



Tuesday, 23 November 2021

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 1 December 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 - 16)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 3 November 2021.

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

www.broxtowe.gov.uk

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 21/00133FUL (Pages 17 - 40)

Construct three storey apartment block of 13 flats and dropped kerb (revised scheme)
Land to the rear of Clayton Court, Queens Road, Nottinghamshire

5.2 21/00364/FUL (Pages 41 - 56)

Construct two flats following demolition of garages
Pair of garages, Cyprus Avenue, Beeston, Nottinghamshire

5.3 21/00525/FUL (Pages 57 - 68)

Change of use of existing dwelling and loft space over to form 4 flats at number 296 with rear dormer and loft space over number 294 Nottingham Road
294 and 296 Nottingham Road, Eastwood, Nottinghamshire, NG18 2AQ

5.4 21/00222/FUL (Pages 69 - 80)

Change of use of land to car/van sales (sui generis), siting of storage containers (not exceeding 70 units) (B8), change of use of land to open storage, change of use of buildings to car repairs and tyre sales, erection of 2 metre high security fencing, extension to existing single storey building and new storage/car repair building (revised scheme)
Land off Gin Close Way, Awsworth, Nottinghamshire, NG16 2TA

5.5 21/00694/FUL (Pages 81 - 90)

Change of use from C3 to C2 to accommodate up to two residents
5 Highbury Close Nuthall Nottinghamshire

5.6 21/0074/FUL (Pages 91 - 100)

Construct single storey rear extension
70 Awsworth Lane, Cossall, Nottinghamshire

- 5.7 21/00688/FUL (Pages 101 - 112)

Retention of Marquee

20 Nottingham Road, Eastwood, Nottinghamshire. NG16
3NQ

6. INFORMATION ITEMS

- 6.1 Delegated Decisions (Pages 113 - 122)

7. EXCLUSION OF PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act.

8. 20/00113/ENF (Pages 123 - 126)

This page is intentionally left blank

PLANNING COMMITTEE

WEDNESDAY, 3 NOVEMBER 2021

Present: Councillor D K Watts, Chair

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

Apologies for absence were received from Councillors R S Robinson and R D Willimott.

32 **DECLARATIONS OF INTEREST**

Councillors J W McGrath, P J Owen, and R I Jackson declared a non pecuniary interest in item 5.1 as they were Nottinghamshire County Councillors and Nottinghamshire County Council was the owner of the land proposed for development. Minute number 35.1 refers.

Councillor J W McGrath also declared a non pecuniary interest in item 5.2 as he had been acquainted with the architect for the project at school. Minute number 35.2 refers.

33 **MINUTES**

The minutes of the meeting on 6 October 2021 were confirmed and signed as a correct record.

34 **NOTIFICATION OF LOBBYING**

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

35 DEVELOPMENT CONTROL

35.1 20/00844/OUT

Outline planning application with all matters reserved to construct up to 110 dwellings with access from Lynncroft

Former site of Lynncroft Primary School, Garden Road, Eastwood NG16 3FZ

The application was brought before Committee because it was a major development.

There were a number of late items considered by the Committee including emails opposing the application because of flooding and comments from the Parks and Green Spaces Manager regarding the use of management companies to maintain the green spaces for the proposed development.

Neil Gamble, on behalf of the applicant, addressed the Committee prior to the general debate.

The Committee debated the proposal, specifically the promise that all homes on the would have off street parking, which some did not, the problems with flooding in the area and the access to the site. It was also noted that this development should be seen as an opportunity to have all homes on Garden Road connected to the mains water.

The Committee went on to discuss the high volume of traffic that would be caused to go along Lynncroft. This was a concern as the road was heavily double parked.

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

1. **Application for the approval of any reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this outline permission.**

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. **This outline permission relates to the Site Location Plan received by the Local Planning Authority on 03.12.20.**

Reason: For the avoidance of doubt.

4. **Before any development is commenced detailed drawings and particulars**

showing the following (the 'Reserved Matters') shall be submitted to and approved by the Local Planning Authority:

- a) the scale, layout and external appearance of the dwellings;
- b) the means of access and parking provision within the site; and
- c) the landscaping treatment of the site.

The development shall be carried out strictly in accordance with the approved details.

Reason: The application was submitted in outline only and to ensure that the details of the development are acceptable to the Local Planning Authority.

5. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

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

6. No part of the development hereby approved shall commence until details of a management and maintenance scheme in respect of any SuDS on site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.

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

7. No part of the development hereby approved shall commence until details of an investigative survey of the site have been submitted to and approved in writing by the Local Planning Authority. The investigative survey must have regard for ground and water contamination, the

potential for gas emissions and any associated risk to the public, buildings and/or the environment. Thereafter, no building pursuant to this permission shall be occupied or otherwise be 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 interests of public health and safety, in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).

8. No part of the development hereby approved shall commence until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include measures to prevent the spread of any invasive species found on the site. The CEMP shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring that the development does not result in harm to the biodiversity value of the site, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).

9. No part of the development hereby approved shall commence until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of ecological enhancements, wildlife boxes, maintenance schedule, bat roost and bird nest boxes, and external lighting.

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

10. No part of the development hereby approved shall commence until cross sections through the site, including the existing dwellings adjacent, have been submitted to and approved in writing by the Local Planning Authority.

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

11. No part of the development, including demolition, hereby approved shall be commenced until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

- a) The parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in the construction of the development
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- e) Wheel washing facilities
- f) Measures to control the emission of dust and dirt during construction
- g) A scheme for recycling/disposal of waste resulting from demolition and construction works
- h) A risk assessment in relation to the railway.

The development shall be carried out in accordance with the approved details.

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

12. No above ground works shall commence until details of Electric Vehicle Charging points including quantity and location have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting the use of sustainable modes of transport in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

13. No dwelling hereby approved shall be occupied until the access road and any communal parking / turning areas pertinent to that dwelling have been completed and made available for use.

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

14. No dwelling hereby approved shall be occupied until the boundary treatments and in curtilage parking pertinent to that dwelling have been provided.

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

15. The detailed drawings and particulars required under condition 4(c) shall include the following details:

- a) trees to be retained and measures for their protection during the course of development;

- b) numbers, types, sizes and positions of proposed trees and shrubs;
- c) proposed boundary treatments;
- d) proposed hard surfacing treatment for all areas including all public Rights of Way;
- e) planting, seeding/turfing of other soft landscape areas; and
- f) details of a management and maintenance scheme including a timetable for implementation of the scheme.

The approved scheme shall be carried out strictly in accordance with the approved details. Soft landscaping 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.

Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

16. The development shall be carried out in accordance with the recommendations contained within the Ecological Impact Assessment dated November 2020, unless otherwise agreed in writing by the Local Planning Authority.

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

17. The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy dated 05.03.21, unless otherwise agreed in writing by the Local Planning Authority.

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

18. The development shall be carried out in accordance with the Travel Plan dated June 2021, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting the use of sustainable modes of transport in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

NOTES TO APPLICANT

1. **The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
2. **Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.**
3. **Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.**

35.2 20/00687/FUL

Construct 22 dwellings

Land south of 50 Pinfold Road, Newthorpe, Nottinghamshire, NG16 2FT

This application was called before Committee by Councillor M Handley.

The Committee considered the late item comprised of an email regarding flooding.

Keith Baker, objecting and Clive Bennetts, objecting, addressed the Committee prior to the general debate.

The Committee gave consideration to all representations and the debate that followed focused on the increase in the existing planning permission for 15 dwelling to 22 in the proposal being too much for the site. There was also concern regarding the impact on neighbour amenity on Baldwin Street as these properties were bungalows.

The debate progressed to the concerns raised by the highway authority regarding the roads on the development not be of a standard to be adopted. There was a discussion about the safety of pedestrians, the installation and maintenance of street lighting and the issues with management companies. There were also concerns about the layout of the proposed development.

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

Refusal wording

The proposal constitutes an over intensive development of the site and by virtue of the close proximity and single storey nature of the dwellings located on Baldwin Street, the proposal would lead to overbearing, overshadowing and overlooking issues upon the immediate neighbouring properties located on Baldwin Street, to the detriment of their residential amenity. Furthermore, due to the internal roads being private, the proposed development would have a detrimental impact upon the residential amenity of future occupiers of the proposed dwelling through future maintenance of the roads.

Reasons

Accordingly, the proposal is contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019), and there are no other material considerations that justify treating this proposal as an exception to these policies.

35.3 21/00052/FUL

Change of use of the existing residential property (Class C3) to a seven bedroomed House in Multiple Occupation
150 Queens Road, Beeston, Nottinghamshire, NG9 2FF

It was requested that this proposal be considered by Planning Committee by Councillor L A Lally.

There were no late items for the Committee to note.

Councillor P Lally, Ward Member addressed the Committee prior to the general debate.

The Committee considered the application with particular reference to neighbour amenity negative impact on the community, increased traffic and impact on car parking.

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

Refusal wording

The change of use would lead to an intensification of the site due to the number of residents occupying the dwelling which would have a detrimental impact on surrounding neighbours, the character of the area and result in parking problems.

Reason

This would be contrary to the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core (2014) and the NPPF (2021).

35.4 21/00591/FUL

Construct single storey rear extension.
98 Church Lane, Cossall, Nottinghamshire, NG16 2RW

The application had been called to Planning Committee by Councillor M Radulovic MBE.

There were no late items and no public speakers.

The Committee considered that the application would not have an impact on the openness or amenity of the Green Belt.

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

Approval wording and conditions

That planning permission be approved, subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the site location, block plan, proposed elevation and floor plan Drw No 21/8BAC/02C received by the Local Planning Authority on 13 August 2021.
3. The extension shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing building.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no further extensions or outbuildings within the curtilage of the dwelling shall be constructed without the prior approval of an application by the local planning authority.

Reasons:

1. 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. For the avoidance of doubt.
3. 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).
4. To prevent any incremental incursion of additional development into the Green Belt, in accordance with the aims of Policy 3 of Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 and Policy 17 of the Broxtowe Draft Part 2 Local Plan (2018).

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.

Display illuminated neon sign.

Side of Explore Learning, 33 - 34 The Square, Beeston, Nottinghamshire, NG9 2JJ

This application was heard by the Planning Committee as the building on which the proposed illuminated neon sign was to be mounted on was owned by the Council.

There were no late items and no public speakers with relation to the application.

The Committee debated the item and it was noted that the permission was with regard to the size and luminance of the sign.

RESOLVED that advertisement consent be granted subject to the following conditions:

1. This grant of consent expires at the period of five years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.

2. The advertisements hereby granted consent shall be displayed solely in accordance with the details and specifications shown on the submitted plans: site location plan received by the Local Planning Authority 31.08.21, proposed elevations No. CW received by the Local Planning Authority 01.09.21.

Reason: To ensure that the display takes the agreed form and the level of advertising is not excessive, in the interests of visual amenity.

3. No advertisement is to be displayed without the permission of the owner of the site and any other person with an interest in the site entitled to grant permission.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.

6. The intensity of illumination of the signs shall not exceed 701 candelas/square metre.

Reason: To ensure that the display does not appear as an unduly prominent feature in the area.

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.

36 INFORMATION ITEMS

36.1 Appeal Decision

20/00856/ADV

Display 1 illuminated 48-sheet digital advertising display, including removal of 4 illuminated 48-sheet signs

Advertising Right Adjacent Horse and Jockey, 20 Nottingham Road, Stapleford

The appeal decision was noted.

36.2 Delegated Decisions

The delegated decisions were noted.

This page is intentionally left blank

Report of the Chief Executive

| | |
|----------------------------|---|
| APPLICATION NUMBER: | 21/00133/FUL |
| LOCATION: | Land to the rear of Clayton Court, Queens Road, Nottinghamshire |
| PROPOSAL: | Construct three storey apartment block of 13 flats and dropped kerb (revised scheme) |

Councillor T A Cullen has requested this application be determined by Planning Committee.

1 Executive Summary

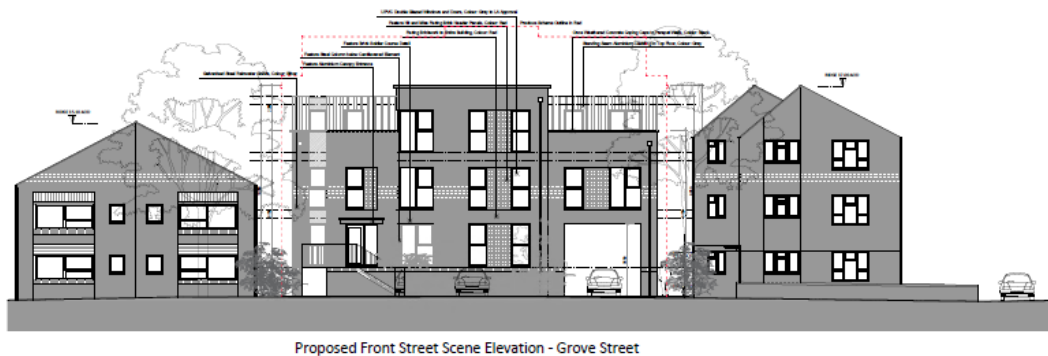
- 1.1 This is a major planning application which seeks permission to construct a three storey, flat roof building comprising 13 apartments and a dropped kerb on Queens Road. The building will comprise eight, two bedroom flats and five, one bedroom flats. The proposal is for self-contained apartments and not for HMO accommodation.
- 1.2 As part of the application a Design and Access Statement, Building for Life Assessment, Drainage Strategy, Flood Risk Assessment, Sequential Test, Transport Statement and Sustainability Statement were submitted.
- 1.3 The main issues relate to whether the proposal of residential accommodation would be acceptable in this location, if there is an acceptable level of design, if there is an acceptable impact on neighbour amenity and amenity afforded to new occupants, 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 would mean 13 additional homes within a sustainable, urban location with access to regular sustainable transport links which would be in accordance with policies contained within the development plan which is given significant weight. Furthermore, the principle of development has been established as being acceptable through the approval of 9 apartments (19/0631/FUL) in July 2020. Whilst this is for a larger scheme and there would be some impact on neighbour amenity and available parking it is considered these matters are outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 Each apartment will have one or two bedrooms, a kitchen/dining/living area and bathrooms/en-suites. A bin store and cycle parking (with space for five bikes) will be positioned to the front of the building next to Grove Street. 15 car parking spaces are proposed (three to the front and 12 to the rear). The proposal is for self-contained apartments and not for HMO accommodation.
- 1.2 The existing Clayton Court flats to the north west of the proposed apartments will be provided with five car parking spaces which will be accessed from Queens Road. The existing wall next to Queens Road will be removed where it encroaches on visibility and the new dropped kerb will be incorporated to allow access. Two new dropped kerbs will be created to serve the proposed scheme from Grove Street.
- 1.3 As this is a revised scheme of 19/00631/FUL, the main changes incorporated into this scheme are as follows:
- Increase in apartments from 9 to 13
 - Introduction of obscurely glazed, non-opening side facing windows
 - Increase in footprint
 - Increase in height of 0.7m (from 10.3m)
 - Steps to the front removed, level access via door
 - Central feature increased in width by 3m (from 5.6m to 8.6m)

Approved under 19/00631/FUL



Proposed under 21/00133/FUL



2 Site and surroundings

- 2.1 The application site is currently occupied by a three storey apartment block consisting of six flats (Clayton Court) located to the north west of the site fronting Queens Road. Part of the land to the south east is currently used as informal parking and vehicular access to the site is from Grove Street. The site is relatively flat and is approximately 60m in length and 20m in width. There is a 2.2m high fence along the boundary with the Co-op supermarket and its car park to the north east and a 1.8m high privet hedge extends across the remaining boundary. A 1.5m high fence extends along the boundary with the cul-de-sac with the Sovereign Court flats, then Sovereign Court flats, then a 0.3m high brick wall. The boundary to the front is open.
- 2.2 The site is enclosed from the north west, north east and south west by three apartment blocks (including the existing Clayton Court flats) which have a mixture of flat and pitched roofs. Each block has between six and 25 flats. A Co-op local supermarket is positioned to the north and its car park adjoins the site. Grove Street is a mix of traditional style houses (semi and detached) and flats. Runnymede Courts are to the north east and Sovereign Courts are to the south west of the site.
- 2.3 The site lies within a predominantly residential area. The site is within walking distance of Beeston town centre (and the tram) and is in close proximity to regular bus services along Queens Road and Beeston train station. The site is located within Flood Zones 2 and 3 which is land with a high probability (1 in 100 or greater) of river flooding.

3 Relevant Planning History

- 3.1 An outline application (all matters reserved) for residential flats (06/00567/OUT) was granted consent in November 2006. A reserved matters application was not submitted and this consent has now expired.
- 3.2 Planning permission (19/00631/FUL) was granted at Planning Committee in July 2020 to construct a three storey apartment block comprising 9 flats and a dropped kerb. This scheme has not been implemented.

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 14: Managing Travel Demand
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

4.2 Part 2 Local Plan 2019

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

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 20: Air Quality
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets
- Policy 26: Travel Plans
- Policy 32: Developer Contributions.

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 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change.

5 Consultations

- 5.1 **Council's Environmental Health Officer:** no objection subject to advisories in respect of working hours and prohibiting burning of waste on site.
- 5.2 **Council's Business and Projects Manager (Environment):** request an open space contribution of £19,527.69.
- 5.3 **Council's Housing Strategy and Development Officer:** seek affordable housing on-site (four affordable, one bedroom rented units) based on 13 apartments.
- 5.4 **Council's Waste and Recycling Officer:** raise no objection and advise on bin requirements.
- 5.5 **Council's Tree Officer:** No trees on site but there is a Silver Birch tree to the front of Runnymede Court which is adjacent to the car park. There could be roots from the tree in this location; however, as it is currently made of concrete, it should have limited spread of the roof system in this direction. The proposal is for a porous tarmac surface to the front of the development, careful excavation of the current surface and installation of the proposed new surface should be advised.
- 5.6 **Nottinghamshire County Council as Highways Authority:** raise no objection. 15 car parking spaces to serve 13 apartments is acceptable. Advise conditions in relation to: ensuring dropped vehicular footways are made available on Grove Street and Queens Road; ensuring visibility splays are kept free from obstructions; driveways, turning and parking areas are surfaced in a hard, bound material for at least 5.5m behind the highway, constructed to prevent unregulated discharge of surface water onto the highway and are clearly delineated; parking and turning

areas are not to be used for anything other than parking, turning and loading/unloading of vehicles and the development shall not be brought into use until the bin and cycle stores are available for use. Advise contacting the County Council in regards to works taking place over a public highway.

- 5.7 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** no objection subject to a pre-commencement condition requesting a detailed surface water drainage scheme subject to specific criteria.
- 5.8 **Nottinghamshire County Council Planning Policy:** no request for financial contributions.
- 5.9 **Environment Agency:** no objection subject to the finished floor levels being set no lower than 28.15m AOD metres above Ordnance Datum (AOD) and the flood resilience and resistant measures are implemented.
- 5.10 **NHS Nottingham City Clinical Commissioning Group (CCG):** no request for financial contributions.
- 5.11 **NET:** no operational or safety concerns to raise.
- 5.12 50 neighbours were consulted on the application, 17 objections were received and 1 observation. A site notice and amended site notice were displayed. The comments are summarised as follows:
- Proposed flats are too small
 - Sense of enclosure
 - Excessive pressure on surrounding residents
 - Increase in noise, disturbance and pollution
 - Block daylight and sunlight
 - Overlooking
 - Excessive size, massing and scale in relation to surrounding buildings
 - No attempt to make side top elements visually recede
 - Oppressive block structure with flat roof
 - Out of character with area and Victorian houses
 - No other properties with a flat roof
 - Lacks inspiration from surrounding buildings which is a requirement of 'Building For Life'
 - All other properties have pitched roofs
 - Concerns with traffic and access
 - Inadequate parking
 - Plans suggest a removal van would be unable to access car park
 - Highway safety concerns including Grove Street junction, cyclists, visibility and poor road quality surface
 - Grove Street is a cut-through
 - Need local parking permits
 - Yellow lines should be incorporated onto Grove Street
 - Too many flats
 - Too many similar developments in area
 - Site not identified in local plan that could accommodate 10 or more dwellings

- Imposing
- Too large for plot and too close to properties on Grove Street
- No green space incorporated
- Increase in flooding
- Inadequate wheelie bin storage
- Previous application was reduced from 16 apartments to 9.

6 Assessment

6.1 The main issues are considered to be the principle of the proposed development, if the development is acceptable in flood risk terms, the design and layout, parking, the relationship to neighbouring properties and if future occupants have an acceptable standard of amenity.

6.2 **Principle**

6.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (2014) encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the area. Grove Street is characterised by varying styles and sizes of properties including traditional Victorian style houses and more modern apartment blocks that range from two to three storeys in height. The existing Clayton Court flats are three storeys with a flat roof. It is considered the development would add to the housing mix and it is considered that the character of the area would not be significantly harmed.

6.2.2 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt. There is also a need to boost housing supply which sites such as this can help deliver. The provision of 13 apartments on this brownfield site is considered to be a benefit in terms of contributing to the provision of homes in the borough, especially given its proximity to Beeston town centre where a tram stop is located, the train station and regular bus routes.

6.2.3 In addition to the above, the site received outline planning permission to construct residential flats (06/00567/OUT) and whilst it is acknowledged this consent has expired and is some time ago, it still establishes that the principle of flats on this land is considered to be acceptable. Furthermore, the application has received permission to construct 9 apartments in a similar scheme (19/00631/FUL) in July 2020 which is given significant weight.

6.2.4 It is considered the principle of dropped kerbs on Queens Road to provide access to parking would be acceptable in order to retain separate parking for the existing Clayton Court flats.

6.2.5 Whilst it is acknowledged this is an increase in four apartments and there will be some impact on amenity and parking, it is considered this is outweighed by the proposal of residential units which make an efficient use of the land. Whether there is sufficient space for 13 apartments and the impact a development of this size will have on neighbouring properties will be discussed below.

6.2.6 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will also provide an additional 13 residential units within an existing settlement in a highly sustainable location, close to Beeston town centre and public transport links. It is considered the proposed apartments will not have an adverse effect on neighbour amenity and the design, massing, scale and appearance are considered to be acceptable. The principle of the development is therefore considered to be acceptable.

6.3 Flood Risk and Drainage

6.3.1 The site lies within Flood Zone 3 which is land with a high probability (1 in 100 or greater) of river flooding. A Flood Risk Assessment, Sequential Test and Exception Test have been submitted with the application. Section 14 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. All plans should apply a sequential, risk-based approach to the location of development in order to steer new development to areas with the lowest risk of flooding.

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's 2 and 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. The Sequential Test has also been submitted with the application which concludes that there are no alternative sites available within areas located in zones with a lower probability of flooding.

6.3.4 A Flood Risk Assessment has been submitted which confirms that the proposed ground floor level of the building will remain be 28.15m AOD (Above Ordnance Datum).

6.3.5 The Environment Agency (EA) has raised no objection to the proposal and has requested conditions are included to ensure that's floor levels are set no lower than 28.15m AOD and that flood resistance and resilience measures are incorporated. Some of these measures include, avoiding structural timber at ground floor level, avoiding cavities, using low water absorption materials for bricks and blocks and electrical metering, switches, socket outlets, junction boxes are kept 300mm above the ground floor level.

6.3.6 The Lead Local Flood Authority did not raise any objection but have requested a precommencement condition in respect of providing a drainage strategy.

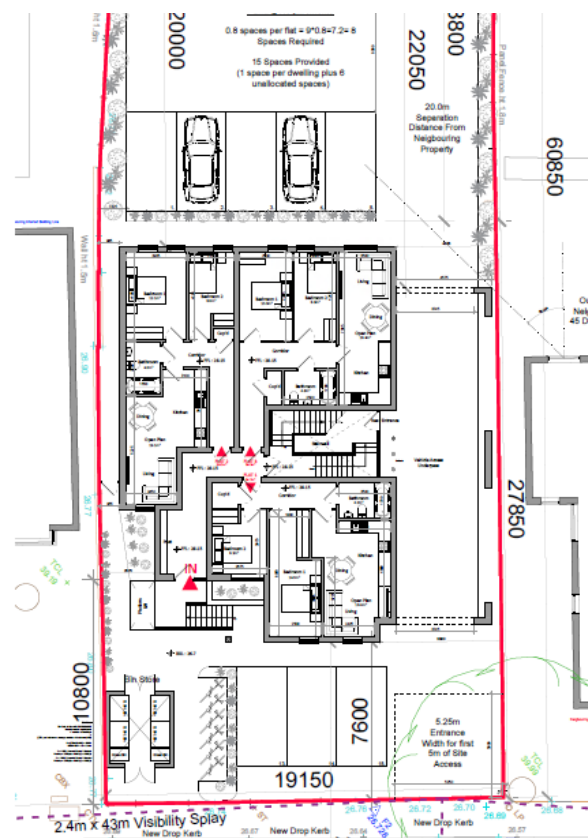
6.3.7 To conclude, within Beeston there are substantial areas which are within Flood Zone 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. A failure to permit residential development on sites such as this which are protected by good quality flood defences, and have 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. Subject to a suitable condition as detailed above, it is considered that the development would be compliant with the requirements of the NPPF in relation to flood risk.

6.4 Design

6.4.1 Whilst it is acknowledged the scheme has increased in footprint and height, it is still considered it represents an acceptable level of design and massing that it will not be out of keeping with the surrounding area. The below site plans show the comparison of the two plots and whilst it is noted that the front projects further towards the pavement in the proposed scheme, this will still be 6.6m back from the pavement and not project beyond Runnymede Court flats. The building will largely stay the same width and will be marginally extended to the rear. The height will increase from 10.3m to 11m.



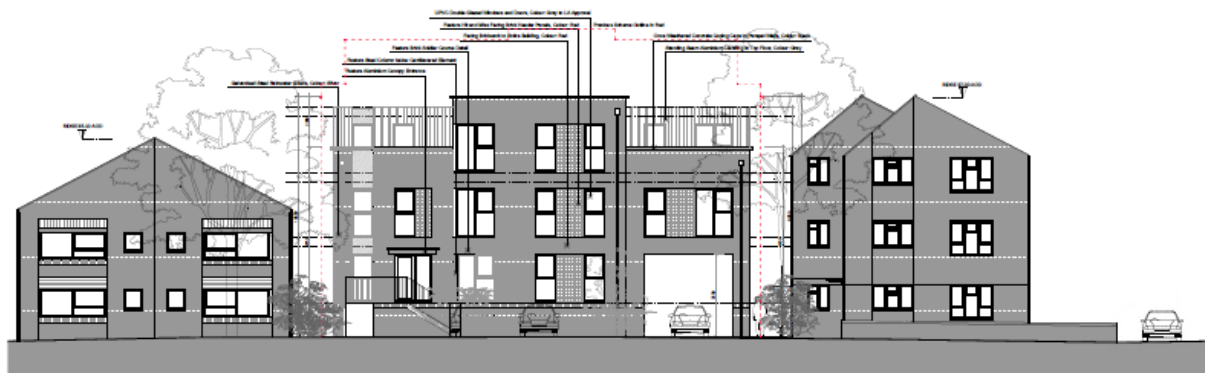
Proposed Scheme (21/00133/FUL)
(Grey dashed line denotes 19/00631/FUL footprint)



Approved Scheme (19/00631/FUL)

- 6.4.2 The site itself is relatively empty when viewed from Grove Street and creates a visual break between Runnymede and nos. 26 – 32 Sovereign Court flats that a building of this size and layout is considered to be acceptable. The side elements will match the same height as Runnymede Court flats but the central feature will be slightly taller in height as shown below.

Approved scheme 19/00631/FUL



Proposed Front Street Scene Elevation - Grove Street

Proposed scheme 21/00133/FUL



Proposed Front Street Scene Elevation - Grove Street

- 6.4.3 The central feature will be increased by 3m and remain the focal point of the building which is considered to be acceptable given the overall width of the building. The building will still retain a stepped feature the front and as Runnymede Court will still project the furthest forward, followed by the proposed building and then nos. 26 – 32 Sovereign Court, it will still retain the character that was accepted under the 19/00631/FUL application.
- 6.4.4 Whilst it is acknowledged the building will be wider than the two neighbouring buildings, the stepped back elements to the front will break up the appearance of its massing. The third storey will have two elements that are slightly lower in height with grey aluminium cladding which will give an element of subservience to the third storey. Further, whilst these are taller than the previous side elements, they are set back from the front and set slightly down that they still appear in contrast and subservient to the rest of the building. The fenestration is uniformed and

symmetrical in appearance which contributes to the overall acceptable design of the building. The materials of the building will be conditioned to ensure details are provided in advance of above ground works beginning.

- 6.4.5 It is considered the proposal of a flat roof of a building this size is acceptable and if a pitched roof was proposed, this would increase the dominance of the building unless a floor was removed. It is considered a three storey flat roof building is acceptable in this location and would not appear out of character with the street scene. The proposed building would be directly in keeping with the adjacent Clayton Court flats which is a three storey, flat roof building
- 6.4.6 It is considered that the layout of the building is appropriate to the size of the site. One acknowledges the building has a larger footprint than the neighbouring buildings, this will not be completely visible from Grove Street, Queens Road or nos. 26 – 32 Sovereign Court as the two neighbouring buildings will reduce some of its visibility. The building sits back from Runnymede Court but forward of Sovereign Court which is considered to be acceptable, given that there is a 6.6m distance from the building to Grove Street. It is considered the building will not represent overdevelopment of the site as this will still mainly be occupied by a car park to the rear which breaks up the site between the new and existing building.
- 6.4.7 Whilst the building is relatively wide in the plot, it is still set off the boundaries with the neighbouring buildings and relatively the same width as the previous scheme. The cantilevered roof is considered to be an acceptable feature to the property and provides a visual break in the building itself which breaks up the massing of this part of the building.
- 6.4.8 It is appreciated that some of the properties along Grove Street are of a Victorian style and the building reflects a contemporary style, it is still considered to be an acceptable design for its positioning. The buildings neighbouring the site do not have particular architectural interest and therefore a contemporary design which responds to the character of the development on this side of the road, is considered to be acceptable.
- 6.4.9 It is considered the proposed dropped kerb reflects an acceptable level of design. Works would be subject to approval by the Highway Authority. Details of the proposed bin store would be provided via a landscaping condition.
- 6.4.10 To conclude, it is considered the design and layout of the building is acceptable and responds to the plot size and will not appear out of character with the area. Whilst it is acknowledged it does not strictly follow the traditional design of some of the houses on Grove Street, it is considered this is acceptable given that the neighbouring buildings (Runnymede Court, nos. 26 – 32 Sovereign Court and Clayton Court) do not hold any particular architectural interest and all enclose the site. Furthermore, although it is acknowledged the building is larger in footprint and height, it is still considered the size of the site can support this and it will not appear as an overdevelopment of the plot.

6.5 Parking

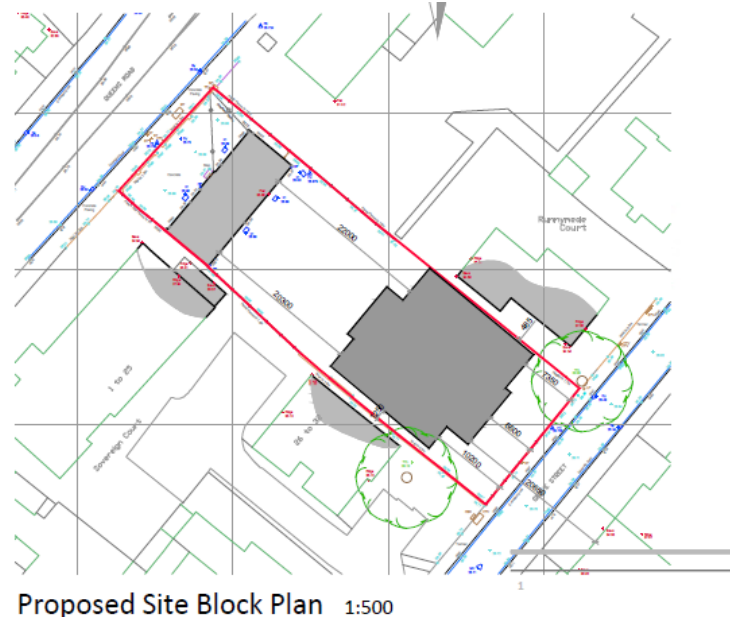
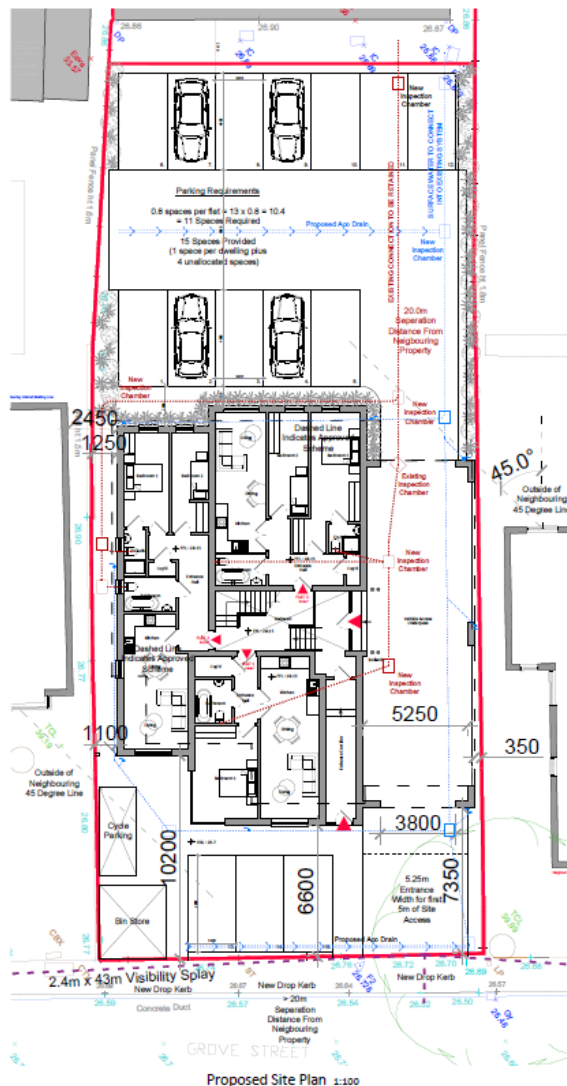
- 6.5.1 It is evident within the consultation responses that there is concern that the development has insufficient parking provision including any parking provision which will lead to increased demand for on-street parking which would be detrimental to the area.
- 6.5.2 In relation to assessing the highway impacts of a proposal, paragraph 111 of the National Planning Policy Framework states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Whilst paragraph 107 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.
- 6.5.3 15 car parking spaces are proposed for 13 flats which is considered to be sufficient amount of parking for this size of development, especially given its close proximity to Beeston town centre, bus and tram services and the train station. The Highway Authority have not objected to the application.
- 6.5.4 An application for a similar type of development (10, one-bedroom apartment block) on Queens Road (18/00516/FUL) was refused at Planning Committee in March 2019. Part of the reason for refusal was based on insufficient parking. An appeal was submitted and was dismissed; however, this was dismissed on different reasons and the Inspector was content with the level of parking. Following the appeal, an application was submitted for an apartment block consisting of nine, one bedroom apartments (19/00808/FUL) which was granted permission at Planning Committee in February 2020. This scheme proposed one car parking space and is in a similar location to this development (although this development is within walking distance of the train station). Although the Inspector dismissed the appeal for the refused application (18/00516/FUL), the following was summarised on the 19/00808/FUL application in relation to the appeal which included the Inspector's comments: 'In respect of parking, the Inspector concluded on the appeal decision for 18/00516/FUL that the site is in an accessible location which would discourage the use of the private car ... The Inspector concluded that the development would not lead to a rise in nuisance or dangerous parking in the area and a sufficient amount of parking had been provided. The Inspector stated the following, "I conclude that the development would not significantly contribute to on street parking stress. It would therefore accord with the relevant sections of Policy 17 of the Broxtowe Part 2 Local Plan (2019), which requires that new development provides sufficient parking."'
- 6.5.5 Notwithstanding that this scheme was for one-bedroom apartments (which means car ownership would likely be low) and this scheme is for one/two bedrooomed apartments, it is considered the proposal of 15 car parking spaces and proximity to the train station outweighs this matter.
- 6.5.6 Whilst it is acknowledged there will be an increase in traffic on Grove Street as a result of this development, it is considered there is sufficient parking to ensure this will not be to the detriment of highway safety. Furthermore, it is considered the

amount of traffic caused by 13 additional apartments would not be refusable based on the possibility of more traffic accidents, especially given the level of parking provided.

- 6.5.7 The proposal of five car parking spaces accessed from Queens Road for the existing Clayton Court flats is considered to be acceptable. Whilst this is just short of one space per flat, the location of the site is within close proximity to sustainable transport links.
- 6.5.8 The introduction of parking permits or speed calming measures are a matter that is dealt with by Nottinghamshire County Council as Highways Authority.

6.6 Amenity

- 6.6.1 A number of concerns have been received in relation to the building causing a sense of enclosure, overlooking and excessive noise and disturbance.
- 6.6.2 The buildings that will be mostly impacted by the development will be Runnymede Court flats to the north east, nos. 26 – 32 Sovereign Court to the south west and Clayton Court flats to the north west.
- 6.6.3 Whilst the building will be 0.7m taller than the previously approved building, it is considered this will have marginal impact on the adjoining buildings. The building is still three storeys high and is largely the same separation distance from both adjoining buildings that this relationship has been established as being acceptable.
- 6.6.4 Nos. 26 – 32 Sovereign Court flats are positioned to the south west of the building. This existing building has two ground floor doors and a first floor window which serves a hallway in the north east elevation. The proposed building will project forward of nos. 26 – 32 Sovereign Court flats but will be stepped in towards the front and project slightly (see site plan below). Whilst it is accepted the flats will now project beyond the front elevation of nos. 26 – 32 Sovereign Court flats, it is considered this would not be detrimental to the amenity of these neighbouring occupants, especially considering the separation distance from primary windows. The building will be approximately 2.5m from nos. 26 – 32 Sovereign Court flats which is considered to be an acceptable separation distance, especially given that there is only one window and two doors in its north east elevation of nos. 26 – 32 Sovereign Court flats. To conclude, it is considered there will not be a detrimental impact on the amenity of the occupants of Sovereign Court flats.



- 6.6.5 The proposed building will be a minimum of 18.3m from Clayton Court flats which is considered to be a sizeable distance. The separation distance between nos. 1 – 25 and nos. 26 – 32 Sovereign Court is 15m and therefore this relationship between apartment buildings has been established as being acceptable. It is considered the relationship between these two buildings would be acceptable as they will mutually overlook one another. It is considered there will not be a detrimental impact on the amenity of the occupants of Clayton Court flats.
- 6.6.6 The building will be set back a minimum of 6.6m from Grove Street and will be approximately 21m from the front elevation of no. 7 Grove Street which is directly opposite the building. Whilst it is acknowledged there will be windows in the south east (front) elevation, it is considered the separation distance and intervening road will mean the level of overlooking is not detrimental. In addition to this, this relationship is already established with buildings with forward facing windows fronting Grove Street from Sovereign Court and Runnymede Court. Buildings along Grove Street will mutually overlook one another. It is considered there will be a minimal loss of light and overshadowing to properties to the south east along Grove Street due to the separation distance and orientation of the building being positioned to the north west. To conclude, it is considered there will not be a detrimental impact on the amenity of the occupants along Grove Street.

- 6.6.7 It is considered the proposed apartments provide an acceptable level of amenity for future occupants with primary rooms having outward facing windows and each apartment being an acceptable size. Although no outdoor amenity space is provided, this is a commonly accepted approach for flats and a development of this nature. It is noted that Dovecote Lane Recreation Park is within a short walking distance of the development. Although space standards are not in the Councils adopted policy, all of the one bedroom flats will be at least 40m² and all of the two bedroom flats will be at least 62.2m². Both of these measurements exceed the minimum internal floor space required for a one bedroomed flat for one person or two bedroomed flat for three people as stated in the National Technical Housing Standards. Whilst it cannot be confirmed how many people will be living in the flats, it is considered this will provide a sufficient level of living accommodation.
- 6.6.8 Whilst this revised scheme does have side facing windows, these will all be obscurely glazed and non-opening and therefore it is considered there will be minimal overlooking to the adjoining buildings.
- 6.6.9 It is considered the proposed dropped kerb and bin/cycle store are relatively minor aspects of the development and will have minimal impact on the amenity of surrounding neighbours.
- 6.6.10 To conclude, it is considered the proposed apartment building is a sufficient size and distance from neighbouring buildings that it will not cause a detrimental impact on amenity or cause a significant loss of light or overshadowing. Furthermore, it is considered future occupants will have an acceptable level of amenity.

6.7 Financial Contributions

- 6.7.1 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.
- 6.7.2 The Council's Business and Projects Manager has requested an open space contribution of £19,527.69.
- 6.7.3 The Council's Housing Strategy and Development Officer has requested affordable housing on-site (four affordable, one bedroom rented units).
- 6.7.4 The agent has agreed on behalf of the applicant that the landscape contribution will be paid in full. A viability assessment was submitted and independently verified which demonstrated that the open space contribution could be paid in full but up to only two units could be allocated as being affordable. The developer has intimated that Registered Housing Providers may not wish to manage such a small number of units, and as such is enquiring with local providers to support this stance. If, as expected, local providers do not wish to take on such a small provision, then the housing department would accept an offsite contribution.

6.7.5 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.

6.7.6 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.

6.8 Other Matters

6.8.1 It is considered the design, scale, massing and height are not dissimilar to what was agreed under the previous scheme and therefore it is considered there would not be a sense of enclosure, excessive overlooking or loss of daylight/sunlight caused by the proposed apartments.

6.8.2 Whilst it is accepted there will be an increase in noise, disturbance and pollution caused by the construction of the development, it is acknowledged this would be on a short term basis. Anything considered to be excessive should be reported to the Council's Environmental Health department. It is considered 13 additional residents on this road would not cause an excessive amount of noise and disturbance and Environmental Health has not raised any concerns in respect of this matter.

6.8.3 Parking permits, traffic calming measures and restrictions are allocated and managed by the Highway Authority and not the Council.

6.8.4 Whilst the site is not allocated for development in the local plan, the council is still required to assess its acceptability following the submission of an application and therefore in this case it is considered to be acceptable, especially given that it was accepted for a similar scheme under 19/00631/FUL.

6.8.5 The Environment Agency and Lead Local Flooding Authority have not objected to the application on flood risk or drainage grounds.

6.8.6 It is considered there is sufficient space for refuse waste as the apartments will not be allocated individual bins but larger shared bins.

6.8.7 A landscaping scheme will be requested via a condition to mitigate the impact of the development.

7 Planning Balance

7.1 The benefits of the proposal are that it would provide 13 additional homes within an existing urban area that would be in accordance with policies contained within the development plan. Whilst it is acknowledged there will be some impact on the amenity of neighbours and on-street parking, this is outweighed by the benefits of the scheme and due to its location within a highly sustainable area. Furthermore, a previous scheme for a similar sized building has been approved which is given significant weight.

8 Conclusion

- 8.1 To conclude, whilst this is for a larger scheme than that already approved, it is considered the design is acceptable and will not appear out of keeping with the surrounding area and an acceptable standard of amenity has been provided for future occupants and will not compromise that significant of surrounding neighbours. It is considered there is an acceptable amount of parking provided for the proposed apartments and existing Clayton Court flats. Therefore, it is considered the proposal is acceptable for the reasons set out above.

Recommendation

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

- (i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of landscape contributions and affordable units**
- (ii) the following conditions:**

| | |
|-----------|--|
| 1. | <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p> |
| 2. | <p>The development hereby permitted shall be carried out in accordance with drawings:</p> <p>Received by the Local Planning Authority on 22 February 2021:</p> <ul style="list-style-type: none"> • 005 Rev H • 009 Rev C <p>Received by the Local Planning Authority on 8 November 2021:</p> <ul style="list-style-type: none"> • 003 Rev J • 002 Rev K • 004 Rev J • 007 Rev K <p>Received by the Local Planning Authority on 12 November 2021:</p> <ul style="list-style-type: none"> • 006 Rev N • 008 Rev M <p><i>Reason: For the avoidance of doubt.</i></p> |

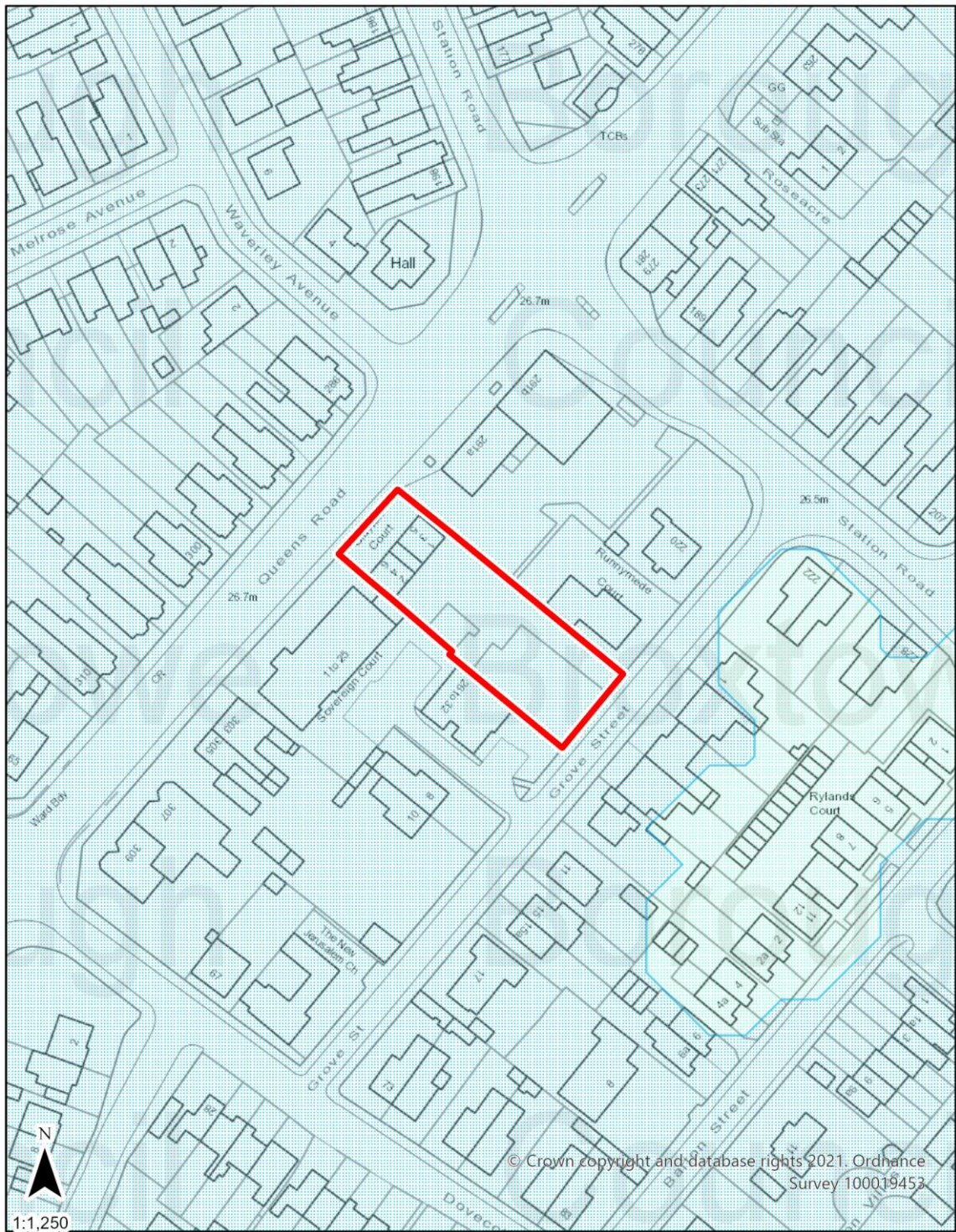
| | |
|----|--|
| 3. | <p>No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (prepared by Swish Architecture) and Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> • Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 • Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area • Demonstrate the provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA • Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods. • For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm. <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> |
| 4. | <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> |
| 5. | <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> |

| | |
|----|--|
| | <p>a) numbers, types, sizes and positions of proposed trees and shrubs</p> <p>b) details of boundary treatments;</p> <p>c) proposed hard surfacing treatment;</p> <p>d) planting, seeding/turfing of other soft landscape areas; and</p> <p>e) timetable for implementation of the scheme.</p> <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> |
| 6. | <p>Prior to the first occupation of the apartments hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment titled ‘Proposed new build apartment block to the land rear of Clayton Court...’ prepared by Swish Architecture dated February 2021. Flood resilient measures and resilience measures shall be used as detailed on page 10 and the finished floor levels shall be set no lower than 28.15m AOD. These mitigation measures shall be maintained and retained for the lifetime of the development.</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> |
| 7. | <p>The apartments hereby approved, shall not be first occupied until:</p> <ul style="list-style-type: none"> • all driveways and parking areas have been surfaced in a hard, bound material (not loose aggregate) and designed to prevent the unregulated discharge of surface water onto the public highway; • each car parking space has been clearly delineated as shown on drawing 008 Rev M; • visibility splays are provided in accordance with drawing 008 Rev L and retained for the lifetime of the development; • dropped vehicular footway crossings on Grove Street and Queens Road are constructed and available for use; • the existing dropped vehicular footway crossing on Grove Street is extended and made available for use and the cycle |

| | |
|----|---|
| | <p>store and bin/cycle store as shown on drawing 008 Rev M are constructed and available for use.</p> <p>The surfaced drives, parking areas, delineated spaces and dropped vehicular crossings shall then be maintained in such form for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety to mitigate the impact of the development on the highway network, to ensure the bin and cycle store are available for use and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p> |
| 8. | <p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.</p> <p><i>Reason: To 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. | This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto. |
| 3. | Burning waste on site is prohibited. |
| 4. | The future owners/occupiers of the proposed dwelling should sign up to the Environment Agency's Flood Warning Direct Service. |
| 5. | 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 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. |
| 6. | It is an offence under Sections 148 and 151 of the Highways Act 1980 to deposit mud onto the public highway and appropriate |

| | |
|----|---|
| | measures should be in place to avoid this. You are advised to contact the Nottinghamshire County Council as Highways Authority on telephone number: 0300 500 80 80. |
| 7. | The proposal makes it necessary to construct vehicular crossings on Queens Road and Grove Street over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80.to arrange for these works to be carried out. |

Map



Legend

- Site Outline
- Flood Zone 3
- Flood Zone 2

Photos



View of site from Grove Street



View of site from Grove Street



View of site facing Grove Street



Sovereign Court flats to the side



North east view of Grove Street



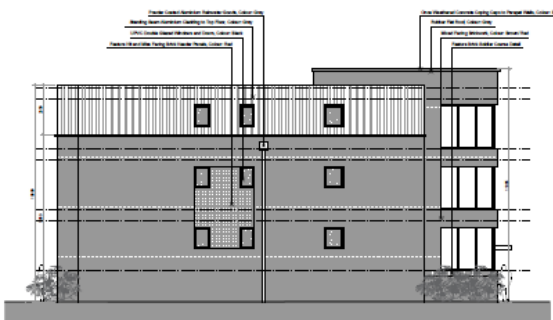
South west view of Grove Street

Plans (not to scale)

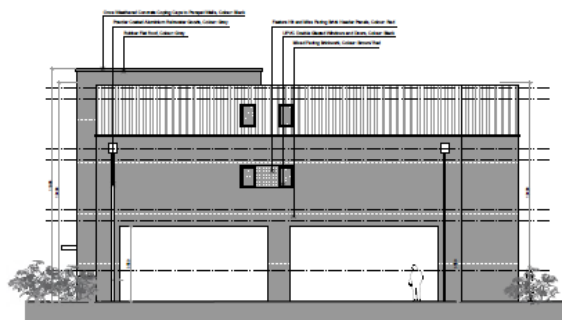
20/00133/FUL



Proposed Front Street Scene Elevation - Grove Street



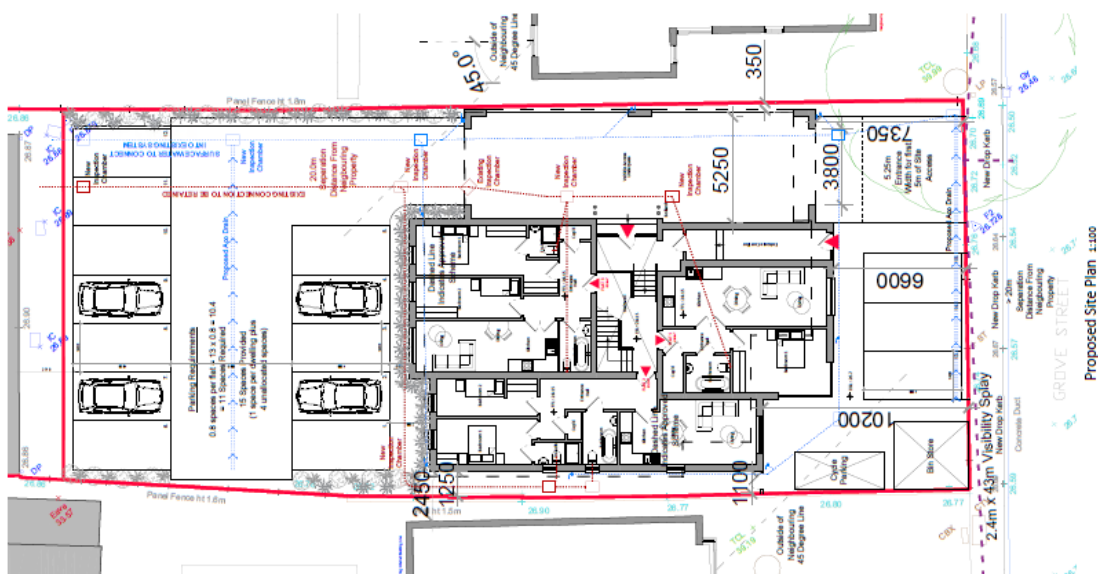
Proposed Side Elevation



Proposed Side Elevation

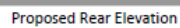
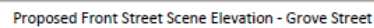


Proposed Rear Elevation



Proposed Site Plan 1:100

Approved under 19/00631/FUL



Report of the Chief Executive

| | |
|----------------------------|---|
| APPLICATION NUMBER: | 21/00364/FUL |
| LOCATION: | Pair of garages, Cyprus Avenue, Beeston, Nottinghamshire |
| PROPOSAL: | Construct two flats following demolition of garages |

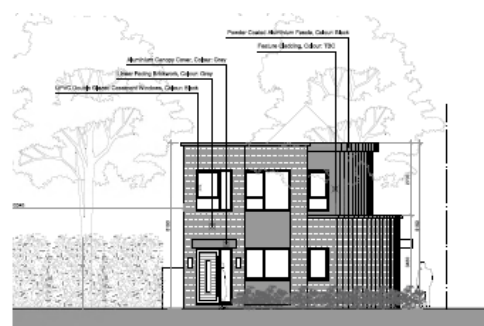
Councillor S J Carr has requested this application be determined by the Committee.

1 Executive Summary

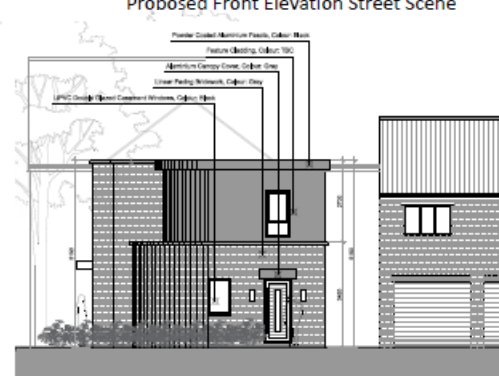
- 1.1 The application seeks permission to demolish the existing garages and construct two flats.
- 1.2 The site consists a pair of single storey, flat roof garages on a corner plot of Cyprus Avenue. The site is within walking distance of Beeston town centre and within close proximity to retail and commercial offerings along Wollaton Road.
- 1.3 The main issues relate to whether the principle of two flats would be acceptable, the impact on the surrounding area, parking and access, design and whether there will be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal would mean two additional homes within an urban location which would be in accordance with policies contained within the development plan which is given significant weight. Whilst it is acknowledged there would be some impact on neighbour amenity and parking, it is considered these matters are outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

1 Details of the Application

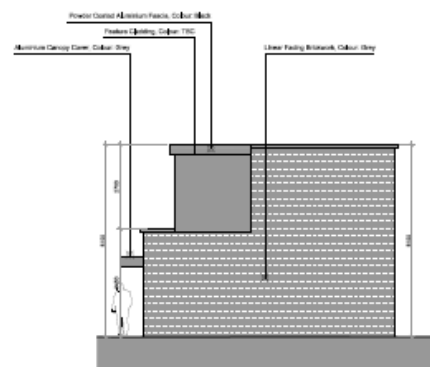
- ## Amended Design



Proposed Front Elevation Street Scene



Proposed Side Elevation Street Scene



Proposed Rear Elevation

2 Site and surroundings

- 2.1 The site is within Beeston within walking distance of Beeston town centre. The application site is a corner plot on Cyprus Avenue. The site is currently occupied by a pair of single storey, flat roof garages. The garages form the boundaries with surrounding plots.

3 Relevant Planning History

- 3.1 An application to construct two apartments (11/00131/FUL) was withdrawn in May 2011.
- 3.2 An application to change the use of land to residential and construct a building comprising two self-contained one-bedroom flats (12/006468/FUL) was withdrawn in September 2012.
- 3.3 An application to erect a dwelling (12/00602/FUL) was refused permission in January 2013.

4 Relevant Policies and Guidance

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

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

- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

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

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

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

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

- 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:** no objection subject to a condition in respect of providing a contamination report and an advisory in respect of working hours and prohibiting burning commercial waste.
- 5.2 **Council's Waste and Recycling Officer:** raises no objection and advises bin requirements.

- 5.3 **Council's Tree Officer:** refer to NCC's Tree Officer in respect of the trees on the pavement.
- 5.4 **NCC Highway Authority:** proposal is to have no off-street car parking. However, there is a possibility that should the development be permitted there may also be an increased demand for on-street parking. The Highway Authority must stress that existing on-street parking availability in the proximity of the proposed development may be subject to local concern and the Local Planning Authority may therefore wish to consider whether the development is permitted would adversely affect the local amenity.

In view of the above, the Highways Authority would not raise any highway concerns to the proposal, due to the sustainable location being near good transport links and within Beeston central area.

- 5.5 **NCC Tree Officer:** in agreement with precommencement condition as advised by the Local Planning Authority. NCC must be informed in relation to root pruning if required. NCC are planning on removing and replacing the tree to the north west of the garages which is not in conjunction with the development.
- 5.6 28 properties were consulted and a site notice and amended site notice were displayed. 20 representations were received, 32 objections and 4 observations which can be summarised as follows:

- Retention of trees should be dealt with via a condition
- Trees provide screening, landscaping and support wildlife
- Trees will touch buildings
- Tree would need to be removed to facilitate parking
- Management of street trees during construction should be clarified
- Application form states there are no significant trees adjacent to proposed site
- Reduce privacy
- Loss of daylight and sunlight
- Overshadowing
- Insufficient amenity for future occupants
- Noise and disturbance from construction and vehicles
- Dust, pollution and odours
- Loss of view
- Services box/telegraph box preventing parking of four cars is not shown on plans
- Parking shown on plans is not in ownership of the site and belongs to no. 146 Wollaton Road
- Significant impact on parking and traffic
- Hinder and weaken access
- Block service vehicles
- Dance school causes issues with traffic and parking
- Highway safety concerns for residents, children and elderly
- Some residents don't have a car and if this changes, will increase car ownership
- Increased height would cause blind spot for drivers
- Access to property and commercial units will be compromised
- Parking was raised as an issue in withdrawn application
- Residents parking permits required
- Too large and out of scale with existing properties in terms of height and size

- Contemporary style and materials not respectful or in keeping with traditional houses in surrounding area
- Footprint is larger than previous application which was refused
- Garages are part of cultural heritage of Cyprus Avenue
- Bins will be on pavement
- Compromise bin storage for other businesses and properties
- Inaccuracies in Design and Access statement in relation to size
- Could be slow to develop
- No requirement for more flats
- Path is too narrow to walk on with large trees
- Lack of space for domestic/commercial bins
- Latest plans do not make any material difference to the problems with the development

5.7 **Beeston Civic Society:** objection - design, scale and massing is overbearing on a cramped, narrow, small corner site and is out of keeping with surrounding residential properties. Application no 13/00766/FUL was granted permission for car parking for 3 cars associated with the 3 flats in the extended 146 Wollaton Road on part of this site. No additional parking spaces are shown for this application, thus there is insufficient space for 2 extra cars and on street parking is already a problem in this location. There are additional constraints imposed by street furniture and mature street trees on Cyprus Avenue and rear access to the ground floor commercial use in 146 Wollaton Road. Inadequate amenity for proposed occupants by virtue of the size of the proposed rooms and associated loss of amenity for neighbouring residents.

6 Assessment

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

6.2 **Principle**

6.2.1 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt within the borough. There is also a need to boost housing supply which sites such as this can help deliver. The provision of two apartments is considered to be a benefit in terms of the provision of homes.

6.2.2 Policy 8 encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the street. Cyprus Avenue, is largely occupied by semi-detached properties but the neighbouring property, no. 146 Wollaton Road has been partially converted into three apartments (11/00133/FUL). Furthermore, the site is within walking distance of Beeston town and therefore high density living such as flats without parking are commonly accepted due to their proximity to sustainable transport links such as frequent buses and tram services.

6.2.3 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will also provide an additional two residential

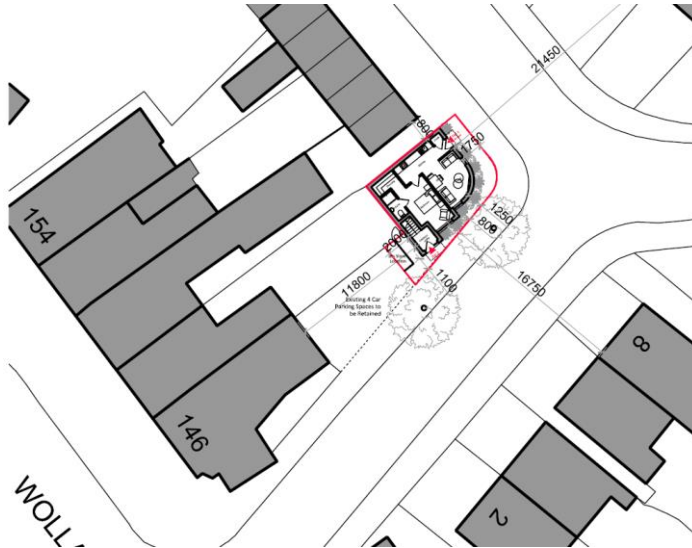
units within an existing settlement in a highly sustainable location, close to Beeston town centre and public transport links. It is considered the proposed apartments will not have an adverse effect on neighbour amenity and amendments to the design mean the massing, scale and appearance are considered to be acceptable. The principle of the development is therefore considered to be acceptable.

6.3 Design and Layout

- 6.3.1 The initial design was considered to not be suitable for this location which was largely due to the large overhanging feature of the building. It was advised that contemporary design could be acceptable but that it should be amended to be more in keeping with the surrounding area. The plans were amended to inset the curved first floor element, reduce the height (from 7m to 6.2m) and amend the fenestration.
- 6.3.2 The design of the two apartments reflects a contemporary appearance but is still considered to be acceptable that it will not appear out of keeping with the surrounding area. The massing and height of the building are considered to be modest and do not extend beyond the height of the Dance School to the north west, nor any other adjoining buildings. The first floor is set back and curved which represents an element of subservience and follows the character of the curved corner plot.
- 6.3.3 Although the site is outside the town centre, it is still within close proximity and therefore a contemporary designed building with a flat roof is considered to be acceptable. Furthermore, the flat roof reduces the massing and scale of the building.
- 6.3.4 Whilst it is acknowledged it is a compact sized plot, the building is considered to an acceptable, height, massing and scale and will not appear overbearing in its appearance. The fenestration is considered to reflect an element of symmetry and will be slightly recessed which is considered to positively add to the contemporary design approach positively.
- 6.3.5 Whilst the materials are stated on the plans, these will be agreed via a condition.
- 6.3.6 To conclude, the proposed flats reflect an acceptable level of design and are an acceptable height, scale and massing for this corner plot location.

6.4 Amenity

- 6.4.1 The proposed flats will not exceed a height of 6.2m which is considered to be a relatively modest height for a two storey building. It will not have windows in the south east or north west elevations and therefore will not directly overlook any rear gardens. Whilst it is acknowledged there will be some impact on the properties to the south west of the site, it is considered there is a sufficient separation distance and the building is not excessively tall that this will be detrimental.



Block Plan

- 6.4.2 The proposed flats will provide outward facing windows from primary rooms and are considered to be a sufficient size that they will provide an acceptable level of amenity for future occupants. Whilst space standards are not within the Council's adopted policy, the proposed flats will be between 39-40m². 39m² is the minimum internal floor space required for a one bed roomed flat for one person as stated in the National Technical Housing Standards. Whilst it cannot be confirmed if one or two people will live in both flats, it is still considered this amount of floor space is acceptable.
- 6.4.3 It is accepted there will be a degree of noise, disturbance, dusts and odours generated from the construction of the building but this is likely to be on a short term basis. Anything that is deemed excess should be reported to the council's Environmental Health department.
- 6.4.4 To conclude, it is considered the building will not have a detrimental impact on the amenity of surrounding neighbours due to its positioning and height and the separation distance with surrounding properties. It is considered there will not be a detrimental loss of daylight or sunlight or overshadowing caused by the building. Furthermore, there are no windows that directly overlook rear amenity space. It is considered the proposed flats will provide a sufficient level of amenity for future occupants.

6.5 Access and Parking

- 6.5.1 A number of concerns have been raised in regards to the parking proposed with the scheme. The plans have been amended to remove the parking to the south west as these spaces are not in association with the site and therefore not considered within the application. The site location plan showing the red line has been amended to reflect this.
- 6.5.2 Whilst the Highway Authority has acknowledged that the provision of two flats in this location with no parking could increase demand for on-street parking, they have also concluded that they do not raise any objection and that the site is in a sustainable location close to good transport links within Beeston. Therefore, as the Highway Authority has raised no objection, the two units are one bedroomed and its walking distance to sustainable transport links, it is considered unreasonable to refuse the application based on highway safety grounds.
- 6.5.3 Whilst the blocking of access is not a material planning consideration, the plans demonstrate that access will not be blocked. To the rear, there will be a 1.8m separation distance between the site and dance school which access from rear gardens on Wollaton Road. The bin store to the south east will not be positioned in front of the existing gate serving no. 146 Wollaton Road.
- 6.5.4 In relation to assessing the highway impacts of a proposal, paragraph 111 of the National Planning Policy Framework states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Whilst paragraph 107 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.
- 6.5.5 Examples of schemes approved for residential flats in Beeston with no parking include the Methodist Church on Wollaton Road (20/00091/FUL) which was converted into a house in multiple occupancy and consisted of 20 rooms and 17 flats on Villa Street (18/00422/FUL).
- 6.5.6 Whilst the above examples are for different schemes, it demonstrates the acceptability of high density schemes with a low number of bedrooms on the periphery of town centres being acceptable. Whilst this scheme does not have any parking associated with it, the proposal of two, one bedroom units within walking distance of Beeston town centre is considered to be acceptable that it would not cause an unacceptable impact on highway safety which is further supported by the Highway Authority. Therefore, it is considered the scheme is acceptable on highways grounds.

6.6 Other Issues

- 6.6.1 The two trees are on highways land; however, a precommencement condition will be included within the recommendation to ensure details of their protection are submitted before works commence.

- 6.6.2 A precommencement condition will be included to provide details of the bin store.
- 6.6.3 It is considered there will still be sufficient space to walk between the new building and trees on the pavement and the Highway Authority has not raised any concern with this.
- 6.6.4 The duration of the development for this particular scheme would not be conditioned that it needs to be completed within a particular timeframe.
- 6.6.5 Whilst it is noted that there are some inaccuracies within supporting information, the proposed plans which will be conditioned are considered to be clearly understood and acceptable.
- 6.6.6 It is considered the existing garages do not hold any architectural value that the proposal of a new scheme would be resisted.
- 6.6.7 An application (12/00602/FUL) was refused for one dwelling; however, this was assessed in line with policies that are now out of date. The application was refused on amenity for future occupants and its size and scale. The proposed dwelling did have a smaller footprint but was 2.2m taller than this proposed scheme. The Highway Authority concluded the scheme was acceptable on highway grounds.
- 6.6.8 Resident parking permits are issued from the NCC Highway Authority.
- 6.6.9 It is considered the building is set back enough from the pavement and road that it will not cause a blind spot for drivers, furthermore, this was not raised as a concern by the Highways Authority.

7. Planning Balance

The benefits of the proposal are that it would provide two additional homes which reflects an acceptable level of design and would not appear out of character with the surrounding area. Although there will be some impact on on-street parking, it is considered this is not detrimental issue that would warrant a refusal, especially given that car ownership is likely to be low or non-existent. On balance, the scheme is acceptable and should be approved.

8. Conclusion

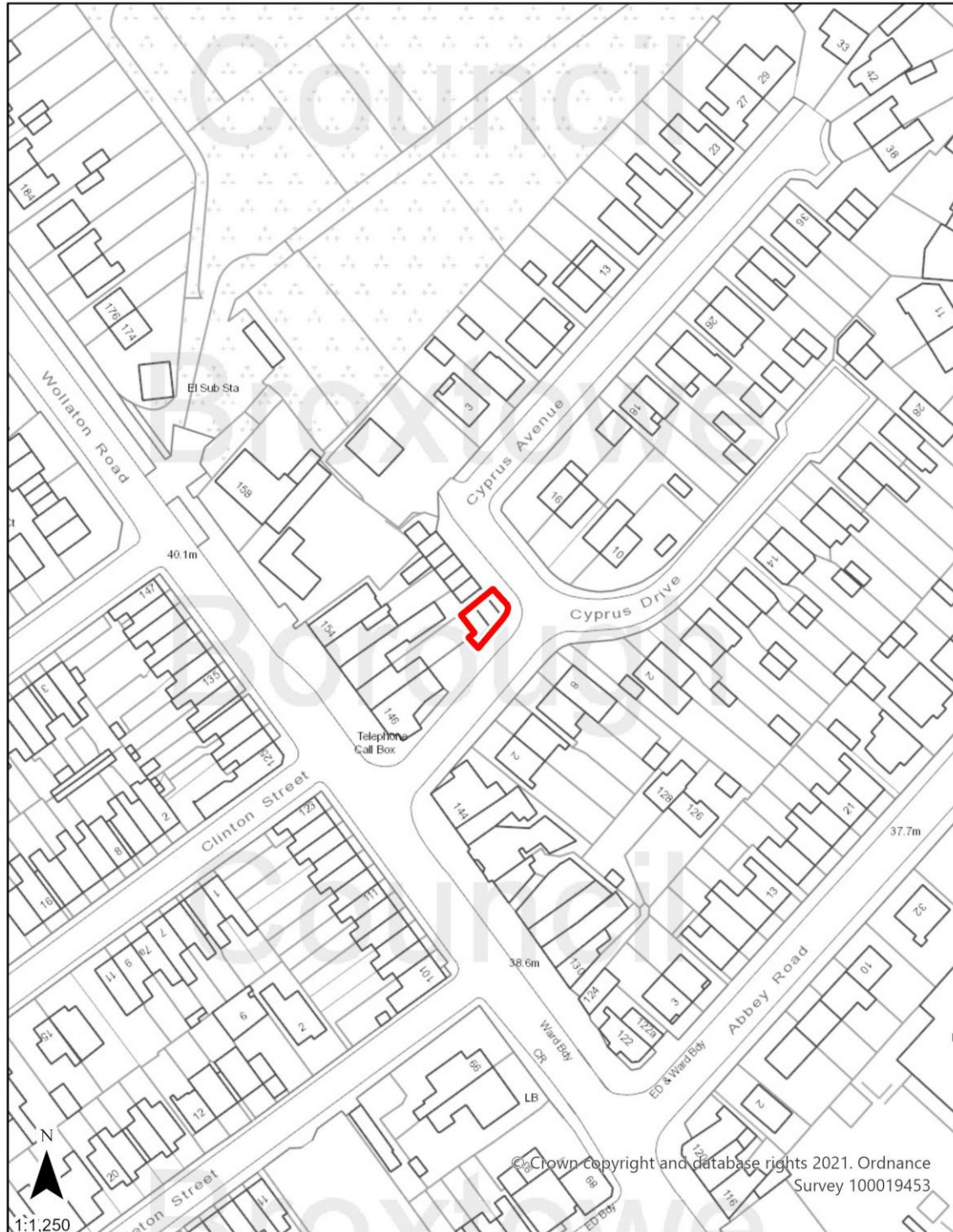
- 8.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality Duty and comments raised in the representations received, the development is acceptable and that there are no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

| <u>Recommendation</u> | |
|------------------------------|--|
| | <p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p> |
| 1. | <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p> |
| 2. | <p>The development hereby permitted shall be carried out in accordance with drawings:</p> <p>Received by the Local Planning Authority on 27 October 2021:</p> <ul style="list-style-type: none"> • 002 Rev C • 003 Rev C <p><i>Reason: For the avoidance of doubt.</i></p> |
| 3. | <p>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.</p> <p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <p>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the Local Planning Authority; and</p> <p>(ii) It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.</p> <p><i>Reason: In the interest of public health and safety.</i></p> |
| 4. | <p>No part of the development hereby approved shall be commenced until a tree survey has been submitted to and approved in writing by the Local Planning Authority. The tree survey should outline the measures for protection of the trees including details of protective</p> |

| | |
|----|---|
| | <p>fencing and methods of construction within root protection areas. The works should be carried out strictly in accordance with the approved details.</p> <p><i>Reason: Insufficient details were included with the application and to ensure the satisfactory appearance of the development and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p> |
| 5. | <p>No development above ground level shall be carried out until samples and full details of the colour, type and texture of respective external facing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: Insufficient details were included with the application and to ensure the satisfactory appearance of the development and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p> |
| 6. | <p>No development above ground level shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a. details of any works to existing trees and measures for their protection; b. details of boundary treatments, curtilage boundary treatments and bin store; c. proposed hard surfacing treatments and d. a timetable for implementation of the scheme. <p>The landscaping scheme shall be carried out in accordance with the approved timetable.</p> <p><i>Reason: Insufficient details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p> |
| 7. | <p>No part of any flat roofs shall be used as a balcony, sun terrace or similar amenity space.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p> |
| | NOTES TO APPLICANT |

| | |
|----|---|
| 1. | 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 an 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. |
| 3. | The applicant is advised to contact the Council's Waste and Recycling Section on telephone number: 0115 917 7777 to discuss waste and refuse collection requirements. |
| 4. | Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. |
| 5. | Burning commercial waste on site is prohibited. |

Map



Legend

Site Outline

Photographs



North east (side) elevation



South east (front) elevation



Rear gardens of properties on Wollaton Road



Rear/side elevation

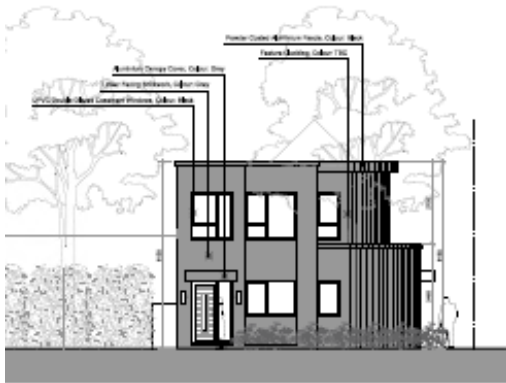


North east (side) elevation



North east (side) elevation and
garages/dance school to the north west

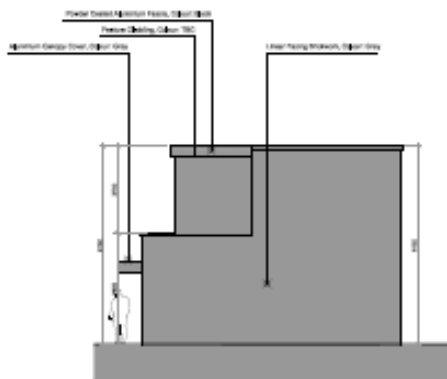
Plans (not to scale)



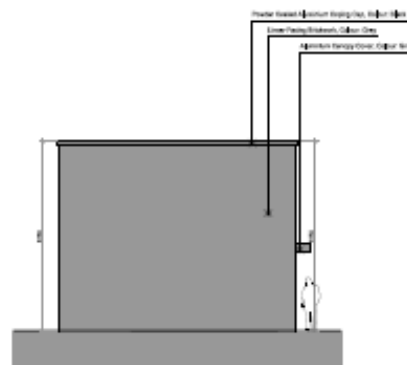
Proposed Front Elevation Street Scene



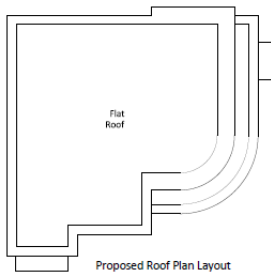
Proposed Side Elevation Street Scene



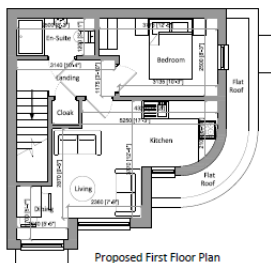
Proposed Rear Elevation



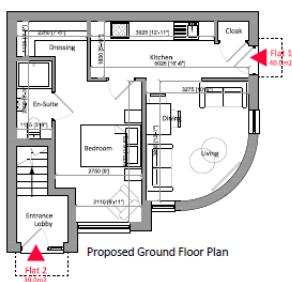
Proposed Side Elevation



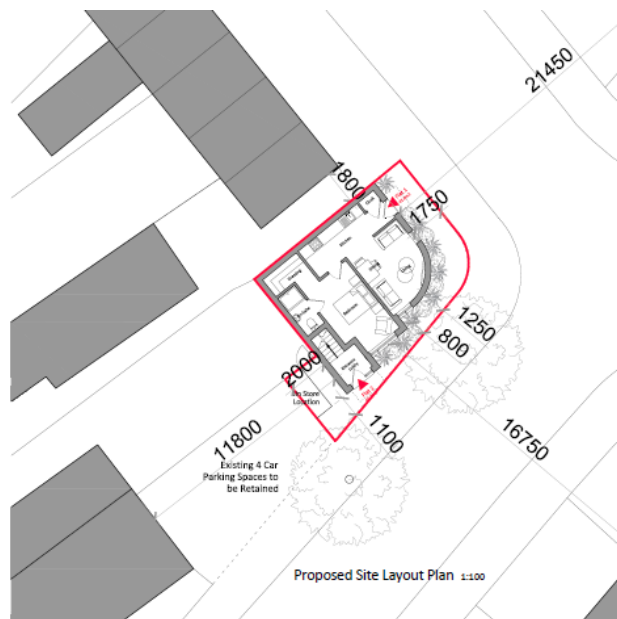
Proposed Roof Plan Layout



Proposed First Floor Plan



Proposed Ground Floor Plan



Proposed Site Layout Plan 1:100

This page is intentionally left blank

Report of the Chief Executive

| | |
|----------------------------|---|
| APPLICATION NUMBER: | 21/00525/FUL |
| LOCATION: | 294 and 296 Nottingham Road, Eastwood, Nottinghamshire, NG18 2AQ |
| PROPOSAL: | Change of use of existing dwelling and loft space over to form 4 flats at number 296 with rear dormer and loft space over number 294 Nottingham Road |

The application has been called to Committee by Councillor M Radulovic MBE.

1 Executive Summary

- 1.1 This application seeks consent to change the use of an existing end terraced two storey dwelling to create four, one bedroom flats, two at the ground floor, one at first floor level and one within the roof space. To accommodate the flat within the roof space a dormer window is proposed to the rear of number 294 Nottingham Road.
- 1.2 Planning permission was previously granted under reference number 20/00530/FUL for the conversion of number 294 Nottingham Road to two, one bedroom apartments.
- 1.3 The main issues relate to whether the principle of the change of use and the extension in the form of the dormer window would be acceptable, whether there would be an unacceptable impact on the residential amenity of neighbouring properties and highway safety.
- 1.4 The benefits of the proposal are the retention of a building in residential use and the provision of targeted accommodation to benefit the housing mix within the Eastwood area, i.e. the creation of four, one bedroom flats.
- 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 This application seeks consent to change the use of an existing end terraced two storey dwelling to create four, one bedroom flats, two at the ground floor, one at first floor level and one within the roof space. To accommodate the flat within the roof space a dormer window is proposed to the rear of number 296 Nottingham Road, with the living accommodation also extending across to number 294.

2 Site and surroundings

- 2.1 The application site is located on the main busy road of Nottingham Road in close proximity to the town centre of Eastwood. The building is located within a row of two storey terraced properties and is surrounded by predominantly residential dwellings. Both vehicular and pedestrian access to the site is via a shared entrance with the neighbouring property number 294 Nottingham Road.

3 Relevant Planning History

- 3.1 There is no relevant planning history relating to this property.
- 3.2 Planning permission was granted under reference number 20/00530/FUL for the conversion of number 294 Nottingham Road to from two, one bedroom apartments.

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

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

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

4.2 Part 2 Local Plan 2019:

- 4.2.1 The Council adopted the Part 2 Local Plan (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.

5 Consultations

- 5.1 **The Highway Authority:** Advise the access historically served a builder's yard/industrial yard as there appears to be many outbuildings on the historic mapping. The access and width do not meet current highway requirements, however the applicant is creating betterment with parking to the rear with turning to exit in a forward gear. The existing situation would entail vehicles to reverse back onto Nottingham Road. In view of the above, the Highways Authority would find it difficult to object on these grounds as there is currently a dropped kerb access which could be utilised. A condition is requesting for the parking to be provided prior to first occupation and to be retained for the life of the development.
- 5.2 Seven properties either adjoining or opposite the site were consulted and a site notice was displayed, with four letters having been received objecting on the grounds of:
- Highways safety,
 - Additional traffic generation to the site,
 - Loss of parking along Nottingham Road
 - Loss of value to properties.

6 Assessment

- 6.1 The main issues relating to this application are the principle of development, design and the impact upon visual amenity of the area, residential amenity and highway safety. These are discussed in turn as follows:

6.2 **Principle**

- 6.2.1 Part 5 of the National Planning Policy Framework 2021 (NPPF), paragraph 60 outlines the importance of significantly boosting the supply of housing. The application site is located within a suitable urban location and within close proximity to the town centre of Eastwood. However, it is considered that the principle of new residential flats would only be acceptable if the proposal can reasonably satisfy the specific criteria of policy 17 of the Part 2 Local Plan 2019.

6.3 **Design**

- 6.3.1 No alterations are proposed to the front elevation of the building. The only external alterations involve the provision of dormer window to the rear elevation of number 296, two roof lights to the rear of number 294, a new pitched roof and alterations to existing door/window openings to the single storey part of the rear of number 296. The proposed dormer will be set lower than the ridge of the host building and also set in from the gable end, limiting any views from within the street scene of Nottingham Road. Given the nature of the planning application, it is not considered the proposal will have a significant detrimental impact upon the visual amenity of the area or character of the street scene.

6.4 Amenity

- 6.4.1 Access to flats 1 and 2 on the ground floor is via existing doors. Flats 3 and 4 are accessed via an internal staircase leading to the first floor and loft accommodation. All of the principle living rooms/bedrooms will have adequate outlooks to the front onto Nottingham Road along with adequate outlooks to the rear, which will ensure all of the habitable rooms have adequate natural light and ventilation. There is also adequate space to the rear of the site to provide external amenity space and bin storage. Overall it is considered that the flats will provide a satisfactory degree of amenity for future occupiers.
- 6.4.2 There are no alterations proposed to the front elevation of the properties fronting Nottingham Road. The application site is served by a long linear garden to the rear of the site. Directly to the rear of the site there is an existing property number 282 Nottingham Road which is served by a substantial garden area. Whilst there is a dormer window proposed to the rear elevation which will be served by two windows serving a lounge and kitchen area, given the separation distance between these properties it is not considered the proposal will give rise to any direct overlooking issues.
- 6.4.3 Whilst parking provision is proposed within the rear of the site, this is located to the rear of the existing single storey element of the building which will form flat 2 and away from the rear elevations of the immediate neighbouring properties numbers 292 and 298 Nottingham Road. It is not considered the proposal will give rise to any significant noise disturbance from the comings and goings of vehicles.
- 6.4.4 In view of the above, it is not considered there will be any significant detrimental impact upon the immediate neighbouring properties located on Nottingham Road in respect of overlooking, overbearing or noise impacts.

6.5 Access

- 6.5.1 The application site is positioned within easy walking distance of Eastwood Town Centre and in close proximity to a wide range of local services and public transport networks. There is unrestricted parking located along Nottingham Road. Four parking spaces are proposed to the rear of the site providing off street parking provision for future occupiers. The Highways Authority raise no objections to the proposal and advise the applicant is creating a betterment with parking to the rear with turning to exit in a forward gear. A condition is recommended requiring the parking to be provided prior to the first occupation of the flats and to remain for the life of the development. There are no highway safety issues relating to this application.

7 Planning Balance

- 7.1 On balance, the benefits of the proposal are the retention of a building in residential use and the provision of targeted accommodation to benefit the housing mix within the Eastwood area, i.e. the creation of four, one bedroom flats. The proposal will also provide a betterment in terms of highway safety by

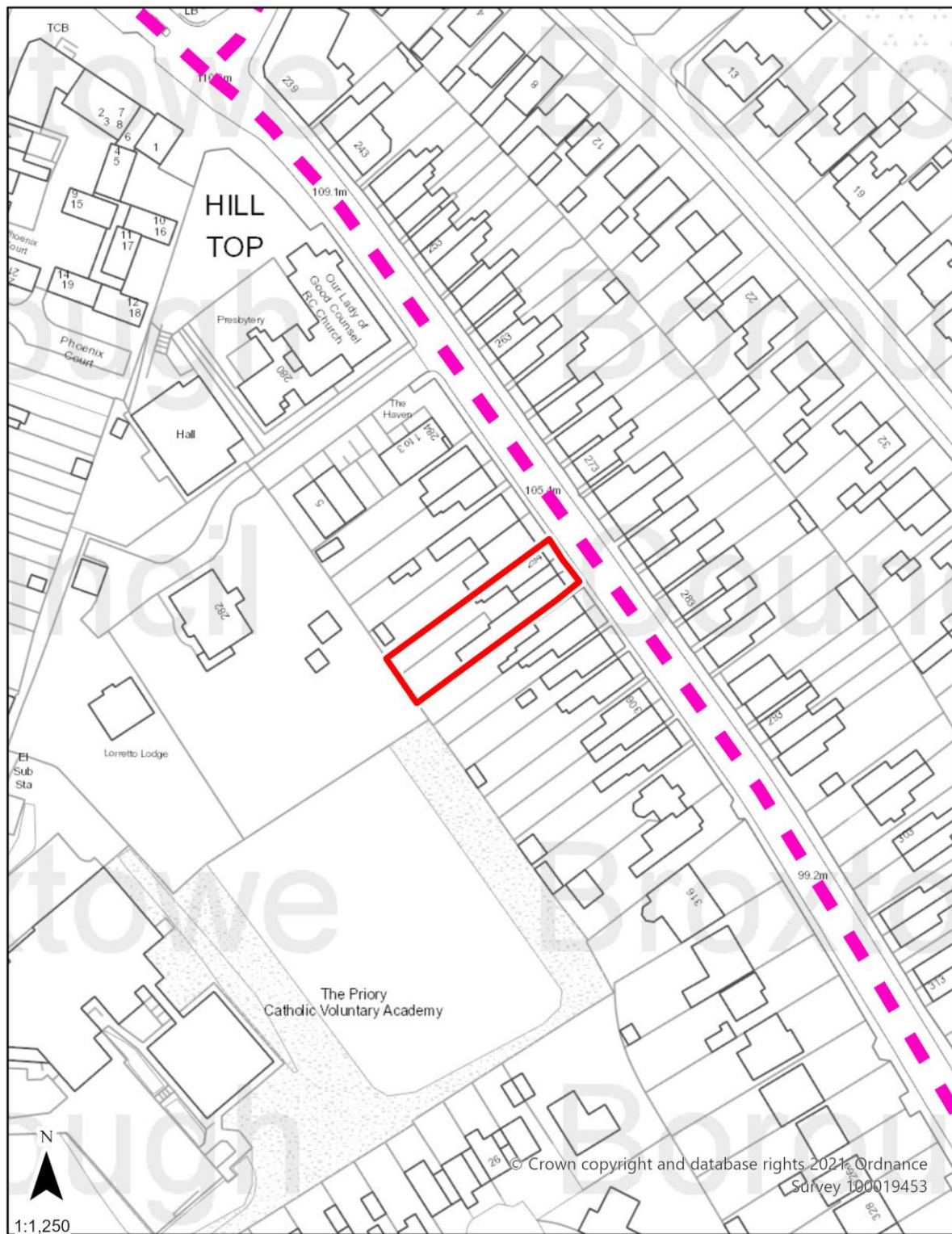
providing four off street parking spaces and allowing vehicles to leave in a forward gear. There are no significant constraints to developing this site that cannot be addressed by conditions, and on balance therefore, it is considered the scheme is acceptable

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. | <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p> |
| 2. | <p>The development hereby permitted shall be carried out in accordance with Site Location Plan 1: 1250 and Block Plan 1: 200, KJ3260/03A AND Proposed Elevations/Floor Plans, KJ3260/02C received by the Local Planning Authority on 14 July 2021.</p> <p><i>Reason: For the avoidance of doubt.</i></p> |
| 3. | <p>No part of the development hereby permitted shall be brought into use until the parking and turning areas are available for use and surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number KJ3260/03 Rev A. The parking and turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking and turning of vehicles.</p> <p><i>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.</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. | 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. | 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. |



Legend

-  Site Outline
-  Classified Road

Photographs

View of property within Street scene of Nottingham Road.



Front of building and existing central vehicular access.



Rear of site and location of four parking spaces for future occupants.

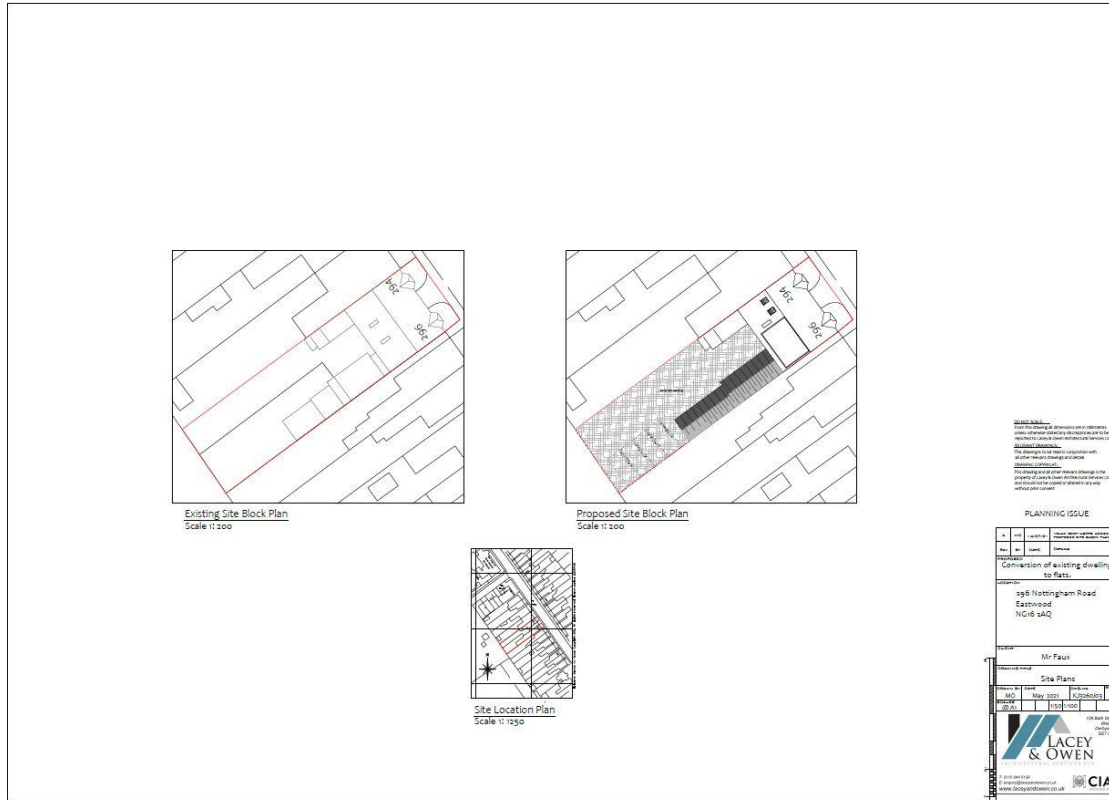


Rear view of the building.



Plans (not to scale)

Block Plan



Existing Elevations and Floor Plans



Proposed Elevations and Floor Plans



This page is intentionally left blank

Report of the Chief Executive

| | |
|----------------------------|--|
| APPLICATION NUMBER: | 21/00222/FUL |
| LOCATION: | Land off Gin Close Way, Awsworth, Nottinghamshire, NG16 2TA |
| PROPOSAL: | Change of use of land to car/van sales (sui generis), siting of storage containers (not exceeding 70 units) (B8), change of use of land to open storage, change of use of buildings to car repairs and tyre sales, erection of 2 metre high security fencing, extension to existing single storey building and new storage/car repair building (revised scheme) |

The application has been called to Committee by Councillor D D Pringle.

1 Executive Summary

- 1.1 This application seeks retrospective consent to change of use of land to car/van sales (sui generis), siting of storage containers (not exceeding 70 units) (B8), change of use of land to open storage, change of use of buildings to car repairs and tyre sales, erection of two-metre-high security fencing, extension to existing single storey building and new storage/car repair building (revised scheme). The site is an established employment allocation in the Part 2 Local Plan 2019.
- 1.2 During the course of the application various changes have occurred on site including the erection of a storage/car repair building to the rear of the site, which now forms part of this application.
- 1.3 To the front of the site there is a car wash which is outside of the red line of the application site. Planning permission was granted in 2017 to retain the car wash business including the canopy, customer waiting shed, valeting area, staff facility within the caravan, ancillary car sales area, hard standing and boundary fence. This permission was required as although permission was previously granted in 2014, the business operations had not been developed in accordance with the approved plans.
- 1.4 The benefits of the proposal are that that the unauthorised uses currently operating on the site would be regularised, the continued creation of jobs and the continued use of an established employment allocation site in the Part 2 Local Plan 2019.
- 1.5 The committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix, and to the prior signing of a Section 106 Agreement.

APPENDIX

1 Details of the Application

- 1.1 This application seeks retrospective consent to change of use of land to car/van sales (sui generis), siting of storage containers (not exceeding 70 units) (b8), change of use of land to open storage, change of use of buildings to car repairs and tyre sales, erection of 2m high security fencing, extension to existing single storey building and new storage/car repair building (revised scheme).

2 Site and surroundings

- 2.1 The application site is set off Gin Close Way on the edge of Awsworth. Directly opposite there is existing employment land in the form of a concrete manufacturing facility and caravan sales business. To the north there is a petrol filling station and to the south east there is a builder's merchants. Directly to the south of the site there is a vacant site which has planning permission for a total of 65 dwellings.

3 Relevant Planning History

- 3.1 Planning permission was granted under reference number 97/00601/FUL for the use of the land as a haulage depot, erection of a storage building and office and the location of a diesel fuel storage tank.
- 3.2 Planning permission was granted under reference number 14/00549/FUL to retain the change of use of land and buildings from haulage depot to car wash and valet, car sales, car body repairs, storage of pallets and vehicles (including overnight parking), B2 workshop, parking and repair of commercial vehicles and ancillary offices, the siting of self-storage containers, and the erection of a 2 metre green mesh fence to the front boundary.
- 3.3 Retrospective planning permission was granted under reference number 17/00514/FUL for a hand car wash business comprising a canopy, customer waiting shed, valeting area, staff facility within a caravan, ancillary car sales area, hardstanding and boundary fencing.
- 3.4 Planning permission was refused under reference number 18/00384/FUL to erect a portable building to create a public café facility with decking.

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- 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 9: Retention of good quality existing employment sites
- 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 6 – Building a Strong, Competitive Economy.

5 Consultations

5.1 **The Highway Authority** - The proposal is retrospective with the site already in use. The access to the site is of sufficient width, with good visibility in both directions. The site benefits from good parking and manoeuvring within the site for cars to exit in a forward gear. As such the Highways Authority would not raise any concerns.

5.2 **Council's Environmental Health Officer** – No objections subject to a condition restricting the use of the site to between 07.00 – 21.00 hours.

5.3 Four commercial properties either adjoining or opposite the site were consulted and a site notice was displayed. No responses were received.

6 Assessment

6.1 The main issues relating to this application are the principle of development, the impact upon visual amenity of the area, residential amenity, highway safety and viability. These are discussed in turn as follows:

6.2 Principle

6.2.1 The site is allocated in the adopted Part 2 Local Plan (2019) as an employment site. Policy 9 states that permission will be granted for the redevelopment of land and premises for employment purposes on allocated sites provided it is in the B class employment uses and the redevelopment provides the necessary quality of design, landscaping, parking and amenity, having regard to the local environment and the amenity of nearby and adjoining occupiers.

6.2.2 Whilst a variety of uses are proposed on the site including car sales and storage containers, it is important to encourage the efficient use of land and the principle of diversifying the site through offering other employment uses, which will both retain existing jobs and also provide new jobs. The principle of development is therefore considered acceptable.

6.3 Visual Amenity

- 6.3.1 Policy 17 of the Part 2 Local Plan requires new development to integrate into its surroundings and to take advantage of existing topography and landscape features. Existing buildings on the site are to be retained with them currently being used for tyre sales to the front of the site and car repairs to the rear. A new single storey office building is also on site adjacent the side of the tyre sales building which is built using materials matching this building. A free standing shed has also been built adjacent to the existing car repair building to the rear of the site measuring a total height of 4.65m. The previously approved car sales area which was granted under reference number 17/00514/FUL remains, with the land located to the east being split into three parcels being used for car and truck sales and ambulance parking. Between each parcel of land, a 1.8m high wire mesh fence is in place, with 1.8m high palisade fencing around the boundary to the front.
- 6.3.2 In addition to the above a scaffold storage area is proposed to the existing tyre sales building, with a 1.8m high palisade fence to the front. To the rear of this area, storage containers are located, which due to their location there are limited views of from with the street scene of Gin Close Way. Due to the temporary nature of these structures and the potential for them to fall into a state of poor repair, a condition is proposed for the storage containers to be removed from the site within 10 years from the date of the permission. There is also an open storage area to the rear of the existing car repair building and new car repair building to the rear of the site, which is surrounded by a 1.8m high palisade fence. Given the nature of the application and the location of the new buildings and storage containers in the site, it is considered the proposal will have a limited impact upon the visual amenity of the area.
- 6.3.3 Previously a variety of mature trees were located along the northern boundary of the site adjacent the brook. These have been removed to allow for the clearing of the brook, however a variety still exist to the front of the site. Whilst it is noted that these trees used to screen the view of commercial activities within the site, it should be noted that these trees were not covered by Tree Preservation Orders and the site is not located within a Conservation Area. Furthermore, there is no planning history for the site which specifically had restrictive conditions imposed for the retention of the trees. The applicant did not therefore require permission to remove the trees and they were sited on land within the site which is wholly owned by the applicant.

6.4 Amenity

- 6.4.1 The site is located off Gin Close Way, a significant distance from existing residential properties located within Awsorth. No objections have been received from the Council's Environmental Health Officer subject to a condition relating to the hours of operation on the site being between the hours of 07.00 and 21.00 hours.
- 6.4.2 Planning permission reference number 20/00873/MMA has been granted for the development of 65 no: residential dwellings on land directly to the south of the application site. The plans for this development show that residential units will adjoin the boundary of the application site, with garden areas backing onto the boundary. However, these will only be located backing onto the existing car wash

and tyre sales building, with the scaffolding storage area and storage cabins backing onto the service yard/car park of the adjacent Builder's Merchants to the south east of the application site.

- 6.4.3 Overall, given the existing commercial use of the application site, it is not considered the proposal will have an unacceptable impact on the residential amenity of neighbouring properties.

6.5 Access

- 6.5.1 The internal access road linking to Gin Close Way splits the application site into two parts with a northern area and southern area. The car sales, car repair buildings and outdoor storage area are confined to the northern area, with the tyre sales building, scaffolding storage and storage containers within the southern area. No objections have been received from the Highway Authority in respect of this application and it is advised the site already in use. The access to the site is of sufficient width, with good visibility in both directions. The site benefits from good parking and manoeuvring within the site for cars to exit in a forward gear.

7 Planning Balance

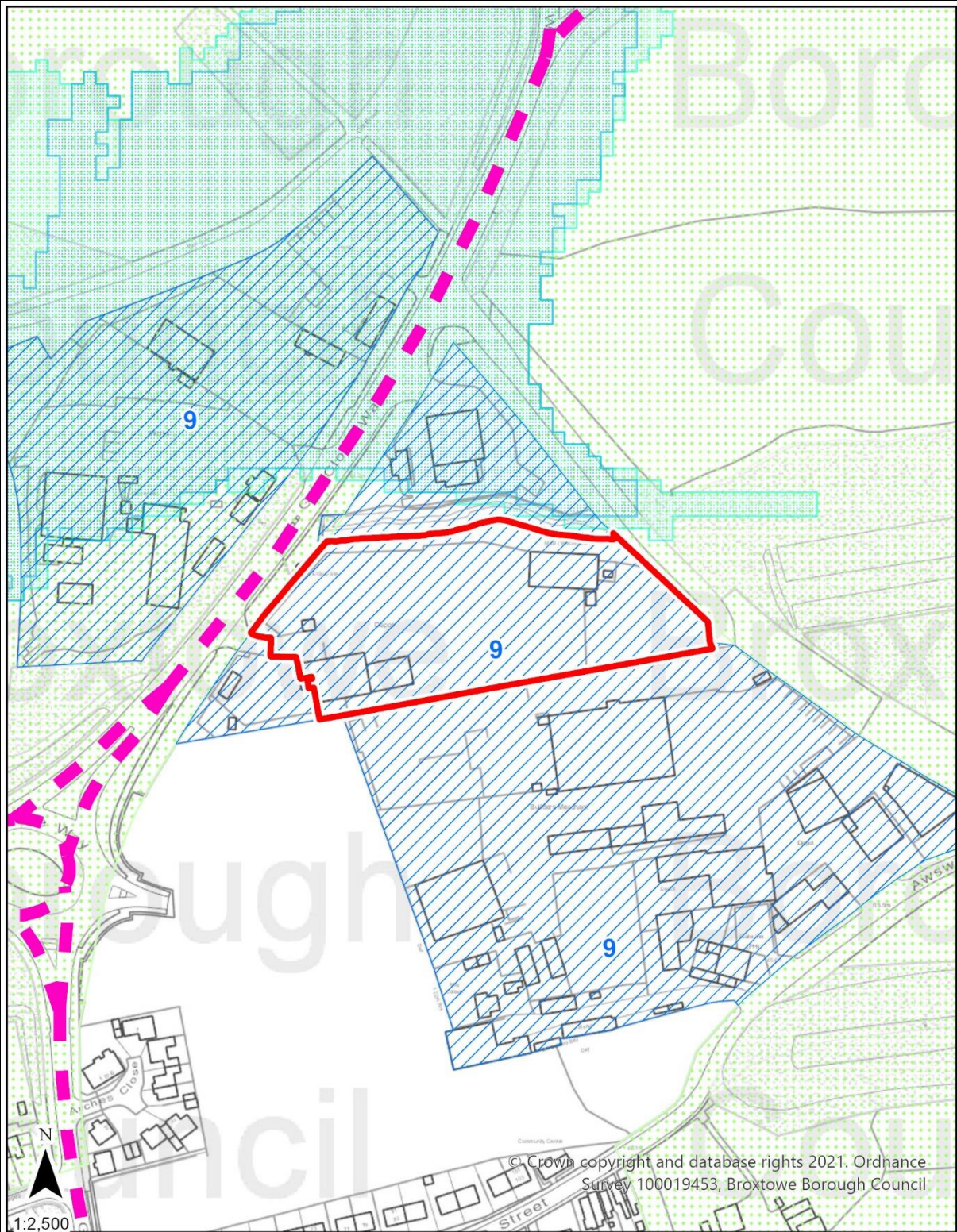
- 7.1 On balance the benefits of the proposal are that that the unauthorised uses currently operating on the site would be regularised, the continued creation of jobs and the continued use of an established employment allocation site in the Part 2 Local Plan 2021

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> | |
|---|--|
| <p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p> | |
| 1. | <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p> |
| 2. | <p>The development hereby permitted shall be retained in accordance with approved drawings Site Location Plan 1: 1250, Extension External Elevations, GD/TS/20/010/03 received by the Local Planning Authority 16 March 2021, Storage Building Elevations, CF/IJTS/20/10/06 received by the Local Planning Authority on 10 August 2021 and Proposed Site Block Plan 1: 500, Fence Elevations and Storage Unit Elevations received by the Local Planning Authority on 12 August 2021.</p> <p><i>Reason: For the avoidance of doubt.</i></p> |
| 3. | <p>The site shall not be used except between 17.00 - 21.00 hours Monday to Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.</p> <p><i>Reason: To protect nearby residents from excessive operational noise.</i></p> |
| 4. | <p>The storage containers hereby permitted shall be removed and the land restored to its former condition on or before 31 December 2031.</p> <p>Reason: As the containers are of a temporary nature and their appearance is likely to deteriorate with time effecting the visual amenities of the area, it is considered that a time limited consent is necessary to ensure the development complies with Policy 10 of the Aligned Core Strategy 2014.</p> |
| | NOTES TO APPLICANT |
| 1. | <p>The Council has acted positively and proactively in the determination of this application by working to determine it within agreed determination timescale.</p> |

| | |
|-----------|---|
| 2. | Burning/storage 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. |
| 3. | The applicant is hereby advised that the erection of lighting on the site would require a separate planning application. |



Legend

- Site Outline
- Classified Road
- Flood Zone 3
- Flood Zone 2
- Green Belt
- Existing Employment Sites

Photographs

View of site from Gin Close Way.



View of the site from the south.



Scaffolding business and office extension.



Car Sales and open storage area.



Storage containers.



Typical row of storage containers.

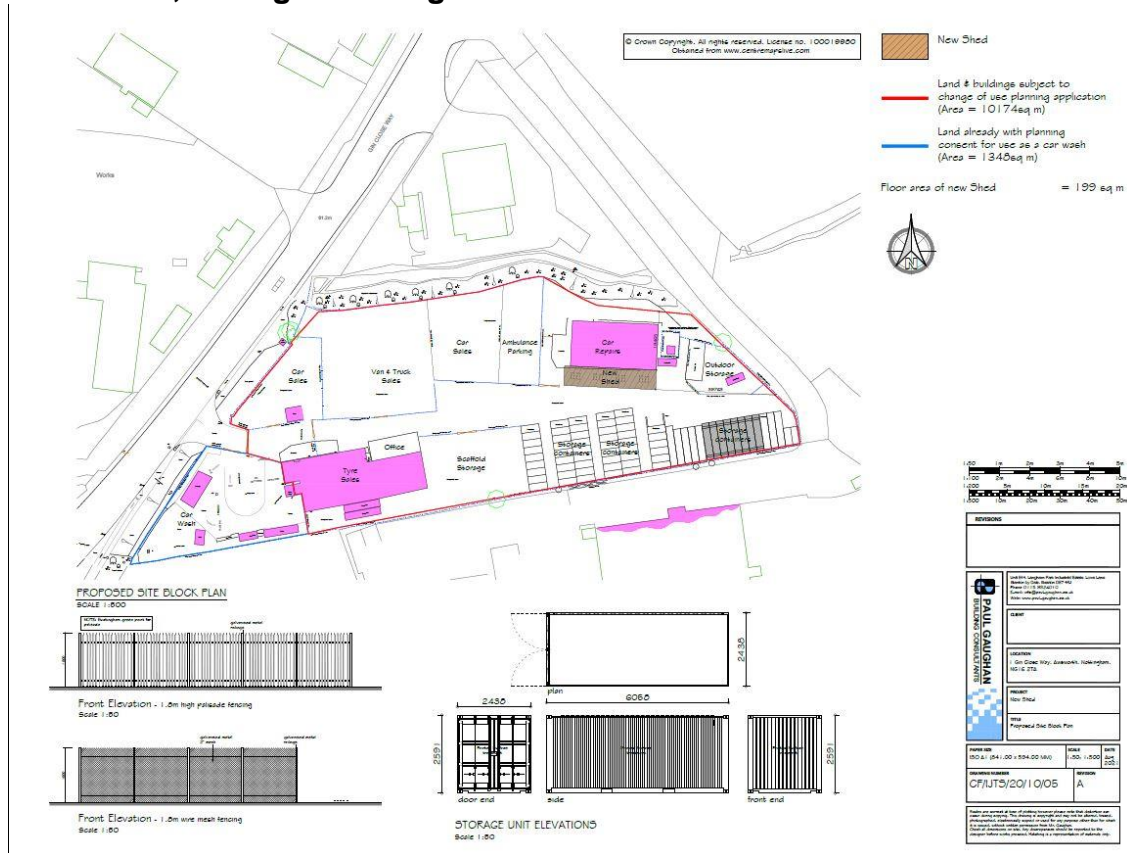


Storage/car repair building.

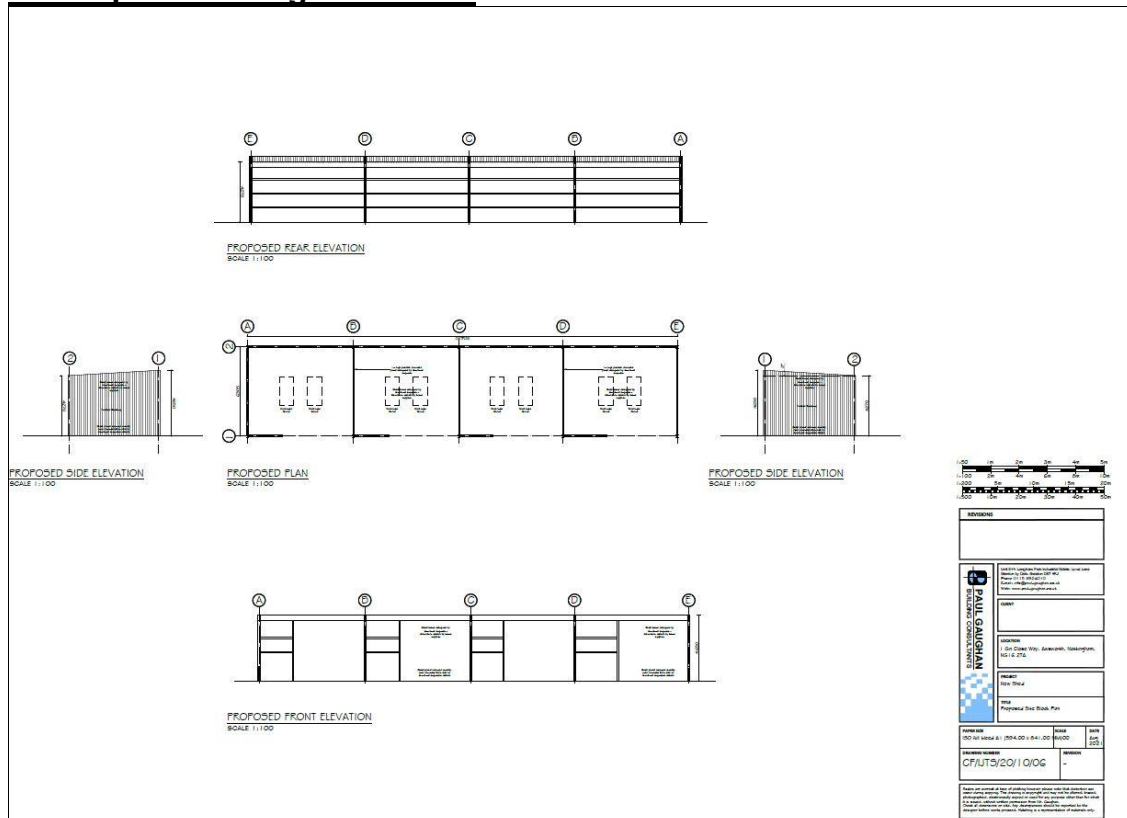


Plans (not to scale)

Block Plan, Storage Building Elevations and Fence Elevations



Car Repair Building Elevations



© Crown Copyright. All rights reserved. License No. 100018800
Obtained from www.data.gov.uk

07.480m - EXISTING EAVES
02.010m - VERGE OF EXTENSION
02.010m - EAVES OF EXTENSION
02.010m - GROUND LEVEL

FRONT ELEVATION
SCALE 1:25

Face of existing wall cladding
Roof sheeting to be angle skin cladding fixed to purlins
8400mm X 2000mm roller shutter door
800mm X 2100mm Personnel door
SIGNAGE

SIDE ELEVATION
SCALE 1:25

Existing roof cladding
Face of existing wall cladding
Roof sheeting to be angle skin cladding fixed to purlins
External eaves box gutter
Wall sheeting to be angle skin cladding fixed to sheeting rails
Wall sheeting to be angle skin cladding fixed to sheeting rails

SECTION THROUGH
SCALE 1:25

Existing roof cladding
Face of existing wall cladding
Roof sheeting to be angle skin cladding fixed to purlins
External eaves box gutter
Wall sheeting to be angle skin cladding fixed to sheeting rails
Wall sheeting to be angle skin cladding fixed to sheeting rails

REVISIONS

| NO. | REVISION | DATE |
|-----|------------------|------------|
| 1 | Issue for tender | 10/10/2010 |
| 2 | Issue for tender | 10/10/2010 |
| 3 | Issue for tender | 10/10/2010 |
| 4 | Issue for tender | 10/10/2010 |
| 5 | Issue for tender | 10/10/2010 |
| 6 | Issue for tender | 10/10/2010 |
| 7 | Issue for tender | 10/10/2010 |
| 8 | Issue for tender | 10/10/2010 |
| 9 | Issue for tender | 10/10/2010 |
| 10 | Issue for tender | 10/10/2010 |
| 11 | Issue for tender | 10/10/2010 |
| 12 | Issue for tender | 10/10/2010 |
| 13 | Issue for tender | 10/10/2010 |
| 14 | Issue for tender | 10/10/2010 |
| 15 | Issue for tender | 10/10/2010 |
| 16 | Issue for tender | 10/10/2010 |
| 17 | Issue for tender | 10/10/2010 |
| 18 | Issue for tender | 10/10/2010 |
| 19 | Issue for tender | 10/10/2010 |
| 20 | Issue for tender | 10/10/2010 |
| 21 | Issue for tender | 10/10/2010 |
| 22 | Issue for tender | 10/10/2010 |
| 23 | Issue for tender | 10/10/2010 |
| 24 | Issue for tender | 10/10/2010 |
| 25 | Issue for tender | 10/10/2010 |
| 26 | Issue for tender | 10/10/2010 |
| 27 | Issue for tender | 10/10/2010 |
| 28 | Issue for tender | 10/10/2010 |
| 29 | Issue for tender | 10/10/2010 |
| 30 | Issue for tender | 10/10/2010 |
| 31 | Issue for tender | 10/10/2010 |
| 32 | Issue for tender | 10/10/2010 |
| 33 | Issue for tender | 10/10/2010 |
| 34 | Issue for tender | 10/10/2010 |
| 35 | Issue for tender | 10/10/2010 |
| 36 | Issue for tender | 10/10/2010 |
| 37 | Issue for tender | 10/10/2010 |
| 38 | Issue for tender | 10/10/2010 |
| 39 | Issue for tender | 10/10/2010 |
| 40 | Issue for tender | 10/10/2010 |
| 41 | Issue for tender | 10/10/2010 |
| 42 | Issue for tender | 10/10/2010 |
| 43 | Issue for tender | 10/10/2010 |
| 44 | Issue for tender | 10/10/2010 |
| 45 | Issue for tender | 10/10/2010 |
| 46 | Issue for tender | 10/10/2010 |
| 47 | Issue for tender | 10/10/2010 |
| 48 | Issue for tender | 10/10/2010 |
| 49 | Issue for tender | 10/10/2010 |
| 50 | Issue for tender | 10/10/2010 |
| 51 | Issue for tender | 10/10/2010 |
| 52 | Issue for tender | 10/10/2010 |
| 53 | Issue for tender | 10/10/2010 |
| 54 | Issue for tender | 10/10/2010 |
| 55 | Issue for tender | 10/10/2010 |
| 56 | Issue for tender | 10/10/2010 |
| 57 | Issue for tender | 10/10/2010 |
| 58 | Issue for tender | 10/10/2010 |
| 59 | Issue for tender | 10/10/2010 |
| 60 | Issue for tender | 10/10/2010 |
| 61 | Issue for tender | 10/10/2010 |
| 62 | Issue for tender | 10/10/2010 |
| 63 | Issue for tender | 10/10/2010 |
| 64 | Issue for tender | 10/10/2010 |
| 65 | Issue for tender | 10/10/2010 |
| 66 | Issue for tender | 10/10/2010 |
| 67 | Issue for tender | 10/10/2010 |
| 68 | Issue for tender | 10/10/2010 |
| 69 | Issue for tender | 10/10/2010 |
| 70 | Issue for tender | 10/10/2010 |
| 71 | Issue for tender | 10/10/2010 |
| 72 | Issue for tender | 10/10/2010 |
| 73 | Issue for tender | 10/10/2010 |
| 74 | Issue for tender | 10/10/2010 |
| 75 | Issue for tender | 10/10/2010 |
| 76 | Issue for tender | 10/10/2010 |
| 77 | Issue for tender | 10/10/2010 |
| 78 | Issue for tender | 10/10/2010 |
| 79 | Issue for tender | 10/10/2010 |
| 80 | Issue for tender | 10/10/2010 |
| 81 | Issue for tender | 10/10/2010 |
| 82 | Issue for tender | |

Report of the Chief Executive

| | |
|----------------------------|---|
| APPLICATION NUMBER: | 21/00694/FUL |
| LOCATION: | 5 Highbury Close Nuthall Nottinghamshire |
| PROPOSAL: | Change of use from C3 to C2 to accommodate up to two residents |

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

1 Executive Summary

- 1.1 The application seeks planning permission for the change of use of 5 Highbury Close Nuthall from C3 (dwellinghouse) to C2 (residential care home). The use will see the provision of children in care accommodation setting for up to two children aged between 7-16 years-old and two staff regularly working and sleeping at the property and one additional member of staff during the day time (if required) on a 24-hour basis, 365 days per year.
- 1.2 The dwelling is currently used for supported accommodation and it is understood that there is one carer at a time on site for one 16-18-year-old, covering on a 24-hour basis. There are no external changes proposed to the dwelling, but the dwelling will have three bedrooms and an office on the first floor.
- 1.3 The two storey detached four-bedroom dwelling is within a cul de sac location and within an established residential development.
- 1.4 The main issues relate to whether the principal of the change of use is acceptable, if there would be any unacceptable impact on neighbour amenity and on highway safety.
- 1.5 The benefits of the proposal are the provision of targeted accommodation to benefit the younger children in care, to be cared for in a home setting and in compliance with policies contained within the development plan.
- 1.6 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 change the use of a dwelling from C3 (dwellinghouse) to C2 (residential care home). The type of care will be the provision of children in care accommodation setting for up to two children aged between 7-16 year-old and two staff regularly working/sleeping at the property and one additional member of staff during the day time (as and when required) providing 24-hour cover, 365 days per year.
- 1.2 For clarification, the children will be carefully selected in consultation with the Local Authorities and would be between the ages of 7-16 years. The carers of the children will not be permanent residents, but would work on a shift pattern, with emphasis on creating a family environment by preparing and eating meals together, supporting the children to attend school/college and services around the area.
- 1.3 For clarification there will be a maximum of five people at the property, two children (residents), two members of staff and one registered manager. The agent has confirmed the shift pattern will be 8am – 10pm and 10pm – 8am.
- 1.4 The agent has amended the application forms/signed certificate B and served notice on the owner of the dwelling, this is to ensure the correct procedures are followed in line with Town and Country Planning (General Development Procedure) Order 1995 under Article 7.
- 1.5 During determination of the application a site notice was displayed within the cul de sac to ensure clarity and ensure the wider community were made aware of the application.

2 Site and surroundings

- 2.1 5 Highbury Close is set within a cul de sac location within an established residential development. The dwelling is a two storey four-bedroom dwelling with an enclosed rear garden and an attached double garage with off road parking to the principal elevation, for two vehicles.
- 2.2 The cul de sac consists of two storey detached dwellings with off road parking to the principal elevation and a small lawn area to the frontages.

3 Relevant Planning History

- 3.1 No relevant planning history post 1974 for this 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 10: Design and Enhancing Local Identity

4.2 Part 2 Local Plan 2019:

- Policy 17: Place-making, design and amenity

4.3 National Planning Policy Framework (NPPF) 2021:

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

5 Consultations

5.1 Nuthall Parish Council – objects to the application. Significant increase in traffic in a quiet residential area, inappropriate business use and loss of amenity for residents.

5.2 Four properties either adjoining or opposite the site were consulted and a site notice was displayed. A total of 43 objections have been received and one objection letter is from a Planning Consultant representing all the residents of Highbury Close and Stanmore Close. The objections can be summarised as follows:

- Concerns with regards to the accuracy and level of detail provided in the application;
- The application does not reflect the reality of what has been taking place at the property;
- Concerns regarding amenity of local residents in respect of safety, security, access and parking
- Procedurally certificate A has been signed on the application forms and as Berry Gifford doesn't own the house certificate B should be signed;
- Planning Practice Guidance states that the application is not valid unless the relevant certificate has been completed;
- Lack of transparency in the application form, Berry Gifford website states they support older individuals than the application;
- Lack of information;
- This should be a retrospective application as the dwelling has been used for 9 months for older children/teens/adults;
- Antisocial behaviour; noise issues
- Vermin infestation due to the bins not being taken out;
- Security and safety;
- Undermine quality of life and community cohesion which is contrary to para 130 of the NPPF;
- Access and amenity issues;
- Ofsted report submitted for a different home run by Berry Gifford Ltd
- Set a precedent for other houses close by to be used as C2 uses;
- Question the skill set, ability and legal parameter for controlling the residents;

- The applicant has shown disregard for due process;
- Running a business is not allowed in deeds;
- Loss of house value;
- Lack of notification, site notice/neighbour notification
- Has the house been altered to accommodate this use;
- Lack of maintenance of the property.

5.3 The application form has been amended and notice served on the owner of 5 Highbury Close. A re consultation has taken place and further objections were received raising no new grounds of objection to those recorded above.

6 Assessment

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

6.2 **Principle**

6.2.1 The proposed use of the building is modest in size (that is, number of occupants / users) and retains the residential nature of a dwelling. As such, subject to the matters below, is considered to be acceptable in principle.

6.3 **Amenity**

6.3.1 Policy 17 of the Part 2 Local Plan states that for all new development, permission will be granted for development which integrates into its surroundings, provides sufficient, well- integrated parking, and safe and convenient access and ensures satisfactory degree of amenity for occupiers of new development and neighbouring properties.

6.3.2 Policy 10 of the Local Plan Part 1 states that new development should create an attractive, safe, inclusive and healthy environment.

6.3.3 Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. It continues to state creating places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.3.4 The application does not propose any external changes to the dwelling but to change the use from C3 to C2 and on this basis there would not be any issue with loss of light and overlooking.

6.3.5 It is clear from the amount of representations received there are significant concerns regarding the potential for loss of amenity, safety and crime.

6.3.6 Concerns have been raised about the coming and goings of staff and the potential for noise and disturbance to the neighbours and wider cul de sac. The

change of staffing during the 24-hour period would be that similar to C3 use and is considered to have no more of an impact than a traditional C3 dwelling.

6.3.7 Safety and security concerns have also been raised in the letters of objection. The type of development is small scale, being a maximum of two children and three staff members on a 24-hour rota, the dwelling will have the appearance of a traditional house with a secure enclosed rear garden to ensure a safe environment for the children.

6.3.8 In regard to the use, the nature of the use as a residential care home for up to two children aged between 7 to 16 years would not significantly differ compared to the current use as a dwelling, where it may be expected for a family including children of this age to reside and as such it is considered that there would not be any significant impact in terms of increase in noise and disturbance sufficient to warrant a refusal for the occupiers of neighbouring dwellings or to the wider area.

6.4 Access/Highway Safety

6.4.1 The dwelling has two attached garages with off road parking for two cars. The change of use from a dwelling to a residential care home for two children would not generate any additional demand for parking over and above the current use as a dwelling. As such it is considered that the proposed use would not result in a detriment to highway safety or result in inconvenience to local residents in terms of parking.

6.5 Other Matters

6.5.1 The point raised about the application form being incorrect due to the incorrect certificate being signed has been addressed. The agent has served Notice on the owner of the dwelling and amended the application forms accordingly.

6.5.2 The issue of vermin has been raised and the applicant has provided a certificate from an approved business to check for evidence, of which there was none at the time of the inspection. It should be noted this is not a material consideration in determination of the application and other legislation covers this.

6.5.3 The running of a business from the address is not allowed, as specified on the deeds for the dwellings was raised as an objection, again this is not a material planning consideration and the objectors should seek advice regarding this matter, under other legislation.

6.5.4 The lack of maintenance and the potential to have a detrimental impact on house values are again not a material planning consideration in determination of the application.

6.5.5 The issue of the current use and applying retrospectively has been raised by objectors. It should be noted the Local Planning Authority cannot penalise applicants/agent for applying retrospectively. Notwithstanding this, the current use is for older children and would not require formal planning permission to use the C3 dwelling for older children/teenagers, being permitted development, in the same use class. The only reason formal planning permission has been applied

for is due to the ages of children being classed as minors (that is, cannot legally be able to look after themselves).

- 6.5.6 The points raised about the Ofsted report for other Berry Gifford and the ability to control the service users are not a material consideration in determination of the application.
- 6.5.7 The point raised about setting a precedent for other dwellings to be used as C2 use has been raised by several objectors. As with all applications submitted to the Local Planning Authority, each site is assessed on their own merits and determined on this basis and the granting of planning permission for this proposal would not, therefore, be considered to set a precedent.

7 Planning Balance

- 7.1 The benefits of the proposal are that the care home would enable more targeted service provision in a home setting for the benefit of children aged between 7–16 years old and should the use no longer be required the dwelling could revert back to the C3 use without recourse to major alterations.
- 7.2 The negative impacts are the increase in coming and goings to the dwelling, however it is considered that these are not significantly over the above that which would be which would be experienced if the dwelling was in C3 use and are not considered sufficient to outweigh the positives.
- 7.3 On balance, it is considered that, for the reasons above, the negative impacts would not outweigh the benefits of the proposed development and that planning permission should be granted.

8 Conclusion

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

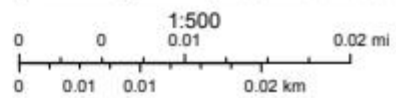
| <u>Recommendation</u> | |
|---|---|
| The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions. | |
| 1. | The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: 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 floor plan received 16 August 2021 and application form received 1 October 2021. |

| | |
|-----------|--|
| | <i>Reason: For the avoidance of doubt.</i> |
| | NOTES TO APPLICANT |
| 1. | The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale. |

21/00694/FUL - 5 Highbury Close Nuthall



11/3/2021, 3:56:24 PM



Photographs



Principal elevation



Rear elevation

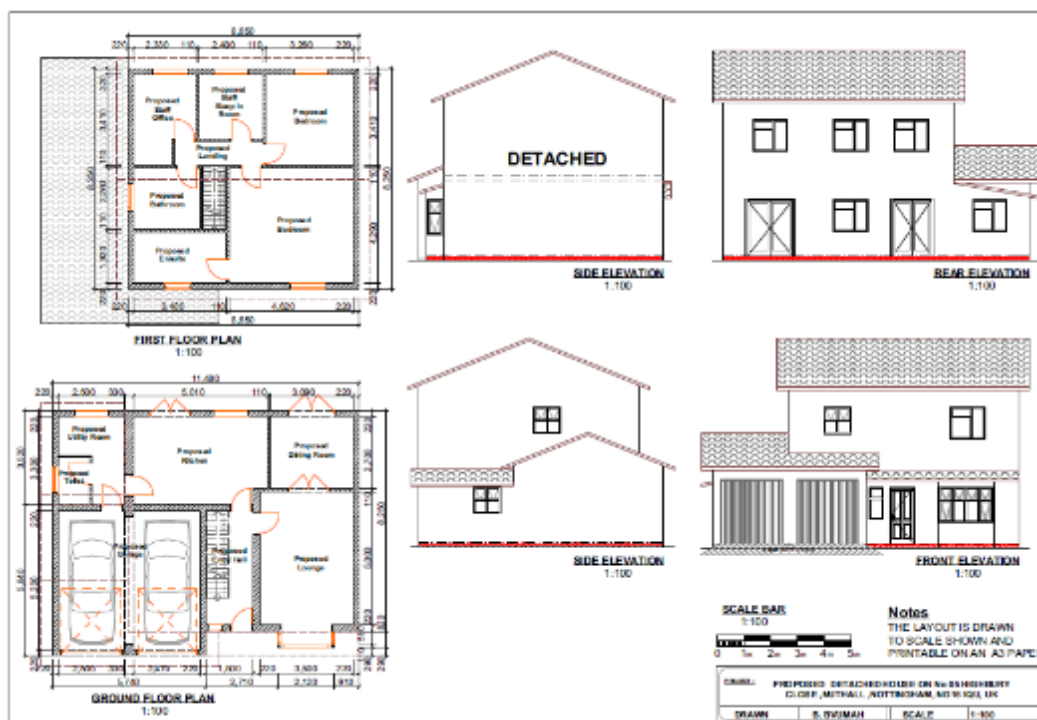


Dwellings to the rear

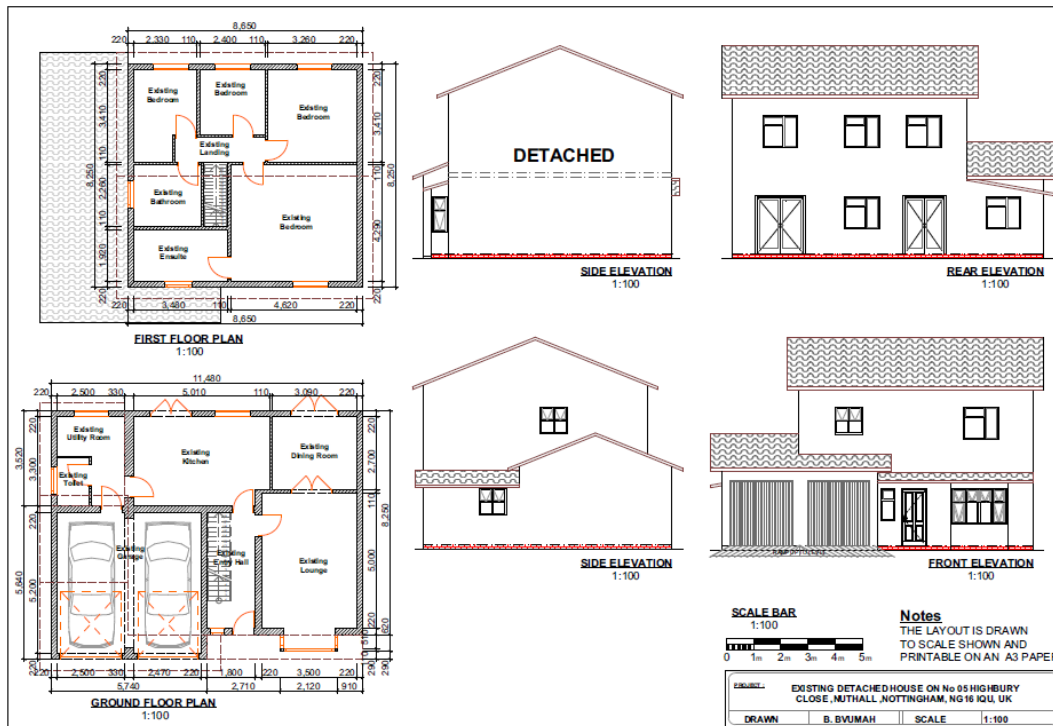


Site notice displayed

Plans (not to scale)



Proposed plans – internal layout changed only



Existing layout of four-bedroom dwelling

Report of the Chief Executive

| | |
|----------------------------|---|
| APPLICATION NUMBER: | 21/0074/FUL |
| LOCATION: | 70 Awsworth Lane, Cossall, Nottinghamshire |
| PROPOSAL: | Construct single storey rear extension |

This application has been called to Planning Committee by Councillor L A Ball BEM.

1. Executive Summary

- 1.1 The application seeks planning permission for a single storey rear extension to a domestic property.
- 1.2 The dwelling is a detached property within a semi-rural location and within the Nottinghamshire Green Belt.
- 1.3 The main issues relate to whether or not the principle of development is acceptable in the Green Belt, whether the design and appearance of the proposal is acceptable and impact on neighbour amenity.
- 1.4 The benefits of the proposal are that it would provide enhanced living accommodation for the occupiers. The negative impacts are the inappropriateness of the development in a Green Belt and the scale and design of the proposed side extension on the character and appearance of the building and the area.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reasons set out in the appendix.

APPENDIX

2 Details of the Application

- 2.1 This application seeks permission to construct a mono pitched single storey rear extension to the eastern elevation, with four roof lights. The proposal will create a large open plan kitchen/dining area.

3 Site and surroundings

- 3.1 The application property is a detached dwelling with brick finish to all the elevations and tiled roof. There is off road parking to the north of the site which leads to the detached garage, the garden is very overgrown with several structures. It should be noted the site is substantial in size, above the average size domestic curtilage.
- 3.2 The property is located in a semi-rural location with neighbouring residential dwellings to the north and south and open fields/land to the east and west. The application site is in the Nottinghamshire Green Belt.

4 Relevant Planning History

- 4.1 There have been seven planning applications at the property and these are as follows:
- 4.2 96/00277/FUL - Two storey rear extension, approved and implemented.
- 4.3 03/00777/OUT - Use garden land as site for residential dwelling which was refused.
- 4.4 04/00571/OUT - Use garden land as site for residential dwelling (revised scheme) which was refused. This decision was appealed and subsequently dismissed.
- 4.5 20/00010/OUT - Outline application to construct one with dwelling with some reserved matters which was refused. This decision was appealed and subsequently dismissed.
- 4.6 21/00594/PNH - Construct single storey rear extension under larger homes scheme, outcome requires formal planning permission, linked to the current application.
- 4.7 21/00815/PNH – Construct rear extension, but plans demonstrate single storey side extension, outcome still to be determined at time of writing the report but officer considered that the extension would require planning permission.

5 Relevant Policies and Guidance5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 5.1.1 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

5.2 Part 2 Local Plan 2019

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, design and amenity

5.3 National Planning Policy Framework (NPPF) 2021:

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

6 Consultations

6.1 No comments from technical consultees are required for this application.

6.2 Two neighbouring properties were consulted. Both neighbouring properties commented that they raise no objection to the proposal.

7 Assessment

7.1 The main issues for consideration are whether or not the principle of development is acceptable in the Green Belt, the design and appearance of the proposal, and its impact on neighbouring amenity.

7.2 Principle

7.2.1 The application site is washed over by Green Belt, and therefore the principle of development is subject to whether or not it complies with local and national Green Belt policy. Broxtowe Local Plan Part 2 (2019) Policy 8 states that development in the Green Belt will be determined in accordance with the NPPF. 149 of the NPPF states that the Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt, exceptions to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy 8 of the P2LP states that additions which result in a total increase of more than 30% of the volume of the original building will be regarded as disproportionate.

7.2.2 As stated in the Planning History section of the report, the original dwelling has been extended to the rear. The volume of the original dwelling has been calculated to be circa 353 Cu/m, the two storey rear extension is 107 Cu/m and the proposal seeks to add a further 100 Cu/m. The calculations for the rear extension (already implemented) and the proposed rear single storey extension along with the original dwelling would be 560Cu/m which would result in an increase of 59% of the original volume of the dwelling.

- 7.2.3 The proposed extension would exceed the 30% volume increase which would not be considered a limited addition to the original dwelling, and therefore an exception to inappropriate development, in accordance with Policy 8. The proposal is therefore considered to be inappropriate development in the Green Belt.

7.3 Design and Appearance

- 7.3.1 The proposed mono pitched single storey rear extension is to cover the whole width of the dwelling, measuring 10.3m wide, 4m from the rear elevation 2.4m to the eaves and 3.7m to the ridge. There is a total of four roof lights and two sets of bi fold doors giving access on the patio area. From the position and size, it is considered that the single storey rear extension would read as a later addition to the dwelling. Given the location of the extension, it is considered that there would not be any significant impact on the visual amenity of the area.

7.4 Amenity

- 7.4.1 As the proposed single storey rear extension is located to the east of the dwelling and given the relationship to the neighbours, the lay of the land and boundary treatments, it is considered that the proposed development would not have a significant impact on neighbour amenity.

7.5 Access

- 7.5.1 Access into the site would not be affected by the development and as such it is considered that the development would not have a significant impact on highway safety.

8 Planning Balance

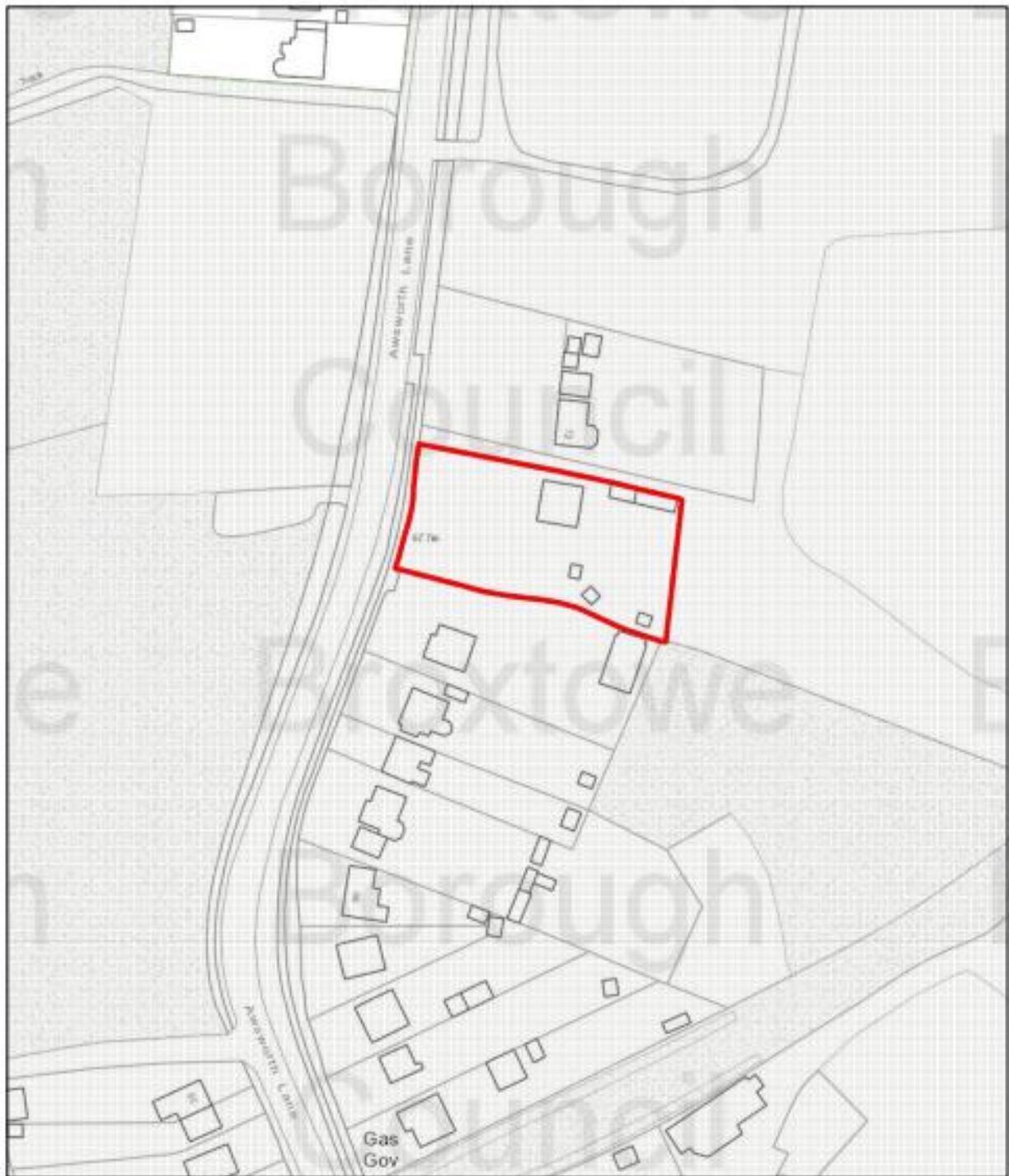
- 8.1 The benefits of the proposal are that it would provide enhanced living accommodation for the occupiers and would not have a significant impact on neighbour amenity.
- 8.2 The negative impacts are that the development would be considered as being inappropriate within the Green Belt and the applicant has not demonstrated exceptional circumstances which would allow for development over and above the allowed 30%.
- 8.3 On balance, the negative impacts are considered to carry sufficient weight to outweigh the benefits of the proposal.

9 Conclusion

- 9.1 Recommend that planning permission for the development is refused.

| <u>Recommendation</u> | |
|--|--|
| The Committee is asked to RESOLVE that planning permission be refused for the following reasons: | |
| 1. | The proposal constitutes inappropriate development within the Green Belt as the proposed extension, in conjunction with the existing extension, represent a disproportionate addition to the size of the original building. There are insufficient very special circumstances demonstrated to clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness. Accordingly, the proposal is contrary to Policy 8 of the Part 2 Local Plan and Section 13: Protecting Green Belt Land of the National Planning Policy Framework (NPPF) 2021 and there are no other material considerations that justify treating this proposal as an exception. |
| | |
| | NOTES TO APPLICANT |
| 1. | The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any minor alterations which could be made to the scheme to make the proposal acceptable. |

21/00734/FUL - 70 Awsworth Lane Cossall



10/25/2021, 4:17:03 PM

- Green Belt
- Site

1:1,250
0 0.01 0.02 0.04 mi
0 0.01 0.03 0.06 km

MAP FROM BROXTOWE MAPS

Photographs



Principal elevation



Rear elevation



Side elevation/hardstanding

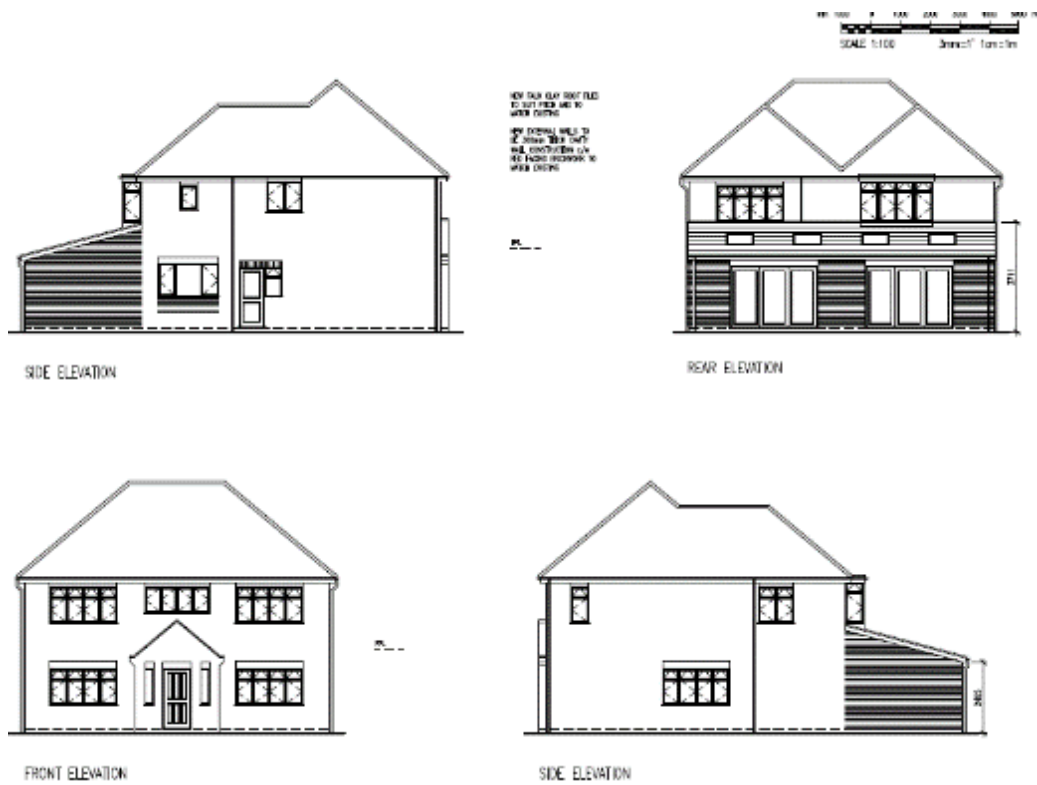


Detached garage/outbuilding

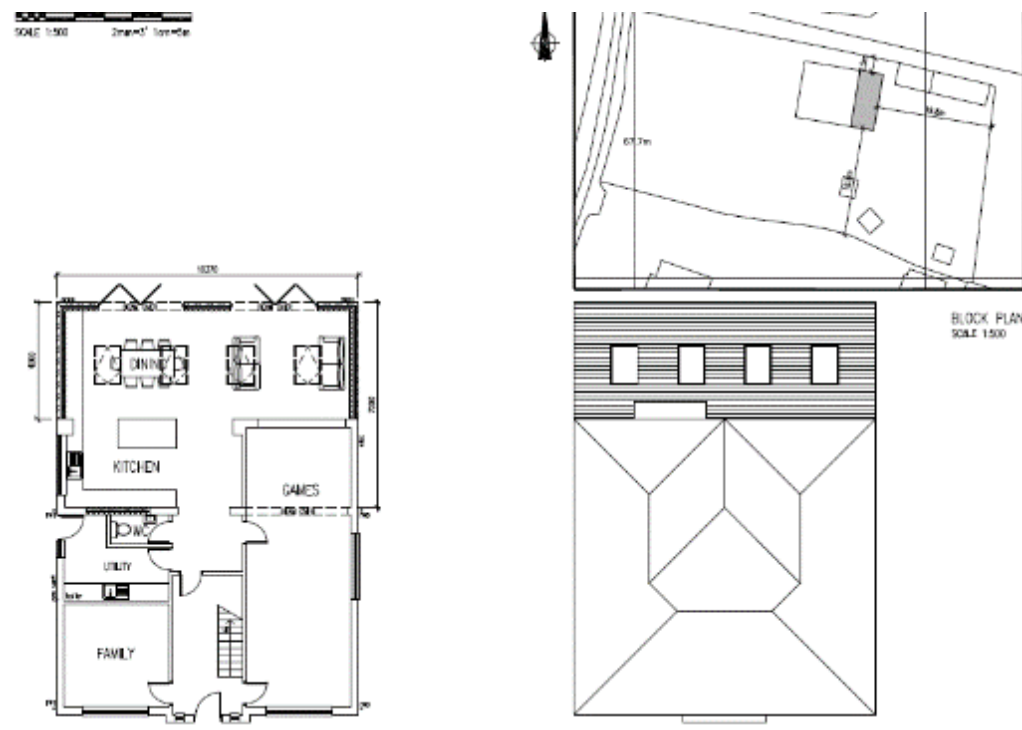


Overgrown garden area

Plans (not to scale)



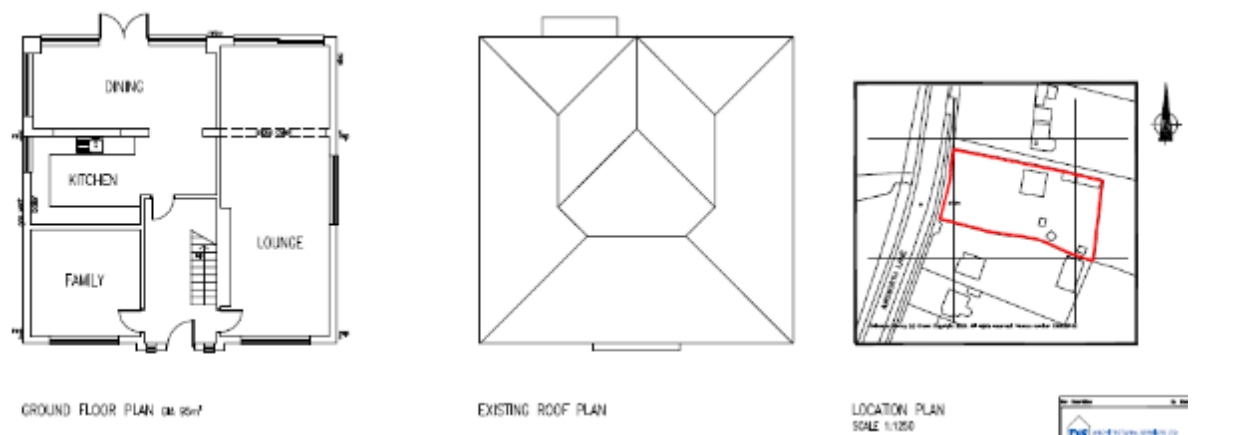
Proposed elevations



Proposed floor plans and block plan



Existing elevations



Existing floor plan and site location plan

This page is intentionally left blank

Report of the Chief Executive

| | |
|----------------------------|---|
| APPLICATION NUMBER: | 21/00688/FUL |
| LOCATION: | 20 Nottingham Road Eastwood Nottinghamshire NG16 3NQ |
| PROPOSAL: | Retention of Marquee |

The application is brought to the Committee by Councillor M Radulovic MBE

1 Executive Summary

- 1.1 The application seeks planning permission to retain a marquee at the rear of a public house.
- 1.2 The public house is part of a Victorian terrace in Eastwood Town Centre and is also within Eastwood Conservation Area.
- 1.3 The main issues relate to whether the design and appearance of the proposal is acceptable; whether the marquee would harm the character and appearance of the conservation area; and whether the use of the marquee would impact on neighbour amenity.
- 1.4 The benefits of the proposal are that it would increase the space for leisure and entertainment usage at the pub. The negative impacts are that the scale and design of the marquee given its location and allocation within a conservation area, impact on access for business use and refuse collection and impact on the amenity of neighbours.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reasons set out in the appendix.

Appendix 1

2 Details of the Application

- 2.1 The application seeks planning permission to retain a marquee at the rear of a commercial property. This increases the operational area for this hospitality business.
- 2.2 The marquee measures 12 metres by 12 metres with a maximum height of 3.85 metres. It has an aluminium frame with white canvas covering. This is to the rear of the of the pub and erected on a tarmac area that was formally used as a location for parking and refuse collection. The marquee is 3.8m to the south east of the pub to which it is associated.
- 2.3 It is understood that whilst the marquee was originally erected in order to provide outdoor seating in order to comply with Covid 19 regulations (social distancing), outdoor events such as cabaret shows, DJ sets, sporting events and community uses have been held within the marquee, some of which have been 'weekend' events.

3 Site and surroundings

- 3.1 The marquee is located in the Eastwood Conservation Area on the land behind (south) 20 Nottingham Road, known as 'Oliver's'. This is part of a Victorian terrace of retail and hospitality units, some of which have residential uses above, on the high street of Eastwood in the Town Centre designated area.
- 3.2 The marquee occupies land that was previously used as parking space and waste bin storage / collection. The terrace of mixed use buildings continues along Nottingham Road to the east and west of this property. The properties that border onto the rear of the site to the east are in retail and hospitality use, some of which share residential uses on the upper floor.
- 3.3 To the rear (south) of the marquee is a residential area with houses and an apartment block. 32 and 34 Devonshire Drive are two storey houses directly south of the marquee, which are 12.8 metres from the common boundary, and which are newer than the other buildings in the area, having been constructed within the last 10 years, and the apartment block (Centenary Court) is south of these two dwellings.
- 3.4 The south east of the property is all residential use. To the west of the site is Church Street, which has a variety of buildings that differ in age and appearance. There are a mix of residential (3a and b, and 5a and b), which are directly adjacent, commercial and hospitality uses (Conservative Club and Old Wine Vaults PH) along this stretch of Church Street, backing onto or close to the site. Hartwell Court, a block of apartments, are to the west side of Church Street.

4 Relevant Planning History

- 4.1 93/00147/FUL - Construct rear extension to form w.c. accommodation and internal alterations to increase bar area
- 4.2 11/00024/FUL - Proposed change of use of the first and second floor of former public house to 3 no. flats (revised scheme)
- 4.3 11/00025/FUL - Construct 3 no. shopfronts (revised scheme)
- 4.4 16/00709/FUL - Change use of first floor offices, storage and accommodation to form restaurant and external alterations to front elevation
- 4.5 21/00616/FUL - Retain kitchen extractor flue

5 Relevant Policies and Guidance**5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:****

5.1.1 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 6: Role of Town and Local Centres
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

5.2 **Part 2 Local Plan 2019:**

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

- Policy 10: Town Centre and District Centre Uses
- Policy 17: Place-making, design and amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 7: Ensuring the vitality of town centres
- Section 12 – Achieving well-designed places.
- Section 16: Conserving and enhancing the historic environment

6 Consultations

- 6.1 **Council's Conservation Officer:** The marquee is not in character with its surroundings, it is very large and it impacts negatively upon the character of the Conservation Area, and the Locally Listed host building. Objects to the structure having an assumed permanence and suggests that a fixed time period is associated with a permission (if granted), with removal conditioned at the end of that period, or a further application made, if Covid restrictions are extended.
- 6.2 **Council's Environmental Health Officer:** Objection to the development. The department have investigated multiple noise complaints relating to the use of the marquee and consider that the marquee is too close residential property as it's approximately 13 metres from the nearest residential properties facade. The proposed structure is not suitable for use as a live/recorded music, amplified speech entertainment venue in terms of noise attenuation as it does not sufficiently limit the passage of sound to external areas. The proposed opening hours for the marquee (up to 2.30 in the morning) are excessive and will lead to further loss of amenity and quiet enjoyment for immediate residential properties especially after 23.00 hours.
- 6.3 Sixteen properties either adjoining or opposite the site were consulted and two site notices were displayed. 69 comments were received with 48 in support and 21 objections, including one from the local MP, Lee Anderson, which cited a number of complaints being received in respect of anti-social behavior and noise disturbances affecting immediate neighbouring residents. Also received was a petition to support the proposal was submitted with the signatures of 340 people.
- 6.4 The objections tended to raise complaints about noise levels from the marquee and unreasonable operating hours. These have negatively affected the welfare of local residents, disrupting their sleep and making it difficult to relax and enjoy their properties. The use of the outdoor marquee has also resulted in an increase in anti-social behavior.
- 6.5 There were complaints that the marquee structure was too dominating and was not in keeping with the character of the area, which is a conservation area with many Victorian buildings.
- 6.6 Issues were raised about the marquee blocking land that had been used by neighbouring businesses for refuse storage awaiting collection. As a result of inadequate space for rubbish bins it has led to an increase in the number of vermin.
- 6.7 Several comments stated that the marquee has also blocked rear access to businesses that had previously been used for deliveries as well as restricting accessible entrances to businesses for users with disabilities, which has considerably harmed business operations.

- 6.8 The comments in support of the venue stated that it provides a space for entertainment opportunities, offering community meeting place and a COVID-19 safe area, and supporters claim it causes minimal disruption to local residents.

7 Assessment

- 7.1 The main issues for consideration are whether the design and appearance of the proposal is acceptable; whether the marquee would harm the character and appearance of the conservation area; and whether the use of the marquee would impact on neighbour amenity.

7.2 **Principle**

- 7.2.1 The application site is located in a conservation area and therefore the principle of development is subject to whether or not it complies with local and national policies regarding historic environments and heritage assets. Broxtowe Local Plan Part 2 (2019) Policy 23 states that proposals that affect heritage assets will be required to demonstrate an understanding of the significance of the assets and their settings, identify the impact of the development upon them and provide a clear justification for the development, and then lists criteria against which proposed development would need to be considered.

- 7.2.2 Policy 6 of the Aligned Core Strategy and Policy 10 of the Part 2 Local Plan seek to ensure that town centre uses are located in defined Town Centres and that any development in those centres is an appropriate town centre use and that the development would contribute to the vitality and viability of that centre. The marquee, as it is associated with an established PH, which is an appropriate town centre use, would, in principle, be acceptable, subject to the matters set out below.

- 7.2.3 Policy 10 (d and e) of the ACS states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development. Policy 17 (1) of the BLP states that (among other requirements) development should integrate into its surroundings; be close to community facilities; provide attractive, clearly-defined and safe private and public spaces; provide adequate external storage and amenity space; and ensures a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

7.3 **Design and Impact on Designated and Non-Designated Heritage Assets**

- 7.3.1 The marquee measures 12 metres by 12 metres with a maximum height of 3.85 metres. It has an aluminium frame with white canvas covering. The marquee is located to the rear of the of the pub and erected on a tarmac area that was formally used as a location for parking and refuse collection. The marquee is to the south east of the pub by 3.8 metres.

- 7.3.2 Policy 23 (3) of the BLP states that proposals affecting a heritage asset and/or its setting will be considered, whether the proposals would be sympathetic to the

character and appearance of the asset; whether the proposal would conserve and enhance the character and appearance of the heritage asset by virtue of its siting, scale, building form, massing, height, materials and quality of detail; and whether the proposal would demonstrate high standards of design appropriate to the historic environment.

7.3.3 Whilst the marquee is not highly visible from the public highway, with only limited glimpses from between buildings, it is highly visible from the private rear areas of properties to the sides and rear (particularly those on Devonshire Drive). It is considered that the marquee dominates the houses that back onto the pub and therefore considered to be not in character with its surroundings as there are no other large outdoor structures present and it also differs in appearance to the brick buildings that surround the site. Furthermore, with the site being located in a conservation area, it is considered that the marquee, which has a temporary appearance and being of a size, materials and colour that differs from the surrounds, results in harm to the character and appearance of the Eastwood Conservation Area.

7.3.4 The size of the marquee means that it occupies most of the area that was previously used for vehicles to access and service the neighbouring businesses and for refuse collection. This along with the barriers that have been installed surrounding the marquee prevent such vehicular access and has created inconvenience for the neighbouring businesses. Furthermore, as bins cannot be stored there, they have been left on a public thoroughfare which has created further issues of blocking access, harming visual amenity and attracting vermin to the area.

7.3.5 Overall it is considered that the marquee fails to conserve or enhance the Eastwood Conservation Area, for the reasons set out above. Additionally, due to its size and position within the site, it disrupts access for neighbouring businesses impacting on their operations (servicing, access and deliveries) and the collection of refuse.

7.4 Amenity

7.4.1 Policy 10 (f) of the ACS states that the impact of a development on neighbour amenity will be a consideration. Policy 17 of the P2LP (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties. Policy 19 of the P2LP states that proposals for development must identify potential nuisance issues arising from the nature of the proposal and address impacts on that development from existing land uses. Permission would not be granted for development which would result in an unacceptable exposure to sources of pollution or risks to safety.

7.4.2 The main impact on amenity of neighbours from this development is the noise level, disturbance and operating hours, the latter occurring late into the evening. Noise complaints have been raised, with multiple neighbours claiming that levels have reached above 85 decibels. The materials of the marquee mean that there is significantly less sound insulation than if the same event was being carried out inside a brick built or other substantially constructed building. Furthermore, with the marquee being detached from the original pub building, located in the south

east corner of the site and close to residential buildings on Devonshire Drive, along with the proposed operating hours for Monday to Saturday 10:00 – 02:30 hours and 10:00 – 00:30 hours Sundays and Bank Holidays, the use would be considered to be detrimental to neighbour amenity as it would result in loud noise and anti-social behaviour that would potentially last throughout most of the day and often into the early hours of the morning.

- 7.4.3 Although the structure is noticeable in terms of design it does not block out light to the neighbouring properties, given the presence of the rear gardens that directly back onto the application site. Furthermore, the marquee is not very high at only 3.85 metres and is north of the residential units. Whilst it is acknowledged that views into the rear gardens from the area where the marquee is sited would be no different to the existing, the increased use of this area would result in a detrimental impact on neighbour amenity in terms of privacy, through perceived impact on neighbouring private outdoor amenity space.
- 7.4.4 As such it is considered that this marquee has negatively impacted the amenity of neighbouring residents due to the noise and disturbance of the use and the proximity of the marquee. This is worsened by the long operating hours that go on into the morning. Whilst there are no impacts on privacy or natural light it is judged that because the impacts due to noise the use of the marquee has a detrimental overall effect to the amenity of local residents.

8 Planning Balance

- 8.1 The benefits of the proposal are that the marquee would provide events space for community meetings and social events to the benefit of the business.
- 8.2 The negatives are the impacts the impact on neighbour amenity which is significantly detrimental. Furthermore, the marquee is not in keeping with the character and appearance of the Eastwood Conservation Area, being of an unacceptable scale and design, which fails to be in accordance with the policies contained within the adopted plan policies.
- 8.3 On balance it is considered that the negative impacts outweigh the benefits derived from this development.

9 Conclusion

It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations, the development is not acceptable and that there are no circumstances which otherwise would justify the acceptance of permission.

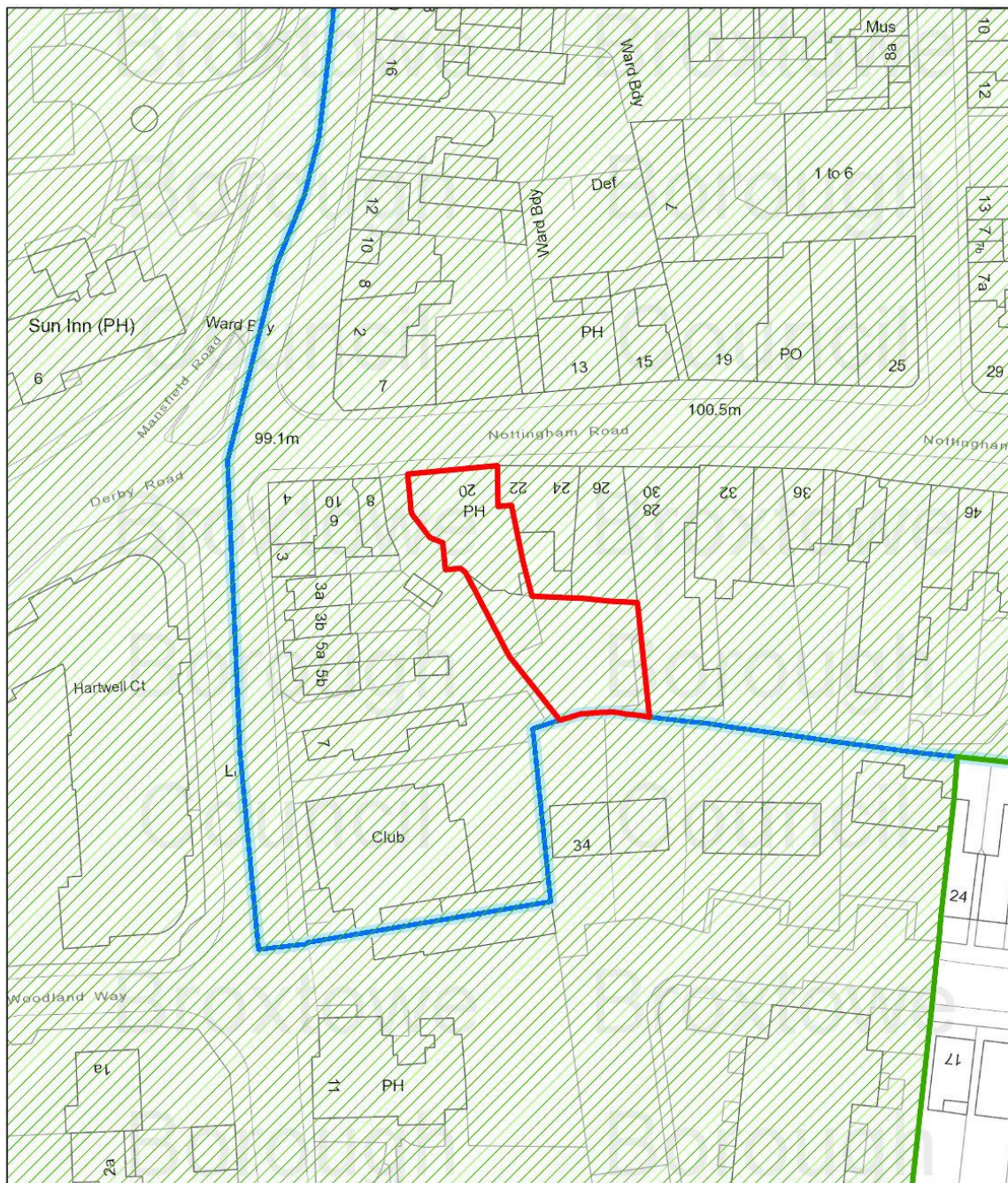
RECOMMENDATION

| | |
|--|----------------------------|
| Recommendation: (if refusal, state reasons here) | Refuse planning permission |
|--|----------------------------|

REASONS

| | |
|----|--|
| 1. | The retention of the marquee by virtue of its size, scale and position within the site is considered to be a dominant feature that fails to respect the proportions and design of the existing building and area. It is considered that the marquee would result in harm to the character and appearance of the surrounding area and the Eastwood Conservation Area and also result in a poor layout, restricting access to adjacent premises and restricting the safe storage of waste. The retention of the marquee would therefore be contrary to Policy 10 and Policy 11 of the Broxtowe Aligned Core Strategy (2014), and Policy 17 and Policy 23 of the Broxtowe Part 2 Local Plan (2019). |
| 2. | The use of the marquee as an outdoor entertainment space is considered to have a detrimental impact on neighbour amenity in terms of noise and disturbance, due to the construction and siting of the marquee in close proximity to residential properties, contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014), Policy 17 and Policy 19 of the Broxtowe Part 2 Local Plan (2019). |
| | |
| | NOTES TO APPLICANT |
| 1. | Whilst it has not been possible to achieve a positive outcome, due to the fundamental concern regarding the use, appearance and siting of the marquee, the Council has acted positively and proactively in the determination of this application and a decision was issued within the agreed determination period. |

20 Nottingham Road, Eastwood, NG16 3NQ



11/22/2021, 10:46:56 AM

- Conservation Area
- Site
- Town Centre Boundaries



© Crown copyright and database rights 2021. Ordnance Survey 100019453.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form

Photographs



Rear of Nottingham Road terrace



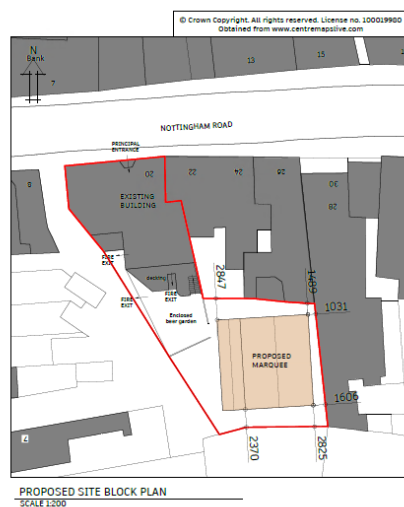
Entrance to marquee



Side view from west of marquee, outer enclosure and dwelling to the rear

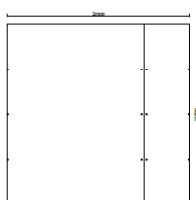


Side view from west of marquee and outer enclosure

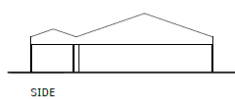


PROPOSED SITE BLOCK PLAN
SCALE 1:200

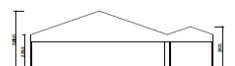
PROPOSED LAYOUT
SCALE 1:100



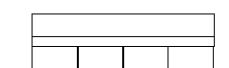
PROPOSED ELEVATIONS
SCALE 1:100



SIDE



SIDE



REAR



FRONT

[illegible]

This page is intentionally left blank

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & ECONOMIC DEVELOPMENT

PLANNING APPLICATIONS DETERMINED WEEK ENDING 12 NOVEMBER 2021

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mr Tony Scanlon TS Autos 21/00228/FUL
 Site Address : T And S Autos The Hangar Nottingham Road Attenborough Nottinghamshire NG9 6DP
 Proposal : **Retain 27 steel shipping containers**
 Decision : **Conditional Permission** [Click here to see application details on website](#)

Applicant : Mr Gurnam Rai 21/00377/FUL
 Site Address : The Grange Nursing Home 9 Elm Avenue Attenborough NG9 6BH
 Proposal : **Part demolition of former care home (Use Class C2), conversion and change of use of retained care home to one dwelling (Use Class C3) and construction of a pair of semi-detached houses (Use Class C3).**
 Decision : **Conditional Permission** [Click here to see application details on website](#)

Applicant : Mr Pete Higginson 21/00549/FUL
 Site Address : 11 Tennyson Drive Attenborough Nottinghamshire NG9 6BD
 Proposal : **Construct single storey and first floor extensions including raising the ridge height and new gables**
 Decision : **Conditional Permission** [Click here to see application details on website](#)

Applicant : C/O Agent 21/00679/CLUP
 Site Address : 63 Nottingham Road Attenborough Nottinghamshire NG9 6DN
 Proposal : **Certificate of Lawfulness for a proposed use - supported living accommodation (Class C3 b)**
 Decision : **Approval - CLU** [Click here to see application details on website](#)

Applicant : Corona Vulcan Chilwell Limited Corona Vulcan Chilwell Limited 21/00685/CLUP
 Site Address : Chilwell Retail Park, Unit 7B Barton Lane Attenborough NG9 6DS
 Proposal : **Certificate of Lawfulness for proposed use of Unit 7b as a gym providing indoor fitness activities and services principally to visiting members of the public, with no restriction on opening hours or restriction on the hours during which deliveries can be made to Unit 7b**
 Decision : **Approval - CLU** [Click here to see application details on website](#)

Applicant : Mr C Toplis 21/00746/PNH
 Site Address : 9 Kingrove Avenue Chilwell Nottinghamshire NG9 4DQ
 Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.25 metres, with a maximum height of 2.89 metres, and an eaves height of 2.89 metres**
 Decision : **PNH Approval Not Required** [Click here to see application details on website](#)

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mr D Harlow 21/00544/FUL
 Site Address : Land Adjacent 10 Needwood Avenue Trowell Nottinghamshire NG9 3RJ
 Proposal : **Change of use from amenity grassed area to domestic garden and construct fence**
 Decision : **Refusal** [Click here to see application details on website](#)

| | | | |
|-----------------------------|---|--|--|
| Applicant | : | MR CONNELLY | 21/00623/FUL |
| Site Address | : | 69 Nottingham Road Trowell Nottinghamshire NG9 3PJ | |
| Proposal | : | Construct rear conservatory | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr Tomson | 21/00640/ROC |
| Site Address | : | Bennerley Viaduct Newtons Lane Cossall Nottinghamshire | |
| Proposal | : | Variation of condition 2 of planning ref: 19/00093/FUL to show design of the new deck has been revised | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr Tomson | 21/00641/ROC |
| Site Address | : | Bennerley Viaduct Newtons Lane Cossall Nottinghamshire | |
| Proposal | : | Variation of condition 2 of planning reference 19/00094/LBC to show design of the new deck has been revised | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr Mark Barber Canal Cottage Cars | 21/00653/FUL |
| Site Address | : | 4 Foundry House Newtons Lane Cossall Nottinghamshire NG16 2SE | |
| Proposal | : | Change of use for car sales | |
| Decision | : | Refusal | Click here to see application details on website |
| Applicant | : | Mr J Woodward | 21/00815/PNH |
| Site Address | : | 70 Awsworth Lane Cossall Nottinghamshire NG16 2RZ | |
| Proposal | : | Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 4.0 metres, and an eaves height of 2.5 metres | |
| Decision | : | Withdrawn | Click here to see application details on website |
| BEESTON CENTRAL WARD | | | |
| Applicant | : | Mr S Baldwin Top 365 Ltd | 20/00711/MMA |
| Site Address | : | 72 Queens Road East Beeston Nottinghamshire NG9 2GS | |
| Proposal | : | Minor Material Amendment to planning permission reference 16/00877/FUL to retain roof alterations, increase in size of rear dormer and single storey rear extension, revisions to windows and revisions to rear ground levels and inclusion of steps. Proposed revisions to front single storey roof and dormer (including change to hanging tiles) and front elevation of side extension to be rendered. | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mrs Sara Humphries Greggs plc | 21/00414/ADV |
| Site Address | : | 201 - 209 Queens Road Beeston Nottinghamshire NG9 2BZ | |
| Proposal | : | Display one slimline badge sign, one flat panel sign, one internal vinyl graphic, one totem pole sign, and two internal promotional digital screens. | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr J Huang | 21/00792/PNH |
| Site Address | : | 77 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 2.95 metres, and an eaves height of 2.50 metres | |
| Decision | : | PNH Approval Not Required | Click here to see application details on website |

BEESTON NORTH WARD

| | | | |
|--------------|---|---|--|
| Applicant | : | MR TARAJMEER KAKAR | 21/00348/FUL |
| Site Address | : | 98 Dennis Avenue Beeston Nottinghamshire NG9 2RE | |
| Proposal | : | Construct hip to gable roof, rear dormer, single storey rear extension and an outbuilding at the rear of the house | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Gemma Proctor | 21/00680/FUL |
| Site Address | : | 10 Nicholas Road Beeston Nottinghamshire NG9 3LP | |
| Proposal | : | Construct first floor side extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mrs Le Chang | 21/00681/FUL |
| Site Address | : | Land At 21 Peveril Road Beeston Nottinghamshire NG9 2HY | |
| Proposal | : | Construct dwelling for use as HMO within Use Class C4 | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr & Mrs Daly | 21/00683/FUL |
| Site Address | : | 25 Magnolia Court Beeston Nottinghamshire NG9 3LG | |
| Proposal | : | Construct two/single storey extensions, external alterations including render, cladding, replacement windows, doors and roof tiles. New patio and raised patio. | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr Chris Burton | 21/00696/FUL |
| Site Address | : | 76 Abbey Road Beeston Nottinghamshire NG9 2QH | |
| Proposal | : | Change of use from HMO for 3 occupants (Class C4) to 8 bed HMO | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr S Ahmed | 21/00774/PNH |
| Site Address | : | 13 Peveril Road Beeston Nottinghamshire NG9 2HY | |
| Proposal | : | Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3 metres, and an eaves height of 2.7 metres. | |
| Decision | : | PNH Approval Not Required | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr C Burton | 21/00828/PNH |
| Site Address | : | 134 Dennis Avenue Beeston Nottinghamshire NG9 2RE | |
| Proposal | : | Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.0 metres, with a maximum height of 3.0 metres, and an eaves height of 3.0 metres | |
| Decision | : | Prior Approval Refused | Click here to see application details on website |

BEESTON RYLANDS WARD

| | | | |
|--------------|---|---|--|
| Applicant | : | Mrs Lorna Buchan | 21/00610/FUL |
| Site Address | : | 154 Meadow Road Beeston Nottinghamshire NG9 1JR | |
| Proposal | : | Construct an additional garage to side of existing block | |
| Decision | : | Conditional Permission | Click here to see application details on website |

BEESTON WEST WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr Dino Labbate Swish Architecture Ltd. | 21/00022/FUL |
| Site Address | : | 2 North Street Beeston Nottinghamshire NG9 1FF | |
| Proposal | : | Construct single/two storey side extension, two storey rear extension, front canopy and porch | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|----------------------|---|---|--|
| Applicant | : | Mr & Mrs W Hallidie Smith | 21/00471/FUL |
| Site Address | : | 69 Park Road Chilwell Nottinghamshire NG9 4DD | |
| Proposal | : | Construct single storey rear extension following demolition of conservatory. Demolish brick store and reconstruct boundary wall. | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Kate & Charles Chapman / Laughton | 21/00613/FUL |
| Site Address | : | 46 Grove Avenue Chilwell Nottinghamshire NG9 4DZ | |
| Proposal | : | Construct single storey rear and side extensions and rear dormer. Demolish existing side garage, rear conservatory and outbuildings. | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mrs Sara Humphries Greggs plc | 21/00691/ADV |
| Site Address | : | 27 High Road Beeston Nottinghamshire NG9 2JQ | |
| Proposal | : | One fascia sign, one projecting sign and two internal promotional digital screens | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr P Tomlinson | 21/00741/FUL |
| Site Address | : | 7 Glebe Street Beeston Nottinghamshire NG9 1BZ | |
| Proposal | : | Construct front canopy, two storey side and single storey rear extension following demolition of rear extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| BRAMCOTE WARD | | | |
| Applicant | : | Mr Lee Aria Property Developments Ltd | 21/00340/FUL |
| Site Address | : | Land Adjacent 32 Ullswater Crescent Bramcote Nottinghamshire NG9 3BE | |
| Proposal | : | Construct detached dwelling with new access onto A52 | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr & Mrs Uche Udeh | 21/00385/FUL |
| Site Address | : | 21 Bembridge Court Bramcote Nottinghamshire NG9 3HY | |
| Proposal | : | Construct two storey side and first floor rear extensions | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr Clive Betts | 21/00637/FUL |
| Site Address | : | 55 Town Street Bramcote Nottinghamshire NG9 3HH | |
| Proposal | : | Construct 2 storey side extension with new roof on existing single storey rear extension. Alterations to site access, parking area and driveway including demolition of front boundary wall and construction of 2.1m high wall/railings. | |
| Decision | : | Withdrawn | Click here to see application details on website |
| Applicant | : | Mr L Jiang | 21/00660/FUL |
| Site Address | : | 23 Bankfield Drive Bramcote Nottinghamshire NG9 3EH | |
| Proposal | : | Construct single storey/two storey rear and single storey side extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mrs Sophie Nicholls | 21/00671/FUL |
| Site Address | : | 76 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3JZ | |
| Proposal | : | Change of use for converted garage at rear from dwelling to private business (chiropractic clinic). | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|---------------------------|---|---|--|
| Applicant | : | Mr & Mrs N Hawkins | 21/00693/FUL |
| Site Address | : | 53 Derby Road Bramcote Nottinghamshire NG9 3GW | |
| Proposal | : | Construct single storey front and side extensions, first floor rear extension with juliet balcony, raising of the roof, amended street boundary wall and render finish to external elevations. | |
| Decision | : | Withdrawn | Click here to see application details on website |
| Applicant | : | Lisa Johnston | 21/00754/FUL |
| Site Address | : | 277 Derby Road Bramcote Nottinghamshire NG9 3JA | |
| Proposal | : | Construct two storey side extension, two storey front and single storey rear extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr J Daniel | 21/00773/FUL |
| Site Address | : | 40 Balmoral Drive Bramcote Nottinghamshire NG9 3FU | |
| Proposal | : | Construct two storey and single storey extensions and single storey front extension and apply render and cladding to external walls (revised scheme) | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| BRINSLEY WARD | | | |
| Applicant | : | Michelle Williams | 21/00718/OUT |
| Site Address | : | Land To The Rear Of 23 High Street Brinsley Nottinghamshire NG16 5BN | |
| Proposal | : | Outline application to construct a detached bungalow and garage with all matters reserved | |
| Decision | : | Refusal | Click here to see application details on website |
| CHILWELL WEST WARD | | | |
| Applicant | : | Mr C Barker | 21/00553/FUL |
| Site Address | : | 86 Sunnyside Road Chilwell Nottinghamshire NG9 4FG | |
| Proposal | : | Construct two storey side extension and rear canopy | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr B French | 21/00600/FUL |
| Site Address | : | 32 Blandford Road Chilwell Nottinghamshire NG9 4GX | |
| Proposal | : | Construct single storey rear extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mrs Pamela Preston | 21/00642/FUL |
| Site Address | : | 4 Greenland Crescent Chilwell Nottinghamshire NG9 5LB | |
| Proposal | : | Construct pod for use as a dog grooming business | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr D Jameson | 21/00692/FUL |
| Site Address | : | 8 Bolton Avenue Chilwell Nottinghamshire NG9 5NX | |
| Proposal | : | Construct two storey side extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |
| Applicant | : | Mr M Day M and A Day Farming Ltd | 21/00830/DEM |
| Site Address | : | Wheatgrass Farm Inham Road Chilwell Nottinghamshire NG9 4HY | |
| Proposal | : | Prior notification of demolition of barn | |
| Decision | : | Prior Approval Not Required | Click here to see application details on website |

EASTWOOD HALL WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | . Amazon UK Services Limited | 21/00709/ADV |
| Site Address | : | 10 Oyster Road Eastwood Nottinghamshire NG16 3UA | |
| Proposal | : | Installation of two illuminated signs | |
| Decision | : | Conditional Permission | Click here to see application details on website |

EASTWOOD HILLTOP WARD

| | | | |
|--------------|---|---|--|
| Applicant | : | SKELLETT and FAIRBUILD RENTALS LTD | 19/00699/FUL |
| Site Address | : | Frearson Farm Court Chewton Street Eastwood Nottinghamshire | |
| Proposal | : | Construct 22 dwellings for over 55's, associated access and demolition of existing dwelling and outbuildings | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mrs A Dixon | 21/00664/FUL |
| Site Address | : | 26 Dawson Close Newthorpe Nottinghamshire NG16 2ES | |
| Proposal | : | Construct first floor rear extension and insert two first floor side windows | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr Scott Martin | 21/00687/FUL |
| Site Address | : | 77 Dovecote Road Eastwood Nottinghamshire NG16 3QL | |
| Proposal | : | Construct detached double garage | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | James | 21/00714/FUL |
| Site Address | : | 50 Dovecote Road Eastwood Nottinghamshire NG16 3EZ | |
| Proposal | : | Construct single/two storey extensions and alterations to the access | |
| Decision | : | Conditional Permission | Click here to see application details on website |

EASTWOOD ST MARY'S WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | Ms L Reeve | 21/00630/FUL |
| Site Address | : | 1 Brookhill Leys Road Eastwood Nottinghamshire NG16 3HZ | |
| Proposal | : | Construct single storey rear extension, conversion of garage to gym with pitched roof | |
| Decision | : | Conditional Permission | Click here to see application details on website |

GREASLEY WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr & Miss John & Natalie Michalski & Williams | 21/00505/FUL |
| Site Address | : | Land At 209 Main Street Newthorpe Nottinghamshire NG16 2DL | |
| Proposal | : | Construct new two storey dwelling with first floor rear balcony | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr M Kunica | 21/00593/FUL |
| Site Address | : | 123 Moorgreen Newthorpe Nottinghamshire NG16 2FF | |
| Proposal | : | Construct 2 detached dwellings along with the associated amenity space and access arrangement (revised scheme) | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr Simon Wilkes | 21/00742/FUL |
| Site Address | : | 2 Cowper Road Newthorpe Nottinghamshire NG16 2BP | |
| Proposal | : | Construct single storey side extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr C Hickey | 21/00749/PNH |
| Site Address | : | 6 Kent Road Giltbrook Nottinghamshire NG16 2FU | |
| Proposal | : | Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.00 metres, with a maximum height of 4.00 metres, and an eaves height of 3.00 metres | |
| Decision | : | PNH Approval Not Required | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr B Brewster | 21/00809/PNH |
| Site Address | : | 33 Moorgreen Newthorpe Nottinghamshire NG16 2FD | |
| Proposal | : | Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.9 metres, with a maximum height of 3.302metres, and an eaves height of 2.5 metres | |
| Decision | : | Withdrawn | Click here to see application details on website |

KIMBERLEY WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr Darren Robinson | 21/00384/FUL |
| Site Address | : | 4 West Street Kimberley Nottinghamshire NG16 2PP | |
| Proposal | : | Construct two storey front bay window and alter rear single storey extension to incorporate flat roof | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr S Midgley Fairgrove Developments | 21/00473/FUL |
| Site Address | : | Former Kimberley Brewery Hardy Street Kimberley Nottinghamshire NG16 2NS | |
| Proposal | : | Change of use from offices (Class E) to 7 apartments (Class C3) | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mrs Lisa Turner-Rowe East Midlands Education Trust | 21/00489/ROC |
| Site Address | : | Land At Western End Of North Street Kimberley Nottinghamshire | |
| Proposal | : | Variation of condition 5 to reduce the area and amount of times to be cut and removal of condition 7 of reference 00/00885/CCR | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Elena Watson | 21/00543/FUL |
| Site Address | : | 40 Little Lane Kimberley Nottinghamshire NG16 2PE | |
| Proposal | : | Construct single storey rear extension and loft conversion with rear dormer | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr C Ingram | 21/00666/FUL |
| Site Address | : | 6 Tower Crescent Kimberley Nottinghamshire NG16 2PS | |
| Proposal | : | Retain shed to front of property | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Jeff Dickman JRD Design & Build Ltd | 21/00676/ROC |
| Site Address | : | Holy Trinity Church Church Hill Kimberley Nottinghamshire | |
| Proposal | : | Variation of conditions 5 (Landscaping) , 6 (Access gradients) and 7 (Access) of ref: 17/00305/FUL | |
| Decision | : | Refusal | Click here to see application details on website |

NUTHALL EAST & STRELLEY WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr & Mrs Kaushal | 21/00396/FUL |
| Site Address | : | The Gables Strelley Lane Strelley Nottinghamshire NG8 6PF | |
| Proposal | : | Garage conversion to form sensory room, to be used ancillary to the main dwelling | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr I Kang | 21/00506/MMA |
| Site Address | : | 138 Nottingham Road Nuthall Nottinghamshire NG16 1AB | |
| Proposal | : | Minor Material Amendment to 18/00508/FUL (Construct two/single storey rear extension and two storey side extension) for external alterations | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Motor Fuel Group Ltd Motor Fuel Group Ltd | 21/00511/FUL |
| Site Address | : | St Marys Filling Station Nottingham Road Nuthall Nottinghamshire NG8 6AX | |
| Proposal | : | Installation of 2 jet wash bays | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr and Mrs N Fall | 21/00565/FUL |
| Site Address | : | 11 Roland Avenue Nuthall Nottinghamshire NG16 1BB | |
| Proposal | : | Construct single storey rear/side extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |

STAPLEFORD NORTH WARD

| | | | |
|--------------|---|---|--|
| Applicant | : | Mrs Vanessa Sabin | 21/00537/FUL |
| Site Address | : | 10 Moorbridge Lane Stapleford Nottinghamshire NG9 8GU | |
| Proposal | : | Retain outbuilding for use as storage and as an office | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Fearn Ellis Stormclad Ltd | 21/00636/FUL |
| Site Address | : | 12 Garfield Close Stapleford Nottinghamshire NG9 8HX | |
| Proposal | : | Construct rear conservatory | |
| Decision | : | File Closed | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr Tim Harrison | 21/00677/FUL |
| Site Address | : | 48 Ilkeston Road Stapleford Nottinghamshire NG9 8JE | |
| Proposal | : | Construct single/two storey extensions, insert first floor side window, external alterations and triple detached garage | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr T Smith | 21/00686/FUL |
| Site Address | : | 44 Kennedy Drive Stapleford Nottinghamshire NG9 8HT | |
| Proposal | : | Construct single storey front/side elevation | |
| Decision | : | Conditional Permission | Click here to see application details on website |

STAPLEFORD SOUTH EAST WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | Sandicliffe Ltd | 20/00847/OUT |
| Site Address | : | 72 - 78 Nottingham Road Stapleford Nottinghamshire NG9 8AQ | |
| Proposal | : | Outline application to construct up to 30 dwellings with all matters reserved | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mrs C Rogers | 21/00278/FUL |
| Site Address | : | 10 Spencer Crescent Stapleford Nottinghamshire NG9 8EG | |
| Proposal | : | Construct single storey front extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mr & Mrs R Fisher | 21/00747/CLUP |
| Site Address | : | 5 Tilford Gardens Stapleford Nottinghamshire NG9 7FJ | |
| Proposal | : | Certificate of Lawfulness to construct single storey rear extension | |
| Decision | : | Approval - CLU | Click here to see application details on website |

STAPLEFORD SOUTH WEST WARD

| | | | |
|--------------|---|---|--|
| Applicant | : | MBNL & H3G MBNL for and on behalf of Hutchison 3G Ltd | 21/00539/TEL |
| Site Address | : | O2 Telecommunications Mast Palmer Drive Stapleford Nottinghamshire | |
| Proposal | : | Installation of 20m high column supporting 6 antennas, together with ground-based equipment cabinets and ancillary development | |
| Decision | : | Prior Approval Approved | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Miss Burchill | 21/00673/FUL |
| Site Address | : | 30 New Eaton Road Stapleford Nottinghamshire NG9 7EF | |
| Proposal | : | Construct single storey front and rear extensions | |
| Decision | : | Conditional Permission | Click here to see application details on website |

TOTON & CHILWELL MEADOWS WARD

| | | | |
|--------------|---|--|--|
| Applicant | : | Bilan | 21/00580/FUL |
| Site Address | : | 10 Kirkland Drive Chilwell Nottinghamshire NG9 6LX | |
| Proposal | : | Construct two storey front, rear and side and first floor/single storey side extensions and external alterations (revised scheme) | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr Simon Farthing | 21/00674/FUL |
| Site Address | : | 17 Carrfield Avenue Toton Nottinghamshire NG9 6FE | |
| Proposal | : | Construct first floor rear extension. Insert first floor side window | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr Steve Johal | 21/00705/FUL |
| Site Address | : | 66 High Road Toton Nottinghamshire NG9 6EH | |
| Proposal | : | Construct single storey rear extension | |
| Decision | : | Conditional Permission | Click here to see application details on website |

WATNALL & NUTHALL WEST WARD

| | | | |
|--------------|---|---|--|
| Applicant | : | Mr and Mrs Martin Davies | 21/00713/FUL |
| Site Address | : | 2 Nimbus Way Watnall Nottinghamshire NG16 1FP | |
| Proposal | : | Conversion of the ground floor garage into a Cinema Room and construct first floor extension above existing garage | |
| Decision | : | Conditional Permission | Click here to see application details on website |

| | | | |
|--------------|---|--|--|
| Applicant | : | Mrs Angela Kaur | 21/00744/ROC |
| Site Address | : | Woodend Kimberley Road Nuthall Nottinghamshire NG16 1DA | |
| Proposal | : | Removal of condition 1 of reference 95/00122/FUL (... garage(s) shall be kept available for the accommodation of private vehicles only...) and amend wording to allow for other uses incidental to the use of the dwellinghouse such as a gym | |
| Decision | : | Conditional Permission | Click here to see application details on website |

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank