



Tuesday, 22 March 2022

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 30 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	

AGENDA

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 - 14)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 9 March 2022.

4. NOTIFICATION OF LOBBYING

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

5. DEVELOPMENT CONTROL

5.1 21/00752/FUL (Pages 15 - 26)

Extension to garden centre including coffee lounge, children's play area, goods in handling and plant protection and enlargement of retail area
Trowell Garden Centre, Stapleford Road, Trowell, Nottinghamshire, NG9 3TG

5.2 21/01005/FUL (Pages 27 - 40)

Construct two storey side/rear extension, dormer to rear elevation and detached outbuilding ancillary to main dwelling.
116 Derby Road, Bramcote, Nottinghamshire, NG9 3HP

5.3 21/00704/FUL (Pages 41 - 50)

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

5.4 21/00772/FUL (Pages 51 - 62)

Construct two bungalows
Land to the rear of 55 Church Street, Eastwood, Nottinghamshire, NG16 3HR

5.5 21/00785/FUL (Pages 63 - 74)

Change of use for equestrian use, construct new stable block with associated works and track
Land to the rear of 6 Smithfield Avenue, Trowell, Nottinghamshire

6. PROPOSED STOPPING UP OF BRINSLEY FOOTPATH
NUMBER 31, LAND TO THE REAR OF BRINSLEY
RECREATION GROUND, CHURCH LANE, BRINSLEY (Pages 75 - 84)

This item is brought to Committee to make a Stopping Up Order under the Town and Country Planning Act 1990 following an application received by the Council for a public path diversion order to stop up Brinsley Footpath No 31.

7. INFORMATION ITEMS

- 7.1 Appeal Decisions (Pages 85 - 92)

- 7.2 Delegated Decisions (Pages 93 - 100)

8. PROGRAMME OF MEETINGS

It is proposed that the next meeting of the Planning Committee take place on 4 May 2022 at 7pm in the Council Chamber.

The Committee is asked to RESOLVE that the next meeting of the Planning Committee take place on 4 May 2022 at 7pm in the Council Chamber.

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PLANNING COMMITTEE

WEDNESDAY, 9 MARCH 2022

Present: Councillor D K Watts, Chair

Councillors: J W McGrath (Vice-Chair)
D Bagshaw
L A Ball BEM
G Marshall
P J Owen
S Paterson
D D Pringle
R S Robinson
R D Willimott
S J Carr (Substitute)
J M Owen (Substitute)

Apologies for absence were received from Councillors D Grindell, M Handley and R I Jackson.

56 **DECLARATIONS OF INTEREST**

Councillor D D Pringle declared a personal and prejudicial interest in item 5.6 as he was acquainted with the applicant. Minute number 59.6 refers.

Councillor J W McGrath declared a non-pecuniary interest in item 5.6 as had been talking to both residents and the developer regarding the application. Minute number 59.6 refers.

57 **MINUTES**

The minutes of the meeting on 2 February 2022 were confirmed and signed as a correct record.

58 **NOTIFICATION OF LOBBYING**

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

59 DEVELOPMENT CONTROL

59.1 21/00555/FUL

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

This item had been brought before Committee as it was an allocated site and because of the size of the proposed development.

There were a number of late items for the Committee to consider including a briefing note to members, a change to a condition and an amendment to the Site Location Plan.

Janet Stirzaker, Applicant addressed the Committee prior to the general debate.

The Committee noted that the principle of development on the site was established by its allocation in the Local Plan Part 2, however, there were concerns that the layout of the proposed development would create a ransom strip that could inhibit other developments. There was also concern that the red line encompassing land to the north of the railway track to provide mitigation for greater crested newts, was still impinging on the Green Belt and could be seen as impacting on the defensible barrier to the development of Trowell Moor.

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

Reasons

1. The development, by virtue of the proposed access arrangements, would prejudice the future development of the wider site allocation and would jeopardise future housing delivery, adversely impacting on the Councils 5-year land supply which would be contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Aligned Core Strategy (2014) and the NPPF (2021).
2. It has not been adequately demonstrated that the development would provide a net gain in biodiversity and comply with Policy 31 of the Part 2 Local Plan (2019), Policy 17 of the Aligned Core Strategy (2014), Section 15 of the NPPF (2021) and the Natural Environment section of the Planning Practice Guidance.

Demolition of Existing Public House
Inham Nook Hotel, Inham Road, Chilwell, Nottinghamshire, NG9 4HX

This application was brought before Committee as the site was owned by the Council.

There were no late items for the Committee to note.

Peter Goodrick, applicant, addressed the Committee prior to the general debate.

During the debate it was noted that the public house had not been a viable business for some years, with a high turnover of tenants and a reputation for antisocial behaviour. The Committee also discussed the need for social housing and the benefit to local residents of the proposed pocket park.

RESOLVED 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 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)</i></p>

	<i>and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i>
5.	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. <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>
	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 Highways Authority advise: 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.
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.

59.3 20/00876/FUL

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

3 Swingate, Kimberley, Nottinghamshire, NG16 2PG

This item was brought to Committee by Councillor R S Robinson.

The late items, which were noted by the Committee, were comprised of three objections and two additional conditions.

Christine Rungapadiachy, objecting, and Councillor Shane Easom, Ward Member, addressed the Committee prior to the general debate.

During the debate consideration was given to the access of the site and it was noted that Swingate was an already congested road. There was also concern about where the proposed properties would be able to store their bins for collection because refuse collections could not be made from the private road.

Debate progressed on to concerns that the proximity of the proposed development to neighbouring homes would have a detrimental impact on privacy and amenity. It was

also considered that proposed home would represent overdevelopment of the site and would result in overcrowding.

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

Reasons

The proposed development, by virtue of the siting of the dwellings in close proximity to the boundaries of the application site would result in an unacceptable loss of amenity for immediate surrounding neighbours. Accordingly, the proposal is contrary to the aims Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.

The proposal would be an over-intensive form of development due to the number of dwellings proposed relative to the size of the site. The proposal would therefore be out of keeping with the character of the surrounding area, contrary to Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.

59.4 21/00738/FUL

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

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

There were late items in the form of three additional objections that were noted by the Committee.

James Dunn, objecting and Councillor J C Patrick, Ward Member addressed the Committee prior to the general debate.

The Committee noted the mix of styles of housing in the vicinity of the proposed development. Comparisons to existing properties where contemporary extensions had been built were noted, however, it was considered that these were on larger plots so the additions to them had not been of harm to neighbour amenity. The style was also considered to be more in-keeping with surrounding properties than that of the proposed development.

It was considered that given the size of the plot and the proximity that the proposed development would have to neighbouring properties, that this would constitute overintensification and overdevelopment, as well as having a detrimental impact on neighbour amenity. There was concern regarding the dormer windows in the third storey of the proposals, which were considered to be of particular detriment to the privacy of the bungalow next door.

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

Reasons

The development, by virtue of the scale and massing of the extensions, would be out of keeping with the character of properties in the immediate area, would result in an overbearing impact on the neighbouring properties and would represent an over-intensive development for the size of the plot. In addition, the rear dormer windows would have a detrimental impact on neighbour amenity by virtue of the overlooking. 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).

59.5 21/00909/FUL

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

This application was brought before Committee by Councillor S J Carr.

There was one late item comprised of an additional objection to the application.

Shakel Ahmed, applicant, addressed the Committee prior to the general debate.

The debate focussed on concerns about the impact that the extension had already had on neighbour amenity, with them not being able to bring their wheelie bins out for collection. It was considered that this would be exacerbated by the conversion of the home into a HMO with seven bedrooms. There was also concern that the proposal would generate greater pressure on car parking spaces in the area.

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

Reasons

The proposed use would lead to an over-intensive form of development due to the number of residents occupying the dwelling which would have a detrimental impact on the amenity of the surrounding area and would cause problems with parking in the locality. The proposal would therefore be contrary to Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

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

This application was brought to the Committee as the previous application was determined at Committee.

An objection was received for consideration by the Committee as a late item.

There were no public speakers.

It was noted that there had been a change to the size of the proposed development, though there were still concerns regarding the impact on residents of Wilkinson Avenue and the style of the extension was out of keeping with the original building.

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

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 007 Rev H, 009 Rev H and 010 Rev D received by the Local Planning Authority on 26 January 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No development shall commence until details of a noise assessment have been submitted to and approved in writing by the Council. The report shall include details of noise attenuation measures required to meet the standard for internal noise levels defined in the current BS8233 (including glazing and ventilation details) and an assessment prepared in accordance with the provisions of DoT Calculation of Road Traffic Noise, to predict noise levels at the nearest residential façade. The assessment of proposal hereby permitted shall not be occupied until the noise mitigation measures have been provided in accordance with the approved details and shall thereafter be retained in perpetuity.</p> <p><i>Reason: To protect occupiers from excessive external noise and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No development shall commence until a Construction Method Statement has been submitted to and approved in writing to the Local Planning Authority. The statement shall include:</p> <p>a) The means of access for construction traffic;</p>

	<p>b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials; e) a scheme for the recycling/disposal of waste resulting from the construction works; and f) details of dust and noise suppression to be used during the construction phase.</p> <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect the amenity of neighbouring residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
5.	<p>No development above ground level shall commence until samples and details of the proposed materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with those agreed details.</p> <p><i>Reason: The development cannot proceed satisfactorily without the outstanding matters being agreed and insufficient details were submitted with the application. To ensure a satisfactory standard of external appearance in accordance with Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
6.	<p>Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment (including design, size and illuminance) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.</p> <p><i>Reason: To protect neighbouring residents from light nuisance and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>No part of the development hereby permitted shall be first occupied until the cycle parking and bin store as indicated on drawing 010 Rev D has been constructed and is in use.</p> <p><i>Reason: To ensure the cycle and bin store are available for use before the building is occupied.</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, all waste should be removed by an appropriately licensed carrier.
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.
4.	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.
5.	Please contact the Council's Private Housing Department to enquire about obtaining a HMO licence on 0115 917 7777.

59.7 21/00971/FUL

Construct 3 storey building comprising 7 apartments and provision of parking area (revised scheme)
129-131 High Road Beeston NG9 2LL

The application was called to Committee by Councillor S J Carr.

There were no late items to consider.

Sandip Leihal, applicant, addressed the Committee prior to the general debate.

It was noted that the proposed development was on a major route into Beeston and formed part of the gateway into the town centre. As such it was felt that the design of the development was not in keeping with its surroundings and did not retain the original character of the property.

The debate progressed on to the impact of the development on properties on Cedar Avenue and concern that the light to their gardens and their privacy would be impacted. There was also concern that there were not enough car parking spaces provided for the proposed number of residents.

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

Reasons

The submitted scheme, by virtue of its size, scale and design is out of keeping with the prevailing character of properties in this location to the detriment of the visual amenity of the locality. The proposal would also exacerbate existing local parking issues. This creates a development at odds with its surroundings and one which creates an overbearing and overly dominant impact on neighbouring properties, to the detriment of the amenity of neighbouring properties. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

60 INFORMATION ITEMS

60.1 APPEAL DECISION

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

The appeal decision was noted.

60.2 APPEAL DECISION

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

The appeal decision was noted.

60.3 DELEGATED DECISIONS

The Committee noted the delegated decisions. Councillor R D Willimott asked that his disappointment with the permissions granted to Aero Fabrications LTD be recorded.

Report of the Chief Executive

APPLICATION NUMBER:	21/00752/FUL
LOCATION:	Trowell Garden Centre, Stapleford Road, Trowell, Nottinghamshire, NG9 3TG
PROPOSAL:	Extension to garden centre including coffee lounge, children's play area, goods in handling and plant protection and enlargement of retail area

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

1 Executive Summary

- 1.1 This application is for the extension to an existing garden centre building including the extension of an existing coffee lounge, a children's play area, handling and processing area and additional canopies to provide plant protection and an enlarged retail area.
- 1.2 The main issues for consideration are whether or not the development constitutes appropriate development in the Green Belt, the design and appearance of the proposal, the impact upon neighbouring amenity and highway safety.
- 1.3 Planning permission was previously refused in 2019 under reference number 19/00212/FUL for a similar development on the grounds of the proposal constituting inappropriate development within the Green Belt as the proposed extensions, in conjunction with the existing extensions, represented a disproportionate addition to the size of the original building (158%), with there being insufficient very special circumstances demonstrated to clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness of the Green Belt.
- 1.4 The benefits of the proposal are that the applicant proposes a major investment which is designed to improve the customer experience of an existing established business in the locality, helping to maintain the long term viability of the business, creating job security for existing staff and creating additional employment opportunities. This is further emphasised by the effect of the COVID-19 pandemic and the need to improve the facilities for the future needs of the business. However as previous, the size of the extensions are considered to represent a disproportionate addition to the size of the original building which would be inappropriate development, harmful to the openness of the Green Belt. Whilst the extensions have been reduced in size and nature, in combination with the existing extensions the proposal would still result in an increase of approximately 98% compared to the original building.
- 1.5 The Committee is asked to resolve that planning permission is refused for the reason set out in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application is for the extension to an existing garden centre building including the extension of an existing coffee lounge, a children's play area, handling and processing area and additional canopies to provide plant protection and an enlarged retail area.

2 Site and surroundings

- 2.1 The site is located within the Nottinghamshire Green Belt in a disused former quarry to the north east of Stapleford Road. The site is accessed via a narrow track from Trowell Road which opens up to a wider access road past the railway bridge.
- 2.2 The site currently contains a large building containing sales and storage floorspace associated with the garden centre, plus customer facilities such as a café and associated retail sales area. To the south east there is a large car park and an outdoor display and sales area to the north of the building, which is partially covered by an open sided canopy containing various plants and garden centre items for sale.

3 Relevant Planning History

- 3.1 Various planning applications were approved during the 1980s and early 1990s to construct extensions and greenhouses since the original permission was granted for the nursery in 1985. A section 52 agreement was completed in 1985, which restricts the goods that can be sold and the areas of the site within which they can be sold, to help protect the purposes and character of the Green Belt.
- 3.2 An application in 1997 for further extensions, including canopy extensions to the shop area was withdrawn in the light of officer advice that the scheme was contrary to Green Belt policies and that there were insufficient special circumstances to warrant a recommendation contrary to established policy.
- 3.3 In 2004, planning permission was granted for the erection of open sided canopies and a covered walkway. Whilst the canopies have been erected on site, the covered walkway has not.
- 3.4 In 2014, planning permission was granted to enlarge the space used by the coffee shop.
- 3.5 In 2018, planning permission was granted for the widening and improvements to the existing access road and new access gates into the adjacent field.
- 3.6 In 2019, planning permission was refused for the extension to the existing garden centre building including the extension of an existing coffee lounge, a children's play area, handling and processing area and additional canopies to provide plant protection and an enlarged retail area.

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 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

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

- Policy 8: Development in the Green Belt
- 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.
- Section 13 – Protecting Green Belt Land

5 Consultations

5.1 **Nottinghamshire County Council Rights of Way Officer** – No objections

5.2 **Nottinghamshire County Council Highways** – No objections

5.3 **The Coal Authority** – No objections.

5.4 **Nottinghamshire County Council Local Lead Flood Risk Authority** – No comments.

5.5 **Severn Trent Water** – No objections subject to a condition requesting details regarding the discharge of surface water and foul sewage.

5.6 Seven properties either adjoining or opposite the site were consulted and a site notice was displayed, with one letter having been received raising concerns in respect of the access road to the garden centre.

6 Assessment

6.1 The main issues for consideration are whether or not the development constitutes appropriate development in the Green Belt, the design and appearance of the proposal, the impact upon neighbouring amenity and highway safety.

6.2 Green Belt

- 6.2.1 The existing garden centre is located off the main road off Stapleford Road and is screened from the main road by industrial units, residential dwellings and a bank of mature trees. The site consists of a main garden centre building and external car park, with the land rising to the north east section of the car park. Due to the site being set within a former quarry, the rear external sales area for which the existing canopy extension is located is set significantly lower than the surrounding land, limiting the views of the external sales area. Furthermore, the entire external sales area is surrounding by mature trees along the boundary, further limiting views into the site from the surrounding open fields.
- 6.2.2 In terms of the proposed structures, the application proposes the provision of a series of open ended canopy structures attached to the rear of the existing canopy extension. This will incorporate the existing external storage area. A purpose built goods in, handling and processing building is also proposed directly to the rear of the external sales area. Within the proposed canopy adjacent the existing café area, the café is proposed to be extended to provide a larger area. A children's play area is also proposed adjacent the existing sales area.
- 6.2.3 Whilst there would be limited views of the proposed extensions due the land levels and existing mature trees around the boundary of the existing external sales area, Part 13 – Protecting Green Belt Land of the National Planning Policy Framework 2021 (NPPF), paragraph 147 advises inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 identifies the extension or alteration of a building as appropriate development provided that it does not result in disproportionate additions over and above the size of the original building.
- 6.2.4 It should be noted that there is no clear guidance in the NPPF about what may amount to disproportionate additions to buildings. When considering disproportionate additions, regard should be given to the external dimensions, height, volume and floor area in relation to the original building.
- 6.2.5 The original building for the purpose of this application is considered to be the main sales building, for which provides the main entrance into the garden centre from the car park and occupies a floor area of approximately 2400m². The coffee shop and external sales area which were granted planning permission in 2004 occupy a floor area of approximately 1200m². The proposed external canopy areas, children's play area and goods in, handling and processing area combined with the previous extensions, will equate to an additional floor area of approximately 1320m².
- 6.2.6 The further increase in floor area by approximately 1320m² in addition to the previous extension of 1200m² would result in a 98% increase compared to the original building. Whilst the proposal has been reduced in size, this is still considered to result in a disproportionate addition to the original building in the Green Belt, and is therefore considered to conflict with paragraph 147 of the NPPF 2021. Although there is a general lack of guidance in respect of what is considered to amount to a disproportionate addition, Part 2 Local Plan Policy 8 – Development in the Green Belt allows for 30% in additions to the original building. Whilst there

are limited views into the site, there would be harm to the openness through introducing a large built development in the Green Belt.

- 6.2.7 It is therefore necessary to consider whether very special circumstances exist. Whilst it is recognised that most of the proposed development would not be visible from outside the site itself, the proposed canopy extensions will cover some of the existing open external rear sales area.
- 6.2.8 The submitted Design and Access Statement states that the development is essential to allow the business to continue to grow and develop to ensure that it can compete with fast moving and ever changing retail trends. It is further advised that the existing open canopies provide plant frost protection and have proved successful. It has also proved popular with customers allowing all year round access to parts of the exterior sales areas. It is noted that garden centres over the years have changed from general plant sales etc to extensive retail operations selling ranges of gardening and more general household goods. The site already benefits from an existing large coffee shop which is proposed to be extended as part of this planning application.
- 6.2.9 It is further advised that at the start of the COVID-19 pandemic the Garden Centre, like most businesses, was forced to close. The Government then allowed the business to re-open with the exception of the coffee shop which had to remain closed. When lockdown was eased the coffee shop was allowed to re-open with social distancing and a strict one-way system in place. Table service, a one-way system and a reduced capacity remain in place and is expected to be the norm for the foreseeable future. During 2021 costs have risen dramatically due to supply chain issues resulting from a combination of the COVID-19 pandemic, Brexit and global demand outstripping a disrupted supply. In order to remain competitive much of the increase in costs have not been passed on to the customer. Therefore, whilst turnover increased during the financial year 2020/21 compared to the previous year the substantial increase in underlying costs have been absorbed resulting in an expected 30-35% reduction in net profits for the current year. Supply and maintenance of stock has been another major challenge during the last two years and continues to be a substantial issue. In order to overcome the problem, it has been necessary to pre-order and over order stock which has resulted in the need for considerably more storage capacity. As a temporary measure this has resulted in retail space being given over to storage. Excessive stock levels also have a financial penalty for the business, tying up working capital.
- 6.2.10 There is no doubt that the proposed increase in covered retail floor space, extended coffee shop, children's play area and goods handling/processing area would have the potential to increase the profitability of the garden centre, add to consumer choice within the premises and provide a certain amount of additional local employment. However, it has not been demonstrated that the proposed canopy extensions are either necessary or essential for the proper functioning and/or viability of the garden centre, or to meet some other need. In relation to competition, few details are given relating to the size, nature or location of such establishments. It should also be considered that the business could change to an alternative retail use in the future which would result in a significant retail store in a Green Belt location.

- 6.2.11 It is considered that the very special circumstances put forward to justify the granting of the development are not sufficient to outweigh the significant harm resulting from the inappropriate development in the Green Belt.

6.3 Design and Appearance

- 6.3.1 The proposed canopies will consist of an open sided steel structure with a profile sheet composite roof. The canopies will be set at the same height as the canopy granted planning permission in 2004. Although the proposed children's play area will be set at a slightly higher height above the main garden centre building and existing canopy, given its location to the rear of the main building the visual impact of this structure will be limited. Given the location of the proposed extension to the rear of the main garden centre building and the existing boundary treatment it is considered the proposal is of an acceptable design.

6.4 Residential Amenity

- 6.4.1 The application site occupies a standalone location that is approximately 180m from the nearest residential dwellings located on Northern Drive. Furthermore, there is a railway line and a bank of trees between the dwellings and the garden centre. It is therefore considered that the proposed extensions will not have any impact on the amenity of any other neighbouring properties.

6.5 Highway Safety

- 6.5.1 No objections have been received from the Highway Authority. The access road up to the garden centre is private and not in the control of the Highway Authority. The access from Stapleford Road is of sufficient width with suitable visibility. The only narrow part of the access is over the railway bridge which is single access. Beyond the bridge the access road has recently been widened in accordance with planning reference number 18/00084/FUL. Adjacent to and to the rear of the main building there is an existing car park which is of an adequate size to serve the garden centre. There are no highway safety issues relating to this application.

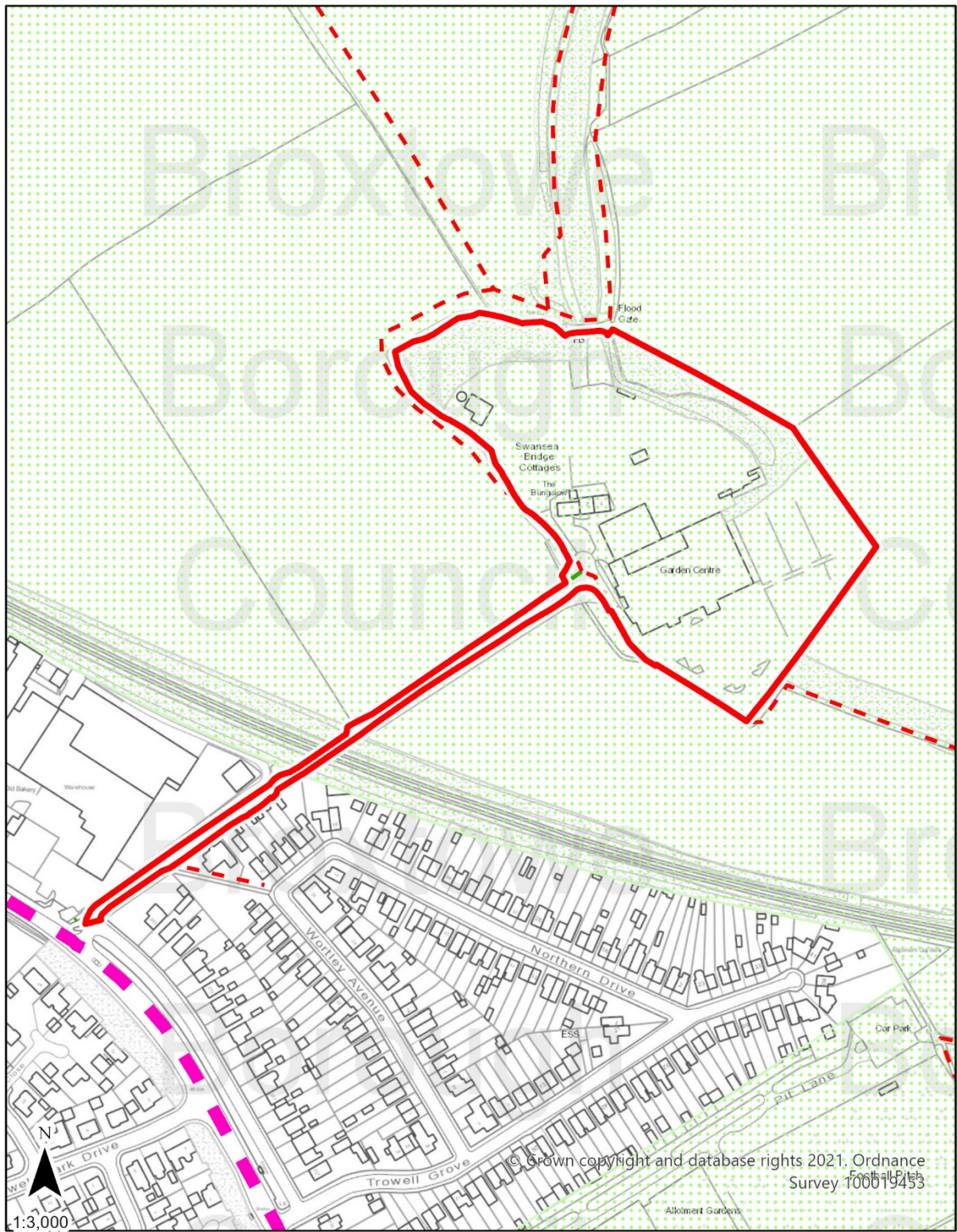
7 Planning Balance

- 7.1 The benefits of the proposal are that the applicant proposes a major investment which is designed to improve the customer experience of an existing established business in the locality, helping to maintain the long term, viability of the business, creating job security for existing staff and creating additional employment opportunities.
- 7.2 The negative impacts are the size of the extensions which are considered to represent a disproportionate addition to the size of the original building, which would be inappropriate development and harmful to the openness of the Green Belt.
- 7.3 On balance it is considered that the benefits are not outweighed by the harm of the proposal to the openness the Green Belt.

8 Conclusion

- 8.1 The proposed extensions along with the previous canopy extensions are considered to represent disproportionate extensions to the original building, therefore representing inappropriate development that is harmful to the openness of the Green Belt. Whilst the applicant has put forward a case for very special circumstances it is considered that the benefits of the proposal do not outweigh the substantial harm to the Green Belt.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reason:	
1.	The proposal constitutes inappropriate development within the Green Belt as the proposed extensions, in conjunction with the existing extensions, represent a disproportionate addition to the size of the original building. There are insufficient very special circumstances demonstrated to clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness. Accordingly, the proposal is contrary to Policy 8 of the Part 2 Local Plan and Section 13: Protecting Green Belt Land of the National Planning Policy Framework (NPPF) 2021 and there are no other material considerations that justify treating this proposal as an exception.
1.	<u>Note to Applicant</u> 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.



Legend

- Site Outline
- Classified Road
- Bridleway
- Footpath
- Green Belt

Photographs

View of trees surrounding rear yard area from car park.



Existing garden centre building.



View from access road.



Location of children's play area.



Location of Canopies.



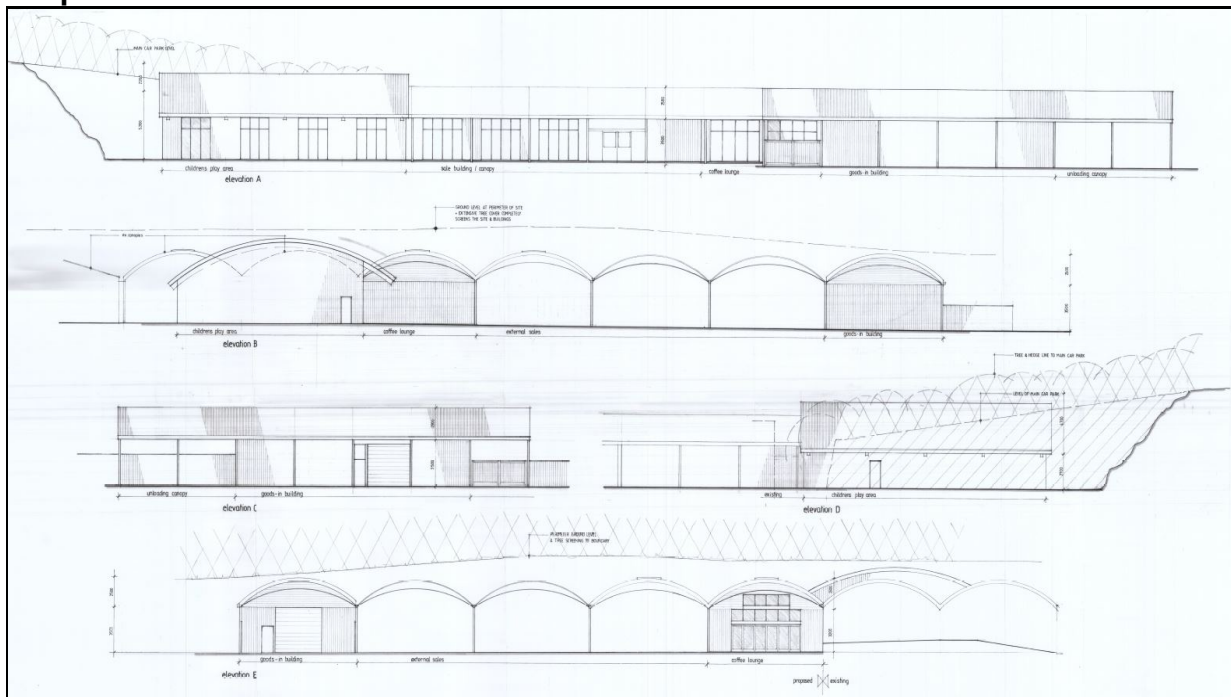
Location of goods handling/processing Area.



Location of canopy.



Proposed Elevations

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Report of the Chief Executive

APPLICATION NUMBER:	21/01005/FUL
LOCATION:	116 Derby Road, Bramcote, Nottinghamshire, NG9 3HP
PROPOSAL:	Construct two storey side/rear extension, dormer to rear elevation and detached outbuilding ancillary to main dwelling

Councillor D K Watts 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 and rear extension, a dormer to the rear elevation and a detached outbuilding ancillary to the main dwelling.
- 1.2 The dwelling is a detached two storey house situated along the A52 trunk road (Derby Road), to the side of the rear garden (west) are the rear of properties on Moor Lane and to the rear (north), properties on Arundel Drive. Immediate neighbours and surrounding properties are generally two-storey detached houses (with some relatively large bungalow in-between). There is a garage/ store abutting the boundary with no. 114 (to the east) and evergreens/ trees within the rear garden, forming a continuous line around the perimeter of the rear boundaries. The existing dwelling has a relatively unique (art deco) design, when compared to neighbouring property styles.
- 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, would be in accordance with the policies contained within the development plan and have no significant impact on neighbour amenity. There are no significant negative impacts.
- 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 proposal is to construct a two storey side and rear extension, a dormer to the rear elevation and a detached outbuilding ancillary to the main dwelling. The two storey side and rear extension would be situated behind the existing front elevation and replace the existing detached garage / store. It would be situated adjacent to the boundary with no. 114, which is to the east, and connect to the side of the existing dwelling by way of a connecting two storey structure. Facing the front, the extension would have a hip roof and facing the rear the roof would have gable ends. It would have an eaves height of 4.8m and an overall height of 6.9m. The extension would have a width of 4.4m at the front and 5m at the rear (with the rear connecting element having a width of 2.9m). The front elevation would have a garage door to the ground floor level, and windows to the first floor. To the side (east) elevation four roof lights are proposed. To the rear elevation there would be a window and French door on the ground floor and glazing up to the eaves on the first floor, which would incorporate a Juliet balcony. On the side (west) elevation, there would be bi-fold doors on the ground floor and windows on the first floor, with a total of six roof lights.
- 1.2 On the existing rear roof slope there would be a small pitched roof dormer, level with the main roof ridge and set in from the roof eaves. It would have a window and glazing up to the eaves.
- 1.3 The dwelling would have six bedrooms overall (currently four bedrooms) and internally, there would be layout changes to connect the proposed two-storey extension to the existing. There would also be an additional bedroom in the self-contained accommodation provided in the outbuilding.
- 1.4 The proposed outbuilding would be located to the rear of the rear garden and would have a mono-pitched roof with a maximum height of 2.6m. It would measure 4.5m by 6.5m. Facing toward the rear elevation of the dwelling there would be two sets of bi-fold doors. There would be a window to each side elevation. The outbuilding would have one bedroom with self-contained facilities.
- 1.5 During the course of the application, amendments were received providing clarification of proposed tree removal, this being only one tree.

2 Site and Surroundings

- 2.1 The property is a detached house with a hip roof, with red tiles. The building has an art deco style and a coarse white render finish. Abutting the side / rear boundary with no. 114 there is a detached hip roof garage. To the rear elevation, there is a flat roofed single storey element and a conservatory. The single storey element and ground floor elevation have a panelling finish. The rear garden is landscaped with raised patio areas.
- 2.2 The site is relatively flat.
- 2.3 At the front, there is a gravel driveway, open to the A52 (with space for six vehicles) and two trees. The front boundary to Derby Road has a wall with fencing above (2m high). Along the boundary with no. 114, from the front, there is a wall (with fencing above) 1.6m high, the site outbuilding and 114's side extension, then a 2m

high fence with hedging. There is 1.8m – 2m high fencing with no. 118. Within the site, there are trees and evergreen trees (up to 5m high) around the perimeter of the rear garden.

- 2.4 No. 114 is a detached house situated to the east of the site and has rear / side single storey extension next to the boundary with no. 116. There is an outbuilding in the rear garden, a single storey side extension (along the boundary with no. 112) and double garage forward of the front elevation.). On the side elevation (facing the site), there is a window on the first floor which has clear glazing.
- 2.5 No. 118 is a detached house (situated to the west), On the side elevation, facing the site, there is a window on the ground floor which is obscurely glazed. This site currently has planning permission for a two-storey rear extension (ref. 21/00607/FUL), and this would be situated near the boundary with no. 116.
- 2.6 The rear garden is relatively generous and bounds the rear of neighbours on Moor Lane and Arundel Drive, as well as the rear gardens of 114 and 118 Derby Road, to either side.

3 Relevant Planning History

- 3.1 There is no relevant planning history post 1974.

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 Nine neighbours were consulted on the application, with 3 responses received, one objection in relation to tree removal, loss of privacy and proposal being out of keeping. One raising no objection and one observation wanting clarification on tree felling (in relation to the outbuilding) and potential loss of privacy (in relation to the seating area being provided internally at first floor).

6 Assessment

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

6.2 Design

6.2.1 In terms of mass and scale, it is considered that the development does not represent a disproportionate addition as the two storey side / rear extension would be situated in a similar position to the existing garage / store that it would replace (7.9m behind the front elevation) and it would be on the boundary as per the existing, with a hip to the front and a roof set down below the main ridge height of 2.2m. It would extend 2.5m further to the rear than the existing garage.

6.2.2 Due to the roof of the proposed two-storey side / rear extension being set down from the main roof and set back from the front elevation, within, it is also considered not to cause a terraced or cramped effect within the street scene.

6.2.3 The rear dormer would have a gable roof at the same height as the main roof, but with its eaves set below the main ridge height. It would be a single window dormer, set in from the sides of the roof and the roof eaves. Due to this it is considered that the dormer would not dominate the roof.

6.2.4 The outbuilding would be single storey, at a height of 2.4m to 2.6m and situated to the rear of the garden adjoining the north boundary. The garden is considered relatively large and this would be constructed on an existing lawned area. Overall the mass and scale of the proposal is considered to be acceptable.

6.2.5 No information has been supplied in relation to the level of use for the outbuilding. Therefore, because the plot is not suitable for a separate dwelling, it is considered reasonable and necessary to include a note to applicant to state the outbuilding shall be occupied in association with the existing dwelling and shall not be a separate unit of accommodation.

6.2.6 The development has been designed to provide an improved internal layout and additional bedroom space for the occupiers. The proposal would provide a suitably designed extension subservient to the main dwelling, with a dormer reflecting the gable roofs of the proposed extension (facing into the rear garden). The outbuilding is of an appropriate design for a detached single storey structure to the rear of a garden. Therefore, the proposed design is considered acceptable and would not result in harm to the street scene, given its position to the rear of the site.

6.2.7 The proposed materials are to match the existing walls and roof with smooth render and tiles, which is considered acceptable as there is render on the existing property. The materials will be conditioned to match existing.

6.2.8 In regards to the outbuilding, this would be of a cabin design (example provided), with a timber cladding. Materials will not be conditioned for the outbuilding, as it is single storey and it is considered that it would have limited visual appearance outside the site.



6.3 Amenity

- 6.3.1 For the occupiers, it is considered that the development would provide generous room sizes with access to facilities on all floors, ground floor space to fulfil the needs for a lifetime home, and access to natural light and outlook for all habitable rooms. Whilst there would be an increase in the footprint of the dwelling and an outbuilding, the garden is considered a relatively generous size and would retain a good level of outside amenity space and would not represent an over-development of the site.
- 6.3.2 The proposal is considered to have no significant impact on no.114, due to the presence of the single storey extension of no. 114 directly adjacent to the common boundary which provides a gap between the two sites. The dormer would be to the main rear roof slope and face the rear garden, with the outbuilding to the rear of the rear garden, single storey and facing back into the rear garden, and a significant distance away from the habitable room windows of no. 114.
- 6.3.3 The proposal is considered to have no significant impact on no. 118 because the main element of the development would be situated to the opposite boundary. The proposed outbuilding to the rear of the rear garden, and the rear dormer set in off the side of the roof would not have a significant impact on neighbour amenity. The two-storey side extension would have first floor glazing facing the common boundary to 118, but this would be facing within the sites garden and 12.5m off the side boundary, and not directly face habitable room windows within no. 118's dwelling. It should be noted that no. 118 also has planning permission for a two storey rear extension which, if built, would provide further privacy.
- 6.3.4 Beyond no. 118, the proposal would be facing rear gardens of no's 2, 4 and 6 Moor Lane, but due to the distance (over 12.5m to the nearest rear boundary fence, measured from the proposed two-storey rear elevation) and the orientation (no. 2 is the only directly facing neighbour and that is a bungalow and beyond no. 118's garden), the two-storey part of the proposal is considered to have no significant impact on neighbours on Moor Lane in terms of privacy or outlook. The rear dormer would be facing north into the rear garden and the outbuilding would be single storey (with a mono-pitched roof), therefore they are considered to have no

significant impact on neighbour amenity to the occupiers of properties on Moor Lane.

- 6.3.5 To the rear, the two-storey part of the proposal would be situated 34m from the rear boundary, with the rear dormer no further to the rear than the existing dwelling, whilst the outbuilding would be situated near the rear boundary, it would be single storey and face bank in the site's rear garden. Therefore, it is considered that the proposal would have no significant impact on neighbours to the rear of the site, on Arundel Drive.
- 6.3.6 Derby Road (which is a trunk road) provides a buffer between the site and the dwellings opposite, to the south of Derby Road and therefore relatively wide. No part of the proposal would be forward of the existing as such it is considered there would be no significant impact to these neighbouring properties.
- 6.3.7 Whilst it is possible that there may be some limited noise from the use of the outbuilding, when it is in use, it is not considered that this would be excessive, if used for domestic purposes and in association with the main dwelling. It is further noted that the outbuilding is located away from the main buildings of the adjacent properties and that some domestic noise from activities within gardens and from use of outbuildings is expected.

6.4 Other Matters

- 6.4.1 In relation to comments made about likely tree removal, the agent submitted amended plans to help clarify the extent of tree removal, which confirmed that one tree is proposed to be removed as part of the development, whilst retaining all other trees adjacent to the boundaries. This would be to the rear of the existing garage, by the boundary with no. 114. The trees are not protected by a Tree Preservation Order or the site within a Conservation Area, so the trees have no further protection on them. Notwithstanding this, it is considered that, should all the trees be removed, impact on neighbour amenity from the development would not be assessed any differently to that outlined in the above paragraphs in that the proposal would still be found to have no significant impact on neighbour amenity.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would be extensions to an existing residential dwelling, would be in accordance with the policies contained within the development plan and have no significant impact on neighbour amenity. There are no significant negative impacts to consider, and therefore the scheme is considered acceptable.

8 Conclusion

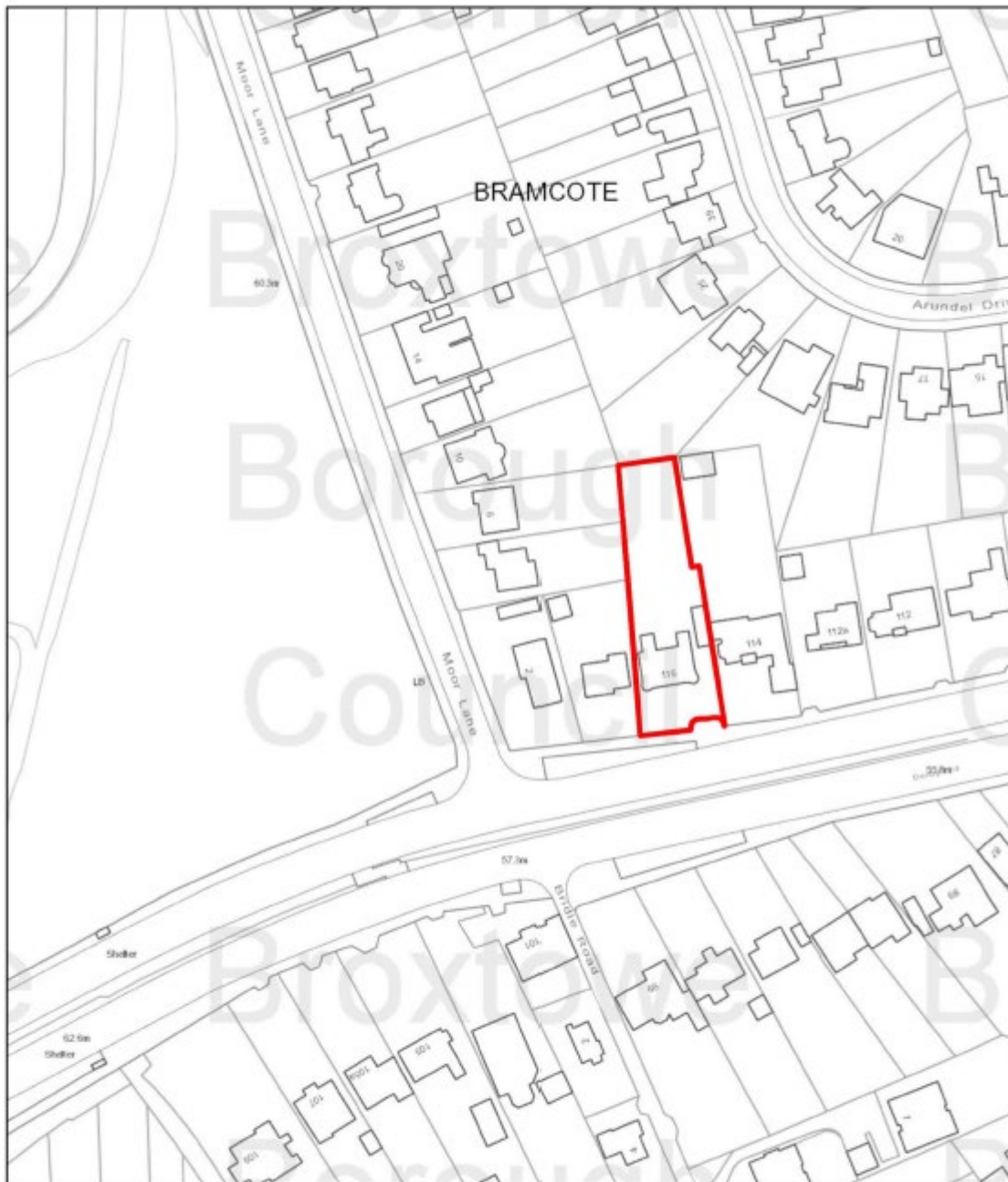
- 8.1 Overall, it is considered that the proposal is acceptable, complies with Local Plan policy and the NPPF and that conditional planning permission should be granted.

<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 drawing numbers D101 – 08/11/2021 (Outbuilding Plans and Elevations) and D101 – 08/11/2021 (Proposed Floor Plans) received by the Local Planning Authority on 10 January 2022, D201 – 08/11/2021 received by the Local Planning Authority on 12 January 2022 and D301 – 08/11/2021 and D302 – 08/11/2021 received by the Local Planning Authority on 18 February 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The extensions to the dwelling hereby permitted shall be constructed using render and tiles to match the existing building.</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>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3.	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.

4.	The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 116 Derby Road, Bramcote, Nottinghamshire, NG9 3HP.
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Site Map

116 Derby Road, Bramcote



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 Site

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

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Photographs



Front (south) and side (east) elevations.



Rear (north) elevation.



boundary with no. 114.



Site's outbuilding and no. 114 in background.



Boundary with no. 114 and site outbuilding.



Boundary with no. 114 and rear (facing north east).



Rear boundary.



Boundary with no. 118 (facing north west and towards Moor Lane).



Boundary with no. 114.



Site outbuilding and no. 114's store.



Front boundary with no. 118.



Front boundary with no. 118.

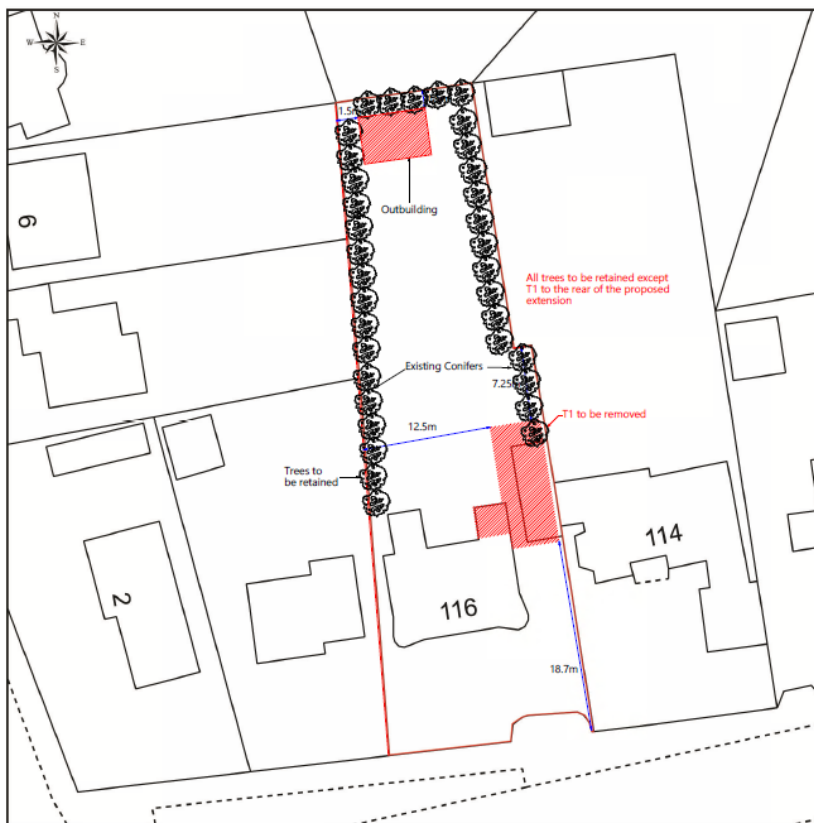


Front boundary with no. 114.

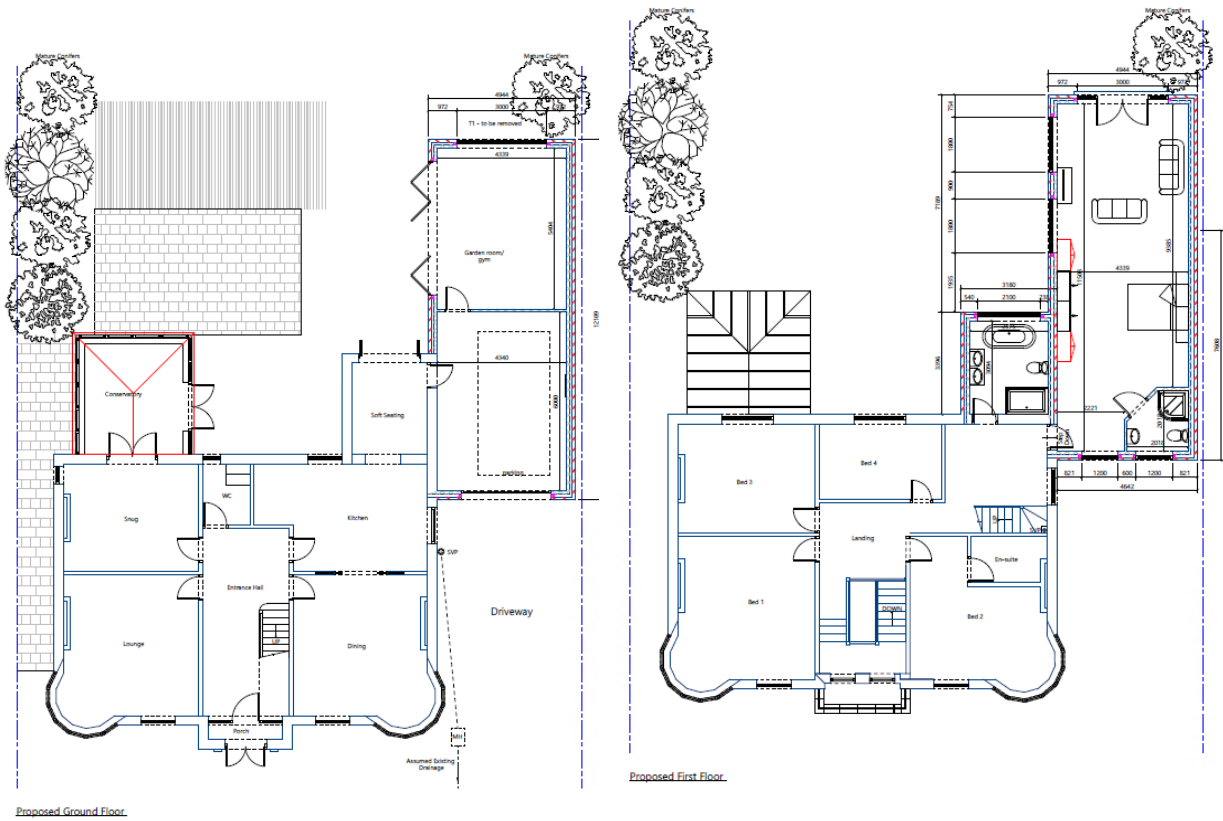
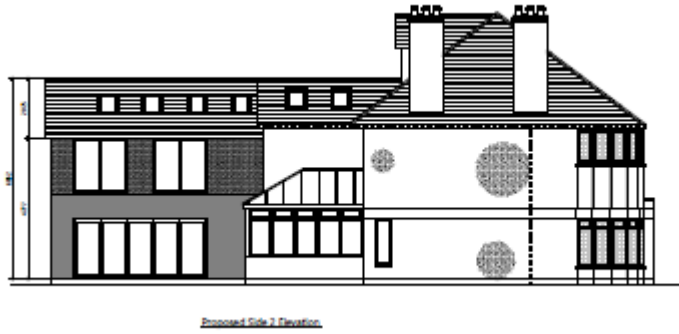
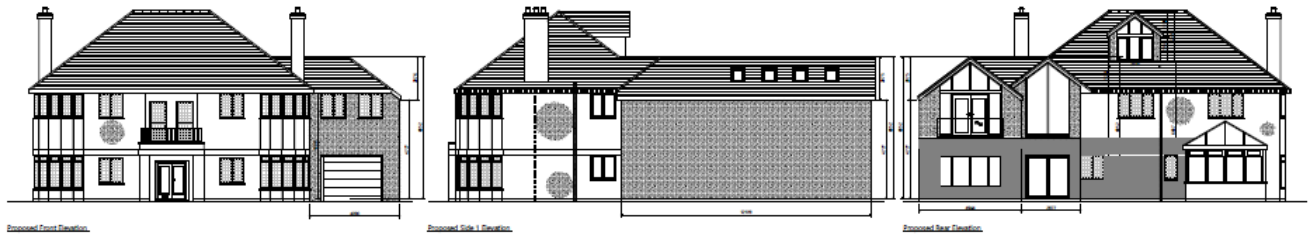


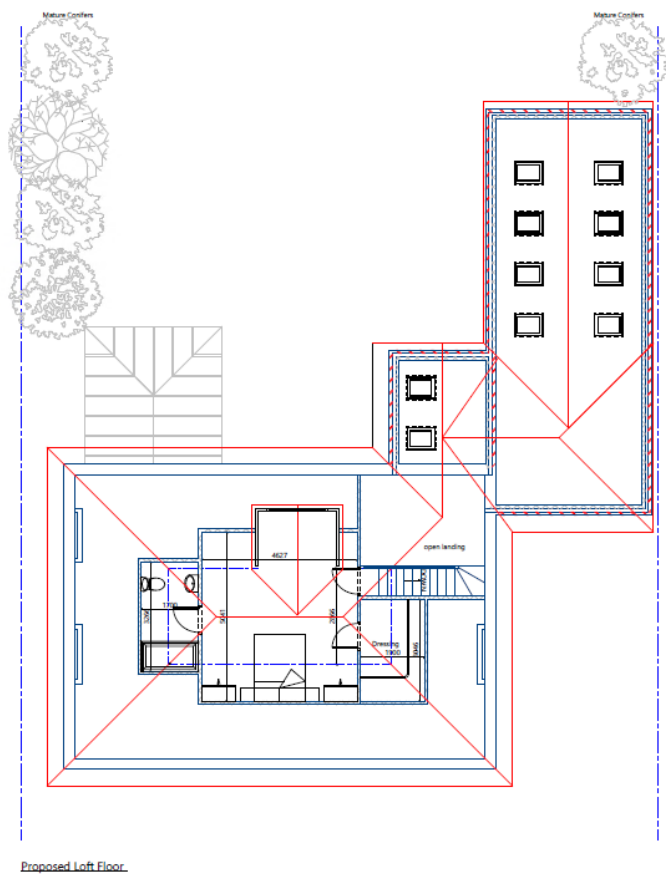
Access from Derby Road.

Plans (not to scale)



Proposed Block Plan and retained trees (including T1 to be removed)





Report of the Chief Executive

APPLICATION NUMBER:	21/00704/FUL
LOCATION:	12 Rochester Court, Nuthall, Nottinghamshire, NG6 8WL
PROPOSAL:	Construction of single storey and first floor rear extension

1 Executive Summary

- 1.1 This application was first brought before Planning Committee on 2 February 2022 with a recommendation to grant conditional planning permission. Members deferred making a decision on the application to allow for consideration reduce the impact on neighbours at the northern boundary.
- 1.2 In response to the decision at the previous planning committee the agent has amended the plans to reduce the size of the extension at first floor and proposes a single storey extension to the ground floor.
- 1.3 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX**1 Details of the Application**

- 1.1 The application is to extend at the rear of the property. This will be to widen the existing rear ground floor extension and construct a first floor level above, resulting in a part single storey and part two storey rear extension.
- 1.2 The ground floor will be widened by 3 metres so that the rear extension is the width of the house. This will have a pitched roof sloping away from the side elevation. at the single storey element would have a minimum height of 2.9 metres rising to 3.5 metres where it meets the existing extension and will have a length of 5 metres, being level with the existing. The first floor extension will be built directly above the existing ground floor extension to match its existing width and length. It will be 9.1 metres wide, 4.7 metres long and 2.5 metres in height when measured from the roof of the existing ground floor extension. The total height of the rear extension will be 5.6 metres and will join with the existing roof, having a slight downward slope toward the garden.
- 1.3 Sliding doors will be added to the proposed single storey part of the rear extension in the rear facing elevation at ground floor level. The first floor will replicate the sliding doors that currently exist on the ground floor rear elevation and will form one large Juliette balcony. There will be no windows on the north or south elevation at first floor level, or in the ground floor north elevation.
- 1.4 The roof tiles, brick walls and windows and doors will be constructed in materials to match the existing extension and remainder of house.

2 Re-consultation

- 2.1 As the plans were amended the neighbours were given a period of 7 days to comment on the amended plans. Any responses received will be reported at committee.

3 Appraisal

- 3.1 It remains the consideration that the proposed rear extension is not considered to result in an unacceptable loss of amenity for neighbouring residents. The extension has enough distance from the boundary to avoid blocking out natural light to the neighbours, whose houses are distanced enough to avoid shadowing. These amended plans have reduced the width of the first floor extension in order to further reduce the potential for loss of natural light and visual impact of this extension on neighbouring amenity. There will be no impact on privacy as the windows are facing away from neighbouring properties and there will be no windows or doors in the side elevations. Overall, the proposal is not considered to be harmful to the street scene or out of keeping with the character of the area.

4 Planning Balance

- 4.1 The benefits of the proposal are that it would be an extension to an existing residential dwelling, would be of an acceptable scale and design, would not have a significant impact on neighbour amenity and would be in accordance with the policies contained within the development plan. This carries significant weight.
- 4.2 The negative impacts are that the proposal would have an impact on the views from some properties however it is considered that this would not be significant, following the amendments to the proposal, and would not be sufficient to outweigh the benefits of the proposal.

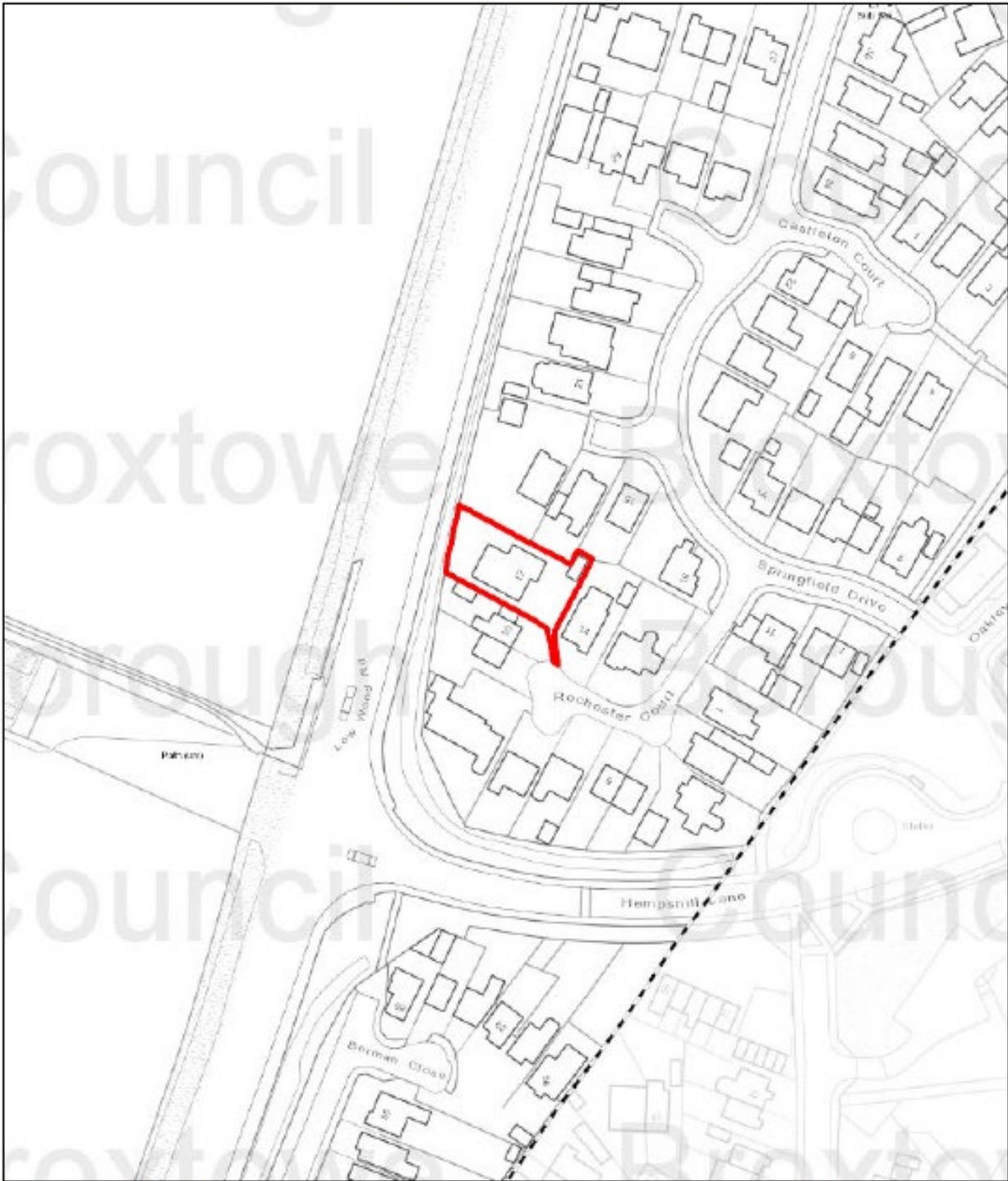
5 Conclusion

- 5.1 To conclude, it is considered the extensions and alterations reflect an acceptable level of design that would be in keeping with the main house and that the extension would not have an unacceptable impact on neighbour amenity.


<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with the site location plan received by the Local Planning Authority on 22/09/2021 and proposed elevations and floor plans (drawing number A101), received by the Local Planning Authority on 04/03/2021. <i>Reason: For the avoidance of doubt.</i>
3.	The extension shall be constructed using bricks, tiles, windows and doors of a type, texture and colour so as to match those of the existing building. <i>Reason: To ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week agreed determination timescale.

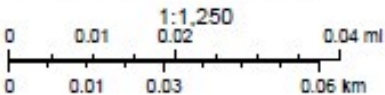
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>
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21/00704/FUL



1/11/2022, 11:14:44 AM

 Site



Photographs



View from 19 Springfield Drive



Rear north side



Garden and rear property



Rear



North side of property



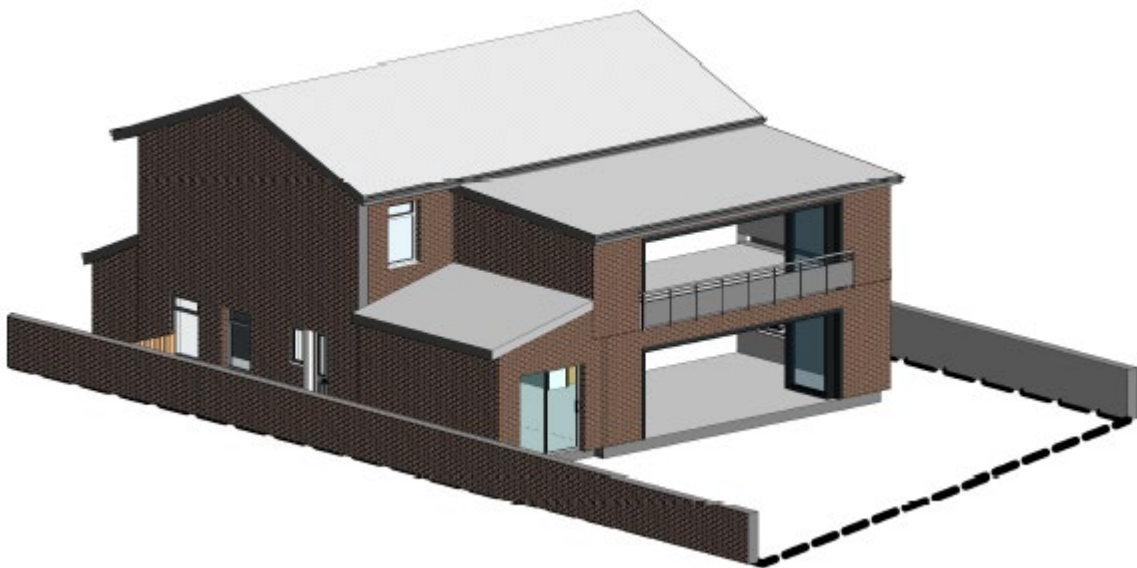
Northern border and garden

Plans (not to scale)

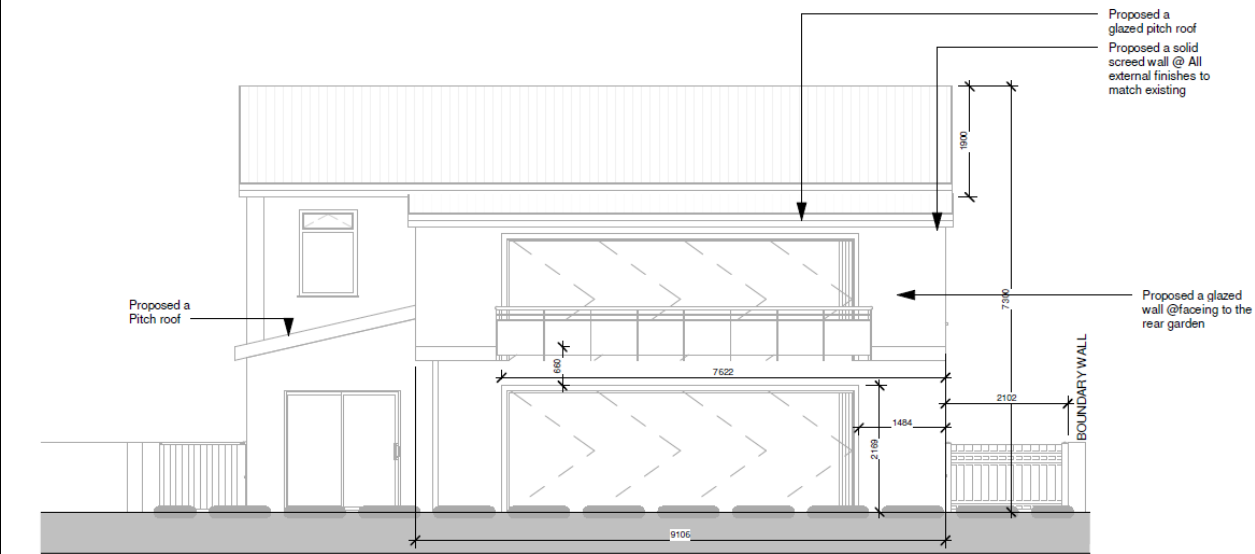
Front elevation



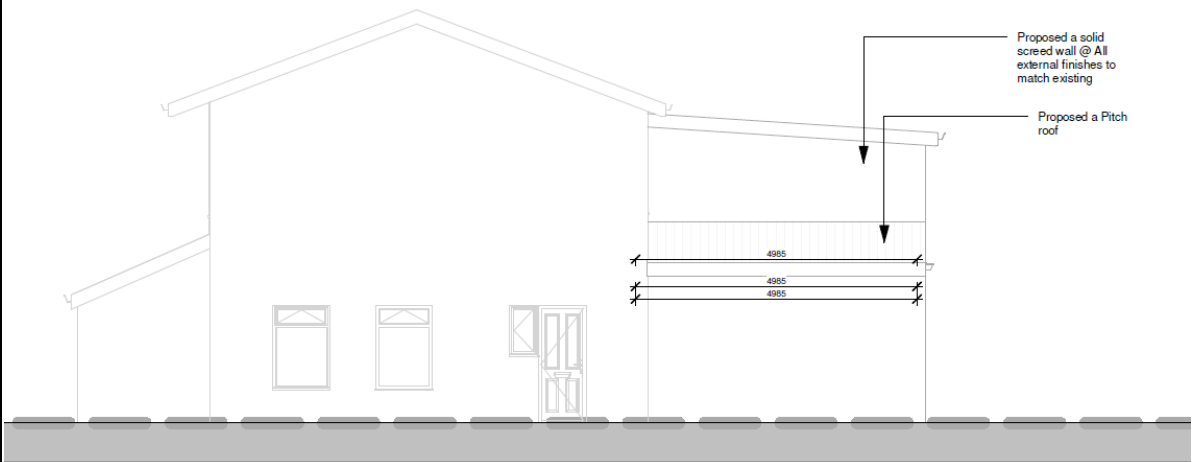
Proposed rear elevation



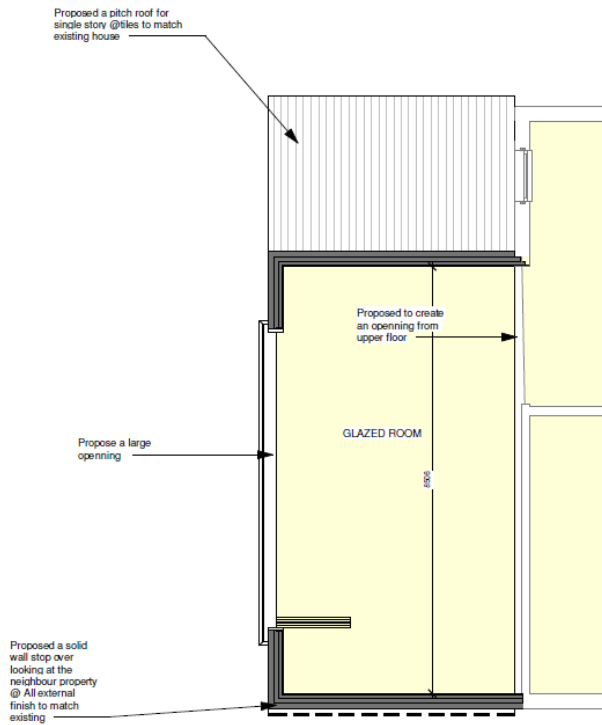
Proposed rear elevation



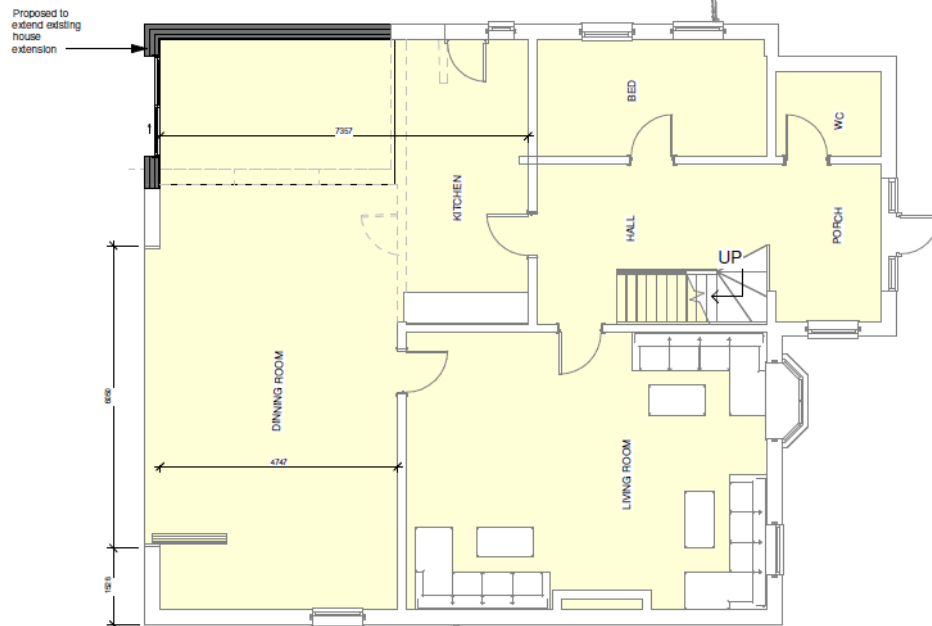
Proposed side elevation



Proposed first floor (part)



Proposed ground floor



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Report of the Chief Executive

APPLICATION NUMBER:	21/00772/FUL
LOCATION:	Land to the rear of 55 Church Street, Eastwood, Nottinghamshire, NG16 3HR
PROPOSAL:	Construct two bungalows

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

1 Executive Summary

- 1.1 The application seeks full planning permission for the construction of a pair of semi-detached dwellings accessed via a private track between 8 and 10 Midland Road. To the boundaries is to be a mixture of 1.8m – 2.1m boundary fencing and mature hedgerows. The dwellings will be one and half storey high with flat roof dormers to the rear and principal elevation. Forward of the principal elevation is off road parking. The land is currently fenced off and is overgrown/scrub land.
- 1.2 The recommendation has been put forwarded using the amended plan demonstrating a pair of semi-detached dwellings approximately 2.6m to the eaves height, 6.7m to the ridge height with a flat roof dormer to the principal and rear first floor and a flat roof projection to the ground floor with a roof lantern. The dwellings will have a living room, bathroom bedroom and kitchen/diner to the ground floor and one bedroom within the loft space with an en suite.
- 1.3 It is considered that the main issues relate to whether the design, scale and appearance of the proposed dwellings is appropriate, and whether there would be any impact on neighbour amenity or on highway safety.
- 1.4 The benefits of the proposal are that it would add to the Council's housing supply, and would not have a detrimental impact on the street scene or impact on highway safety. However, the siting of the proposed pair of dwellings along with the bulk and mass would result in an unacceptable impact on the residential amenity of the occupiers of 6 and 8 Midland Road. The proposal is considered an over intensive form of development and it is therefore considered that the proposal is unacceptable and that the application should be refused. The negative impacts are considered to carry sufficient weight to outweigh the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be refused for the reason outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks to construct a pair of two storey dwellings with flat roof dormers set into the roof slope, forming the second storey, to the principal and rear elevations. To the rear is a flat roof projection with a roof lantern and one roof light in each side roof plane. The roof height, from eaves to ridge, is almost double the height of the ground floor, 2.6m to the eaves and 6.7m to the ridge height. The application forms states materials to be agreed.

2 Site and surroundings

- 2.1 The site is currently overgrown/scrub land with some boundary treatments and a high wooden gate that provides security.
- 2.2 To the north lies a pair of bungalows with a 1.8m boundary fence. To the east is the access track serving the site and giving access to neighbouring plots, and beyond this is 10 Midland Road, a two storey redbrick semi-detached dwelling. To the south lies semi-detached dwellings on Malthouse Close, with one property having vehicular access to the rear of their property from the access track. To the west lies a mixture of terrace, semi-detached and detached dwellings constructed of red brick and concrete tiles.

3 Relevant Planning History

- 3.1 There have been several applications submitted for this site for the construction of a dwelling, the history for the site follows:
- 86/00191/OUT Erect one bungalow (approx 0.05ha) Granted conditional permission
 - 89/00444/OUT Renew permission to construct one bungalow Granted conditional permission
 - 92/00345/OUT Renew permission to construct one bungalow Granted conditional permission
 - 95/00267/OUT Renew permission to construct bungalow Granted conditional permission
 - 98/00268/OUT Renew permission to construct bungalow on land to rear Granted conditional permission
 - 01/00329/OUT Renew permission to construct bungalow on land to rear Granted conditional permission
 - 04/00622/OUT Renew permission to construct bungalow Granted conditional permission

- 07/00955/OUT Construct 2 N° semi-detached bungalows conditional permission Granted

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 8: Housing 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 11 – Making effective use of land
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 **Nottingham County Council Highways:** The Highways Officer has stated the proposed dwellings are served from an existing driveway on Midland Road and as such the Highways Authority would not have any concerns with the proposal.

5.2 **Coal Authority:** The Coal Authority at first raised an objection due to the lack of Coal Mining Risk Assessment (CMRA) being submitted with the application. Once a CMRA was submitted the Coal Authority removed their objection and concurs with the recommendations within the report. They have recommended assessment for mine gas and SUDS along with other conditions.

5.3 Eleven properties were consulted and a site notice was displayed. Two responses were received with observations relating to the need for no obstruction to an existing access, and no surface water run-off outside the site.

5.4 Eastwood Town Council has not commented on the application.

6 Assessment

6.1 The application site is not covered by any specific planning policy. The main issues for consideration for this proposal are therefore the design and appearance of the pair of dwellings, its impact on neighbour amenity and highway safety.

6.2 Design and visual amenity

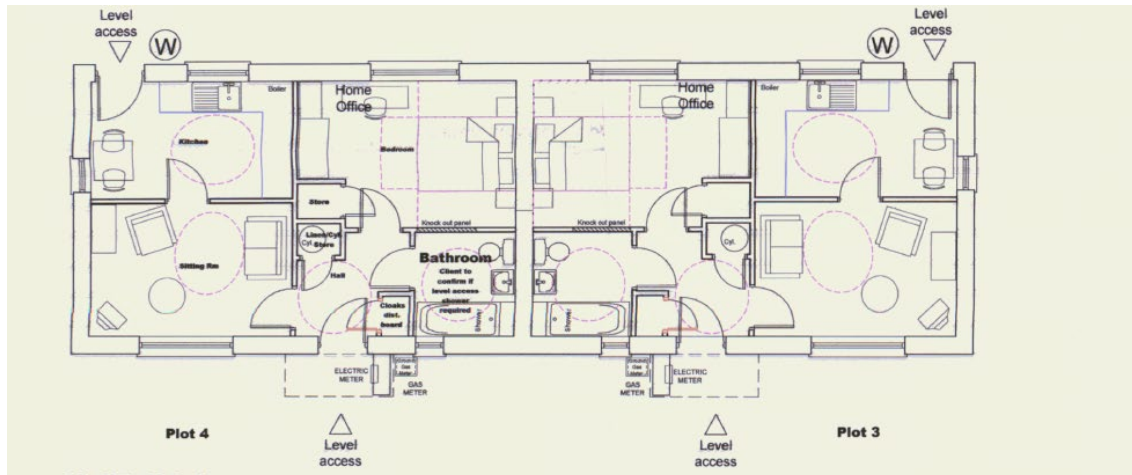
- 6.2.1 Policy 10 of the ACS section 2 states that developments will be assessed in terms of d) massing, scale and proportion and e) materials and style. Policy 17 of the Part 2 Local Plan part 4 a) states that development should be of a size and design that makes a positive contribution to the appearance of the area and does not dominate the existing building.
- 6.2.2 The proposed two storey dwellings (the second storey being in the roof) are to be sited on the west side of the plot with off road parking forward of the principal elevation, for two vehicles per dwelling. Down each side of the pair of dwellings is a pathway that leads to a private garden approximately 8.45m in length. No materials have been annotated on the plans or the application forms.
- 6.2.3 The design of the pair of semi-detached dwellings, including two flat roof dormer windows within the large hipped roof, are very top heavy due to the eaves height being only 2.6m with the ridge height being 6.7m. The massing, scale and proportion of the first floor unbalances the appearance of the pair of semi-detached properties and there are no similarly designed dwellings within close proximity to the site.
- 6.2.4 The position of the neighbouring properties north of the site will provide some screening, but due to the height of the ridge the roof will be visible when viewed from the north, over the top of the ridge height of 6 and 8 Midland Road.
- 6.2.5 The proposal is considered to be an over intensive form of development, creating a pair of semi-detached that are two storeys high, on a parcel of land which has historically received planning permission for one or two bungalows which are all single storey.

6.3 Amenity

- 6.3.1 Policy 10 (f) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.3.2 The dwellings located to the south and west are a significant distance away from the joint boundaries with the site, and due to the length of their own gardens and the orientation, the proposal enables no impact on loss of light to the dwelling or their private amenity space.
- 6.3.3 The pair of bungalows to the north, 6 and 8 Midland Road, have small rear garden areas with a 1.8-2m boundary treatment on the joint boundary. These two modest bungalows are a recent addition to the street following the demolition of garages to enable the two dwellings to be constructed under 12/00683/REG3 for 6 dwellings.



6 and 8 Midland Road



Internal layout of the dwellings at 6 and 8 Midland Road

6.3.4 The overall ridge height of 6 and 8 Midland Road are 4.6m with the habitable room windows on the rear elevation facing the site. The position of the proposed pair of semi-detached dwellings will have a negative impact on the light to the habitable rooms and private amenity space of 6 and 8 Midland Road due to the overall height being 6.7m and being as close as 7.8m from the habitable rooms on the rear elevations of 6 and 8 Midland Road. It is acknowledged the roof design is hipped but the sheer size and position of the proposal still will have a negative impact on these dwellings in terms of loss of light and outlook.

6.4 Access

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

6.4.2 The points raised within the representations have been considered and obstruction to the neighbour's garage is not a material planning consideration and cannot be conditioned to remain free from obstruction as this would be a civil matter.

6.5 Coal

6.5.1 The site lies within a coal referral area and the agent did submit a Coal Mining Risk Assessment following the Coal Authorities objection to the application. The Coal Authority did remove their objection and agreed with the recommendations within the report, subject to conditions and informative.

7 Planning Balance

- 7.1 The proposed pair of dwellings would add to the Council's housing supply, and would not have a detrimental impact on the street scene or impact on highway safety. However, the siting of the proposed pair of dwellings along with the bulk and mass would result in an unacceptable impact on the residential amenity of 6 and 8 Midland Road. The proposal is considered an over intensive form of development and it is therefore considered that the proposal is unacceptable and that the application should be refused.
- 7.2 On balance, the negative impacts are considered to carry sufficient weight to outweigh the benefits of the proposal.

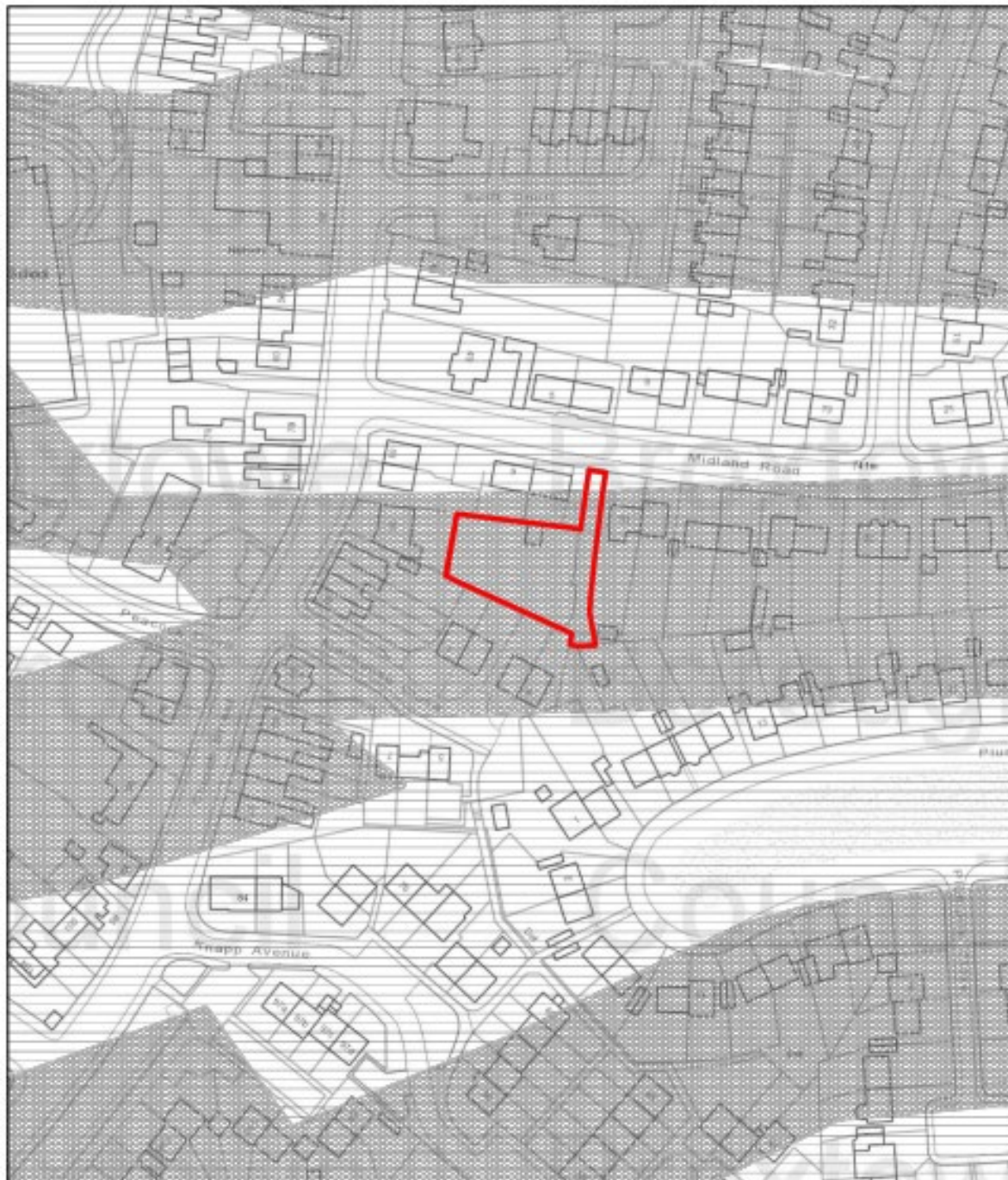
8 Conclusion

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

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following reasons.	
1.	The proposed development of two semi-detached dwellings, by virtue of their massing, scale and siting close to the north boundary, would have an overbearing and oppressive impact on the neighbouring properties of 6 and 8 Midland Road, resulting in an unacceptable loss of amenity for the occupiers of these dwellings, contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of Aligned Core Strategies Part 1 Local Plan (2014).
2.	The proposed pair of semi-detached dwellings are of a massing, scale and proportion that would result in an over-intensive and cramped form of development and would be detrimental to the character and appearance of the area. The development is therefore contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of Aligned Core Strategies Part 1 Local Plan (2014).
	NOTES TO APPLICANT
1.	Whilst it has not been possible to achieve a positive outcome, due to the fundamental concern regarding neighbour amenity and the design and scale of the dwellings, the Council has acted positively and proactively in the determination of this application by working to determine it within the agreed timescale.

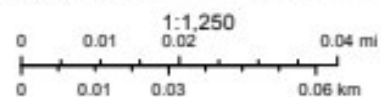
Site location plan

27/00772/FUL - Land to the rear of 55 Church Street



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-  Coal Referral Area
-  Coal Standing Advice
-  Coal Surface Mining Risk Plan
-  Site



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Photographs



Site notice



Access to the site between 8 and 10 Midland road



Principal elevation of 8 Midland Road



Principal elevation of 10 Midland Road



Southern boundary with 1-4 Malthouse Cl

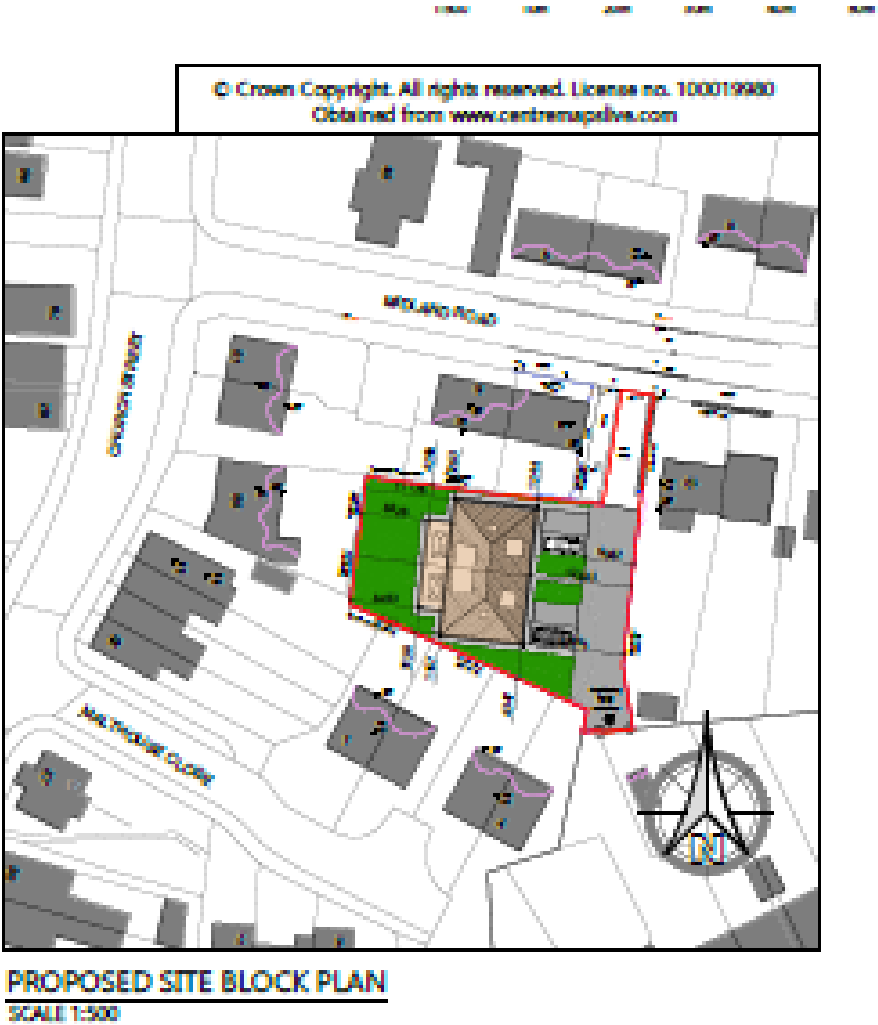


Southern/western boundary of site – rear of 55 Church Street



Northern boundary and the roofs of 6 and 8 Midland Road can just be seen over the boundary treatment.

Plans (not to scale)

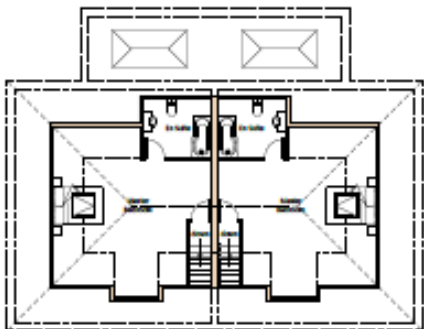


Proposed block plan

PROPOSED LAYOUTS
SCALE 1:50



GROUND FLOOR



FIRST FLOOR

PROPOSED ELEVATIONS
SCALE 1:100



FRONT



SIDE



REAR



SIDE

Proposed elevations and floor plans

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Report of the Chief Executive

APPLICATION NUMBER:	21/00785/FUL
LOCATION:	Land to the rear of 6 Smithfield Avenue, Trowell, Nottinghamshire
PROPOSAL:	Change of use for equestrian use, construct new stable block with associated works and track

The application is brought to the Committee at the request of Councillor D D Pringle on the grounds of neighbour amenity.

1 Executive Summary

- 1.1 The application seeks permission for the construction of a change of use for equestrian use, the construction for a new stable block with associated works and hard standing.
- 1.2 The site includes a number of outbuildings/sheds in a poor state of repair which have been in this location for a number of years. The site consists of a grassland area north of properties off Smithfield Avenue. To the west the includes Nottingham Road, to the north No. 36 Nottingham Road a detached residential property, to the east further fields and to the south residential properties off Smithfield Avenue.
- 1.3 The main issues relate to whether the proposed equestrian use is acceptable and the impact on the openness of the Green Belt; whether the design is acceptable; whether there would be an unacceptable impact on neighbour amenity; and whether the proposal would have an unacceptable impact on highway safety.
- 1.4 The proposal is consistent with local and national Green Belt policies and it is considered the development will not adversely impact the openness or character in this location. The proposal will not result in a significant impact upon the living conditions of neighbouring properties and will not be detrimental to the safety or capacity of the highway in this location. 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 application seeks full planning consent for the erection of a stable block, hardstanding fencing/gates and a new track.

2 Site and surroundings

- 2.1 The site includes a number of outbuildings/sheds in a poor state of repair which have been in this location for a number of years. The site consists of a grassland area north of properties off Smithfield Avenue. To the west the includes Nottingham Road, to the north No. 36 Nottingham Road a detached residential property, to the east further fields and to the south residential properties off Smithfield Avenue.

3 Relevant Planning History

- 3.1 None.

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 3: Green Belt
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

4.2 **Part 2 Local Plan 2019:**

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

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, design and amenity
- Policy 23: Proposals affecting designated and non-designated heritage assets

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

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 13 – Protecting Green Belt land
- Section 12 – Achieving well-designed places.
- Section 15 - Conserving and Enhancing the Natural Environment
- Section 16 - Conserving and Enhancing the Historic Environment

5 Consultations

- 5.1 A number of properties either adjoining or opposite the site were consulted and a site notice was displayed.

5.2 First consultation: The application originally proposed to create a new access that would use an existing track forward of No. 30, 32 and 34.

5.2.1 **Resident comments**: 3 comments were received. 2 letters raising no objections and 1 letter raising the following concerns:

- Loss of privacy at the front existing properties facing the access proposed to be used.
- The proposal will create traffic resulting in damage to the condition of the existing track.
- There will be increased noise and odour pollution with horses/transport passing the front of adjacent properties.
- There is significant tree growth near the proposed access, loss of trees will result in the loss of privacy.

5.2.2 **NCC Highways**: concerns raised.

- The access will need widening at the entrance by 6.0m in width x 10m in length.

5.2.3 **NCC Public Rights of Way**: further information required.

- Trowell Footpath 6 runs to the north of the application site. The application plan and drawings shows a post and rail fence at the western edge of the footpath. However, it doesn't show the footpath and how it is to be accommodated within the wider site. Please could the applicant provide more information regarding the footpath in order that this may be considered further.

5.2.4 **Council's Environmental Health Officer**: no objection subject to restricting potential lighting and burning of waste.

5.2.5 **Trowell Parish Council**: objection on the grounds of the proposed access in the interests of highway safety.

5.2.6 **Council's Conservation Officer**: no objections.

5.3 Second consultation: The application was amended and the application proposes use of the existing access between No. 2 and 3 Smithfield Avenue.

5.3.1 **Resident comments**: 2 comments were received. 1 letter raising no objections and 1 letter raising the following concerns:

- Potential noise and odour resulting from the stable block.
- Parking and access to the field.

5.3.1 **NCC Highways**: no objections, subject to restricting the use of the stables to private only by condition.

5.3.3 **NCC Public Rights of Way**: no objections.

5.3.4 **Trowell Parish Council:** uphold objections.

6 Assessment

6.1 The main issues for consideration are the principle of development, the impact on the character and appearance of the area, the impact on the amenity of neighbouring properties and highway safety.

6.2 **Principle**

6.2.1 The site is located within the Nottingham Derby Green Belt under Policy 8 of the Part 2 Local Plan, in accordance with Policy 8, applications for development in the Green Belt will be determined in accordance with the NPPF, as supplemented by Broxtowe specific points 1-4.

6.2.2 In accordance with paragraph 149 of the NPPF, it is considered that the proposed development falls under exception (b) 'the provision of appropriate facilities for outdoor sport as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'. The proposal is for equestrian use and therefore the principle of development is considered acceptable.

6.2.3 Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. The site includes a number of outbuildings in poor condition that would appear to have been on the land for a number of years. The proposed stable block is approximately 18m in length and 3.7m in width featuring a dual pitched roof and 2.7 in height. The proposal also includes a new hard standing area for the horses, associated wooden fencing/gate and a track leading from the existing access off Smithfield Avenue.

6.2.4 The proposed stable block is to be sited along the northern boundary of the site which forms a hedgerow. The proposal includes the removal of one of the existing sheds to be replaced with the proposed stable block. It is considered that the hardstanding area will maintain the openness of the Green Belt, whilst the stable block is to be sited within the corner of the field therefore this reduces the overall impact of the proposed development on the openness in this location.

6.3 **Visual Amenity**

6.3.1 The proposed stable block is to be positioned up against existing hedging along the north-west boundary. The site includes fields to the east of Nottingham Road. The location of the proposal is set at significantly lower land levels than Nottingham Road. Views of the proposed stable block will be limited due to the change in land levels and its rear siting behind the properties of Smithfield Avenue. The proposed stable block will be constructed from timber and includes a dual pitched roof. The proposed gate and post and rail fencing will be approximately 1.2m in height sited around the perimeter of the hardstanding area. It is considered that the design and proposed materials are consistent with the equestrian and agricultural character of the locality.

6.3.2 To the north-east of the proposed stable includes 36 Nottingham Road which is a locally listed building (non-designated heritage asset). Due to the siting, size, scale and design of the proposal it is considered that the development will not be detrimental to the this building and therefore it is considered the proposal will help preserve the agricultural setting in this location.

6.4 Residential Amenity

6.4.1 The application has been considered against the requirements of paragraph 130 of the NPPF, which seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users.

6.4.2 The proposed stable block will be sited to the north of properties off Smithfield Avenue approximately 26m from neighbouring property 34 Nottingham Road. The stable block will be approximately 25m from neighbouring property 36 Nottingham Road.

6.4.3 The site is accessed by an existing vehicular access between 2 and 3 Smithfield Avenue. Windows are located in the side elevation at first floor level of both No. 2 and 3 Smithfield Avenue. No windows are located in the side elevation at ground floor level of No. 2 and an existing garage/driveway separates the existing access and neighbouring property No. 3. Given the fact that this is an existing access and the proposed equestrian use is private for personal use only it is considered that any potential increase in comings and comings would not be detrimental to the amenity of neighbouring properties.

6.4.4 No external lighting is proposed as part of the development. Environmental Health have provided no objections to the application. Given the location of the proposed stables sited away from residential properties there are limited concerns with regards to potential odour.

6.4.5 The application as a result of its siting, size and design is considered not significantly detrimental to the amenity of any neighbouring properties.

6.5 Highway Safety

6.5.1 The access has been amended to use the existing access between No. 2 and 3 Smithfield Avenue. The access width is approximately 3.4m facilitating a single lane for a vehicle. A single lane track is proposed from the existing access to the proposed stables. NCC Highways have provided no objections to the proposed development.

6.5.2 In the interests of restricting the volume of potential traffic entering and leaving the site, a condition has been added requiring the proposed stables to be used only in connection with the applicant's own use and no livery/riding school nor other business nor commercial use should be permitted.

6.5.3 Trowell Footpath 6 runs to the north of the application site and will remain unaffected by the proposed development. As a result, the NCC Public Rights of Way team have provided no objections.

7 Conclusion

- 7.1 The proposed development complies with Green Belt policies contained within the Part 2 Local Plan 2019 and national policies contained within the National Planning Policy Framework 2021.
- 7.2 The proposed stable block has been designed to be sympathetic to the agricultural character in this location. The location of the stables would be away from any neighbouring properties which will reduce any potential impact on the living conditions of neighbouring properties.
- 7.3 On balance, it is considered that any potential concerns have been addressed, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.
- 7.4 It is recommended that planning permission is granted, subject to the conditions set out below.

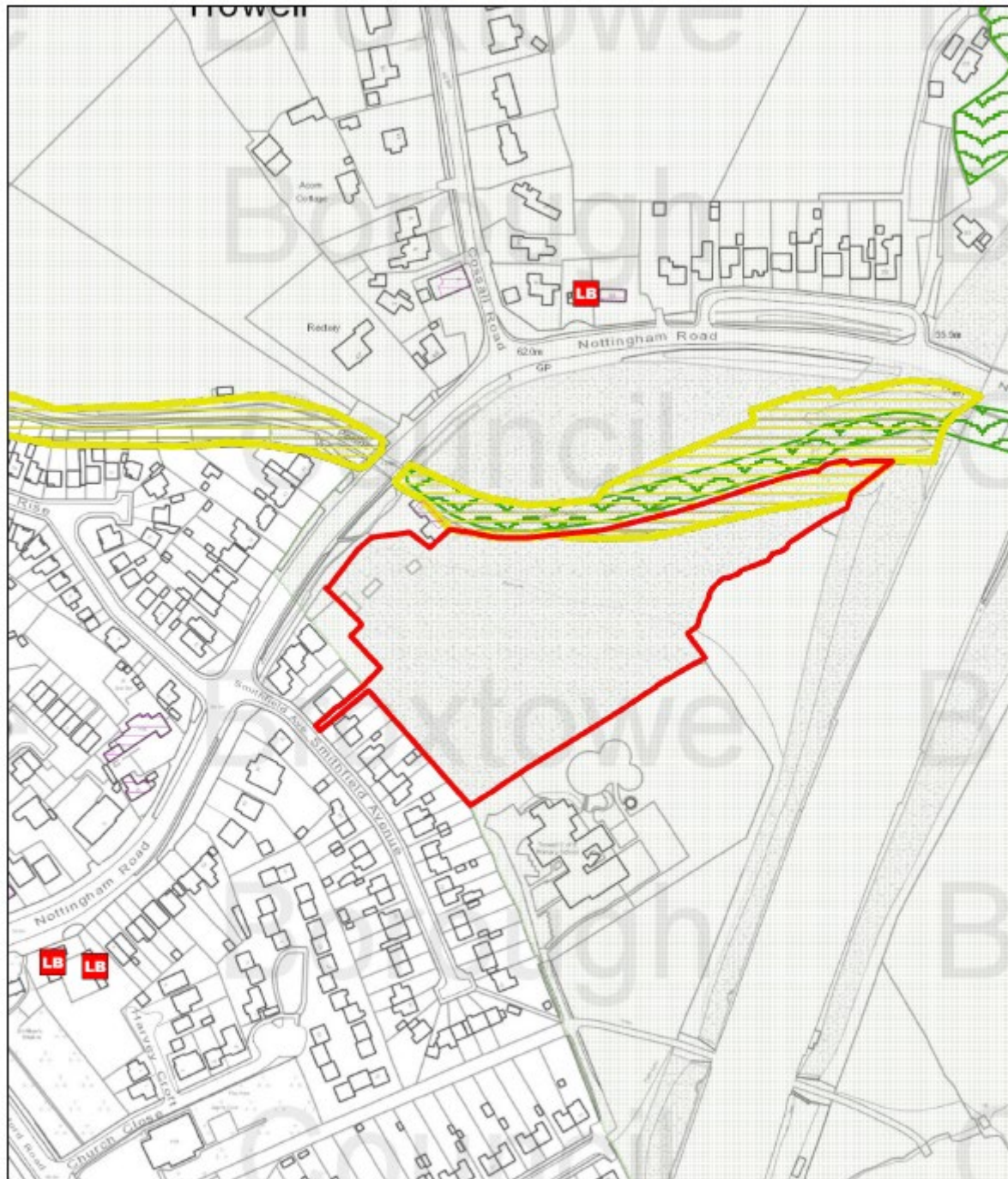
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with 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>This permission shall be read in accordance with the following plans: site location plan 1:1250 (received by the Local Planning Authority 21.09.21), amended proposed layout, elevations and site plan No. GD/LG/21/020/01 Rev. B (received by the Local Planning Authority 27.01.22).</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The hereby permitted development shall be used for private/domestic purposes only and no business shall be carried out therefrom.</p> <p><i>Reason: The application has been determined on the basis that the development does not relate to the provision of a business.</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 Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
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.	Any manure heaps should be positioned such that neighbouring properties are not affected by nuisances e.g. odour or flies. Any complaints will be investigated to determine whether a statutory nuisance is being caused in accordance with the Environmental Protection Act 1990.
5.	<ul style="list-style-type: none"> • The footpath 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. • 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 ensuring 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 countryside.access@nottsc.gov.uk</p> <ul style="list-style-type: none">• If a skip is required and is sited on a highway, which includes RoW then the company supplying the skip must apply for a permit. <p>http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic.</p>
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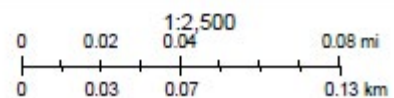
Site Location Plan (not to scale)

21/00785/FUL - Land To The Rear Of 6 Smithfield Avenue Trowell



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- | | | | |
|---|-------------------------|---|-----------------|
|  | Local Interest Building |  | Green Belt |
|  | Local Wildlife Site |  | Listed Building |
|  | Local Nature Reserves |  | Site |



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Photographs

View of existing access between No. 2 and 3 Smithfield Avenue



View of the rear of 3 Smithfield Avenue



View of the rear of 2 Smithfield Avenue



View of the side of 34 Nottingham Road



View of the side of 36 Nottingham Road



View of the site from the north (including existing outbuildings)



Plans (not to scale)

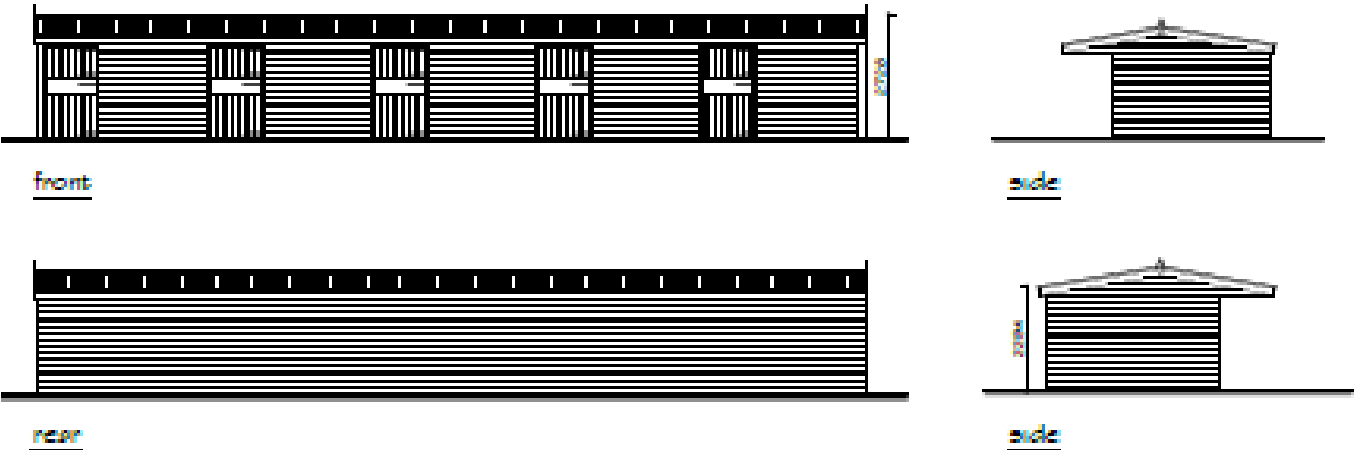
Existing Layout Plan



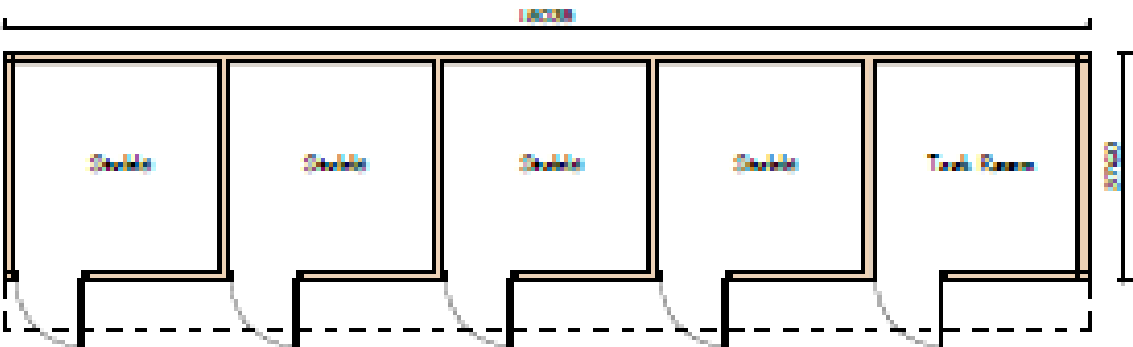
Proposed Layout Plan



Proposed Stable Block Elevations



Proposed Stable Block Floor Plans



Proposed Fencing/Gate Elevations



Report of the Head of Legal Services

PROPOSED STOPPING UP OF BRINSLEY FOOTPATH NUMBER 31 LAND TO THE REAR OF BRINSLEY RECREATION GROUND, CHURCH LANE, BRINSLEY

1. Purpose of report

This item is brought to Committee to make a Stopping Up Order under the Town and Country Planning Act 1990 following an application received by the Council for a public path diversion order to stop up Brinsley Footpath No 31.

2. Details

The application to stop up Brinsley Footpath No 31 Brinsley Parish has been submitted by the Developer (Barrat David Wilson Homes) in order to enable residential development to take place on the land shown on plan attached at appendix 2. The stopping up order is included at appendix 1.

Planning permission was granted on 7 July 2021 (planning reference Ref:20/00641/FUL) for the construction of 115 dwellings, associated infrastructure, attenuation pond and vehicular access from Cordy Lane.

The existing footpath to be stopped up is approximately 79m in length and approximately 0.7m wide, the path is 'constructed' of stone and top soil with a grass verge either side. The existing path runs north to south east from Cordy Lane (marked between points SK4661 4946 and SK4664 4942 on the attached plan). There are no gates, steps or utilities identified along the length to be diverted. It should be noted that the existing path is little used by pedestrians and one of the aims of the diversion is to regularise the path that is taken.

If the footpath is not stopped up the existing footpath would run through plot 1 and its proposed private garden. In addition, the diversion would ensure that construction can take place in a safe manner, and that the access to the site can be built out in line with health and safety regulations.

The proposed diversion would be approximately 58m long and 2m wide and would utilise the existing trodden path running parallel to the existing path which would result in a more convenient and safe route for users.

The developer has carried out a pre Order Consultation and letters have been sent to the Rights of Way Officer at Nottinghamshire County Council, the Ramblers Association and other interested parties. There have been no objections following this initial consultation.

The Association of Chief Police Officer guidance 'Secured by Design' have advised that public footpaths should not run to the rear of dwellings as this would create an unsupervised footpath which could lead to crime and anti-social behaviour. The existing footpath is un-surfaced and of uneven ground and muddy in wet conditions and if not stopped up would cause a significant

security and privacy issue for the residents and also a health and safety issue for users of the footpath.

3. Planning Considerations

Section 257 of the Town and Country Planning Act 1990 states that a competent Authority may by Order authorise the stopping up or diversion of any footpath if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with a planning permission. The procedure for doing so is set out in Schedule 14 of the Town and Country Planning Act 1990.

S7.15 of the Rights of Way Circular (1/09) Guidance for Local Authorities Version 2 issued by DEFRA advises that in the making of an Order for the diversion of a Public Right of Way to enable approved development:

‘The local planning authority should not question the merits of planning permission when considering whether to make or confirm an Order, but nor should they make an order purely on the grounds that planning permission has been granted. That planning permission has been granted does not mean that the public right of way will therefore automatically be diverted or stopped up. Having granted planning permission for a development affecting a right of way however, an authority must have good reasons to justify a decision either not to make or not to confirm an Order.

The disadvantages or loss likely to arise as a result of the stopping up or diversion of the way to members of the public generally or to persons whose properties adjoin or are near the existing highway should be weighed against the advantages of the proposed order.’

S7.8 of the Rights of Way Circular (1/09) states:

‘In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estates paths through landscaped or open space areas away from vehicular traffic’.

The main planning considerations in the determination of this application are that the existing footpath would cause safety issues for users with the potential increase of anti-social behaviour and also security and privacy issues for the residents if the footpath were not stopped up.

4. Legal Considerations

Following pre-order consultations carried out by the developer, s257 of the Town and Country Planning Act 1990 gives the Council (as the local planning authority), a discretionary power to make an Order for the stopping up or diversion of a footpath which is necessary to enable development to be carried out in accordance with planning permission. On making the Order, a public

Notice describing the Order must be advertised in the press and the Order placed on deposit for public inspection. This public notice and Order map must also be placed at each end of the length of public footpath to be diverted. Owners of the land affected by the Order and various statutory consultees must be contacted and served with the Order and Notice and allowed the opportunity to make objections within 28 days from the making of the Order. If no objections are made the Order may then be recommended for confirmation as an unopposed order. The Order does not become affective until it has been confirmed. Any opposed Orders are sent to the Secretary of State for determination.

On confirmation of the Order similar steps to those outlined above must be repeated enclosing a copy of the Confirmed Order. Objectors may challenge the confirmation in the High Court within six weeks after Notice of the Confirmation is published on the grounds that the Confirmation is outside the Council's powers or that there has been a procedural defect. The Stopping Up Order does not come into effect until the Council certifies that the provisions of the Order have been complied with.

In these circumstances, a footpath Stopping Up order is necessary to allow an authorised development to be carried out. In these circumstances, a footpath diversion order is necessary to allow an authorised development to be carried out whilst ensuring the footpath is provided without any disadvantage or loss to members of the public.

Recommendation

The Committee is asked to RESOLVE that the Stopping Up Order be made.

In the event that no relevant objections are made to the proposal or that any relevant objections that are made are withdrawn then the Order be confirmed without further reference to the Committee.

Background papers

Nil.

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APPENDIX 1

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

**THE BROXTOWE COUNCIL PUBLIC PATH
(FOOTPATH NO. 31 - CHURCH LANE, BRINSLEY) DIVERSION ORDER
2022**

This Order is made by Broxtowe Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted on 7 July 2021 under Part III of the Town and Country Planning Act 1990, for the construction of a residential estate consisting of 115 new dwellings (planning application reference 20/00641/FUL).

BY THIS ORDER:

1. The footpath over the land shown as point C to point A on the attached plan and described in Part I of the schedule hereto shall be diverted as provided by this Order.
2. There shall be created to the reasonable satisfaction of Broxtowe Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part II of the schedule and shown as point D to point A on the plan attached hereto.
3. The diversion of the footpath shall have effect on the date on which it is certified by Broxtowe Borough Council that the provisions of Article 2 above have been complied with.
4. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

5. This Order may be cited as the Broxtowe Borough Council Public Path (Footpath No.31 - Church Lane, Brinsley) Diversion Order 2022.

Dated: 30 March 2022

The Common Seal of
BROXTOWE BOROUGH COUNCIL
was affixed in the presence of :-

Proper Officer

Name:_____

Position:_____

Officer of the Council

Name:_____

Position:_____

SCHEDULE

PART I

Description of existing path

That part of the footpath marked at point C to point A shown on the attached plan commencing from Cordy Lane and extending north to south east for a length of 79 metres.

PART II

Description of site of alternative highway

The alternative highway is marked at point D to point A as shown on the plan attached and is in length 58 metres. The alternative route would extend from Cordy Lane in a southerly direction and shall be constructed to an adoptable standard.

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**Nottinghamshire
County Council**

**Proposed
Diversion Order**

Parish and Path No. Affected: Brinsley Footpath No. 31

OS Sheet No. SK 44 NE



Date 14/01/2022 Scale 1:1,250

Produced by David Squires

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Proposed path



Existing path



Connecting path



APPENDIX 2

349600m

349500m

349400m

446600m

446700m

C
SK 4661 4946

D
SK 4662 4947

B
SK 4664 4941

A
SK 4666 4942

Footpath No. 31

Shelter

CORDY LANE

Track

**Saints
Coppice
Farm**

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	19/00605/FUL
LOCATION:	42 Derby Road, Beeston, Nottinghamshire, NG9 2TG
PROPOSAL:	Construct 4 dwellings and associated works following demolition of existing dwelling. Alterations to eastern entrance to Abel Collins Homes to allow for enhanced vehicular visibility

APPEAL ALLOWED

The application was refused planning permission following committee and the decision notice issued on 23 April 2021, for the reason below, as recommended by the Chair of Planning in agreement with the Head of Service:

“The proposed detached dwellings, by virtue of their scale, design and position within the site, would fail to integrate into their surroundings, and would fail to create a place with a locally inspired character, contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).”

The Planning Inspectorate considered the appeal by way of written representations.

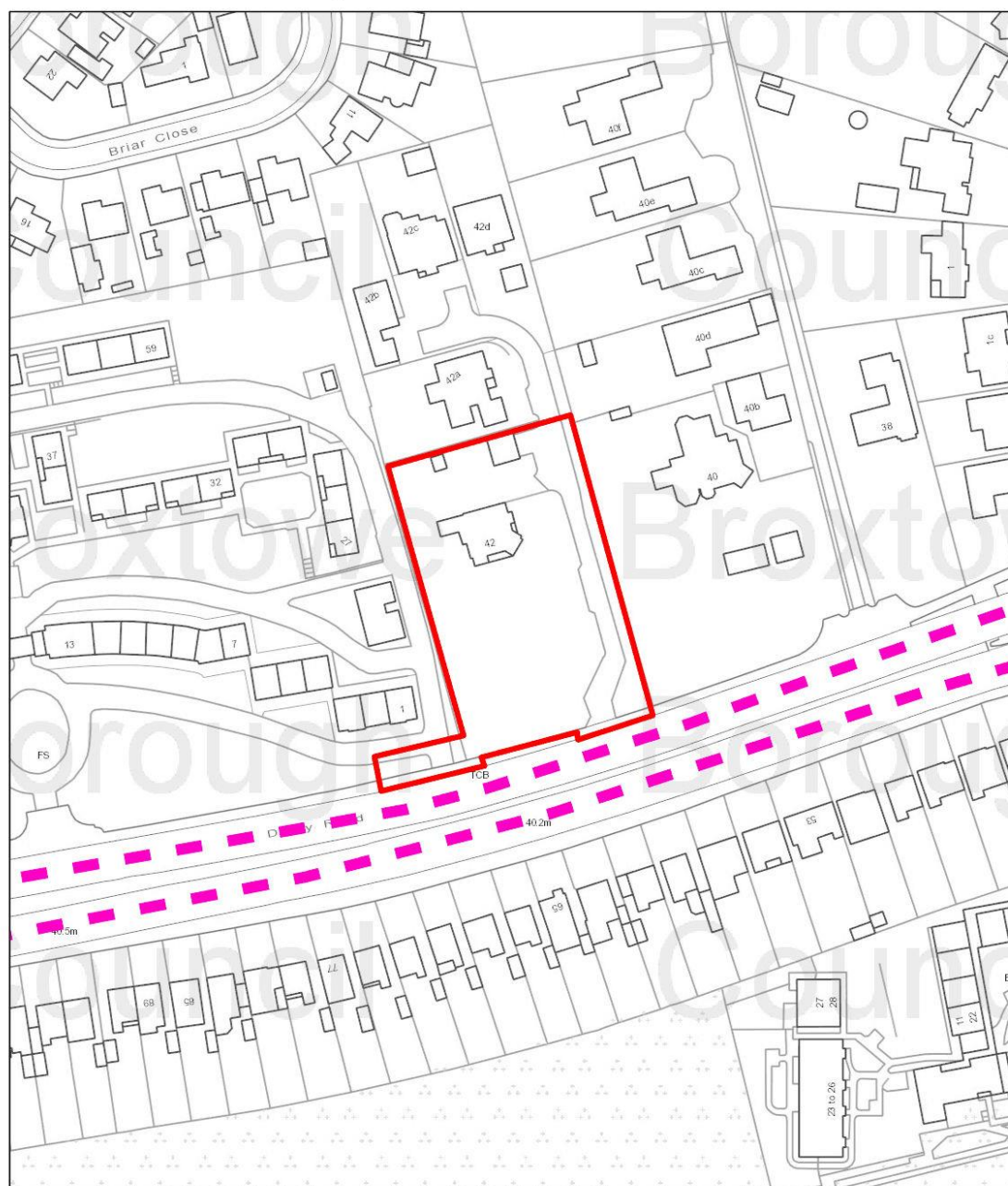
The Inspector issued a decision letter and considered the main issues to be the effect of the proposed development on the character and appearance of the local area.

The Inspector summarised that the proposed development responded well to its context, and would be assimilated into its surroundings. The scheme would create an attractive place to live and visit with a character that is locally distinctive. The standard of design sought by the NPPF would be achieved and as such concludes that the proposed development would not cause significant harm to the character and appearance of the local area.

Other considerations the Inspector took into account were the acceptability of the access in light of no objections from Highways England (now known as National Highways); impact on biodiversity which could be adequately mitigated for by condition; impact on neighbour amenity which the Inspector concluded would not be significant and would be subject to conditions to further safeguard residential amenity; communal bin store and collection point, which would be deemed satisfactory; and precedent being set, which the Inspector concluded as not relevant as other proposals would be considered on their own merits.

Subject to planning conditions as per the appeal notice, the Inspector concluded that the appeal should be allowed.

42 Derby Road Beeston Notts NG9 2TG



3/2/2022, 2:42:20 PM

--- Classified Road

□ Site

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

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Report of the Chief Executive

APPEAL DECISION

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

APPEAL ALLOWED

The application was refused planning permission following committee and the decision notice issued on 8 July 2021, for the reason below, as recommended by the Chair of Planning in agreement with the Head of Service:

“The proposal, to construct 5 two storey dwellings on site, would create a development that is out of keeping in both scale and design with the character of the locality of Babbington, and would create significant harm upon the character and openness of the Green Belt. Accordingly, the development is contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 8 of the Part 2 Local Plan (2019) and Section 13 - Protecting Green Belt Land of the National Planning Policy Framework 2018 and there are no other material considerations that justify treating this proposal as an exception to these policies.”

The Planning Inspectorate considered the appeal by way of written representations.

The Inspector issued a decision letter and considered the main issues to be i) whether the development is inappropriate development in a Green Belt, including the effect of the development on the openness of the Green Belt, other Green Belt purposes and any other harm; ii) the effect of the development on the character and appearance of the area; and iii) whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations to amount to very special circumstances required so as to justify the proposal.

The Inspector summarised that due to the relative height of both the existing and proposed buildings on the site, the proposal would have a greater impact on the openness of the Green Belt. Although not possible to compare precisely the effect on openness, the impact would be limited. However, this would result in inappropriate development which is harmful to the Green Belt. This carried substantial weight.

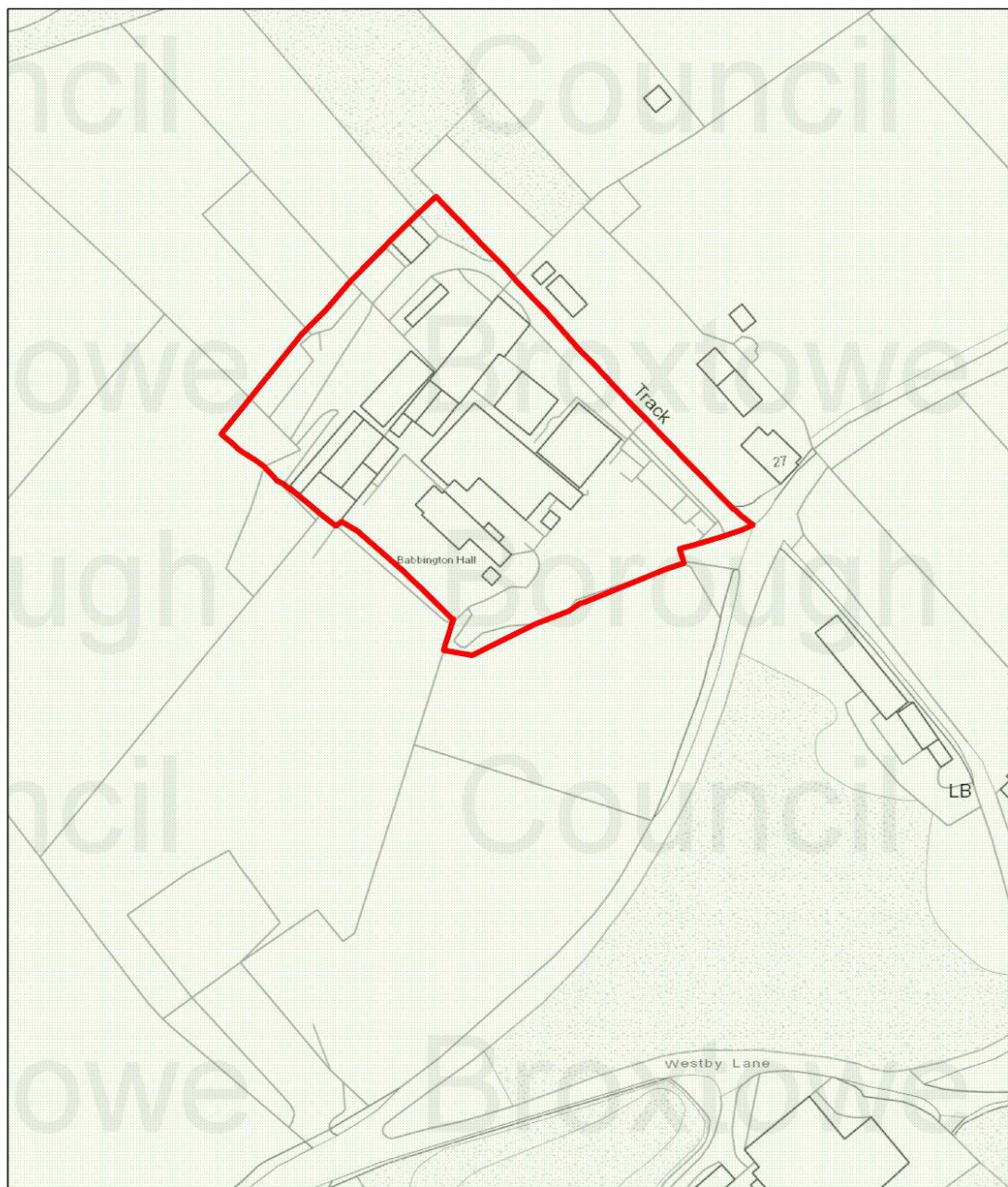
Given that the proposal would remove unsightly buildings and infrastructure on site, and notwithstanding the impact on openness of the Green Belt, the proposal would be a significant improvement in the character and appearance of the site within the countryside which can be afforded substantial weight.

Other considerations the Inspector took into account were the environmental benefits from the removal of the majority of the buildings on the site; and continued use of the site as kennels, should the development not take place, which could potentially continue the unneighbourly use in the locality.

The Inspector concluded that given the benefits above, which should be balanced against the limited effect on the openness of the Green Belt, the resulting harm would be clearly outweighed by the benefits when taken as a whole, and as such very special circumstances for the development have been demonstrated.

Subject to planning conditions as per the appeal notice, the Inspector concluded that the appeal should be allowed.

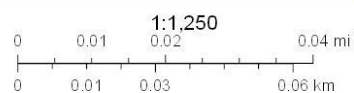
Babbington Hall Westby Lane Babbington



2/24/2022, 11:01:42 AM

 Green Belt

 Site



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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	21/00250/FUL
LOCATION:	181 Bye Pass Road, Chilwell
PROPOSAL:	Construct single/two storey front/side extension and replacement wall along part of side boundary (following demolition of garage)

APPEAL ALLOWED

The application was refused under delegated powers on 8 December 2021 as it was considered that the proposed extensions and re modelling of the detached dwelling, by virtue of their scale, massing and design, would fail to make a positive contribution to the character and appearance of the area, dominating the existing building therefore would fail to accord with paragraph 130 of the National Planning Policy Framework, Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

The Inspector considered the main issue in this case is the effect of the proposed extensions on the character and appearance of the area around Bye Pass Road.

The Inspector assessed the proposed development and considered that the proposal would project a little forward of the existing front elevation and to the side elevation following the demolition of the detached garage, it would not be a prominent feature in the street scene, but acknowledged whilst some of the materials in the proposal would be contemporary, there are no established style or appearance to the properties in the immediate vicinity.

To conclude the Inspector stated the proposed extension would make a positive contribution to the character and appearance of the area and would not dominate the existing building or appear over prominent in the street scene.

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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
21 FEBRUARY 2022 TO 11 MARCH 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 & Mrs C Abbot	21/00903/FUL
Site Address	:	17 Audon Avenue Chilwell Nottinghamshire NG9 4AW	
Proposal	:	Construction of pitched roof to garage with rear dormer. Install cladding to side and rear elevations	
Decision	:	Conditional Permission	

Applicant	:	Corona Vulcan Chilwell Limited Corona Vulcan Chilwell Limited	21/00982/ROC
Site Address	:	Chilwell Retail Park, Unit 4 Barton Lane Attenborough NG9 6DS	
Proposal	:	Variation of condition 8 (no part of the proposed retail premises shall be used for the sale of food) of 89/00746/FUL to allow the unrestricted sale of food/non-food goods in Unit 4	
Decision	:	Conditional Permission	

Applicant	:	Mr and Mrs Downs	21/00989/FUL
Site Address	:	17 The Strand Attenborough Nottinghamshire NG9 6AU	
Proposal	:	Construct first floor bedroom extension over existing kitchen, replacement glazing to kitchen and new opening at the rear from dining room	
Decision	:	Conditional Permission	

Applicant	:	Stuart Montgomery	21/01048/FUL
Site Address	:	18 Hall Drive Chilwell Nottinghamshire NG9 5BY	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr A Baldwin Peveril Homes Limited	21/01052/ROC
Site Address	:	Land Off Karen Gardens Chilwell Nottinghamshire	
Proposal	:	Minor Material Amendment to application reference 97/00728/FUL (as subsequently amended by Non Material Amendment application 21/00818/NMA), to revise the layout and house types of 6 plots	
Decision	:	Conditional Permission	

Applicant	:	Mr O Hallam	22/00064/PNH
Site Address	:	39 Crofton Road Attenborough Nottinghamshire NG9 5HW	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.0 metres, with a maximum height of 2.9 metres, and an eaves height of 2.9 metres	
Decision	:	PNH Approval Not Required	

Applicant	:	Mr J Carter	22/00070/PNH
Site Address	:	81 Long Lane Attenborough Nottinghamshire NG9 6BN	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.60 metres, with a maximum height of 3.65 metres, and an eaves height of 2.40 metres	
Decision	:	PNH Approval Not Required	

Applicant	:	Mr & Mrs Emma & Rick Whitaker	22/00130/NMA
Site Address	:	1A The Close Chilwell Nottinghamshire NG9 5DF	
Proposal	:	Non material amendment to 21/00890/FUL to change the existing front bay window from a curved shape to a rectangular shape and add a pitched roof instead of flat roof and alterations to windows.	
Decision	:	Withdrawn	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mr Green	21/01009/FUL
Site Address	:	8 Hill Rise Trowell Nottinghamshire NG9 3PE	
Proposal	:	Construct single storey side and rear extensions	
Decision	:	Conditional Permission	

BEESTON CENTRAL WARD

Applicant	:	Miss Yang	21/00822/FUL
Site Address	:	44 Queens Road East Beeston Nottinghamshire NG9 2GS	
Proposal	:	Construct two storey side and single storey front extensions	
Decision	:	Conditional Permission	

Applicant	:	Mr M Buckingham	21/00994/CLUP
Site Address	:	Apartment 1A Humber Buildings Humber Road Beeston Nottinghamshire NG9 2ET	
Proposal	:	Certificate of Lawful Development for proposed change of use from dwellinghouse (Class C3) to house in multiple occupation (Class C4)	
Decision	:	Approval - CLU	

Applicant	:	Tony Skenderic	21/01013/FUL
Site Address	:	18 Moore Gate Beeston Nottinghamshire NG9 1GF	
Proposal	:	Construct two storey side and single storey front and rear extensions	
Decision	:	Conditional Permission	

Applicant	:	Ms Harpreet Randhawa	22/00049/CLUE
Site Address	:	43 Lower Road Beeston Nottinghamshire NG9 2GT	
Proposal	:	Certificate of Lawfulness for an existing use as a House in Multiple Occupation within Use Class C4	
Decision	:	Approval - CLU	

BEESTON NORTH WARD

Applicant	:	Mr Rob Bailey Swallow Hill Homes	21/00307/ROC
Site Address	:	Land To The Rear Of 13 Middleton Crescent Beeston Nottinghamshire NG9 2TH	
Proposal	:	Variation of condition 2 (approved drawings) of planning ref: 18/00377/FUL (Construct 14 houses, garages and associated access road following demolition of dwelling) to reduce 9 dwellings from three to two storeys, reposition layout of all plots, plots 8-13 as split level dwellings and increase internal floor levels on plots 2-7 and 14.	
Decision	:	Conditional Permission	

Applicant	:	Sheeraz Janjua	21/01002/FUL
Site Address	:	Chellow Mount 40 Derby Road Beeston Nottinghamshire NG9 2TG	
Proposal	:	Construct orangery to side with flat roof and lantern light and construction of pitched roof on existing conservatory to front	
Decision	:	Conditional Permission	

Applicant	:	Mr Mr Atwal	22/00061/CLUE
Site Address	:	25 Broadgate Beeston Nottinghamshire NG9 2HD	
Proposal	:	Certificate of Lawfulness for an existing use as a HMO within Use Class C4	
Decision	:	Withdrawn	

BEESTON RYLANDS WARD

Applicant	:	Mrs Tania Ezekafor	21/00697/FUL
Site Address	:	1 Lilac Crescent Beeston Nottinghamshire NG9 1PD	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

Applicant	:	- Cara Investments 3 Limited c/o WSP	21/00949/FUL
Site Address	:	Hayssen Flexible Systems 101 Lilac Grove Beeston Nottinghamshire NG9 1PF	
Proposal	:	Minor external alterations to the existing unit and site including the installation of two Transdeck dock levellers and lobby area, an electricity substation, two Air Source Heat Pumps, new and replacement secure perimeter fencing with access gates and car park alterations	
Decision	:	Conditional Permission	

Applicant	:	Mr D Marriott Dom Building & Roofing Ltd	22/00014/FUL
Site Address	:	19A South Road Beeston Nottinghamshire NG9 1LY	
Proposal	:	Construct single storey side, rear and front extension (revised scheme)	
Decision	:	Conditional Permission	

BEESTON WEST WARD

Applicant	:	Mr T Skenderaj	20/00256/FUL
Site Address	:	Cavendish Lodge 10 Devonshire Avenue Beeston Nottinghamshire NG9 1BS	
Proposal	:	Construct single storey side extension to create new garage/office and construct gate and brick piers and amendments to landscaping. Retain pergola	
Decision	:	Conditional Permission	

Applicant	:	Prof and Mrs John Beckett	21/00934/FUL
Site Address	:	44 Park Road Chilwell Nottinghamshire NG9 4DA	
Proposal	:	Retain the reduced length of stone boundary wall and railings to enable cars to be parked in front of the property	
Decision	:	Conditional Permission	

Applicant	:	Paul & Cecile Simpson	21/00961/FUL
Site Address	:	85 Bramcote Drive West Beeston Nottinghamshire NG9 1DU	
Proposal	:	Proposed replacement dwelling following demolition of existing bungalow	
Decision	:	Conditional Permission	

Applicant	:	Mr James Roberts JDR Holdings Ltd	21/00986/FUL
Site Address	:	57 Park Street Beeston Nottinghamshire NG9 1DH	
Proposal	:	Construct single storey side/rear extension and loft conversion with side dormer	
Decision	:	Conditional Permission	

Applicant	:	Jackie and James Welburn and Isherwood	21/00990/FUL
Site Address	:	21 Cumberland Avenue Chilwell Nottinghamshire NG9 4DH	
Proposal	:	Construct two storey side extension, single storey side / front extension, single storey rear extension, alterations to dormer window to side, and reduction in length of the existing garden building	
Decision	:	Conditional Permission	

Applicant	:	Ms Angela Aiello Compa Foods Limited	21/00997/FUL
Site Address	:	31 Wollaton Road Beeston Nottinghamshire NG9 2NG	
Proposal	:	Change of use from retail shop to cafe /restaurant and installation of extract flue to rear elevation	
Decision	:	Conditional Permission	

Applicant	:	C P Walker & Son	22/00019/FUL
Site Address	:	2 Wollaton Road Beeston Nottinghamshire NG9 2NR	
Proposal	:	Installation of external staircase, railings to rear and decked area, to enable access to first floor	
Decision	:	Conditional Permission	

BRAMCOTE WARD

Applicant	:	Mr Stephen Degnan	21/00968/FUL
Site Address	:	65 Burnside Drive Bramcote Nottinghamshire NG9 3EF	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Peter Goodrick Broxtowe Borough Council	22/00192/NMA
Site Address	:	Fishpond Cottage 51 Ilkeston Road Bramcote Nottinghamshire NG9 3JP	
Proposal	:	Non material amendment to 21/00038/REG3 to reposition the 2 storey apartment block (towards Ilkeston Road) by 800mm	
Decision	:	Unconditional permission - hedgerows	

BRINSLEY WARD

Applicant	:	Mrs J Mee	21/00950/FUL
Site Address	:	Poplar Farm 41 Cordy Lane Brinsley Nottinghamshire NG16 5BY	
Proposal	:	Remove existing derelict timber agricultural building and replace with a steel agricultural building	
Decision	:	Conditional Permission	

CHILWELL WEST WARD

Applicant	:	Mr M Rose	21/00958/FUL
Site Address	:	52 Wheatgrass Road Chilwell Nottinghamshire NG9 4JH	
Proposal	:	Construct two storey side extension and front porch	
Decision	:	Conditional Permission	

Applicant	:	Mr Liam Hamilton	21/00962/FUL
Site Address	:	47 Penrhyn Crescent Chilwell Nottinghamshire NG9 5PA	
Proposal	:	Construct single storey rear extension, first floor side extension and balcony at first floor to existing rear elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr Peter Goodrick Broxtowe Borough Council	22/00044/REG3
Site Address	:	Inham Nook Hotel Inham Road Chilwell Nottinghamshire NG9 4HX	
Proposal	:	Demolition of Existing Public House	
Decision	:	Conditional Permission	

EASTWOOD HILLTOP WARD

Applicant	:	Mr. and Mrs. Trivedi	21/00937/FUL
Site Address	:	35 Dovecote Road Eastwood Nottinghamshire NG16 3EY	
Proposal	:	Construct two storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr K Oliver	22/00002/FUL
Site Address	:	22 Raglan Street Eastwood Nottinghamshire NG16 3GT	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

EASTWOOD ST MARY'S WARD

Applicant	:	Mr Mansoor Khan	21/00852/FUL
Site Address	:	1 The Hollies Nottingham Road Eastwood Nottinghamshire NG16 3BT	
Proposal	:	Change of use from Class E to hot food takeaway (sui generis) and erect external flue to the side elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr Robert Singh	21/01054/CLUE
Site Address	:	Flats 1, 2 And 3 13 Nottingham Road Eastwood Nottinghamshire	
Proposal	:	Certificate of Lawfulness for an existing use of upper floors above public house as three self-contained flats	
Decision	:	Withdrawn	

Applicant	:	Mr Oren Harkavi Square One Estates	22/00040/FUL
Site Address	:	33 Nottingham Road Eastwood Nottinghamshire NG16 3AN	
Proposal	:	Construct ground, first and second floor extensions and internal alterations to existing ground floor commercial premises and to existing duplex flat to form a self-contained HMO flat (revised scheme)	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant	:	Mary and Dave Price	21/00925/FUL
Site Address	:	1 North Street Newthorpe Nottinghamshire NG16 2EW	
Proposal	:	Construct single storey rear/side extension, boundary wall, pitched roof over garage and replace main roof.	
Decision	:	Conditional Permission	

Applicant	:	Mr Lee Hart	21/00939/FUL
Site Address	:	8 Braemar Avenue Eastwood Nottinghamshire NG16 3JY	
Proposal	:	Construct two storey side extension and construct driveway to front	
Decision	:	Conditional Permission	

Applicant	:	Mr Chris Barnes	21/01015/FUL
Site Address	:	16 Salcombe Close Newthorpe Nottinghamshire NG16 2DQ	
Proposal	:	Construct first floor extension to front elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Colin & Fay Wade	21/01034/FUL
Site Address	:	17 North Street Newthorpe Nottinghamshire NG16 2EW	
Proposal	:	Construct single storey rear extension to existing dwelling	
Decision	:	Conditional Permission	

KIMBERLEY WARD

Applicant	:	Punch Pubs Punch Pubs	21/00946/FUL
Site Address	:	The Stag 67 Nottingham Road Kimberley Nottinghamshire NG16 2NB	
Proposal	:	Change the use of the external garage outbuilding to an external bar for serving Customers in the outside seating and garden areas and 2 sheds	
Decision	:	Conditional Permission	

Applicant	:	Mr Andy Allport	21/01039/CLUP
Site Address	:	35 Edgwood Road Kimberley Nottinghamshire NG16 2JR	
Proposal	:	Certificate of Lawfulness for proposed front porch, side extension with raised roof for loft conversion	
Decision	:	Withdrawn	

Applicant	:	Mr & Mrs Shaun & Annelise Stone	21/01053/FUL
Site Address	:	60 Alma Hill Kimberley Nottinghamshire NG16 2JF	
Proposal	:	Construct two storey and single storey rear extension and front porch	
Decision	:	Conditional Permission	

Applicant	:	Jeff Dickman JRD Design & Build Ltd	22/00011/ROC
Site Address	:	Holy Trinity Church Church Hill Kimberley Nottinghamshire	
Proposal	:	Variation of condition 5 (landscaping) and 7 (access) and removal of 6 (gradient of car park) of reference 17/00305/FUL	
Decision	:	Conditional Permission	

Applicant	:	Teresa & John Smith & Harrison	22/00035/MMA
Site Address	:	17 Nottingham Road Kimberley Nottinghamshire NG16 2NB	
Proposal	:	Minor Material Amendment to reference 21/00247/FUL to amend approved plans to retain log burner flue and render panel	
Decision	:	Conditional Permission	

NUTHALL EAST & STRELLEY WARD

Applicant	:	Cornerstone Telecommunications Cornerstone Telecommunications	22/00036/FUL
Site Address	:	35315 Telecommunications Mast Low Wood Road Nuthall Nottinghamshire	
Proposal	:	The removal of the existing 15m monopole and its replacement with a 20m mast supporting 12 no. antennas. The re-location of 2 no. equipment cabinets and the installation of 1 no. equipment cabinet, 2 no. racks and associated ancillary equipment, within the existing site compound.	
Decision	:	Conditional Permission	

STAPLEFORD NORTH WARD

Applicant	:	Mr Ian Shakespeare Aston Properties (UK) Limited	21/00917/FUL
Site Address	:	Mill Farm 62 Mill Road Stapleford Nottinghamshire NG9 8GD	
Proposal	:	Construct two bungalows	
Decision	:	Refusal	

STAPLEFORD SOUTH EAST WARD

Applicant	:	Mr Paul Hunt H4 Developments Ltd	21/01020/FUL
Site Address	:	Land Adjacent 25 Wadsworth Road Stapleford Nottinghamshire NG9 8AZ	
Proposal	:	Construct new two storey dwelling	
Decision	:	Conditional Permission	

Applicant	:	Mrs Justine Farnsworth	21/01035/CLUP
Site Address	:	74 Wadsworth Road Stapleford Nottinghamshire NG9 8BD	
Proposal	:	Certificate of Lawfulness for proposed single storey rear extension to create internal access from the dwelling into the outbuilding and upgrade current outbuilding, replace existing conservatory with a solid roof	
Decision	:	Withdrawn	

STAPLEFORD SOUTH WEST WARD

Applicant	:	Mr G Thompson	21/00065/ALT
Site Address	:	99 Bessell Lane Stapleford Nottinghamshire NG9 7BX	
Proposal	:	Application for Certificate of Appropriate Alternative Development for residential purposes (use class C3)	
Decision	:	Prior Approval Approved	

Applicant	:	Ms J Benselin	21/01036/FUL
Site Address	:	1 Edward Street Stapleford Nottinghamshire NG9 8FH	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	

TOTON & CHILWELL MEADOWS WARD

Applicant	:	Mr Tebreham	21/00948/FUL
Site Address	:	36 Darley Avenue Toton Nottinghamshire NG9 6JP	
Proposal	:	Hip to gable roof conversion including inset balcony to principal elevation within the roof	
Decision	:	Conditional Permission	

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