



Thursday, 23 December 2021

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 5 January 2022 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)
J W McGrath (Vice-Chair)
D Bagshaw
L A Ball BEM
D Grindell
M Handley
R I Jackson

G Marshall
P J Owen
S Paterson
D D Pringle
R S Robinson
R D Willimott

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 1 December 2021.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 21/00810/ROC (Pages 17 - 52)

Variation of condition 37 of planning reference 20/00116/FUL (hybrid application comprising: full application for 132 dwellings, associated infrastructure, flood attenuation works, play area and open space. Outline application for up to 200 dwellings, local centre (retail and professional services, restaurants/cafes, drinking establishments, hot food takeaways- classes a1-a5), associated infrastructure, open space and flood attenuation works with means of access included (all other matters reserved) to vary house types and layout

Field Farm, Ilkeston Road, Stapleford, Nottinghamshire, NG9 8JJ

5.2 21/00575/FUL (Pages 53 - 70)

Construct four storey building to accommodate retirement apartments including communal facilities, access, car parking and landscaping

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

5.3 21/00871/FUL (Pages 71 - 90)

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

The Raven Group, Ellis Grove, Beeston NG9 1EP

5.4 21/00775/FUL (Pages 91 - 102)

Construct new dwelling

The Forge, Trowell, Nottinghamshire

6. INFORMATION ITEMS

6.1 Appeal Decisions (Pages 103 - 106)

The Committee is asked to note the report which outlines the position with regard to recent planning appeal decisions and why the recent success rate of appeal dismissals has dropped below the usual level.

6.2 Delegated Decisions (Pages 107 - 116)

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 and 2 of Schedule 12A of the Act.

8. 19/00755/HIGH

(Pages 117 - 120)

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PLANNING COMMITTEE

WEDNESDAY, 1 DECEMBER 2021

Present: Councillor D K Watts, Chair

Councillors: J W McGrath (Vice-Chair)
D Bagshaw
S J Carr (Substitute)
T Hallam (Substitute)
R I Jackson
J M Owen (Substitute)
P J Owen
S Paterson
D D Pringle
H E Skinner (Substitute)
R D Willimott

Apologies for absence were received from Councillors L A Ball BEM, D Grindell, M Handley, G Marshall and R S Robinson.

37 **DECLARATIONS OF INTEREST**

Councillors D K Watts, S J Carr and T Hallam declared a non pecuniary interest in item 5.7 as they were acquainted with the brother of the applicant, the brother being in the same political party. Minute number 40.7 refers.

Councillor P J Owen declared a non pecuniary interest in item 5.7 and stated that he was neither prejudiced nor pre-determined. Minute number 40.7 refers.

Councillor D Bagshaw declared similarly that he was neither prejudiced nor pre-determined, but that he had worked with the applicant, local business and neighbours to the proposed development to try and achieve a compromise. Minute number 40.7 refers.

Councillor J W McGrath declared a non pecuniary interest in item 5.4 as he was acquainted with the applicant and had displayed election campaign material on his land. It was further noted that Councillor S Paterson was also on this campaign material. Minute number 40.4 refers.

38 **MINUTES**

The minutes of the meeting on the 3 November 2021 were confirmed and signed as a correct record.

39 NOTIFICATION OF LOBBYING

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

40 DEVELOPMENT CONTROL

40.1 21/00133FUL

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

Councillor T A Cullen had requested that the application be determined by Planning Committee.

The Committee noted the late item pertaining to the application comprised of a submission from the agent for the application regarding section 106 contributions.

Martin Stott, objecting, addressed the Committee prior to the general debate.

The debate took in the history of the application, the height of the buildings and the contemporary design of the proposed development.

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

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

2. The development hereby permitted shall be carried out in accordance with drawings:

Received by the Local Planning Authority on 22 February 2021:

**005 Rev H
009 Rev C**

Received by the Local Planning Authority on 8 November 2021:

**003 Rev J
002 Rev K
004 Rev J**

007 Rev K

Received by the Local Planning Authority on 12 November 2021:

006 Rev N

008 Rev M

Reason: For the avoidance of doubt.

3. 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:
- 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.

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).

4. 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.

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).

5. 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:

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

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.

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).

6. 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.

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).

7. The apartments hereby approved, shall not be first occupied until:
- 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 store and bin/cycle store as shown on drawing 008 Rev M are constructed and available for use.

The surfaced drives, parking areas, delineated spaces and dropped

vehicular crossings shall then be maintained in such form for the lifetime of the development.

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).

8. 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.

Reason: To minimise disturbance to neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

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.

40.2 21/00364/FUL

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

This application had been called before Committee by Councillor S J Carr.

There were no late items for this application.

Jacob Brown, the applicant and Anthony Simpson, objecting, addressed the Committee prior to the general debate.

The Committee considered all matters pertaining to the application and it was considered that the proposed development was too big, that it represented overcrowding, that it was not close to public transport links and that parking was a major issue in that part of Beeston.

The design of the proposed development was complimented, but it was considered to be out of keeping with the surrounding area, which had a definite style.

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

Reason

The development is of contemporary design which is out of character with the surrounding area which constitutes traditional design. Furthermore, no parking has been provided on site which would result in parking problems in the immediate area. Accordingly, the proposal is contrary to the aims of Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the NPPF (2021).

40.3 21/00525/FUL

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

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

There were no late items to consider in relation to this application.

Ian McAuley, applicant and Shaun Williams, objecting, addressed the Committee prior to the general debate.

In considering the application, the Committee noted that Victorian terraced streets always presented problems with parking, however, the proposed development sought to improve that situation by providing four off-street parking spaces.

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

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

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

2. The development hereby permitted shall be carried out in accordance with Site Location Plan 1: 1250 and Block Plan 1: 200, KJ3260/03A AND Proposed Elevations/Floor Plans, KJ3260/02C received by the Local Planning Authority on 14 July 2021.

Reason: For the avoidance of doubt.

3. 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.

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.

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.

40.4 21/00222/FUL

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

Councillor D D Pringle had asked that this application be brought before the Committee for consideration.

There were no late items and no public speakers.

During the debate it was noted that there was no requirement for a section 106 agreement.

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

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

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

2. The development hereby permitted shall be 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.

Reason: For the avoidance of doubt.

3. The site shall not be used except between 07.00 - 21.00 hours Monday to Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.

Reason: To protect nearby residents from excessive operational noise.

4. The storage containers hereby permitted shall be removed and the land restored to its former condition on or before 31 December 2031.

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.

NOTES TO APPLICANT

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

40.5 21/00694/FUL

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

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

There were no late items for the Committee to consider.

Neil Turner, applicant and Peter Johnson, objecting addressed the Committee prior to the general debate.

The Committee considered all representations with relation to the application and the debate divided into two main arguments. There was concern for the amenity of neighbours and whether the care provider was going to adequately supervise the residents. There was also concern for the young people who were to be placed in the accommodation and that there had to be quality provision for care leavers in small scale settings.

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

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

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

2. The development hereby permitted shall be carried out in accordance with proposed floor plan received 16 August 2021 and application form received 1 October 2021.

Reason: For the avoidance of doubt.

NOTES TO APPLICANT

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

40.6 21/00734/FUL

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

The application was brought to Committee by Councillor L A Ball BEM.

There were no late items to be noted, though it was clarified that on some paperwork the application number had been wrongly quoted as 21/0074/FUL.

Mrs Woodward, applicant, addressed the Committee prior to the general debate.

The Committee considered the application and noted that the proposed scheme updated the property to make it suitable for a family without having an impact on the openness or amenity of the Green Belt.

RESOLVED that planning permission be granted with the precise wording of the approval and conditions delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development. These were agreed as follows:

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

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

2. The development hereby permitted shall be carried out in accordance with the proposed elevations 004 JW Rev A; proposed floor plan and block plan 003 JW Rev B received by the Local Planning Authority 28 September 2021.

Reason: For the avoidance of doubt.

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.

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

Information 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

40.7 21/00688/FUL

Retention of Marquee

20 Nottingham Road, Eastwood, Nottinghamshire, NG16 3NQ

Councillor M Radulovic MBE requested that this application be considered by Committee.

There were four late items that were noted by the Committee comprised of three letters of support and a submission from a sound engineer commissioned by the applicant.

Cain Oliver, applicant and Mr Ward, objecting, made representation to the Committee prior to the general debate.

The Committee noted a letter from a neighbour to the proposed development and all of the other representations that were made. There was debate about the marquee blocking access to other businesses, concern about noise from neighbours, the loss of car parking, the provision of 15 jobs at the establishment, and there was a call for compromise. It was considered that the application for the marquee to be used Monday to Saturday between the hours of 10am and 2:30am was unreasonable because of the impact that the noise would have on neighbours.

It was proposed by Councillor D K Watts and seconded by Councillor J W McGrath that a temporary permission be granted for a period of twelve months until 11pm, for 32 days in that period, 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. On being put to the meeting the motion passed.

RESOLVED that planning permission be granted for a period of twelve months until 11pm, for 32 days in that period, 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.

The development be carried out in accordance with the application, subject to compliance with the Conditions imposed, and the subsequent approval of all matters referred to in the conditions, for the reasons set out below.

Conditions:

- 1. This permission shall be for a limited period of one year expiring on the 10.12.22 when the building works carried out under this permission shall be removed and the land reinstated to the satisfaction of the Local Planning Authority unless prior permission has been obtained in writing from the Local Planning Authority for its retention.**
- 2. The development hereby permitted shall be carried out in accordance with drawings numbered TO/GKO/16/036/05 received on 12 August 2021**

3. The use of the marquee shall be limited to a maximum of 32 sessions per annum. Such sessions shall only take place between 12.00 noon - 23.00 hours on any given day.

Reasons:

1. To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).
2. For the avoidance of doubt
3. To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).

NOTE TO APPLICANT

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.

41 INFORMATION ITEMS

41.1 DELEGATED DECISIONS

The delegated decisions were noted.

42 EXCLUSION OF PUBLIC AND PRESS

RESOLVED 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 involved the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Schedule 12A of the Act.

43 20/00113/ENF

RESOLVED that it is expedient and in the public interest for a Community Protection Notice to be served on the property owners and that the direct action should be carried out in default at the Council's cost, without pursuing prosecution.

Report of the Chief Executive

APPLICATION NUMBER:	21/00810/ROC
LOCATION:	Field Farm, Ilkeston Road, Stapleford, Nottinghamshire, NG9 8JJ
PROPOSAL:	Variation of condition 37 of planning reference 20/00116/FUL (hybrid application comprising: full application for 132 dwellings, associated infrastructure, flood attenuation works, play area and open space. Outline application for up to 200 dwellings, local centre (retail and professional services, restaurants/cafes, drinking establishments, hot food takeaways-classes a1-a5), associated infrastructure, open space and flood attenuation works with means of access included (all other matters reserved) to vary house types and layout

Councillor R D MacRae has requested this application be determined by Planning Committee.

1 Executive Summary

- 1.1 This is a major planning application which seeks to vary condition 37 of 20/00116/FUL which relates to the house types, layout and landscaping of the scheme for the full part of the application. No changes are proposed to the outline element of the scheme and therefore this will not be considered within this application.
- 1.2 The site has changed in ownership from Westerman Homes Ltd to Peveril Homes following the completion of Phase 1 (15/00841/REM). Therefore, the changes will reflect the change in ownership between the two companies.
- 1.3 The main issues relate to whether the new house types reflect an acceptable design, if the new layout is an acceptable on design and highway grounds and if there are any other matters that need addressing in relation to these two matters.
- 1.4 To conclude, the benefits of the proposal would mean the design can be altered to reflect that of Peveril Homes. The principle of the development has already been established through the original and hybrid applications on the site and the proposed amendments relate solely to the layout, design and landscaping within the site boundary.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The proposed amendments to the house types are considered to not result in substantial changes to the previous house types. Due to the changes in house types, minor amendments have also been made to layout and minor amendments have been made to the south layout of the site as shown below. Amendments have also been made to the landscaping. The main road layout will stay as agreed in the previous application but smaller amendments have been made to side roads and parking spaces have been amended.

21/00810/ROC scheme (Red arrows show the change in road layout)



20/00116/FUL Hybrid scheme

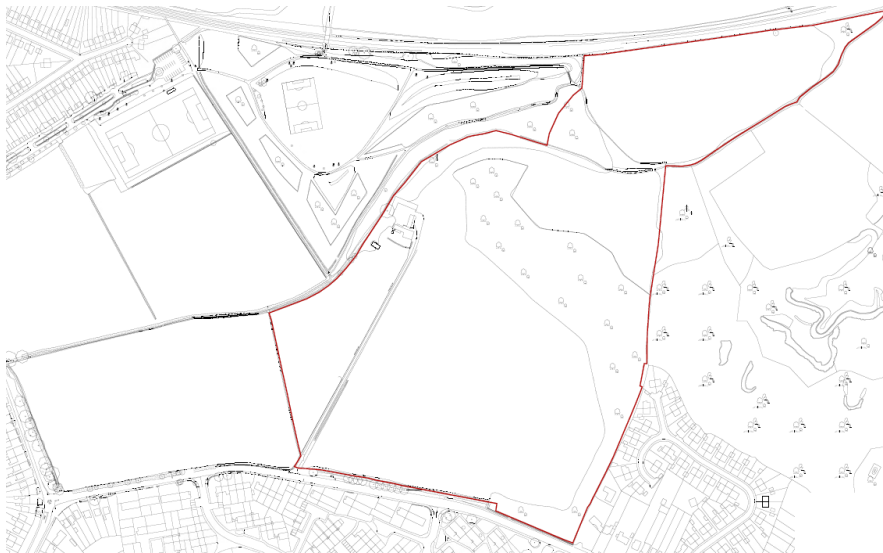


2 Site and surroundings

- 2.1 The larger site was allocated as a Sustainable Urban Extension (SUE) housing site for 450 dwellings in the Aligned Core Strategy (2014).



Extract taken from the Aligned Core Strategy (2014)



Site Location Plan (includes the whole site relating to 20/00116/FUL)

- 2.2 The site has an irregular shape with the full application site having an area of 5.59 hectares and the outline site, an area of 10.92 hectares. Ilkeston Road, with an adjoining hedgerow, forms the southern site boundary and a proposed public right of way forms the western site boundary with the immediately adjacent phase 1 development site. Boundary Brook, with vegetated banks, is located to the north of the full application site and to the north west of the outline site. A railway embankment adjoins the northern boundary of the outline site. There are sporadic trees adjacent the railway line and denser tree cover beside the south eastern and eastern boundaries of the outline site. A TPO woodland extends into the outline site from the eastern boundary adjacent to the northern section of Mayfield Drive towards Boundary Brook. Apart from this TPO woodland, the site is arable fields. The site is in Flood Zone 1.
- 2.3 Land slopes down across the site from the south and east towards the Boundary Brook, with steeper falls on the eastern side of the site. The north eastern part of the site rises up from the brook towards the northern site boundary with the railway located on an embankment between 2-5m higher than the adjacent part of the site. Ilkeston Road is located at a higher level than the site.

- 2.4 The site is located 1.6 kilometres north of Stapleford town centre. There is a bus stop to the south of the site on Ilkeston Road serving the number 18 route to Stapleford and Nottingham (every hour during the working day). A bus stop on Pasture Road to the south west of the site serves the my15 route running between Ilkeston and East Midlands Airport (every 15 minutes during the working day). The number 21 route running between Ilkeston and Nottingham (every hour during the working day) is served by a bus stop of Trowell Road to the west of the site.
- 2.5 Stapleford Hill Local Wildlife Site, Local Nature Reserve (LNR), Local Green Space (Prominent Area for Special Protection) and informal open space is located to the east of the site, with the Nottingham-Sheffield railway line to the north of the site and the Nottingham Canal LNR beyond which includes Swancar Bridge, a Grade II listed building. The canal is part of a Green Infrastructure Corridor and two such corridors run broadly east-west across the northern part of the application site. Pit Lane recreation ground (a nature reserve and informal open space), car park, football pitch and allotment gardens lie to the north and north west of the site, with housing on Trowell Grove beyond to the north west. Residential properties adjoin part of the eastern boundary on Mayfield Drive and Ilkeston Road, and opposite the southern site boundary on Ilkeston Road. The land beyond the northern site boundary (situated within the Green Belt) rises up towards the north and the land beyond the eastern site boundary rises up to the high point of Stapleford Hill, which is largely covered by woodland. Pit Lane recreation ground, which is predominantly open grassland with trees to the eastern side, is generally located at a higher level than the majority of the application site. Mayfield Drive rises from south to north to the east of the site.
- 2.6 There is a field adjacent to the north eastern section of the site which forms part of a housing site to the rear of Bramcote Crematorium, land west of Coventry Lane, which is allocated for 240 dwellings (outline application for smaller part of this allocated site received permission at Planning Committee in November 2020 subject to a Section 106 agreement which has yet to be signed). A mixture of dwelling types form the development in the immediate area including three storey flat blocks, detached, semi-detached and terraced housing and bungalows.

3 Relevant Planning History

- 3.1 Outline planning permission for up to up to 450 dwellings (with all matters reserved except for access) was granted on 4 November 2014 (reference 11/00758/OUT) in relation to the larger site. This followed a committee resolution to grant permission in April 2013. The Secretary of State then confirmed that the application would not be called-in for determination following the adoption of the Broxtowe Aligned Core Strategy in September 2014 which removed the site from the Green Belt.
- 3.2 A scheme for development of 450 dwellings on the larger site was considered by a Design Review Panel in September 2015. This panel comprised experts from the built environment sector, chaired by an architect, who provided impartial advice on the scheme presented. A site visit was undertaken by the panel and then a discussion was held by the panel with the Council and the developer. After the panel session was held, a letter containing the comments and recommendations of the panel was provided.

3.3 In April 2016, the reserved matters application for Phase 1 (15/00841/REM) was refused approval based on poor overall design quality and failure to create a distinctive place but was subsequently allowed on appeal (February 2017). This phase of development is currently being built out.

3.4 In July 2016, it was determined prior approval was not required to demolish the farmhouse and barn on the site (16/00422/DEM). These two buildings have since been demolished.

4 Relevant Policies and Guidance

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

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

- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 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 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 32: Developer Contributions
-

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

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places

5 Consultations

5.1 **Council's Environmental Health Officer:** no objection.

5.2 **Council's Business and Projects Manager (Environment):** the boundary fence detail for the open space needs to mirror that used on phase 1. The trip tail needs to be wooden bollards with a metal rail.

5.3 **Council's Housing Strategy and Development Officer:** no further comments to advise on this application.

5.4 **Council's Waste and Recycling Officer:** raise no objection and advise on bin requirements.

5.5 **Council's Tree Officer:** no objection.

- 5.6 **Nottinghamshire County Council as Highways Authority:** raise no objection.
- 5.7 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** no objection.
- 5.8 **Nottinghamshire County Council Planning Policy:** no further comments to advise on this application.
- 5.9 **NHS Nottingham City Clinical Commissioning Group (CCG):** request a financial contribution of £173,400.00.
- 5.10 **NET:** no objection.
- 5.11 **Network Rail:** no objection.
- 5.12 **Highways England:** no objection.
- 5.13 **Nottinghamshire Wildlife Trust:** new Landscape Concept Plan shows there are some alterations in the landscaping. For example, on the original concept plan, the hedgerow in the north-west corner is mapped as a 'native hedgerow', whereas the new plan shows this hedgerow as a 'single-species hedgerow'. There also appears to be less tree planting on the new plans.

Concerned that the amended plans may result in a decrease in biodiversity value and therefore recommend that all landscaping/ planting plans are altered to mirror those of the original designs.

- 5.14 **Policy Architectural Liaison Officer:** no further comments to advise on this application.
- 5.15 **The Coal Authority:** no observations.
- 5.16 Severn Trent Water Ltd, the Environment Agency and NCC Rights of Way were all consulted but did not provide any comments.
- 5.17 47 neighbours were consulted on the application, 6 objections and 5 observations were received. Three site notices were displayed. The comments are summarised as follows:
- Design amendments should not be an attempt to reduce quality and longevity of building design
 - All materials and design should be of a high quality and energy efficiency to ensure it is as sustainable as possible
 - Concerns that less scrupulous developers may rush build and compromise building regulations that impact on climate crisis
 - All planning applications should be accompanied by a comprehensive Energy Statement which includes details on energy use and energy generation
 - The burden of improving efficiency & reducing energy costs should not be placed on the future tenants/residents
 - Colour of roof tiles should be considered

- More trees planted to provide buffer with existing woodland and to help with drainage
- Not enough parking as first phase shows cars parked on paths
- Ensure that healthy trees and hedgerows are not removed
- Request for a footpath link from the boundary path road near plot 94 across Boundary Brook to the paths of Pit Lane Recreation Area public park to be included
- Removal of trees along Ilkeston Road is not supported
- No requirement to remove trees or hedgerows
- Application should be refused as land is used for recreational purposes
- Do not require commercial or retail services on site when other services are within one mile of site.

6 Assessment

6.1 The main issues are considered to be the change in house types, the layout and landscaping.

6.2 **Principle**

6.2.1 The principle of development has already been established and this application proposes a variation of condition 37 of 20/00116/FUL which relates solely to the drawing conditions. The main changes proposed relate to house types, layout and landscaping. All changes are considered to be relatively minor considering the scale of the scheme. Furthermore, the changes proposed are considered to be acceptable which will be addressed in further detail below.

6.2.2 To conclude, this is a variation of condition application to condition 37 and therefore only relates to drawing conditions. The principle of development has already been established and no changes are proposed to the outline scheme, only the full element. The principle of the proposed amendments are therefore considered to be acceptable.

6.3 **Design and Layout**

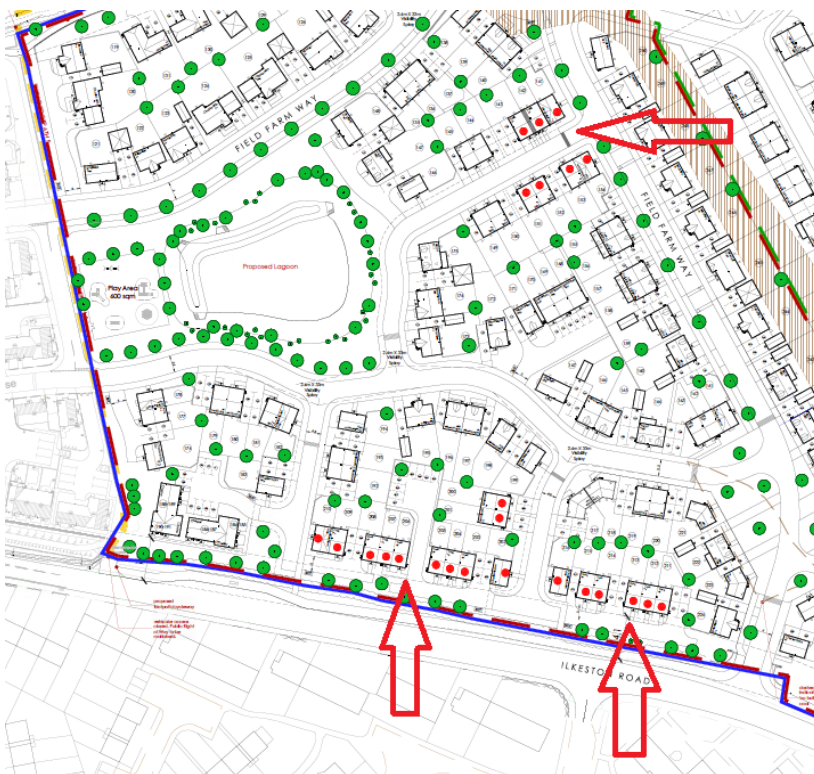
6.3.1 The same number of affordable houses will be provided under this scheme (24), but their positioning has changed which is shown below by the plots labelled with dots and shown by the arrows for clarity. 10 per cent of the dwellings will be M4 (2) of Building Regulations compliant, in accordance with the requirements of Policy 15 of the P2LP. This means they will be accessible and adaptable dwellings. It is considered an appropriate mix of dwellings types has been proposed for Phase 2.

6.3.2 Whilst the position of the affordable housing has been amended, the Council's Housing Strategy and Development Officer has raised no objection to this and it is therefore considered to be acceptable.

21/00810/ROC (dots/arrows showing affordable housing position)



20/00116/FUL (dots/arrows showing affordable housing position)



6.3.3 The proposed dwellings will be a mix of two and three storey houses with either two, three, four and five bedroom houses and either detached or semi-detached. The style will largely reflect a traditional style with a mix of different roof styles such as gable, hipped and cat slide. An example of four house types are shown below.



Front Elevation

1:100

House type: Willesley (detached)



Front Elevation

House type: Bardon (detached)



Front Elevation

1:100

House type: Milford (semi-detached)



Front Elevation

1:100

House type: Brassington (semi-detached)

6.3.4 The proposed pallet of materials will be a mixture of red/brown bricks, cream render and grey/anthracite/terracotta/red tiles depending on the design of the proposed dwelling. It is considered the proposed materials reflect an acceptable design and tie in with the proposed traditional style.

6.3.5 It is considered all the proposed house types reflect an acceptable level of design, are an acceptable height, scale and massing. It is considered they correspond to each other with a similar style but provide enough variation to create visual interest within the street scene with differing styles and materials.

6.3.6 The proposed layout will largely stay the same as the approved layout in the previous application, 20/00116/FUL; however the main amendments relate to the south west of the site (as shown by the diagrams in section 1.1). The affordable housing will be positioned in this corner and the layout has been amended from courtyard style parking at the rear of gardens to parking at the front of properties. It is considered this is a more practical approach as home owners are more likely

to park near the front of their properties, it also provides natural surveillance over vehicles and improves the relationship with rear gardens that they do not overlook a car park.

- 6.3.7 It is considered the amount of parking provided with the new house types and amended layout is acceptable and no concerns have been raised by the Highway Authority.
- 6.3.8 In regards to the change in landscaping, there are marginally less trees in rear gardens of properties due to the maintenance difficulties for future occupiers. It is considered the landscaping proposed is acceptable and no objection has been raised by the Council's Business and Projects Manager. The hedge has been amended back to a native hedgerow on request from the Nottinghamshire Wildlife Trust. Further details of landscaping will be required via the landscaping condition (condition 5).
- 6.3.9 To conclude, it is considered the proposed house types reflect an acceptable design and are appropriate in the context of the site and wider area. Only small amendments have been made to the layout in the south west corner of the site and it is considered a more practical approach for parking for future occupiers of these dwellings. It is considered the changes to the landscaping are relatively minor and a sufficient number of trees are still proposed.

6.4 Amenity

- 6.4.1 The site adjoins the phase 1 scheme (15/00841/REM) and it is considered the separation distance between the two schemes has already been established as being acceptable. Whilst the house types have changed, it is still considered the separation distances are acceptable and the layout itself has not significantly changed to what was previously agreed. It is considered the impact on the occupiers of phase one is acceptable.
- 6.4.2 Due to separation distance and buffer of vegetation, it is considered the properties to the south and south east of the site will not have an adverse impact on the amenity of the occupants along Ilkeston Road or Mayfield Drive.
- 6.4.3 The proposed dwellings are all considered to be of an acceptable size with an acceptable outlook from windows. All the houses will have front and rear gardens and there will be adequate landscaping surrounding properties. Due to the levels difference across the Phase 2 site, some plots will be located at a higher level than other plots, with the largest difference being in the region of 3.5m. Sections have been submitted to show that retaining walls will be used and details of these and boundary treatments will be conditioned to ensure appropriate levels of amenity are achieved for the proposed residents.

6.5 Financial Contributions

- 6.5.1 The level of financial contributions have been deliberated and decided during the determination of earlier applications and some of these contributions have already been paid, consequently these will not be revisited with this application. However, whilst this application essentially just updates the house types as this is a new

application, an addendum in line with the previous S106 will be sought to ensure that all the outstanding payments that were previously agreed are paid appropriately.

6.5.2 To clarify, the agreed contributions are as follows:

Affordable housing: 25% level of affordable housing (combination of on-site provision (80% rented and 20% shared ownership) and financial contributions).

Open Space maintenance contribution: A total open space maintenance contribution of £432,768.48 is required.

Integrated Transport Contributions: The integrated transport contribution of a maximum of £412,500.00 remain unchanged from the previous agreement, as does the off-site highway contribution (£343,000.00) towards improvement works to the junction of the Ilkeston Road/Hickings Lane roundabout. £142,334.02 has been paid to date.

Education: A contribution towards infant education provision of £485,000.00 and a Secondary Contribution of £624,987.00 are required.

6.5.3 To conclude, there are no changes to the financial contributions proposed as a result of this application and an addendum to the original S106 will be made to ensure that the contributions that are outstanding, are paid. This will be agreed with the Councils legal department and the agent's solicitor.

6.6 Other Matters

6.6.1 Although the proposed amendments relate to only the full element of the previous hybrid scheme (20/00116/FUL), the conditions will be repeated for the whole scheme. A number of conditions have been discharged which means they will be changed to compliance conditions to ensure they are carried out in accordance with the agreed, submitted details.

6.6.2 Whilst the Severn Trent Water Ltd, the Environment Agency and NCC Rights of Way were all consulted but did not provide any comments, it is considered the application is still acceptable to be determined based on the amendments relating to design, layout and landscaping only.

6.6.3 As this is an application to vary a condition that was considered under the previous validation requirements, and the principle of development is already established, it is considered unreasonable to request an Energy Statement as part of this application.

6.6.4 The trees outside of the red line plan to the south of the site along Ilkeston Road are owned by Nottinghamshire County Council as Highways Authority.

6.6.5 The principle of development, including the commercial and retain units on site, have already been established as acceptable.

- 6.6.6 This scheme proposes a path on the southern side of Boundary Brook but does not continue into the outline scheme which was previously proposed by the Westerman scheme. The approved scheme does not include an additional crossing over the brook to link with Phase 2 as the loss of biodiversity and trees would outweigh the benefits of having it. The distance between existing crossing and proposed crossing would have been 100m. The existing crossing over the brook will remain. It is considered the retention of the existing crossing over the brook is acceptable.



21/00810/ROC (footpath stops at side of cul-de-sac)



20/00116/FUL (footpath continues beyond cul-de-sac)

7 Planning Balance

- 7.1 The benefits of the proposal would mean the design can be altered to reflect that of Peveril Homes and would be in accordance with policies contained within the

development plan. Whilst it is acknowledged there will be some impact on the landscaping this is outweighed by the benefits of the scheme e.g. the more practical layout of the parking for the affordable housing and acceptable design. On balance, it is considered the amendments are acceptable and the application should be approved.

8 Conclusion

- 8.1 To conclude, the benefits of the proposal would mean the design can be altered to reflect that of Peveril Homes. The principle of the development has already been established through the original and hybrid applications on the site and the proposed amendments relate solely to the layout, design and landscaping, all of which are considered to be acceptable changes, with no objections from any consultees. 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) the prior completion of an agreement under section 106A of the Town & Country Planning Act 1990

(ii) the following conditions:

1.	<p><u>Conditions in respect of outline element</u></p> <p>The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: To comply with S92 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 commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
3.	<p>No development shall commence until a phasing plan for the whole outline site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan.</p> <p><i>Reason: To secure an orderly form of development.</i></p>

4.	<p>No phase of development, including site clearance, shall be commenced until detailed drawings and particulars showing the following for that respective phase have been submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> (a) the layout, scale, and external appearance of all buildings; (b) the means of access and parking provision within the site; (c) cross sections through the site showing the finished floor levels of the new buildings in relation to adjacent land and buildings (notwithstanding the levels shown for part of the site on 17031-PL15C Finish floor level site layout of application 20/00116/FUL). These details shall be related to a known datum point; (d) landscaping. <p>The development shall be carried out strictly in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
5.	<p>No development, including site clearance, shall be commenced in respect of any phase until a landscaping scheme for that respective phase of development has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development. No development in the respective phase of development shall commence until the agreed protection measures are in place; (b) numbers, types, sizes and positions of proposed trees and shrubs; (c) proposed hard surfacing treatment including the public rights of way crossing the site and the proposed path through the TPO woodland; (d) planting, seeding/turfing of other soft landscape areas; (e) lighting details and (f) a timetable for implementation of the scheme. <p>The approved schemes shall be carried out strictly in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before</i></p>

	<i>development commences to ensure that the details are satisfactory, in the interests of ecology and railway safety and in accordance with the aims of the NPPF, Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
6.	<p>No development, including site clearance, in respect of any individual phase shall commence until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The CMS shall be adhered to throughout the construction period. The CMS shall provide for:</p> <ul style="list-style-type: none"> (a) site access for construction vehicles (b) the parking of vehicles of site operatives and visitors (c) loading and unloading of plant and materials (d) storage of plant and materials used in constructing the development (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate (f) wheel washing facilities (g) measures to control the emission of dust and dirt during construction. <p><i>Reason: The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
7.	<p>No development, including site clearance, in respect of any individual phase shall commence until bat and breeding bird surveys, including any proposed mitigation measures, have been completed and submitted to and agreed in writing by the Local Planning Authority. Any mitigation measures shall be carried out in accordance with the agreed details.</p> <p><i>Reason: The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory in the interests of safeguarding bats and breeding</i></p>

	<i>birds, in accordance with the aims of the NPPF and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i>
8.	<p>No development shall be commenced in respect of any individual phase until detailed drawings and particulars in relation to the respective phase showing parking and turning facilities, site road layout including access widths, gradients, surfacing, street lighting, visibility splays, drainage, any bridge over Boundary Brook, and a timetable for their provision have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences in the interests of highway safety to ensure satisfactory access and parking arrangements are provided on the site and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
9.	<p>No development shall commence until a scheme for protecting the proposed dwellings from noise and vibration from the railway lines adjacent to the site has been submitted to and agreed in writing by the Local Planning Authority. Any works which form part of the scheme approved by the Authority shall be completed before any affected dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority.</p> <p><i>Reason: The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, to protect residents from excessive transport noise and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
10.	<p>No development shall be commenced in respect of any individual phase until details of appropriate gas prevention measures have been submitted to and approved in writing by the Local Planning Authority.</p> <p>No building to be completed pursuant to this permission shall be occupied or brought into use until:</p> <ul style="list-style-type: none"> i) all appropriate measures for that building have been completed in accordance with details approved in writing by the local planning authority; and

	<p>ii) it has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures for that building have been implemented in full.</p> <p><i>Reason: The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
11.	<p>No development above slab level shall be commenced in respect of any individual phase until a surface water drainage scheme for the respective phase, based on the Flood Risk Assessment and Drainage Strategy (dated 31 January 2020 and submitted with application ref: 20/00116/FUL), has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage schemes should include the following:</p> <p>(a) detailed design (plans, network details, calculations) in support of any surface water drainage scheme, including details of any attenuation system, the outfall arrangements, pipe diameters and any flow rate limiters;</p> <p>(b) 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;</p> <p>(c) horizontal and longitudinal cross sections through any proposed swales/attenuation ponds;</p> <p>(d) a timetable for implementation; and</p> <p>(e) details of the responsibility for the future maintenance and management of the surface water drainage systems. The respective schemes shall be implemented in accordance with the details to be agreed under</p> <p>(d) and thereafter maintained in accordance with the agreed details for the lifetime of the development.</p> <p><i>Reason: To prevent an increase in flood risk, to improve and protect water quality, to improve habitat and amenity and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014) and the NPPF.</i></p>
12.	<p>No development shall take place within 100m of the railway until a Construction Method Statement (CMS) for works in this area has been submitted to and agreed in writing by the Local Planning Authority. The CMS shall be implemented in accordance with the</p>

	<p>agreed details.</p> <p><i>Reason: To safeguard the operations of the railway and in accordance with the aims of the NPPF.</i></p>
13.	<p>No dwelling shall be occupied until details of the site boundary treatments and curtilage boundary treatments, including Armco or similar barriers adjacent the railway, for that respective phase of development have been submitted to and approved in writing by the Local Planning Authority: no dwelling shall be occupied until its own boundary treatment has been erected in accordance with the agreed details. No development on a subsequent phase shall commence until the approved site boundary treatment for the preceding phase has been completed in accordance with the agreed details.</p> <p><i>Reason: In the interests of residential amenity, railway safety and the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
14.	<p>Nothing shall be stored or placed in any area fenced in accordance with condition 5 (a) and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.</p> <p><i>Reason: To ensure the retained trees, including the TPO woodland, are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
15.	<p>The local centre shall not be open to customers except between the hours of 07:00-22:00 on any day.</p> <p><i>Reason: To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
16.	<p>No deliveries or collections by commercial vehicles (excluding the delivery of newspapers, milk and sandwiches) shall be made to/from the local centre except between the hours of 07:00 - 22:00 on any day.</p> <p><i>Reason: To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
17.	<p>No fixed plant, machinery or equipment shall be installed within the site of the local centre until a noise report, including details of the acoustic specification of such fixed plant, machinery or</p>

	<p>equipment, has been submitted to and agreed in writing by the Local Planning Authority. The plant/machinery/equipment shall be installed in accordance with the agreed details and thereafter maintained in the agreed form for the lifetime of the development. The rating level resulting from the use of any plant, machinery or equipment at the local centre shall not exceed the existing background level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest residential dwelling.</p> <p><i>Reason: To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
18.	<p>No ventilation and filtration equipment shall be installed at the local centre unless details have first been submitted to and approved in writing by the Local Planning Authority. Any equipment shall be in full working order prior to the commencement of the respective use. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues.</p> <p><i>Reason: To suppress and disperse odour created from food preparation operations, in order to protect nearby residents from excessive odour, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
19.	<p>The hereby permitted local centre shall have a total floorspace not exceeding 500 square metres.</p> <p><i>Reason: In accordance with the terms of the application and to ensure it does not harm the vitality and viability of nearby centres, in accordance with the aims of Policy 13 of the Broxtowe Part 2 Local Plan (2019).</i></p>
20.	<p>No single user shall occupy the local centre unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety, to restrict the possibility of articulated vehicles using the residential roads and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>

21.	<p><u>Conditions in respect of full element</u></p> <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>
22.	<p>The approved development shall be undertaken in accordance with the requirements of conditions 22, 23, 24, 25, 27, 28, 32, 38, 39, 42 and 44 of permission ref: 20/00116/FUL and in accordance with the details approved pursuant to them unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
23.	<p>No development above slab level shall commence until the surface water drainage scheme has been undertaken in accordance with the following drainage details received by the Local Planning Authority on 18.8.20:</p> <ul style="list-style-type: none"> • Technical specifications for Hydro-Brake flow control FFSN-BSP-ZZ-X-DR-C (dated 7.8.20 and 8.7.20) • Phase 2 on site drainage layout (FFSN-BSP-ZZ-XX-DR-C0140 Rev P01) • Microdrainage calculations (dated 6.8.20) • SUDS maintenance data sheet (reference 20156/SUDS/POND). <p>The scheme shall be maintained and managed in accordance with the maintenance data sheet for the lifetime of the development.</p> <p><i>Reason: To prevent an increase in flood risk, to improve and protect water quality, to improve habitat and amenity, to protect the brook from pollution and in accordance with the aims of the NPPF, Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Part 2 Local Plan (2019).</i></p>
24.	<p>No retaining wall on any plot or beside the brook shall be installed until details, including section drawings where necessary, have first been submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be first occupied until the boundary treatment for the respective plot has been installed in accordance with the approved Boundary Treatment plan and any agreed retaining wall details. No development on Phase 3 shall commence until the retaining wall beside the brook, site perimeter and open space/play area boundary treatments have been installed in accordance with the approved plans.</p> <p><i>Reason: In the interests of residential amenity and the appearance of the area and in accordance with the aims of Policy 17 of the</i></p>

	<i>Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
25.	<p>No building to be completed pursuant to this permission shall be occupied or brought into use until:</p> <p>i) all appropriate measures for that building have been completed in accordance with details in the Geodyne report 'Remediation Method Statement' (ref D29176 V1.1, dated June 2017); and</p> <p>ii) it has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures for that building have been implemented in full.</p> <p><i>Reason: In the interests of public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
26.	<p>The glazing and ventilation for the dwellings adjacent to Ilkeston Road shall be installed in accordance with the specification details in the Environmental Noise Assessment report (ref. FFSN-BSP-ZZXX-RP-C-001-P01), dated February 2020 (aligned with application ref: 20/00116/FUL) and thereafter maintained in accordance with the agreed details.</p> <p><i>Reason: To protect future occupiers from excessive road traffic noise and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
27.	<p>Electric vehicle charging points shall be installed on the dwellings as indicated on the approved plans prior to the first occupation of such dwellings and thereafter retained and maintained for the lifetime of the development.</p> <p><i>Reason: To ensure environmental measures are incorporated within the scheme, in accordance with the aims of Policy 1 of the Aligned Core Strategy (2014).</i></p>
28.	<p>Prior to the first occupation of any dwelling constructed on the site:</p> <ul style="list-style-type: none"> i) the eastern site access on Ilkeston Road and associated back-to-back ghost island right turn lanes and pedestrian crossing points shall be completed in accordance with the approved plans; ii) the shared cycleway/footpath to Coventry Lane shall be completed as detailed in Appendix H of the Transport Assessment (dated 27 March 2020 submitted as part of application ref: 20/00116/FUL), or such other details as may first be agreed in writing by the Local Planning Authority. Reason: In the interests of highway safety to ensure satisfactory access for the proposed residents, to

	<p>mitigate the impact of the development on the highway network and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 14 of the Broxtowe Aligned Core Strategy (2014).</p> <p><i>Reason: In the interests of highway safety to ensure satisfactory access for the proposed residents, to mitigate the impact of the development on the highway network and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
29.	<p>No dwelling shall be first occupied until its respective driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5m behind the highway boundary, and drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety to ensure satisfactory parking for the proposed residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
30.	<p><u>Conditions in respect of whole scheme</u></p> <p>The development hereby permitted shall be carried out in accordance with drawings numbered:</p> <p>Received by the Local Planning Authority on 28 September 2021:</p> <ul style="list-style-type: none"> • P104 Rev C • P106 • BL-01-EL • BL-01-PL • BL-02-EL • BL-02-PL • BL-03-EL • GT-01-PL • GT-02-PL • GT-03-PL • GT-04-PL • GT-05-PL • HT-Aa-EL Rev A • HT-Aa-PL Rev A • HT-A-EL Rev A • HT-A-PL Rev A • HT-C-EL • HT-C-PL

- HT-D-EL
- HT-D-PL
- HT-E-EL Rev A
- HT-E-PL Rev A
- HT-F-PL
- HT-H-EL Rev A
- HT-H-PL Rev A
- HT-I-EL
- HT-I-PL
- HT-K-EL Rev A
- HT-K-PL Rev A
- HT-L-EL
- HT-L-PL
- HT-O-EL Rev A
- HT-O-PL Rev A
- HT-P-PL
- HT-Q-EL
- HT-Q-PL
- HT-R-PL
- HT-S-PL Rev A
- HT-S-PL
- HT-T-EL
- HT-T-PL
- HT-U-EL Rev A
- HT-U-PL Rev A
- HT-V-EL Rev A
- HT-V-PL Rev A
- HT-W-EL
- HT-W-PL
- HT-X-EL
- HT-X-PL
- HT-Y-PL
- HT-Z-EL
- HT-Z-PL
- FFSN-BSP-ZZ-XX-DR-C-0300 Rev P01
- P300
- P102

Received by the Local Planning Authority on 12 November 2021:

- HT-B-EL Rev B
- HT-B-PL Rev B

Received by the Local Planning Authority on 16 November 2021:

- BL-03-PL Rev A
- HT-S-EL Rev B
- HT-R-EL Rev A
- HT-P-EL Rev A

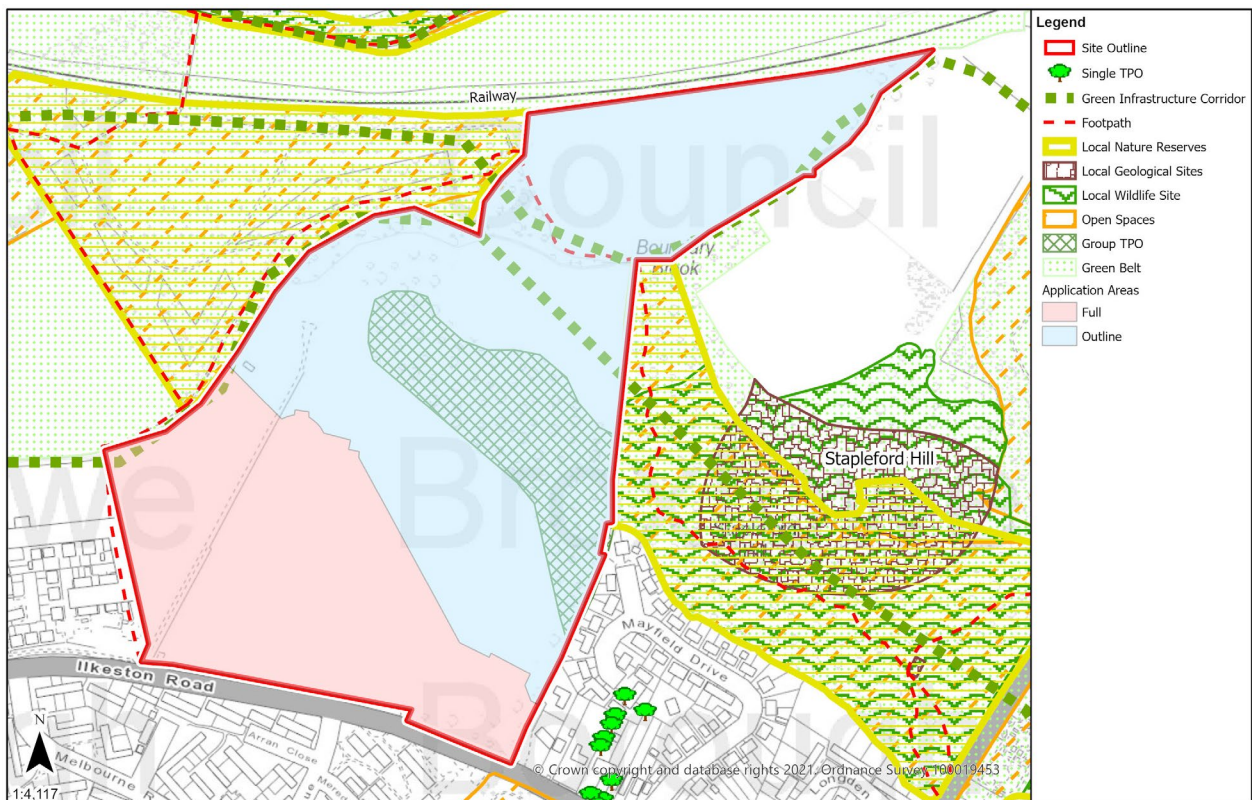
	<p>Received by the Local Planning Authority on 18 November 2021:</p> <ul style="list-style-type: none"> • HT-F-EL Rev A • HT-Y-EL Rev A <p>Received by the Local Planning Authority on 16 December 2021:</p> <ul style="list-style-type: none"> • 01 Rev C • P103 Rev D • P104 Rev D • P105 Rev E • P100 Rev L • FFSN-BSP-ZZ-XX-DR-C-0215 Rev P02
31.	<p>No works, including site clearance, shall take place on Boundary Brook unless and until water vole and reptile surveys have been carried out, submitted to and agreed in writing by the Local Planning Authority. Any works to the brook shall be in accordance with any recommended mitigation measures identified in the surveys.</p> <p><i>Reason: In the interests of ensuring due regard is given to the potential presence of water vole and reptiles in the brook and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
32.	<p>No works on any phase of development shall take place on any path proposed by Boundary Brook unless and until a management plan for the trees/vegetation beside the brook has been submitted to and agreed in writing by the Local Planning Authority. Any works to the vegetation shall be in accordance with the approved details.</p> <p><i>Reason: In the interests of ensuring the trees beside the brook are appropriately managed in the interests of safeguarding habitat and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>
33.	<p>The development hereby permitted shall be carried out in accordance with the recommendations of the Flood Risk Assessment & Drainage Strategy dated 31 January 2020 and the finished floor levels of any dwellings located in the area at risk from surface water flooding, as shown on Figure 2.1 (page 5), shall be raised 150mm above existing ground levels.</p> <p><i>Reason: To ensure mitigation takes place to reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Local Plan (2019).</i></p>

34.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays.</p> <p><i>Reason: To protect nearby occupants from excessive construction noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
35.	<p>The approved landscaping for each phase of development shall be carried out not later than the first planting season following the substantial completion of each respective phase or first occupation of the building(s) within the respective phase, whichever is the sooner, and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality, to ensure the landscaping takes place in a timely fashion and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
36.	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall take place until a remediation strategy detailing how this unsuspected contamination is to be dealt with has been submitted to and agreed in writing by the Local Planning Authority. Any required remediation shall be undertaken in accordance with the agreed details and it shall be certified to the satisfaction of the local planning authority that the additional 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: To ensure any unknown contamination encountered during development is appropriately dealt with to prevent pollution of the environment and to render the site free from risk to human health and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	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.	In order to carry out off-site works, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. The applicant is advised to contact the County Council Highways team for details on hdc.south@nottsccl.gov.uk
4.	<p>The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.</p> <p>a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.</p> <p>b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on site.</p>
5.	The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner/occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant/contractors/the owner or occupier of the land.
6.	The Highway Authority considers it prudent that as part of the proposed off-site highway works, a Traffic Regulation Order is undertaken to provide a safer highway environment. The Order can be made on behalf of the developer by Via East Midlands at the expense of the developer. This is a separate legal process and the

	Applicant should contact the Highway Improvements Team on 0115 804 2100 for details.
7.	Any highway trees damaged/removed as a consequence of the offsite works along Ilkeston Road will need to be replaced. You are therefore required to contact Via East Midlands Forestry Officer on 0115 804 2100 to establish where the replacement trees should be located, and to determine their species.
8.	Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
9.	In relation to Condition 5, the local planning authority expects landscape buffers to be detailed beside Boundary Brook and Stapleford Hill Woodland and additional scrub planting beside the railway.
10.	The 'no build zone' associated with the high wall should be taken into account with reserved matters layouts.
11.	Severn Trent Water advise that there may be sewers on site that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals.
12.	The applicant is advised to contact Network Rail prior to commencing any works on land adjacent to the railway line, email: assetprotectionline@networkrail.co.uk
13.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
14.	Whilst the description of the application refers to the local centre being for uses within Classes A1-A5, due to changes to the Town and Country Planning (Use Classes Order), which came into effect on 1 September 2020, the use of the centre will be for those within Class E, drinking establishments and hot food takeaways (sui generis) and will thereafter be limited to the permitted changes within these Classes.

Map



Photos



Site frontage from Ilkeston Road
Towards TPO woodland and Stapleford Hill

Towards Ilkeston Road from site





Boundary Brook



Path towards north west TPO woodland

Plans (not to scale)

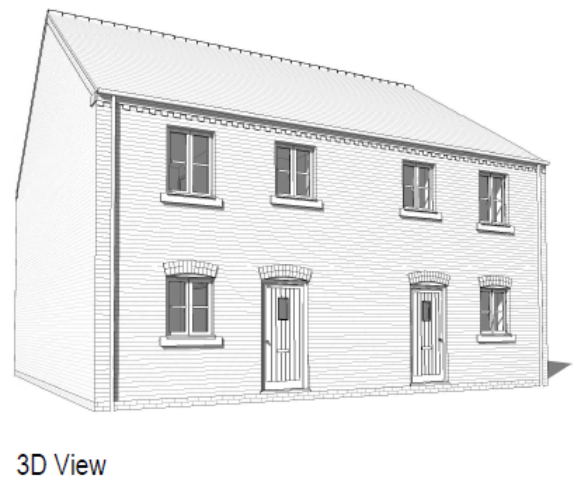
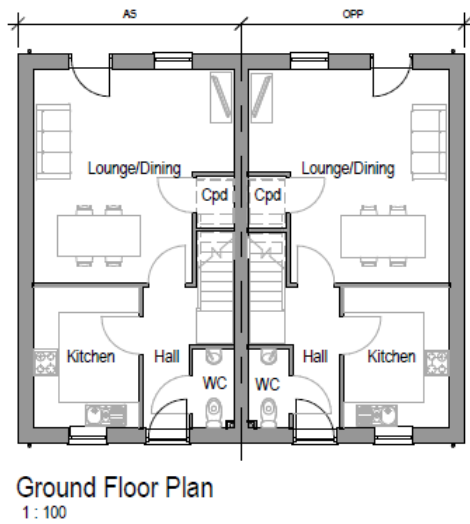


Site layout plan



Proposed street scenes

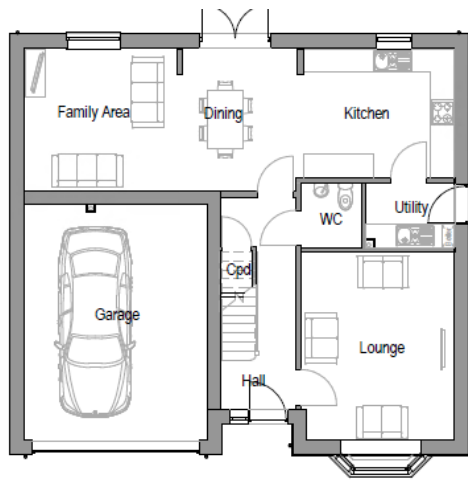
Plans (not to scale)



Roliston house type



Plans (not to scale)



Ground Floor Plan
1:100

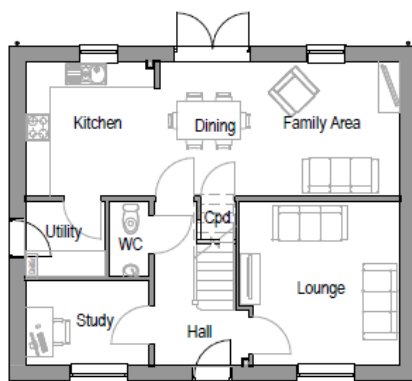


3D View

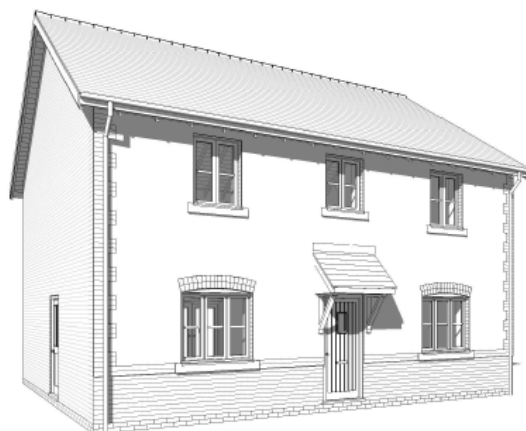
Denby house type



Front Elevation



Ground Floor
1:100



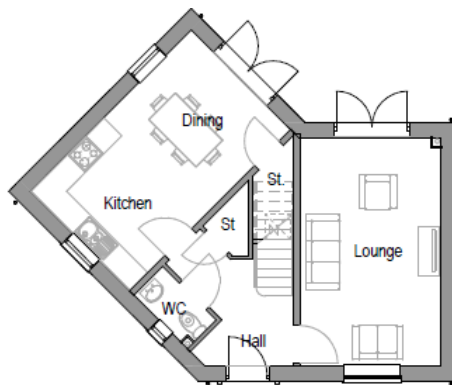
3D View

Appleby house type

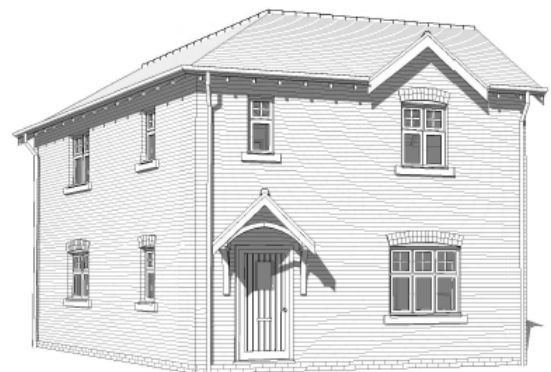
Plans (not to scale)



Front Elevation
1 : 100



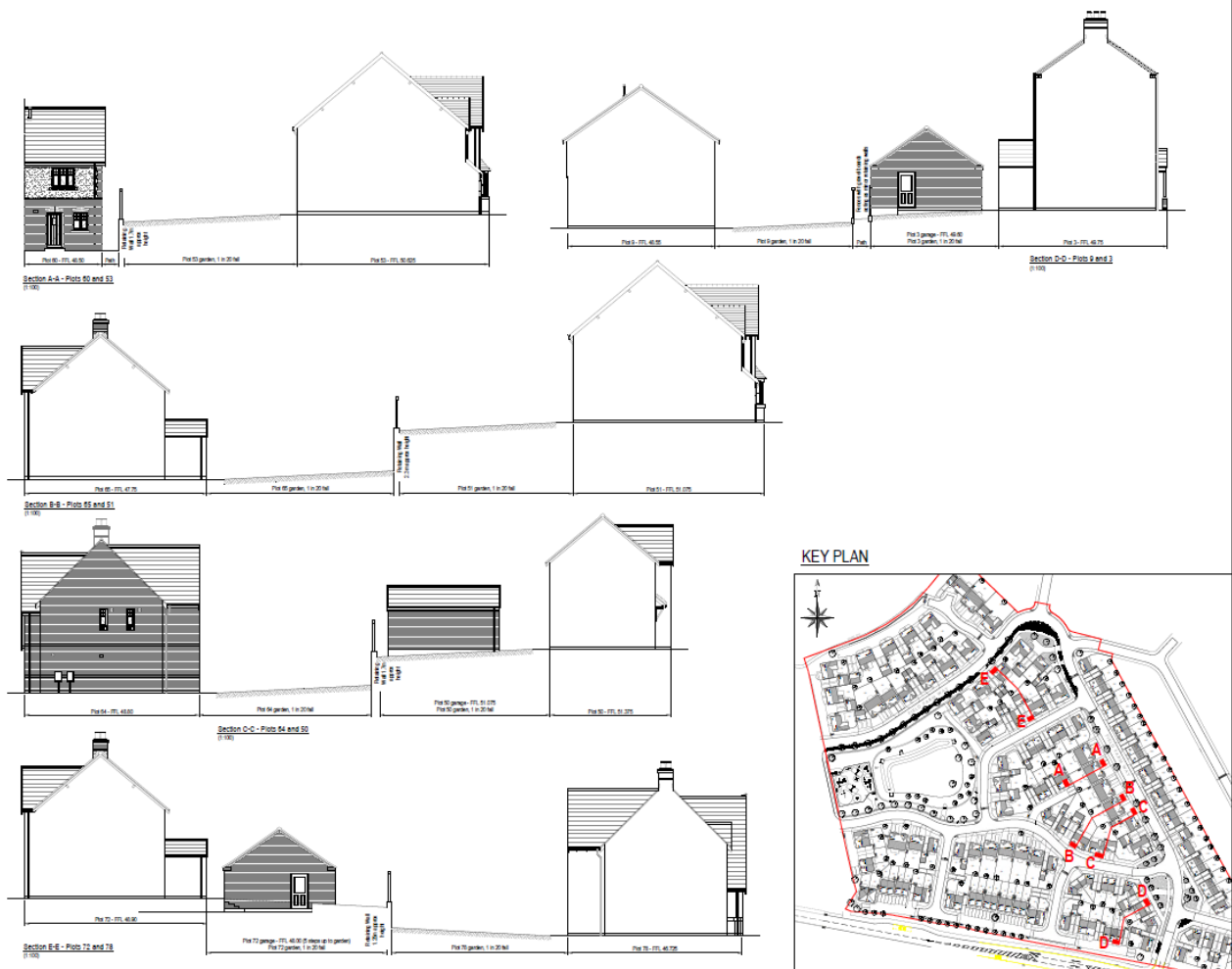
Ground Floor Plan
1 : 100



3D View

Staunton house type

Plans (not to scale)



Sectional plans

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Report of the Chief Executive

APPLICATION NUMBER:	21/00575/FUL
LOCATION:	Land Between Ellis Grove and Wilmot Lane, Ellis Grove, Beeston, Nottinghamshire
PROPOSAL:	Construct four storey building to accommodate retirement apartments including communal facilities, access, car parking and landscaping

The application is brought to the Committee due to the viability of the development in respect of developer contributions and as such would not be policy compliant.

1 Executive Summary

- 1.1 The application seeks full planning permission to construct a four storey building to accommodate retirement apartments including communal facilities, means of access, car parking and landscaping.
- 1.2 The site was formerly part of the Myfords site and has been cleared of all buildings. There is no current access to this part of the site, however it is understood that as part of the larger Myfords site access would have been from Wilmot Lane, to the south west of the site.
- 1.3 The main issues relate to whether the principle of residential development would be acceptable, whether the development would be acceptable without payment of any developer contributions, whether there would be an unacceptable impact on neighbour amenity, and whether there would be harm to highway safety.
- 1.4 The benefits of the proposal are that it would provide specialist accommodation with communal facilities, which would have the potential to free family sized accommodation elsewhere in the borough and surrounds, to the benefit of the wider population. The scheme would be located in a highly sustainable location, close to shops along the Chilwell High Road local centre, and close to Beeston Town Centre, which gives convenient access to facilities such as health provision. The site is on a well-served public transport route, having both the tram stop immediately adjacent to the site and with bus stops close by. The site would also see the development of previously developed land. The principle of development would be in accordance with the policies contained within the development plan, with the exception of the developer contributions. There would be an increase in vehicular activity as a result of the development of the site, but this would be outweighed by the benefits of the scheme.
- 1.5 The committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix, and to the prior signing of a Section 106 Agreement.

APPENDIX 1

1 Details of the Application

- 1.1 The application seeks planning permission for the construction of a four storey building to accommodate retirement apartments including communal facilities, means of access, car parking and landscaping. The four storey building would be built close to the north west boundary (to Chilwell Road) and would have a flat roof, with the fourth floor being inset from the lower storeys, and being of a contrasting grey brick. The lower floors would be of red brick with panels of a darker brick added for interest, with a main entrance area on the front elevation framed by render.
- 1.2 Vehicular access to the site would be via Wilmot Lane, to the south west, and would lead to a 19 space parking area. A landscaped amenity area and mobility scooter outbuilding would also be provided to the rear of the building.
- 1.3 Internally, the building would provide a communal lounge and coffee bar to the ground floor along with a reception area and associated offices. An internal bin store area is also provided on this floor. 10 apartments are shown on the ground floor plan, with 14 to the first and second floors, and 13 to the third floor (51 apartments shown in total). These are to be a mix of one and two bedroom apartments. The third floor also accommodates one studio apartment for the use of guests. All floors would be served by both stairs and lifts. All apartments are proposed to be for market housing.
- 1.4 Part of the site falls within the Chilwell High Road Centre of Neighbourhood Importance boundary.

2 Site and surroundings

- 2.1 The site is a piece of previously developed land (formerly part of Myfords) which fronts Chilwell Road, to the north west, having the tram stop immediately to the front. Ellis Grove is to the north east and this section of Ellis Grove, where it is adjacent to the site, has the rear gardens of 8 to 14 (evens) backing on to Ellis Grove. To the south west of the site is Wilmot Lane. This road has been widened and improved as it now serves the development to the south west of Wilmot Lane, which is a retail shop to the ground floor with apartments above, and parking associated with that development, which is to the rear of that building. Wilmot Lane also gives pedestrian access via a right of way to newly built dwellings along the south east section of Wilmot Lane. There is no direct vehicular access through to that section from Chilwell Road.
- 2.2 To the north west of the site, on the opposite side of Chilwell Road, there are a number of shops and other commercial uses such as the Hop Pole PH, which fall within the Chilwell High Road Centre of Neighbourhood Importance. To the south east of the site is a separate piece of land, which also formerly part of the Myfords site, which has recently been granted conditional planning permission for a residential care home which would be a three storey flat roofed brick building. Reference 21/00184/FUL.

3 Relevant Planning History

- 3.1 In 2013, outline planning permission was granted for the re-development of the entire Myfords site, which encompassed the current application site, as well as land to the south east and south west, extending south towards Robinet Road. The application proposed a mix of uses including retail, leisure and residential, the latter including both C3 and C2 uses. Reference 13/00003/OUT.
- 3.2 In 2018, planning permission was granted for the development of the application site and included the site to the south east for the construction of a 75 bed care facility; 30 supported living apartments; bistro; gym/spa; hairdressers and associated infrastructure. Reference 18/00268/FUL. This permission was later amended to remove a condition relating to occupancy. Reference 20/00299/ROC.
- 3.3 In June of this year, planning permission was granted for the development of the area to the south of this application site for the construction of 66 bed care home and associated external works. This effectively split the site area approved under 18/00268/FUL and 20/00299/ROC into two parts. Access to this development would be via Ellis Grove. Reference 21/00184/FUL.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 6: Role of Town and Local Centres
- 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 14: Centre of Neighbourhood Importance (Chilwell Road / High Road)
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 7 – ensuring the vitality of town centres.
- Section 12 – Achieving well-designed places.

5 Consultations

- 5.1 **County Council as Highway Authority:** Recognises that the site is in a very sustainable location given its proximity to bus and tram facilities and adjacent to a convenience store and easy walking / cycling distance to Beeston Town Centre. Vehicular access arrangements to the site are considered acceptable. Parking is adequate as comparable to similar establishments throughout the country. Additionally, parking is controlled within the vicinity and there are pay to park car parks in the area. Recommend a condition to require the parking and turning areas to be provided prior to occupation and thereafter maintained and for no other use for the lifetime of the development. Note to Applicant in respect of access to the development being a dropped and tapered kerb.
- 5.2 **Council's Waste and Recycling Officer:** Sets out requirements for amount / size of communal bins, and that a safe route be provided for the collection of the bins.
- 5.3 **Council's Environmental Health Officer:** No objections to conclusion of noise report; recommend condition in regard to piling / penetrative foundation design and to a condition in respect of construction hours; condition requiring details of Construction / demolition Method Statement; details of external lighting scheme; details of a remediation scheme (contamination) and a Note to Applicant in respect of burning of waste.
- 5.4 **Council's Housing Services Officer:** Would look to achieve 30% affordable housing in sites in Beeston, however as this is a retirement housing scheme, the 'first homes' element of the affordable housing would not be expected, and as such, for this site, the requirement would be 20% affordable / social rented housing. This would normally be expected on site, however given the history of the site and the high density scheme proposed, an off-site contribution would be considered in lieu of on-site provision. This would equate to £45,000 per unit, which, based on the proposal providing 51 apartments, would be 20% of 51, therefore 10 units x £45,000 equalling £450,000.
- 5.5 **Council's Private Sector Housing Officer:** No comments
- 5.6 **Council's Parks and Green Spaces Officer:** Landscaping proposal and design philosophy is sound. Would like to see a detailed landscaping scheme. This would be secured by condition. A financial contribution for off-site provision or enhancement of public open space would be required, which based on current figures would be £79,612.89, comprising £45,083.92 for capital provision and £34,528.97 for Maintenance and which would be used for footpath, access, and infrastructure works at Dovecote Lane, Hetley Pearson and Cator Lane recreation grounds.
- 5.7 33 properties either adjoining or opposite the site were consulted and a site notice was displayed. A site notice was posted and a press notice published. Five responses were received, with the following comments:
One letter of objection – properties on Ellis Grove (8, 10, 12 and 14) would be overlooked resulting in loss of privacy, and will also be a loss of light and sunlight especially during winter months. Height of building would create sense of enclosure.

Two letters of support – Schemes like this are essential given that we are all living longer. Older people still want independence but find large family homes too much to look after. They can live in a community of likeminded people and the location could not be better suited, being close to public transport, shops and town centre. The site is brown-field and has the potential to support local businesses as the residents have more disposable income. The site is currently an eyesore and would be enhanced by both the building and landscaped gardens, which in turn would help biodiversity. The application would be beneficial to the local area. The development would create a sense of community, and would provide accommodation suitable for the aging population, addressing the imbalance of other developments which are aimed at students and family homes.

One letter with observations – 19 parking spaces seems too few. There is a need for a pelican crossing on Chilwell Road to assist all residents including care home residents. Lack of clarity on respect of pedestrian access from Wilmot Lane to Lacemaker Road. Can the development share access with the care home off Ellis Grove as Wilmot Lane is used by pedestrians and there may be a conflict. Good to see the inclusion of PV panels to the roof, can green walls be considered too so as to break up the brick work.

One letter of no objection – although requests that a condition is imposed in regard to limiting hours of construction so as to safeguard residential amenity.

6 Assessment

- 6.1 The main issues for consideration relate to whether the principle of residential development would be acceptable, whether the development would be acceptable without payment of any developer contributions, whether there would be an unacceptable impact on neighbour amenity, and whether there would be harm to highway safety.

6.2 **Principle**

- 6.2.1 Given the planning history of the site, where permission has formerly been granted for a similar scheme under 18/00268/FUL and 20/00299/ROC, the principle of residential development for retirement apartments is acceptable and whilst the site is located within the Chilwell Road CONI, would not result in a detriment to the vitality and viability of the centre given that the site was formerly in use as industrial therefore no loss of town centre uses, and that the residential development would contribute to the viability of the centre by virtue of the tenancy, where residents would be more likely to shop local.

6.3 **Developer Contributions**

- 6.3.1 As the proposed scheme would be classed as a major development, developer contributions would be sought and secured through a Section 106 Agreement. The following financial contributions were requested: £28,719.38 from Nottingham and Nottinghamshire CCG to go towards enhancing capacity / infrastructure within existing local practices (The Manor Surgery, The Oaks Medical Centre, The Valley Surgery); and £79,612.89 toward off site provision or enhancement of public open space (specifically footpath, access and infrastructure works) at Dovecote Lane, Hetley Pearson and Cator Lane recreation grounds. It would also be expected that the development contributes the equivalent of 20% affordable housing in lieu of

provision within the site, which would be £450,000. In total, the financial contributions sought would overall equate to £558,332.27

- 6.3.2 The developer submitted a Financial Viability Assessment as part of the planning application. This assessment concluded that there is no financial headroom available for any planning obligations, including on-site affordable housing provision, after accounting for the anticipated gross sales receipts and all reasonable aspects of the outlay necessary. It was stated that this is due to the difference in the Benchmark Land Value and the Residual Land Value resulting in a deficit, given that the sales receipt would only be for the apartments, with all other communal areas and facilities on site not producing a receipt. The Financial Viability Assessment has been independently reviewed by an external assessor and concludes that the development can provide a contribution of £230,000 to be allocated as developer contributions, however whilst the developer initially contested this and states that a maximum of £164,928 is the figure that the developer's viability adviser feels is the actual amount as they are unable to agree with the independent assessors' findings, for expediency, they have agreed to pay the £230,000 that the independent advisor suggests but does advise that if the Council refuses the application on that basis, then an appeal would be submitted which would include an application for costs. As such, the committee are asked to consider whether planning permission be granted subject to the receipt of £230,000 to be paid toward off-site provision or enhancement of public open space, Nottingham and Notts CCG toward enhancing capacity / infrastructure at nearby local practices, and for an off-site contribution toward affordable housing, or to one or a combination of these.

6.4 **Design and Layout**

- 6.4.1 The design of the building in terms of elevational treatment is acceptable as the contrasting brick panels and the fenestration has resulted in an attractive frontage to both Chilwell Road, the principal elevation, which is repeated to the other three elevations. The scale and massing of the building, at four storeys, reflects that of both the newly completed building to the west (co-op and apartments above) and the recently granted permission for the care home to the rear of the site. The height of the building also acts as a transition between the building to the west and to the more domestic properties to the east. Details of materials would be secured by condition.
- 6.4.2 The layout of the site, which sees the building position to the front of Chilwell Road and parking area (accessed from Wilmot Lane) and landscaped gardens to the rear, makes good use of the constraints of the site by presenting a strong frontage to the road, and a quieter area for the benefit of residents to the rear.
- 6.4.3 The layout also ensures adequate gaps can be maintained between the proposed building and neighbouring buildings in order to avoid a cramped development and create a sense of space.
- 6.4.4 Waste and recycling storage would be provided internally with access served from Wilmot Lane.

6.5 **Amenity**

- 6.5.1 Whilst there are windows in the east elevation of the 'co-op' building, these are understood to serve a communal area (stairwell) and as such it is considered that this, along with the presence of Wilmot Lane between, would not result in a significant impact on neighbour amenity for the residents of the apartments on the upper floors.
- 6.5.2 There is a good separation distance from the shops and upper floors of the properties to the north west, on the opposite side of Chilwell Road, and as such it is considered that the proposal would not result in a significant impact on neighbour amenity for the occupiers of these properties.
- 6.5.3 There would be a minimum distance of 27m between the rear elevation of the properties to the north east, on Ellis Grove, and the proposed north east elevation of the proposed building. Whilst the building would be four storey in height, the fourth floor is set back from the levels below and there is a road between which separates the site from the properties on Ellis Grove. It is considered that the proposal would not result in a significant impact on neighbour amenity for the occupiers of these properties.
- 6.5.4 In respect of the recently approved care home to the south east of the site, there would be a separation distance of a minimum of 15.5m between the two closest points. These facing elevations would not have main windows facing each other and as such it is considered that this distance would not result in a loss of amenity for either set of residents. The maximum distance between the buildings principal elevations would be 35m.

6.6 Access

- 6.6.1 With access being proposed to be served from Wilmot Road, this would ensure minimal impact in terms of conflict with traffic arising from the apartments to the west and the retail store under. The care home to the south east would be served and accessed from Ellis Grove. A shared access onto Ellis Grove would result in an unacceptable level of traffic onto Ellis Grove, which is a small narrow side road. The level of off-street parking (19 spaces) is considered to be acceptable given the site's location close to a well-served public transport route and proximity to a wide range of local facilities such as shopping, retail, health and leisure, and as such reliance on a private motor vehicle would be minimal. Aside from providing a dropped kerb access to the development, there are no proposals to alter the pavement to the side of Wilmot Lane, which gives pedestrian access down to Lacemaker Road.

6.7 Other Matters

- 6.7.1 The Highway Authority have not identified a need for a pelican crossing or similar on Chilwell Road. The LPA would need to demonstrate that a crossing would need to be provided and need to be directly relevant to the proposal. As the crossing is suggested to be able to serve the wider community including the residents of the care home, it would be unreasonable to expect the developer to deliver any improvements to the road network.

- 6.7.2 A Health Impact Assessment has been submitted and this concludes that the development would generally have a positive impact on health.
- 6.7.3 A Building for Life Assessment has also been submitted. This concludes that the development would make a positive contribution to the area and street scene, would be of good design and layout, provide adequate space for storage and for waste, be accessible to all users and be in a sustainable location.
- 6.7.4 The building would have photo-voltaic panels to the roof, hidden from view, and would also incorporate water reduction measures, low energy lighting, fabric first approach to the build, mobility scooter charging points and an ecologically friendly landscaped garden. These measures satisfactorily contribute to the overall sustainability of the development.

7 Planning Balance

- 7.1 The benefits of the proposal are the provision of targeted accommodation in a highly sustainable location, the provision of jobs (short term during construction and long terms once the building has been constructed and occupied) and the re-use of a currently vacant brownfield site.
- 7.2 The negative impacts are the potential harm to amenity through noise and disturbance during construction phase however it is considered to be limited by the use of planning conditions.
- 7.3 On balance, the harm to amenity is considered to be outweighed by the benefits of the scheme.

8 Conclusion

- 8.1 The proposed development will provide targeted accommodation in a sustainable location and the design of the development is considered to be acceptable. There are no highway safety concerns, subject to conditions. Potential harm to neighbour amenity is considered to be significantly and demonstrably outweighed by the benefits of the scheme in terms of provision of targeted accommodation, the sustainable location of the site and the re-use of a previously developed site.

Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions and to the prior signing of a Section 106 Agreement, based on a contribution figure of £230,000:

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

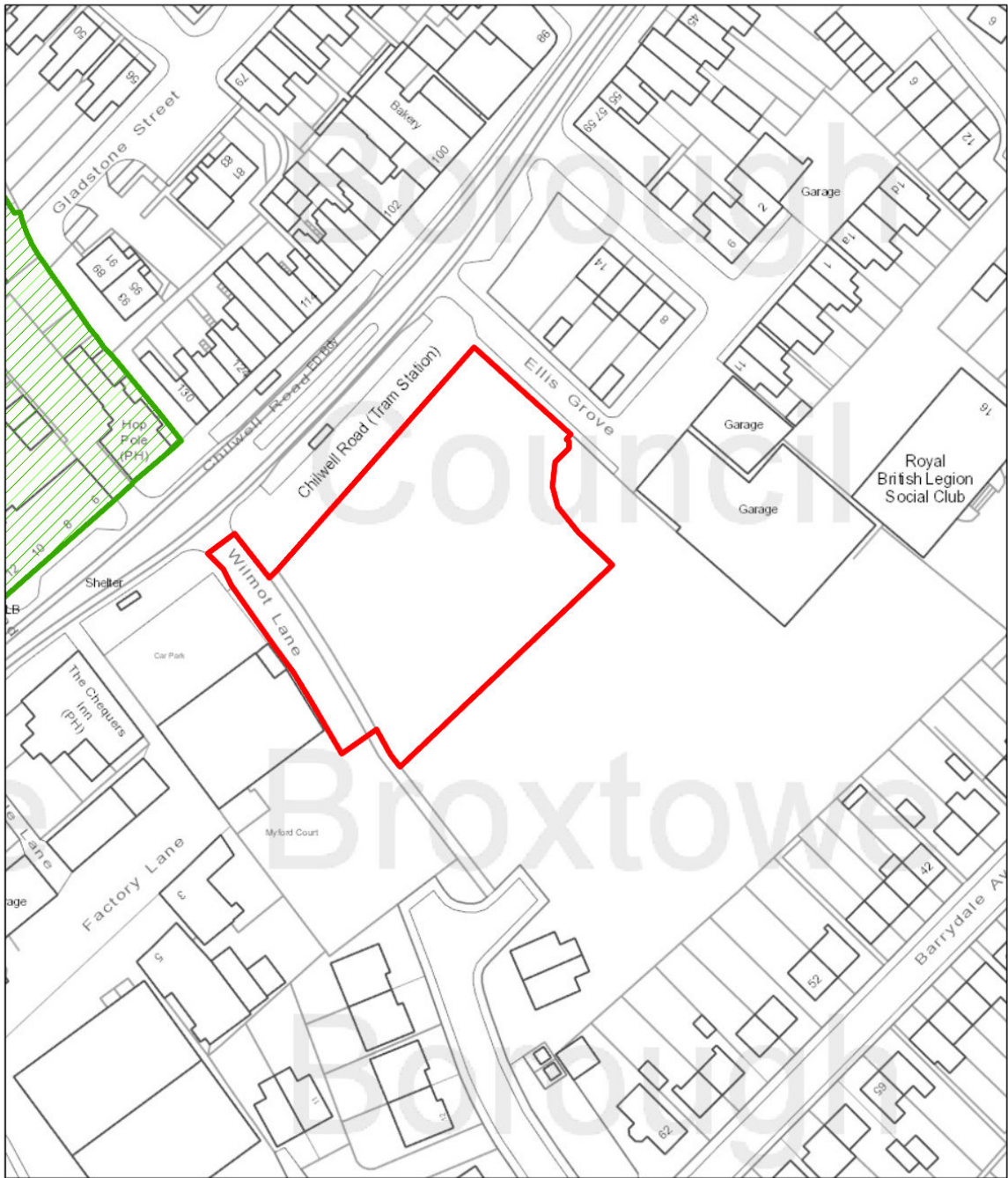
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan and drawings numbered JBA 21-164 SK02, 30047BS PL003 and 30047BS PL012 received by the Local Planning Authority on 01.07.21, and drawings numbered 30047BS PL002, PL004 rev A, PL005 rev A, PL006 rev A, PL007 rev A, PL008 rev A, PL009 rev A, PL010 rev A, PL011 rev A, PL016 and PL017, received by the Local Planning Authority on 27.07.21.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No development hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) Parking provision for site operatives and visitors; c) The loading and unloading of plant and materials; d) The storage of plant and materials used in construction / demolition of the development; e) A scheme for the recycling / disposal of waste resulting from construction / demolition works; and f) Details of dust and noise suppression to be used during the construction phase. <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
4.	<p>No development hereby approved shall take place until details of any necessary piling or other penetrative foundation design have been submitted to and approved in writing by the Local Planning Authority, and shall include details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
5.	<p>No development hereby approved shall take place until a detailed remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options and proposals of the preferred options, and a timetable of works and site management</p>

	<p>procedures. The agreed remediation scheme shall be implemented in accordance with the approved timetable of works.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>No (part of the building hereby approved shall be first occupied or otherwise brought into use) above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) trees, hedges and shrubs 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 (e) proposed lighting details (f) planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>No part of the building hereby approved shall be first occupied or otherwise brought into use until:</p> <ul style="list-style-type: none"> a) All necessary remedial measures have been completed in accordance with details approved in writing by the Local Planning Authority; and b) 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>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>

8.	<p>No part of the building hereby approved shall be first occupied or otherwise brought into use until the mobility scooter store has been provided in accordance with the approved details.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
9.	<p>No part of the development hereby permitted shall be brought into use until parking and turning areas as shown for indicative purposes on drawing 30047BS - PL 002 have been provided. The parking and turning areas shall be maintained in accordance with the approved details and shall not be used for any purpose other than the parking and turning of vehicles.</p> <p><i>Reason: In the interest of highway safety in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
10.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>No construction or site preparation work in association with the development hereby approved shall be undertaken outside the hours of 08.00 – 18.00 Monday to Friday, 08.00 – 13.00 Saturdays and at no time on Sundays or Bank / Public holidays.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This

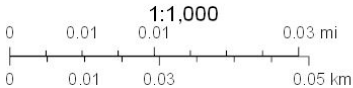
	can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
3.	The development makes it necessary to undertake vehicular access works within Wilmot Lane which is unadopted highway. As suggested the access to the development should be a dropped and tapered kerb arrangement measuring 5 metres wide and the existing pedestrian crossing is to be removed in this location.
4.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.

Land Between Wilmot Lane and Ellis Grove Beeston



11/9/2021, 11:32:05 AM

-  Conservation Area
-  Site



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Photographs



View across the site from Wilmot Lane to Ellis Grove



Wilmot Lane – view toward Lacemaker Road, convenience store to the right



Shops and tram stop to the north west of the site



Ellis Grove

Plans (not to scale)



Proposed site plan

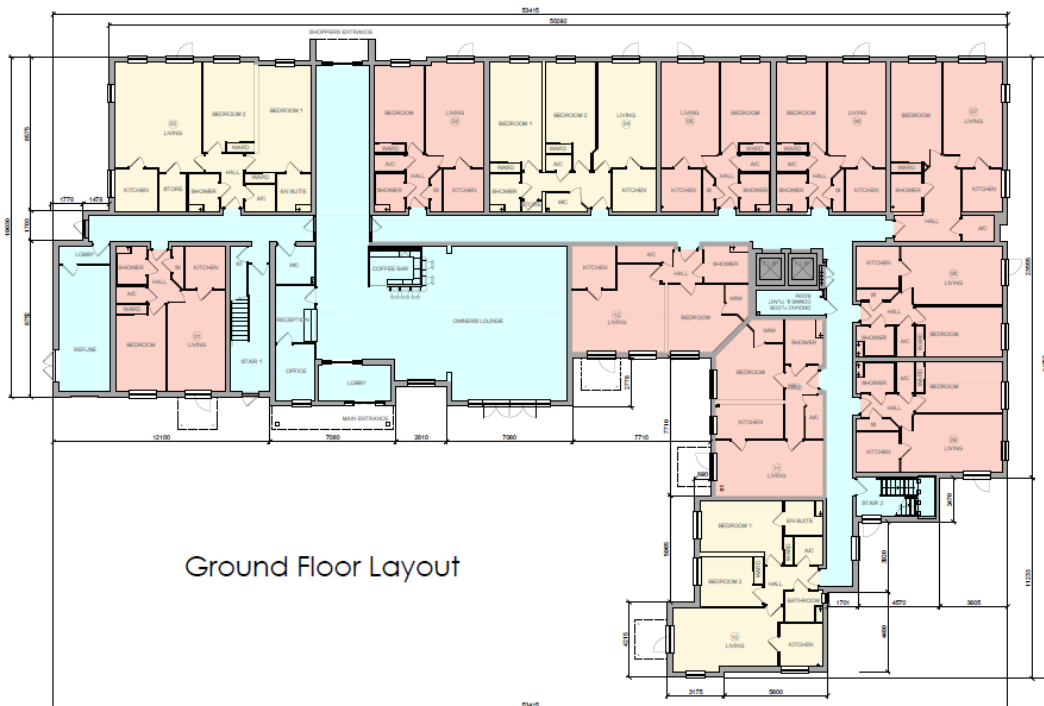




Elevation to Landscaped Garden- South East



Elevation to Wilmot Lane- South West



Ground Floor Layout





Report of the Chief Executive

APPLICATION NUMBER:	21/00871/FUL
LOCATION:	The Raven Group, Ellis Grove, Beeston, NG9 1EP
PROPOSAL:	Construct 3 storey building comprising 9 student apartments (Use Class C4) (Revised scheme)

The application is brought to the Committee as it is a revised scheme following refusal of planning permission for similar scheme at committee on 1 September 2021, contrary to officer recommendation.

1 Executive Summary

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

Appendix 1

1 Details of the Application

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

2 Site and surroundings

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

3 Relevant Planning History

- 3.1 11/00587/FUL – Change of use from motor repair shop to offices (Class B1) and electrical/plumbing warehouse (Class B8). Granted conditional planning permission November 2011.
- 3.2 18/00538/FUL – Construct 15 apartments following demolition of warehouse. Granted conditional planning permission October 2019 (following resolution at planning committee November 2018, and prior signing of Section 106).
- 3.3 21/00349/FUL - Construct 3 storey building comprising 9 student apartments (Use Class C4). Refused planning permission at Committee contrary to officer recommendation in September 2021, on the grounds that the proposal would represent an over-intensive form of development and due to the lack of on-site parking which would have a detrimental impact on neighbour amenity.

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand

4.2 Part 2 Local Plan 2019:

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

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

4.3 National Planning Policy Framework (NPPF) 2021:

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

5 Consultations

- 5.1 **County Council as Highway Authority:** No objections subject to conditions in respect of: provision of parking and turning areas prior to occupation and maintenance thereof; provision of 2m wide footway along site frontage prior to occupation; provision to prevent surface water draining onto the public highway;

and parking / turning areas to be surfaced in a bound material and retained for the lifetime of the development. Note to applicant in respect of works on the public highway.

- 5.2 **Council's Waste and Recycling Officer:** The site will require the equivalent of 6 x 1100 litre bins for residual and recycling waste and 3 x 140 litre glass recycling bins, which need to be sited within 10m of the adopted highway and be accessible.
- 5.3 **Council's Private Housing Officer:** As the development would be purpose built apartments then it would not require any mandatory HMO licensing, however would recommend that the developer contacts the PHO to discuss HMO property standards as would need to ensure fire doors / heat detector / fire alarms / emergency lighting and fire escape windows are provided to the necessary standards.
- 5.4 **Council's Environmental Health Officer:** No objections subject to conditions relating to contaminated land survey, details of which to be submitted and agreed prior to development commencing and any remedial measures to be carried out as approved; a noise report to be submitted and agreed and implemented as approved; restriction on hours of construction / demolition work; and details of a construction / demolition method statement which shall be adhered to as approved. In addition, a condition requiring details of an external lighting scheme to be submitted and implemented as approved. Notes to applicant in regard to no burning of waste on site; asbestos survey required; and notification of arrival of Mobile Crushing Plant.
- 5.5 **Cadent:** No objection but advise the developer regarding proximity of the development to gas infrastructure. This will be in the form of a note to applicant.
- 5.6 Twenty properties either adjoining or opposite the sit, or who commented on the previous application were consulted. Four responses were received, one of no objection and three objections. The objections were based on the following grounds:
- No more student accommodation – we need affordable family housing
 - Over-intensive development – worse than the previous application as now parking to the front in lieu of amenity area which would have been available for the residents to use
 - Size of bedrooms / flats appear to not meet the Nationally Described Space Standards
 - Inappropriate development – student housing in a quiet residential neighbourhood and associated anti-social behaviour especially given will be adjacent to a care home and retirement flats
 - Inflexible design – in regard to the internal layout as it would require substantial alterations to re-configure to C3 use
 - Objector requests conditions in respect of: partial obscure glazing to the Juliette balconies in the rear elevations as per 18/00538/FUL; restrict hours of construction / demolition; details of a student management plan to be secured by a Section 106 which should cover parking at start and end of term, noise management, what happens outside of the academic year, contact details of manager for neighbouring residents use to be available 24 hours

- Concerns in regard to overlooking of properties on Hall Croft – windows on the north east elevation should be obscurely glazed
- The three storey building will create a sense of enclosure and block sunlight to property on Hall Croft and to those on Ellis Grove
- Design is modern and not in keeping with the 1930's – 1950's semis and terraced housing surrounding
- The cycle shed area would enable access to the British Legion site, creating an access through for students and others, where previously not able to and this would present a security concern in respect of properties backing onto the British Legion site.

6 Assessment

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

6.2 **Principle**

- 6.2.1 The principle of residential development on the site has been established under planning permission reference 18/00538/FUL, which was for a building of similar size, design and scale, albeit for 15 x 2 double bed apartments. Whilst the description of the proposed development currently being considered refers to students, it is acknowledged that the tenancy of the approved scheme of 2018 did not determine the tenancy type of the development, and therefore did not preclude the occupation of the building by students or indeed any other specific tenancy group.

- 6.2.2 It is therefore considered that given the approved scheme of 2018 would be capable of accommodating 30 bedrooms over the three floors and provided 15 parking spaces along with cycle storage and that the proposed development, which would be of the same height / scale and footprint and would, over 9 apartments, provide 36 bedrooms and 14 parking spaces is not significantly different to that as previously approved.

6.3 **Design, Scale and Layout**

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

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



6.4 Amenity

- 6.4.1 The closest residential properties to the proposed building are the terrace to the north of the site, which fronts Ellis Grove. 11 Ellis Grove is the closest of these, being the last dwelling in the terrace, and has its side elevation adjacent to the motor repair garage. There are windows in the rear elevation of this property and also in the side of the two storey addition to the rear, both of which face the site. However, it is considered that as the angle of view would be oblique and as the garage would act as a buffer between, there would not be a significant impact on the amenities of the occupiers of this property in terms of loss of light, outlook or privacy.
- 6.4.2 It is considered that the occupiers of other residential properties on Ellis Grove and those on Hall Croft that are beyond the social club building, would not be significantly affected in terms of loss of light, outlook or privacy due to the angle of view and due to the distances between the proposal and any existing property, which is a minimum of 55m to the closest facing rear elevation on Hall Croft. It should be noted that there are no windows proposed in the side elevation facing toward Ellis Grove.
- 6.4.3 In regard to the adjacent Myford site, the approved layout on that site (reference 21/00184/FUL) shows a three storey detached building to be occupied as a care

home, which would be located to the south west of the site. There are bedrooms in the facing north east elevation of this approved building, and there would be a minimum distance of 16m between this elevation and the south west boundary of the site. A request has been made by the developer of the care home to condition that the windows on the south east elevation be obscurely glazed in order to safeguard the privacy of the occupiers of the care home. It is considered that this is reasonable, and as the windows are to a room which has access to a larger window on the north west elevation, the occupants of the proposed building would not be prejudiced by this requirement. The building as proposed would not have any significant impact on the amenities of the occupiers of the care home in terms of loss of light or to outlook.



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



North west elevation of the approved care home.

- 6.4.4 There are two storey dwellings to the south east of the site, separated from the site by the Myford site which is between. This part of the Myford (approved care home) site would be used for car parking and gardens and provides a 'buffer' between the site and the properties on Barrydale Avenue. There would be a minimum distance of 50m between the rear elevation of the properties on Barrydale Avenue and the

rear elevation of the proposed building. Whilst it is noted that the ground level is higher on the application site than that of Barrydale Avenue, by approximately 2m, it is considered that the distance between is adequate and would not result in a significant loss of light or outlook, or loss of privacy. It is not considered necessary or reasonable for a condition to require glazing to the rear elevation of the building to be part obscurely glazed, given the distance between.

- 6.4.5 Details of any external lighting scheme associated with the development would first need to be submitted and agreed prior to installation, in order to safeguard neighbour amenity.
- 6.4.6 The future occupants of the proposed development would benefit from an adequate level of internal space and have access to natural light and to an outlook. The Nationally Described Space Standards only apply to residential developments falling within Use Class C3 (dwellinghouses). The Council's Private Housing Officer notes that as the development would be for purpose built apartments then it would not be subject to any mandatory HMO licensing. Notwithstanding this, the accommodation is of a size that would meet the minimum requirements set out in the Council's adopted HMO Property Standards.
- 6.4.7 There are sources of potential noise in close proximity to the site, these being the motor repair garage which fronts Ellis Grove, the adjacent social club and from road traffic along Chilwell Road. Details of a noise assessment would need to be submitted and approved prior to the commencement of the development and this would be secured by condition.
- 6.4.8 It is considered that the amenity area to the front would not result in a high level of use due to its modest size, and thus would not result in significantly high levels of noise disturbance to neighbouring occupiers.

6.5 Access and Highway Safety

- 6.5.1 The layout as previously submitted under 21/00349/FUL proposed five parking spaces accessed directly off Ellis Grove. The proposed layout shows 14 parking spaces, perpendicular to the road and accessed from a point off Ellis Grove, located to the north east against the adjacent motor repair building. Two of the parking spaces would be set aside for use by disabled occupiers. The amount of parking provided is considered to be acceptable given the highly sustainable location of the development, in close proximity to a well-served public transport route (bus and tram) and to local services such as shops on Chilwell High Road and other facilities and the increased level of parking provision is also considered to overcome concerns raised by the Planning Committee following the resolution to refuse the previous application (reference 21/00349/FUL). The site is also within convenient walking and cycling distance of Beeston Town Centre and to a wide range of facilities including health and leisure. A cycle store capable of accommodating up to 18 cycles is proposed, which would enhance opportunities for more sustainable modes of transport and reducing reliance on the private motor vehicle.
- 6.5.2 The access has been sited away from the approved access into the care home site, so as to avoid conflict. Conditions relating to details of a Construction Method Statement to be agreed (so as to avoid public nuisance on the highway); provision

of parking and turning areas prior to occupation (and retention thereafter); surfacing; and provision of widened footway are to be imposed in order to protect highway safety.

- 6.5.3 It should be noted that there is no access proposed from the site to the British Legion site, contrary to the suggestion made by an objector, which in any case is private land outside the control of the applicant.

6.6 Other Matters

- 6.6.1 It is considered that whilst the internal layout of the building as proposed would lend itself more suited to students or shared accommodation, the internal layout could be reasonably re-configured if necessary at a later date, and as the building is of a similar scale and footprint to that approved under 18/00538/FUL, it can be seen that apartments of one and two bedrooms could potentially be achieved.
- 6.6.2 The surrounding area has a mix of residential, retail and commercial uses and as such it is considered that the proposed development, which is for a residential use, would not be viewed as inappropriate development and would contribute to the creation of a mixed, sustainable community.
- 6.6.3 Given the relatively small scale of development, a Section 106 or condition to require a Management Plan be submitted and agreed is considered to be unreasonable and disproportionate to the scale of the development, and was not a requirement of the previously approved permission (18/00538/FUL) and therefore would be difficult to justify.

7 Planning Balance

- 7.1 The benefits of the proposal are that the building would provide self-contained apartments suitable for use as shared accommodation, thereby potentially releasing dwellings for occupation by families; the residential use is compatible with the character of the area and is of an appropriate design and scale; there would be an acceptable impact on neighbour amenity and upon highway safety. The proposal would be in accordance with policies contained within the development plan. This is given significant weight.
- 7.2 The negative impacts are the loss of an employment use. Notwithstanding this, the site is not allocated as a good quality existing employment site suitable for retention.
- 7.3 On balance, as the principal of residential development on the site has been established under 18/00538/FUL; is considered to be no more intensive than the 2018 permission in terms of both size, scale, footprint, parking provision and level of occupancy; and given the above benefits and subject to appropriate conditions, the development accords with adopted plan policies. There are no planning policy reasons to justify the refusal of the application.

8 Conclusion

8.1 Recommend that conditional planning permission be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawing number 456 002 rev L and drawing number 456 004 rev G received by the Local Planning Authority on 15.10.21, and drawing number 456 003 rev F (includes site location plan) received by the Local Planning Authority on 10.12.21.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>a) Prior to the commencement of development, an investigative survey of the site shall first have been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and / or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>b) No building to be erected pursuant to this permission shall be first occupied or brought into use until:</p> <p>i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.</p> <p>The approved measures shall be retained for the lifetime of the development.</p>

	<i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i>
4.	<p>Prior to the commencement of development, details of a report, prepared in accordance with the provisions of the current BS4142 shall first have been submitted to and approved in writing by the Local Planning Authority. Predictions shall be contained in the report which sets out: a large scale plan of the proposed development; noise sources and measurement/prediction points marked on a plan; a list of noise sources; a list of assumed noise emission levels; details of noise mitigation measures; description of noise calculation procedures; noise levels at a representative sample of noise sensitive locations; a comparison of noise level with appropriate criteria. Where criteria are exceeded at any location the applicant should explain why that excess is immaterial or what further mitigation will be undertaken to ensure that criteria will be met. The development shall thereafter be constructed in accordance with the approved details and retained for the lifetime of the development.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
5.	<p>Prior to the commencement of development, details of a Construction / Demolition Method Statement shall first have been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) Parking provision for site operatives and visitors; c) The loading and unloading of plant and materials; d) The storage of plant and materials used in construction / demolition of the development; e) A scheme for the recycling/disposal of waste resulting from construction / demolition works; and f) Details of dust and noise suppression to be used during the construction phase. <p>The details as approved shall be adhered to throughout the construction / demolition period.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks, cladding, window and door frames and external guttering to be used in facing elevations have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p>

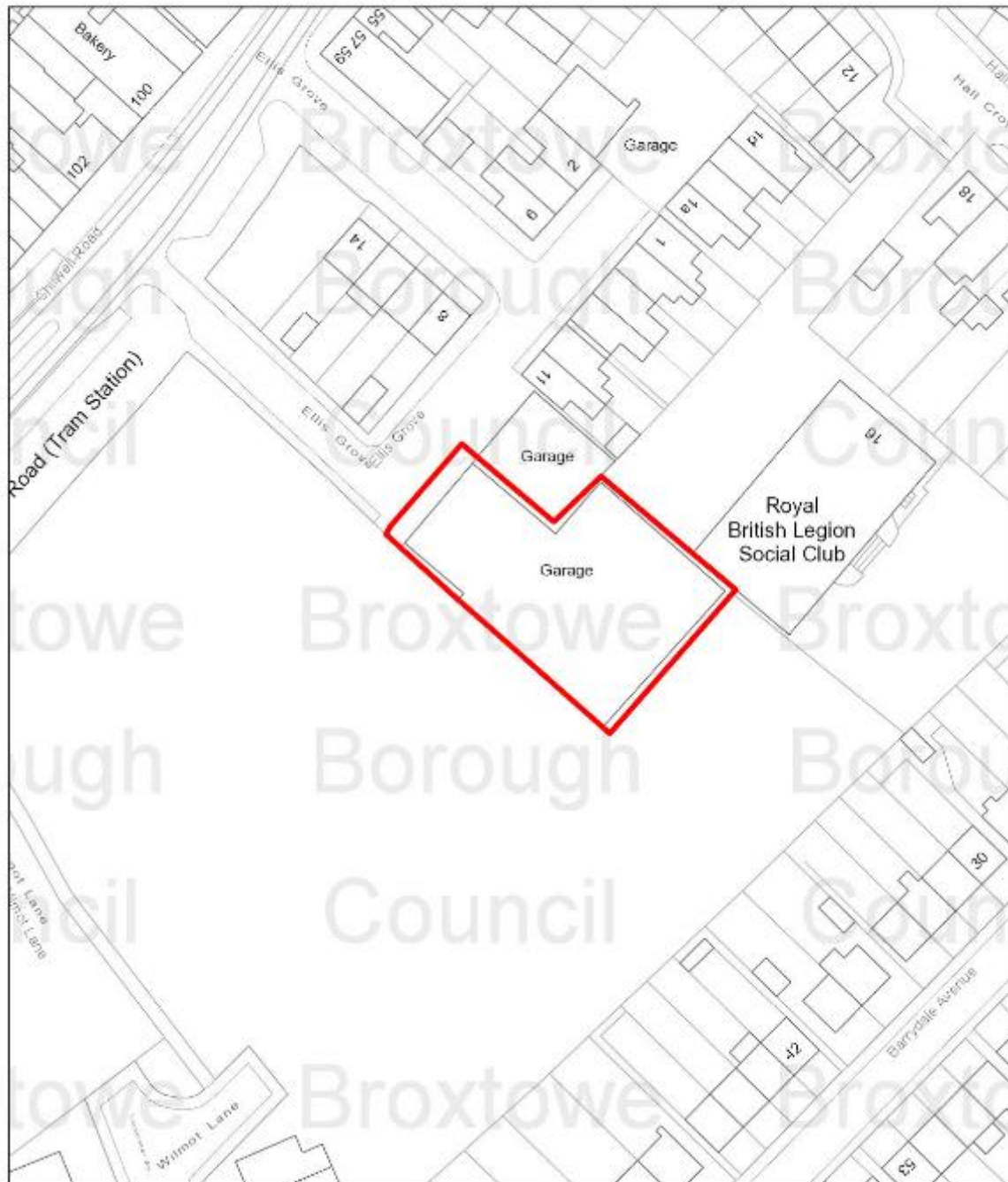
	<i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
7.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of any proposed trees and shrubs (b) proposed boundary treatments (c) proposed hard surfacing treatment (d) planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
8.	<p>Prior to the installation of any external lighting associated with the development, details, which need to include and Artificial Lighting Assessment (including design, size and illuminance) in line with the current guidance from the Institute of Lighting Professionals Lighting Guide reference 01/20 guidance note for the reduction of intrusive light, shall first have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
9.	<p>No part of the development hereby permitted shall be brought into first use until the parking and turning areas as approved have been provided. These areas shall thereafter not be used for any other purpose and shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
10.	<p>No part of the development hereby permitted shall be brought into first use until the areas to the frontage have been surfaced in a suitable hard bound material (not loose aggregate) and constructed with provision to prevent the discharge of third party</p>

	<p>surface water to the public highway, and retained as such for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>No part of the development hereby permitted shall be brought into first use until a 2m wide footway as shown indicatively on drawing 002 revision L has been provided along the site frontage.</p> <p><i>Reason: In the interests of highway safety in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
12.	<p>No construction or site preparation works in association with this permission shall be undertaken outside the hours of 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Bank Holidays.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
13.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
14.	<p>The windows on the south west elevation at first and second floor level shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>

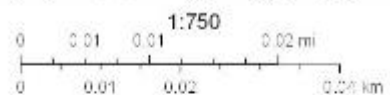
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
3.	The development makes it necessary to carry out works to widen the vehicular crossings over the footway of the public highway. These works shall be constructed to the satisfaction of the Highways Authority and the Highways Authority should be contacted on 0300 500 80 80 or hdc.south@nottsc.gov.uk to arrange for the works to be carried out.
4.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions whilst works of demolition and construction are in progress.
5.	The Environmental Health team will require sight of the Asbestos survey and documentation relating to its safe removal from site prior to commencement of demolition.
6.	The Environmental Health team will need to be notified of the arrival on site of the Mobile Crushing plant for them to carry out an inspection of the crushing equipment in line with the operational permit issued under the Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2010 (as amended).
7.	<p>Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent asserts in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and / or restrictive covenants that exist.</p> <p>If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to</p>

	<p>have apparatus diverted in advance of any works, by visiting www.cadentgas.com/diversions.</p> <p>Prior to carrying out any works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.</p>
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The Raven Group, Ellis Grove, Beeston, NG9 1EP



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



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Photographs



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



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



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

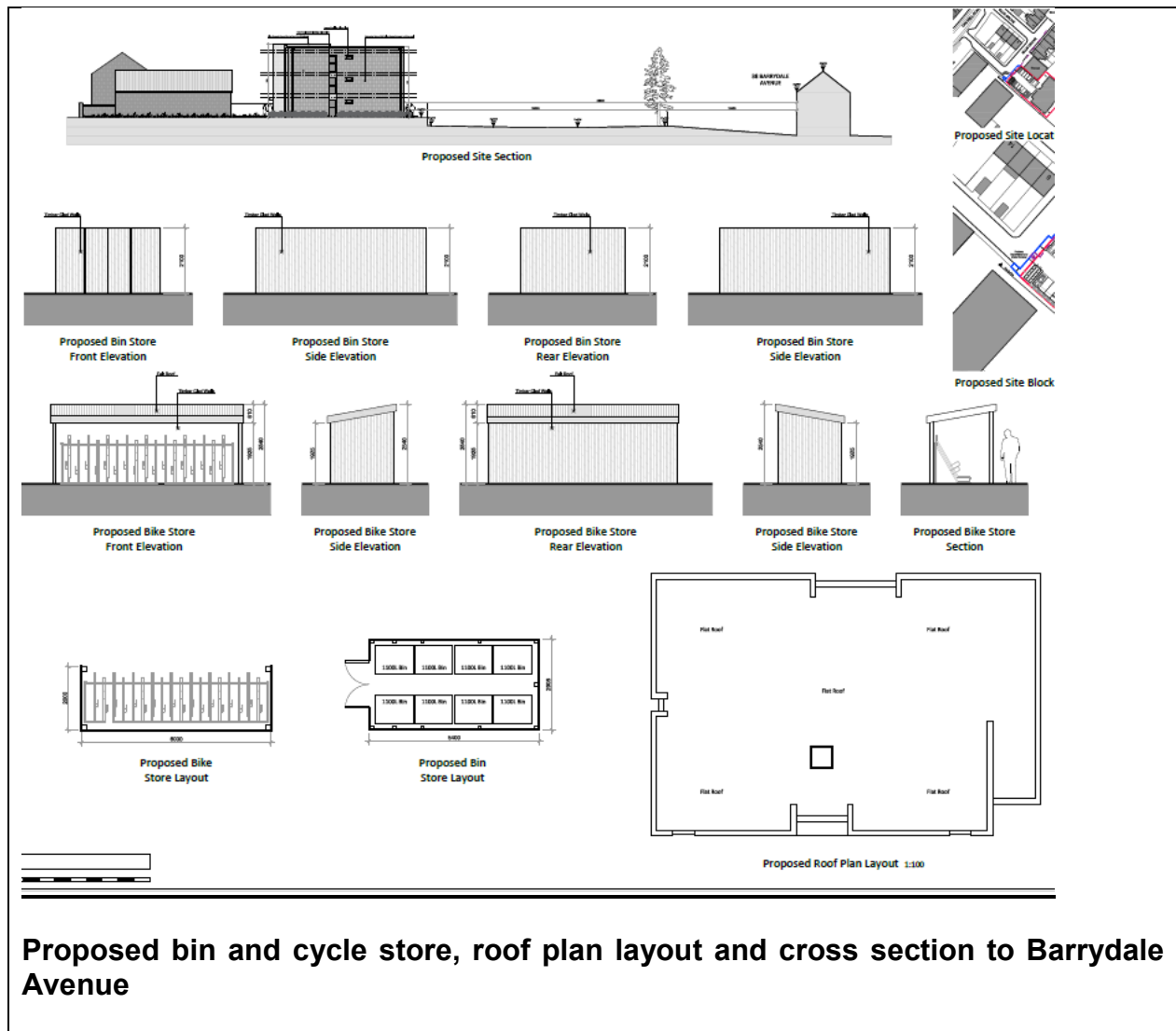


View over the adjacent site from Wilmot Lane (land approved for a care home building)

Plans (not to scale)







Proposed bin and cycle store, roof plan layout and cross section to Barrydale Avenue

Report of the Chief Executive

APPLICATION NUMBER:	21/00775/FUL
LOCATION:	The Forge, Trowell, Nottinghamshire
PROPOSAL:	Construct new dwelling

This application has been called to Planning Committee by Cllr M Radulovic.

1 Executive Summary

- 1.1 The application seeks full planning permission for the construction of a new dwelling and acoustic fencing whilst retaining the some of existing storage buildings.
- 1.2 The land is currently used for the storage of tractors and other machinery with a 2m plus high boundary treatment to provide security for the site and vehicular gate to the western boundary. A certificate of lawful development has been granted for the use, 20/00755/CLUE refers.
- 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 and the potential occupiers in relation to noise.
- 1.4 The benefits of the proposal would be the provision of one dwelling.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reasons set out in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks to construct a one and half storey detached dwelling, with two pitched roof dormers and two roof lights to the principal elevation and one pitched roof dormer to the rear elevation. The application form does not state the materials which the dwelling will be constructed out of, only to be confirmed. The proposal also seeks to retain the applicants existing storage building to the north of the site, in which they store machinery/tractors, and demolish other structures to the remaining boundaries. To all boundaries where not covered by the retained building, the application seeks to construct 2m high close boarded fence, with a 3m wide gate to the western boundary onto The Forge.

2 Site and surroundings

- 2.1 The site is washed over by Green Belt and is currently used to store the applicant's tractors and other machinery within the home-made structures/shed arrangement, constructed out of corrugated steel, wood and tarpaulin. These structures/shed are built up to all boundaries of the site with the exception of a small area to the west boundary to allow for access. There is a 2m high boundary treatment to all boundaries with a vehicular access gate on the western boundary.
- 2.1.2. Along the access road, The Forge, adjacent to a row of mature trees there is a large trailer with materials stored upon it, several pallets of materials, machinery and building materials. It should be noted this area is not within the site, but belongs to the applicant.
- 2.1.3 To the south of the site lies an area described as an orchard, which is fenced off by a small post and rail fence. Further south of the site is a traditional two storey detached dwelling and then open fields.
- 2.2 To the north of the site lies the main road, Ilkeston Road. To the east lies the railway lines and to the west is open fields, the latter being a Local Wildlife Site (LWS) known as Trowell Junction Grassland.

3 Relevant Planning History

- 3.1 There have been several applications submitted for this site for the construction of a dwelling, the history for the site is as follows:
- 3.2 82/00413/OUT refers to an application for outline consent for the use of land as a site for residential development, this was refused 10 September 1982 due to being contrary to the Green Belt policy.
- 3.3 10/00465/FUL refers to an application to construct a dwelling and detached garage which was refused 22 September 2010 due to being contrary to the Green Belt policy, insufficient private amenity space and lack of noise report.
- 3.4 In 2015 a further application was refused (reference 15/00268/FUL) for a detached dwelling with attached garage, which included retention of some of the existing

structures within the site. The refusal was appealed and dismissed (APP/J3015/W/15/3139801 refers) as the Planning Inspector considered the proposal fails to comply with the NPPF and Broxtowe Local Plan E8 as the Planning Inspector considered the dwelling would be inappropriate development in Green Belt and inappropriate development is by definition harmful.

- 3.5 A certificate of lawful development was submitted and accepted for an existing use of land to store tractors and other machinery, 20/00755/CLUE refers.

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 3: Green Belt
- Policy 8: Housing Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

- Policy 8 – Green Belt
- Policy 15 – Housing size, mix and choice
- Policy 17 – Place-making, Design and Amenity
- Policy 19 – Pollution, Hazardous substances and ground conditions

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 9 - Promoting Sustainable Transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places.
- Section 1 – Green Belt
- Section 15 – Conserving and enhancing the natural environment

5 Consultations

- 5.1 **Nottinghamshire County Council as Highway Authority:** The Highways Officer has stated that the dwelling is to be constructed on a redundant Builders Yard which is served via an existing wide access point and the dwelling will create fewer car movements than the existing usage, therefore, there are no highway concerns in respect of the proposal.

- 5.2 **Council's Environmental Health Officer:** The Council's Environmental Health Officer has not raised any objection subject to conditions and informatives:

- The proposed development is located on land that may be contaminated, due to its historic use and given no information has been provided within the

application a condition should be included regarding a remediation strategy. Within the remediation strategy report, which should be submitted prior to any works commencing on site, should include risks associated with ground, groundwater and ground gas contamination.

- The Noise Assessment report, ref 1184.0.v1 dated January 2015 states that the report shows that the site is located adjacent to the railway and is in close proximity to a busy road. It is acknowledged the report is six years old, the technical standard applied remains valid and the surrounding noise climate would not have substantially altered, as rail and road use will have remained constant and no additional noise source have been noted in the vicinity. It is therefore considered that Environmental Health department is satisfied with the noise mitigation measures contained within section 3 of the Noise Assessment report being integrated into the development and retained thereafter.
- The Environmental Health Officer also requested informative to be added to the decision notice regarding hours of construction and the burning of commercial waste, which is a prosecutable offence.

5.3 One property was consulted and a site notice was displayed. No responses were received.

5.4 Trowell Parish Council has not objected to the application.

6 Assessment

6.1 The main issues for consideration are whether or not the principal of development is acceptable in the Green Belt (that is, appropriate development), whether the design and appearance of the proposal and its impact on neighbouring amenity is acceptable along with adequate mitigation from pollution (noise and land contamination).

6.2 **Principle**

6.2.1 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.

6.2.2 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 states that construction of new buildings should be regarded as inappropriate in the Green Belt and exceptions are the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, limited infilling in villages and limited infilling or the partial or complete redevelopment of previously developed land. Paragraph 149 (g) clarifies that the proposal should not have a greater impact on the openness of the Green Belt than the existing development or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land.

- 6.2.3 As stated in the planning history an application was refused for this site and a subsequent appeal dismissed in 2016. This appeal clearly stated that the site would not constitute limited infilling in a village, as the site lies west of the main body of the village of Trowell, separated from it by the railway line and the built up area of Ilkeston is about 200m to the west of the site and separated by a strip of open land. On this basis the proposal would not comply with para 149 e) as the site is not considered to be an infill plot.
- 6.2.4 The site has a certificate of lawful development for the storage of tractors and other machinery and is considered as previously developed land. Again the appeal decision notice refers to this element of the NPPF and acknowledges the land could be considered as previously developed land. The current proposal and the appeal proposal both seek to retain some of the existing structures as well as the dwelling. The Planning Inspector concluded that the proposal does not fall into any of the exceptions set out within the NPPF and Policy E8 of the 2004 Local Plan in force at that time and is, by definition, harmful and so fails to comply with the NPPF and Policy 8 of the Broxtowe Local Plan Part 2. There have been no changes to the circumstances or constraints of the site since this time which would lead to a different outcome than that which the Planning Inspector determined the appeal.
- 6.2.5 The proposal to construct a detached dwelling, 2m boundary fencing and the retention of some the existing structures within the site would not be classed as an infill dwelling, is not a replacement dwelling and would be considered to have a detrimental impact on the openness of the Green Belt more than the existing development. It is therefore considered to be inappropriate development in the Green Belt and the proposal fails to comply with the NPPF and appropriate policies.

6.3 Pollution

- 6.3.1 Policy 19 of the Part 2 Local Plan states development of land potentially affected by contamination will not be permitted unless and until a site investigation has been carried out to assess the nature and degree of contamination, using a method of investigation agreed in writing with the Council. Paragraph 184 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rest with the developer and/or landowner.
- 6.3.2 The Councils Environmental Health Officer has stated the proposed development is located on land that may be contaminated, due to its historic use and given no information has been provided within the application a condition should be included, should planning permission be granted, securing details of a remediation strategy. Within the remediation strategy report, which should be submitted prior to any works commencing on site, should include risks associated with ground, groundwater and ground gas contamination.
- 6.3.3 Paragraph 185 of the NPPF states planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effect (including cumulative effects) of pollution on health, living conditions and the natural environment as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

6.3.4 The proposal includes mitigation/noise assessment report (although it is 6 years old) which the Environmental Health Officer has assessed and who is satisfied with the report and subject to noise mitigation measures contained within section 3 of the Noise Assessment report being integrated into the development and retained thereafter.

6.3.5 The proposal complies with the NPPF and Policy 19 of the Part 2 Local Plan in respect of pollution, subject to conditions.

6.4 Design and visual amenity

6.4.1 Policy 10 of the ACS section 2 states that developments will be assessed in terms of d) massing, scale and proportion and e) materials and style. Policy 17 of the Part 2 Local Plan part 4 a) states that development should be of a size and design that makes a positive contribution to the appearance of the area and does not dominate the existing building.

6.4.2 The proposed one and half storey dwelling is to be sited to the south of the plot with the principal elevation facing into the site (north) and towards the existing structures to be retained. To the west of the dwelling is proposed a feature circle bay window to the lounge. No materials have been annotated on the plans or the application forms, however these details could be secured by condition, should planning permission be otherwise found to be acceptable.

6.4.3 The design, massing, scale and proportion along with the style would not be out of character with the area, subject to the materials being conditioned. The design of the three dormer windows has a pitched roof arrangement and add interest to the roof arrangement. Consideration has not been given at the design stage to include any private amenity space for the dwelling, and so the dwelling and structures take up a significant area of the site resulting in little space for the provision of an adequate level of garden/private outdoor amenity space.

6.4.4 The fencing proposed will also be a visual improvement to the existing metal arrangement and would be a more of a traditional fencing/material appropriate to a domestic dwelling. It should be noted the existing structures which are proposed to remain will project above the proposed fencing and so would still be visually prominent when viewed from the north.

6.4.5 The proposed dwelling, fencing and retention of the existing structures is considered an acceptable design and will not appear out of keeping with the area or have any impact on the street scene, but fails to provide any private amenity space.

6.5 Amenity

6.5.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

6.5.2 To the south of the site lies an area of grass/orchard land and this parcel of land is not in the applicant's ownership. Further south lies a dwelling, Station House,

which is a two storey detached dwelling facing west, toward The Forge and the LWS beyond. Given the distance between the dwelling, Station House, and the proposed development, it is considered there are no amenity issues that would impact on this dwelling and adjacent parcel of land, given the distance between and as there are no habitable room windows facing towards them from the first floor.

- 6.5.3 It should be noted the plans proposed do not show any private outdoor amenity space for the dwelling, the only land around the dwelling appears to be hardstanding and this, along with the retention of the existing structure to the north, fails to provide any outdoor space to the detriment of the future occupiers of the dwelling.

6.6 Access

- 6.6.1 The proposal has been assessed by Nottinghamshire County Council Highway Authority and they have not raised any objection to the application on highway grounds.

7 Planning Balance

- 7.1 The benefits of the proposal would be the provision of one new dwelling which would not have any impact on neighbour amenity to the closest dwelling to the site.
- 7.2 The negative impacts are that the development would be inappropriate within the Green Belt, have a detriment impact on the openness of the Green Belt more than the existing development and would fail to provide a satisfactory level of amenity for the future occupiers.
- 7.3 On balance, as no Very Special Circumstances have been demonstrated and the negative impacts are therefore considered to carry sufficient weight to outweigh the benefits of the proposal.

8 Conclusion

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

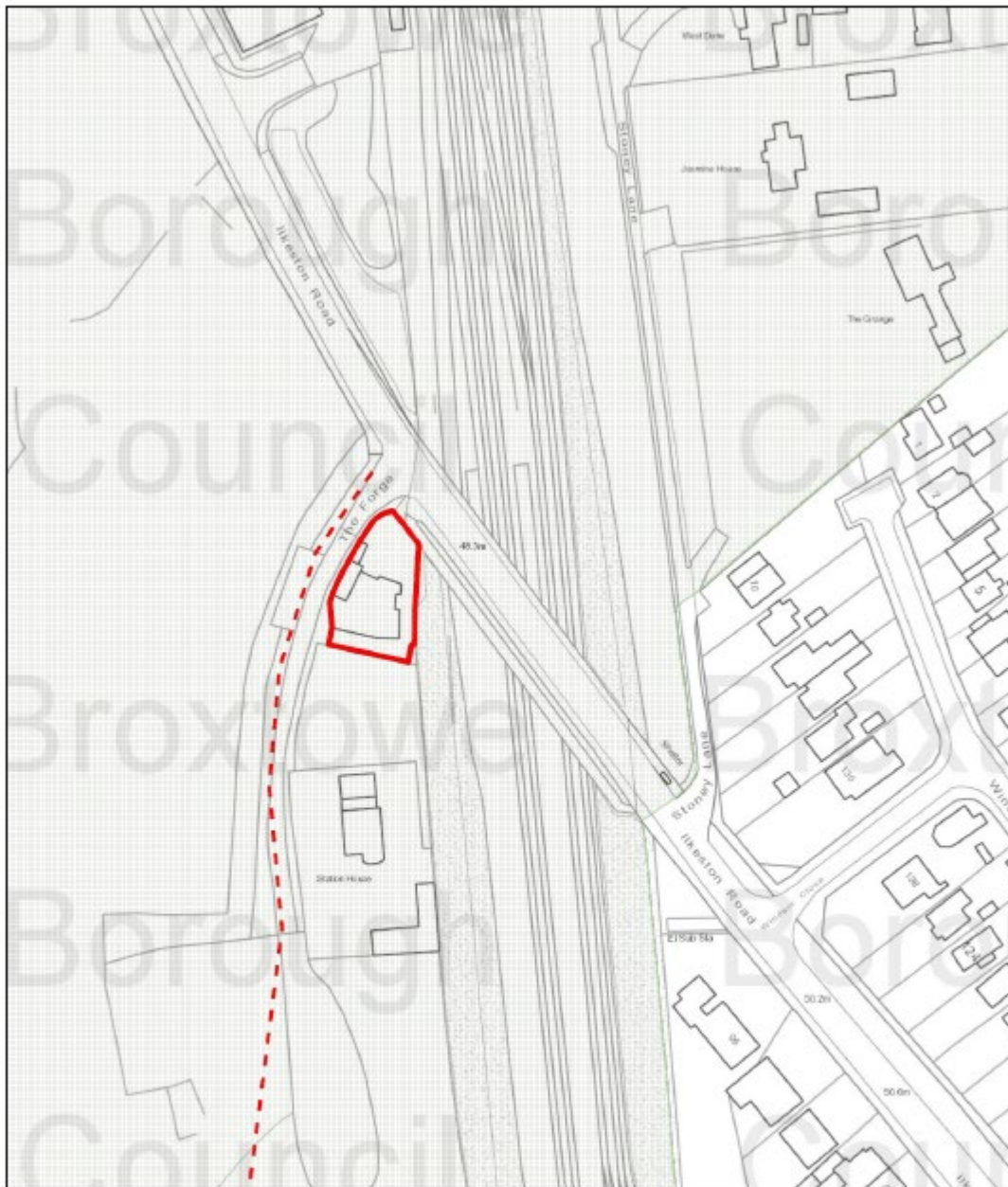
Recommendation

The Committee is asked to RESOLVE that planning permission be refused subject to the following reasons.

- | | |
|----|---|
| 1. | The proposal constitutes inappropriate development within the Green Belt as the proposed new detached dwelling and fencing and the retention of some the existing structures within the site would not be classed as an infill dwelling, is not a replacement dwelling and would have a detriment impact on the openness of the Green Belt greater than the existing development. 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 Broxtowe Part 2 Local Plan (2019) 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.
2.	The proposed development would have insufficient private outdoor amenity space to serve future occupiers of the proposed bungalow. Accordingly, the proposed dwelling would fail to provide a satisfactory degree of amenity and as such the proposal is contrary to the 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.

21/00775/FUL The Forge, Trowell



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Public Rights of Way

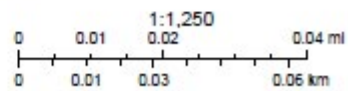
Byway open to all traffic

Bridleway

Footpath

Green Belt

Site



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Photographs



Materials against the side of the track



Within the site



Within the site, facing west



Within the site

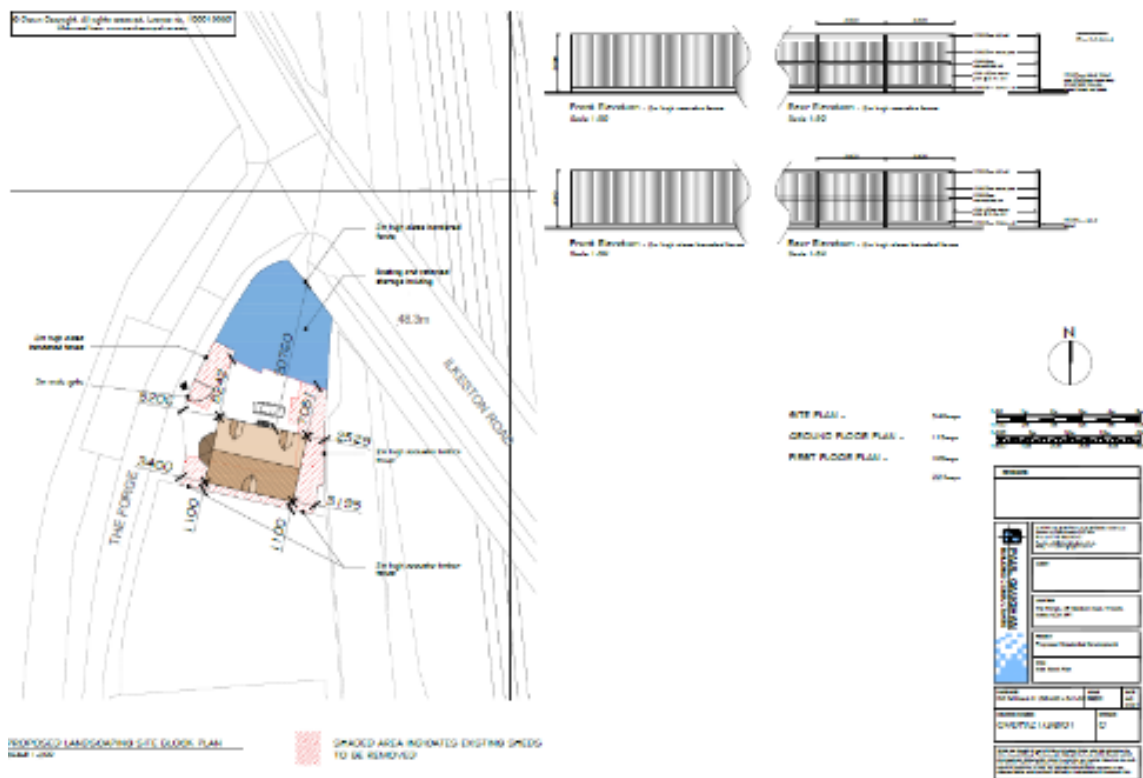


South of the site

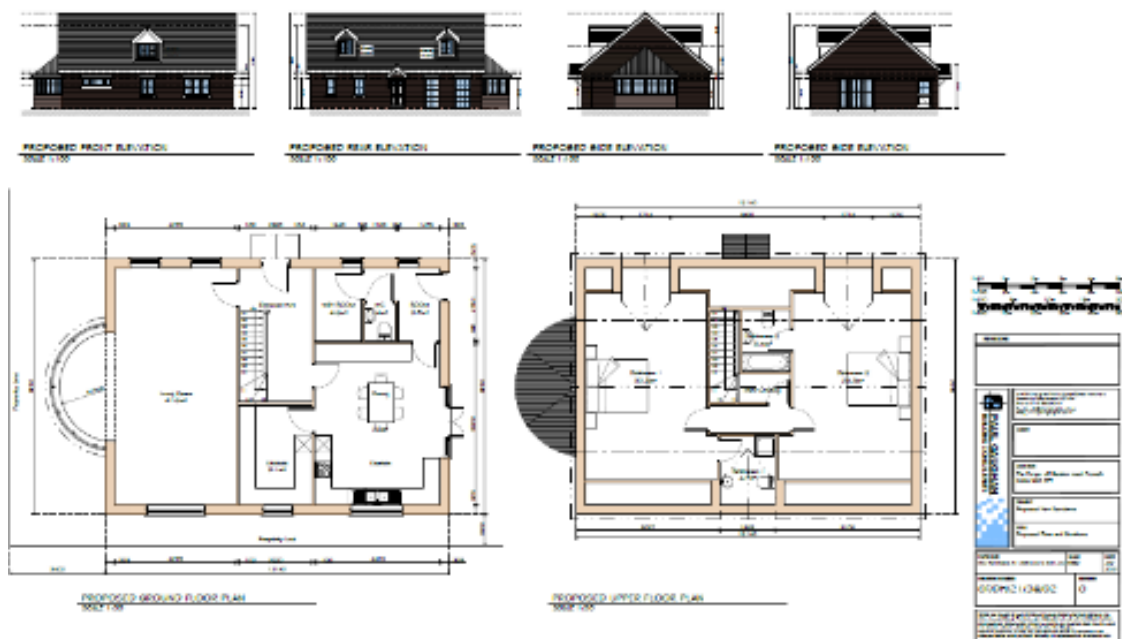


Access to the site

Plans (not to scale)



Proposed block plan and fencing



Proposed elevations and floor plans

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Report of the Chief Executive

APPEAL DECISIONS

1. Purpose of report

The Committee is asked to note the report which outlines the position with regard to recent planning appeal decisions and why the recent success rate of appeal dismissals has dropped below the usual level.

2. Background

In a report to Jobs and Economy Committee on 18 November 2021 it was noted that the percentages of appeals allowed against authority decision to refuse planning permission (Delegated or Committee Decisions) was set on a concerning trend. In 2019/20 35.3% of appeals were allowed, and in 2020/1 this had reduced to 27.8% (and of these decisions 50% were Committee overturns in both years).

However, the quarterly figures for this year show that in quarter 1 it had increased to 42.9% and in quarter 2 it was still quite high at 30%. Table 1 in the appendix shows that to date, this calendar year there have only been three appeals allowed (with a percentage of 23%).

At the time of writing this report there are seven appeals awaiting a decision. These are outlined in the appendix, with a summary of the refusal reason. There is also one appeal 21/00092/FUL, Kings Carpets Beeston for nine apartments (character and parking) with the Planning Inspectorate for determination.

3. Financial implications

Any applicant can ask for their reasonable costs to be paid for the planning process, known as 'cost appeals' if they believe the Council has acted unfairly in the planning process. Costs awarded against the Council are rare, but do pose a financial risk.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil.

APPENDIX

At the time of writing this report we have seven appeals awaiting decision. These are outlined below, with the summary of refusal reason in brackets:

19/00605/FUL* – 42 Derby Road – Four Dwellings (design and out of character)
 20/00272/FUL- Land Adjacent 313 Nottingham Road, Toton – C/U Static Homes / Caravans (flood risk and design out of keeping with the area.
 20/00667/FUL*- 28 Park Road – two dwellings (overdevelopment, amenity)
 21/0005/FUL 42 Greenhills Road - dwelling (character and intensive)
 21/00268/PNH- 1 Cloisters, Beeston - house extension (too big)
 21/00182/FUL* - 29 Rivergreen Crescent – Large extension (scale and character)
 21/00049/FUL* – Babbington Hall – five dwellings (Character and Green Belt)

*= committee overturns.

It is considered that whilst the trend was worrying, based on the figures for the calendar year, there is a possibility that the figure will improve. However, of the eight appeals outstanding, it is the opinion of officers that some will receive planning permission and be allowed.

Table 1: Appeals determined between 1/1/21 and 23/11/21.

Appeals 2021					
Appeal Reference No	DC Reference	Address	Appeal Decision	Date of Decision	Committee or Delegated?
21/00004/APLWR	20/00183/OUT	84 Cow Lane Bramcote Nottinghamshire NG9 3BB	ALLOW	26/05/2021	DEL
21/00005/APLWR	20/00538/FUL	232 Queens Road Beeston Nottinghamshire NG9 2BN	ALLOW	25/05/2021	COM
20/00017/APLWR	20/00020/FUL	84 Abbey Road Beeston Nottinghamshire NG9 2HP	DISMIS	28/01/2021	DEL
21/00002/APHAS	19/00689/FUL	102 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3JW	DISMIS	04/03/2021	DEL
21/00007/APLWR	20/00154/FUL	21 Barratt Lane Attenborough Nottinghamshire NG9 6AD	DISMIS	14/06/2021	DEL

Appeals 2021					
Appeal Reference No	DC Reference	Address	Appeal Decision	Date of Decision	Committee or Delegated?
21/00003/APLPI	19/00465/FUL	Bramcote Ridge Open Space Sandgate Beeston Nottinghamshire	DISMIS	03/08/2021	COM
21/00008/APLWR	20/00444/FUL	Land Adjacent 39 Northern Drive Trowell Nottinghamshire NG9 3QN	DISMIS	02/06/2021	DEL
20/00019/APLWR	20/00178/FUL	Land To The Rear Of 53 & 55 Kimberley Road Nuthall Nottinghamshire NG16 1DA	DISMIS	15/04/2021	DEL
20/00020/APLWR	20/00043/FUL	3 Swingate Kimberley Nottinghamshire NG16 2PG	DISMIS	03/03/2021	COM
21/00011/APHAS	21/00048/FUL	12 Leamington Drive Chilwell Nottinghamshire NG9 5LJ	DISMIS	21/07/2021	DEL
21/00012/APHAS	20/00603/FUL	34 Sandy Lane Bramcote Nottinghamshire NG9 3GS	ALLOW	21/06/2021	DEL
21/00001/APLWR	19/00791/FUL	116 Marlborough Road Beeston Nottinghamshire NG9 2HN	DISMIS	20/04/2021	DEL
21/00014/APLWR	20/00856/ADV	Advertising Right Adjacent Horse And Jockey Horse And Jockey 20 Nottingham Road Stapleford Nottinghamshire	DISMIS	03/09/2021	COM

Table 2: Appeal figures for financial years 2005/6 to 2020/21.

Year	Appeals allowed	Appeals allowed in part	Appeals dismissed	Total	Proportion dismissed
2005/06	5	1	13	19	68%
2006/07	9	0	16	25	64%
2007/08	4	0	19	23	83%
2008/09	7	1	16	24	67%
2009/10	6	1	13	20	65%
2010/11	4	0	16	20	80%
2011/12	5	0	13	18	72%
2012/13	3	0	12	15	80%
2013/14	6	0	14	20	70%
2014/15	2	0	11	13	85%
2015/16	9	0	8	17	47%
2016/17	4	2	11	17	65%
2017/18	2	0	4	6	67%
2018/19	4	0	8	12	67%
2019/20	8	0	12	20	60%
2020/21	5	0	13	18	72%
Total 2005-2020/21	83	5	199	287	69%

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
15 November 2021 TO 10 December 2021**

CONTENTS

Planning applications dealt with under Delegated Powers

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

BROXTOWE BOROUGH COUNCIL

DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant	:	Mr Vladimir Macoveiciuc	21/00250/FUL
Site Address	:	181 Bye Pass Road Chilwell Nottinghamshire NG9 5HR	
Proposal	:	Construct single/two storey front/side extension and replacement wall along part of side boundary (following demolition of garage)	
Decision	:	Refusal	

Applicant	:	Mr Stephan Richeux	21/00488/FUL
Site Address	:	4 St Marys Close Attenborough Nottinghamshire NG9 6AT	
Proposal	:	Construction of metal framed glass roof veranda to side elevation	
Decision	:	Conditional Permission	

Applicant	:	Miss Sarah-Marie Taylor EMEC Ecology Ltd	21/00659/ADV
Site Address	:	Attenborough Nature Centre Barton Lane Attenborough NG9 6DY	
Proposal	:	Display ANPR fee signage boards	
Decision	:	Conditional Permission	

Applicant	:	Mr David Rich	21/00708/FUL
Site Address	:	3 Brookland Drive Chilwell Nottinghamshire NG9 4BD	
Proposal	:	Construct two storey side extension, single storey rear extension and single storey garden annex	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Tarrant	21/00761/FUL
Site Address	:	21 Farm Road Chilwell Nottinghamshire NG9 5BZ	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Leanne Finn C/O Architecture North Ltd	21/00786/FUL
Site Address	:	37 Perkins Way Chilwell Nottinghamshire NG9 5JD	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr A Baldwin Peveril Homes Limited	21/00818/NMA
Site Address	:	Land Off Scrivelsby Gardens Chilwell Nottinghamshire	
Proposal	:	Non Material Amendment to 97/00728/FUL to add a planning condition that lists the approved plans	
Decision	:	NMA Approved	

Applicant	:	Mrs Holman	21/00851/FUL
Site Address	:	57 Mottram Road Chilwell Nottinghamshire NG9 4FW	
Proposal	:	Construct single and two storey side extension, single storey rear extension and installation of solar panels on roof	
Decision	:	Conditional Permission	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mr Tony Skenderaj William May Developments Limited	21/00222/FUL
Site Address	:	Land Off Gin Close Way Awsworth 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 2m high security fencing, extension to existing single storey building and new storage/car repair building (revised scheme)	
Decision	:	Conditional Permission	

BEESTON CENTRAL WARD

Applicant	:	Mr I Armstrong	21/00719/CLUP
Site Address	:	37 Humber Road Beeston NG9 2EJ	
Proposal	:	Certificate of Lawfulness for a proposed side/rear single storey extension	
Decision	:	Approval - CLU	

Applicant	:	Mr C Burton	21/00725/FUL
Site Address	:	57 King Street Beeston Nottinghamshire NG9 2DL	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Huang	21/00729/CLUP
Site Address	:	15 Pelham Crescent Beeston Nottinghamshire NG9 2ER	
Proposal	:	Change of use to Class C4 - houses in multiple occupation, single storey rear extension, loft conversion with rear dormer and internal alterations	
Decision	:	Approval - CLU	

Applicant	:	Mr Khalid Mahmood	21/00788/FUL
Site Address	:	50 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Construct two-storey side extension	
Decision	:	Conditional Permission	

BEESTON NORTH WARD

Applicant	:	Mr Jacob Brown	21/00364/FUL
Site Address	:	Pair Of Garages Cyprus Avenue Beeston Nottinghamshire	
Proposal	:	Demolish existing garages and construct two self contained flats	
Decision	:	Refusal	

Applicant	:	Christine Hibbert	21/00412/FUL
Site Address	:	16 Wallett Avenue Beeston Nottinghamshire NG9 2QR	
Proposal	:	Construct single storey rear extension	
Decision	:	Withdrawn	

Applicant	:	Mr Atwal	21/00716/CLUE
Site Address	:	24 Muriel Road Beeston Nottinghamshire NG9 2HH	
Proposal	:	Certificate of Lawfulness for an existing use as a HMO within Use Class C4	
Decision	:	Approval - CLU	

Applicant	:	Mr C Burton	21/00756/FUL
Site Address	:	74 Abbey Road Beeston Nottinghamshire NG9 2QH	
Proposal	:	Construct two storey side extension, single storey rear extension and loft conversion with front and rear dormers (revised scheme)	
Decision	:	Refusal	

Applicant	:	Mr Atwal	21/00759/CLUE
Site Address	:	7 Peveril Road Beeston Nottinghamshire NG9 2HY	
Proposal	:	Certificate of Lawfulness for an existing use as a HMO within Use Class C4	
Decision	:	Refusal	

Applicant	:	Mr A Allcock	21/00762/FUL
Site Address	:	5 Middleton Crescent Beeston Nottinghamshire NG9 2TH	
Proposal	:	Construct Two Storey Rear Extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Mr Atwal	21/00760/CLUE
Site Address	:	103A Marlborough Road Beeston Nottinghamshire NG9 2HL	
Proposal	:	Certificate of Lawfulness for an existing use as a HMO within Use Class C4	
Decision	:	Approval - CLU	
Applicant	:	Mr T Kataria	21/00768/FUL
Site Address	:	53 Peveril Road Beeston Nottinghamshire NG9 2HY	
Proposal	:	Construct two storey and first floor rear and single/two storey side extensions (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr C Burton	21/00870/PNH
Site Address	:	31 Boundary Road Beeston Nottinghamshire NG9 2RG	
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	:	PNH Approval Not Required	
Applicant	:	Mr & Mrs J Bridges	21/00973/NMA
Site Address	:	8 Windrush Close Beeston Nottinghamshire NG9 3LN	
Proposal	:	Non Material Amendment to 21/00381/FUL to add a side door to the kitchen	
Decision	:	Conditional Permission	
BEESTON RYLANDS WARD			
Applicant	:	Mr Dino Labbate Swish Architecture Ltd.	21/00717/CLUP
Site Address	:	Clayton Court Queens Road Beeston Nottinghamshire	
Proposal	:	Certificate of proposed development to carry out internal alterations to convert 6 existing two bedroom flats into 3 three bedroom and 3 two bedroom flats	
Decision	:	Refusal	
Applicant	:	Mr & Mrs Woodhead	21/00743/FUL
Site Address	:	109 Meadow Road Beeston Nottinghamshire NG9 1JQ	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mrs Julie Battison	21/00976/PNH
Site Address	:	71 Trafalgar Road Beeston Nottinghamshire NG9 1LE	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.9 metres, with a maximum height of 3.8 metres, and an eaves height of 3.0 metres.	
Decision	:	Withdrawn	
BEESTON WEST WARD			
Applicant	:	Mr Chris Kennedy	21/00379/FUL
Site Address	:	20 Marina Avenue Chilwell Nottinghamshire NG9 1HB	
Proposal	:	Construct single storey rear extension	
Decision	:	Withdrawn	
Applicant	:	Mr Deepak Sood Dasram Ltd and RB Construction and Developments Ltd.	21/00474/FUL
Site Address	:	Garage Blocks Adjacent 44 Robinet Road West End Beeston NG9 1GP	
Proposal	:	Construct two semi detached dwellings following demolition of some garages	
Decision	:	Withdrawn	

Applicant	:	Mrs Sara Humphries Greggs plc	21/00690/FUL
Site Address	:	27 High Road Beeston Nottinghamshire NG9 2JQ	
Proposal	:	Installation of two air conditioning condenser units and two extract vents to the rear elevation	
Decision	:	Conditional Permission	
Applicant	:	Krishna Parmar	21/00737/FUL
Site Address	:	4 Chilwell Road Beeston Nottinghamshire NG9 1EF	
Proposal	:	Construct two storey rear extension and external alterations to existing single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs S Willoughby	21/00757/FUL
Site Address	:	37 Dale Lane Chilwell Nottinghamshire NG9 4EA	
Proposal	:	Construct single storey rear extension to form garden room, convert existing void ceiling space to create additional bedroom with additional velux and windows	
Decision	:	Conditional Permission	
Applicant	:	Dr Susan Brown	21/00791/FUL
Site Address	:	13 Montague Street Beeston Nottinghamshire NG9 1BA	
Proposal	:	Reinstatement of bay window to ground floor front elevation and replacement window to first floor front elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr M Lamb	21/00800/CLUP
Site Address	:	30 Charlton Grove Chilwell Nottinghamshire NG9 1GY	
Proposal	:	Erect single storey rear extension	
Decision	:	Approval - CLU	
Applicant	:	Mr & Mrs Drinkwater	21/00804/FUL
Site Address	:	45 Fellows Road Beeston Nottinghamshire NG9 1AQ	
Proposal	:	Construct single storey side and rear extensions	
Decision	:	Conditional Permission	
Applicant	:	MR STEVE TASKER	21/00805/FUL
Site Address	:	17 Park Street Beeston Nottinghamshire NG9 1AH	
Proposal	:	Construct extension	
Decision	:	Conditional Permission	
BRAMCOTE WARD			
Applicant	:	Ms L Argent	21/00689/FUL
Site Address	:	36 Sandy Lane Bramcote Nottinghamshire NG9 3GS	
Proposal	:	Construct two storey side and single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Thompson	21/00731/FUL
Site Address	:	68 Balmoral Drive Bramcote Nottinghamshire NG9 3FT	
Proposal	:	Construct two storey front/ side extension, single storey rear extension, loft conversion with rear dormer , and over cladding to front and rear elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr Ellis	21/00733/FUL
Site Address	:	18 Burnside Drive Bramcote Nottinghamshire NG9 3EE	
Proposal	:	Construct orangery	
Decision	:	Conditional Permission	
Applicant	:	Mr H Harish	21/00803/FUL
Site Address	:	12 Gateford Close Bramcote Nottinghamshire NG9 3GB	
Proposal	:	Construct single storey front extension	
Decision	:	Conditional Permission	

Applicant	:	Mr and Mrs Littlehales	21/00821/FUL
Site Address	:	111 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Retain detached garden room	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Rostance	21/00850/CLUP
Site Address	:	20 Burnside Drive Bramcote Nottinghamshire NG9 3EE	
Proposal	:	Certificate of lawfulness for a proposed hip to gable roof with rear dormer	
Decision	:	Approval - CLU	
Applicant	:	Mr E Caulton	21/00928/NMA
Site Address	:	43 Pimlico Avenue Bramcote Nottinghamshire NG9 3JJ	
Proposal	:	Non material amendment to 20/00886/FUL to enclose and enlarge porch	
Decision	:	NMA Approved	
Applicant	:	Mr R Mailing NorthSands Developments Ltd	21/00944/NMA
Site Address	:	88 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Non material amendment to 19/00136/ROC to reduce footprint and make internal/external alterations (including relocation of dormer roof) to plot 2 and internal/external alterations to plot 3	
Decision	:	NMA Refused	
BRINSLEY WARD			
Applicant	:	Mr Thamid Khan Khan Care Ltd	20/00871/FUL
Site Address	:	Pharmacy 1 Brynsmoor Road Brinsley Nottinghamshire	
Proposal	:	Retain air conditioning units and installation of a Medpoint prescription collection machine	
Decision	:	Conditional Permission	
Applicant	:	Mr Jonathan Beresford	21/00801/FUL
Site Address	:	Agricultural Barn On South Side Of Track Off Brinsley Hill Brinsley Nottinghamshire	
Proposal	:	Construct cow shed	
Decision	:	Conditional Permission	
Applicant	:	Miss Bryony Edwards Refresh	21/00806/FUL
Site Address	:	25 Windsmoor Road Brinsley Nottinghamshire NG16 5DA	
Proposal	:	Construct side and rear extension	
Decision	:	Conditional Permission	
CHILWELL WEST WARD			
Applicant	:	Mrs Katie Gildea	21/00527/FUL
Site Address	:	31 Penrhyn Crescent Chilwell Nottinghamshire NG9 5NZ	
Proposal	:	Alterations to roof at rear and construction of rear dormer	
Decision	:	Conditional Permission	
EASTWOOD HALL WARD			
Applicant	:	Mr Andrew Madden	21/00766/FUL
Site Address	:	25 Greenhills Road Eastwood Nottinghamshire NG16 3DG	
Proposal	:	Construct single storey side / rear extension and loft conversion with dormers to side and rear elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr Mark Wright	21/00782/FUL
Site Address	:	4 Engine Lane Newthorpe Nottinghamshire NG16 3PX	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	

EASTWOOD HILLTOP WARD

Applicant	:	Mr Faux	21/00525/FUL
Site Address	:	294 And 296 Nottingham Road Eastwood Nottinghamshire NG16 2AQ	
Proposal	:	Change of use of existing dwelling and loft space over to form 4 flats at no. 296 with rear dormer and loft space over no. 294 Nottingham Road	
Decision	:	Conditional Permission	

Applicant	:	Miss Hayley Purdy	21/00663/FUL
Site Address	:	22 Beauvale Rise Eastwood Nottinghamshire NG16 3FL	
Proposal	:	Retain fence	
Decision	:	Conditional Permission	

EASTWOOD ST MARY'S WARD

Applicant	:	Mr Kane Oliver	21/00688/FUL
Site Address	:	20 Nottingham Road Eastwood Nottinghamshire NG16 3NQ	
Proposal	:	Retention of Marquee	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant	:	Mr Chris Bladon	21/00595/FUL
Site Address	:	430 Nottingham Road Giltbrook Nottinghamshire NG16 2FN	
Proposal	:	Construct single storey rear extension and detached garden office	
Decision	:	Conditional Permission	

Applicant	:	Jo Hubbard	21/00777/FUL
Site Address	:	84 Baker Road Newthorpe Nottinghamshire NG16 2DP	
Proposal	:	Construction of extensions to the roof including hip to gable and increase in height to accommodate loft conversion; construction of two dormers to the front roof slope and one dormer to the rear; construct first floor extension over existing garage; construct single storey extension to the rear; and construction of entrance feature including alterations to the windows in the front elevation; render to the front elevation (Revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	MS LORI BERRY	21/00819/FUL
Site Address	:	Land Adjacent 23 Moorgreen Newthorpe Nottinghamshire NG16 2FD	
Proposal	:	Construct detached dwelling (revised scheme)	
Decision	:	Conditional Permission	

KIMBERLEY WARD

Applicant	:	Mr Z Malik	21/00393/FUL
Site Address	:	39A Main Street Kimberley Nottinghamshire NG16 2NG	
Proposal	:	Construct 2 retail units with 6 residential apartments above	
Decision	:	Conditional Permission	

Applicant	:	Mr J Rowell	21/00589/FUL
Site Address	:	4 Hanson Close Kimberley Nottinghamshire NG16 2NS	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Ms John & Teresa Harrison & Smith Roots	21/00765/ROC
Site Address	:	17 Nottingham Road Kimberley NG16 2NB	
Proposal	:	Variation of Condition 3 (opening hours) of reference 16/00322/FUL	
Decision	:	Conditional Permission	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Mr & Mrs Malik	21/00502/FUL
Site Address	:	28 Highfield Road Nuthall Nottinghamshire NG16 1BS	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Berry Gifford Ltd	21/00694/FUL
Site Address	:	5 Highbury Close Nuthall Nottinghamshire NG16 1QU	
Proposal	:	Change of use from C3 to C2 to accommodate up to 2 residents	

Decision	:	Conditional Permission	
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Applicant	:	Mr A Pinkstone	21/00712/FUL
Site Address	:	24 Gunnersbury Way Nuthall Nottinghamshire NG16 1QD	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	MR Mike Quinn	21/00769/FUL
Site Address	:	18 Hillingdon Avenue Nuthall Nottinghamshire NG16 1RA	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Billau	21/00859/PNH
Site Address	:	66 Gunnersbury Way Nuthall Nottinghamshire NG16 1RE	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.8 metres, with a maximum height of 3.6 metres, and an eaves height of 2.4 metres	
Decision	:	PNH Approval Not Required	

STAPLEFORD NORTH WARD

Applicant	:	Mr Qasi Ahmed	21/00790/FUL
Site Address	:	111 Pasture Road Stapleford Nottinghamshire NG9 8HZ	
Proposal	:	Retention of single storey side and rear extension (revised scheme)	
Decision	:	Conditional Permission	

STAPLEFORD SOUTH EAST WARD

Applicant	:	Mr & Mrs Chapman	21/00420/FUL
Site Address	:	Cloud House 170 Nottingham Road Stapleford NG9 8AR	
Proposal	:	Construct barn for agricultural use	
Decision	:	Conditional Permission	

Applicant	:	Mr Plaiter	21/00707/FUL
Site Address	:	4 Spencer Crescent Stapleford Nottinghamshire NG9 8EG	
Proposal	:	Construct two storey side/rear and single storey rear extensions	
Decision	:	Conditional Permission	

Applicant	:	Mr Liam Henshaw	21/00776/FUL
Site Address	:	149A Nottingham Road Stapleford Nottinghamshire NG9 8AY	
Proposal	:	Construct first floor over existing garage and single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr P Jayasundara	21/00863/PNH
Site Address	:	18 Central Avenue Stapleford Nottinghamshire NG9 8DZ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.0 metres, with a maximum height of 3.0 metres, and an eaves height of 3.00 metres	
Decision	:	PNH Approval Not Required	

STAPLEFORD SOUTH WEST WARD

Applicant	:	Mr. Paul Turner JD Wetherspoon	21/00827/FUL
Site Address	:	The Admiral Sir John Borlase Warren 97 Derby Road Stapleford Nottinghamshire NG9 7AR	
Proposal	:	Retain Bin Store	
Decision	:	Conditional Permission	

TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr & Mrs Howarth	21/00290/FUL
Site Address	:	1A Inchwood Close Toton Nottinghamshire NG9 6FH	
Proposal	:	Construct two storey side /front extension and extend existing roof	
Decision	:	Refusal	

Applicant	:	N Qureshi	21/00695/FUL
Site Address	:	12 Knights Close Toton Nottinghamshire NG9 6PS	
Proposal	:	Construct two storey rear extension and insert two first floor side windows	
Decision	:	Conditional Permission	

Applicant	:	Ms T Hartshorn	21/00684/FUL
Site Address	:	12 Water Orton Close Toton Nottinghamshire NG9 6LQ	
Proposal	:	Construct single storey rear and front extension	
Decision	:	Conditional Permission	

Applicant	:	Mr and Mrs R Bilkhu	21/00753/FUL
Site Address	:	218 Stapleford Lane Toton Nottinghamshire NG9 6GB	
Proposal	:	Construct two storey side and single storey rear extensions (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mrs Sharon Taylor-Reid	21/00837/CLUP
Site Address	:	2 Epsom Road Toton Nottinghamshire NG9 6HQ	
Proposal	:	Certificate of lawfulness for proposed single storey side extension	
Decision	:	Approval - CLU	

Applicant	:	Mrs L Bradbury	21/00846/PJ14PA
Site Address	:	Aecom 11 - 12 Regan Way Chilwell Nottinghamshire	
Proposal	:	Prior Notification under Class J - Installation of Solar Photovoltaics (PV) equipment on the roofs of non-domestic buildings	
Decision	:	Prior Approval Not Required	

WATNALL & NUTHALL WEST WARD

Applicant	:	Mr D Twigg Twiggco Ltd.	21/00720/FUL
Site Address	:	Workshop B, Rear Of Main Road Garage Common Lane Watnall Nottinghamshire NG16 1HA	
Proposal	:	Change of use from industrial (Class E) to car storage for internet car sales business with ancillary offices and car display area (sui generis)	
Decision	:	Conditional Permission	

Applicant	:	Mr Prakash Dewshi	21/00771/FUL
Site Address	:	2 Orient Mews Watnall Nottinghamshire NG16 1GG	
Proposal	:	Convert part of garage into garden room	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs P Whysall	21/00820/FUL
Site Address	:	23 Carman Close Watnall Nottinghamshire NG16 1JX	
Proposal	:	Construct single-storey front extension	
Decision	:	Conditional Permission	

Applicant	:	Mr F Harris	21/00883/PNH
Site Address	:	6 Tilstock Court Watnall Nottinghamshire NG16 1JZ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.60 metres, with a maximum height of 3.40 metres, and an eaves height of 2.40 metres	
Decision	:	PNH Approval Not Required	

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