



Tuesday, 1 March 2022

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 9 March 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)	G Marshall
	J W McGrath (Vice-Chair)	P J Owen
	D Bagshaw	S Paterson
	L A Ball BEM	D D Pringle
	D Grindell	R S Robinson
	M Handley	R D Willimott
	R I Jackson	

A G E N D A

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 5 - 28)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 2 February 2022.

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

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4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 21/00555/FUL (Pages 29 - 68)

Demolition of existing buildings and erection of 60 dwellings including access and drainage infrastructure, substation and open space

Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire, NG9 3GJ

5.2 22/00044/REG3 (Pages 69 - 80)

Demolition of Existing Public House

Inham Nook Hotel, Inham Road, Chilwell, Nottinghamshire, NG9 4HX

5.3 20/00876/FUL (Pages 81 - 98)

Construct two detached houses with associated car parking, garages, access road and bin store

3 Swingate, Kimberley, Nottinghamshire, NG16 2PG

5.4 21/00738/FUL (Pages 99 - 116)

Construct two storey side, single/two storey rear and first floor front and front extensions, front and rear dormers, demolish garage and construct detached garage

12 Hope Street, Beeston, Nottinghamshire, NG9 1DR

5.5 21/00909/FUL (Pages 117 - 126)

Change of use from residential (C3) to seven bedroomed housing in multiple occupation (sui generis). Construction of cycle storage, gates and driveway

116 Marlborough Road, Beeston, Nottinghamshire, NG9 2HN

5.6 21/00941/FUL (Pages 127 - 144)

Construct 3 storey building to contain 6 houses of multiple occupancy (Class C4) and construct cycle store and bin store (revised scheme)

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

5.7 21/00971/FUL (Pages 145 - 162)

Construct 3 storey building comprising 7 apartments and provision of parking area (revised scheme)

129 -131 High Road Beeston NG9 2LL

6. INFORMATION ITEMS

6.1 Appeal Decision (Pages 163 - 164)

21/00182/FUL

Construct two storey front and rear extensions, raise the ridge height inserting a hip roof to the existing/ extended dwelling including a loft conversion and rear box dormer, insert a hip roof to the existing single storey side extension and external alterations

29 Rivergreen Crescent, Bramcote, Nottinghamshire, NG9 3ET

6.2 Appeal Decision (Pages 165 - 166)

21/00268/PNH

Construct a single storey rear extension, extending beyond the rear wall of the original dwelling by 5.43 metres, with a maximum height of 2.80 metres, and an eaves height of 2.30 metres

1 The Cloisters, Beeston

6.3 Delegated Decisions (Pages 167 - 180)

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PLANNING COMMITTEE

WEDNESDAY, 2 FEBRUARY 2022

Present: Councillor D K Watts, Chair

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

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

51 **DECLARATIONS OF INTEREST**

Councillor G Marshall and Councillor J W McGrath declared a non pecuniary interest in item 5.3 as they were both acquainted with the applicant. Minute number 54.3 refers.

Councillor D K Watts declared a non pecuniary interest in item number 5.5 as he was a friend of the applicant. Minute number 54.5 refers.

52 **MINUTES**

The minutes of the meeting on 5 January 2022 were confirmed and signed as a correct record.

53 **NOTIFICATION OF LOBBYING**

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

54 DEVELOPMENT CONTROL

54.1 21/00810/ROC

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

This application was brought before Committee because it was a major application. A decision on the application was deferred on 5 January 2022 to allow the developer an opportunity to reconsider the distribution of social housing on the site and proposed landscaping.

There was a late item pertaining to amendments to conditions 21 and 22.

Tom Broster, on behalf of the applicant, addressed the Committee prior to the general debate.

It was noted that the Committee's concerns had been addressed, though there were still some comments regarding the style of the housing.

RESOLVED 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>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>

3.	<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>
4.	<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 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</i></p>

	<i>Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
5.	<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 Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
6.	<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 birds, in accordance with the aims of the NPPF and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
7.	<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,</p>

	<p>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>
8.	<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>
9.	<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 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><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>

10.	<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>(f) 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>
11.	<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 agreed details.</p> <p><i>Reason: To safeguard the operations of the railway and in accordance with the aims of the NPPF.</i></p>
12.	<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>

	<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>
13.	<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>
14.	<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>
15.	<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>
16.	<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 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.</p> <p>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>
17.	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

	<p>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>
18.	<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>
19.	<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>
20.	<p><u>Conditions in respect of full element</u></p> <p>The approved development shall be undertaken in accordance with the requirements of conditions 21, 22, 23, 24, 25, 28, 32, 38, 39, 40, 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>
21.	<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>
22.	<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</p>

	<p>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). The scheme shall be maintained and managed in accordance with the maintenance data sheet for the lifetime of the development. <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>
23.	<p>No retaining wall on any plot 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 the outline phase 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 Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
24.	<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 in the Geodyne report 'Remediation Method Statement' (ref D29176 V1.1, dated June 2017); and 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><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>
25.	<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>

	<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>
26.	<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>
27.	<p>Prior to the first occupation of the 32nd dwelling constructed on the site:</p> <p>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;</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>
28.	<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>
29.	<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 14 April 2021:</p> <ul style="list-style-type: none"> • 1905/19/21B <p>Received by the Local Planning Authority on 19 April 2021:</p>

- 1905/19/26

Received by the Local Planning Authority on 28 September 2021:

- 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

	<ul style="list-style-type: none"> • 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 <p>Received by the Local Planning Authority on 12 November 2021:</p> <ul style="list-style-type: none"> • HT-B-EL Rev B • HT-B-PL Rev B <p>Received by the Local Planning Authority on 16 November 2021:</p> <ul style="list-style-type: none"> • 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"> • P103 Rev D • P104 Rev D • P105 Rev E • FFSN-BSP-ZZ-XX-DR-C-0215 Rev P02 <p>Received by the Local Planning Authority on 12 January 2022:</p> <ul style="list-style-type: none"> • P100 Rev M • 01 Rev E <p><i>Reason: for the avoidance of doubt.</i></p>
30.	<p>No above ground works 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> <p>(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;</p>

	<p>(b) numbers, types, sizes and positions of proposed trees and shrubs;</p> <p>(c) proposed hard surfacing treatment including the public rights of way crossing the site and the proposed path through the TPO woodland;</p> <p>(d) planting, seeding/turfing of other soft landscape areas;</p> <p>(e) lighting details and</p> <p>(f) a timetable for implementation of the scheme.</p> <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 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></p>
31.	<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>
32.	<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>
33.	<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</i></p>

	<i>Broxtowe Part 2 Local Plan (2019).</i>
34.	<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>
35.	<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@nottsc.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.

54.2 21/00575/FUL

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

This application was brought back to the Committee for a decision regarding the allocation of section 106 monies.

The Committee noted a late item confirming the support of the Nottingham and Nottinghamshire Clinical Commissioning Group.

There were no public speakers.

There was a discussion regarding projects and organisations in the area that might benefit from public open space contributions, specifically services provided at West End Community Centre.

It was proposed by Councillor D K Watts and seconded by Councillor J W McGrath that the monies be allocated as per the recommendation on page 83 of the agenda, specifically Nottingham and Nottinghamshire Clinical Commissioning Group - £28,719.38, Public Open Space - £79,612.89 including West End Community Centre and Affordable Housing (off site provision) - £121,667.73. On being put to the meeting the motion was carried.

RESOLVED that the allocation of S106 monies be as follows:

- **Nottingham and Nottinghamshire Clinical Commissioning Group £28,719.39**
- **Public Open Space, with particular reference to projects at West End Community Centre, Beeston £79,612.89**
- **Affordable housing off site provision £121,667.73.**

54.3 21/00758/FUL

Change of use to 84 bed student accommodation (Class C4 HMO including an additional floor)

Broadgate House, Broadgate, Beeston NG9 2HF

The application was brought to the Committee at request of Councillor P Lally and Councillor L A Lally.

The Committee gave consideration to the late items comprised of a re-consultation in relation to the amended Proposed Lower Ground Floor Plan No. A-20082-20-001_P2. It was noted that 17 objections were received.

Mrs Fiona Carter, objecting, Councillor L A Lally, Ward Member and Councillor P Lally, Ward Member, addressed the Committee prior to the general debate.

The debate focussed on whether the provision of accommodation specifically for students would reduce the pressure on the housing stock in Beeston, in the vicinity of Nottingham University.

There was concern about antisocial behaviour, impact on neighbouring properties, overdevelopment of the site, the impact on the character of the area and the lack of car parking for the proposed development. The debate progressed, with the Committee considering the positive impact of students on the vibrancy and diversity of Beeston.

To address the concerns of the Committee it was requested that additional conditions be placed on the development to ensure that car parking was specifically for residents, that there was no smoking on fire escapes and a tenancy management agreement.

RESOLVED that planning permission be granted subject to the following conditions and with additional conditions relating to fire doors, a tenant agreement and that car parking be for occupant's only.

	Conditions:
1.	The development hereby approved shall be begun before the expiration of 3

	years from the date of this permission.
2.	<p>This permission shall be read in accordance with the following plans:</p> <p>Site location plan No. A-20082-70-001_P1 Existing lower ground floor plan A-20082-02-001_P1 Existing ground floor plan No. A-20082-02-002_P1 Existing first floor plan No. A-20082-02-003_P1 Existing second floor plan No. A-20082-02-004_P1 Existing roof plan No. A-20082-02-005_P1 Existing NE/NW elevations No. A-20082-21-001_P1 Existing SW/SE elevations No. A-20082-21-002_P1</p> <p>Proposed ground floor plan No. A-20082-20-002_P1 Proposed first floor plan No. A-20082-20-003_P1 Proposed second floor plan No. A-20082-20-004_P1 Proposed third floor plan No. A-20082-20-005_P1 Proposed roof plan No. A-20082-20-006_P1 Proposed SW/SE elevations No. A-20082-21-003_P1 Proposed NE/NW elevations No. A-20082-21-004_P1 (All received by the Local Planning Authority 05.10.21)</p> <p>Proposed lower ground floor plan No. A-20082-20-001_P2 (Received by the Local Planning Authority 21.12.21)</p> <p>The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.</p>
3.	<p>No development shall take place until samples of the materials and finishes to be used for the external elevations and roof of the proposal have been agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out with those materials, unless the Local Planning Authority gives written approval to any variation.</p>
4.	<p>Prior to occupation of the development hereby permitted details of the fenestration glazing specifications shall be submitted to and approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved plans and shall be thereafter retained unless otherwise agreed by the Local Planning Authority.</p>
5.	<p>No development shall take place until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in constructing the development; e) a scheme for the recycling/disposal of waste resulting from construction works; and

	<p>f) details of dust and noise suppression to be used during the construction phase.</p> <p>g) site preparation, construction and delivery hours.</p> <p>The approved statement shall be adhered to throughout the construction period.</p>
6.	The roller shutter doors at the access point to the car park shall be positioned in accordance with plan entitled 'Proposed lower GF Plan', drawing no. A-20082-20-001_P2. The approved Roller shutter doors shall then be retained in this position for the life of the development.
7.	No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing A-20082-20-001_P2 has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.
8.	No part of the development hereby permitted shall be brought into use until the hard surfaced parking bays are clearly delineated in accordance with drawing number A-20082-20-001_P2. The parking 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, turning and loading and unloading of vehicles.
9.	The development hereby permitted shall not be occupied until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing by the Local Planning Authority. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe which shall be set out in the submitted details.
10.	The development hereby permitted shall be carried out in accordance with the submitted Student Traffic Management Plan contained within Section 7.2 of the Transport Statement 9 July 2021 complied by Hexa Consulting.
	Parking
	Tenant agreement
	Fire doors
	Reasons:
1.	To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2.	To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
3.	To ensure the satisfactory appearance of the development in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019
4.	To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise

5.	To protect the amenities of neighbouring residents.
6.	In the interests of highway safety in accordance with Part 9 – Promoting Sustainable Transport of the NPPF 2019.
7.	To ensure cycle parking is available for use.
8.	In the interests of highway safety in accordance with Part 9 – Promoting Sustainable Transport of the NPPF 2019.
9.	To reduce the potential for crime.
10.	In the interests of highway safety in accordance with Part 9 – Promoting Sustainable Transport of the NPPF 2019.
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	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.
3.	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

54.4 21/00371/FUL

Construct two storey with balcony, single storey extensions, extension to existing annex and garden room

Gilt Hill Farm Gilt Hill Kimberley Nottingham NG16 2GZ

Councillor S Easom had requested this application be determined by Committee. As an appeal for non-determination had already been lodged, the Committee was unable to determine the application, but instead gave an indication of the decision that it would have made had it been able to.

There were no late items.

A statement was read on behalf of Kari Viitanen, the applicant, and Councillor S Easom, Ward Member, addressed the Committee prior to the general debate.

The Committee received legal advice.

Consideration was given the untidy nature the site and the visual impact on the Green Belt. Some Members considered the proposal to represent an improvement, however, there was concern that when approaching the Ikea Island, the increased volume of the farm house would have a material impact on the openness and amenity of the Green Belt.

It was requested that a reason be provided to Councillor P Owen in writing regarding the non-determination of the application.

Councillor S Easom exercised his right to sum up after the debate.

RESOLVED that the Committee agreed with the recommendation of the Officer's report so that accurate representations can be made to the Planning Inspectorate in the anticipated appeal of this matter.

1.	The proposal constitutes inappropriate development within the Green Belt as the proposed extensions, in conjunction with the existing extension, represent a disproportionate addition to the size of the original building. There are insufficient very special circumstances demonstrated to clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness. Accordingly, the proposal is contrary to Policy 8 of the Part 2 Local Plan (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.
	NOTES TO APPLICANT
1.	The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any minor alterations which could be made to the scheme to make the proposal acceptable.

54.5 21/00895/FUL

Construct first floor rear extension and front and rear dormer windows (revised scheme)

42 Sandy Lane, Bramcote, Nottinghamshire, NG9 3GS

Councillor D K Watts requested that this application be determined by Planning Committee.

There were no late items.

Mark Knowles, objecting, addressed the Committee prior to the general debate.

It was noted that this application had been refused at the meeting of the Committee on 2 June 2021 and that no material changes to the proposed development had been made.

RESOLVED, unanimously, that planning permission be refused for the reasons given at the meeting of 2 June 2021.

Reason

Due to the loss of neighbour amenity and size of the development.

(Councillor D K Watts having declared a personal and prejudicial interest in this item, left the Council Chamber prior to the debate. Councillor J W McGrath was Vice Chair in the Chair for the duration of the item.)

54.6 21/00704/FUL

Construction of two storey and first floor rear extension
12 Rochester Court, Nuthall, Nottinghamshire, NG6 8WL

The application had been called before Committee by Councillor P J Owen.

There were no late items to be considered by the Committee.

Mrs Sheppards, objecting, addressed the Committee prior to the general debate.

There was concern regarding the scale of the proposed development and that it was an over intensification of the site. It was proposed by Councillor P J Owen and seconded that by Councillor D K Watts that the application be deferred to allow the applicant an opportunity to consider reducing the size and scale of the development so as not to negatively impact on neighbour amenity.

RESOLVED that the application be deferred.

Reason

To allow the applicant an opportunity to consider reducing the size and scale of the proposed development so as not to negatively impact on neighbour amenity.

54.7 21/00807/FUL

Retain raised patio and fencing and erect canopy
48 Wadsworth Road, Stapleford, Nottinghamshire, NG9 8BD

Councillor T Hallam requested that this application be considered by Committee.

There were no late items and no public speakers.

It was noted that there was a disparity in ground levels between number 48 and the neighbouring property. This had meant that the fence, when erected, had an unacceptable impact on the light and amenity of the neighbour, particularly on their conservatory.

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

Significant impact on neighbour amenity.

It was proposed by D K Watts and seconded by J W McGrath that enforcement action be taken if no appeal was lodged or no revised scheme was proposed. On being put to the meeting the motion was passed.

RESOLVED that enforcement action be taken if no appeal was lodged or no revised scheme was proposed.

55 INFORMATION ITEMS

55.1 DELEGATED DECISIONS

The delegated decisions were noted.

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Report of the Chief Executive

APPLICATION NUMBER:	21/00555/FUL
LOCATION:	Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire, NG9 3GJ
PROPOSAL:	Demolition of existing buildings and erection of 60 dwellings including access and drainage infrastructure, substation and open space

This application is brought to the Committee as it is an allocated site and because of the size of the proposed development.

1 Executive Summary

- 1.1 This is a major planning application seeking full planning permission to construct 60 dwellings to the west of Coventry Lane. This site has been allocated for housing within the Part 2 Local Plan (2019) under Policy 3.4.
- 1.2 This allocated site has been split into two and is being managed by two different developers. An outline application (20/00352/OUT) with all matters reserved apart from access has been approved for up to 190 dwellings on the majority of the site. This application covers part of the wider allocation and relates to the top north east corner which is shown below.
- 1.3 As part of the application, a Health Impact Assessment, Arboricultural Assessment, Ecological Appraisal, Transport Assessment, Residential Travel Plan, Design and Access Statement, Planning Statement, Sustainability Assessment, Noise Assessment, Coal Mining Risk Assessment, Geoenvironmental Assessment, Preliminary Ground Investigation Report, Preliminary Ecological Appraisal and a Drainage Plan have been submitted.
- 1.4 The main issues relate to whether 60 dwellings on this site would be acceptable, if satisfactory means of access, additional connections and highway mitigation measures have been created, there is a sufficient buffer between the site and Bramcote Crematorium and Stapleford Hill, if enhanced Green Infrastructure corridors have been provided and there is an acceptable impact on neighbour amenity (all in line with Policy 3.4).
- 1.5 The benefits of the proposal would mean 60 additional homes within a sustainable, urban location with improvements to local infrastructure, on a site that has been allocated for housing. The proposed works would contribute to the local economy by providing jobs during the construction process. There would be some impact on neighbour amenity but this is considered to be outweighed by the benefits of the scheme.
- 1.6 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

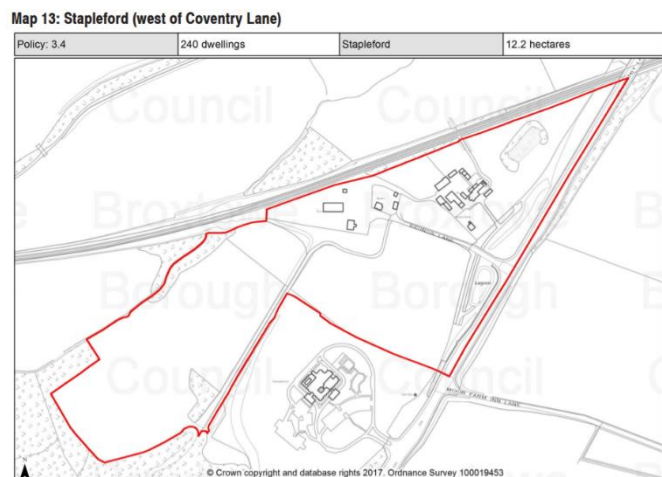
APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct 60 dwellings on a site to the west of Coventry Lane. This site has been allocated for housing within the Part 2 Local Plan (2019) under Policy 3.4.
- 1.2 Policy 3.4 of the Part 2 Local Plan (2019) refers to the whole allocated site and the ability to accommodate up to 240 houses. However, this application only refers to the north east corner of the allocation. A small section of land to the north west is included within the application site boundary but is separated by the railway line. A balancing pond is proposed within this section.



Site Location Plan (1:1250)



Wider allocation (Policy 3.4 of the P2LP 2019)

- 1.3 There is an existing access from Coventry Lane (Sidings Lane) which will be reconfigured with the inclusion of mitigation measures to Coventry Lane. The proposed changes are included within section 6.3 of this report.

2 Site and surroundings

- 2.1 The site is located to the north east of Stapleford District Centre and is situated in between Stapleford Hill (to the south), the railway line (to the north), Coventry Lane and Bramcote Crematorium to the east and the strategic Aligned Core Strategy allocation of Field Farm to the west. The wider allocation is mixed greenfield and brownfield and is used for equestrian, residential and as an engineering depot. The application site currently has farming and agricultural buildings and a pond surrounded by a small woodland. The entire allocated site is 12.2 hectares but the part of the site considered for development within this application is approximately 2.2 hectares.
- 2.2 The site is accessed from Sidings Lane, an industrial road, with a bell mouth junction connecting to the A6002, which leads to the A52 via the A6007 to the south and the A610 to Nottingham and M1 Junction 26, to the north. The site is approximately 4km from Ilkeston and Beeston (town centres) and 2k from Stapleford town centre. Nottingham city centre is approximately 8km east of the site.

- 2.3 Coventry Lane extends north-south over a distance of approximately 1.8km along the eastern boundary of the application site. To the north, Coventry Lane forms a signal-controlled junction with Bilborough Road, Nottingham Road, Trowell Road and Wollaton Vale. To the south, Coventry Lane forms a mini-roundabout with Ilkeston Road and beyond this, another mini-roundabout with Ilkeston Road and Hickings Lane.
- 2.4 The topography of the site is relatively flat. Land to the north and north west is Green Belt.
- 2.5 To the east of Coventry Lane is an allocated site for 500 dwellings which is largely greenfield and a former playing field associated with the adjacent school which has been unused for a number of years. No applications have been submitted for this site.

3 Relevant Planning History

- 3.1 An application for an extension to a dwelling (85/00263/FUL) was granted permission in June 1985.
- 3.2 An application for a brick garden shed (90/00381/FUL) was granted permission in June 1990.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 16: Green Infrastructure, Parks and Open Spaces
- Policy 17: Biodiversity
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

4.2 **Part 2 Local Plan**

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

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 20: Air Quality
- Policy 21: Unstable Land

- Policy 22: Minerals
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 28: Green Infrastructure Assets
- Policy 30: Landscape
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 National Planning Policy Framework (NPPF) 2021:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a Sufficient Supply of Homes.
- Section 8 – Promoting Healthy and Safe Communities.
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places
- Section 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change.
- Section 15 – Conserving and Enhancing the Natural Environment.

5 Consultations

- 5.1 **Council's Business and Projects Manager (Environment):** The tree belt on the south/ east side is very important and have now identified this is adopted highway so will be the responsibility of Nottinghamshire County Council. Who will be responsible for the off-site newt pond and the onsite open space including the pond and attenuation basin?

Given the close proximity of the houses to the pond and attenuation basin there will be a requirement for fencing around these areas adjacent to the highway that is appropriate to the location.



- 5.2 **Council's Tree Officer:** The Oak trees around the pond hold the only merit. There are various trees marked with red dots that look old and more recent green dots which are presumed to be removed from that section of the site. I have no objections to the removal but at the time of my visit it was noticed a couple of the Oaks that were not marked would benefit from a further inspection as there was decay present in the trunks which appears quite extensive. It is suggested that an inspection and remedial works prior to commencement of the development.

Raise no objection to the development, the trees around the pond between the last pot and the railway line will need pruning works to lift the canopy if that plot is left in that location.

5.3 Council's Housing Strategy and Development Officer:

First Response:

- In terms of the area, the site is referred to from the housing demand/need in Beeston sub area given this site is to the West of Coventry Lane more Beeston than Stapleford. The affordable mix aligns with the Hearn Report on Social and Affordable Housing Need for Beeston in terms of longer term housing need and the current demand on the housing register in this area and considering other developments/resignation proposals in the locality. In terms of the home ownership/ affordable rent split 2/3 rented (12) and 1/3 (6) shared ownership, the preference would be for 6 of the shared ownership to be 2 bedroom properties and the others affordable rent. The proposed market housing mix mostly aligns with the Hearn Report for Beeston 56% 3 bedrooms and 20% for 4+bedrooms.

Second Response:

- Accept the proposed split by the developer, which amended the division of the number of bedrooms within the shared ownership properties.

5.4 Council's Environmental Health Officer: no objections subject to the following conditions/ recommendations:

First Response:

- Contamination: reports (Coal Mining Risk Assessment and GeoEnvironmental Assessment) have identified several sources of potential contamination as a result of former use and proximity to former landfills. Do not object to principle of remediation measures but further sampling in the footprints of the existing buildings is required. A full remediation strategy will be required once all the site investigation has been completed.
- Recommend conditions in respect of providing an investigative survey in relation to contaminated land, a remediation strategy based on the outcomes of the survey, a verification plan to demonstrate works have been carried out accordingly within the remediation strategy.
- Noise: the results obtained within the report (Noise Risk Assessment & Acoustic Design Statement) were during Tier 3 coronavirus restrictions and therefore could be lower based on reduce rail and road movements. Concerns in regards to a lack of modelling, not clear which properties are unable to meet desired outdoor amenity standards, what the result levels are likely to be or how the specific properties have been selected with the respect to the proposed mitigation. None or limited information submitted in regards to rail movements and impact on properties backing onto railway and impact from vibration of rail movements.
- Noise assessment should demonstrate a hot weather scenario with windows open and the design of properties may need to be altered to account for the best practice acoustic environment.

- Noise levels reported appear high and there is insufficient detail to clarify how the conclusions of the report have been reached. Therefore, more information is required before a sound insulation scheme can be approved. It is noted that an acoustic fence has been provided for the wider development close to the railway but no such mitigation has been proposed for this development.
- Recommend conditions in respect of providing a scheme for protection from noise and vibration from railway lines and noise from the road traffic and a sound insulation scheme.
- Construction Management Plan: a construction environmental management plan should be implemented that ensures that all dust, odour and noise is managed throughout the development due to the size of development and proximity to crematorium and consideration for local residents. Recommend a condition in respect of providing a Construction and Environmental Management Plan which should be kept under regular review.
- Air Quality: it is not considered necessary to provide an air quality assessment for this development but note that a sustainability assessment has been submitted which details a number of measures that could impact air quality including a number of electric vehicle charging points and provision of a travel plan. Welcome this inclusion and request that the provisions are included within a granted permission.
- Advisories: in respect of working hours on site and prohibiting burning commercial waste.

Second Response:

- Welcome additional clarification in respect of the Remediation Method Statement by GeoRisk Management but precommencement conditions as advised should remain given the existing buildings on site have yet to be demolished.

Third Response:

- Work could start on the northern side of the site if necessary but it would be logistically very difficult to demolish and do site clearance works at the same time as remediation and other works were ongoing on the southern side of the site. If the phasing plan was relatively simple and splits the site so that there is clear demarcation of works, that could be a way forward.
- In terms of the remediation and clean cover proposed, the consultant has stated that only 300mm topsoil will be required in the front gardens whilst 600mm will be used in the rear gardens. Generally, it is considered that the same depth of cover should be used within both front and rear gardens if the intention is to break a pollutant linkage. If the frontages of the houses are mainly hardstanding and used for parking with minimal soft landscaping, a reduced capping system may be appropriate, however, this does not appear to be the case for all the houses on this development. Additional clarification is required for this prior to agreeing to the proposed depths
- In addition, the consultant may wish to review the ground gas risk assessment in light of the newly published guidance Good Practice For Risk Assessment for Coal Mine Gas Emissions (Oct 2021) to confirm their gas risk assessment.

Fourth Response:

- Further to the addendum, the following still remains outstanding: no further information has been provided in terms of which properties will not be able to achieve the external amenity level.
- A robust overheating assessment should be carried out to support the acoustic design of this development. Alternatively, a more robust ventilation system than trickle vents should be considered
- Recommendations for conditions remain the same

Fifth Response:

- The report now includes modelling results that provide further clarification of the internal and external levels predicted for the development
- 1.8m high fence is proposed for gardens facing railway but no details of specifications of fence are included in the report
- Railway is 2m above the garden level so the 1.8m high fence will offer little protection and the gardens are 10m from the centre of the railway
- Access point over the railway should be addressed in terms of boundary treatment and impact
- No additional information has been provided within the acoustic design in regards to the conflict residents choosing between thermal comfort in winter and an acceptable level of noise
- The Noise Assessment provided in the 20/00352/OUT application stated there may be difficulties achieving suitable noise levels from the road and railway line particularly for properties within the north eastern corner of the site
- A barrier of between 5-5.5m was proposed for properties closest to the railway and a 2.4m barrier on the side directly facing the road
- Enhanced glazing requirements were recommending for first floor dwellings
- No barrier or enhanced glazing has been proposed with the current noise mitigation scheme
- The mitigation measures proposed within the two noise reports submitted with this application are considered to be significantly less robust than the 20/00352/OUT application
- Concerns in relation to layout of houses having a direct line of sight of railway or road
- Recommend conditions in respect of a noise and vibration scheme and sound insulation scheme are submitted to alleviate concerns raised.

Sixth response:

- Additional information provided from previous concerns raised is considered to be addressed subject to mitigation measures being conditioned
- All other conditions in respect of contamination and construction management are still as previously advised.

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

5.6 Nottinghamshire County Council as Highways Authority:

There were two large responses from the Highways Authority on this scheme and a meeting between the applicants, Highways Authority and the Planning Authority. Ultimately the Highways Authority do not object to this development, though they initially objected due to the failure to provide a Toucan Crossing.

First Response:

- The application site features within Broxtowe Borough Council's Part 2 Local Plan as part of a wider allocation for up to 240 dwellings (Policy 3.4), and is currently being considered alongside application reference 20/00352/OUT for the remaining 190 units (site B).
- Drawing SK03 Revision B shows the existing vehicular crossing on Sidings Lane will be upgraded to a 5.5m wide carriageway with 2.0m wide footways on both sides. The arrangement is shown in context of the right turn ghost island on Coventry Lane whose road alignment on the approach to the junction has been altered from that which has already been agreed to serve site B
- It is understood the revised details are made on the assumption that the applicant's site will come forward before site B is progressed. This is not necessarily the case, and could result in a situation whereby both developers are trying to implement two separate sets of highway works at the same time. The layout should therefore be amended to reflect the agreed details
- Whilst the principle of the right turn ghost island to reach the site is acceptable, it should be pointed out the junction will be fully upgraded with signals once Policy 3.3 (500 dwellings on the east side of Coventry Lane) comes forward. When the junction has been reconfigured and the "stop lines" introduced, there is a concern that drivers waiting to exit the lights on Sidings Lane may queue across the proposed site access and prevent other right turners from completing their turning manoeuvres into the site
- The purpose of the A6002 Coventry Lane as a primary distributor road and relief route for the M1 is such that drivers progressing towards the signals may not anticipate queuing traffic backing onto the major route, particularly if the signals are "on green" to the detriment of safety. The likelihood of collisions is further exacerbated by the fact Sidings Lane will become a bus route and so the propensity for traffic to queue back onto Coventry Lane is increased
- In order to resolve this issue, it has been suggested that "Keep Clear" marking will be introduced across the site access to reduce the likelihood of it being blocked. Such markings are usually provided along busy distributor roads to maintain the free flow of traffic. On this occasion, the markings will be laid on a residential side road where their presence is likely to be ignored because their necessity will only be apparent in the AM peak, and where no enforcement is likely to be undertaken
- There is a requirement for both Policy 3.3 and 3.4 to be accessed from a single junction that serves both allocations. Upgrading the existing vehicular crossing contradicts this requirement by providing a second point of access directly from the public highway into the site which on this occasion actually creates a safety issue. It is said the proposed arrangement has been put forward because of land constraints which clearly is not the case, as provision has been made by the developer of site B to form an access into the site from their own land (drawing 2019-613-10E, Concept Plan). The safety concerns we have raised do not prevent the whole allocation from being built, but does rely on the co-operation of all parties to deliver.

- Policy 3.4 also requires the implementation of speed reduction measures along Coventry Lane. The Highway Authority in consultation with the landowner of site B has already agreed a scheme in principle to address this matter which includes alterations to the carriageway markings, and a reduction of the 50mph speed limit to 40mph. The drawing submitted by the applicant does not reflect the agreed details. There is however a fundamental difference between the two plans which relates to the provision of a Toucan crossing. This was secured on the basis that altering the carriageway markings and reducing the speed limit were not sufficient on their own merits to make it safe for pedestrians to cross the carriageway, many of whom will be vulnerable road users on their way to school. This point remains whether it be for 190 units or 60 units. The Toucan crossing does not feature in the applicant's access strategy but has instead been replaced with an uncontrolled crossing towards Sidings Lane. This is not suitable when considering the speed and volume of passing traffic, and so it is unclear as to how the policy requirement for safe pedestrian/cycling routes has actually been provided. Furthermore, it will be superseded by the signalised junction so is a waste of resources
- Would question the sustainability credentials of the site as a standalone entity which will result in public transport users having to walk c.1km to reach the nearest bus-stop. The maximum walking distance prescribed by the Chartered Institution of Highways and Transportation in their 2018 document entitled "Buses in Urban Developments" is 500m. With this in mind, it is not understood why upgrading the pedestrian refuge on Coventry Lane will help facilitate public transport patronage which adds further weight to its removal. The road layout for site B will be constructed to allow buses into the site and so it seems reasonable to progress this rather than implement abortive works
- Various other more minor points are raised specifically about the internal layout.
- There are a number of new trees whose root protection areas extend into land that will form part of the public highway. The roots have the ability to damage any future road construction and so they will need to be repositioned accordingly
- The Highway Authority is satisfied with the modelling results which shows the additional 10 dwellings does not materially change the capacity of the Coventry Lane/Sidings Lane junction
- Travel Plan: several amendments are advised in regards to the travel plan, some of which include but not exclusive to: committing to a 3-year review, annual monitoring reports, promotion of NCC's car sharing scheme, newsletters for travel changes, personalised journey planning, site noticeboards in a prominent location and taster bus tickets.

Second Response:

- With regards to layout, the turning head fronting plot 11 should ideally have a 2m wide footway wrapped around it. However, desire lines are such that this section of highway is unlikely to receive any significant use by pedestrians and so the principle of a margin is acceptable on the proviso it measures 0.75m wide on all sides of the head.
- Any cul-de sac in excess of 20 metres requires a turning head, therefore the cul-de-sac serving plots 9-22 this is unacceptable as it is in excess of 55metres to the start of the private drive. The turning facility should be appropriate for vehicles to turn i.e refuse/recycling wagon.

- The current adopted design states that the extra 0.5m is required for bin storage, the bin storage is acceptable
- Accepted that landscaping plan will be provided to address concerns in relation to root protection areas that extend onto land forming a public highway
- In regards to the site not providing a toucan crossing: As a result of this application, 60 dwellings forms the north-eastern triangle of a wider allocation in the Council's plan under Policy 3.4 "*Stapleford, (west of Coventry Lane)*" for 240 homes: The highway authority, requested that a toucan crossing be constructed on Coventry Lane near Moor Farm Inn Lane. The site to the south (20/00352/OUT), which is also part of the same housing allocation circa 190 dwellings has an outline planning permission with access arrangements determined and is subject to a S106 agreement which is not signed yet.
- Any development in this location will need a speed limit change to 40mph. It is considered safer to provide the toucan crossing for pedestrians of the Keepmoat site, based on the type and nature of Coventry Lane and the possible destinations that residents/users of the highway may wish to access. A central crossing facility on a semi-rural road where there is no frontage development and very little junctions where vehicles will slow down and make a turning manoeuvre does not encourage sustainability or appear safe for non-motorised users particularly vulnerable pedestrians
- Not providing a toucan crossing raises the following concerns: site is effectively landlocked by the railway line so all pedestrians would have to use Coventry Lane to go anywhere so a higher proportion than normal of the generated foot and cycle traffic will need to cross it, Coventry Lane was original design as a distributor for use by motorised traffic and so is wide and essentially rural and traffic speeds are a lot higher than in an urban environment, speed reducing measures proposed can reduce speed but at the north end of Coventry Lane the existing 30mph is largely ignored. All of this suggests that pedestrians will have a challenging task crossing the road unaided, particularly for children and people with disabilities
- Existing lack of development means that there are few accidents near the site to realistically inform our safety assessment, so existing accident levels are not conclusive
- Where speeds are well controlled so that a road can be said to be properly urban, it may be more acceptable for people to cross unaided, even though people who are disabled, or children, for example, may sometimes struggle to gauge the speed of oncoming traffic. This is because even if a pedestrian misjudges the situation, the speed of vehicles is such that a driver can take appropriate action, and even if the worst happens the injuries sustained may be less serious. Where speeds are in the region of 40mph or more, pedestrians need more assistance. Not only are traffic speeds more difficult to judge, but severity of injury increases dramatically
- The proposed visual narrowing using edge lines may have some limited effect but with a starting point of around 50mph on a 10m 'Wide Single' carriageway it is difficult to envisage speeds becoming in any way "urban"
- Physically narrowing road has been found to be somewhat effective but is considered to not be demonstrated sufficiently or appropriate to this scheme
- The Highway Authority cannot recommend refusal of the development including the toucan crossing as a severe residual cumulative impact on the road network but are concerned purely from a highway safety point of view regarding the possible accidents that may occur involving pedestrians and non-motorised users in the vicinity of the development. It would be desirable to have the toucan installed but

not necessary in Planning terms under the NPPF. Therefore, a central crossing refuge as indicated on drawing reference Site Access Arrangement Option 2 (Sheet1 of 3) T21029 SK03 REV C is acceptable.

- Sidings Lane Access Arrangement: Policy 3.4 of the P2LP (2019) states “*Vehicular access to the site shall only be via Coventry Lane and should be via a single junction which serves both allocations Policy 3.3 (east of Coventry Lane Bramcote) and Policy 3.4 (west of Coventry Lane Stapleford).*”
- Accept the proposed access arrangements due to the policy and physical constraints of the site and therefore willing to accept a road width of 6.75m with two number 2m wide footways on the main access along Sidings Lane. This will need to be shown on a revised plan for approval.
- Proximity of new development junction: Further to the Future signalised Access Drawing ref M028-DDS-XX-DR- C- SK15 to indicate the location of the new access to the development in relation to the future traffic signal junction, it is confirmed that its proximity to the future junction arrangement together with any queuing that may occur at peak times is acceptable to our Traffic Signals team. The usual Safety Audits will need to be undertaken as and when necessary. The Highway Authority’s Road Safety colleagues have stated that, in principle the junction arrangements and locations are satisfactory.

Third Response:

- Previous comments have now been addressed. The tracking drawings show that a refuse/recycling vehicle can now manoeuvre within the cul-de-sac where the sub-station is located. It should be noted that a maintenance margin is still required around the turning head
- The area shown as right of access is required to accommodate the road/footway layout to the future development to the south of Sidings Lane and will need to be constructed to an agreed highway standard
- The red line boundary should include all areas of highway that will require construction works or lining and can be agreed at the technical appraisal stage of the works
- Site access arrangement indicative drawing should include works required for the junction to accommodate the access arrangements to the development.

5.7 **Nottingham County Council (Viaem)**: no objection.

5.8 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA)**: no objection.

5.9 **NHS Nottingham City Clinical Commissioning Group (CCG)**: has made a health contribution request for £32,512.50 for primary health care.

5.10 **Network Rail**:

First Response:

- Concerns in relation to proximity of site to a railway level crossing and the proposed drainage scheme

- The proposed attenuation basin is too close to the railway boundary. Additionally, there is a culvert under the railway associated with the water course and it is unclear if the functionality of this would have any bearing on the drainage scheme proposed
- The proposed scheme is adjacent to Moor Farm User Worked Crossing and is a private crossing for use by the authorised user only and does not support a public right of way. Accept that residents access will be blocked by a brick wall and gate, subject to it being a suitable standard and having an appropriate locking mechanism. The crossing of construction vehicles in association with the development of the newt pond to the north which should be agreed with Network Rail in advance of works commencing.
- Advise a conditions in respect of providing a construction methodology statement, surface water drainage strategy, boundary treatments, landscaping and lighting.
- Advisories in respect of fail safe use of crane and plant operations, excavations/earthworks, security of mutual boundaries, demolition, vibro-impact machinery, abnormal loads, two metre boundaries, encroachment and access to railway.

Second Response:

- Further to additional information provided, content for a condition outlining that works on the newt pond can only take place once Network Rail has been informed.
- Remaining conditions as previously advised still stand.

5.11 **Environment Agency:** no objection subject to a condition requiring works to stop if any contamination is found and a remediation strategy being submitted to outline how this will be dealt with.

5.12 **Coal Authority:** the application site falls within the defined Development High Risk Area; therefore within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of the planning application. Permission is required from the Coal Authority Permit and Licensing Team before undertaking any remedial works that will disturb Coal Authority property. Advise conditions in respect of remedial stabilisation works to address land instability arising from shallow coal mining legacy and provide a signed statement to the LPA to confirm the site is safe and stable, completion of remedial works and any mitigation measures necessary to address the risks posed by past coal mining activity.

5.13 **Severn Trent Water:** A Section 106 sewer connection approval will be required for foul waste to connect into the public foul water sewerage.

5.14 **Nottinghamshire Wildlife Trust:**

First Response:

- Preliminary Ecological Appraisal Report: ecology report produced to a good standard; however, expect that an assessment in the final Ecological Impact Assessment (EIA) of potential impacts to increased footfall, dust, vibration, light pollution, pesticide / herbicide spray

- Concerned that the development will result in negative impacts to biodiversity and do not feel the proposal demonstrates a net gain in biodiversity
- Suggest the use of a biodiversity metric as a pragmatic way to calculate the biodiversity impact of the proposal
- Great Crested Newt (GCN) Survey: question why the road is considered a barrier to dispersal but the railway is not especially given that GCN's are nocturnal and the road will be less busy at night. Furthermore, both sides of the road have linear features/ wildlife corridors which appear to be superior to the wildlife corridors alongside the railway line
- Overall, content with GCN Mitigation Strategy; however, the ecologist has not provided any timings to the works. It is important that the receptor area is created well in advance of the trapping/ translocation, to enable the new habitat to form.

Second Response:

- Ecological Appraisal: overall, satisfied with conclusions. However, the ecologist has not provided recommendations to compensate for any losses. As per the mitigation hierarchy, if a development cannot avoid disturbance/ destruction of habitat/ species then mitigation should be provided to minimise impacts followed by compensation to offset residual impacts (loss of nesting/ foraging habitat)
- The Ecological Mitigation & Enhancements Plan does not appear to show any tree planting proposals
- A Construction Environmental Management Plan (CEMP) or Landscape Ecological Management Plan (LEMP) should be devised to ensure compliance
- Ecological Mitigation & Enhancements Plan: still concerned the development will result in a net loss of habitat. A significant amount of neutral grassland, a small area of acid grassland, as well as mature trees, scrub, and tall ruderal will be lost. In order to achieve a biodiversity net gain (BNG) new habitats of equal (or a higher) distinctiveness must be created. Retain initial recommendation that a biodiversity metric is used a pragmatic way to calculate the biodiversity impact of the proposal
- Recommend a LEMP is secured via condition
- Ponds should be secured by conditions with fencing to reduce disturbance to the aquatic habitats and the species that they may support
- Request that bird boxes are installed on site
- Satisfied with provision and type of bat boxes recommended
- Bat Survey Report: satisfied with findings of the report. Although it is anticipated that only one tree will be lost to facilitate development, precautionary measures should be implemented to ensure that felling operations do not impact any of the retained trees (and potential bat roosts)
- Mitigation recommendations have been included to compensate for the loss of a potential bat roost as a result of the tree felling, replacement habitat must be secured for each tree lost
- Great Crested Newt (GCN) Survey: acceptable justification has been provided to address previous concerns. Recommend that specific management prescriptions are included within a LEMP to ensure that the grassland is appropriately managed in perpetuity.

Third Response:

- No further comments to provide.

5.15 Nottingham Police Crime Prevention Design Advisor:

First Response:

Provisionally support the application but require further information on the below:

- developer must demonstrate they have considered and applied measures to protect the safety of residents from unauthorised access to the railway due to the proximity of the development to the lineside
- During the demolition and building work the developer should demonstrate site security has been applied
- The second pond beyond the railway could be a feature that attracts younger people without access gained from the crossing
- The railway boundary is defined by a hedgerow which is considered insufficient as a robust boundary treatment to prevent trespassing
- The horizontal metal bars on the gate installed on one side of the crossing provides easy climbing beyond this secured access, will the rights of the public access of the railway be removed should permission be approved
- There is a possibility that the access point to the railway from the crossing could be blocked by a roadside vehicle/s parked on the development
- If there are any lineside signals in the area of the development the ability of a train driver to see these could be obscured during the hours of darkness should an occupier of one of the properties abutting the lineside install a rear garden floodlight/s that emits an area of intense bright light

Second Response

- Accept the issues initially raised have been addressed by the agent
- Only remaining outstanding concern is the agricultural vehicle use of the railway crossing but it is noted Network Rail have not objected to the retained usage of the crossing by the farmer. Would support the use of a telephone to request permission to cross but accept if Network Rail deem they are not required then this is acceptable and not further comments to add.

5.16 Nottinghamshire County Council Planning Policy: Request a secondary education contribution of £242,510.00. (10 places x £24,251 per place).

Request a library contribution of £2,114.00 towards Stapleford Library.

Request a bus service contribution of £75,000.00 to improve local bus services to serve the site (this is a pro rata contribution as part of the response given to the neighbour site 20/00352/OUT relating to Policy 3.4 of the P2LP 2019).

5.17 Four neighbouring properties were consulted and one site notice was posted and Two observations and one response stating no objection and in support of the development were received and can be summarised as follows:
as follows:

- Loss of trees should be explained and how this will be compensated with a net gain
 - The proposal results in a reduction of trees which is contrary to Policy 16 of the ACS (2014)
 - Site includes areas which appear to have been subjected to the same historic mining as seen on Bramcote Moor on the other side of Coventry Lane, a condition should be put in place to ensure the sough is protected from development activity
 - The noise report states that trains pass occasionally and demonstrate incorrect timings and movements
 - Trains pass at full power and frequently sound horns
 - Being near the summit of the Trowell Branch means houses next to the line will suffer vibration and no reference is made to this
 - Would expect standard noise and vibration clause to have been shown by Network Rail
 - No reference to good access and safe route to Bramcote Woods and would expect to see a crossing on Coventry Lane.
- Stapleford Town Council: no objection but concerns in relation to flood mitigation measures due to proximity to boundary brook. Would like assurances that Severn Trent has reviewed the plans fully and understand the full implications of the maintenance regime. Any formal agreement should be in place before development commences. Stapleford TC would like to request green measures such as solar panels.

6 Assessment

- 6.1 The main issues for consideration are whether the principle of the development is acceptable, access and highways, design, layout, flooding and S106 contributions.

6.2 **Principle**

- 6.2.1 Following the adoption of the Part 2 Local Plan, land to the west of Coventry Lane was removed from the Nottingham-Derby Green Belt in order to facilitate the Council's 5-year housing land supply. The entire site would provide an additional 240 homes to the borough; however, this application is for 190 homes with the north east of the site being subject to a later application.

- 6.2.2 This is a green field site which is close to an existing urban area which adjoins the Field Farm development to the south west. Land to the east of Coventry Lane has also been allocated for 500 homes.

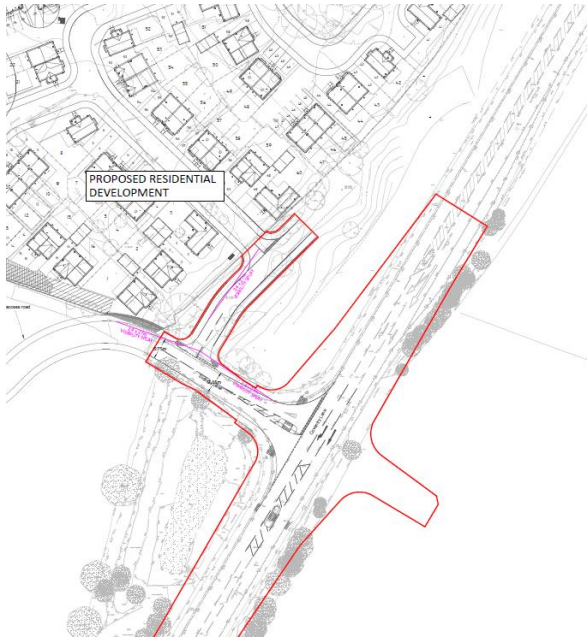
- 6.2.3 It is considered the principle of residential development on this site is acceptable given that it has been assessed as acceptable for housing through the adoption of the Part 2 Local Plan and is vital in providing the required number of homes to meet the Council's 5-year housing land supply.

6.3 **Access and Highways**

- 6.3.1 Policy 3.4 of the Part 2 Local Plan states that the scheme should provide safe pedestrian and cycling routes including crossing points on surrounding roads

linking to the redeveloped school, the development on the eastern side of Coventry Lane in Bramcote, the Field Farm development and the Erewash Valley Trail. Vehicular access should be via a single junction, design measures to reduce speeds along Coventry Lane should be incorporated and bus routes adjacent to or within the site should be enhanced.

- 6.3.2 The site will be served by one single point of access which already exists (Sidings Lane). This will also serve the larger part of the allocation under 20/00352/OUT. The plan below shows the proposed access arrangements which will include a secondary road branching off Sidings Lane to serve the northern part of the site.



Highways Access Arrangement (Sidings Lane)

- 6.3.3 The proposed amendments to the access into the site and Coventry Lane are as follows:

Sidings Lane and access

- Widening of Sidings Lane to a minimum of 6.75m in width to accommodate a sufficient single point of access for the number of dwellings on site
- Pavement either side of Sidings, extending to 3m in width approaching junction to Coventry Lane for pedestrian/cycleway
- Refuge crossing in the centre of junction on Sidings Lane for safe pedestrian crossing
- Tactile paving at refuge crossing points and on junction crossing for pedestrians
- Existing access to Hulks Farm widened to 5.5m for the first 5m

Coventry Lane

- Improvements to junction corner radii to accommodate vehicle swept paths and reduce pedestrian crossing distances
- Replacement of existing traffic island on Coventry Lane south of Sidings Lane with a pedestrian crossing refuge and dropped kerbs with tactile paving each side

- Proposed speed limit reduction from 50mph to 40mph to the south (30mph retained to the north)
- Financial contribution towards bus service extension to be provided.

- 6.3.4 The application (20/00352/OUT) which approved outline permission for up to 190 dwellings included highway design measures which included a toucan crossing. It was requested that the same highway design measures were incorporated by this scheme by the highway authority. However, it was contested by the developer that as the site is smaller, it should not be subject to providing a toucan crossing. The following was stated in the Transport Assessment *“Having regard to the demands and desire lines identified above, it is considered that there is no requirement to provide the new signal-controlled on Coventry Lane to the south of Sidings Lane for this first phase of development. Providing such a facility would not address the desire lines generated by the scheme, and would be disproportionate to the scale of the proposal in terms of the demands generated, the cost of provision and the disruption to traffic that would arise along Coventry Lane during construction.”* Furthermore, it was stated that if the 20/00352/OUT site was not developed, a toucan crossing to serve just this site would be an unreasonable request. Several discussions were undertaken by the developer, council and highway authority in order to discuss appropriate highway design measures that were compliant with Policy 3.4 of the P2LP (2019) and accepted by the highway authority. Additionally, the developer provided a legal opinion suggesting that refusing the application by not providing a toucan crossing, was unreasonable. It was ultimately concluded that the highway design measures proposed for the application were acceptable. The legal opinion provided by the developer was supported by the council’s legal officer and it was considered unjustified to refuse the application based on the application not providing a toucan crossing, especially given that the highway authority did not object. The proposed highway design measures are considered to be compliant with Policy 3.4 of the P2LP (2019).
- 6.3.5 Whilst it is acknowledged a toucan crossing will not be provided in conjunction with this development, the 20/00352/OUT application has committed to providing toucan crossing which would be sufficient to serve both sites east of Coventry Lane and the allocated site to the west of Coventry Lane under Policy 3.3 of the P2LP (2019).
- 6.3.6 Policy 3.4 refers to providing safe and pedestrian cycling routes including crossing points on surrounding roads linking to the redeveloped school, the development on the eastern side of Coventry Lane in Bramcote, the Field Farm development and the Erewash Valley Trail. The Transport Assessment states the following: *“...the nearest bus stops and the majority of amenities within the desirable walking distances lie to the north and east of the site. In this respect, the pedestrian and cycling strategy includes a dropped kerb pedestrian crossing points with tactile paving and a pedestrian refuge at the mouth of the Coventry Lane/Sidings Lane junction. This will provide connectivity from the site to the existing shared footway along the western side of Coventry Lane. In addition, offsite improvements include upgrading the existing traffic island immediately south of Sidings Lane to become a pedestrian refuge island.”* It is considered this is sufficient in meeting this part of the policy.

- 6.3.7 Policy 3.4 refers to enhancing bus routes adjacent to or within the site. The developer has agreed to pay the £75,000.00 requested by the highway authority in order to provide improvements to local bus services to serve the site.
- 6.3.8 The Highway Authority raised specific concerns in relation to the cul-de-sac by the substation not being sufficient for a refuse vehicle to manoeuvre which has now been amended on the plans. The remaining comments raised within the third response from the Highway Authority can be resolved as part of Section 278 works following permission being granted.
- 6.3.9 To conclude, it is considered the proposed amendments to the site access and Coventry Lane are acceptable to facilitate the site's development for residential dwellings. Furthermore, the Highway Authority support the application subject to conditions.
- 6.3.10 With regard to the internal layout there is a main distributor road which splits in two and serves both the north east and south west of the site. Both sides of the distributor road are served by some private drives and are, in part, framed by areas of open space and some of the SUDS features. Several comments were raised by the Highways Authority with regard to the specific layout and geometry of the roads, visibility splays, adoption criteria, bins store location and swept path analysis. The applicant has addressed these issues and the highways authority, subject to conditions, has raised no objection to the layout proposed. All private drives will be managed by a separate management company, in a similar vein to the open space, and both ourselves and the Highway Authority are happy with this arrangement.

6.4 Flood Risk and Drainage

- 6.4.1 The site is located within Flood Zone 1 which is land with a low probability (between 1 in 1000) of river flooding. A Flood Risk Assessment (FRA) has been submitted with the application and the Environment Agency (EA) was consulted on the application. The EA raised no objection to the application subject to works stopping and a remediation strategy being submitted should contamination be found during works being undertaken. The Lead Local Flood Agency has also raised no objection to the application and were also consulted by the developer prior to the application being submitted. Severn Trent Water were consulted by the developer and once the application was submitted and have not raised any objection.
- 6.4.2 Paragraph 159 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere.
- 6.4.3 Boundary Brook is an ordinary watercourse and tributary of the River Erewash flowing in a westerly direction which is located 1200m south-west of the site. It has been identified that the site is at low risk of fluvial flooding.
- 6.4.4 Whilst there are some areas that may be prone to flooding which are shown on the map below, the majority of the site has been identified as being at 'very low risk' of surface water flooding. As there is a mix between some risk of flooding and low risk, the site has been identified overall as having a medium risk before being

developed. However, following the implementation of a SuDS scheme, this risk has been reduced from medium to low once the site has been developed.

- 6.4.5 The risk of groundwater flooding post development has been identified as being low due to finished ground floor levels being set 300mm above existing ground levels.



- 6.4.6 From reviewing the FRA, it is considered that flood risk issues have been satisfactorily addressed. A number of mitigation measures are recommended within the FRA which include floor levels being set no lower than 300mm above existing ground levels, a new foul sewer connection to connect to the existing foul sewer on Sharnford Way and existing pond to be retained and a new flood attenuation pond to be created.
- 6.4.7 Severn Trent Water (STW) have been consulted via the developer and during the process of the application and have not raised any concerns regarding any potential for flooding or drainage capacity issues. A letter from STW commenting on the development has been provided with the FRA. Approval from STW will be required to connect to public sewers. STW have advised that a gravity foul water sewer could be accommodated to connect to the Sharnford Way sewer but they would need to be advised on the details of a pumped connection. These details will be dealt with under a separate agreement with STW.
- 6.4.8 It is considered that flood risk and drainage matters have been adequately addressed and that the inclusion of conditions to ensure the works are carried out in accordance with the Flood Risk Assessment and Drainage Strategy. Furthermore, the Environment Agency, Lead Local Flood Agency and Severn Trent Water have not objected to the application.

6.5 Ecology

- 6.5.1 The site within the red line plan does not directly adjoin any Local Nature Reserves (LNR). However, in regards to the wider allocation, a Local Nature Reserve (LNR) adjoins the site to the east (Stapleford Hill Woodland). Beyond this, to the south east of Stapleford Hill is Bramcote Hills Park Woodland LNR and to the west of Field Farm, Pit Lane Recreation Ground LNR. Together, these three LNRs form part of a secondary Green Infrastructure corridor extending from Erewash to Wollaton Hall. Nottingham Canal LNR is located northwest of the site boundary but is not hydrologically linked to the proposed development. The Preliminary Ecological Appraisal (PEA) stated that based on the scale of the development, the site is considered to be a sufficient distant for there to be no direct or indirect impacts on these sites.
- 6.5.2 Policy 28 (Green Infrastructure Assets) and Policy 31 (Biodiversity Assets) of the P2LP seek to ensure no significant harm is caused to environmental assets, including protected habitats and species. Both policies share their main evidence base as the Council's Green Infrastructure Strategy. If significant harm is identified, then the P2LP policies require the benefits of the development, such as housing delivery, to clearly outweigh the harm.
- 6.5.3 The PEA establishes the land mainly consisting of species poor semi-improved grassland of low nature conservation value, with a number of mature trees scattered throughout.
- 6.5.4 The PEA states that the majority of the trees surrounding the existing pond will be retained to support nesting birds and provide foraging habitat for bats. However, a landscaping scheme by way of a condition will be included in the recommendation for approval which would be subject to further scrutiny over trees proposed for removal and that appropriate species to this area are planted.
- 6.5.5 The Nottinghamshire Wildlife Trust (NWT) were consulted as part of the application and ongoing discussions took place between themselves and the developer with additional information being submitted to alleviate concerns. The NWT have not objected to the scheme and conclude that they are relatively satisfied with the information provided. However, there are a number of points that they still consider a concern which are as follows: a barn owl box should be included, the ecologist has not provided any recommendations to compensate for ecological losses, no tree planting proposals are shown, a Construction Environmental Management Plan (CEMP) or Ecological Management Plan (LEMP) should be included to ensure compliance, concerned that the development will still result in a net loss of habitat (biodiversity net gain measure should be used), ponds should be secured with fencing so they are not disturbed, bird boxes are installed, precautionary measures should be implemented to ensure that felling operations do not impact on retained trees and replacement habitats for bat roosts for any tree felled.
- 6.5.6 Of the above, the developer has provided the following response: a barn owl box will be included, all development results in a degree of disturbance/ and or destruction of habitat and mitigation should be applied proportionately only, tree planting is shown on the Planting Plan but non-native trees will also be planted as part of the landscaping scheme which will benefit nesting and foraging, agree to a

CEMP and/or LEMP, fencing is not practical for either ponds (the pond beyond the railway line would not have public access and the existing pond on site is surrounded by trees which would make it difficult to manage), bird boxes to be provided, replacement native species trees form part of the landscaping proposal.

6.5.7 The red line plan is split into two parts. The red line plan encompassing land to the north of the railway track is proposed solely to accommodate Great Crested Newt mitigation and no built development will be included on this part of the site. The pond will not be connected to drainage infrastructure. All attenuation for the proposed development will be managed within the red line plan to the south of the railway line.

6.5.8 It is considered the Ecological Appraisal satisfactorily assesses the impact the development could have on the site and surrounding area with suitable mitigation measures. NWT have concluded that the Preliminary Ecological Appraisal has been carried out to a good standard and that the ecological data is within date. The NWT has not objected to the application and it considered that their outstanding concerns have been addressed.

6.5.9 Policy 3.4 refers to providing enhanced Green Infrastructure corridors linking urban areas of Nottingham to the east with Bramcote and Stapleford Hills, Bramcote Park, Boundary Brook, Pit Lane Wildlife Site, Nottingham Canal and Erewash Valley Trail in the west. The site will link to existing and proposed pedestrian and cycle routes within the wider allocation, thus connecting to the wider area including Bramcote and Stapleford Hills, Bramcote Park and wider afield to Boundary Brook, Pit Lane Wildlife Site and Nottingham Canal and Erewash Valley Trail. This scheme is therefore considered policy compliant in this regard.

6.5.10 To conclude, it is acknowledged that the NWT has retained their comments in respect of the development resulting in a net loss of habitat and that a biodiversity net gain measure should be used to assess this. In relation to biodiversity net gain, Policy 31 states this should be sought but not that development will be refused if it is not achieved. Some of the mitigation measures that have been provided are as follows: protection of great crested newts, replacement bat roosts, biodiversity enhancements (e.g. sensitive lighting scheme, utilisations of tree and shrub species and hedgehog highways), retaining existing pond on site and creation of additional pond, tree mounted bat boxes, bird/bat boxes and native species shrub planting. In addition to this conditions will be advised as part of the recommendation which include a landscaping scheme, a Construction Environment Management Plan (CEMP). It is considered the scheme provides suitable mitigation for the site and refusing the scheme on not providing a net gain would be unjustified.

6.6 Amenity

6.6.1 The site is largely isolated from surrounding existing development and therefore it is considered there will not be an adverse impact on surrounding neighbours' amenity. The site will adjoin the 20/00352/OUT development to the south west. Whilst the site to the south west was in outline only, it is still considered an acceptable relationship between the split of the site can be achieved.

- 6.6.2 As part of Policy 3.4 of the Part 2 Local Plan, it states that a buffer should be incorporated between the crematorium and Stapleford Hill to ensure the tranquil setting of the crematorium and that houses close to Stapleford Hill are not shaded for extended periods of time. As the allocated site has been split into two, this element relates to the top north eastern corner and is a significant distance from the crematorium. The 20/00352/OUT application and subsequent reserved matters application has and will address this part of the policy.
- 6.6.3 It is considered all the proposed house types provide an acceptable level of amenity, with adequate sized rooms, primary rooms having outward facing windows, access to rear amenity gardens and side facing windows will be conditioned (where required) to be obscurely glazed.
- 6.6.4 Environmental Health were consulted as part of the application and conditions were initially advised in relation to noise mitigation. However, further information has been provided in relation to the concerns raised and Environmental Health have removed their pre-commencement condition in respect of noise mitigation and have requested that the development is carried out in accordance with the additional information. The additional information includes a revised Noise Assessment Report and a Thermal Comfort Report.
- 6.6.5 To conclude, it is considered that the properties on site provide an acceptable amount of amenity provision for future occupiers, and the scheme would not adversely affect the amenity of other uses nearby.

6.7 Layout and Design

- 6.7.1 The site is relatively isolated from any existing residential development and as the 20/00352/OUT application has been approved in outline only, there is no requirement to replicate nearby design styles. However, the proposed properties are considered to reflect a part traditional/contemporary approach with varying styles and designs with a varying pallet of materials (e.g. render and bricks) and are not dissimilar to development in the wider area. There will be a mixture of two to three storey dwellings, detached, semi-detached and terrace properties. The proposed corner plots are considered to address the street scene appropriately with dual facing elevations. Below shows an example of three street scene elevations to show the varying types of houses, materials and levels.



STREET SCENE A-A @ 1:200



STREET SCENE B-B @ 1:200



STREET SCENE C-C @ 1:200

6.7.2 The layout of the scheme is considered to be acceptable and functional. At the entrance of the site, there are two dwellings with dual aspects to address the street scene and act as a gateway feature, the properties varying in height, design and materials gives variation to the scheme and provides memorable focal points when navigating through the estate and there is an opportunity for soft landscaping to the front of properties and existing.

6.7.3 Public spaces will be identified by boundaries, materials and built form but will also be naturally overlooked by residents which will ensure natural surveillance. The existing pond and majority of the trees surrounding it will be retained but further details of boundary treatments and landscaping will be secured by condition.

6.7.4 To conclude, it is considered the layout is acceptable and appropriate for the site.

6.8 Financial Contributions

6.8.1 A residential development of this scale generates the need for financial contributions towards affordable housing, education, open space and integrated transport measures.

6.8.2 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010, planning obligations can only be used if they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

6.8.3 Policy 15 of the Part 2 Local Plan requires 30% affordable housing on the newly allocated sites in Stapleford. The Council's Housing Strategy and Development Officer has requested that 12 houses are rented and six are shared ownership with a preference of six of the shared ownership properties being two bed roomed properties and the others being affordable rent. The developer has accepted the 12 affordable rented and 6 shared ownership properties but has requested that the affordable rented properties consist of one, two and three bedroom properties and the shared ownership properties are a combination of two and three bedroom properties. This is on the basis of liaising with a registered provider. The Housing Strategy and Development Officer has agreed that this split is acceptable.

6.8.4 A total open space maintenance contribution of £90,127.80 as a commuted sum (£850.64 for provisions and £651.49 for maintenance per dwelling) would usually be required. However, as all open space on site is to be managed by way of a private management company, no open space contribution is required. The setup and running of the private management company will be dealt with through the s.106 Agreement as this affords the Council more security and detail for the management of the public open space on the site.

6.8.5 A contribution towards secondary education provision of £242,510.00 (10 places x £24,251.00 per place) has been requested by Nottinghamshire County Council's policy team and agreed by the agent.

6.8.6 NHS Nottingham City Clinical Commissioning Group (CCG) has made a health contribution request for £32,512.50 for primary health care which has been agreed to be paid by the agent.

- 6.8.7 A transport contribution of £75,000.00 to provide improvements to local bus services to serve the site has been requested by Nottinghamshire County Council as Highway Authority and has been agreed to be paid by the agent.
- 6.8.8 A request for £2,114.00 towards Stapleford Library has been made by the Nottinghamshire County Council policy team. The agent has agreed to paid this.
- 6.8.9 In conclusion on S106 matters, the proposed obligations are considered to meet the tests set out in the NPPF in terms of being necessary, directly related and fairly and reasonably related in scale and kind to the development.
- 6.8.10 The S106 heads of terms have been agreed and the S106 document is currently being drawn up and finalised with the Council's legal department.

6.9 Other Issues

- 6.9.1 For the reasons outlined within the report it is not considered this development is contrary to Policy 16 of the ACS.
- 6.9.2 The Coal Authority has been consulted on the application as the site falls within the defined Development High Risk area. The Council's Environmental Health Officer has verified the Coal Mining Risk Assessment report and GeoEnvironmental Assessment report and confirmed they have been carried out in accordance with current guidance but that a full remediation strategy will be required to be submitted once the site investigation has been completed. Conditions will be included with the recommendation in accordance with this advice. A permit will also be required from the Coal Authority. It is considered this is sufficient in addressing concerns in relation to coal mining.
- 6.9.3 The Sustainability Statement states the proposed dwellings will be designed in accordance with the principles of the energy hierarchy to include measures to reduce the primary energy use and carbon emissions which will achieve compliance with the Building Regulations.
- 6.9.4 The comments raised by the Highway Authority in respect of the Travel Plan will be addressed by a preoccupation condition to ensure further information is submitted.

7 Planning Balance

The benefits of the proposal are that it would provide 60 dwellings including affordable dwellings, short term jobs created from the construction of the development and financial contributions. Whilst there are still some reservations over some elements of the ecological aspects of the development and additional information is required for noise mitigation, both of these issues can be suitably addressed via condition. Furthermore, neither of these issues are elements, that the scheme could be justifiably refused on, and are significantly outweighed by the benefits. On balance, the positives of the scheme are considered to significantly outweigh the negatives, and as such this scheme is recommended for approval.

8 Conclusion

- 8.1 To conclude, it is considered the proposed outline scheme has included enough preliminary information to determine that this allocated site is acceptable for housing and therefore is recommended for approval.

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 106 of the Town & Country Planning Act 1990

(ii) the following conditions:

1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with drawings:</p> <p>Received by the Local Planning Authority on 23 June 2021:</p> <ul style="list-style-type: none"> • Arboricultural Assessment by FCPR Rev D <p>Received by the Local Planning Authority on 23 July 2021:</p> <ul style="list-style-type: none"> • M028-STN-BUR_DET_AS_PLUS-DR-A-01 Rev A (Burton) • M028-STN-BUR_DET_AS_REN-DR-A-01 Rev A (Burton Render) • M028-STN-DOR_END_AS_REN-DR-A-01 Rev A (Dorchester Render) • M028-STN-HAL_END_AS_PLUS-DR-A-05 Rev A (Halstead) • M028-STN-HAL_END_AS_PLUS-DR-A-04 Rev A (Halstead) • M028-STN-HAL_END_AS_PLUS-DR-A-03 Rev A (Halstead) • M028-STN-HAL_END_AS_PLUS-DR-A-02 Rev A (Halstead) • M028-STN-HAL_END_AS_PLUS-DR-A-01 Rev A (Halstead) • M028-STN-KEL_DET_AS_STD-DR-A-01 Rev A (Kelham) • M028-STN-KEN_END_AS_STD-DR-A-01 Rev A (Kendal) • M028-STN-KEN-HAL_END_AS_PLUS-DR-A-01 Rev A (Kendal - Halstead) • M028-STN-KEN-HAL_END_AS_PLUS-DR-A-02 Rev A (Kendal - Halstead) • M028-STN-LEW_END_AS_PLUS-DR-A-01 Rev A (Lewes)

- M028-STN-LEW_END_AS_PLUS-DR-A-02 Rev A (Lewes)
- M028-STN-RIC_END_AS_PLUS-DR-A-02 Rev A (Richmond)
- M028-STN-SOM_DET_AS_PLUS-DR-A-01 Rev A (Somerhill)
- M028-STN-SOM_DET_AS_REN-DR-A-01 Rev A (Somerhill Render)
- M028-STN-STRA_END_AS_STD-DR-A-01 Rev A (Stratton)
- M028-STN-STRA_END_AS_STD-DR-A-02 Rev A (Stratton)
- M028-STN-TIV_DET_AS_STD-DR-A-01 Rev A (Tiverton)
- M028-STN-WAR_DET_AS_PLUS-DR-A-01 Rev A (Warwick)
- M028-STN-WIN_DET_AS_PLUS-DR-A-01 Rev A (Windsor)
- M028-STN-WIN_DET_AS_REN-DR-A-01 Rev A (Windsor Render)
- M028-STN-WIN-DAN_DET_AS_REN-DR-A-01 Rev A (Windsor & Danbury Render)

Received by the Local Planning Authority on 27 July 2021:

- M028-STE-XX-DR-M2-A-G_01 Rev A (Twin Garage)
- M028-STE-XX-DR-M2-A-G_02 Rev A (Single Garage)

Received by the Local Planning Authority on 18 October 2021:

- 101 Ref F (Drainage Layout)
- 7 Rev A (Rail Track Influence Sections)
- 2 Rev F (Drainage and Levels Appraisal)

Received by the Local Planning Authority on 22 October 2021:

- M028-STN-XX-DR-M2-A-02 Rev A (Site Location Plan)
- M028-STN-XX-DR-M2-A-05 Rev A (Cross Sections)
- M028-STN-XX-DR-M2-A-06 Rev E (Boundary Treatment Plan)
- M028-STN-XX-DR-M2-A-07 Rev B (Access Track Detail)

Received by the Local Planning Authority on 29 October 2021:

- M028-STN-RIC_END_AS_PLUS-DR-A-01 Rev B (Richmond)

Received by the Local Planning Authority on 9 November 2021:

- M028-STN-XX-DR-M2-A-04 Rev D (Street Scenes)

Received by the Local Planning Authority on 16 November 2021:

- S278 105 Rev A (Site Access Proposed Sections)
- S278 104 (Site Access, Proposed Contour Layout)
- S278 103 (Kerbing and Surface Finishes Layout)

Received by the Local Planning Authority on 24 November 2021:

- 9864-E-09 Rev C (Ecological Mitigation & Enhancements)

	<p>Received by the Local Planning Authority on 9 December 2021:</p> <ul style="list-style-type: none"> • SK05 Rev D (Site Access Arrangement) • SK04 Rev D (Site Access Arrangement) • SK03 Rev D (Site Access Arrangement) <p>Received by the Local Planning Authority on 10 December 2021:</p> <ul style="list-style-type: none"> • M028-STN-XX-DR-M2-A-01 Rev U (Planning Layout) • S278 100 Rev D (Site Access Layout) • 15 (Pumping Station Tanker Tracking Layout) • 13 Rev B (Refuse Tracking Layout) <p>Received by the Local Planning Authority on 12 January 2022:</p> <ul style="list-style-type: none"> • M028-STN-XX-DR-M2-A-03 Rev F (Materials Plan) • M028-STN-TIV_DET_AS_REN-DR-A-01 (Tiverton, Render) <p>Received by the Local Planning Authority on 17 January 2022:</p> <ul style="list-style-type: none"> • M028-STN-XX-DR-M2-A-01 Rev U (Planning Layout) <p>Received by the Local Planning Authority on 17 January 2022:</p> <ul style="list-style-type: none"> • Thermal Comfort Model by Melin, ref: 303733 Rev B dated 1.2.22 • Noise Risk Assessment & Acoustic Design Statement by Noise.co.uk, ref: 21284A-1 dated 2.2.22 <p>Reason: <i>For the avoidance of doubt.</i></p>
3.	<p>No development 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 (h) agreed construction hours (i) communication strategy for recording, investigation and dealing with complaints with a suitable point of contact

	<p><i>Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
4.	<p>No development shall commence until remedial stabilisation works to address land instability arising from shallow coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance</p> <p>Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigatory measures necessary to address the risks posed by past coal mining activity.</p> <p><i>Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
5.	<p>No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:</p> <ul style="list-style-type: none"> a) pipes over 200mm in diameter capped off at night to prevent animals entering b) netting and cutting tools not to be left in the works area where they might entangle or injure animals c) No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal d) construction lighting proposals <p>The development shall be constructed in accordance with the agreed CEMP.</p> <p><i>Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i></p>

6.	<p>No development shall commence until evidence has been provided to demonstrate that an application to reduce the speed limit along Coventry Lane to 40mph has been made.</p> <p><i>Reason: 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 and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
7.	<p>No development shall commence until the following has been submitted to and approved in writing by the Local Planning Authority:</p> <p>(i) further information regarding the investigative survey of the site has been carried out and an updated report is submitted to and approved in writing by the Local Planning Authority. The survey must be carried out in line with current guidance and 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.</p> <p>(ii) a detailed Remediation Strategy, based on (i) providing full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the site investigation) shall be provided to and agreed in writing by the Local Planning Authority.</p> <p>(iii) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in (ii) are complete shall be provided to and agreed in writing by the Local Planning Authority.</p> <p>The development shall be constructed in accordance with these details. Any changes to the agreed will require written consent of the Local Planning Authority.</p> <p><i>Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
8.	<p>Development shall not commence until a Construction Methodology Statement has been submitted to and approved in writing by the Local Planning Authority. The construction methodology statement shall evidence consultation with Network Rail. The development shall be carried out in strict accordance with the approved construction methodology statement unless otherwise agreed in writing by the Local Planning Authority.</p>

	<p><i>Reason: To safeguard the operations of the railway and in accordance with the aims of the NPPF.</i></p>
9.	<p>No above ground works shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.</p> <p>(a) numbers, types, sizes and positions of proposed trees and shrubs; (b) planting, seeding/turfing of other soft landscape areas; (c) lighting details; (d) a timetable for implementation of the scheme</p> <p>The approved schemes shall be carried out strictly in accordance with the approved details.</p> <p><i>Reason: Insufficient 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 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></p>
10.	<p>Development shall not commence until details of a suitable trespass proof fence adjacent to Network Rail's boundary have been submitted to and agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To safeguard the operations of the railway and in accordance with the aims of the NPPF.</i></p>
11.	<p>No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <p>a) All necessary remedial measures stated within condition 8 have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>b) A verification report based on the information provided in accordance with condition 8 has been submitted and agreed in writing by the Local Planning Authority that demonstrates 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.</p> <p><i>Reason: In the interest of public health and safety.</i></p>

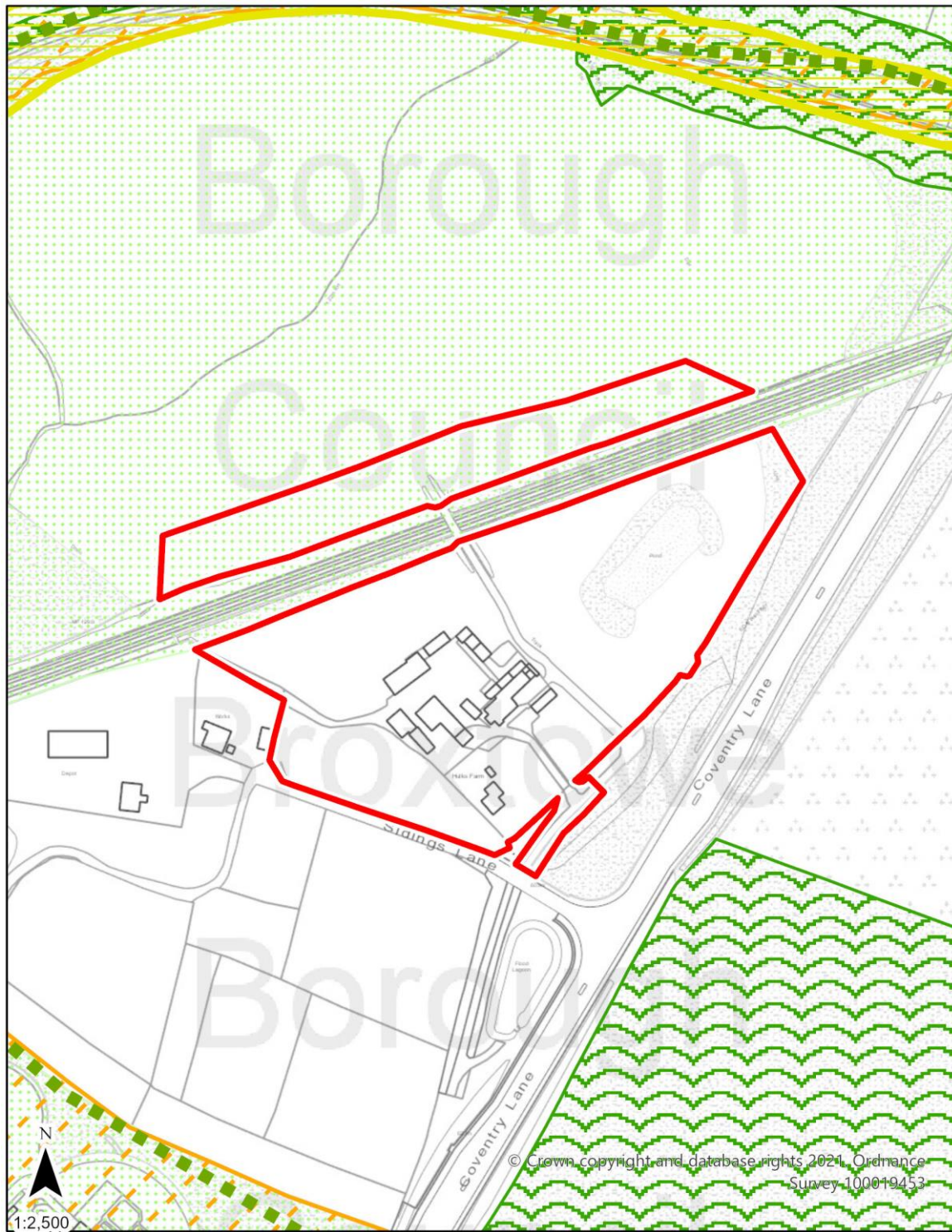
12.	<p>No dwelling shall be occupied until details of the site boundary treatments and curtilage boundary treatments, have been submitted to and approved in writing by the Local Planning Authority: no dwelling shall be occupied until its own boundary treatment has been erected in accordance with the agreed details.</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>
13.	<p>Prior to the occupation of the first dwelling hereby approved, details of any external lighting should be submitted to and approved in writing by the Local Planning Authority. The development should be built in accordance with the approved details.</p> <p><i>Reason: To safeguard the operations of the railway and in accordance with the aims 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>Notwithstanding the submitted information contained with the Residential Travel Plan by Keepmoat Homes ref: T21029/RTP/01 Rev A, prior to the occupation of the first dwelling hereby approved, a revised travel plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full.</p> <p><i>Reason: In the interests of highway safety, and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>
15.	<p>No buildings pursuant to this permission shall be first occupied until:</p> <ul style="list-style-type: none"> the off-site highway works as shown for indicative purposes on drawing S278 100 Rev D, SK03 Rev D, SK04 Rev D and SK05 Rev D have been provided; and respective driveways are 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><i>Reason: In the interests of highway safety, and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).</i></p>

16.	<p>The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment & Drainage Strategy dated May 2021.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
17.	<p>If no development has commenced within 12 months of the date of this planning permission, no development shall take place until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with any recommendations contained within the updated survey.</p> <p><i>Reason: To minimise the impact of the development on protected species within the site and in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the draft Part 2 Local Plan.</i></p>
18.	<p>Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. For areas where penetrative foundations are permitted, a methodology for reducing noise and vibration impact on neighbouring buildings and residents shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the piling activity. The activity shall be carried out in accordance with the approved details.</p> <p><i>Reason: To protect groundwater from contamination and nearby buildings and residents from noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
19.	<p>No infiltration of surface water drainage into the ground via SUDS or soakaway on land affected by contamination is permitted without the consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.</p> <p><i>Reason: To protect groundwater from contamination 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.	Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
4.	Burning of commercial waste is a prosecutable offence. All waste should be removed by an appropriately licensed carrier.
5.	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@nottsc.gov.uk
6.	The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151 of the Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land.
7.	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.
8.	Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
9.	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. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the buildings.

10.	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
11.	All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.
12.	Excavated materials that are recovered via a treatment operation can be re-used on-site under the Development Industry Code of Practice. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. You should refer to the Environment Agency's Position statement on the Definition of Waste: Development Industry Code of Practice and https://www.gov.uk/government/organisations/environmentagency
13.	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.
14.	Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property
15.	Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes: <ul style="list-style-type: none"> • Duty of Care Regulations 1991 • Hazardous Waste (England and Wales) Regulations 2005 • Environmental Permitting (England and Wales) Regulations 2010 <p>The Waste (England and Wales) Regulations 2011</p>

Map



Legend

- Site Outline
- Green Infrastructure Corridor
- Local Nature Reserves
- Local Wildlife Site
- Open Spaces
- Green Belt

Photos



View towards north west of site



Existing access drive into site



Existing farm and residential buildings



View towards north east of site

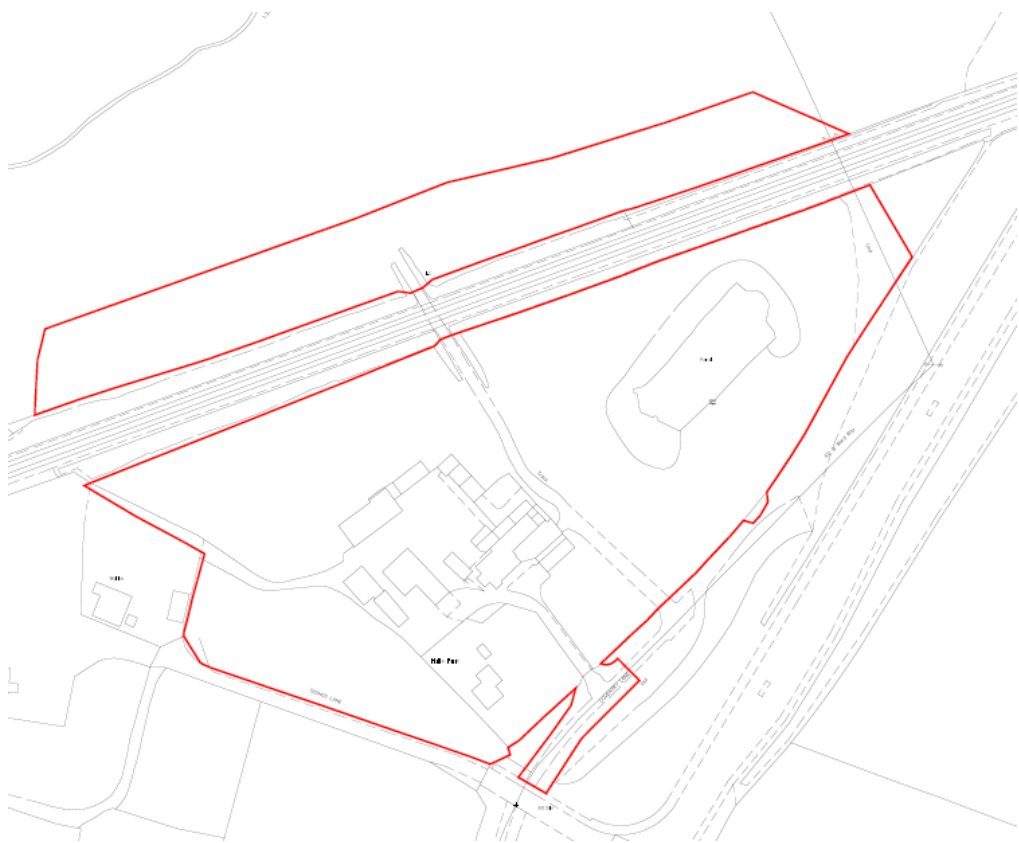


Existing gate to railway line



Existing pond with surrounding trees

Plans (not to scale)



Site Location Plan



Layout plan

Plans (not to scale)



Burton House Type



Kelham House Type

Plans (not to scale)



Lewes House Type

Plans (not to scale)



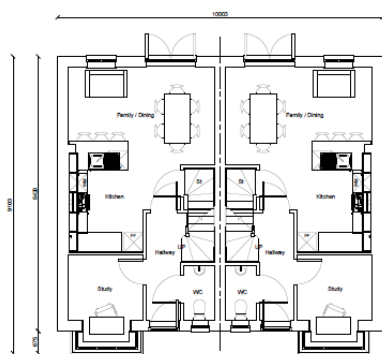
FRONT ELEVATION

SIDE ELEVATION

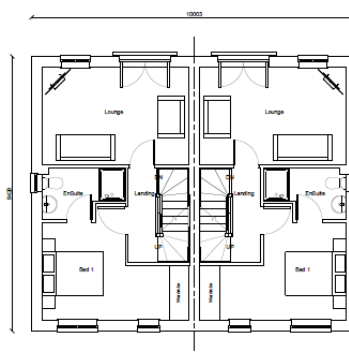


REAR ELEVATION

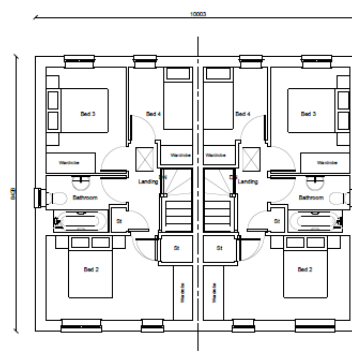
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Richmond House Type

Report of the Chief Executive

APPLICATION NUMBER:	22/00044/REG3
LOCATION:	Inham Nook Hotel Inham Road Chilwell Nottinghamshire NG9 4HX
PROPOSAL:	Demolition of Existing Public House

The application is brought to the Committee as the site is owned by the Council.

1 Executive Summary

- 1.1 The application seeks planning permission for the demolition of the vacant public house and associated garage.
- 1.2 The public house is vacant and has been a failing business for a number of years prior to its closure.
- 1.3 The main issues relate to the loss of a community facility (public house), the visual impact of the site once cleared following demolition, potential impact on biodiversity and impact on neighbour amenity from noise and disturbance.
- 1.4 The benefits of the proposal (demolition) are that the building is vacant and there is little chance of a pub becoming a viable business given the recent history; the demolition of the pub will ensure that the site will not fall into a state of disrepair and will be left in a tidy state ready for redevelopment for the benefit of the community; impact on biodiversity and neighbour amenity would be safeguarded through imposition of conditions. There would be a loss of a community facility but as the use as a pub has not been proven to be a viable option, and that there are alternative community facilities both directly adjacent to the site and other alternatives within easy access via walking and public transport in the wider area, it is considered that the loss of the community facility 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.

Appendix 1

1 Details of the Application

- 1.1 The proposal seeks to demolish the existing public house, which is now vacant. A small garage to the west of the site, associated with the pub, is also proposed to be demolished.

2 Site and surroundings

- 2.1 The building is a former public house, now closed and vacant. The building is detached and two storey and sits in a slightly elevated position from the road. There is a car park to the east, accessed from Great Hoggett Drive.
- 2.2 Inham Road is to the south and on this south side there are dwellings and a care home. To the west is Inham Nook Community Centre and Library and an amenity area and to the north / north west is an access from Barn Croft which leads to council owned garage blocks. To the north east of the site and east of the garage blocks are two storey dwellings which are side on to the site.

3 Relevant Planning History

- 3.1 Aside from an application notifying the council of intention to demolish the public house and council garaging to the north (reference 21/01038/DEM), which was withdrawn due to the requirement of the demolition of any public house now needing full planning permission, there is no relevant planning history for the site post 1997.

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 17: Biodiversity

4.2 **Part 2 Local Plan 2019:**

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

- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 31: Biodiversity Assets

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 8 – Promoting healthy and safe communities.

- Section 12 – Achieving well-designed places.

5 Consultations

- 5.1 **Council's Environmental Health Officer:** No objections subject to note to applicant regarding no burning of waste on site.
- 5.2 **County Council as Highway Authority:** No objections subject to note to applicant regarding no deposit of mud or debris on the public highway.
- 5.3 **Notts Wildlife Trust:** Two nocturnal activity surveys must be carried out prior to the determination of the application and should be undertaken during bat activity period between May to August, with one survey as a minimum taking place in June / July. Vegetation / site clearance works should be undertaken between March and September, to protect breeding birds. Whilst agree that the site is unlikely to support badgers, due to the proximity to arable fields and woodland, recommend a condition requiring all excavations be covered overnight or alternatively have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipework greater than 150mm should be capped off at the end of the day, and chemicals should be stored securely. Recommends that due care should be taken during site clearance to avoid harm to hedgehogs. All trees should be retained and protected during the demolition / construction works. The future development must demonstrate a minimum of 10% biodiversity net gain (BNG) to be delivered in perpetuity, and supports the recommendation for integrated swift boxes to be installed on any proposed buildings, as well as bat roosting provisions. A revised Ecology Survey has been submitted which should address the concerns regarding bat surveys and Notts Wildlife have been re-consulted and the second response notes that whilst the two night-time surveys have been undertaken, they were both dusk time surveys (one should be at dawn) and both taken toward the end of the season. NWT support the recommendation of a precautionary working method being carried out involving construction workers stripping the roof by hand prior to demolition but recommend that the roof strip be supervised by a bat ecologist and that it should be carried out between the months of October and May to avoid the maternity season and main bat activity period.
- 5.4 25 properties either adjoining or opposite the site were consulted, a site notice was displayed and a press notice published, with an overall expiry date of 25.02.22. Two responses were received, one of observations / no objections and one objection:

Observations:

- Would like the security fencing to remain as is

Objections:

- Building forms important part of local community
- No other public houses in the area, nearest is 1 mile away

6 Assessment

- 6.1 The main issues for consideration are the loss of a community facility (public house), visual impact following demolition, impact on biodiversity and impact on neighbour amenity (noise and disturbance).

6.2 **Principle**

- 6.2.1 Section 8 of the NPPF (Promoting healthy and safe communities) states that, in order to provide the social, recreational and cultural facilities and services the community needs, planning decisions should (paragraph 93 c)) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

- 6.2.2 Whilst it is acknowledged that the public house is the only one serving the estate (prior to its closure), it has not been run as a successful or thriving business for a while prior to its closure, and the former owners had struggled to find long term tenants to run the pub. The pub did not have a restaurant facility. The former owners, Trust Inns, have supplied a supporting document regarding the viability of the pub, with extracts as follows:

Ostensibly the site has every necessary facility including car park, outside seating and secure garden area for families.

However, from 2012 to late 2021 we had 8 TAW occupants (i.e. an operator who would only take the site on a day to day basis) and 6 one year agreements (of which only 2 completed the term) we also had 2 periods of closure totally 21 months when we could find no one to run the premises.

The last tenant from 26/3/20 to 4/7/21 failed to trade with us or pay rent during the period however we were unable to recover the site due to covid restrictions on possession action.

The full rent asked never increased from 2012 above £8,000 pa (including the flat) and was discounted regularly to incentivise tenants to take on the site.

The average volume for the site was only 100 composite barrels' pa. which suggests trade was less than £1,500 pw including vat.

It is evident from the number of occupants, failures and periods of closure that despite the pub being in reasonable condition and having all the requisite facilities it was unviable due to the poor level of trade available from the estate and due to other issues such as drug and alcohol abuse and violence which were endemic in certain sectors of the catchment and were of necessity excluded from the premises.

We rarely give up on a site and run over 350 pubs effectively – however despite investing in the site it became evident that we would never find a substantive tenant for the pub who could control the clientele and build a profitable business.

It's also worth noting that recent utility increases which are not controlled by a cap for commercial use have led to a trebling of costs – an average sized pub would

historically use circa £15k pa however this would now be in the region of £45k and will make many more pubs unviable but would certainly not have been sustainable from a site taking £1,500 pw like the Inham.

I've been the Operations Director for Trust Inns since 2006 and the pub has always been difficult to trade and find suitable operators clearly evidenced by the failure of anyone to become stable at the site."

- 6.2.3 The supporting document goes on to state that the pub has clearly struggled to be a profitable business for over 10 years with a high turnover of tenants. Although the pub itself has a range of facilities, it is in the wrong location to attract passing trade and does not generate sufficient acceptable trade from the existing community to make it profitable. There is no catering kitchen (other than a small galley behind the bar) which precludes any food opportunity. The income of circa £1,500 a week before overheads does not make for long term stability as tenants need to make more profit than this to generate a sufficient income. There are not enough 'compliant' customers to raise the income above around 100 barrels per annum. This has historically barely made a living for the tenants or a return for the Brewery and doesn't provide for any longevity and stability and the tenants get worn down and rarely stay. It is also impossible to get people to visit from off the estate so its immediate catchment is fixed. The site is effectively a casualty of its 'isolated' location, the changing way pubs are being used by the wider community, as well as being a casualty of Covid. The impact of which, on wet led sites like the Inham Nook, makes them difficult to trade effectively with the resultant higher cost base and lower turnover.
- 6.2.4 The pub is not featured on the list of Assets of Community Value (ACV) nor has it been listed on the Assets of Community Value for Disposal and Requests to Bid list. No nominations have been forthcoming to date.
- 6.2.5 There are other public houses nearby, the nearest being The Charlton Arms, High Road Chilwell, to the south east, one mile away, and The White Lion, in Bramcote Village, which is 1.3 miles away. There is a frequent bus route passing by the site, which loops round the Inham Nook estate, and the tram route passes through the estate. Both these services would provide convenient and easy access to the wider area, including Chilwell and Beeston, for alternative public house and restaurant provision.
- 6.2.6 Adjacent to the site are other community facilities which include a library, community centre, sure start centre, primary school and a place of worship.
- 6.2.7 It is therefore considered that the loss of the pub would not result in the unnecessary loss of a valued facility, and that the loss would not reduce the community's ability to meet its day-to-day needs, given that other community facilities are directly adjacent, or available and accessible a short distance away.
- 6.3 Visual Amenity**
- 6.3.1 Following the demolition of the pub and associated garage, the site will be enclosed by Heras style fencing, and all waste material removed. This is considered acceptable and the removal of the waste on site would leave a clear and tidy site

ready for future development and would not have a long term significant impact on the visual amenity of the street scene.

6.4 Neighbour Amenity – noise and disturbance

- 6.4.1 The Demolition Statement sets out the working hours to be Monday to Friday 7.30am to 6pm, with no working on weekends or on Bank / Public holidays. Steps would also be taken to minimise noisy works, and to minimise the creation of dust. As the Environmental Health team have no objections or have recommended different hours of working, it is considered that these hours are acceptable and would not result in a detriment to neighbour amenity.

6.5 Impact on Biodiversity

- 6.5.1 Whilst a large part of the site is taken up with built form and hard surfacing, there are trees within the site, mainly to the common boundaries. There are areas of soft landscaping too. The building itself also has the potential to support roosting bats.
- 6.5.2 As the application relates to demolition, there are no proposals to remove the trees to the common boundaries and it should be possible to achieve the demolition whilst retaining the trees.
- 6.5.3 The building has moderate potential for roosting bats and as such it is recommended that two nocturnal surveys be carried out between May and September to establish this. The survey should also include the Beech tree on site as this also has bat roosting potential. Should bats be found in the building, an EPS licence would need to be obtained prior to the demolition of the building. A revised Ecological Survey has been submitted, which shows that the two surveys have been carried out. Notts Wildlife Trust recommend that the roof stripping be supervised by a bat ecologist in order to safeguard any bats which may be roosting in the roof. These measures should ensure that the protected species are safeguarded, should any be found within the buildings to be demolished.
- 6.5.4 The application is for demolition of buildings and as result there may be a negative impact on biodiversity. However, it is considered that the impact would not be significant as any trees worthy of retention are mostly on the adjacent community centre site with the Beech tree, on the west boundary, being retained and protected species, if any are found, would be adequately protected. Any future development would need to demonstrate a net gain in biodiversity and this would be measured from the current state of the site, that is, before demolition, to ensure that it is a gain and not mitigation for any loss.
- #### **6.6 Access**
- 6.6.1 Access will be from the existing access on Great Hoggett Drive, to the east, which would minimise any impact on neighbouring properties, and the Highway Authority raise no objection to this, subject to a note to applicant regarding mud and debris on the public highway.

6.7 Other Matters Raised at Consultation Stage

6.7.1

7 Planning Balance

7.1 The benefits of the proposal are that the vacant site can be cleared ready for redevelopment and would be left in a tidy state.

7.2 The negative impacts are the loss of a community facility and potential impact on biodiversity.

7.3 On balance, as there are alternative community facilities both within the immediate vicinity and others easily accessible by public transport, matters regarding biodiversity can be secured by condition, and the method of demolition is found to be acceptable, the proposed demolition of the pub and associated garage would be acceptable and would make way for redevelopment of a vacant site which has little prospect of being re-used as a public house.

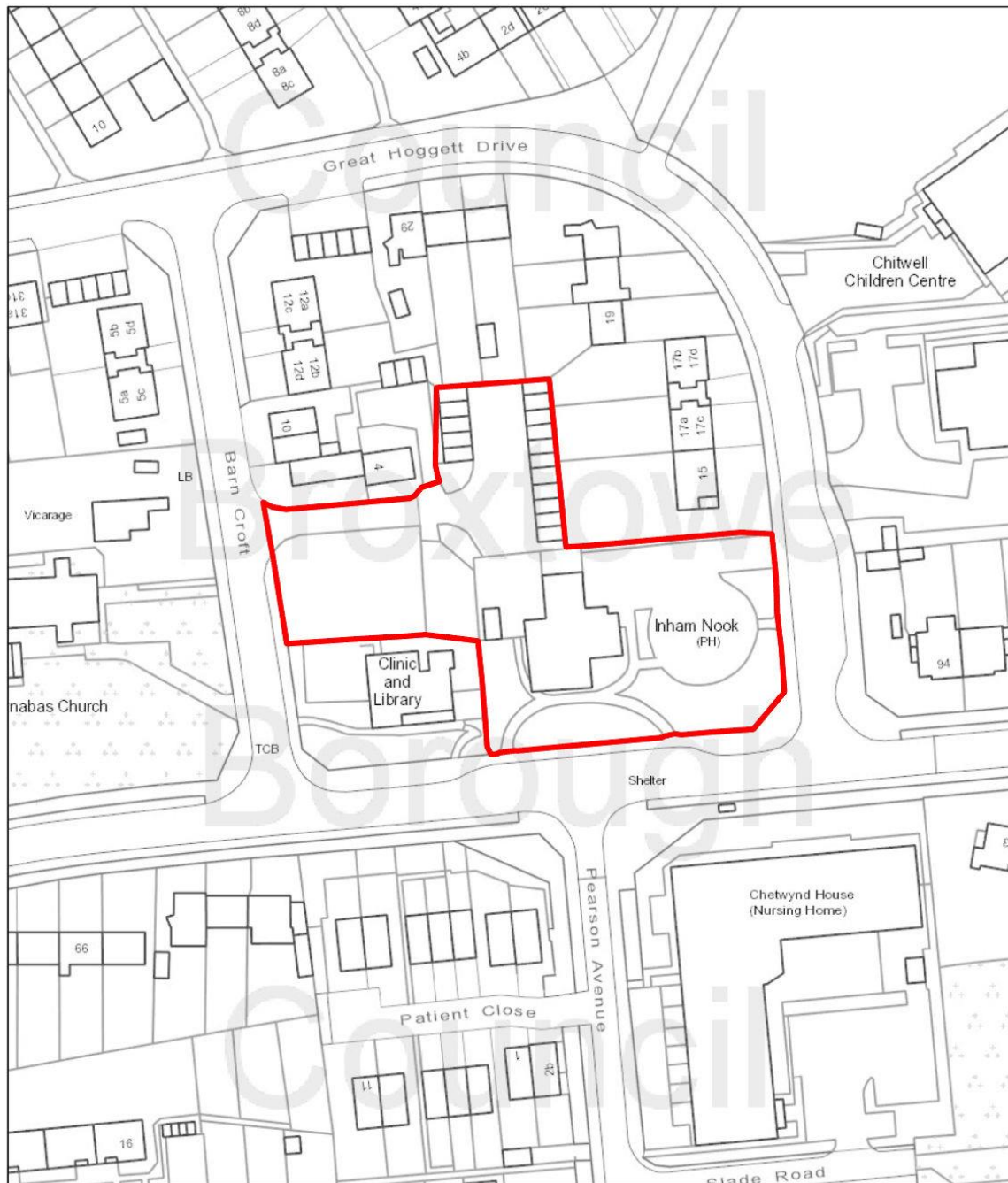
8 Conclusion

8.1 Recommend granting of conditional planning permission.

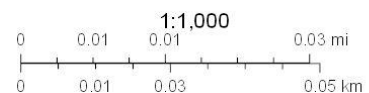
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan, Demolition Method Statement and the Ecological Appraisal, received by the Local Planning Authority on 17.01.22.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The erection of fencing for the protection of the retained trees shall be undertaken in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority, before any equipment, machinery or materials are brought on to the site for the purposes of the demolition, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be</p>

	<p>stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.</p> <p><i>Reason: To ensure the retained trees are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
4.	<p>All excavations shall be covered overnight or otherwise have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipework greater than 150mm should be capped off at the end of the day and chemicals should be stored securely.</p> <p><i>Reason: To ensure the protection of fauna on or passing through the site, in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
5.	<p>A precautionary working method should be undertaken which shall require the roof of the public house to be stripped by hand and the works supervised by a qualified bat ecologist.</p> <p><i>Reason: In the interests of safeguarding protected species, in accordance with the aims of Policy 31 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.	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.
3.	<p>The Highways Authority advise:</p> <p>It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud / debris on the public highway and as such you should undertake every effort to prevent it occurring.</p>
4.	The applicant is reminded of their responsibility to safeguard species protected under the Wildlife and Countryside Act 1981 as amended by the Environmental Protection Act 1990, which include the avoidance of demolition within the bird breeding season and to be vigilant for the presence of bats.

Inham Nook Public House, Inham Road, Chilwell NG9 4HX



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Photographs



Front elevation from Inham Road



Side elevation from Great Hoggett Drive



Rear and side elevation from the garaging area off Barn Croft. Garage associated with the pub is behind the gate



Library and Community Centre, to the west and adjacent of the site



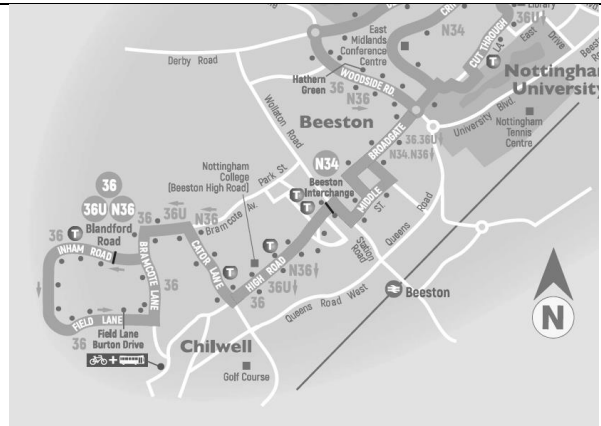
St Barnabas Church, to the west of the Community Centre, on the west side of Barn Croft



Rear of the Community Centre from Barn Croft



Sunnyside Academy (primary school) and Sure Start Children's Centre to the east of the site

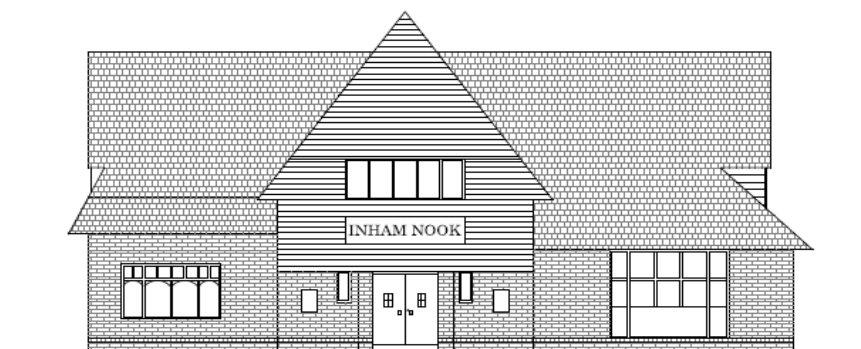


Excerpt from NCT route map (no. 36) which runs directly outside the site and which links to Beeston Town Centre and beyond

Plans (not to scale)



North Elevation



South Elevation

Existing building to be demolished

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Report of the Chief Executive

APPLICATION NUMBER:	20/00876/FUL
LOCATION:	3 Swingate, Kimberley, Nottinghamshire, NG16 2PG
PROPOSAL:	Construct two detached houses with associated car parking, garages, access road and bin store

1 Executive Summary

- 1.1 This application seeks permission to construct two detached houses with detached garages, car parking, an access road and bin store.
- 1.2 The initial application submitted was for six bungalows with a mixture of one and two bedrooms. However, following the advice from the Inspector's decision for the dismissed appeal under reference 20/00043/FUL, it was advised for the scheme to be reduced to two dwellings and the plans were amended accordingly. This will be discussed in further detail below under section 3.1
- 1.3 The application site is set within an existing built up area, in a sustainable location close to local services in Kimberley town centre. It is not covered by any site specific planning policy and therefore the principle of development is considered acceptable.
- 1.4 The design of the proposal is considered to not be out of keeping with the character of the surrounding area and whilst it will result in a change of outlook for some neighbouring properties, it is considered that it will not have an unacceptable impact on the amenity of any of these neighbouring properties.
- 1.5 The proposed development will be served from a private road, off an existing access.
- 1.6 Overall it is considered that the proposal is acceptable and that planning permission should be granted pursuant to the recommendation in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct two detached houses with detached garages, car parking, an access road and bin store. Each house will have a gable roof with a stepped front elevation and reflect a contemporary/traditional appearance. Each house will have a lounge, kitchen/dining/living area, W.C., four bedrooms (one with an en-suite) and a bathroom. Each house will have a detached single garage with pitched roof and private rear garden. Each house will be a maximum of 7.9m in height.
- 1.2 An access road into the site will be constructed next to no. 3 Swingate which is the host dwelling on the site. Two parking spaces will be constructed to the rear of no. 3 for that property's use. A bin store will be constructed at the entrance into the site from Swingate.

2 Site and surroundings

- 2.1 The application site currently forms the majority of the garden for No. 3 Swingate, which is a semi-detached dwelling located in a residential location. The north boundary of the site is made up of a combination of a fence circa 1.8m high, and hedging, with dwellings along Angus Close backing on to the boundary. The east boundary of the site is made up of fencing, circa 1.5m – 1.8m high, with dwellings along Clive Crescent backing on to this boundary. A public footpath runs along the south boundary of the site, which is also made up of a combination of fencing and hedges. The west boundary of the site is largely made up of fencing, circa 1.8m high, with dwellings along Swingate backing on to this boundary.
- 2.2 There is an existing access to the site from Swingate, which will serve the proposed development. The land level of the application site slopes up from west to east, up towards the dwellings on Clive Crescent, which stand at a significantly higher level than those on Swingate. The land is bordered by mature hedging in many areas, and there is a row of conifers running through the middle of the site. None of these trees or hedges are protected.

3 Relevant Planning History

- 3.1 An application (20/00043/FUL) to construct 4 dwellings and garages was refused at Planning Committee in May 2020. The reasons for refusal were based on the proposed development being over-intensive due to the number of dwellings proposed in relation to the size of the site and that this would have been out of keeping with the character of the area. In addition, it would have caused an unacceptable loss of amenity to neighbouring properties on Angus Close and have a substandard access caused by a narrow private drive which would be detrimental to highway safety.

The application was appealed and dismissed.

The Inspector concluded that the scheme would be out of character with the area (due to the small gardens of plots 1, 4 and the host dwelling) and consequently harmful to its character and appearance and due to the height of the property on plot 1 and its proximity to no. 2 Angus Close, this would be harmful to no.2's outlook and be overbearing in relation to the rear private outdoor space of the dwelling. The Inspector did not raise any concerns with regard to highway safety.

4 Relevant Policies and Guidance

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

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

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

4.2 **Part 2 Local Plan 2019**

- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, design and amenity

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

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

5 Consultations

5.1 **Council's Environmental Health Officer:** no objection subject to advisories in respect of working hours and prohibiting burning waste.

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

5.3 **Council's Tree Officer:** None of the trees on site are protected and the site is not within a conservation area. The trees that are on site are located within the rear garden area so have little amenity value, there will be tree loss from the site but it will be mitigated by the replacement planting once the development is complete.

5.4 **Nottinghamshire County Council Highways Authority:** no objection raised subject to conditions in respect of access being widened, dropped kerb being constructed, access drive and parking/turning areas being constructed with hard surfacing, provision for surface water run-off, parking bays delineated in accordance with plans and details agreed of private management company to maintain the new road and drainage. Advisory in respect of works being carried out on a public highway.

5.5 **The Coal Authority:** no objection.

- 5.6 **Rights of Way Officer:** no objection. Applicant should be made aware of the following: Kimberley Footpath 39 runs to the south of the application site and should remain open, unobstructed and no disturbance to the path should be made and be mindful of boundary treatment.
- 5.7 **Severn Trent Water:** advise condition in respect of submitting drainage plans being submitted to before development commences.
- 5.8 25 properties either adjoining or opposite the site were consulted. A site notice and amended site notice were displayed. 12 responses were received comprising 12 objections. The main reasons for objections can be summarised as follows:
- Development is shoehorned into site and contrived
 - Insufficient amendments from previous scheme
 - No detail provided on no. 3 Swingate being converted into five flats
 - Increase in traffic, car and on-street parking and congestion
 - New access road will be next to a bus stop
 - Increase in noise and disturbance
 - Angus Close will be used as an overflow car park
 - Site is a garden
 - Bungalows built right up to fence
 - Sense of enclosure
 - Application for one bungalow on the land was refused years ago
 - Overlooking
 - Uncomfortable relationship with no. 3 facing access road
 - Loss of trees, greenery and wildlife
 - Loss of light
 - Concerns with layout, design and appearance
 - More hazardous for vulnerable people
 - Pedestrian safety issues
 - Access issues
 - Overbearing and dominating
 - Question how the bungalows will be marketed
 - Question how refuse bins will be managed
 - Properties unsaleable
 - No consideration of emergency vehicles
 - Significant traffic already experienced from Sainsbury's
 - Does not integrate into surroundings
 - Unacceptable impact on amenity
 - Question how properties will be maintained or constructed without entering onto other properties land
 - Traffic calming measures will be noisy
 - Overdevelopment of site
 - No. 3 Swingate will be turned into flats
 - Emergency vehicles will struggle to access site
 - Increase in cars and traffic
 - Inspector confirmed the development is over-intensive and garden sizes of plots 1, 4 and host dwelling which has not been addressed in this scheme
 - Noise and disturbance from access road

6 Assessment

- 6.1 The main issues for consideration are the principle of the residential development in this location, the design and appearance of the proposal, the impact on neighbouring amenity, and any highway safety impacts of the proposal.

6.2 **Principle**

- 6.2.1 The application site is not covered by any site specific planning policy. The site is within an existing built up location, in reasonably close proximity to Kimberley town centre which provides a range of local services. It is therefore considered that the proposed scheme will be in a sustainable location where residential development can be supported.

- 6.2.2 Policy 17 of the Broxtowe Part 2 Local Plan (2019). Policy 17 sets out an array of criteria which all new development should meet in order for it to be considered acceptable. For a development of the size proposed, the key considerations will be with regard to the impact of the development on neighbouring amenity, the provision of adequate amenity for the future occupiers of the development, the design and appearance of the proposed development, and the impact of the proposed development on highway safety.

- 6.2.3 The Inspector specifically refers to the following:

“...a development could be considered to be over-intensive due to its effect on the living conditions of occupiers of existing neighbouring properties... a development could be considered to be over-intensive due to its effect on the character or appearance of an area. Hence, it is not just density per se, but other factors also need to be borne in mind when assessing the impacts of a proposal.”

The Inspector summarises that a development on this site could be seen as over-intensive but it is a number of factors that should be considered when assessing a developments acceptability. The specific reasons that are raised for the scheme being over-intensive are the number of dwellings resulting in a small garden for no. 3 Swingate, small gardens for plots 1 and 4 and the impact on the amenity of no. 2 Angus Close.

- 6.2.4 The agent has amended the scheme from six bungalows to x 2 two storey houses under this application. The previous application (20/00043/FUL) was for three detached houses and a bungalow which was refused and subsequently dismissed at appeal. The Inspector concluded that the bungalow (plot 1) would have had an unacceptable impact on the amenity of a particular adjoining neighbour (no. 2 Angus Close) and that the development would be out of character with the area due to the small gardens of plots 1, 4 and the host dwelling. The scheme has been reduced to two detached, two storey dwellings with detached rear garages. The bungalow the Inspector highlighted in their reason for refusal has been removed which means a larger garden of the host dwelling is retained. No properties directly adjoin no. 2 Angus' boundary and the rear garden of plot 4 (now labelled plot 1) has been increased in size. The Inspector did not raise any concerns with highway safety or bin storage. Therefore, it is considered the principle of two detached

dwelling with detached garages, an access road and bin store is acceptable as no specific concerns were raised in respect of these matters.

6.3 Design and Appearance

- 6.3.1 The application site currently forms a large rear garden to no. 3 Swingate. It is considered that the development proposed is proportionate to the size of the site, with the scale and type of dwellings proposed designed to respect the character of the surrounding area. It is considered that there is sufficient separation between the dwellings within the development, and the existing dwellings around it to ensure that the development will not result in a cramped appearance that would be out of keeping with the character of the area.
- 6.3.2 The two detached houses will reflect a part traditional/contemporary appearance. They will both be identical in design, have gable roofs and a staggered front element to provide variation in the design. The houses will be constructed from concrete roof tiles, rock panel cladding, aluminium canopies and bricks. To ensure a satisfactory standard of appearance is achieved it is considered appropriate to condition that samples are to be submitted for approval prior to any above ground works being carried out. It is considered the two properties reflect an acceptable level of scale and design that will not appear out of keeping with the surrounding area.
- 6.3.3 The area surrounding the application site has a mix of dwelling types, sizes and styles. The dwellings along Swingate include a mix of traditional semi-detached dwellings, with larger dwellings to the rear of the site along Clive Crescent. The dwellings along Angus Close to the north demonstrate a larger, detached style of property, developed in the late 1980s. taking into account this broad mix of dwellings it is considered that the dwellings styles proposed would not be out of keeping with the character of the surrounding area. The dwellings will be accessed from a private road, off Swingate, and set back from the existing highway. It is therefore considered that whilst the dwellings will be visible in the street scene, they will not be overly prominent and therefore will not have a harmful impact on the street scene.
- 6.3.4 The site plan provided indicates that tree planting and landscaping treatments will be implemented around the site to ensure an acceptable standard of appearance is achieved. However, as few specific details have been provided it is considered appropriate to condition that further details are submitted for approval prior to any above ground works being carried out.
- 6.3.5 Whilst the development will reduce the size of the rear garden at nos. 3, this is still considered to be an acceptable size that has addressed the Inspectors previous concerns. The change to the size of plot 3 is therefore not considered to be harmful to the character of the surrounding area.

Proposed layout 20/00876/FUL

Refused layout 20/00043/FUL



6.3.6 The design of the garages are considered to be simplistic and acceptable.

6.3.7 Subject to the proposed conditions set out above, it is considered that a satisfactory standard of design has been achieved.

6.4 Amenity

6.4.1 In regards to amenity, it is considered the scheme has been amended that it can achieve an acceptable relationship and amenity with surrounding properties. The Inspector specifically highlighted that plot 1 (the bungalow) from 20/00043/FUL, would have an unacceptable impact on the amenity of no. 2 Angus Avenue. This plot has now been removed. The Inspector did not raise any concerns with the relationship of the two detached houses from the 20/00043/FUL application which are in a similar position to the detached houses within this scheme. Plots 1 and 2 within this scheme are in the wider part of the site and therefore their separation distance with surrounding properties is considered to be acceptable. First floor side windows will serve en-suites, bathrooms and stairwells and as they will be considered to be obscurely glazed, it is considered this is sufficient to reduce the level of overlooking to an acceptable level. It is considered the proposed dwellings will not have an unacceptable impact on the amenity of the surrounding neighbours.

6.4.2 It is considered the proposed dwellings will provide sufficient internal and external private amenity space for future occupiers.

6.4.3 It is considered two properties have a relatively spacious layout and are not shoehorned into the site. Therefore, it is considered they will not cause an unacceptable loss of daylight/sunlight or a detrimental amount of overlooking.

6.4.4 It is considered the scheme has been reduced to an acceptable number of units that it will not appear dominating or overbearing.

6.4.5 Whilst the garages are positioned next to neighbouring boundaries, they are single storey with pitched roofs and no more than 4m in height which is considered to be acceptable that they will not cause an unreasonable loss of amenity.

6.4.6 Overall, it is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring dwellings, and that it will provide a sufficient standard of amenity for the future occupiers of the site.

6.5 Access and Highway Safety

6.5.1 The Highways Authority has not objected to the scheme and advised conditions in respect of the access being widened, dropped kerb being constructed, access drive and parking/turning areas being constructed with hard surfacing, provision for surface water run-off, parking bays delineated in accordance with plans and details agreed of private management company to maintain the new road and drainage.

6.5.2 The proposed development will be served off an existing access, that will lead to a private road, serving not more than 5 dwellings. The access road will be between 3.6m and 5.55m and it will be conditioned that the road will be surfaced in a hard bound material and drained to prevent the discharge of surface water onto the public highway. Swingate is a long, relatively straight road, with a speed limit of 30mph, and it is therefore considered that the visibility splays are acceptable to ensure safe access and egress to the proposed development. The development has been designed to allow for sufficient manoeuvring space within it and therefore it is considered to be acceptable in regards to highway matters. Furthermore, the Inspector did not object to highways matters or access in relation to the scheme.

6.5.3 Whilst the proposed development will inevitably result in an increase in journeys to and from the location, the addition of two dwellings is considered to be relatively minor in terms of its overall impact on traffic generation in the surrounding area. The dwellings will all have sufficient off street parking and therefore it is considered that it will not result in an unacceptable addition to on street parking.

6.5.4 Overall it is considered that the proposal will not result in an unacceptable impact on highway safety in the surrounding area.

6.6 Other Considerations

6.6.1 The proposed development will be served from a private road, which as per Council policy will not be accessed by a Broxtowe Borough Council refuse vehicle. In this instance it is usual for a bin collection point to be provided within 15m of the edge of the highway for the residents of the dwellings to bring their bins to on collection day. However, the dwellings will exceed this from the edge of the highway, and as such further than it is considered reasonable to require residents to drag their bins to the collection point. As such it has been agreed with the applicant that a private service for the collection of householder waste and recycling will be arranged. To ensure this is carried out the establishment of a management company, which will detail this arrangement will be conditioned as part of any permission granted.

6.6.2 The Tree Officer has been consulted and he raises no objection to the removal of the trees. Should the applicant want to remove trees from his garden at any time,

this would not require permission or consent and therefore the impact on the loss of greenery or wildlife from this domestic garden would not be a consideration for refusal.

- 6.6.3 No application to convert no. 3 Swingate into flats has been submitted. Should an application be submitted, it would be dealt with accordingly and on its own merits and in line with relevant policy.
- 6.6.4 The principle of dwellings being built within gardens is assessed on a case by case basis and some developments for houses in gardens have been accepted in the borough that this principle is not unfounded.
- 6.6.5 Permission to enter neighbouring properties land is a civil matter.

7 Planning Balance

- 7.1 The proposed development will contribute towards the Council's housing supply, in a sustainable, built up area. The proposed development will not be harmful to the character of the area, and is not considered to have an unacceptable impact on the amenity of any neighbouring properties or highway safety. Whilst the proposed development will alter the outlook for some existing residents in the surrounding area, it is located in an existing built up area, close to services and not in a greenfield location which extends out into the countryside. Measures have also been taken in the design of the scheme to minimise any potential impact on existing properties in the surrounding area. There will be an increase in the number of journeys to and from the site, although this is considered to be a relatively small increase in the context of the surrounding area. Furthermore, it is considered the scheme has been amended to sufficiently address the comments raised by the Inspector within the appeal under the 20/00043/FUL application.
- 7.2 On balance it is therefore considered that the overall benefits of the proposal outweigh the relatively small level of potential harm arising from it.

8 Conclusion

- 8.1 It is considered that the proposal has been designed to be in keeping with the character of the surrounding area, and that it will not have an unacceptable impact on the amenity of any neighbouring properties or highway safety. It is therefore considered that the proposal is acceptable and that planning permission should be granted.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan (ref: 001) and drawings: 004 Rev K received by the Local Planning Authority on 10 January 2022 and 003 Rev L received by the Local Planning Authority on 3 February 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.</p> <p><i>Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Broxtowe Aligned Core Strategy Policy (2014) Policy 1.</i></p>
4.	<p>No above ground works shall commence until full details of the colour, finish and texture of external facing materials has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.</i></p>

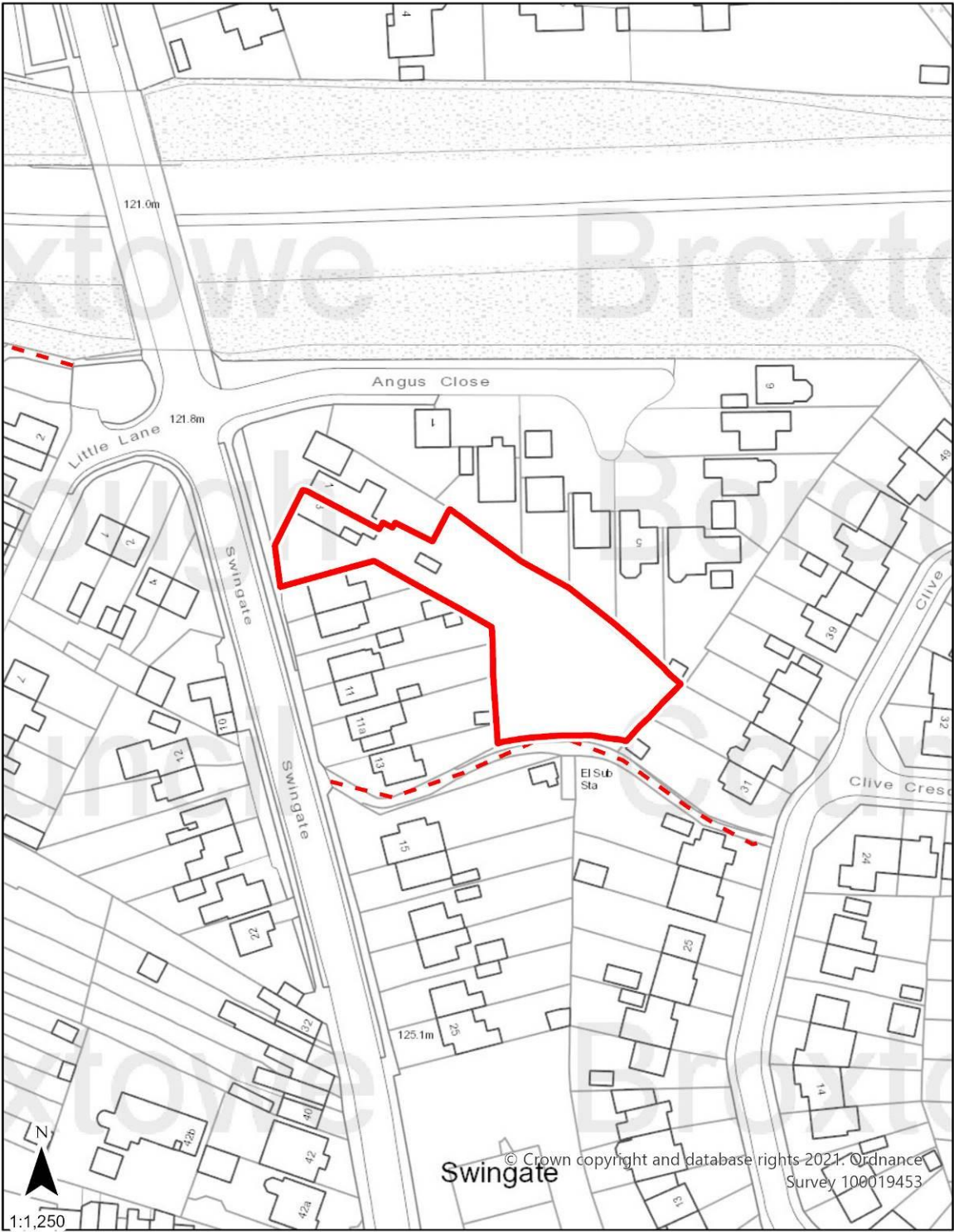
5.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of proposed trees and shrubs; (b) planting, seeding/turfing of other soft landscape areas; (c) details of site boundary treatments; (d) elevations of bin store; and (e) a timetable for implementation of the scheme. <p>The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.</i></p>
6.	<p>The first floor side facing windows shall be obscurely glazed to Pilkington Level 4 or 5 and non-opening to 1.7m above the finished floor level, and shall be retained as such for the lifetime of the development.</p> <p><i>Reason: To protect the privacy of the residents in the neighbouring properties, in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.</i></p>
7.	<p>No part of the dwelling hereby approved shall be first occupied until a management company has been established, setting out details for the private collection of household waste and recycling for the site. These details shall be submitted to the Local Planning Authority for approval.</p> <p><i>Reasons: The dwellings will be accessed from a private road which cannot be accessed by the Council's waste vehicles, and the dwellings within the development are too far from the edge of the highway for future occupiers to drag bins to and in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.</i></p>
8.	<p>The dwellings hereby approved, shall not be first occupied until:</p> <ul style="list-style-type: none"> - the access has been widened and thereafter completed to a standard in accordance with drawing 004 Rev K;

	<ul style="list-style-type: none"> - the dropped vehicular footway crossing has been widened and made available for use; - 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; - visibility splays are provided in accordance with drawing 008 Rev J and retained for the lifetime of the development; and - the bin store as shown on drawing 004 Rev K is constructed and available for use. <p>The surfaced drives, parking areas and dropped vehicular crossings shall then be maintained in such form for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety to mitigate the impact of the development on the highway network, to ensure the bin store is available for use and in accordance with the aims of with Broxtowe Part 2 Local Plan (2019) Policy 17 and Broxtowe Aligned Core Strategy Policy (2014) Policy 14.</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/coalauthority
3.	Contractors should limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. Bonfires are not permitted on site at any time.
4.	Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers 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. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

5.	<ul style="list-style-type: none"> • Footpath 39 running along the south of the site should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path. • There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team. • The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. • If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. • If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. • Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed. • The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way. • Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. <p>http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boards</p> <p>If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email</p> <p>countryside.access@nottsc.gov.uk</p>
6.	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an addresses are created. This can take several weeks and it is advised to make contact as</p>

	soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
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Map



Legend

- Site Outline
- Footpath

Photographs



Site access



Footpath to south of site (facing no. 13 Swingate)



North boundary with properties on Angus Close



South east end of site looking towards Clive Crescent

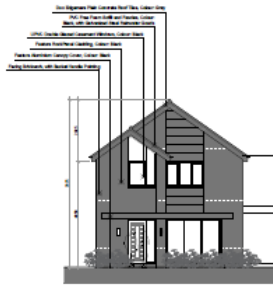


Conifers through the middle of the site

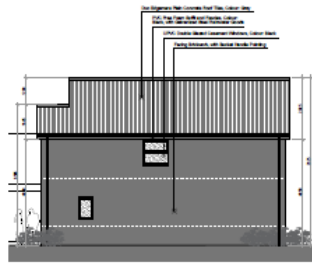


Western boundary with properties on Swingate

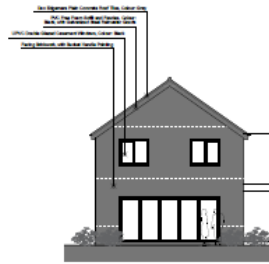
Plans 20/00876/FUL (not to scale)



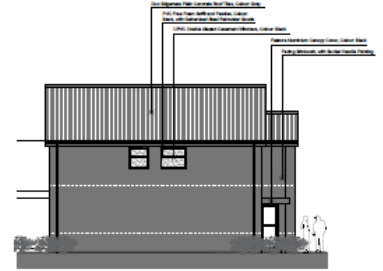
Proposed Front Elevation



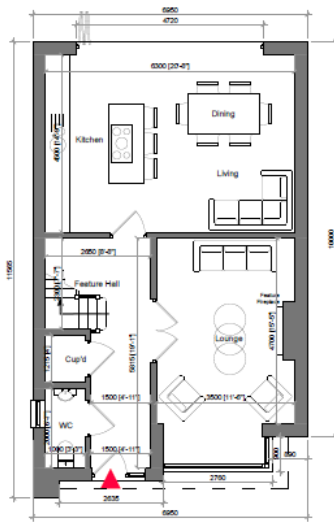
Proposed Side Elevation



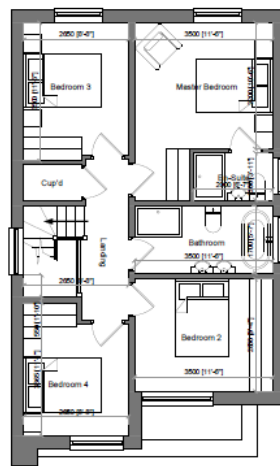
Proposed Rear Elevation



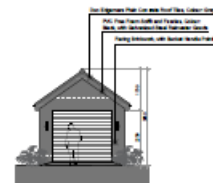
Proposed Side Elevation



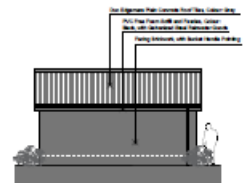
Proposed Ground Floor Plan



Proposed First Floor Plan



Garage - Front Elevation



Garage - Side Elevation

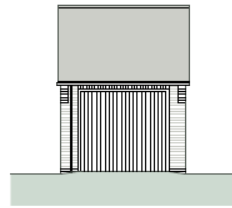


Proposed Site Plan Layout 1:200

Plans 20/00043/FUL (refused) (not to scale)



Front Elevation



Front Elevation

Plot 1



Front Elevation



Front Side Elevation

Plots 2 and 3

Plot 4



Report of the Chief Executive

APPLICATION NUMBER:	21/00738/FUL
LOCATION:	12 Hope Street, Beeston, Nottinghamshire, NG9 1DR
PROPOSAL:	Construct two storey side, single/two storey rear and first floor front and front extensions, front and rear dormers, demolish garage and construct detached garage

Councillor J C Patrick has requested that the application is determined by the Planning Committee.

1 Executive Summary

- 1.1 This application seeks planning permission for a two storey side, single/two storey rear, three storey front and first floor front extensions, front and rear dormers, to demolish the existing garage and construct a detached garage.
- 1.2 The dwelling is a detached house situated on the corner with Cyril Avenue (to the south east), to the rear (north east) and side (north west), the property neighbours two bungalows (both detached). There is a detached garage abutting the rear boundary and 2m high fencing wrapping around the highway boundaries. The main built area of the dwelling is situated towards the north west boundary next to the neighbouring bungalow.
- 1.3 It is considered that main issues relate to whether the design and scale of the development would be acceptable, and whether there would be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal are that it would be extensions to an existing residential dwelling, and would be in accordance with the policies contained within the development plan. This is given significant weight. There would be some impact on neighbour amenity, but this is considered to be outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX**1 Details of the Application**

- 1.1 The proposed development consists of the following: a two storey front, side and rear extension; a first floor extension to the front; a three storey extension to the front (to create fully glazed bay including into the roof); a single storey rear extension; two hipped roof dormers plus a rooflight to the resulting front roof; one flat roof dormer plus two roof lights to the rear roof; and a detached single width garage to the rear. The roof of the building would be altered from a hipped roof to a gable roof. The proposal has been amended during the life of the application.
- 1.2 The two storey element would be set in from the boundary with Cyril Avenue by 3.9m. The extension would project past the existing rear elevation by a depth of 1.7m and would also project forward of the existing front elevation by 1m. The first floor extension to the front, which would be above an existing ground floor extension, would have a depth of 1m, so as to be level with the two storey element.
- 1.3 Also to the front, to the left (south west) and partly in place of the bay to the ground floor, a three storey fully glazed element with a projection of approximately 650mm and having a gable roof front projection would be proposed.
- 1.4 To the rear, a single storey extension with a gable end is proposed to the north east, extension the existing rear element by a further 3m. This would have two rooflights, one to each side.
- 1.5 The roof of the building would be altered from a hipped roof to a gable roof, and the height increased by a maximum of 900mm, from 7.7m on the existing to 8.6m to the proposed. Within the roof, to the front, two hipped roof dormers plus one roof light would be introduced, and to the rear, a centrally positioned flat roof dormer with two roof lights either side are proposed.
- 1.6 Within the rear garden, a detached single width garage, which would have a gable roof, would replace an existing double width garage. Two parking spaces are annotated to the side of the property, perpendicular to Cyril Avenue.
- 1.7 It is proposed that all elevations would be finished in a render treatment, with areas of cladding to between the ground and first floor windows which would be repeated to the front and cheeks of the dormers.
- 1.8 The resulting property would have five bedrooms, an increase of two, and the proposal also includes internal layout alterations.

2 Site and Surroundings

- 2.1 2.1 The existing property is a detached dwelling with a hipped roof. It has a front elevation which in part projects forward of the principal elevation, and a single storey front extension with a pitched roof over. To the rear, part of the rear elevation protrudes past the remainder of the rear elevation. There is a detached double garage to the rear garden, accessed from Cyril Avenue. The building is built of traditional materials, that is, brick and tile, to the rear and side, but has roughcast render to the front and part of the side elevation facing Cyril Avenue.

- 2.2 To the north east of the site, and sharing a common boundary, is 16 Cyril Avenue. This is a detached hipped roof bungalow which is side on to the site. The property is set at a lower ground level than the site, as Cyril Avenue slopes down from Hope Street. There is one small window on the facing elevation, which appears to serve a non-habitable room. A driveway separates the bungalow from the site.
- 2.3 To the north west of the site, also sharing the common boundary, is 14 Hope Street. Again, this is a detached bungalow and has a hipped roof. This is side on to the application site and there is a pedestrian access separating the property from the site. No. 14 has windows in the rear elevation which partly wrap round to the facing side elevation.
- 2.4 To the south west and on the opposite side of Hope Street are 35 and 37 Hope Street, with 35 being the property most directly facing the site. These properties are both large detached two storey dwellings, with no. 37 recently been extended to the site and which has render and cladding similar in style to that proposed at the application site.
- 2.5 To the south east, opposite the site and across the road, are 31 Cyril Avenue, which faces the side of the site, and 10A Hope Street, which, as it is sited on the bend of the road, is side on but at a slight angle to the site. These properties are two storey semi-detached dwellings.
- 2.6 The immediate surroundings are residential properties of a mix of sizes and styles, with differing elevational treatments.

3 Relevant Planning History

- 3.1 There is no relevant planning history.

4 Relevant Policies and Guidance

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

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

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

4.2 **Part 2 Local Plan**

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

- Policy 17: Place-making, design and amenity

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

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

5 Consultation

5.1 Seven neighbours were consulted on both the original submission and following the receipt of amended plans, with a further 14 neighbours consulted on the re-consultation. 18 responses were received on the initial consultation, with 2 observations and 17 objections (one both). On the re-consultation, 7 responses were received, with 7 objections/ observations. Comments are as follows:

- Clarification provided to neighbours, when the application was able to be viewed, as they are a neighbouring property, proposed frontage windows and parking intentions. On amended plans query regarding dormer glazing, window sizes and frames.
- Observation clarified the property has been a HMO for about 15-20 years, and there are 3 men living there, but the proposed plans suggest the potential for considerably more tenants leading to an increased level of noise and traffic/ parking problems, they would object - if the application is genuinely for a large family residence then they would have no objections and would welcome the transformation of the current eyesore.

The reasons for objections can be summarised as follows:

- Loss of privacy
 - In relation to the loft conversion, windows and Juliet balconies (the latter now omitted from the scheme).
 - Dwelling is in an elevated position, extending to the third floor will increase this overlooking position.
 - The height increase will cause it to overlook nearby houses.
 - The additional front glazing will result in a loss of privacy for the occupiers and the facing neighbours.
 - The proposed third floor would overlook my back garden
 - The amended plan is worse, as two front dormers have been added, all these windows will look down into our primary living space
- Loss of light
 - In relation to the raised rear roof level and rear dormer roof and impact it will have on neighbouring garden.
 - The raised roof height will result in a loss of early morning sun to the front of our house, which is already dark and cold.
 - We are pleased to see that the original plans have been amended to be less intrusive, with the reduction in the size of the rear dormer and the removal of Juliet balconies, still concerned about the raised roof level and impact that may have
- Design
 - Not in-keeping, as the property is in an elevated position, neighbouring a bungalow.
 - The development would dominate the street scene, and out of character – specifically with the neighbouring bungalows.
 - The building is high enough already, any addition to the roof will make it out-of-keeping with the street scene.
 - The number of extensions would result in a property dominating neighbouring houses. Part of the proposal would show an entire 3 storey gable end, made of glass, approximately 2m off the front highway – exposing these room to passers-by and neighbours, which is inappropriate.

- The proposal would dominate the local area.
- Scale, massing and design of the rear dormer will dominate the existing building and roof.
- The proposal will result in over-crowding and is not in keeping with the area and is clearly over-development.
- Front dormers are not in keeping with the appearance of the area.
- The grey horizontal cladding proposed is not in keeping with the appearance of the area.
- The amended plans do not alleviate previous comments
- Roof height should be as existing, building should be no higher than existing.
- Front gable should not be fully glazed and have similar sized windows to the rest of the house.
- Sense of enclosure
- Parking and highway safety
 - Proposed parking does not appear to be accessible or useable from highway – parking for a five/ six bed dwelling on a street corner may increase kerb parking, off-street parking is inadequate, as there could be up to 12 adults living there (all with cars). This would affect pedestrians and driver safety.
 - A HMO will lead to more traffic and parking is already limited.
 - A mini-car park of parking bays is not in keeping with the area.
 - If a HMO, it may cause noise and disturbance to nearby residents.
 - Vehicles may park nearby and cause problems
 - The potential increase of additional traffic and cars parking at the junction, would be undesirable and potentially unsafe.
 - Dropping the kerb will remove parking for existing neighbours and force people with mobility issues onto the road because of the slope.
 - When people switch to electric cars, neighbours without driveways will need to charge their cars on the street, leading to charging cables running across the pavement – it is unfeasible for the occupiers at no. 12 to charge 6 or more electric cars.
- A HMO is likely to generate significant waste
- Drainage is already under significant strain, any loss of green space will be detrimental to the situation
- Noise and disturbance / maintenance
 - Periods of multiple occupancy under a current absentee landlord have led to nocturnal noise disturbance and criminal activity with the police involved.
 - The property has been neglected and operating as a HMO, affecting its appearance and anti-social behaviour. There is no reason to believe that that would change in the future. There is a danger that a 12-bed HMO will increase noise and disturbance.
 - The site was previously a HMO, with a history of failing to manage noise and disturbance.
- Compliance with local and national planning policies
 - Believe the intention is to become a HMO (local policy in relation to the Article 4 in Beeston covers this).
 - A recent application (nearby), was not allowed to raise the roof height, if being consistent this proposal should also not be permitted to raise the roof height.
 - The proposal is not compliant with Policy 10 of the Aligned Core Strategy and Policy 17 of the Part 2 Local Plan.
- The proposal would impact adversely on local residents for the financial benefit of one person, who appears not to be local
- Other Matters

- Concern that the property is designed as a house of multiple occupancy (HMO).
- The proposal should be subject to an S106 agreement forbidding a HMO operating from the property.
- If a HMO:
 - An acoustic survey is completed to assess the level of noise impact expected.
 - A Beeston management agent with a shop front is appointed and all Hope St, Cyril Ave residents leafleted to make them aware who this is whenever the agent changes.
 - The tenant agreement to contain a clause forbidding noise after 11pm.
 - The tenant agreement to contain a clause forbidding them bringing a car inside Broxtowe Borough Council boundaries.
 - No on-road parking – tenants must not own a car
- The proposal is clearly proposed to be a HMO.
- There are restrictions in Nottingham City and other parts of Beeston restricting HMO's, this is clearly pushing the problem into family residential area.
- Current tenants run a bulky waste removal company from property.
- Plans are insufficient to allow a proper comparison between the existing house and the proposed extension.
- The front glazing will result in excessive light pollution, which is not good for wildlife.
- A small family development would be much better for the area.
- Tidying/ development of this site into a family home is an excellent idea, but the current plans are not proportionate.
- The property is clearly in need of improvement work to improve its unkempt state and would be welcomed but should be a reasonable size and fit appropriately onto this plot.
- Want to see the re-development of the plot, in keeping with other houses as a family home, retaining a garden area.

6 Assessment

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

6.2 **Principle**

- 6.2.1 The principle of development to residential properties is acceptable subject to the following matters.

6.3 **Design and Layout**

- 6.3.1 In terms of mass and scale, it is considered that the extensions do not represent a disproportionate addition as the proposal would not be significantly further forward than the existing building. Whilst the ridge height would increase by 0.9m, this would be seen within the context of a sloping street scene where there is a mixture of property types and changing roof heights and in an immediate neighbourhood where bungalows are intermingled between houses of various heights and styles, some with just a minimal gap between boundaries. Whilst the fully glazed three storey element is a departure from the general design and style of the immediate

buildings, it is considered that this addition, being a contemporary addition, would be in keeping with the overall character of the resulting building. The extended frontage, gable roof and resultant height increase are therefore considered to be acceptable.

- 6.3.2 It is considered that the two storey side extension, by virtue of it facing the public highway, would not result in a terraced or cramped affect and is therefore acceptable in terms of scale and massing, as is the two storey rear element.
- 6.3.3 The single storey rear extension would not be disproportionate as it would be single storey, with a rear facing gable roof, and it would have a lower eaves height (2.9m), towards the side boundary with no. 14. It would have a length of 3m and situated to the rear of the original rear elevation. Therefore, it is considered to be of a suitable scale and massing.
- 6.3.4 The front dormers are considered to not dominate the roof slope, as they are separate (to minimise impact), set below the main ridge height, off the front eaves and off the sides of the roof. Therefore, the front dormers are considered acceptable.
- 6.3.5 The rear dormer has been set below the main ridge height and in from the eaves, and is positioned toward the centre of the roof. Therefore, it is considered that the dormer would not dominate the roof slope.
- 6.3.6 The proposed single garage would replace an existing double garage and therefore would have a smaller footprint. It would have a pitched roof and be located 3.4m off the boundary with Cyril Avenue as per the existing arrangement, and adjacent to the common boundary with no. 16 Cyril Avenue as per existing. Therefore, the proposed garage is considered acceptable in terms of design and position within the site.
- 6.3.7 The development has been designed to provide improved internal amenity and additional bedroom space for the occupiers. Whilst this would result in a change to the external appearance of the property, which would have a visual impact on the existing character of the property and area, this would be deemed acceptable given that nearby properties, for example no. 37 Hope Street, have been extended to make a larger detached home and have had the same elevational treatments as proposed at no. 12. The property has changed relatively little since it was built, except for a single storey front extension and the detached double garage, and it is considered that the development would give the dwelling the facilities to provide a home for lifetime living, would improve access to the garden and replace a relatively large rundown garage. It is considered that the proposed design would add to the prevailing individual character of dwellings and the extended dwelling would be no further forward than the existing building and as such would not result in harm to the street scene or to the wider area.
- 6.3.8 The proposed materials are an off-white render finish (including to the existing brick), grey horizontal cladding (to the dormers face and cheeks and between the front windows), and Marley plain concrete tiles which are similar to existing. These materials are considered acceptable as there is render on a number of properties on Hope Street and surrounding streets, and the use of render provides an efficient form of insulation. It is recommended that the details of the materials will be conditioned, including the render colour.

6.4 Neighbour Amenity

- 6.4.1 For the future occupiers, it is considered that the remodelled internal area would provide generous room sizes with access to facilities on all floors and ground floor space to fulfil the needs for a lifetime home, and access to natural light and outlook for all habitable rooms. With the removal of the double garage (replaced with a single garage), it is considered that a sufficient level of outside amenity space would be retained and made available to the rear of the proposed rear extension and between the two-storey extension and garage.
- 6.4.2 No.16 Cyril Avenue is a bungalow which is side on to the site and abuts the sites' rear garden. There is a drop in ground level to this property, but this results in providing some privacy within their garden (as existing). In relation to the proposal, the garage would replace an existing larger garage which is situated next to no. 16's side boundary, therefore the situation would not be significantly different to the existing situation. The single storey rear extension would be a depth of 3m and would retain a gap of 4.1m to the common boundary with no. 16, therefore due to the level difference there may be some impact on privacy within no. 16's rear garden, this would not be considered significant enough to warrant refusal on this matter alone. The two-storey rear part of the proposal would be level with the existing rear elevation and face the side elevation of no. 16, which would have the site's proposed garage as an intervening structure. There are no habitable room windows in the facing elevation of no. 16. The increased roof height and introduction of a rear dormer, which have been amended during the course of the application, would be to the centre of the roof slope, with both the rooflight and first dormer window (directly facing no. 16's rear garden) shown to be obscurely glazed. Other parts of the proposal would be located away from no. 16. Therefore, it is considered that the proposal would have no significant impact on 16 Cyril Avenue.
- 6.4.3 With regard to 14 Hope Street, the three storey gable frontage would be no further forward than the ground floor bay it would replace and would be 1.8m off the boundary with this property. The roof height increase to the main part of the dwelling would have the same eaves height as the existing dwelling. The single storey rear extension would have a depth of 3m. 14 Hope Street has glazing in the side elevation facing the site, but this is part of a sunroom which has glazing that wraps round to the rear elevation to provide light from both aspects and in any case the rear extension, which is the closest element to these windows, would not extend beyond no. 14's rear elevation. Other parts of the proposal would be situated off this boundary. Whilst there would be an increase in the overall size and scale of the resulting dwelling, it is already a detached house situated next to a bungalow, and as such it is considered that this development would not significantly change this characteristic and it is therefore considered that the proposal would have no significant impact on no. 14 in terms of loss of light, outlook or privacy.
- 6.4.4 Beyond no. 16 Cyril Avenue and 14 Hope Street's rear gardens, the proposal would be looking toward rear gardens of 12 and 14 Cyril Avenue. As noted above, the dormer has been relocated following amended plans, with obscurely glazed windows included, to the south east of the roof, to face side elevations and Cyril Avenue. Therefore, it is considered the proposal would have no significant impact on other properties to the rear.

6.4.5 Facing the site, to the front, are 35 and 37 Hope Street, with the site being directly opposite no. 35. The three-storey gable frontage, first floor front and side extensions would be no further forward than existing, retaining a gap of between 2.4m to 2.8m to the front boundary and therefore similar to neighbouring properties. The proposed two front dormers would be set up from the eaves of the roof. Other parts of the proposal (that is, the rear extensions) would be located away from this boundary. Whilst there would be an increase in both the number and size of window openings on the front elevation (with some relatively large glazing), this would be considered acceptable given the location facing the street scene where there is an expectation of windows, with properties facing each other and the prevailing highway and front gardens in between. Therefore, whilst it is understandable due to the accumulative nature of the development that there may be some impact on privacy, it is considered that the impact would not be so significant so as to warrant a refusal.

6.4.6 In relation to neighbouring properties on the opposite side of Cyril Avenue, to the south east of the site, it is considered that the proposal would have no significant impact in terms of amenity, as the two-storey side extension would be situated 3.8m off the side boundary. There would be no windows proposed in the side elevation of the two storey side extension, facing the properties opposite. The replacement garage would be smaller than its predecessor and situated 3.4m off the highway (similar to the existing garage). Other parts of the proposal would be situated away from this boundary.

6.5 Access

6.5.1 The dwelling would have five bedrooms which would be an increase from the existing three bedrooms. There would be additional hard-standing to the side (with Cyril Avenue) which could potentially provide two parking spaces. Whilst the garage would be replaced with a single garage, the resulting gap to the public highway, which would be retained at 3.4m, cannot be considered a parking space. The area is not subject to parking restrictions and many properties have access to off-street parking, therefore it is considered that there is sufficient parking provision available and that the proposal would not result in significant detriment to highway safety or undue pressure for on street parking.

6.5.2 As limited information has been provided on the parking spaces, standard highway conditions will be included in respect of hard-surfacing and drainage. As there is a current boundary treatment (2m high fence), between the proposed parking spaces and the highway, the current dropped kerb (to the rear), is likely to be used and as such a note to applicant will be included for them to contact Nottinghamshire County Council Highway should they need to apply for a further dropped kerb. The dropped kerb would then need to be constructed to highway standards.

6.5.3 In relation to comments made, it would be considered unreasonable to restrict car usage levels, ownership or a dropped kerb and likely future electric car use – when other neighbouring dwellings, some with five bedrooms, do not have the same restrictions. Parking and obstruction of the highway, should this occur, can be reported to Nottinghamshire County Council Highways.

6.6 Other Matters

- 6.6.1 **HMO** - It is acknowledged that due to previous issues, the use of the property as a House in Multiple Occupation is a concern for neighbouring residents. No application for a HMO has been made, and as such the application would be considered on the proposal as submitted, which is for a residential use and for built development.
- 6.6.2 **Article 4** - The site would not fall within the area identified by the Council for inclusion on the Article 4 area.
- 6.6.3 **Light pollution & wildlife** - The property is within a built-up residential area, with no specific constraints in relation to wildlife (except for legislation for the protection of certain species), and as such it is considered that the proposal would have no greater impact on biodiversity than any other residential dwelling in the immediate area, which is a well-lit urban environment.
- 6.6.4 **Alleged use of the property as a business** - This matter is currently being investigated by the Enforcement Team, however as the proposal is for domestic extensions only, with no reference to business use, the concern would not be a material planning consideration in the determination of this application.
- 6.6.5 **Clear plans** - The description has been changed to more fully reflect the proposal as amended and a re-consultation has taken place of adjoining neighbours (and neighbours opposite). As such it is considered that the Council has carried out its legal requirement for a neighbour consultation and that the plans as submitted are satisfactorily annotated so as to be able to be appropriately assessed.
- 6.6.6 **Drainage** - Any future drainage issues such as blocked drains should be reported to Severn Trent. A condition will also be included for the driveway to be constructed as to prevent the discharge of water onto the public highway.
- 6.6.7 **Previous planning permission** - The granting of planning permission for one site does not automatically set a precedent for future development. Planning applications would be considered on their own merit and in the context of the site in which they are located.
- 6.6.8 **Financial gain** - and whether the applicant is local is not a material consideration.
- 6.6.9 **Development in general** - It is noted that neighbours welcome some form of development in approving the current rundown nature of the site and dwelling, but it is also noted that the property has had little development work in the preceding years. Therefore, whilst piecemeal development or a more minor proposal may be acceptable, and may result in a less cramped development and have less impact on neighbour amenity, it is considered that it would be unreasonable to refuse planning permission for a development which otherwise is considered to accord with the aims of the policies in the adopted local plans. In regard to any adverse impact on neighbours, a note to applicant will be included reminding them of their responsibilities in respect of hours of construction, in order to safeguard the amenity of residents in terms of noise and disturbance, and given the relatively quiet surroundings.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would be extensions to an existing residential dwelling, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan. The negative impacts would be some impact on privacy to no. 16 Cyril Avenue from the single storey rear extension. Notwithstanding this, the benefits are considered to outweigh any negatives of the scheme.

8 Conclusion

- 8.1 Overall, it is considered that the proposal is acceptable, complies with Local Plan policy and the NPPF and that conditional planning permission should be granted.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<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 drawing numbers A101 and A102 received by the Local Planning Authority on 10 January 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the materials to be used in the facing elevations and the roof have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p><i>Reason: 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>
4.	<p>No part of the development hereby permitted shall be brought into use until the extended driveway has been surfaced in a hard-bound material (not loose gravel). The surfaced drive / parking area shall then be maintained in such hard-bound material for the lifetime of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>

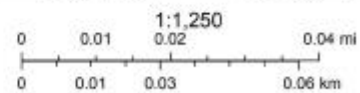
5.	<p>No part of the development hereby permitted shall be brought into use until the extended driveway is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking area to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>The rooflight and rear dormer window (on the north west part of the rear roof), labelled as obscure windows on drawing no. A102 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 any opening elements shall be a minimum of 1.7m above floor level. Both windows shall be 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.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
3.	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
4.	The development would make it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highways Authority. You are therefore required to contact the County Council's Customer Services on tel: 0300 500 80 80 to arrange for these works to be carried out.
5.	The highway (footpath) adjacent to the site should remain open and unobstructed. Vehicles should not be parked on the footpath or materials unloaded or stored on the footpath so as to obstruct the path and no disturbance should occur to the surface of the public highway.

Site Map

12 Hope Street, Beeston



2/21/2022, 10:48:18 AM



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Photographs



Front (south west) and side (north west) elevations.



Front (south west) elevation.



Front boundary with no. 14.



South eastern boundary with Cyril Avenue.



Boundary with no. 16 Cyril Avenue. and rear (north east) elevation.



Rear (north east) elevation, view from 16 Cyril Avenue.



To front, no. 35 (extended).



To front, no. 37 (extended and rendered).



Rear boundary and side elevation of no. 14 Hope Street



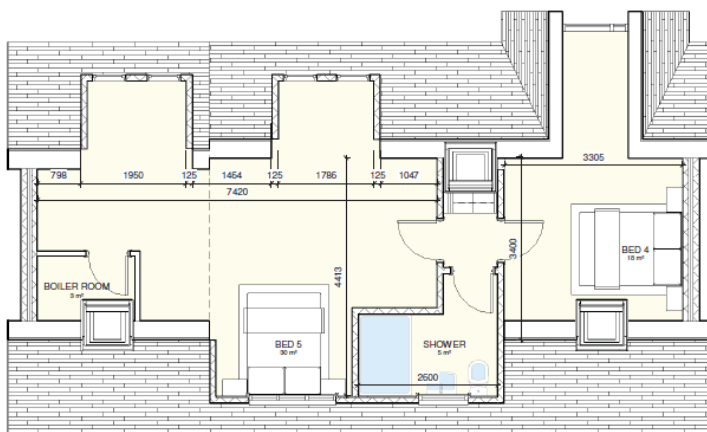
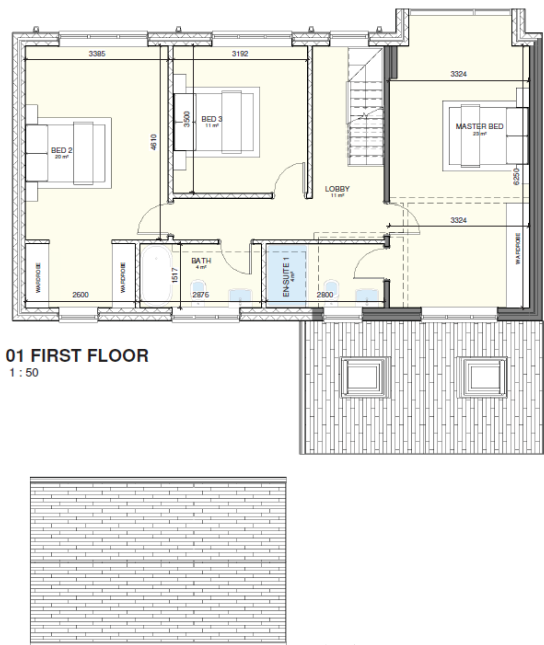
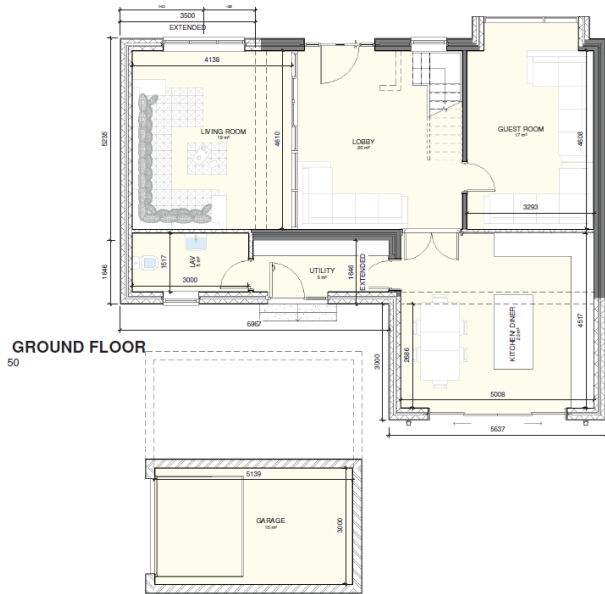
Rear (north east) elevation.



Side (south east) elevation, viewed from Cyril Avenue.

Plans (not to scale)





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Report of the Chief Executive

APPLICATION NUMBER:	21/00909/FUL
LOCATION:	116 Marlborough Road, Beeston, Nottinghamshire, NG9 2HN
PROPOSAL:	Change of use from residential (C3) to seven bedroomed housing in multiple occupation (sui generis). Construction of cycle storage, gates and driveway

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

1 Executive Summary

- 1.1 This application seeks permission to change the use of the property from a residential use (Class C3) to a house in multiple occupancy (Sui Generis). Extensions have been previously built but this application does not propose any further extensions. Cycle storage, timber gates and a driveway will be constructed.
- 1.2 The main issues relate to whether the principle of the change of use from residential (Class C3) to a seven bedroomed HMO (Sui Generis) would be acceptable, if there is an acceptable level of amenity for occupiers and existing neighbours and impacts on parking.
- 1.3 The benefits of the proposal are that it would provide additional space in an existing house which will contribute to the mix of housing in the area. Although there will be some impact on neighbour amenity and parking, it is considered this will not be detrimental. The change of use would not appear out of character with the surrounding area that would be in accordance with policies contained within the development plan which is given significant weight. On balance, the scheme is acceptable and should be approved.
- 1.4 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX**1 Details of the Application**

- 1.1 This application seeks permission to change the use of the property from a residential use (Class C3) to a house in multiple occupancy (Sui Generis). Extensions have been previously built but this application does not propose any further extensions.
- 1.2 The existing layout consists eight bedrooms (three with en-suites), two kitchen/diners and a bathroom. The proposed layout would consist of two kitchen/diners, a lounge, seven bedrooms (three with en-suites) and a bathroom.
- 1.3 Part of the rear garden will be used to accommodate four cars beside the side boundary with no. 17 Hetley Road. Cycle storage for five bikes will be provided to the rear of the property. A timber gate will be constructed to provide access from the driveway onto Hetley Road.
- 1.4 During the course of the application the scheme was amended to reduce the number of bedrooms from eight to seven and reposition the cycle storage away from the boundary with no. 114. The driveway materials were updated to show it would be block paved and timber gates were included (which will match the existing fence).
- 1.5 An application to retain two/single storey extensions, a canopy roof, hard standing, boundary fence and render (21/00386/FUL) was granted permission in August 2021. This application included seven bedrooms but it was confirmed by the applicant this would be for a family home. However, it is understood that the property is currently operating as a house in multiple occupancy for six residents.

2 Site and surroundings

- 2.1 The application site is on a corner plot and comprises an end terrace dwelling with hipped/gable roof, extended to the side and rear (two/single storey). It is finished with yellow smooth render and has red concrete roof tiles. It has smooth concrete hard standing surrounding the front, rear and side.
- 2.2 The site is enclosed by a 1.5m high fence and has a rear garden which adjoins Hetley Road.

3 Relevant Planning History

- 3.1 An application to retain two/single storey extensions, a canopy roof, hard standing, boundary fence and render (21/00386/FUL) was granted permission in August 2021.
- 3.2 An application (19/00791/FUL) to retain two/single storey extensions, boundary fence, hard standing area and sub-division of property to create additional dwelling unit was refused in September 2020. The reasons for refusal were based on the proposed new dwelling resulting in the unsatisfactory subdivision of a residential plot resulting in an over intensive use of the site which would be out of character

by reason of its limited curtilage and an insufficient footprint coupled with small bedrooms providing a substandard level of amenity for future occupants.

The decision was appealed and dismissed.

The Inspector agreed that the development was harmful to the character and appearance of the area, did not integrate into its surroundings and did not reflect features of other properties in the adjoining terraces.

- 3.3 A revised application (18/00257/FUL) for a single storey front and rear extension and two storey side and rear extension was refused permission in July 2018. The reason for refusal was as follows:

The size and design of the proposed extensions would result in a disproportionate addition to the property which would be unduly prominent due to the corner plot location and accordingly, would be harmful to the character and appearance of the street scene of Marlborough Road and Hetley Road. In addition, the height and projection of the two storey rear extension would be overbearing and have an unacceptable impact on the amenity of the occupiers of no. 114 Marlborough Road. The proposed development, therefore, would be contrary to the aims of Policy H9 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014), Policy 17 of the Draft Part 2 Local Plan and the National Planning Policy Framework (2018).

The decision was appealed and dismissed.

The Inspector considered the main issues to be the effect the proposed extension would have on the character and appearance of the host property and the street scene and the impact of living conditions on the adjoining neighbours, no. 114 Marlborough Road.

- 3.4 An application (17/00116/FUL) for a two storey side and single/two storey rear extension was granted permission in September 2017 at Planning Committee. During the course of this application, amendments were sought to reduce the scale of the extensions. The two storey side projection was reduced by 1.4m and the projection beyond the rear was reduced by 2.2m. It was considered that the extension was negotiated to an acceptable size for this end terrace dwelling, given its large plot.
- 3.5 A revised application (10/00181/FUL) was submitted including minor reductions to the size of the extensions. However, it was still considered the extensions were too large and the revised scheme was refused based on the same reasons as stated in the refusal for application: 09/00262/FUL.
- 3.6 An application (09/00262/FUL) for a two storey side, single storey rear extensions, dormer windows, detached garage, front and side boundary wall and canopy to the front elevation was refused in November 2009. The reason for refusal was based on the height, size and bulk of the two storey side extension having an overbearing impact on the occupiers of no. 114 Marlborough Road, causing an unacceptable loss of amenity and being unduly prominent on this corner plot to the detriment of the appearance of the street scene.

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 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan**

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

- Policy 17: Place-making, Design and Amenity

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

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

5 Consultations

5.1 **Councils Environmental Health Officer:** no objection.

5.2 **Council's Private Housing Officer:** Proposal for eight bedrooms is not possible as the ground floor bedroom with en-suite in the front corner of the house would require the adjoining wall with the hallway to be blocked off which would subdivide the house.

5.3 10 neighbouring properties were consulted on the application and three objections were received which can be summarised as follows:

- Dangerous corner and busy junction for an eight-bedroom property
- Impending Article 4 Direction highlights erosion of character in area
- Beeston will be turned into a student city
- Loss of family homes
- Highway safety risks, pollution and noise from additional vehicles
- Unsure how onsite parking will work
- Increase in noise and disturbance from additional tenants
- Cycle store is blocking the right of way to neighbouring properties

6 Assessment

6.1 The main issues relate to whether the principle of the change of use from residential (Class C3) to a seven bedroomed HMO (Sui Generis) would be acceptable, if there is an acceptable level of amenity for occupiers and existing neighbours and impacts on parking.

6.2 Principle

- 6.2.1 The property is located within a residential area with a mix of different housing tenures comprising flats, family homes, houses in multiple occupancy. The site is located within walking distance of Beeston town centre which provides access to regular bus and tram links.
- 6.2.2 The site is within an urban, sustainable location with access to regular transport links and provides additional space in a property. The previous application 21/00386/FUL approved seven bedrooms as part of the application; however, this was not for change of use and was for a family home. Whilst it is understood that the property is being occupied by six residents within a HMO use, this application seeks a change of use to a seven bedroomed HMO which is still considered to be acceptable.
- 6.2.3 It is acknowledged that a number of properties in the area have been changed into houses in multiple occupancy and the Article 4 Direction to remove permitted development for houses to convert from three to six unrelated residents living together without the need to apply for a change of use. However, there are no policies that currently restrict this change of use and given the location being within walking distance to Beeston town centre which enables a quick connection to Nottingham University, it is considered the principle of the change of use is acceptable. Furthermore, there are still a large number of properties in the surrounding area that are occupied by families.
- 6.2.4 To conclude, this development would add to the housing mix and it is considered that the character of the area would not be harmed given the proximity to Beeston town centre and there being a large number of family homes still occupying the surrounding area. The site is within walking distance of Beeston town centre which reduces the reliance on private car ownership. No external changes are proposed. The principle of the development is therefore considered to be acceptable.

6.3 Amenity

- 6.3.1 The property that will be mostly impacted by the change of use is no. 114 Marlborough Road. It is acknowledged there would be an increase in residents, as six currently reside here and there would be an additional resident. However, the previous application (21/00386/FUL) granted approval for a seven bedroom family home which is the same number, therefore the principle is established. Three bedrooms adjoined the shared wall with no. 114 under the 21/00386/FUL and this will remain the same. Whilst it is acknowledged this application is to permit unrelated residents living together, it is considered the addition of another resident would not cause a significant increase in noise and disturbance to this neighbour or any other surrounding neighbours. Furthermore, Marlborough Road being a cut through road in Beeston will already experience a degree of noise and disturbance being close to the town centre.
- 6.3.2 As the property is on a corner plot, it is considered it is sufficient distance from all other surrounding properties that there will not be a significant impact on their amenity by the proposed change of use.

6.3.3 To conclude, it is acknowledged there will be some impact on the amenity of surrounding neighbours. However, it is considered this would not be significant enough to warrant refusal. The site is located on a cut through road and junction that a degree of noise and disturbance will already be experienced by neighbours that this would unlikely increase this to an unacceptable level. It is therefore considered the impact on the neighbours will be acceptable.

6.4 Design

6.4.1 No external changes are proposed to the property but a parking area and cycle store are proposed.

6.4.2 The proposed driveway area will be constructed from block paving and is considered to be acceptable.

6.4.3 The cycle parking will have space for five bikes and is considered to reflect an acceptable design.

6.5 Parking

6.5.1 The site is within walking distance of Beeston town centre and is in close proximity to the tram and regular bus services along High Road. Car ownership associated with this property is likely to be low; however, there is parking for four cars to the rear of the property which is considered to be acceptable.

6.5.2 The rear car parking spaces will be accessed from Hetley Road. An existing dropped kerb would provide access and if this needed to be extended, the Highways Authority would be required to be notified to approve the works.

6.5.3 Environmental Health has not raised any objections in regards to the potential for noise and pollution associated with the property or potential for increase in vehicles. It is considered this would not warrant a reason for refusal.

6.6 Other

6.6.1 Maintaining access or rights of way to other properties is a legal matter and not a material planning consideration.

7 Planning Balance

7.1 The benefits of the proposal are that it would provide additional space in an existing house which will contribute to the mix of housing in the area. Although there will be some impact on neighbour amenity and parking, it is considered this will not be detrimental. The change of use would not appear out of character with the surrounding area that would be in accordance with policies contained within the development plan which is given significant weight. On balance, the scheme is acceptable and should be approved.

8 Conclusion

- 8.1 To conclude, it is considered the change of use is acceptable and there would not be a significant impact on the amenity of surrounding neighbours, or traffic/parking in the area and therefore the application should be approved.

<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 drawings:</p> <p>Received by the Local Planning Authority on 9 February 2022:</p> <ul style="list-style-type: none"> • 116-PL02 Rev C <p>Received by the Local Planning Authority on 10 February 2022:</p> <ul style="list-style-type: none"> • 116-PL02 Rev D <p><i>Reason: For the avoidance of doubt.</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.

Map



Legend

Site Outline

Photos



South west (front) elevation



North east (rear) elevation



North east (rear) elevation



North west (side) elevation

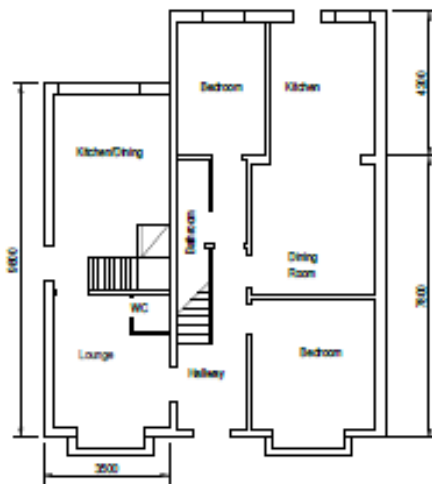


View facing south west along Hetley Road



View facing north west along Marlborough Road

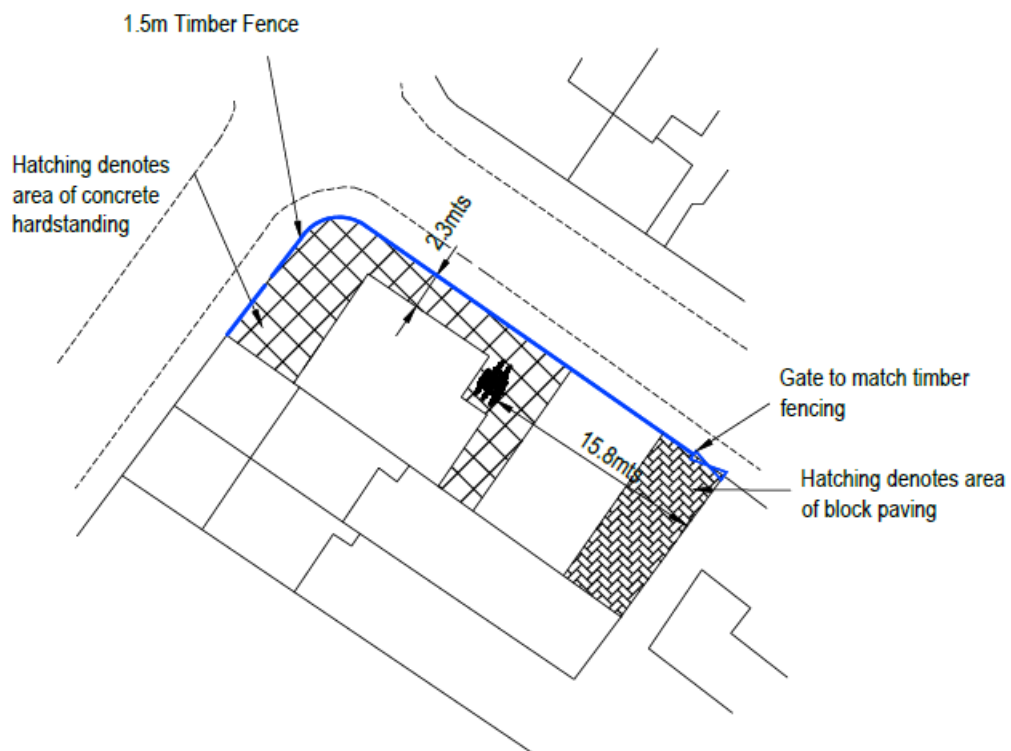
Plans (not to scale)



GROUND FLOOR PLAN
1:100



FIRST FLOOR PLAN
1:100



SITE BLOCK PLAN
1:500

Report of the Chief Executive

APPLICATION NUMBER:	21/00941/FUL
LOCATION:	Land to the rear of Methodist Church, Wollaton Road, Beeston, Nottinghamshire, NG9 2NG
PROPOSAL:	Construct 3 storey building to contain 6 houses of multiple occupancy (class c4) and construct cycle store and bin store (revised scheme)

The application is brought to the Committee as the previous application was determined at Committee.

1 Executive Summary

- 1.1 The application seeks permission for the construction of a three storey building comprising six HMO flats (Houses in Multiple Occupancy) and the provision of a cycle and bin store. This is a revised scheme of the refused scheme (20/00674/FUL) which has included several amendments listed in paragraph 1.5 below.
- 1.2 The site is located within the town centre to the rear of the Methodist Church. The building would physically connect to the rear elevation of the Methodist Church. The Methodist Church has received permission to be converted from a place of worship to 3 houses in multiple occupancy with dormers and external alterations.
- 1.3 An application (20/00674/FUL) for a similar scheme was refused at Planning Committee in September 2021. This was to construct a three storey building to contain six houses of multiple occupancy (Class C4) and construct a cycle store and bin store. The application was refused for the following reasons:

The development, by virtue of its scale, massing and proximity to neighbouring boundaries fails to provide a suitable outlook for future occupants on the ground floor and therefore does not provide satisfactory living conditions or provide a satisfactory level of amenity.

The development, by virtue of its scale, massing, height and proximity to the south east boundary would create a dominant and oppressive relationship with occupants on Wilkinson Avenue therefore resulting in a detrimental impact on their amenity and living conditions.

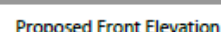
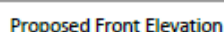
The development, by virtue of its scale and massing, would create a building that dominates the Methodist Church to the detriment of its character. Furthermore, the contrasting traditional and contemporary design creates a scheme that has a juxtaposition of styles competing with one another to its detriment. Therefore, the scheme appears out of keeping with the Methodist Church and consequently would appear out of keeping within the street scene.

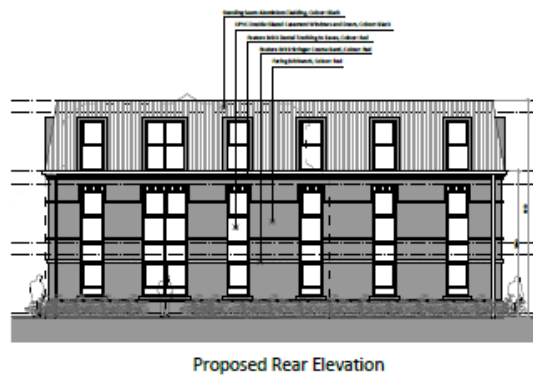
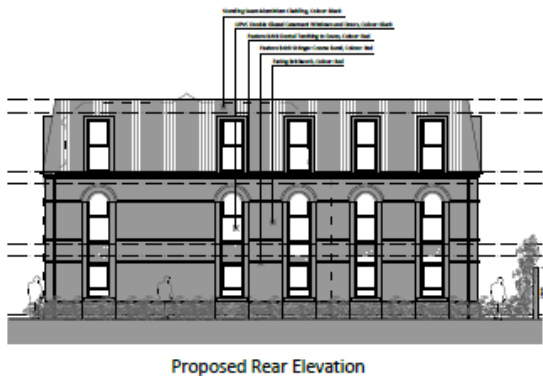
Accordingly, the proposal is contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (2021).

- 1.4 The main issue relates to whether the principle of the building would be acceptable, if there is an acceptable level of design, if there is an acceptable impact on neighbour amenity and if it is acceptable in relation to highway safety.
- 1.5 The benefit of the proposal is that it would provide additional residential accommodation in an existing urban area. However, it is considered that insufficient amendments have been incorporated into this scheme and the building still represents an overdevelopment of the plot due to its excessive massing and proximity to neighbouring boundaries. It is considered the excessive massing and scale and proximity to boundaries would give a poor outlook for future occupiers at ground floor level and also have a detrimental impact on the amenity of the neighbours on Wilkinson Avenue. The design is considered to be unacceptable due to it being a mix between traditional and contemporary which would have a negative impact on the Methodist Church. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. On balance, although the scheme would result in six HMO flats, this is not enough to overcome the concerns raised and therefore the application should be refused.
- 1.6 The Committee is asked to resolve that planning permission be refused subject to the reasons outlined in the appendix.

1 Details of the Application

- 20/00674/FUL Refused Scheme





2 Site and surroundings

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

3 Relevant Planning History

- 3.1 Planning permission (20/00091/FUL) was granted in May 2020 to change the use of the Methodist Church from a place of worship (Class D1) to 3 houses in multiple occupation (Class C4), construction of dormers, cycle store, bin store, dropped kerb and external alterations.
- 3.2 Planning permission (20/00674/FUL) was refused in September 2021 to construct a three storey building to contain six houses of multiple occupancy (Class C4) and construct a cycle store and bin store. The reasons for refusal are stated in paragraph 1.5 above.

4 Relevant Policies and Guidance

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

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

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

4.2 **Part 2 Local Plan 2019:**

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

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

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

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

5 Consultations

- 5.1 **Council's Environmental Health Officer:** Environmental Health has not raised any objection subject to conditions in respect of providing a Construction Method Statement, Noise Assessment, Artificial Lighting Assessment, restricting working hours and an advisory in respect of prohibiting burning waste.
- 5.2 **Council's Waste and Recycling Officer:** advise bin requirements.
- 5.3 **Council's Private Sector Housing Officer:** flat 2 has better access to the exit door since the en-suite shower room has been incorporated into the room. In flats 1 and 3, three of the bedroom doors appear to collide with the opening of the en-suite doors. In flat 5, all of the bedroom room doors appear to collide with opening of the

en-suite door. In relation to fire protection, has the travel distance from bedrooms to the final exit door been considered?

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

5.5 25 neighbours were consulted on the application and two objections were received which can be summarised as follows:

- Loss of light
- Loss of privacy
- Already experience loss of light from existing building
- Significant, detrimental impact on neighbouring properties
- Will dominate skyline as other nearby buildings do already
- Oppressive
- Increased congestion
- Destruction of church should be considered from a moral and ethical perspective.

6 Assessment

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

6.2 **Principle**

6.2.1 Concerns have been raised with the applicant in regards to the design, height, massing, impact on future occupier's amenity and the amenity of neighbours on Wilkinson Avenue. It was advised that the scheme has not incorporated sufficient amendments and the two schemes are extremely comparable that further amendments are required. As the applicant declined to amend the plans the principle of the scheme is considered to be unacceptable and the previous reasons for refusal are still applicable.

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

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

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

impact on adjoining neighbours on Wilkinson Avenue and have an unacceptable impact on the Methodist Church and street scene due to its scale and massing.

6.3 Design

- 6.3.1 As stated above, concerns were raised over the design and the proposed scheme still did not incorporate significant enough amendments for this reason for refusal to be removed from the previous scheme.
- 6.3.2 It is considered the scale and massing are excessive for the size of the plot and represents over development which is emphasised by the close proximity to neighbouring boundaries. Although it is acknowledged this is a town centre location, an element of spaciousness is experienced between the rear gardens of Wilkinson Avenue, the application site and the Commercial Inn. The building would be between 1.8m and 3m from neighbouring boundaries which for the massing and scale of the building is considered to represent an overly compact presence, especially when coupled with the adjoining Methodist Church. Therefore, the building fails to integrate into its surroundings.
- 6.3.3 It is acknowledged the distance has increased (previously a minimum separation distance of 0.9m which has increased to a minimum of 2.1m) from the south east elevation and the south east boundary with the Wilkinson Avenue properties. However, the building has been increased in projection to the south west (previously a minimum separation distance of 2.3m which has been decreased to a minimum of 1.8m). Furthermore, the adjoining section to the Methodist Church has been increased in width. Therefore, it is considered the overall massing of the building has not been reduced sufficiently and in some elements, has been increased.

21/00941/FUL Proposed Scheme



Proposed Site Plan Layout 1:200

20/00674/FUL Refused Scheme



Proposed Site Plan Layout 1:200

- 6.3.4 It is considered the overall design is confusing and partially competes with the Methodist Church at ground and first floor but has a contemporary style roof and dormers at second floor level. It is considered the mix of traditional and contemporary design is concerning and that extending the main building requires a more unique solution. Although there is not strictly a design method for linking a traditional and new building together, a usually successful approach is with a glazed structure which then connects to a contemporary building. In this case, the link between the buildings has some windows but isn't fully glazed to show the break between the old and new buildings. Due to the size and materials of the linking structure and the size of the new building, it is considered these blur into one development and do not represent a successful extension (as shown below). The second floor has an aluminium clad roof with rectangular dormers which do not respond to the traditional appearance at ground and first floor. Furthermore, the lack of subservience of the dormer windows when viewing the fenestration of the building from ground to second floor adds to the excessive mass and scale. In addition to this, the number of dormers is excessive due to the overdevelopment of the plot. The number of dormers has reduced from 15 to 14 which is considered to not be sufficient to improve the design.



- 6.3.5 It is considered the proposed cycle store is an acceptable scale and design. Elevations of the bin store have not been provided but these could have been provided if the application was recommended for approval within a landscaping condition.
- 6.3.6 To conclude, it is considered the proposed building represents an over development of the plot due to its excessive scale, massing and proximity to neighbouring boundaries. The design is considered to be confusing due to the mix between traditional and contemporary which would have a negative impact on the Methodist Church and surrounding area. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. This directly contravenes Policy 10 of the Aligned Core Strategy (2014) Policy 10 2 (d and e) which references that development will be assessed in respect of massing, scale and proportion, materials, architectural style and detailing and Policy 17 1 (a) of the Part 2 Local Plan (2019) which states that development should integrate into its surroundings.

6.4 Amenity

- 6.4.1 Concerns have been received in relation to the building causing a loss of privacy and light and being oppressive.
- 6.4.2 Whilst the windows in the south east elevations serving en-suites and store/plant rooms, these could be conditioned to be obscurely glazed to reduce overlooking, there is still the concern of the excessive massing and scale of the building and its oppressive presence which would be experienced by neighbours occupying the Wilkinson Avenue properties. It is considered unreasonable for these neighbours to experience an empty site to then experience a building that is 8.9m in height, approximately 17.3m (previously approximately 16.8m) in width and between 2.1m and 3m from their boundary. Nos. 8, 10, 12 and 14 Wilkinson Avenue are the properties that will experience the impact of the building the most and although the gardens are north facing, it is still considered the presence of the building will give rise to a sense of enclosure and oppressive feeling when using their rear gardens. The length of the rear gardens from the rear projection to south the north west boundary are on average 12.5m which is considered to be significantly small. The side elevation below shows the proposed building as experienced from the rear gardens of Wilkinson Avenue. It is considered the building will have an unacceptable impact on the amenity of these neighbours due to the excessive scale and massing and height of the south east elevation with its proximity to the south east boundary. Whilst it is acknowledged the building has been moved further away from the south east boundary, the height of the building remains the same as previously proposed and the building does not step in to reduce the impact on these neighbouring gardens. Furthermore, although the gardens are north facing, it is still considered they will experience a loss of light and overshadowing that the gardens would not be usable.



South east elevation of proposed building (facing Wilkinson Avenue)



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

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

6.5 Highways and Access

- 6.5.1 The Highways Authority has not objected and requested for the dropped kerb access to be removed which was amended on the plans. This was due to the access onto the site from Wollaton Road being unsafe. A condition was advised that the cycle store should be constructed before occupants inhabit the building.
- 6.5.2 It is considered that due to the number of people living here that delivery and service vehicles should be accommodated for. Whilst it is accepted that the Highways Authority requested for the dropped kerb access to be removed due to highway safety concerns on Wollaton Road, if the building was reduced in size then ultimately the number of occupants would be reduced which would mean there is less pressure to provide an area for off-street parking for service vehicles. The total number of occupants within the Methodist Church and this building would equate to at least 44 occupants meaning delivery vehicles stopping on Wollaton Road would likely cause a nuisance to other drivers. Furthermore, a bus stop is situated right outside the Methodist Church meaning this would cause further issues.
- 6.5.3 Whilst it is acknowledged that parking would not be appropriate on site due to access from Wollaton Road which is a busy town center road, it is concerning that due to the overdevelopment of the site that the number of vehicles serving the building (and neighbouring Methodist Church) will likely cause a nuisance to drivers along Wollaton Road.

6.6 Other Matters

- 6.6.1 Planning permission has been granted 20/00091/FUL to convert the church which involves the conversion and addition of dormers and not to demolish it.
- 6.6.2 In response to the Private Sector Housing Officer's comments, the agent confirmed that the doors would only collide if opened at the same time which would be unlikely as they accommodate one person per room.
- 6.6.3 The matter of fire protection has been raised with the agent; however, no comments were received in regards to this matter. However, is a matter to be dealt with by Building Regulations.

7 Planning Balance

- 7.1 The benefit of the proposal is that it would provide additional residential accommodation in an existing urban area. However, it is considered that the building represents an overdevelopment of the plot due to its excessive massing and proximity to neighbouring boundaries. It is considered the excessive massing and scale and proximity to boundaries would give a poor outlook for future occupiers at ground floor level and also have a detrimental impact on the amenity of the neighbours on Wilkinson Avenue. The design is considered to be unacceptable due to it being a mix between traditional and contemporary which would have a negative impact on the Methodist Church. The massing and scale of the building are considered to compete with the Methodist Church and therefore would have a negative impact on the street scene of Wollaton Road. On balance,

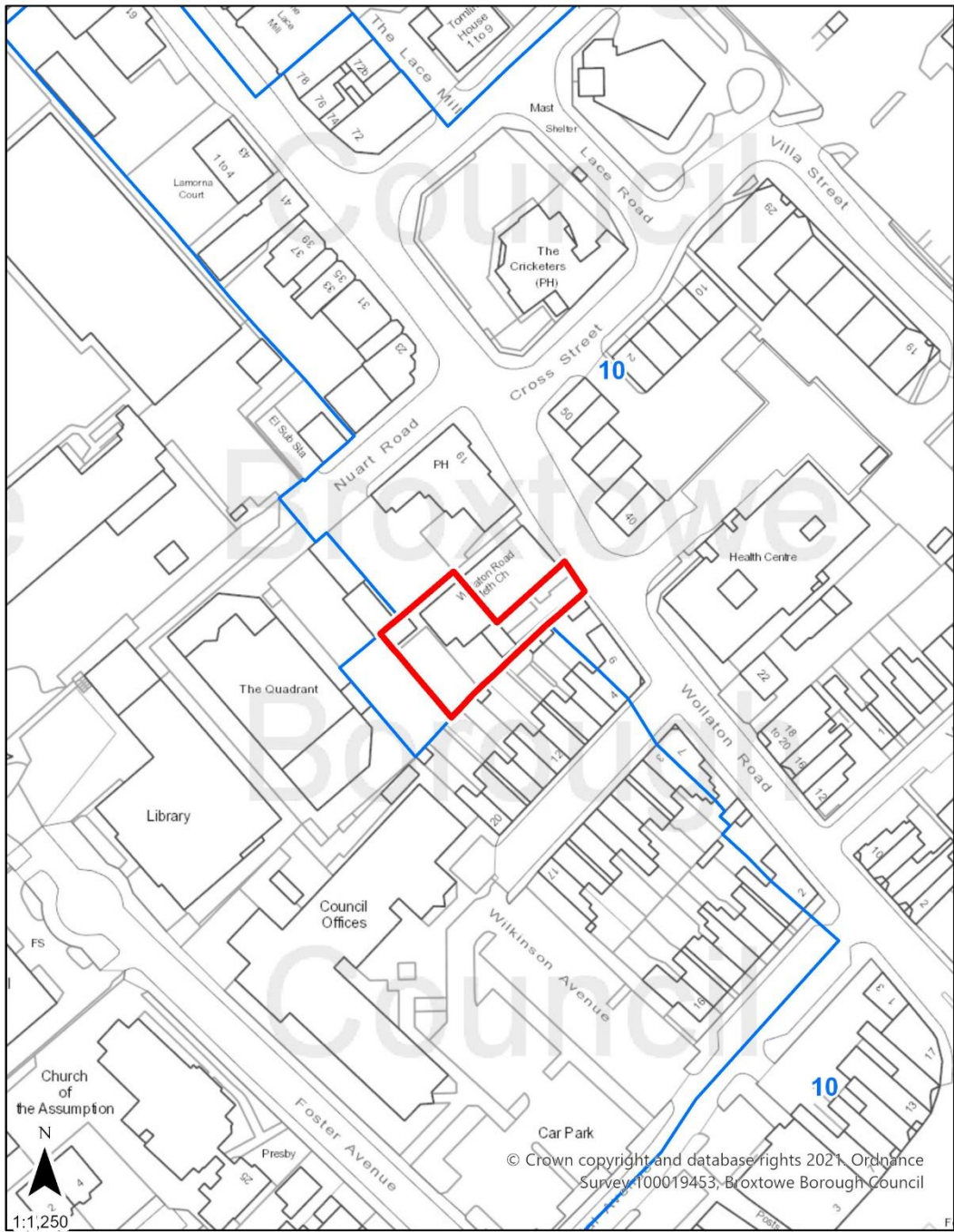
although the scheme would result in six HMO flats, this is not enough to overcome the concerns raised and therefore the application should be refused.

8 Conclusion

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

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

Map



Legend

- Site Outline
- Town or District Centre

Photos



View from Wollaton Road



Facing south east boundary towards Wilkinson Avenue



Both photos showing rear elevations of Wilkinson Avenue properties

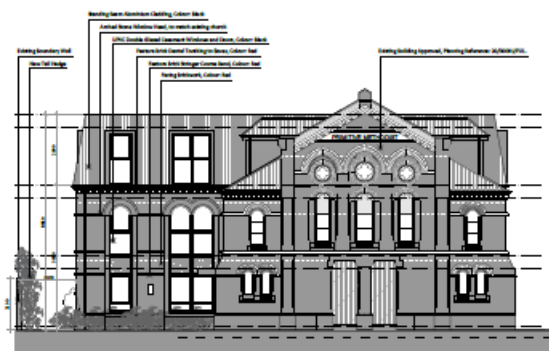


Facing north west towards Commercial Inn pub

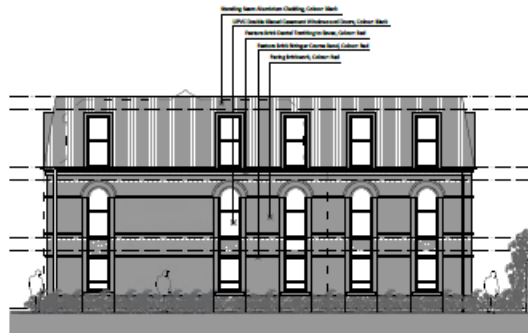


Facing south west (rear) boundary

Proposed Plans 21/00941/FUL (not to scale)



Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation

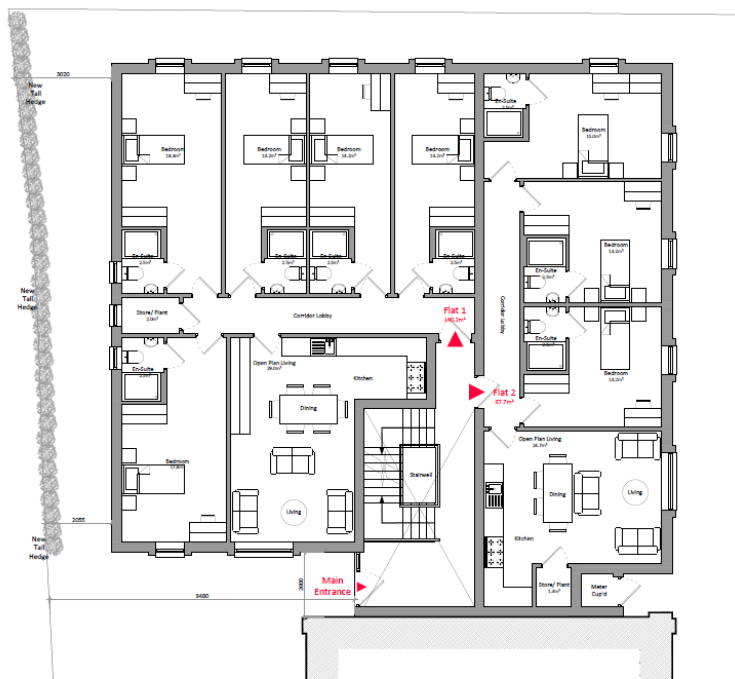


Proposed Side Elevation

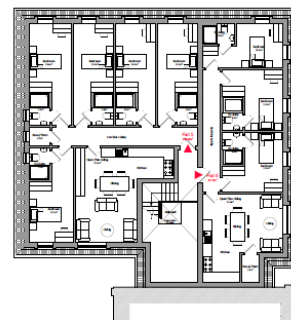
Proposed Plans 21/00941/FUL (not to scale)



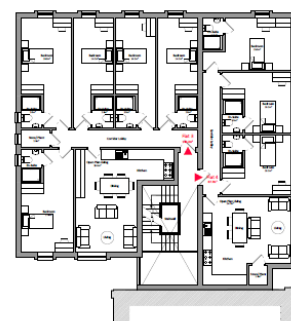
Proposed Site Plan Layout 1:200



Proposed Ground Floor Plan



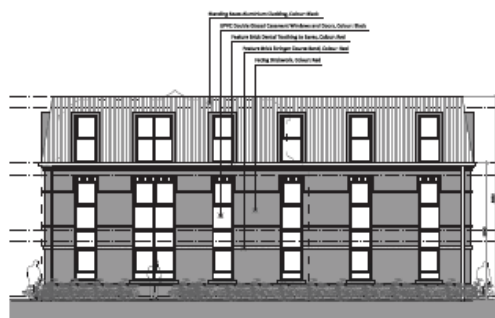
Proposed Second Floor Plan



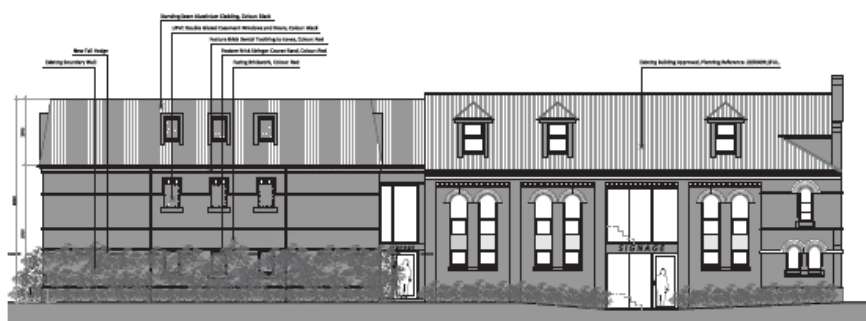
Proposed First Floor Plan

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Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation

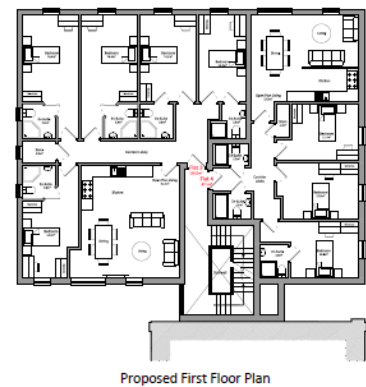
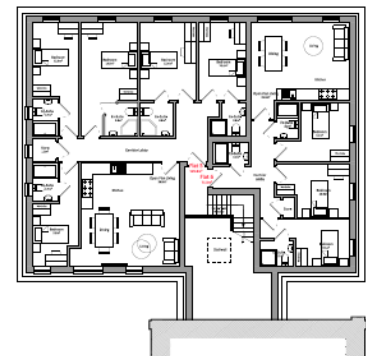
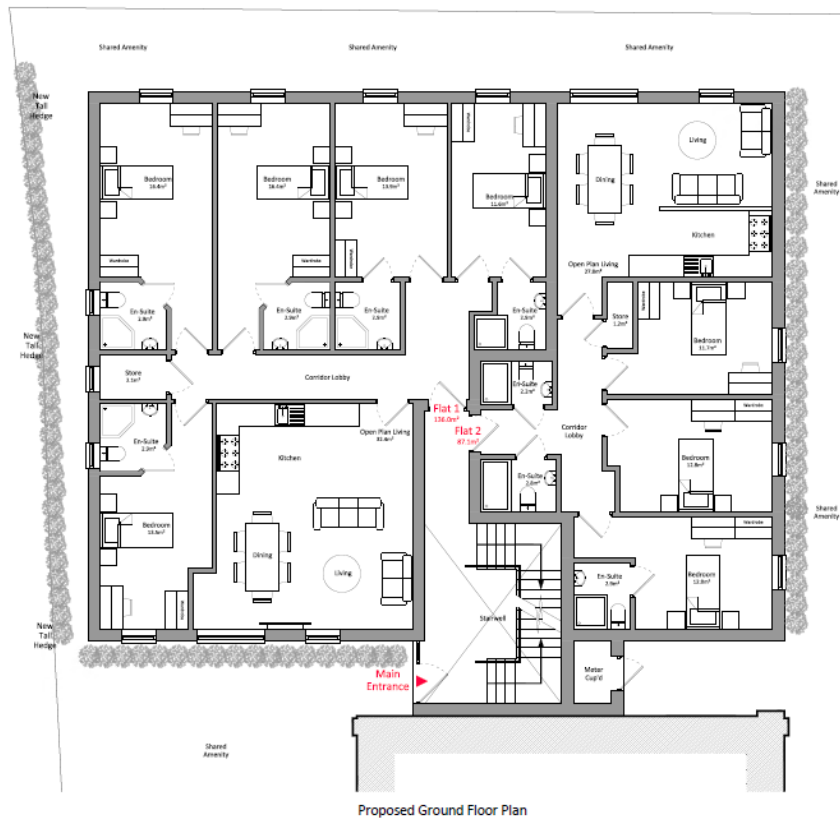


Proposed Side Elevation



Proposed Site Plan Layout 1:200

Previous Refused Plans 20/00674/FUL (not to scale)



Report of the Chief Executive

APPLICATION NUMBER:	21/00971/FUL
LOCATION:	129-131 High Road Beeston NG9 2LL
PROPOSAL:	Construct 3 storey building comprising 7 apartments and provision of parking area (revised scheme)

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

1 Executive Summary

- 1.1 The application seeks permission for the construction of a three storey building comprising of 7 apartments and the provision of parking, cycle and bin store areas.
- 1.2 The site is currently occupied by a two storey retail unit which has been extensively extended such that it now fills the whole of the site curtilage. The extensions to the rear are varied in height but mostly flat roofed and brick built. The retail unit is currently vacant and is just outside the Beeston Town Centre boundary.
- 1.3 The main issues relate to whether the proposed use as residential is acceptable; whether the design and layout is acceptable; whether the proposal would have an unacceptable impact on highway safety; and whether there would be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal are that the accommodation would provide purpose built student accommodation suitable for occupiers who wish to share, and would in turn allow for less pressure on C3 dwellings to be occupied as a C4 use (which is currently permitted development); it would be in a sustainable location with good access to public transport and to facilities such as retail, leisure, health and education, reducing reliance on private vehicles; and would provide a good standard of living for the future occupiers. The development would be in accordance with the policies contained within the development plan. This is given significant weight.
- 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 existing buildings on the site would be demolished. The proposed development would consist of a three storey brick built building in an L shape which would wrap around the frontages of the site. A parking court of eight spaces would be provided to the rear, accessed via an undercroft off Marlborough Road, and the building would incorporate a cycle store for 22 cycles and a bin storage area at the ground floor level.
- 1.2 The building would have a flat roof throughout and the design includes a chamfered corner. Parts of the three storey element would include a set back from Marlborough Road and High Road elevation.

2 Site and surroundings

- 2.1 The site is currently occupied by a two storey retail unit which has been extensively extended such that it now fills the whole of the site curtilage. The extensions to the rear are varied in height but mostly flat roofed and brick built. The retail unit is currently vacant and is just outside the Beeston Town Centre boundary.
- 2.2 The site occupies a corner site, to the north east of the junction of High Road and Marlborough Road. Beeston town centre boundary is to the south west of this junction and as such the site falls outside of the centre.
- 2.3 To the north east of the site is 133 and 135 High Road, a pair of semi-detached properties which are in retail use. The existing building is built directly abutting no. 133, and there is one small window, which serves a bathroom, at first floor level in this elevation. There is a single storey flat roof extension to the rear of 133 and 135. Beyond this, and to the corner of Cedar Avenue, there is a car sales business.
- 2.4 To the north west of the site is 2 Marlborough Road, a two storey Victorian semi-detached dwelling which has a two storey off-shoot to the rear. There are no windows in the main gable elevation, although there is a window at ground and first floor level in the facing elevation of the rear off-shoot. Further windows at both ground and first floor are in the rear elevation. The common boundary of this property runs along the side of the site to the full length.
- 2.5 To the north of the site, to the rear of 2 Marlborough Road, there is a pair of two storey semi-detached dwellings, 1 and 3 Cedar Avenue, the rear elevations of which face the site.
- 2.6 To the south east of the site, on the opposite corner of Marlborough Road, there is a two storey building in retail use at ground floor with residential above. More retail units are to the south east, on the opposite side of High Road.
- 2.7 Broadgate House, a three and four storey office building (recently granted planning permission to be converted into an 84-bedroom HMO reference 21/00758/FUL), is located to the east of the site, opposite the car sales business, and on the corner of Broadgate and Humber Road.

- 2.8 Generally, the character of the area, when viewed from the south west, is one of mainly retail which then turns to residential the further north east past the site. Marlborough Road, and Cedar Avenue, which runs parallel to this, are both residential in character.

3 Relevant Planning History

- 3.1 Planning permission has been granted historically in this location for a number of extensions and alterations to the building, with the last application being in 2012 which was for alterations to windows and to cladding on the elevations (12/00181/FUL).
- 3.2 Planning application reference 21/00092/FUL for 9 apartments was refused at June 2021 planning committee by virtue of its scale and design being out of character with the area, with the proposal resulting in overdevelopment of the plot, exacerbating existing local parking issues. The applicant has since lodged an appeal which is currently pending (APP/J3015/W/21/328647). It was considered by members that the proposal was at odds with its surroundings resulting in an overbearing and overly dominant impact on neighbouring properties.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- 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 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity

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

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

5 Consultations

- 5.1 **County Council as Highway Authority:** First set of comments: request access to be widened to 5.8m in width, and parking space 1 widened to a min of 3.0m next to the wall. A refuse store will need to be shown on the plans.
- 5.2 **County Council as Highway Authority:** Second set of comments: no objections, subject to conditions in respect of provision of visibility splays prior to occupation; access and parking spaces to be of bound material and designed so as to prevent the unregulated discharge of surface water; parking and access to be provided prior to occupation and retained for the life of the development; and no occupation prior to redundant kerbs being reinstated. Note to applicant in respect of works to the highway.
- 5.3 **Council's Environmental Health Officer:** No objections, subject to conditions in respect of a noise report, a Demolition and Construction Method Statement and a report to identify and for the safe removal of asbestos containing material, all to be submitted and agreed prior to above ground works; regulatory condition in respect of hours of construction; and a Note to Applicant in respect of burning of waste.
- 5.4 **Council's Private Sector Housing Officer:** No objections in principle, subject to the rooms meeting the Broxtowe HMO Standards.
- 5.5 **Nottinghamshire Wildlife Trust:** Have been made aware that the structure supports house martins and as such would expect an ecology survey to be carried out, which should focus on roosting bats and breeding birds. Protection and enhancement measures should be provided to ensure the proposal delivery a biodiversity net gain in line with the NPPF.
- 5.6 **Resident comments:** 28 letters received, raising the following observations/concerns:

Support:

- The proposal has been reduced in scale compared to the previous application (21/00092/FUL) and is less visually dominant.

*Opposed:**Principle / use of the site:*

- If the site is to be residential, then family homes which are affordable and sustainable are what is needed.
- Purpose built student accommodation should be built on the university grounds.
- The proposal would result in the loss of needed commercial/retail space.
- Students will not help local business revenues as students will spend money outside of Beeston.

Visual Amenity:

- The proposal will be highly prominent and would be incongruous in this location.

- The proposal represents overdevelopment.
- The proposed 'block' design is out of character in this location.
- The existing building holds historic/aesthetic value, demolition of this building would be detrimental to the street scene.

Residential Amenity:

- The proposed design will result in an overlooking, overbearing and overshadowing impact upon surrounding properties.
- The proposal would create the sense of enclosure.
- The size of the proposal accommodating 43 occupiers would result in a significant impact on the amenity of neighbouring properties in terms of noise.
- Local parks and streets within the vicinity of the proposal will be affected by anti-social behaviour.
- There is a lack of amenity space for future occupiers.

Highway Safety and Parking:

- There is a lack of parking for the size of the development.
- The proposal would result in increased traffic which could affect emergency services.
- The proposal would result in an increased on-street car parking, affecting neighbouring properties.

Other Matters:

- Disruption will be used by the construction period.
- The proposal would increase litter in this location.
- The existing building may contain birds and therefore full surveys should be carried out before demolition of the building.
- Description is inaccurate, the proposal is for 7 flats not 6 as originally advertised.
- Boundary treatment should be secured for properties affected by the proposed demolition.
- The red line plan submitted appears inaccurate.

6 Assessment

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

6.2 **Principle**

6.2.1 The existing building is currently vacant, and is outside of the defined Town Centre boundary. The proposal meets the Council's aspirations to re-position the town centre and have the new cinema as the focal point, through reducing edge of centre, not fit for purpose units.

6.2.2 Whilst there are a mix of uses in the immediate area, including retail, food outlets, offices and car sales, the site is located on the High Road/Marlborough Road

junction, with Marlborough Road being residential in character. The further north east along Broadgate, the more residential the character becomes and as such it is considered that a residential use of the site is acceptable. It is important to note that to the north east of the site, Broadgate House was recently granted planning permission to be converted into an 84-bedroom purpose built student accommodation (21/00758/FUL).

- 6.2.3 The proposed building would provide 7 apartments, intended for student accommodation. The building would therefore be purpose built, and could accommodate occupiers who could otherwise occupy C3 dwellings, to the detriment of the wider community, as this would represent the loss of accommodation that would be more suited to families and other longer term residents. The application site is considered to be a good location for a purpose built accommodation, being close to a wide range of amenities including to the university campus, and to the centre of Beeston (as opposed to amidst a predominately housing area) and is close to a wide range of sustainable transport options such as the well served public transport route immediately outside the site on High Road, the frequent tram service on Middle Street, and to walking and cycling routes. For this reason, it is considered that the use of the site as residential is acceptable.

6.3 Design and Layout

- 6.3.1 This application is for a revised scheme in relation to previous application reference 21/00092/FUL and has been reduced in size and scale. The maximum height of the proposed development has been reduced by approximately 2m to lessen the prominence. Furthermore, the third storey has been reduced in width and is set back from neighbouring property 2 Marlborough Road by approximately 5m and 8m from 133 High Road to reduce the overall bulk of the design. The proposed three storey building is similar in height to the neighbouring properties on Marlborough Road and High Road, it is considered that the scale and form is appropriate and reflects the character of the area.
- 6.3.2 The design is contemporary, including a flat roof at second and third floor level. The proposed third storey will be set back along Marlborough Road and High Road, except the feature corner block.
- 6.3.3 The building would be set away from the back edge of the pavement, which would reduce the impact of the building on the visual amenity of the street scene, given the sites' prominent position. This would also ensure that adequate space is provided for pedestrians and that visibility around the corner is not restricted, as is the existing situation.
- 6.3.4 The building is proposed to be constructed using brick to the elevations, a metal standing seam material to the mansard roof detail at third floor level, and powder coated aluminium frames to the window surrounds. Details of the materials will be the subject of a condition.
- 6.3.5 The layout of the development is considered to be acceptable. The parking is to the rear of the building, accessed via a gated entrance off Marlborough Road, which would provide security to both the future residents and the existing. The bin store

is considered to be within a reasonable and convenient distance to the public highway.

6.4 Residential Amenity

- 6.4.1 2 Marlborough Road directly abuts the site, to the north west. This is a two storey semi-detached dwelling and is side on to the site. There are no windows in the main side elevation. Whilst the proposed building would be built on the common boundary, this elevation is approximately 6.2m in height and sits lower than the ridgeline of neighbouring property No. 2, Marlborough Road. Given that the existing building runs the full length along the boundary of neighbouring property No. 2, it is considered that the proposal would result in no greater impact than the existing building. Further to this, the third storey aspect is set away from the boundary of No. 2 Marlborough Road which also lessens any potential overbearing impact. No windows are proposed in the facing elevation and as such it is considered that there would be no significant impact on privacy for these occupiers. As such, it is considered that the proposal would not result in a significant impact in terms of any potential overbearing or overshadowing impact.
- 6.4.2 133 High Road directly abuts the site, to the north east. This is a two storey building which is occupied as a retail unit to the ground floor with accommodation at first floor. There is a bathroom window at first floor level in the side elevation of 133 facing the site, and directly on the common boundary. The proposed building has been designed to be set away from the boundary of neighbouring property No. 133 by approximately 1.2m fronting High Road and 0.38m from the boundary to the rear. It is considered that the proposed building would not have a significant impact in terms of loss of light, outlook or privacy for the occupiers of no. 133.
- 6.4.3 1 and 3 Cedar Avenue are a pair of two storey semi-detached dwellings which are to the north/north east of the site and whose rear elevations face toward the site. No. 1 is the closer of the two to the site, and there is a distance of approximately 17m between the rear elevation and the rear boundary of the site. There would be a minimum of 30m from the rear elevation of 1 and 3 Cedar Avenue and the facing elevation of the proposed building, which is a relationship typical between properties on Cedar Avenue and those on Marlborough Road. Whilst the main elements of the proposed building would be two storey in height, the third floor would be set in from the building edge and given the distances between the building and the rear elevations of neighbouring properties, it is considered that there would be no significant impact on the amenities of the occupiers of the dwellings in terms of loss of outlook, light or on privacy.
- 6.4.4 To the south west of the site, on the opposite side of the road, is 1 and 1A Marlborough Road, a commercial/retail unit which is two storey in height, and 129 A and B, which is a two storey unit located at the corner of High Road. The latter building is occupied as retail to the ground floor, and residential above at first floor. It is considered that the proposed building would not have a significant impact on the amenities of the occupiers of this building, due to the distances between and the presence of the road.
- 6.4.5 To the south and south east of the site, on the opposite side of High Road, there are a range of retail units, most of which are single storey. 156 and 158 High Road,

to the end of this run and at the junction of Humber Road, are two storey and have residential accommodation at first floor. It is considered that the proposed building would not have a significant impact on the amenities of the occupiers of this building, due to the distances between and the presence of the road.

- 6.4.6 With regard to the internal layout of the building, the accommodation would provide each bedroom with access to natural light and to an outlook, and each resident would have access to shared communal space, in the form of a kitchen/living/dining area. Each bedroom would have its own bathroom, and all bedrooms would exceed the 8 square metres minimum as set out in the Council's House in Multiple Occupation (HMO) Property Standards.

6.5 Highway Safety and Parking

- 6.5.1 The building would have a gated vehicular and pedestrian access from Marlborough Road which would lead to the eight parking spaces. The Highway Authority have no objection to the amount of parking proposed, or to the visibility splay provided into the parking area from Marlborough Road. Condition to ensure that the visibility splay, and that parking spaces are appropriately surfaced and provided prior to first occupation would be imposed.

- 6.5.2 It is noted from the consultation responses that the immediate area already experiences problems in respect of lack of on-street parking and amount of through traffic. In assessing the highway impacts of a proposal, paragraph 111 of the NPPF states that development should only be refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 107 provides a list of factors which should be taken into account, which includes the availability of and opportunities for public transport, and the type, mix and use of the development. Policy 10 of the ACS states that development should be designed so as to reduce the dominance of motor vehicles.

- 6.5.3 As previously outlined in paragraph 6.2.3 above, the site is considered to be a good location for a purpose built accommodation, being close to a wide range of amenities including to the university campus, and to the centre of Beeston (as opposed to amidst a predominately housing area) and is close to a wide range of sustainable transport options such as the well served public transport route immediately outside the site on High Road, the frequent tram service on Middle Street, and to walking and cycling routes. In addition, a cycle storage area for 22 cycles would be provided, which would encourage the use of sustainable modes of travel, and reduce the reliance on the private motor car. It is therefore considered that the proposal would not have a significant impact on highway safety or to a significant increase in demand for on-street parking.

6.6 Noise

- 6.6.1 As the building would contain bedrooms which would be located adjacent to a busy road, and is close to the town centre with night time uses nearby, details of a report to ensure that the occupants would not be unduly affected by noise would need to be submitted and agreed prior to the commencement of any above ground works. Any measures approved would need to be implemented prior to first occupation.

6.6.2 Concerns have been raised in respect of noise during construction and demolition. A regulatory condition to restrict hours of construction would be imposed as recommended.

6.6.3 Concerns have also been raised in regard to noise emanating from the use of the building (by the occupiers). It is considered that as the rear of the building would be functional (for vehicle parking and for access to the bin/cycle store) and has no outdoor amenity space, and that the main resident access is from the entrance on High Road, the level of noise would not be significantly higher than would be expected for a residential use in an edge of town location. In addition, the occupants would have access to formal open space, such as Broadgate Park, close to the development.

6.7 Other Matters

6.7.1 Should nesting birds or bats be found on building or within the site, then the onus will be on the developer to ensure that they take all reasonable measures to safeguard any protected species, as it would be a legal requirement. A condition has been added restricting any demolition works to be undertaken outside of the bird breeding season March to September inclusive. Further to this, details of bird and bat enhancements measures have been conditioned to offer wider ecological benefits to the locality and to ensure the proposal delivers an environmental net gain.

6.7.2 It would be difficult to attribute the increase in litter and rubbish to any one particular building or group of households. It is considered that adequate provision is proposed within the site to accommodate any waste or rubbish generated by the development.

6.7.3 The applicant has submitted certificate of ownership A and has confirmed that all land within the red line plan is within the ownership of the applicant. Any concerns raised in respect of land ownership is a private matter and is not a material planning consideration.

7 Conclusion

7.1 The benefits of the proposal are that the development would provide a good standard of purpose built accommodation, in a highly sustainable location, and which could contribute to the freeing up of dwelling houses which are suitable for long term residents. On-site car parking and cycle storage is proposed.

7.2 The proposed external alterations help to improve the aesthetics of the building and help to enhance the character and appearance in this location.

7.3 Finally, the proposed conversion and extension of the building has been designed to ensure there is no significant impact in terms of any potential overlooking, overbearing or overshadowing impact.

- 7.4 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.
- 7.5 It is recommended that planning permission is granted, subject to the conditions set out below.

<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>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.</p>
2.	<p>The development hereby permitted shall be carried out in accordance with the following plans: proposed site plan No. 2310/15 Rev. D, proposed ground floor plan No. 2310/10 Rev. E, proposed first floor plan No. 2310/11 Rev. D, proposed second floor plan No. 2310/12 Rev. E, proposed elevations 1 No. 2310/20 Rev. F (all received by the Local Planning Authority 10.02.22), site location plan No. 2310/01, existing block plan No. 2310/02, proposed elevations No. 2310/21 Rev. E, proposed roof plan No. 2310/14 Rev. D (all received by the Local Planning Authority 24.11.21).</p> <p>Reason: For the avoidance of doubt.</p>
3.	<p>The demolition works hereby permitted shall only be carried out outside of the bird breeding season March to September inclusive.</p> <p>Reason: In the interests of protecting potential nested birds in the site.</p>
4.	<p>No development shall take place until details of a noise report, which shall be prepared in accordance with the provisions of the DoT Calculation of Road Traffic Noise and BS8233 to predict noise levels at and within the nearest noise sensitive location has been submitted to and approved in writing by the Local Planning Authority. The report shall set out; a large scale plan of the proposed development; noise sources and measurements/prediction points marked on 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 current criteria. Where current criteria are exceeded at any location the applicant shall</p>

	<p>explain why that excess is immaterial or what further mitigation will be undertaken to ensure that criteria will be met.</p> <p>Mitigation measures approved as part of the submitted details shall be installed prior to first occupation of the development and retained for the lifetime of the development.</p> <p>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</p>
5.	<p>No development shall take place until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:</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 the construction of the development; e) A scheme for the recycling/disposal of waste resulting from construction works; f) Details of dust and noise suppression to be used during the construction phase; and g) Site preparation, construction and delivery hours <p>The statement as approved shall be implemented throughout the construction and demolition period.</p> <p>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</p>
6.	<p>No demolition shall take place, in connection with the development, until a report in line with current Health and Safety guidance for the identification and safe removal of asbestos containing material has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the findings of the report.</p> <p>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</p>
7.	<p>No above ground works shall be carried out until details of the manufacturer, type and colour of the bricks, cladding and window frames to be used in facing elevations have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.</p> <p>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).</p>

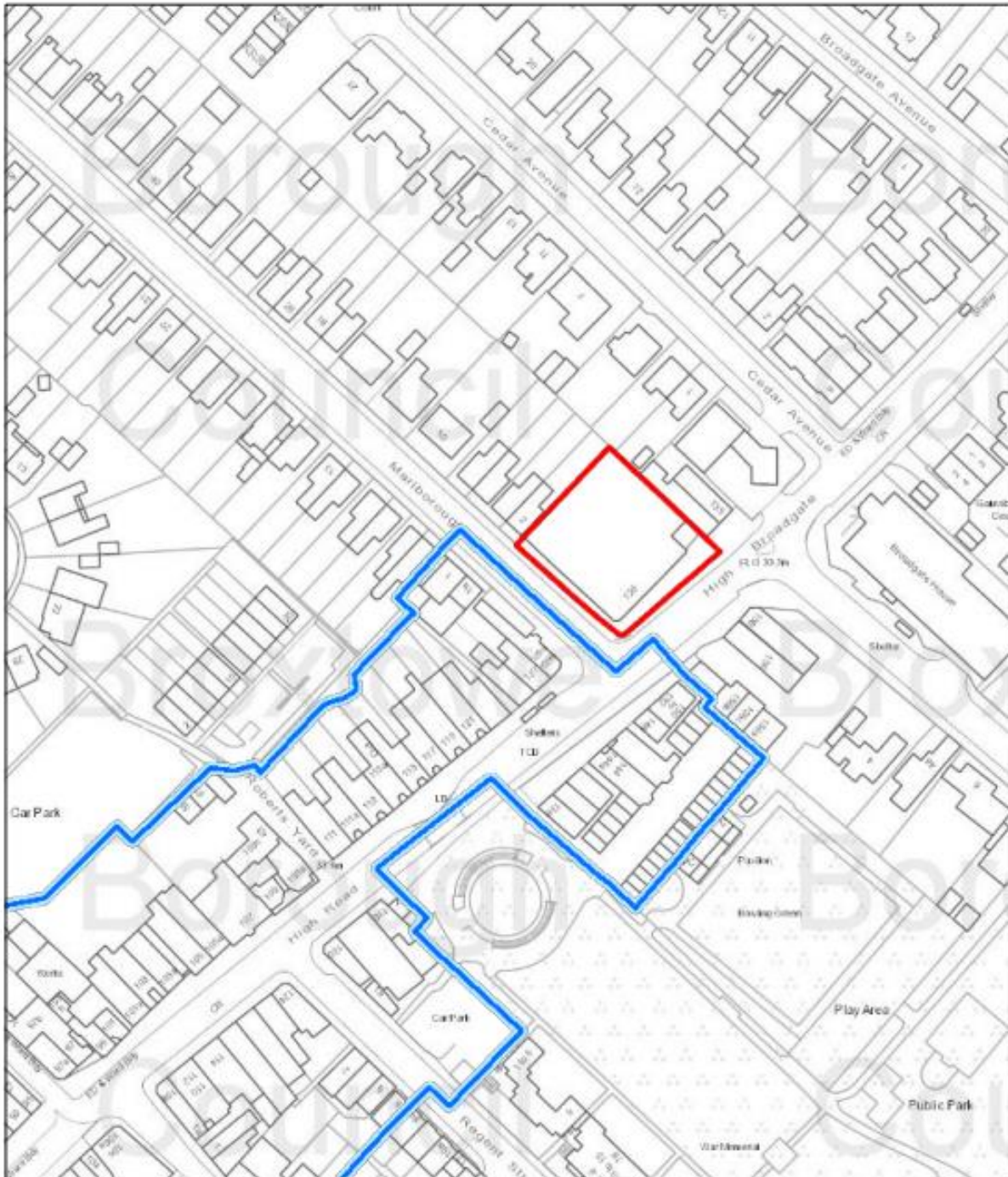
8.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) numbers, types, sizes and positions of proposed shrubs and other soft landscape areas (b) proposed boundary treatments (c) proposed hard surfacing treatment (d) proposed lighting details. <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p>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).</p>
9.	<p>The development hereby permitted shall not be brought into use until the visibility splays as shown on drawing 2310/15 Rev. D have been provided, and shall thereafter be kept free of all obstructions, structures or erections, for the lifetime of the development.</p> <p>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</p>
10.	<p>The development hereby permitted shall not be brought into use until the access drive and parking spaces (which shall be delineated in accordance with drawing number 2310/15 Rev. D) have been surfaced in a hard bound material (not loose gravel) and shall thereafter be maintained in hard bound material for the lifetime of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.</p> <p>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</p>
11.	<p>The development hereby permitted shall not be brought into use until the access drive and parking spaces have been constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway. The provision to prevent the unregulated discharge of surface water shall thereafter be retained for the lifetime of the development.</p> <p>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</p>
12.	<p>The development hereby permitted shall not be brought into use until the two existing site accesses/redundant kerbs (one each on High Road and Marlborough Road) are made permanently closed</p>

	<p>and access crossings re-instated as footway and full height kerbs, to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</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(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>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).</p>
14.	<p>Prior to occupation of the hereby permitted development, a scheme of bird and bat enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of securing an environmental net gain in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
3.	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.
4.	Burning of waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
5.	The developer is reminded of his legal obligation to stop work immediately should any bats be encountered during the building of the proposed extension. The Bat Conservation Trust should be contacted on 08451300228 for further advice in the event of bats or bat roosts being found.
6.	Demolition works should also take place outside of the bird breeding season (March to September). Further information is available: https://www.gov.uk/guidance/wild-birds-protection-surveys-and-licences
7.	The development makes it necessary to reinstate redundant accesses and dropped vehicular crossings over the footways of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will be payable. The application process can be found at: https://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities

Site location plan 1:1250

Kings Carpets And Interiors 129 - 131 High Road



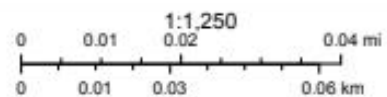
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Site



Town Centre Boundaries



Photographs

View from Marlborough Road/High Road



View from High Road



View from Marlborough Road



View from Marlborough Road



View from High Road



Plans (not to scale)

21/00092/FUL - Refused - High Road elevation



21/00092/FUL – Refused - Marlborough Road elevation



Proposed High Road elevation



Proposed Marlborough Road elevation



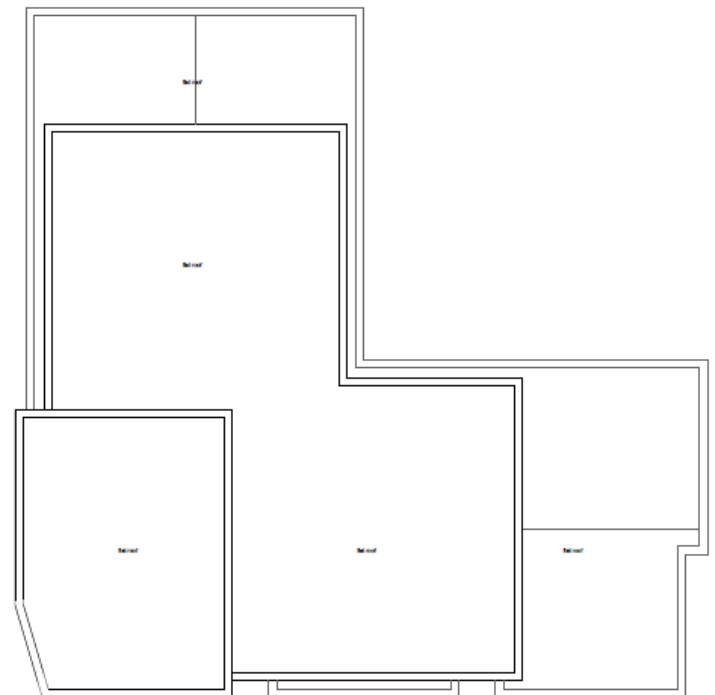
Proposed ground floor plan

Proposed first floor plan



Proposed second floor plan

Proposed roof plan



Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	21/00182/FUL
LOCATION:	29 Rivergreen Crescent, Bramcote, Nottinghamshire, NG9 3ET
PROPOSAL:	Construct two storey front and rear extensions, raise the ridge height inserting a hip roof to the existing/ extended dwelling including a loft conversion and rear box dormer, insert a hip roof to the existing single storey side extension and external alterations

RECOMMENDATION BY OFFICER - APPROVE

REASON FOR REFUSAL - The height and scale of the proposed extensions would be out of keeping with the character of properties in the locality and have a negative impact on neighbour amenity. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

LEVEL OF DECISION: PLANNING COMMITTEE

APPEAL DISMISSED

The Inspector considered the main issues to be effect of the development on the character and appearance of the locality and the effect of the proposal on the living conditions of the occupiers of the neighbouring properties, with particular regard to light, outlook and privacy.

The Inspector considered that the variety in house types helps to provide an attractive streetscape but there remains a sense of coherence on account of the fact that each house type is regularly repeated throughout the wider estate and although there is variety in scale between bungalows and two storey properties, the two storey dwellings share similarities in height and scale, with regular spacing between dwellings. This provides the impression of a carefully planned estate and has resulted in an attractive residential environment, with the design of the appeal property attractive in its own right. The Inspector noted that the proposal would remove the distinctive bay and catslide roof and result in a comparatively bland front elevation with little architectural detail and unbalanced fenestration with openings to the left and centre but none on the right-hand side of the façade. Those alterations would significantly erode the attractive appearance of the dwelling, the scale of the dwelling, particularly the height, would be out of kilter with the established character of the area.

Consequently, the proposal would cause harm to the character and appearance of the dwelling and the wider estate on account of its design, the removal of attractive features and excessive scale.




In regard to neighbour amenity, the Inspector stated that the extensions would project a modest distance beyond the rear elevation and whilst the roof would be increased in height, the hipped design of the roof would ensure that the highest part of the roof is set away from the neighbouring properties, which would lessen any impact of the extension on these properties and would therefore not cause a significant overbearing impact, sense of enclosure or loss of light to these neighbouring properties.

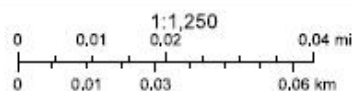
The Inspector concluded that the proposal would not cause harm to neighbouring living conditions, though that matter does not outweigh or obviate the need to comply with relevant policies in terms of good design, accordingly the proposal would cause harm to the character and appearance of the area.

29 Rivergreen Crescent



08/05/2021 17:16:13

-  Flood Zone 2
-  Flood Zone 3
-  Site



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Report of the Chief Executive

APPEAL SUMMARY

APPLICATION NUMBER:	21/00268/PNH
LOCATION:	1 The Cloisters, Beeston
PROPOSAL:	Construct a single storey rear extension, extending beyond the rear wall of the original dwelling by 5.43 metres, with a maximum height of 2.80 metres, and an eaves height of 2.30 metres

RECOMMENDATION BY OFFICER – REFUSE

REASON FOR REFUSAL - The extension would extend beyond an original side wall and would have a width greater than half the width of the original dwellinghouse. Therefore, under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the proposed development would not be permitted development and a full application would be required.

LEVEL OF DECISION: DELEGATED DECISION

APPEAL DISMISSED

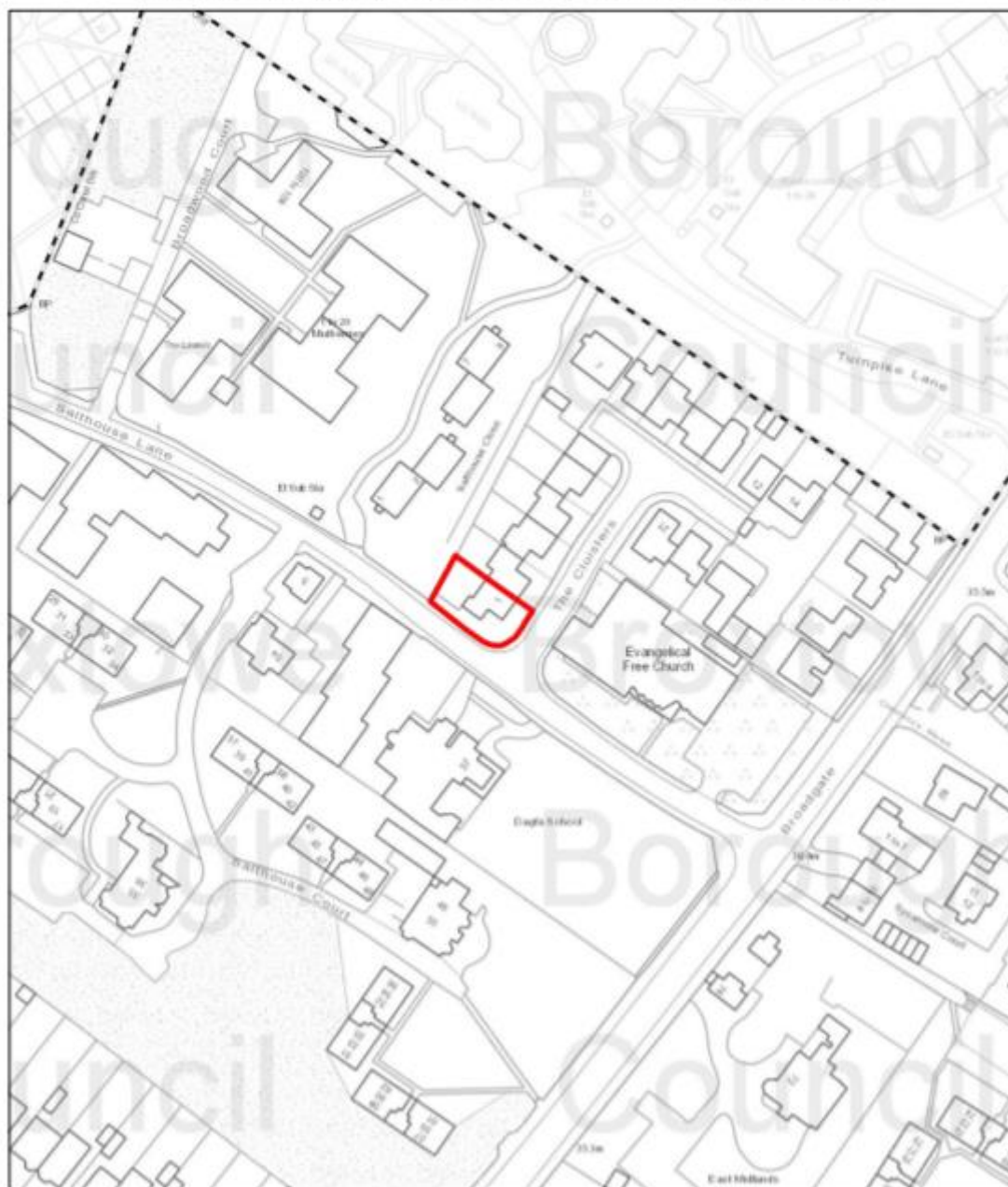
The inspector considered that the appeal property has two side walls; that of the single storey former garage and the main two storey side wall of the house. The extension would project beyond the main house wall and therefore in terms of section j of the General Permitted Development Order 2015 (as amended), the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse.

The width of the proposed extension, when taken together with the rear extension already constructed, would be more than half the width of the original house. Consequently, the proposal would fail to meet the criteria in paragraph A.1 (j) (iii) of the GPDO. The proposed extension can therefore not be classed as permitted development.

CONCLUSION

The proposal would not satisfy Schedule 2, Part 1, Class A of the GPDO as it would breach A.1 (j) (iii).

21/00268/PNH 1 The Cloisters, Beeston NG8 2FR

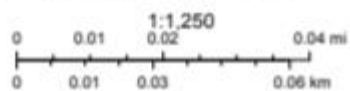


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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
10 January 2022 TO 18 February 2022**

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 Michael Nickson	21/00514/FUL
Site Address	:	Greenways 3 Church Lane Attenborough Nottinghamshire NG9 6AS	
Proposal	:	Construct 2 bay detached garage	
Decision	:	Conditional Permission	

Applicant	:	N/A Stockbridge Land Nottingham (Ltd) & Bartons Plc	21/00578/REM
Site Address	:	Bartons Land Between High Road And Queens Road West High Road Chilwell Nottinghamshire NG9 4AJ	
Proposal	:	Construct 93 dwellings (phase 2) (reserved matters relating to planning permissions referenced 16/00859/FUL and 18/00854/MMA)	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Georgiou	21/00847/FUL
Site Address	:	11 Derwent Close Attenborough Nottinghamshire NG9 6BX	
Proposal	:	Construct single storey front and rear extensions, relocate the main entrance of the dwelling to the side elevation and the conversion of the garage into ancillary space to the main dwelling with an extension to the front (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr Howarth	21/00896/FUL
Site Address	:	3 Barratt Lane Attenborough Nottinghamshire NG9 6AD	
Proposal	:	Construct garage (following demolition of garage), orangery, veranda and replacement gates and piers (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Wood	21/00902/FUL
Site Address	:	19 Clumber Avenue Chilwell Nottinghamshire NG9 4BH	
Proposal	:	Construct single storey side extension, new raised patio and replacement roof to existing rear extension and conservatory (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Ms L Read	21/00905/FUL
Site Address	:	227 Attenborough Lane Attenborough Nottinghamshire NG9 6AL	
Proposal	:	Construct covered area to side of garage	
Decision	:	Conditional Permission	

Applicant	:	Mumtaz	21/00912/FUL
Site Address	:	44 Bramcote Avenue Chilwell Nottinghamshire NG9 4DT	
Proposal	:	Retain block paved driveway	
Decision	:	Conditional Permission	

Applicant	:	Mr F Bradshaw	21/00924/FUL
Site Address	:	23 Meadow Lane Chilwell Nottinghamshire NG9 5AA	
Proposal	:	Construct two storey and single storey rear and side extension and single storey front extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr P Anderton	21/00932/CLUP
Site Address	:	13 Allendale Avenue Attenborough Nottinghamshire NG9 6AN	
Proposal	:	Certificate of Lawfulness for proposed rear extension and side dormer	
Decision	:	Approval - CLU	

Applicant	:	Ms Geraldine Hagen	21/00940/FUL
Site Address	:	29 Allendale Avenue Attenborough Nottinghamshire NG9 6AN	
Proposal	:	Demolition of timber framed roof conservatory and erection of new garden room	
Decision	:	Conditional Permission	
Applicant	:	Mr R Littlehales	21/00951/P3JPA
Site Address	:	65 Nottingham Road Attenborough Nottinghamshire NG9 6DN	
Proposal	:	Prior Notification under Class MA - Change of use from Commercial, Business and Service (Class E) to 1 dwelling (Class C3)	
Decision	:	Prior Approval Not Required	
Applicant	:	Danielle & Edward Scales & Davis	21/00983/FUL
Site Address	:	61 Crofton Road Attenborough Nottinghamshire NG9 5HW	
Proposal	:	Construct two storey side extension, replacement garage, new fencing and new dropped kerb access	
Decision	:	Conditional Permission	
Applicant	:	Corona Vulcan Chilwell Limited Corona Vulcan Chilwell Limited	21/01007/CLUP
Site Address	:	Chilwell Retail Park, Unit 7B Barton Lane Attenborough NG9 6DS	
Proposal	:	Certificate of Lawfulness for the proposed installation, as part of the internal fit out of the premises for gym use, of a mezzanine of over 200sqm to be used for gym use only and for no other purpose, and only to be operated in association with the use of the ground floor of the premises as a gym	
Decision	:	Approval - CLU	
Applicant	:	Mr Christopher Brown	21/01010/FUL
Site Address	:	54 Clumber Avenue Chilwell Nottinghamshire NG9 4BJ	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
AWSWORTH, COSSALL & TROWELL WARD			
Applicant	:	Mr J Doddy	21/00190/FUL
Site Address	:	Former Storage Building For Fire Engines Waterloo Lane Trowell Nottinghamshire	
Proposal	:	Conversion of old fire station/storage outbuilding to residential property, demolition of stable and construction of extension	
Decision	:	Withdrawn	
Applicant	:	Mr G Lamb	21/00700/FUL
Site Address	:	Stoney Lane Trowell Nottinghamshire	
Proposal	:	Retain electronic gate and erect 2 security cameras	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Edson	21/00823/FUL
Site Address	:	2 Coronation Road Cossall Nottinghamshire NG16 2RU	
Proposal	:	Construct rear dormers and balcony with balustrade, alterations to external appearance, conversion of outbuilding to ancillary accommodation, and alterations to boundary treatments and access onto Coronation Road	
Decision	:	Conditional Permission	
Applicant	:	Mr Michael O'Keefe	21/00899/FUL
Site Address	:	8 Harvey Croft Trowell Nottinghamshire NG9 3QW	
Proposal	:	Construct extension to front of property	
Decision	:	Conditional Permission	
Applicant	:	Mr S Smith	22/00025/PNH
Site Address	:	29 Northern Drive Trowell Nottinghamshire NG9 3QN	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 3.6 metres, and an eaves height of 2.7 metres.	
Decision	:	PNH Approval Not Required	

BEESTON CENTRAL WARD

Applicant	:	Mr Sanaa Hallam	21/00619/FUL
Site Address	:	51 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Construction of three storey side and rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Justin Ingrey JBM Property Management	21/00812/FUL
Site Address	:	205 - 207 Station Road Beeston Nottinghamshire NG9 2AB	
Proposal	:	Change of use from C1 hotel to Sui Generis 12 bedroom House in Multiple Occupation	
Decision	:	Conditional Permission	
Applicant	:	Blerina Preka	21/00865/CLUP
Site Address	:	280 Queens Road Beeston Nottinghamshire NG9 2BD	
Proposal	:	Certificate of Lawfulness to use as a coffee shop	
Decision	:	Withdrawn	
Applicant	:	Mr Ian Thomas Vision Express	21/00887/ADV
Site Address	:	Vision Express 64 High Road Beeston Nottinghamshire NG9 2LF	
Proposal	:	Display 2 Internally Illuminated fascia signs	
Decision	:	Conditional Permission	
Applicant	:	Mr Chris Burton	21/00985/PNH
Site Address	:	17 Henry Road Beeston Nottinghamshire NG9 2BE	
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 Chris Burton	21/00996/PNH
Site Address	:	217 Queens Road Beeston Nottinghamshire NG9 2BT	
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	:	Withdrawn	
Applicant	:	Miss Gemma Salusbury Grant Property	21/01040/CLUP
Site Address	:	68 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Certificate of Lawfulness for proposed change of use from dwellinghouse (Class C3) to house in multiple occupation (Class C4) and removal of existing non structural wall and new half hour fire rated partition to form Bedroom 2 and 4	
Decision	:	Approval - CLU	
Applicant	:	Miss Gemma Salusbury Grant Property	21/01042/CLUP
Site Address	:	36 Mona Street Beeston Nottinghamshire NG9 2BY	
Proposal	:	Certificate of Lawfulness for proposed change of use from dwellinghouse (Class C3) to house in multiple occupation (Class C4)	
Decision	:	Approval - CLU	
Applicant	:	Mr Mohammed Younis	21/01046/PNH
Site Address	:	22 Lower Road Beeston Nottinghamshire NG9 2GL	
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 2.6 metres.	
Decision	:	PNH Approval Not Required	
Applicant	:	Mr Chris Burton	22/00046/PNH
Site Address	:	10 Lambeth Court Beeston Nottinghamshire NG9 2DT	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3.0 metres, and an eaves height of 3.0 metres.	
Decision	:	PNH Approval Not Required	

Applicant	:	Ms Randhawa	22/00051/PNH
Site Address	:	43 Lower Road Beeston Nottinghamshire NG9 2GT	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.0 metres, with a maximum height of 3.00 metres, and an eaves height of 2.89 metres.	
Decision	:	PNH Approval Not Required	

BEESTON NORTH WARD

Applicant	:	Mr NASEER AHMED	21/00740/FUL
Site Address	:	28 Farfield Avenue Beeston Nottinghamshire NG9 2PU	
Proposal	:	Construct two storey and single storey rear extensions and single storey front extension	
Decision	:	Conditional Permission	

Applicant	:	Ms Julie Hawley	21/00872/FUL
Site Address	:	1A Wollaton Crescent Beeston Nottinghamshire NG9 2PJ	
Proposal	:	Installation of external wall insulation in render with brick slip accents, removal of chimney, alterations to windows and doors in the rear, front and north east side elevation, installation of roof light to garage roof, and installation of air source heat pump external unit to the north east side elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr Rashid Mukhtar	21/01003/FUL
Site Address	:	55 Dennis Avenue Beeston Nottinghamshire NG9 2PQ	
Proposal	:	Construct ground floor and first floor rear extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Liu	21/01024/CLUE
Site Address	:	9 Wallett Avenue Beeston Nottinghamshire NG9 2QR	
Proposal	:	Certificate of Lawfulness for an existing use as a HMO within Use Class C4	
Decision	:	Approval - CLU	

Applicant	:	Miss Gemma Salusbury Grant Property	21/01041/CLUP
Site Address	:	81 Abbey Road Beeston Nottinghamshire NG9 2HP	
Proposal	:	Certificate of Lawfulness for proposed change of use from dwellinghouse (Class C3) to house in multiple occupation (Class C4)	
Decision	:	Approval - CLU	

BEESTON RYLANDS WARD

Applicant	:	Mr Tamas Fleischer	21/00727/FUL
Site Address	:	15 Lilac Crescent Beeston Nottinghamshire NG9 1PD	
Proposal	:	Construct single storey rear/side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Celestine Apenuvor	21/00833/FUL
Site Address	:	29 Dunsmore Close Beeston Nottinghamshire NG9 1LU	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Juggins	21/00876/FUL
Site Address	:	3 Lavender Grove Beeston Nottinghamshire NG9 1QJ	
Proposal	:	Increase height of roof to create first floor accommodation within roof including construction of dormers to front and rear	
Decision	:	Conditional Permission	

Applicant	:	Mr James Roberts JDR Holdings Ltd	21/00892/FUL
Site Address	:	3 Lilac Crescent Beeston Nottinghamshire NG9 1PD	
Proposal	:	Construct single-storey rear extension, hip to gable roof conversion, and dormer to the rear	
Decision	:	Conditional Permission	

Applicant	:	Mrs Julie Battison	21/01008/FUL
Site Address	:	71 Trafalgar Road Beeston Nottinghamshire NG9 1LE	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

BEESTON WEST WARD

Applicant	:	Mr Steven D'Arcy	21/00878/FUL
Site Address	:	104 Park Road Chilwell Nottinghamshire NG9 4DE	
Proposal	:	Construct single storey porch to the side (south east) elevation and construct detached garden room to the front garden following the demolition of existing garage	
Decision	:	Conditional Permission	

Applicant	:	Rev Wayne Plimmer St John's Church PCC	21/00879/FUL
Site Address	:	Church Of St John The Baptist Chilwell Road Beeston Nottinghamshire	
Proposal	:	Replacement of existing copper roofing from the Chancel and replace with Terne Coated Stainless Steel including the parapet gutters and to replace the cast iron hoppers and increase cast iron rwdp size on the north elevation to 100mm dia.	
Decision	:	Conditional Permission	

Applicant	:	Rev Wayne Plimmer St John's Church PCC	21/00880/LBC
Site Address	:	Church Of St John The Baptist Chilwell Road Beeston Nottinghamshire	
Proposal	:	Replacement of existing copper roofing from the Chancel and replace with Terne Coated Stainless Steel including the parapet gutters and to replace the cast iron hoppers and increase cast iron rwdp size on the north elevation to 100mm dia.	
Decision	:	Conditional Permission	

Applicant	:	Mr Andrew Burrows	21/00894/FUL
Site Address	:	25 Park Road Chilwell Nottinghamshire NG9 4DA	
Proposal	:	Construct two storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Crain Wilson	21/00933/FUL
Site Address	:	11 Charnwood Avenue Chilwell Nottinghamshire NG9 4DJ	
Proposal	:	Construct single storey front and side extensions	
Decision	:	Conditional Permission	

Applicant	:	Rachel Sokal and Antony Jordan	21/00935/FUL
Site Address	:	60 Grove Avenue Chilwell Nottinghamshire NG9 4DX	
Proposal	:	Construct garden room and bike store	
Decision	:	Conditional Permission	

Applicant	:	Mr E Coxon J G Barbers	21/01004/P3JPA
Site Address	:	69 High Road Beeston Nottinghamshire NG9 2LE	
Proposal	:	Prior notification under Class G - Change of use from commercial, business and service (Class E) to mixed use including up to two flats (Class C)	
Decision	:	Prior Approval Not Required	

BRAMCOTE WARD

Applicant	:	Mr Rocco Labbate	21/00074/FUL
Site Address	:	5 Grangelea Gardens Bramcote Nottinghamshire NG9 3HR	
Proposal	:	Construct detached garage and annexe. Reconfigure existing garage to connect to detached garage and annexe	
Decision	:	Refusal	

Applicant	:	Mr S Chaudri & Miss S Morgan	21/00518/HIGH
Site Address	:	124 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	High hedge compliant	
Decision	:	No remedial action required - High Hedge	

Applicant	:	Mr Danny Singh	21/00784/FUL
Site Address	:	72 Derby Road Bramcote Nottinghamshire NG9 3FY	
Proposal	:	Subdivide dwelling to create 3 dwellings (revised scheme)	
Decision	:	Withdrawn	
Applicant	:	Mr & Mrs Counsell	21/00794/FUL
Site Address	:	5 Hall Gardens Bramcote Nottinghamshire NG9 3LR	
Proposal	:	Demolish existing dwelling and garage and construct new dwelling	
Decision	:	Conditional Permission	
Applicant	:	Mr Rocco Labbate	21/00843/FUL
Site Address	:	70 Beeston Fields Drive Bramcote Nottinghamshire NG9 3TD	
Proposal	:	Demolish existing dwelling and construct a two storey dwelling with detached garage	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Johal	21/00855/FUL
Site Address	:	Chantry House Coventry Lane Bramcote NG9 3GJ	
Proposal	:	Demolition of existing dwelling and construct new two storey dwelling	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Thompson	21/00927/FUL
Site Address	:	32 Deddington Lane Bramcote Nottinghamshire NG9 3EW	
Proposal	:	Construct single storey front and rear extension, garage conversion and external alterations to the elevations including the installation of cladding and render	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Jones	21/00930/OUT
Site Address	:	Land Adjacent 12 Arundel Drive Bramcote Nottinghamshire NG9 3FX	
Proposal	:	Outline application to construct dwelling with all matters reserved	
Decision	:	Conditional Permission	
Applicant	:	Mr Eddie Reavill	21/00931/FUL
Site Address	:	24 Windermere Road Beeston Nottinghamshire NG9 3AS	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	MR C PEEBLES	21/00987/FUL
Site Address	:	26 The Chancery Bramcote Nottinghamshire NG9 3AJ	
Proposal	:	Construct single storey rear extension (replacement conservatory)	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Fitzgerald	21/01027/CLUP
Site Address	:	272 Derby Road Bramcote Nottinghamshire NG9 3JN	
Proposal	:	Certificate of lawfulness to construct single storey rear extension	
Decision	:	Approval - CLU	
Applicant	:	Mr & Mrs Rostance	21/01056/FUL
Site Address	:	20 Burnside Drive Bramcote Nottinghamshire NG9 3EE	
Proposal	:	Construct hip to gable roof addition with rear dormer roof.	
Decision	:	Withdrawn	
BRINSLEY WARD			
Applicant	:	Mr Hughs	21/00513/FUL
Site Address	:	25 Hall Lane Brinsley Nottinghamshire NG16 5AG	
Proposal	:	Construct two storey rear/side extension and dormer	
Decision	:	Conditional Permission	
Applicant	:	Mr Neil Cargill	21/00942/FUL
Site Address	:	Manor Farm Hall Lane Brinsley Nottinghamshire NG16 5AG	
Proposal	:	Renewal of planning permission 19/00288/FUL for erection of two new dwellings	
Decision	:	Conditional Permission	

Applicant	:	Mrs Sally Bellamy	21/00978/FUL
Site Address	:	Land To The Rear Of 60 Broad Lane Brinsley Nottinghamshire NG16 5BD	
Proposal	:	Change of use of land to domestic use, construction of timber enclosure and to retain a boundary fence	
Decision	:	Conditional Permission	

CHILWELL WEST WARD

Applicant	:	Ms Shoko	21/00915/FUL
Site Address	:	3 Haddon Crescent Chilwell Nottinghamshire NG9 5JU	
Proposal	:	Construct single storey rear extension and first floor side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr P Goodrick Broxtowe Borough Council	21/01038/DEM
Site Address	:	Inham Nook Hotel Inham Road Chilwell Nottinghamshire NG9 4HX	
Proposal	:	Prior notification to demolish public house and associated buildings	
Decision	:	Withdrawn	

EASTWOOD HALL WARD

Applicant	:	Mr Ian Allsop	21/00835/FUL
Site Address	:	23 Engine Lane Newthorpe Nottinghamshire NG16 3PX	
Proposal	:	Construct detached garage in the rear garden	
Decision	:	Conditional Permission	

Applicant	:	Mrs T Snarey	21/00845/OUT
Site Address	:	Land Adjacent 93 Greenhills Road Eastwood Nottinghamshire NG16 3FT	
Proposal	:	Outline application to construct one dwelling (with all matters reserved)	
Decision	:	Conditional Permission	

Applicant	:	Mr N Reeve	21/00979/FUL
Site Address	:	124 Greenhills Road Eastwood Nottinghamshire NG16 3FR	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr M Faulkner MF Aquatics Ltd	21/00970/AGR
Site Address	:	Land Containing Settlement Ponds Lamb Close Drive Newthorpe Nottinghamshire	
Proposal	:	Prior notification for creation of a stock pond	
Decision	:	Withdrawn	

EASTWOOD HILLTOP WARD

Applicant	:	Mrs S White	21/00750/FUL
Site Address	:	27 Percy Street Eastwood Nottinghamshire NG16 3EP	
Proposal	:	Retain outbuilding in garden	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Tring	21/00844/FUL
Site Address	:	2 Wheeler Avenue Eastwood Nottinghamshire NG16 2AN	
Proposal	:	Construct two storey side and rear extension and detached double garage to the rear	
Decision	:	Conditional Permission	

Applicant	:	Mr Clements	21/00897/FUL
Site Address	:	33 Norman Drive Eastwood Nottinghamshire NG16 3FJ	
Proposal	:	Construct single storey front extension	
Decision	:	Conditional Permission	

EASTWOOD ST MARY'S WARD

Applicant : Mr J Klein JBK Holdings 20/00628/FUL
Site Address : 37 Nottingham Road Eastwood Nottinghamshire NG16 3AN
Proposal : **Convert 1st, 2nd and 3rd floors into 3 flats, construct second floor rear extension with balcony and dormer and render the rear of the property**
Decision : **Conditional Permission**

Applicant : TSB 21/00886/ADV
Site Address : 80-82 Nottingham Road Eastwood NG16 3NQ
Proposal : **Display new white metal fascia to match existing with new trough downlight, 2 illuminated TSB canister logos
2 internally illuminated TSB projecting signs, new address panel, 2 ATM surrounds internally illuminated,
blue vinyl internally applied to glazing, statutory signage on rod displays, A-frame and 75" digital screen**
Decision : **Conditional Permission**

Applicant : Mr D Sadler 21/00959/FUL
Site Address : 10 Brookhill Leys Road Eastwood Nottinghamshire NG16 3HZ
Proposal : **Construct two storey/single storey extensions, construction of a detached double garage and 2m high boundary wall.**
Decision : **Conditional Permission**

Applicant : Angela and Tom Rowley 21/00980/FUL
Site Address : 28 Wood Street Eastwood Nottinghamshire NG16 3DD
Proposal : **Construct two/single storey rear extension**
Decision : **Conditional Permission**

GREASLEY WARD

Applicant : Caunton Engineering Ltd 20/00632/FUL
Site Address : Land North Of Lamb Close Drive Newthorpe Nottinghamshire
Proposal : **Change of use for open storage of trailers and prefabricated steel with temporary trial erection of steel prefabrication and associated fence enclosure together with peripheral site landscaping on 6.88ha and all associated works**
Decision : **Conditional Permission**

Applicant : Mr Richard Broughton 21/00995/FUL
Site Address : 1 Briar Road Newthorpe Nottinghamshire NG16 2BN
Proposal : **Construct detached double garage with first floor office (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Aaron Collins 21/01018/FUL
Site Address : 76 Dovecote Road Newthorpe Nottinghamshire NG16 3QN
Proposal : **Construct front dormers and a rear roof extension**
Decision : **Conditional Permission**

Applicant : Cornerstone 21/01021/FUL
Site Address : Telecommunications Mast Nottingham Road Giltbrook Nottinghamshire
Proposal : **Replace and reposition existing 15-metre streetpole with a new 20-metre streetpole accommodating 6no. antennas and RRH's, the upgrade of the equipment within the existing equipment cabinets, along with minor ancillary works**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Mr M Scott Axiomatic Technology Ltd 21/00491/FUL
Site Address : Graphic House Noel Street Kimberley Nottinghamshire NG16 2NE
Proposal : **Demolition of existing light industrial and office building and erection of light industrial and office building, along with the erection of 6no 3 bedroom dwellings.**
Decision : **Conditional Permission**

Applicant	:	Mr M Pratt	21/00632/FUL
Site Address	:	5 Oak Lodge Drive Kimberley Nottinghamshire NG16 2JN	
Proposal	:	Part retrospective/replacement windows and doors	
Decision	:	Conditional Permission	
Applicant	:	Mrs Julie Head	21/00848/FUL
Site Address	:	87 Babbington Lane Kimberley Nottinghamshire NG16 2PT	
Proposal	:	Change of use of summerhouse to hair salon	
Decision	:	Conditional Permission	
Applicant	:	Mr Jack Mantell	21/00866/FUL
Site Address	:	32 Hillcrest Close Watnall Nottinghamshire NG16 1JN	
Proposal	:	Construct single storey front and side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Andrew & Claire Hutchinson	21/00964/CLUP
Site Address	:	23 Beech Avenue Nuthall Nottinghamshire NG16 1FH	
Proposal	:	Certificate of Lawfulness to construct single storey rear/ side extension, new windows and doors to side elevation, roof light and demolition of existing chimney stack	
Decision	:	Approval - CLU	
Applicant	:	Mr R Lukas	21/00984/FUL
Site Address	:	26 Oak Drive Nuthall Nottinghamshire NG16 1FJ	
Proposal	:	Construct detached single storey summer house to rear garden	
Decision	:	Conditional Permission	
NUTHALL EAST & STRELLEY WARD			
Applicant	:	Mr Masoud Aghabozorgi	21/00137/FUL
Site Address	:	1 Vernon Drive Nuthall Nottinghamshire NG16 1AR	
Proposal	:	Raise roof to create first floor with front dormers and raise boundary walls including railings and gates	
Decision	:	Conditional Permission	
Applicant	:	Mrs Mary Zeenat J.NORTH	21/00832/FUL
Site Address	:	2 Highbury Close Nuthall Nottinghamshire NG16 1QU	
Proposal	:	Construct first floor side and single storey rear extensions and conversion of garage into habitable space	
Decision	:	Conditional Permission	
Applicant	:	Michael Quinn	21/01000/FUL
Site Address	:	18 Hillingdon Avenue Nuthall Nottinghamshire NG16 1RA	
Proposal	:	Construct single storey timber clad detached garden room/outbuilding	
Decision	:	Conditional Permission	
STAPLEFORD NORTH WARD			
Applicant	:	Sabrina Doherty Stapleford Town Council	21/00919/ADV
Site Address	:	Corner Of Matthews Court Ilkeston Road Stapleford Nottinghamshire	
Proposal	:	Display Town Council notice board	
Decision	:	Conditional Permission	
STAPLEFORD SOUTH EAST WARD			
Applicant	:	Mr C White	21/00900/FUL
Site Address	:	166 Toton Lane Stapleford Nottinghamshire NG9 7HY	
Proposal	:	Construct two storey rear, side and front extension and glass canopy to rear elevation	
Decision	:	Conditional Permission	

Applicant	:	Sabrina Doherty Stapleford Town Council	21/00921/ADV
Site Address	:	Land At Pinfold Lane/Nottingham Road Stapleford Nottinghamshire	
Proposal	:	Display Town Council notice board	
Decision	:	Conditional Permission	
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Applicant	:	Mr Max Roberts	21/01043/PNH
Site Address	:	5 Dalley Close Stapleford Nottinghamshire NG9 8DR	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.00 metres, with a maximum height of 3.45 metres, and an eaves height of 2.14 metres.	
Decision	:	PNH Approval Not Required	
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STAPLEFORD SOUTH WEST WARD			
Applicant	:	Mr S Kemp The Millipede Micro Pub	21/00911/FUL
Site Address	:	8 Alexandra Street Stapleford Nottinghamshire NG9 7ED	
Proposal	:	Change of use from rear yard to permanent outdoor seating area (revised scheme)	
Decision	:	Conditional Permission	
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Applicant	:	Sabrina Doherty Stapleford Town Council	21/00922/ADV
Site Address	:	Corner Of Brookhill Street/Toton Lane Stapleford Nottinghamshire	
Proposal	:	Display Town Council notice board	
Decision	:	Conditional Permission	
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Applicant	:	Mr Lee Walker	21/00965/FUL
Site Address	:	21 Brookhill Street Stapleford Nottinghamshire NG9 7BQ	
Proposal	:	Retrospective application for change of use of barbers shop to 2 flats.	
Decision	:	Conditional Permission	
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Applicant	:	Mr & Mrs Wesson	21/01025/FUL
Site Address	:	63 Birley Street Stapleford Nottinghamshire NG9 7GE	
Proposal	:	Construct outbuilding	
Decision	:	Conditional Permission	
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Applicant	:	Mr Craig Brunt	22/00032/PNH
Site Address	:	11 Ash Grove Stapleford Nottinghamshire NG9 7GL	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.5 metres, with a maximum height of 3.98 metres, and an eaves height of 2.6 metres.	
Decision	:	PNH Approval Not Required	
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TOTON & CHILWELL MEADOWS WARD			
Applicant	:	S Armitage	21/00834/FUL
Site Address	:	59 Whitburn Road Toton Nottinghamshire NG9 6HR	
Proposal	:	Construct single storey rear and two storey side extensions	
Decision	:	Conditional Permission	
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Applicant	:	Mr A Statham	21/00841/FUL
Site Address	:	75 Spinney Rise Toton Nottinghamshire NG9 6JL	
Proposal	:	Construct single storey extension to north elevation and dormers to rear (west) elevation and side (south) elevation	
Decision	:	Conditional Permission	
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Applicant	:	Mr Paul Newton	21/00842/FUL
Site Address	:	6 Morris Avenue Chilwell Nottinghamshire NG9 6DE	
Proposal	:	Construct two storey side extension and single storey side / rear extension. Flue to rear extension. Conversion of existing garage at the rear to study.	
Decision	:	Conditional Permission	
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Applicant	:	Mr M Bullock	21/00853/FUL
Site Address	:	6 Gowan Close Chilwell Nottinghamshire NG9 6NS	
Proposal	:	Retain garage conversion	
Decision	:	Conditional Permission	
Applicant	:	Dr Nadine Taylor	21/00889/FUL
Site Address	:	12 Gowan Close Chilwell Nottinghamshire NG9 6NS	
Proposal	:	Retention of garage conversion to habitable space	
Decision	:	Conditional Permission	
Applicant	:	Mrs Aileen Charlesworth Please contact: Alan Phillips (Primary Number)	21/00952/OUT
Site Address	:	Land At 12 Farndon Drive Toton Nottinghamshire NG9 6JS	
Proposal	:	Outline application to construct detached bungalow (with some matters reserved)	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Dan Hardstaff	21/00960/FUL
Site Address	:	5 Stapleford Lane Toton Nottinghamshire NG9 6FZ	
Proposal	:	Construct two storey side and single storey front and rear extensions (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr Paul Vickers	21/00975/FUL
Site Address	:	6 Honiton Close Toton Nottinghamshire NG9 6FY	
Proposal	:	Infill extension to front elevation, garage conversion, external alterations, including render to elevations, insertion of patio doors to the south (side) elevation and alterations to the dormer window to front elevation. Construction of new wall/railings and gates to front boundary	
Decision	:	Conditional Permission	
Applicant	:	Mr _ Mrs Paul Dodgson	21/01014/PNH
Site Address	:	7 Wynwood Close Chilwell Nottinghamshire NG9 6NA	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.30 metres, with a maximum height of 3.55 metres, and an eaves height of 2.25 metres.	
Decision	:	PNH Approval Not Required	
Applicant	:	Ms Hannah Faulkner	21/00966/PNH
Site Address	:	43 Cleve Avenue Toton Nottinghamshire NG9 6JH	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.3 metres, with a maximum height of 3.0 metres, and an eaves height of 3.0 metres.	
Decision	:	PNH Approval Not Required	
Applicant	:	Ms N Gallagher	21/01047/PNH
Site Address	:	20 Spinney Rise Toton Nottinghamshire NG9 6JN	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.50 metres, with a maximum height of 3.50 metres, and an eaves height of 3.0 metres	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr CHOW-HO	22/00050/PNH
Site Address	:	27 Whitburn Road Toton Nottinghamshire NG9 6HP	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.5 metres, with a maximum height of 3.30 metres, and an eaves height of 2.40 metres.	
Decision	:	PNH Approval Not Required	

WATNALL & NUTHALL WEST WARD

Applicant	:	Mr Sharman	21/00272/FUL
Site Address	:	21 Trough Road Watnall Nottinghamshire NG16 1HQ	
Proposal	:	Construct first floor side and rear extension above existing carport and garage	
Decision	:	Conditional Permission	
Applicant	:	MR GARY CROFT	21/00495/FUL
Site Address	:	Chaworth Long Lane Watnall Nottinghamshire NG16 1HZ	
Proposal	:	Construct single storey rear and side extensions, change roof from pitched to flat and timber clad the front elevation	
Decision	:	Refusal	
Applicant	:	Aero Fabrications	21/00811/ROC
Site Address	:	Land North Of Common Lane And West Of Common Farm Common Lane Watnall Nottinghamshire	
Proposal	:	Variation of Condition 15 of planning reference 19/00317/MMA	
Decision	:	Conditional Permission	
Applicant	:	Mr G Fowler	21/00825/LBC
Site Address	:	3 Nottingham Road Nuthall Nottinghamshire NG16 1DH	
Proposal	:	Removal to a height of 1 metre the separating wall between lounge and dining room fireplace and fit double sided stove, repoint side walls, flue liner and pot hanging cowl to be fitted to chimney	
Decision	:	Conditional Permission	
Applicant	:	Mr M Hatton	21/00884/P3MPA
Site Address	:	Redfield House Farm New Farm Lane Nuthall Nottinghamshire NG16 1DY	
Proposal	:	Prior Notification under Class R - change of use from agricultural buildings to flexible use	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr G Ulyett	21/00907/FUL
Site Address	:	92 Watnall Road Nuthall Nottinghamshire NG16 1DX	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Howard Bateman	21/00926/LBC
Site Address	:	1 Watnall Road Nuthall Nottinghamshire NG16 1DT	
Proposal	:	Replacement of 4 no. timber sash windows and 1 no. timber casement window with matching 4 no. timber double glazed sash windows and 1 no. double glazed timber casement window	
Decision	:	Conditional Permission	
Applicant	:	Aero Fabrications	21/00943/ADV
Site Address	:	Land North Of Common Lane And West Of Common Farm Common Lane Watnall Nottinghamshire	
Proposal	:	Single fabricated totem illuminated with 4 No buried directional focused white LED fittings and white LED "halo" lighting behind the main logos	
Decision	:	Conditional Permission	
Applicant	:	Mr James Widdowson	21/00969/FUL
Site Address	:	35 Rolleston Crescent Watnall Nottinghamshire NG16 1JU	
Proposal	:	Construct single storey/first floor extensions	
Decision	:	Conditional Permission	

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