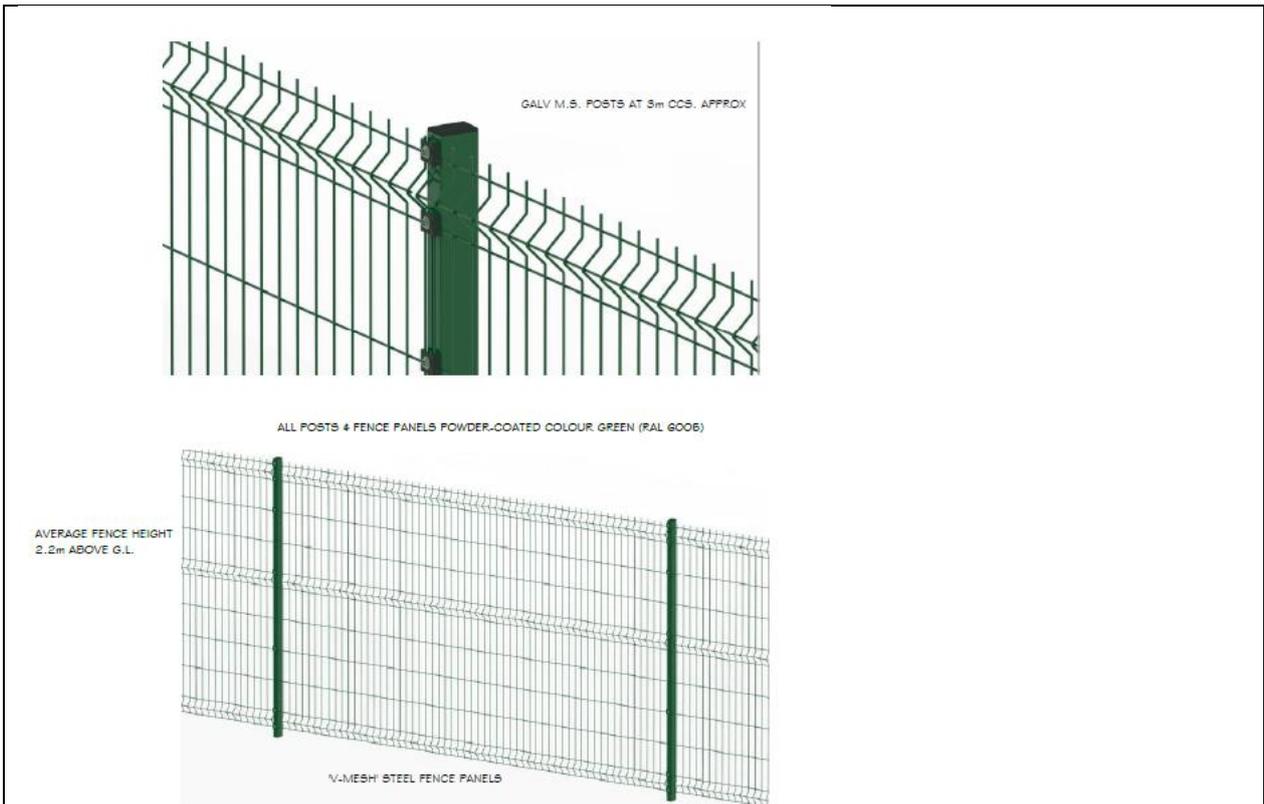


Aerial view of the site, courtesy Google

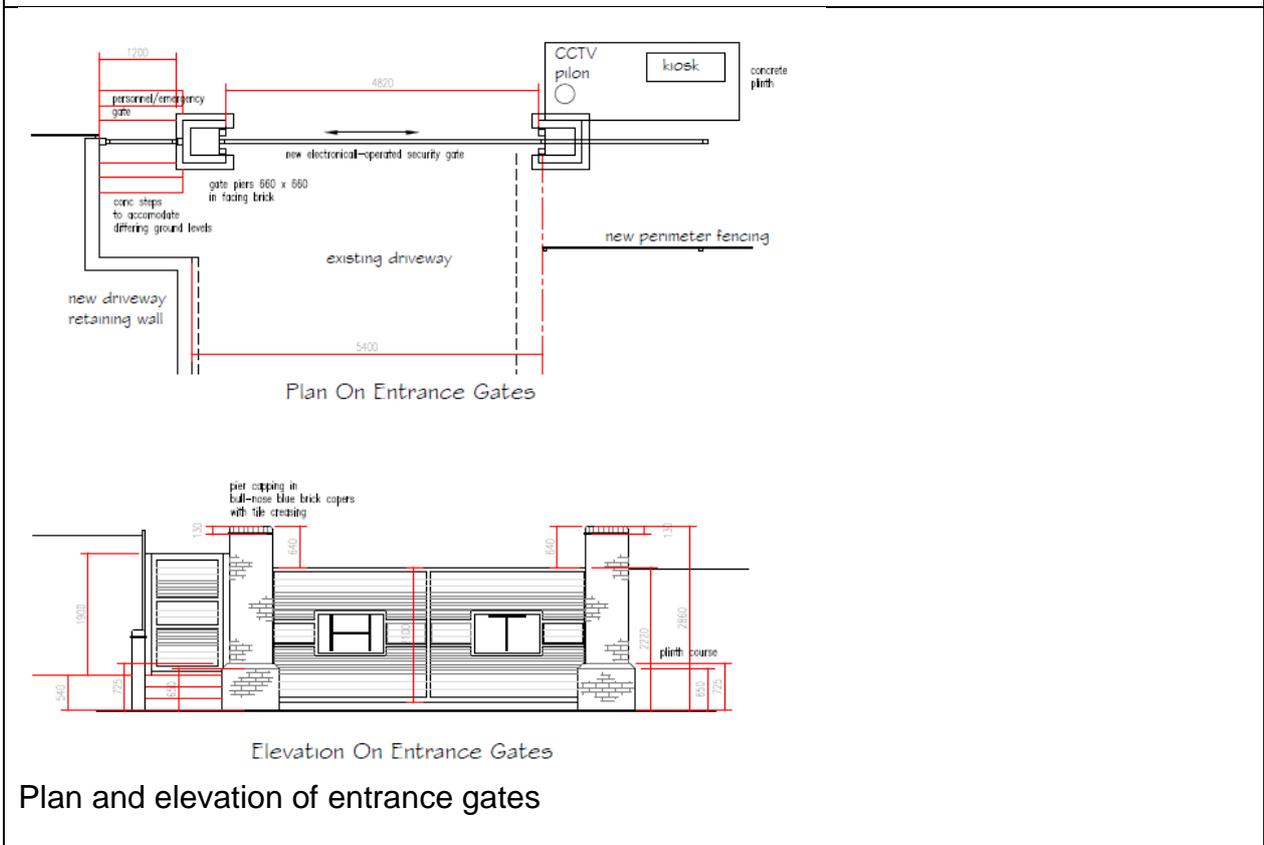
Plans (not to scale)



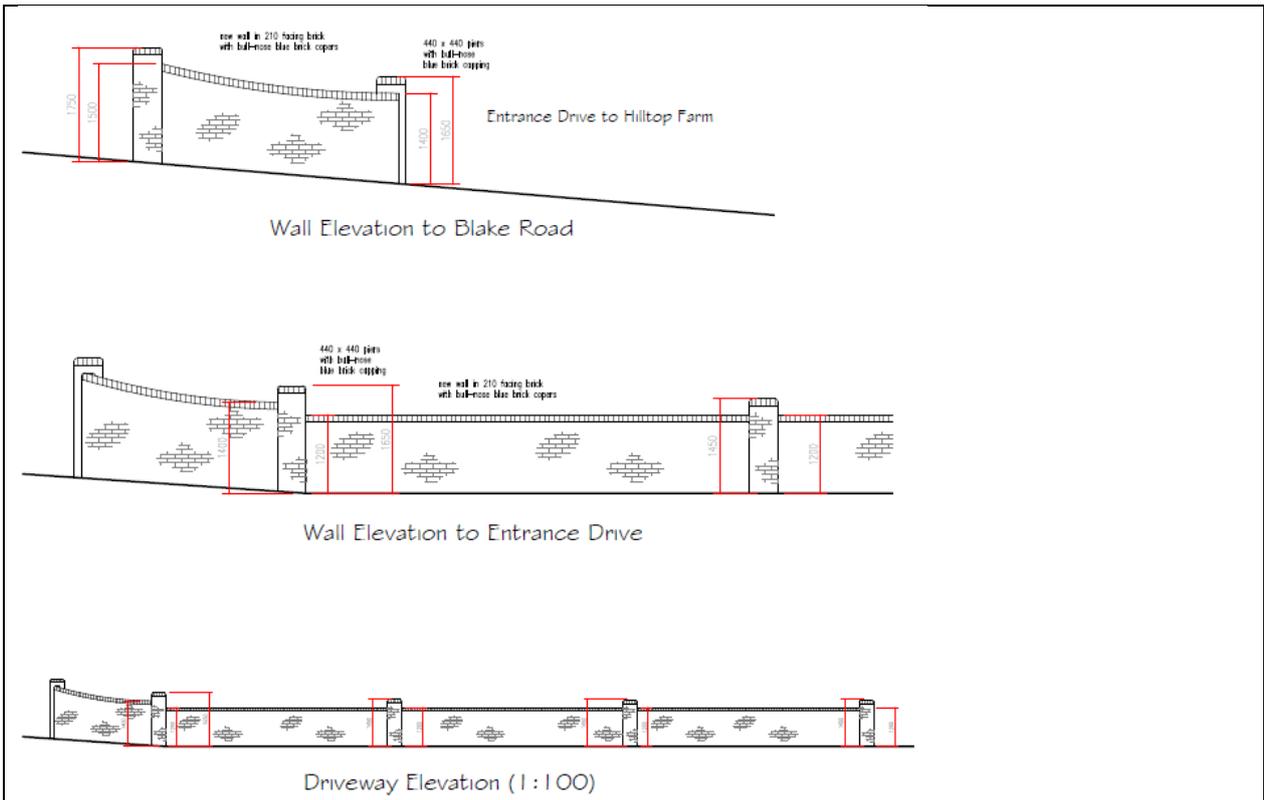
Proposed block plan



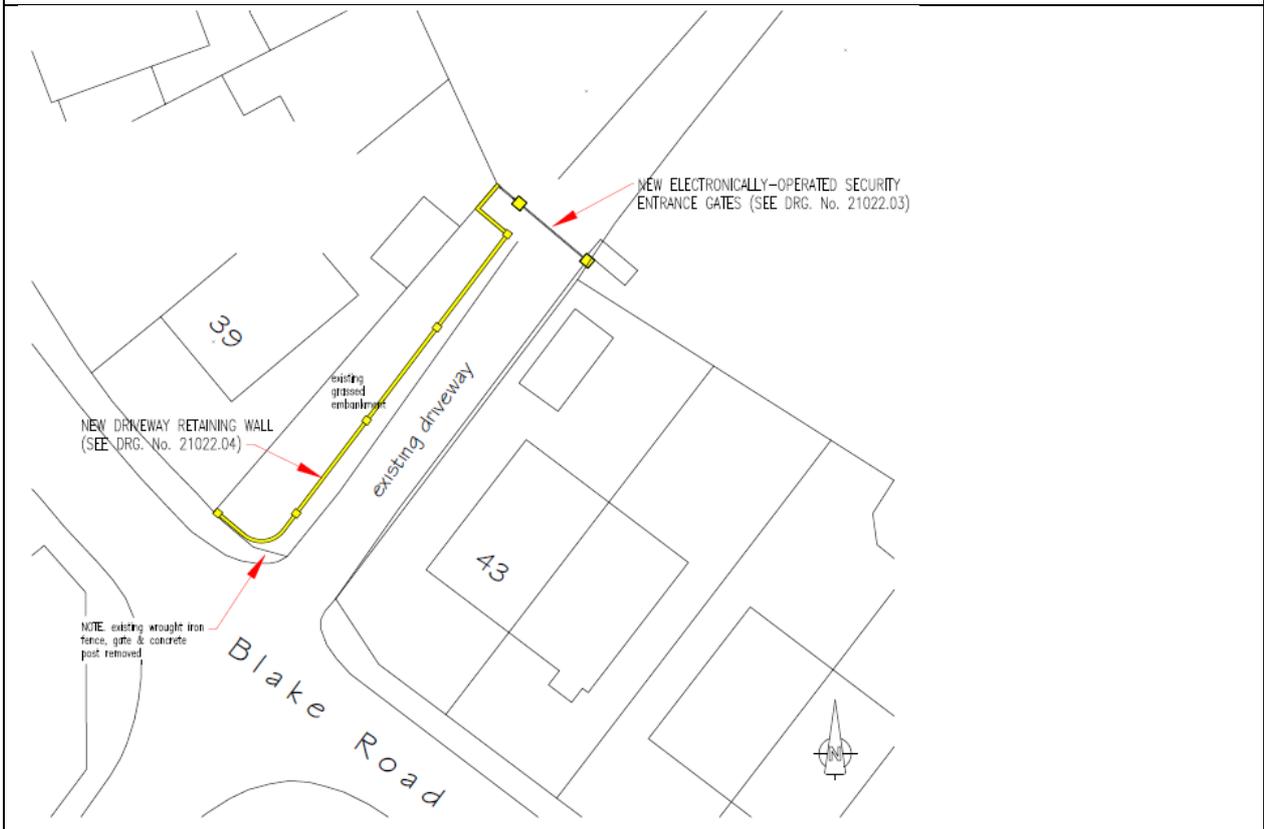
Example of style of perimeter fencing as installed



Plan and elevation of entrance gates



Details of retaining wall



Plan showing position of retaining wall and entrance gates

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	19/00465/FUL
LOCATION:	Bramcote Ridge Open Space Sandgate Beeston (aka Land of Edenbridge Court NG8 2RS)
PROPOSAL:	Erection of 11 dwellings and provision of infrastructure works to facilitate the creation of a community park

APPEAL DISMISSED

The application sought to construct 11 dwellings (two in Broxtowe, off Sandy Lane, and nine to the south of Edenbridge Court, within Nottingham City) and to provide infrastructure works to facilitate the creation of a community park. The application was refused planning permission as recommended by the case officer following its presentation at planning committee and the decision notice issued on 24 July 2020, for the reason below:

“The proposed housing development, by virtue of the built development and the loss of habitats, would result in an unacceptable harm to the Green Infrastructure Asset and would result in a net loss to biodiversity. No benefits which clearly outweigh this harm have been demonstrated. Accordingly, the development is contrary to the aims of Policies 28 and 31 of the Broxtowe Part 2 Local Plan (2019), Policy 16 of the Broxtowe Aligned Core Strategy (2014) and Section 15 of the National Planning Policy Framework (NPPF) 2019.”

The site also encompassed land within the boundary of Nottingham City Council, who also resolved, at their planning committee, to refuse planning permission on three grounds which were: impact on Open Space Network; impact on biodiversity; and impact on townscape / neighbour amenity.

The Planning Inspectorate considered both appeals in one at a joint Planning Inquiry which was held in early June.

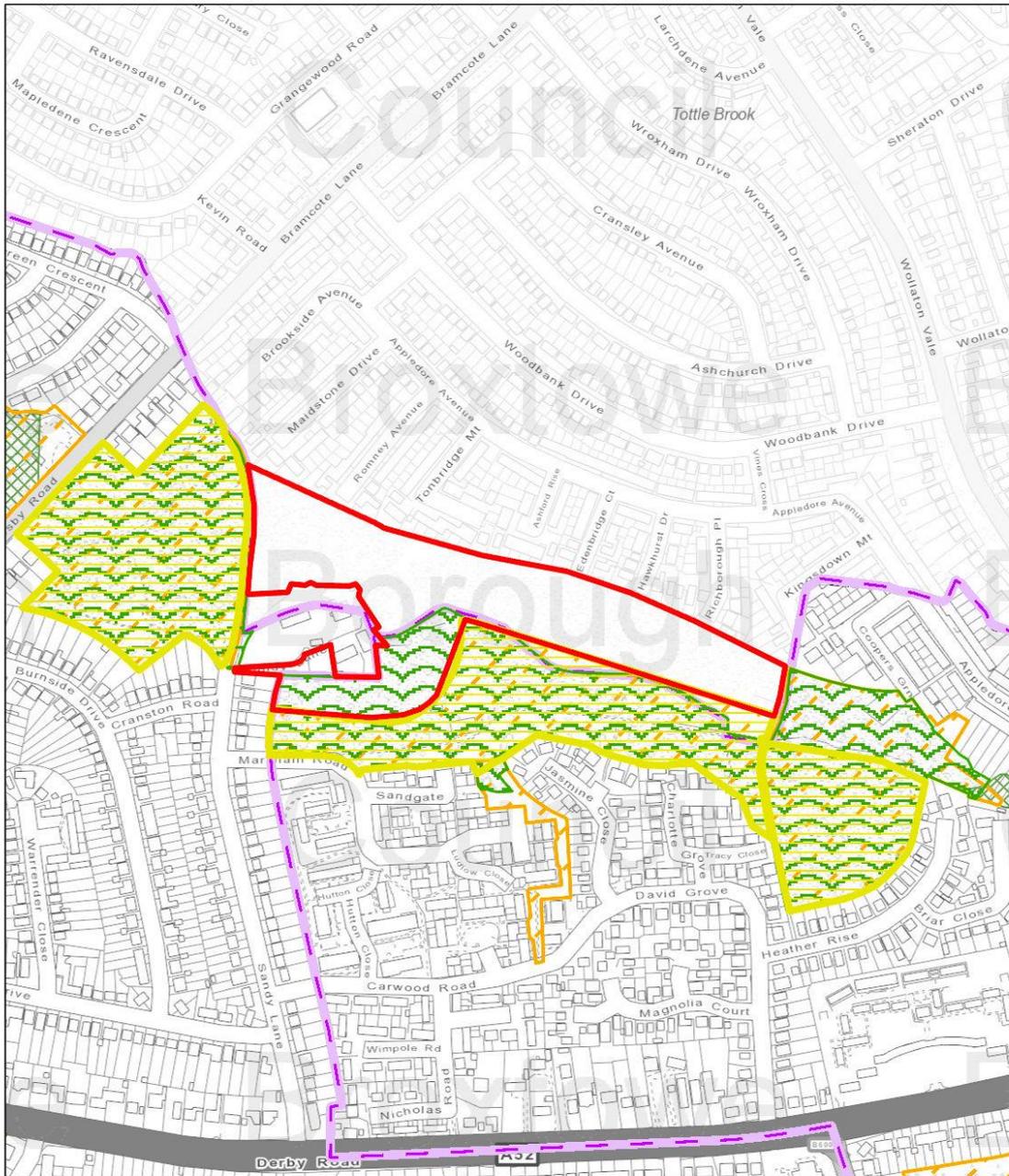
The Inspector issued a decision letter which applied to both planning applications (BBC and NCC). The Inspector considered the main issues to be i) character and appearance of the area; ii) living conditions of the occupiers of existing nearby dwellings in respect of outlook, light and community cohesion and whether the living conditions of future residents would be acceptable in respect of safety, pedestrian access and waste collection; iii) nature conservation (local wildlife sites, habitats and biodiversity) and iv) Green Infrastructure Asset and Open Space Network.

The Inspector summarised that the houses on the ridge would be intrusive in the street scene and both areas of housing would encroach into the wooded area which would diminish the visual quality of the local natural landscape at the edge of the built up area, severely harming the character and appearance of the area; the dwellings to the north of the ridge (within NCC boundary) would appear as dominant features and would result in a poor outlook from both gardens and habitable room windows of many of the existing dwellings backing on to them; the proposed

development of housing to the north would fail to provide an acceptable level of living conditions for future residents (due to presence of trees surrounding the plots (impact on light and outlook), lack of natural surveillance of spaces between and inconvenient provision of waste collection); the proposal would pose a threat to nature conservation, the local wildlife site ecology and biodiversity; and that the benefits of the scheme fail to outweigh the quantitative loss of the open space.

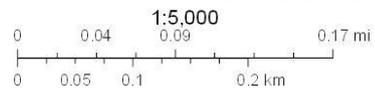
The Inspector concluded that whilst there would be some benefits of the scheme, including the removal of Japanese Knotweed on the site, she did not consider that the proposed housing could justify the enabling of any or all of these benefits due to the overall harm that would arise. The balance of harm against the benefits is stark and the harm found to living conditions alone outweighs the benefits even without adding the other harms identified in the report. All other material considerations have been considered, including the letters of support from interested parties, but none outweigh the conclusion the inspector has reached. As such, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Bramcote Ridge, Sandgate, Bramcote, Notts



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- | | |
|---|---|
|  Group TPO |  Open Spaces |
|  Local Nature Reserves |  Site |
|  Local Wildlife Site |  Borough Wards |



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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
12 JULY 2021 TO 6 AUGUST 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 and Mrs Anderson	21/00257/FUL
Site Address	:	16 Milton Crescent Attenborough Nottinghamshire NG9 6BE	
Proposal	:	Construct side extensions, front porch and single storey rear extension and external alterations including render (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Adrian and Joanna Jones	21/00294/FUL
Site Address	:	2 Adenburgh Drive Attenborough Nottinghamshire NG9 6AZ	
Proposal	:	Construct extensions to existing dwelling, replacement and redesign of existing windows and doors, recladding of garage front elevation.	
Decision	:	Conditional Permission	
Applicant	:	Fuzi Bradshaw	21/00303/FUL
Site Address	:	23 Meadow Lane Chilwell Nottinghamshire NG9 5AA	
Proposal	:	Construct two and single storey rear and side extension and single storey front extension	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Fox	21/00311/FUL
Site Address	:	1 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	Construct single/ two storey side and single storey rear extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs D Fordham	21/00346/FUL
Site Address	:	9 Bye Pass Road Chilwell Nottinghamshire NG9 5BN	
Proposal	:	Construct single storey front, rear and side extensions and dropped kerb extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Moore	21/00351/FUL
Site Address	:	32 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	Retain two storey side/rear and single storey front and rear extensions and render finish to existing elevations. Retain roof lantern and changes to side and front windows (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Walton-Waite	21/00373/FUL
Site Address	:	15 Clumber Avenue Chilwell Nottinghamshire NG9 4BH	
Proposal	:	Construct two/single storey side extension and single storey rear extension following demolition of garage, hip to gable roof extension including loft conversion and rear dormer, render/timber cladding, solar panels, rear patio/decking, fencing and balustrade	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs P Cockerton	21/00389/FUL
Site Address	:	14 Reigate Drive Attenborough Nottinghamshire NG9 6AX	
Proposal	:	Construct single storey front extension and alterations to front elevation including lean-to roof	
Decision	:	Conditional Permission	

Applicant	:	Mr Adam White	21/00424/FUL
Site Address	:	51 Gwenbrook Avenue Chilwell Nottinghamshire NG9 4BA	
Proposal	:	Construct single storey rear and side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr S Milodowski	21/00520/PNH
Site Address	:	39 Hall Drive Chilwell Nottinghamshire NG9 5BX	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.70 metres, with a maximum height of 3.573 metres, and an eaves height of 2.20 metres	
Decision	:	PNH Approval Not Required	
Applicant	:	Mr P Kerrigan	21/00541/PNH
Site Address	:	6 Brookland Drive Chilwell Nottinghamshire NG9 4BD	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.8 metres, with a maximum height of 3.71 metres, and an eaves height of 2.71 metres	
Decision	:	PNH Approval Not Required	
AWSWORTH, COSSALL & TROWELL WARD			
Applicant	:	Mr Mohammed Khaliq Langridge Homes Ltd	20/00873/MMA
Site Address	:	Gin Close Way Awsworth Lane Awsworth Nottinghamshire	
Proposal	:	Minor Material Amendment to planning permission 87/00562/FUL (construct 71 houses) to reduce number of dwellings to 65, revisions to road layout, revisions to house types and inclusion of attenuation tank	
Decision	:	Conditional Permission	
Applicant	:	Lisa Chapman	21/00285/FUL
Site Address	:	19 Smithfield Avenue Trowell Nottinghamshire NG9 3PD	
Proposal	:	Construct single storey rear extension including alterations to the existing kitchen roof	
Decision	:	Conditional Permission	
BEESTON CENTRAL WARD			
Applicant	:	C/O Mr David Brown Star Pubs & Bars	20/00907/FUL
Site Address	:	White Lion 24 Middle Street Beeston NG9 1FX	
Proposal	:	Construct entrance porch, bin store and kitchen extension with extraction fans/ductwork. Installation of bi-fold doors to garden elevation. Erect post and rope fence to corner of Station Road. Install 16 floodlights and 4 lanterns.	
Decision	:	Conditional Permission	
Applicant	:	Mr D So So Ngai Properties Ltd	21/00405/PNH
Site Address	:	75 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 4.00 metres, and an eaves height of 3.00 metres	
Decision	:	PNH Approval Not Required	
Applicant	:	Mr F Playe	21/00425/P3JAPA
Site Address	:	158 Station Road Beeston Nottinghamshire NG9 2AY	
Proposal	:	Prior approval for change of use from shop to office	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr J Roberts LDR Holdings Ltd	21/00479/PNH
Site Address	:	55 King Street Beeston Nottinghamshire NG9 2DL	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling between 3.3 metres and 6.0 metres, with a maximum height of 3.00 metres, and an eaves height of 2.90 metres	
Decision	:	PNH Approval Not Required	

Applicant : Mr C Burton 21/00584/PNH
Site Address : 41 King Street Beeston Nottinghamshire NG9 2DL
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 : **PNH Approval Granted**

BEESTON NORTH WARD

Applicant : Mr & Mrs J Bridges 21/00381/FUL
Site Address : 8 Windrush Close Beeston Nottinghamshire NG9 3LN
Proposal : **Construct single storey extensions and first floor extension to create two storey house**
Decision : **Conditional Permission**

Applicant : Mr D Walker Tottlebrook Investments 21/00463/PNH
Site Address : 31 Marlborough Road Beeston Nottinghamshire NG9 2HG
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling between 4 metres and 5.63 metres, with a maximum height of 3.21 metres, and an eaves height of 3.00 metres**
Decision : **PNH Approval Not Required**

Applicant : Mrs Liu 21/00523/PNH
Site Address : 9 Walleth Avenue Beeston Nottinghamshire NG9 2QR
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.2 metres, and an eaves height of 2.6 metres**
Decision : **PNH Approval Not Required**

BEESTON RYLANDS WARD

Applicant : Mr Jeffrey & Simon Gould 21/00103/FUL
Site Address : Land Adjacent To 5 Stornoway Court Alford Close Beeston Nottinghamshire NG9 1QR
Proposal : **Construct dwelling**
Decision : **Conditional Permission**

Applicant : C/O Agent BW Flexible Systems UK Ltd 21/00315/MMA
Site Address : 23 Beeston Business Park Technology Drive Beeston Nottinghamshire NG9 1DA
Proposal : **Minor Material Amendment to 18/00465/FUL (Construct industrial, storage and distribution buildings (use classes B1(c), B2 and B8)) in relation to Unit 23 (unit 11 on the approved drawings) - additional front windows, 4 air conditioning units to the front and relocation of door**
Decision : **Conditional Permission**

Applicant : Mr D Marriott DCM Building and Roofing Ltd 21/00435/FUL
Site Address : 19A South Road Beeston Nottinghamshire NG9 1LY
Proposal : **Construct single storey side and front extensions**
Decision : **Conditional Permission**

BEESTON WEST WARD

Applicant : Mr I Wilding 21/00161/FUL
Site Address : 10 Glebe Street Beeston Nottinghamshire NG9 1BZ
Proposal : **Construct single storey extension to existing detached garage**
Decision : **Conditional Permission**

Applicant : Ms E Carr 21/00293/FUL
Site Address : 24 Fellows Road Beeston Nottinghamshire NG9 1AQ
Proposal : **Convert existing garage to gym / study / shower room including raising roof height**
Decision : **Conditional Permission**

Applicant	:	Mr Simon Flavin	21/00361/FUL
Site Address	:	J And B Autos 6 Grove Avenue Chilwell Nottinghamshire NG9 4ED	
Proposal	:	Sub-division and partial change of use of car repair centre (Class B2) to 5 units comprising of Class B8 (2 units) and Class B2 (3 units) including external alterations	
Decision	:	Conditional Permission	
Applicant	:	Paul & Cecile Simpson	21/00367/FUL
Site Address	:	85 Bramcote Drive West Beeston Nottinghamshire NG9 1DU	
Proposal	:	Construct extensions to create two storey house, rear dormers, single storey rear extension with canopy roof, external alterations and patio	
Decision	:	Conditional Permission	
Applicant	:	Mr Kieran Murphy	21/00409/FUL
Site Address	:	119 Park Road North Chilwell Nottinghamshire NG9 4DF	
Proposal	:	Construct single storey rear extension and relocation and reconfiguration of rear window	
Decision	:	Conditional Permission	
Applicant	:	Mr M Ali	21/00422/FUL
Site Address	:	35 Dale Lane Chilwell Nottinghamshire NG9 4EA	
Proposal	:	Construct two storey side and rear extension, single storey front and rear extension with rear balcony	
Decision	:		
BRAMCOTE WARD			
Applicant	:	Mr and Mrs Rhodes	21/00164/FUL
Site Address	:	92 Thoresby Road Bramcote Nottinghamshire NG9 3EP	
Proposal	:	Construct extensions including creation of first floor and front balcony	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs C Scott	21/00256/FUL
Site Address	:	35 Burnside Drive Bramcote Nottinghamshire NG9 3EE	
Proposal	:	Construct single storey side and rear extensions and decking	
Decision	:	Conditional Permission	
Applicant	:	Ms M Curtis	21/00267/FUL
Site Address	:	31 Bankfield Drive Bramcote Nottinghamshire NG9 3EH	
Proposal	:	Construct single/two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Alex & Ella Reeder	21/00284/FUL
Site Address	:	88 Burnside Drive Bramcote Nottinghamshire NG9 3EF	
Proposal	:	Construct single/two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Hallewell	21/00330/FUL
Site Address	:	25A Seven Oaks Crescent Bramcote Nottinghamshire NG9 3FW	
Proposal	:	Construct single storey rear, side and front extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Michael Lockwood	21/00394/CLUP
Site Address	:	81 Valmont Road Bramcote NG9 3JD	
Proposal	:	Remove existing garage and construct single storey side extension to create attached garage and single storey rear extension	
Decision	:	Approval - CLU	
Applicant	:	MR PETER HEADLAND	21/00418/FUL
Site Address	:	8 Holly Court Bramcote Nottinghamshire NG9 3DZ	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

Applicant : Mr Martin Christian 21/00423/LBC
Site Address : The Gables 101 Town Street Bramcote Nottinghamshire NG9 3DP
Proposal : **Install an external charging point for an electric car**
Decision : **Conditional Permission**

Applicant : Mrs B Payne 21/00486/FUL
Site Address : 9 Ranmore Close Bramcote Nottinghamshire NG9 3FR
Proposal : **Change flat roof on porch and garage to a pitched roof**
Decision : **Conditional Permission**

BRINSLEY WARD

Applicant : Mr & Mrs W Pynegar 21/00020/FUL
Site Address : 80 Cordy Lane Brinsley Nottinghamshire NG16 5BZ
Proposal : **Construct detached garage/workshop with first floor storage.**
Decision : **Withdrawn**

Applicant : Mrs Kirsten Owen 21/00359/FUL
Site Address : 1 Clumber Avenue Brinsley Nottinghamshire NG16 5BT
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mrs Berry 21/00464/FUL
Site Address : Gin Farm Hall Lane Brinsley NG16 5BJ
Proposal : **Construct barn to support the existing equestrian enterprise**
Decision : **Conditional Permission**

CHILWELL WEST WARD

Applicant : MS & MR BULL & RYDER 21/00408/FUL
Site Address : 126 Sunnyside Road Chilwell Nottinghamshire NG9 4FR
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr And Mrs P Grace Amber Windows 21/00501/PNH
Site Address : 32 Valley Road Chilwell Nottinghamshire NG9 4GL
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 3.0 metres, and an eaves height of 2.01 metres**
Decision : **PNH Approval Not Required**

Applicant : Mr L Meredith 21/00563/PNH
Site Address : 32 Chetwynd Road Chilwell Nottinghamshire NG9 5GD
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.55 metres, with a maximum height of 3.00 metres, and an eaves height of 3.00 metres**
Decision : **PNH Approval Not Required**

EASTWOOD HALL WARD

Applicant : Emma Palfreyman 21/00427/FUL
Site Address : 119 Greenhills Road Eastwood Nottinghamshire NG16 3FT
Proposal : **Construct two storey side and single storey rear extension (revised scheme)**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Higginbottom 21/00084/FUL
Site Address : 188 Newthorpe Common Newthorpe Nottinghamshire NG16 2EN
Proposal : **Construct detached double garage, wall, fence, double gates to the driveway and a pedestrian gate**
Decision : **Conditional Permission**

EASTWOOD ST MARY'S WARD

Applicant : Mr & Mrs Alldread 21/00331/FUL
Site Address : 78 Old Derby Road Eastwood Nottinghamshire NG16 3SF
Proposal : **Construct detached garage with annexe above**
Decision : **Conditional Permission**

GREASLEY WARD

Applicant : Mrs A Granger 21/00028/P3MPA
Site Address : The Byre Willey Wood Court Willey Lane Newthorpe Nottinghamshire NG16 3QW
Proposal : **Prior Notification under Class R - change of use from agricultural buildings to flexible commercial use**
Decision : **PNH Approval Granted**

Applicant : Mr J Warren 21/00406/LBC
Site Address : The Coach And Gate House Beauvale House Moorgreen Newthorpe Nottinghamshire NG16 3QY
Proposal : **Retain 2 gates**
Decision : **Withdrawn**

Applicant : Mr & Mrs Haskard 21/00433/CLUP
Site Address : 25 Moorgreen Newthorpe Nottinghamshire NG16 2FD
Proposal : **Certificate of Lawfulness for proposed extension to existing garage and convert into habitable space**
Decision : **Withdrawn**

Applicant : Mr Lawman DFS Furniture Limited 21/00482/ADV
Site Address : Unit 7 And 8 Giltbrook Retail Park Ikea Way Giltbrook Nottinghamshire NG16 2RP
Proposal : **Display 2 illuminated and 6 non-illuminated signs**
Decision : **Conditional Permission**

Applicant : Mr Robertson And Ms Cullen 21/00498/PNH
Site Address : 20 Wheeler Avenue Eastwood Nottinghamshire NG16 2AN
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 7.00 metres, with a maximum height of 3.9 metres, and an eaves height of 3.00 metres**
Decision : **PNH Approval Not Required**

KIMBERLEY WARD

Applicant : Jeff Dickman JRD Design & Build Ltd. 21/00207/FUL
Site Address : 5 Eastwood Road Kimberley Nottinghamshire NG16 2HX
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Rudolph Howell 21/00246/FUL
Site Address : Boots Pharmacy 45B Greens Lane Kimberley Nottinghamshire NG16 2PB
Proposal : **Change of use from retail shop to restaurant/hot food takeaway**
Decision : **Withdrawn**

Applicant : Mr S Midgley Fairgrove Developments Limited 21/00325/ROC
Site Address : Site Of Kimberley Brewery Hardy Street Kimberley Nottinghamshire
Proposal : **Variation of condition 1 of reference 20/00515/ROC to remove reference to the following drawings 9_Harw_P_01a_Harwood black brick_03-01-19.pdf PL/00/13 Rev F (6.1.21) and replace with PL/00/33 Rev A 59_Roxh_P_01a_Roxham black brick_03-01-19.pdf**
Decision : **Conditional Permission**

Applicant : Mr Gareth Storr 21/00355/FUL
Site Address : 4 Moray Court Kimberley Nottinghamshire NG16 2TL
Proposal : **Construct first floor front extension**
Decision : **Conditional Permission**

Applicant	:	Vincent Square	21/00387/FUL
Site Address	:	11 Norman Street Kimberley Nottinghamshire NG16 2LA	
Proposal	:	Construct two storey and single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr S Midgley Fairgrove Developments Limited	21/00426/ROC
Site Address	:	Site Of Kimberley Brewery Hardy Street Kimberley Nottinghamshire	
Proposal	:	Removal of Condition 18 of reference 17/00118/ROC (... no building works (including demolition) or site clearance (including felling of trees) shall commence until The City Council Nottingham Express Transit (NET) office has been consulted...)	
Decision	:	Conditional Permission	
Applicant	:	Penny Ward	21/00497/FUL
Site Address	:	3 Chapter Drive Kimberley Nottinghamshire NG16 2QD	
Proposal	:	Construct two storey side and rear extension	
Decision	:	Conditional Permission	
NUTHALL EAST & STRELLEY WARD			
Applicant	:	Mr Johal	21/00104/FUL
Site Address	:	24 Mornington Crescent Nuthall Nottinghamshire NG16 1QE	
Proposal	:	Convert existing garage into habitable room, external alterations and construction of first-floor side extension.	
Decision	:	Conditional Permission	
STAPLEFORD SOUTH EAST WARD			
Applicant	:	Mrs Pam Lomas	20/00817/LBC
Site Address	:	120 Nottingham Road Stapleford Nottinghamshire NG9 8AR	
Proposal	:	Replacement windows	
Decision	:	Conditional Permission	
Applicant	:	Ms Caroline Shutter	21/00339/FUL
Site Address	:	38 Valmont Road Bramcote Nottinghamshire NG9 3JB	
Proposal	:	Construct two storey and single storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs J Shaw	21/00465/FUL
Site Address	:	2 Westerlands Stapleford Nottinghamshire NG9 7JG	
Proposal	:	Construct single storey rear extension, convert existing garage to bedroom and replace flat roof with gable roof	
Decision	:	Conditional Permission	
STAPLEFORD SOUTH WEST WARD			
Applicant	:	Sam Sherwin	21/00382/FUL
Site Address	:	12 Moorland Avenue Stapleford Nottinghamshire NG9 7FY	
Proposal	:	Construct two/single storey side extension following demolition of garage	
Decision	:	Conditional Permission	
TOTON & CHILWELL MEADOWS WARD			
Applicant	:	Mr Scott Conway	20/00894/FUL
Site Address	:	Land Adjacent 49 Portland Road Toton Nottinghamshire NG9 6EW	
Proposal	:	Construct detached dwelling	
Decision	:	Conditional Permission	
Applicant	:	Ms Kathleen Husbands	21/00159/FUL
Site Address	:	35 Banbury Avenue Toton Nottinghamshire NG9 6JT	
Proposal	:	Retain clear glazed window to first floor side elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs S Langton	21/00310/FUL
Site Address	:	122 Stapleford Lane Toton Nottinghamshire NG9 6GB	
Proposal	:	Construct front porch and render dwelling	
Decision	:	Conditional Permission	
Applicant	:	Mr M Bullock	21/00322/CLUP
Site Address	:	6 Gowan Close Chilwell Nottinghamshire NG9 6NS	
Proposal	:	Certificate of Lawfulness for proposed hip to gable loft conversion with two rear dormers	
Decision	:	Approval - CLU	
Applicant	:	Mr & Mrs A Durkan	21/00336/FUL
Site Address	:	11 Water Orton Close Toton Nottinghamshire NG9 6LQ	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Richardson	21/00338/FUL
Site Address	:	23 Bispham Drive Toton Nottinghamshire NG9 6GH	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Wheeldon	21/00363/FUL
Site Address	:	32 Katherine Drive Toton Nottinghamshire NG9 6JB	
Proposal	:	Construct side and rear extensions with timber cladding to elevations and partial timber cladding to existing property	
Decision	:	Conditional Permission	
Applicant	:	Mr Andrew Oldham	21/00432/FUL
Site Address	:	12 Darley Avenue Toton Nottinghamshire NG9 6JP	
Proposal	:	Construct single storey front extension with balcony above, detached garage to front garden and new access	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Bonella	21/00434/FUL
Site Address	:	29 Leafe Close Chilwell Nottinghamshire NG9 6NR	
Proposal	:	Construct ground floor rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Martin & Chevan Sanders	21/00467/FUL
Site Address	:	20 Lichfield Close Toton Nottinghamshire NG9 6JZ	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
WATNALL & NUTHALL WEST WARD			
Applicant	:	Mr Jordan White	21/00243/FUL
Site Address	:	83 Philip Avenue Nuthall Nottinghamshire NG16 1EB	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr D Nicholson	21/00415/FUL
Site Address	:	20 Sedley Avenue Nuthall Nottinghamshire NG16 1EN	
Proposal	:	Construct single storey rear extension and block paving to the front	
Decision	:	Conditional Permission	

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