



Friday, 27 May 2022

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 8 June 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) P J Owen
M Handley (Vice-Chair) S Paterson
D Bagshaw D D Pringle
L A Ball BEM H E Skinner
S J Carr E Williamson
R I Jackson R D Willimott
G Marshall

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 4 May 2022.

4. NOTIFICATION OF LOBBYING
5. DEVELOPMENT CONTROL
- 5.1 20/00845/OUT (Pages 15 - 32)
- Outline application with all matters reserved for 60 assisted living apartments with access from Walker Street
Former site of Lynncroft Primary School, Walker Street, Eastwood, Nottinghamshire
- 5.2 22/00212/REG3 (Pages 33 - 54)
- Demolition of garages and construct two semi-detached dwellings
Gayrigg Court, Chilwell, Nottinghamshire
- 5.3 22/00210/REG3 (Pages 55 - 74)
- Demolition of garages and construct two semi-detached dwellings and two apartments with associated parking, landscaping and amenity space
Felton Close, Chilwell, Nottingham
- 5.4 22/00101/FUL (Pages 75 - 92)
- Convert existing ground floor garages and alterations to 2 no. first floor apartments to create 2 no. (4 bedroomed) C4 Apartments
42 - 48 Henry Road, Beeston, Nottinghamshire, NG9 2BE
- 5.5 22/00142/FUL (Pages 93 - 108)
- Construct single storey and two storey rear extensions
8 Kenton Avenue, Nuthall, Nottinghamshire, NG16 1PX
- 5.6 22/00030/FUL (Pages 109 - 118)
- Construct two detached dwellings
Lockup Garages, Chetwynd Road, Toton, Nottinghamshire

5.7 22/00240/FUL

(Pages 119 - 132)

Retention of single storey and two storey rear extension.
Amendments to include extended roof to incorporate roof overhang, render of side gable to match front of dwelling, construction of pitched roof to first floor extension incorporating existing rear dormer and hip to gable extension
53 Enfield Street, Beeston, Nottinghamshire, NG9 1DL

6. INFORMATION ITEMS

6.1 Delegated Decisions

(Pages 133 - 140)

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PLANNING COMMITTEE

WEDNESDAY, 4 MAY 2022

Present: Councillor D K Watts, Chair

Councillors: J W McGrath
L A Ball BEM
D Grindell
R I Jackson
G Marshall
P J Owen
S Paterson
D D Pringle
S J Carr (Substitute)
J M Owen (Substitute)
H E Skinner (Substitute)

Apologies for absence were received from Councillors D Bagshaw, M Handley, R S Robinson and R D Willimott.

1 DECLARATIONS OF INTEREST

Councillors S J Carr, G Marshall and R I Jackson declared a non pecuniary interest in item 5.4, 35 – 37 The Square, Beeston, as they were members of the Beeston Town Centre Board. Minute number 4.4 refers.

2 MINUTES

The minutes were confirmed and signed as a correct record, with two minor amendments to the numbering.

3 NOTIFICATION OF LOBBYING

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

4 DEVELOPMENT CONTROL

4.1 21/00772/FUL

Construct two bungalows

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

The application had been brought before Committee by Councillor M Radulovic MBE and was deferred at the meeting of 30 March 2022 to allow the developer to address concerns about the height of the proposed development.

There were no late items and no public speakers.

The Committee noted that the developer had reduced the height of the proposed development, but there was concern that the height of the properties could be increased and that the dormer windows could be added under permitted development rights. It was proposed by Councillor R I Jackson and seconded by Councillor D K Watts that the planning permission be amended to include a condition that removed permitted development rights regarding height and dormer windows. On being put to the meeting the motion was carried.

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

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

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

- 2. The development hereby permitted shall be carried out in accordance with the site location plan received 16 September 2021 and proposed ground floor plan and elevations GD/SC/21/0042/01 Rev D received by the Local Planning Authority 4 April 2022.**

Reason: For the avoidance of doubt.

- 3. No above ground works shall be carried out until details of the manufacturer, type and colour of the brick and tiles to be used have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.**

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).

- 4. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**

- (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**

- (b) numbers, types, sizes and positions of proposed trees and shrubs**
- (c) proposed boundary treatments**
- (d) proposed hard surfacing treatment**
- (e) proposed lighting details**
- (f) planting, seeding/turfing of other soft landscape areas.**

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

Reason: No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014)

- 5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**

Reason: No such details were submitted and in accordance with the aims of Policy 17 of the Broxtowe Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014)

- 6. No development shall commence until a scheme of intrusive investigations has been carried out on site to establish the risk proposed to the development by past shallow coal mining activity and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable from the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.**

Reason: In the interest of public health and safety in accordance with Policy 21 of the Broxtowe Local Plan (2019)

- 7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitable competent person confirming that the site is, or has been made, safe and stable from the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and finding of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address to the risk proposed by past coal mining activity.**

Reason: In the interest of public health and safety in accordance with Policy 21 of the Broxtowe Local Plan (2019)

- 8. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00**

Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect nearby occupants from excessive construction noise and vibration and in accordance with Policy 17 and 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no alterations or additions to the roof (Class B and Class C).**

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

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. As this permission relates to the creation of a new unit, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address is created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**
- 4. Notice will be served on the developer to purchase the first time provision of bins. The resident will need to place bins at the curtilage of the property for collection. For more information please email recycling@broxtowe.gov.uk**

4.2 21/00785/FUL

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

This application had been called to Committee by Councillor D D Pringle and deferred at the meeting of 30 March 2022 to allow the applicant to reconsider the position of the stable block.

There was a late item to amend condition three of the planning permission.

Nisha Desai, objecting, addressed the Committee prior to the general debate.

There was concern that about the access to the field and that, if parts of the field or stables were sub-let, there would be an increase in traffic to the site that would be detrimental to neighbour amenity. It was proposed by Councillor D D Pringle and seconded by Councillor D K Watts that the proposal should be amended to include conditions in respect of a boundary treatment and preventing commercial enterprise and sub-letting on the site. On being put to the meeting the motion was carried.

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

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

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

2. 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 GD/LG/21/020/01 Rev. D. (received by the Local Planning Authority 05.04.22).

Reason: For the avoidance of doubt.

3. Prior to the hereby permitted use commencing a storage and waste layout plan shall have been submitted to and approved by the Local Planning Authority. The approved layout shall include the following details:
 - a) location of hay or any other feed stored; and
 - b) location of waste stored.

The approved scheme shall be carried out strictly in accordance with the approved details, unless written consent has been obtained from the Local Planning Authority for a variation.

Reason: In the interests of residential amenity of neighbouring properties in accordance with Policy 17 of the Part 2 Local Plan 2019.

4. The hereby permitted development shall be used for private/domestic purposes only and no business shall be carried out there from.

Reason: The application has been determined on the bases that the development does not relate to the provision of a business.

5. The planning permission hereby granted shall be for the benefit only of the applicant and only the applicant's horses shall be kept in the hereby permitted stable block.

Reason: in the interests of residential amenity of neighbouring properties in accordance with Policy 17 of the Part 2 Local Plan 2019.

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. 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.

Planning Committee 4 May 2022

5.
 - The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the Right of Way (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 of the RoW 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 ensuing that it is cut back so as not to interfere with right of way.
 - Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption.
<http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boards>.

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

- 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.

<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.

4.3 22/00139/FUL

Construct single storey rear extension
68 Awsworth Lane, Cossall Nottinghamshire

Councillor L A Ball BEM had requested that this item be decided by Committee.

It was noted that the late items had been mis-numbered, stating 21/00139/FUL rather than 22/00139/FUL. There were no late items.

Chris Hudson, the applicant, addressed the Committee prior to the general debate.

The Committee had no concerns about the proposed development having a negative impact on the amenity of neighbours or the openness of the Green Belt.

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

Conditions:

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
- 2. This permission shall be read in accordance with the following plans: site location plan 1:1250, existing and proposed layouts, elevations and site block plan No. GD/CH/2022/004/01 (all received by the local planning authority 17/02/22). The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.**
- 3. The development hereby permitted shall be carried out in accordance with the materials contained within the application form.**

Reasons:

- 1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.**
- 2. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.**
- 3. To ensure the development presents a satisfactory standard of external appearance in accordance with Policy 17 and Policy 23 of the Part 2 Local Plan 2019.**

4.4 22/00247/REG3

External alterations to existing building including new shop front entrances, new cladding/fascia to canopy, led strip lighting and other minor refurbishment works
35-37 The Square, Beeston, Nottinghamshire, NG9 2JJ

The application was brought to Committee because the building is owned by the Council.

There were no public speakers and no late items.

The Committee noted the intensity of the lighting and the improvement in the appearance of the building.

RESOLVED that full planning consent be granted subject to the following conditions:

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

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

2. **This permission shall be read in accordance with the following plans: Site location plan No: 8000 Rev. A, Existing floor plans No. 08008 Rev. B, Existing elevations No. 08030 Rev. A, Proposed floor plans No. 08020 Rev. D, Proposed elevations No. 08040 Rev. A, Proposed lighting plan No. 08050 Rev. A (received by the Local Planning Authority 18.03.22).**

Reason: For the avoidance of doubt.

3. **The intensity of illumination of the signs shall not exceed 50 candelas/square metre.**

Reason: To ensure that the development does not appear as an unduly prominent feature in the area in accordance with Policy 10 – Design and Enhancing Local Identity of the Broxtowe Aligned Core Strategy 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

4. **The hereby permitted external lighting shall not be used outside of permitted opening hours.**

Reason: To ensure that the development does not appear as an unduly prominent feature in the area in accordance with Policy 10 – Design and Enhancing Local Identity of the Broxtowe Aligned Core Strategy 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

NOTES TO APPLICANT

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

timescale.

Having declared that he was predetermined, Councillor R I Jackson did not participate in the debate or vote thereon.

5 INFORMATION ITEMS

5.1 Appeal Decisions

The appeal decisions were noted.

5.2 Delegated Decisions

The delegated decisions were noted.

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Report of the Chief Executive

APPLICATION NUMBER:	20/00845/OUT
LOCATION:	Former site of Lynncroft Primary School, Walker Street, Eastwood Nottinghamshire
PROPOSAL:	Outline application with all matters reserved for 60 assisted living apartments with access from Walker Street

1. Purpose of Report

The application is brought to the Committee as it is a major development.

2. Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix and to the prior signing of a Section 106 Agreement.

3. Detail

- 3.1. The application seeks outline planning permission with all matters reserved for 60 assisted living apartments.
- 3.2. The site includes vacant hard standing areas situated immediately to the south of land formerly occupied by a primary school which included playing fields to the west of the main school buildings, which have since been demolished. Outline Planning consent has been granted for 110 dwellings with all matters reserved with access from Lynncroft.
- 3.3. The main issues relate to whether the principle of residential development would be acceptable, whether there would be an unacceptable impact on the character and appearance of the locality, whether there would be an unacceptable impact on neighbour amenity, whether it would result in a risk to flooding, whether there would be an impact on biodiversity and whether there would be harm to highway safety.
- 3.4. The benefits of the proposal are that it would provide housing in a sustainable location close to the town centre and associated facilities, and on a brownfield site allocated in the Part 2 Local Plan for housing development. The principle of development would be in accordance with the policies contained within the development plan. This is given significant weight. Any potential harm caused by the development would be outweighed by the benefits of the scheme.

4. Data Protection Compliance Implications

4.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

5. Background Papers

5.1 There were no background papers.

APPENDIX

1 Details of the Application

- 1.1 The application seeks outline planning permission with all matters reserved for 60 assisted living apartments. An indicative site layout plan has been submitted which shows that access would be off Walker Street, as the site is otherwise bounded by built development, to the south and west, and the adjacent site to the north. The indicative plan shows the care home to be arranged in an L shape within the southern half of the site. A private landscaped area north of the proposed care home is indicatively shown to the north west corner, to adjoin the indicative public open space area serving the approved 110 dwellings (20/00844/OUT). The site to the north, adjacent to the replacement school and which is accessed off Walker Street, was granted outline planning permission for 110 dwellings with access off Lynncroft (reference 20/00844/OUT).
- 1.2 The housing proposed is indicated to be market housing with a mix of one and two bedroom apartments.

2 Site and surroundings

- 2.1 Outline planning permission has been granted for 110 dwellings to the north of the site (20/00844/OUT), accessed off Lynncroft. There are two storey dwellings to the east off Walker Street/Three Tuns Road, to the south off Victory Close and flats to the south west off Weillington Place. There is a footpath that links Walker Street to Wellington Place, which is to the south of the site. On the opposite side of Walker Street to the east of the site includes a motor repair garage. Immediately to the north-east of the site includes the Lawrence View Primary and Nursery school.
- 2.2 The application site is to the north of Eastwood Town Centre. There are no designated heritage assets adjacent to the site.

3 Relevant Planning History

- 3.1 There have been two planning notifications made by the County Council as Education Authority relating to the use of the site as a school and grounds, which were both for security fencing, in 2002 and 2006.
- 3.2 In 2013, planning permission for 113 apartments, 27 bungalows, energy centre off Walker Street was approved on Appeal (13/00784/FUL).
- 3.3 In 2020, Nottinghamshire County Council granted planning permission the construction of a new highway junction and modifications to junction at Walker Street/Three Tuns Road (5/20/00265/CCR). This has been implemented.

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 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 17: Biodiversity
- Policy 19: Developer Contributions

4.2 Part 2 Local Plan 2019:

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

- Policy 1: Flood Risk
- Policy 2: Site Allocations
- Policy 6.1: Walker Street Eastwood – housing allocation site
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 28: Green Infrastructure Assets
- Policy 31: Biodiversity Assets
- Policy 32: Developer Contributions

4.3 National Planning Policy Framework (NPPF) 2021:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 11 – Making effective use of land.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding coastal change.
- Section 15 – Conserving and enhancing the natural environment.

5 Consultations

5.1 **Council's Environmental Health Officer:** No objections subject to a pre-commencement condition in respect of contaminated land survey, and note to applicant regarding hours of construction (noisy works) and burning of waste.

5.2 **Council's Parks and Environment Officer:** Provision for future onsite maintenance should be considered.

5.3 **Council's Waste and Recycling Officer:** The development would require 8 x 1100 litre bin for residual waste, 8 x 1100 litre bin for dry recycling waste and 8 x 140 litre bins for glass recycling. Bins should be located in pre-built bin and to be built no more than 10m from adopted highway.

- 5.4 **County Council Policy Officer:** no financial contributions requested.
- 5.5 **County Council Highways Authority:** Satisfied that the access width off Walker Street would be sufficient for 60 assisted apartments. Parking and turning facilities should be designed in accordance with Highways minimum standards. Details of the parking and turning facilities, which are to be submitted at reserved matters stage, should ensure that the carriageway width is adequate to serve the site and designed so as to enable larger vehicles such as refuse vehicles to pass cars simultaneously. Further to this, the development should provide a loading area for ambulances in close proximity of the entry point to the complex.
- 5.6 **County Council Right of Way Officer:** Applicant needs to confirm if public RoW (Eastwood Footpath 26) is to be included within the layout. Details required of surfacing and how the footpath would be protected in relation to the adjacent vehicular access of Walker Street. Applicant to be made aware of obligations in respect of development affecting or adjacent to the public RoW.
- 5.7 **County Council as Local Lead Flooding Authority:** No objection subject to a condition to agree a surface water drainage scheme which should be based on the approved FRA. Would need to be re-consulted should any changes be proposed to the FRA or the Drainage Strategy.
- 5.8 **Notts Wildlife Trust:** Generally accepting of the information submitted, but recommend conditions requiring the development to be carried out in accordance with the Ecologists recommendations; Construction Ecological Management Plan (CEMP); and Landscape Ecology Management Plan (LEMP).
- 5.9 **Coal Authority:** No comments, as considers notification not required. Coal standing advice to be included as note to applicant.
- 5.10 **NHS CCG West:** Request a financial contribution of £32,512.50 based on 60 units, to provide enhanced capacity / infrastructure at one or all of the three existing practices: Church Walk Surgery; Newthorpe Medical Practice; Eastwood Primary Care Centre.
- 5.11 **Resident comments.** A number of properties either adjoining or opposite the site were consulted and a site notice was displayed. Three comments were received raising the following issues:
- Walker Street visibility is a concern caused by bend in the road between Percy Street and Three Tuns Road. Narrowness of junction with Nottingham Road should be addressed by a number of highways improvements to the locality.
 - On street parking is a problem on Walker Street.
 - Traffic/disruption caused by construction traffic.
 - Flats of Wellington Place need to be consulted.
 - A number of matters were raised in relation to the outline application for 110 dwellings (20/00844/OUT).

6 Assessment

6.1 The main issues relate to whether the principle of residential development would be acceptable, whether there would be an unacceptable impact on the character and appearance of the locality, whether there would be an unacceptable impact on neighbour amenity, whether it would result in a risk to flooding, whether there would be an impact on biodiversity and whether there would be harm to highway safety.

6.2 **Principle**

6.2.1 The site is part of a larger allocated site in the Part 2 Local Plan, which allocates the wider site for a mix of residential, replacement school and community hub. As such, the loss of the site as playing fields has been assessed and found to be justified, through the Local Plan adoption process. The application site is allocated for residential development and as such the principle of the development is acceptable, subject to the Key Development Requirements which are:

- 200 homes (over the whole allocated site)
- Provision of attractive and usable walking and cycling links
- Retention of The Canyons as open space (wooded area to the south of and therefore outside of the application site)
- Enhancement of Green Infrastructure corridors through the site including enhancement of the wildlife corridor to the rear of houses on Garden Road and connect to the wider area via the DH Lawrence heritage trail
- Ensure that development does not increase risk of flooding elsewhere
- Provision of SuDS at the northern edge of the site
- Maintain views of DH Lawrence heritage from Walker Street as part of the DH Lawrence heritage trail

6.2.2 Whilst the combined amount of residential development (that is, the proposal for 60 assisted apartments being considered under this application and the 110 dwellings approved on the adjacent site (reference 20/00844/OUT) which equates to 170), it is accepted by the Council's Planning Policy Officer that due to the significant land-level differences, which could constrain development and the ability to access the mid-level plateau (site of the proposed public open space as shown on the indicative site layout), the overall provision of the site allocation for 170 homes is acceptable as whilst this would potentially result in a 30 home shortfall, it likely that the overall scheme would be negatively impacted upon if the additional 30 dwellings were insisted upon.

6.3 **Developer Contributions**

6.3.1 As the application is a major, developer contributions have been requested for: NHS NUH Trust £448.72 per dwelling and NHS CCG £32,512.50 towards the enhancement of capacity or infrastructure at existing primary health care facilities.

6.3.2 In respect of the NHS NUH request for a contribution of £448.72 per dwelling, as the site is allocated in the adopted local plan, and therefore was subject to consultation with relevant healthcare providers at the time of production, this request cannot be justified and as such the latter will not be considered necessary in order to make the development otherwise S106 compliant.

6.3.3 As this application is for assisted living apartments, no financial contributions towards affordable housing will be sought.

6.3.4 An open space contribution has not been requested.

6.3.5 A transport contribution has not been requested.

6.4 Layout

6.4.1 The layout takes into account the constraints of the site which are the differences in ground levels. The layout is indicative, as all matters are reserved. The indicative layout shows a footprint of an apartment block which will be designed to ensure adequate residential outlook can co-exist with the Primary school to the north-east and surrounding residential dwellings. The indicative layout demonstrates a car parking facility to the rear of the site to ensure the Walker Street frontage would be less car dominated and deliver a high quality design. A private green space is to be provided in the northern part of the site and indicatively linked to the open space provided within the northern site granted outline permission for 110 dwellings.

6.4.2 Details of the layout, appearance and scale of development would all be reserved matters and any impact on character and appearance of the wider area would be assessed at that point.

6.5 Amenity

6.5.1 The submitted Planning Statement indicates the development will comprise of a three storey block of apartments arranged on site to allow sufficient space around the building itself and distance from neighbouring properties. The reserved matters, once submitted, would need to demonstrate that any buildings proposed would not have a significant impact on neighbour amenity. Cross sections through the proposed development in context with the existing dwellings would be required in order to assess any impact.

6.6 Impact on Biodiversity

6.6.1 Landscaping details are a reserved matter; however, it is indicated that landscaping would be implemented throughout the site including a private green space to the rear of the care facility in the north-west corner.

6.6.2 Notts Wildlife Trust are generally accepting of the information submitted as part of the application, and recommend conditioning a CEMP and LEMP to ensure that biodiversity assets are not adversely affected by the development. This includes ensuring construction works are carried out with respect for or harm to the wildlife and to ensure that ecological enhancements are secured.

6.7 Access and Highway Safety

6.7.1 Access would be a reserved matter; however, the indicative layout shows that the development would have a single access from Walker Street. The Highway Authority raise no objection to this, this access was considered by Nottinghamshire County Council sufficient to accommodate the traffic of up to 150 dwellings.

- 6.7.2 The Highway Authority consider that the projected traffic generated by the site would not lead to a detrimental impact on highway safety.
- 6.7.3 Details of the parking and turning facilities, which are to be submitted at reserved matters stage, should ensure that the carriageway width is adequate to serve the site and designed so as to enable larger vehicles such as refuse vehicles to pass cars simultaneously. Further to this, the development should provide a loading area for ambulances in close proximity of the entry point to the complex.
- 6.7.4 Further details should be provided at reserved matters stage which demonstrate how Eastwood public footpath 26 will be protected and enhanced. As such, a condition is proposed for the applicant to provide further details in relation to the potential inclusion of the footpath within the layout or its overall protection if it is to remain outside the scheme.
- 6.7.5 The revised Travel Plan has been reviewed by the Highway Authority and no objections have been provided. Highway Authority are satisfied with the contents, including measures to ensure ongoing monitoring of the Travel Plan.
- 6.7.5 The site is in a sustainable location, and given the opportunities for pedestrian routes to facilities such as education, health and shopping, and to public transport, it is considered that the development would lessen reliance on the use of private vehicles.

6.8 Flood Risk and Surface Water Drainage

- 6.8.1 A Flood Risk Assessment has been submitted and subject to a condition requiring details of a surface water drainage scheme to be submitted and agreed prior to commencement of the development, the County Council as Local Lead Flooding Authority raise no objections. It is therefore considered that, subject to the agreement of the surface water drainage scheme, the development would not result in a significant increase of risk of flooding to nearby property or other adjacent land.

6.9 Other Matters

- 6.9.1 It is considered that the immediate neighbouring properties and the wider area have been consulted in accordance with the statutory obligations set out in the TCPA 2015, through notification letters to all adjoining residents, placement of site notices and publication of a press notice.
- 6.9.2 The planning department is aware of the concurrent Levelling Up Fund bid submission being coordinated by the Council's Economic Development Team. Whilst the proposals and suggested projects may have an impact on this wider site, this application will be determined independently to that process and assessed accordingly.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide additional housing in a sustainable location on an allocated brownfield site; and deliver biodiversity gain.

- 7.2 Any potential impact on the character and appearance of the locality and residential amenity, in relation to layout, scale and appearance, are reserved matters, and it is considered that this can be assessed and addressed through the reserved matters submission.
- 7.3 On balance, as the proposed development is considered to be in accordance with adopted policy and meets the Key Development Requirements of this allocated site, and subject to the conditions below, it is recommended that outline planning permission be granted.
- 8. Data Protection Compliance Implications
- 8.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.
- 9. Conclusion
- 9.1 It is recommended that the Committee grant conditional outline planning permission subject to the prior signing of a Section 106 Agreement.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>Application for the approval of any reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this outline permission.</p> <p><i>Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
3.	<p>This outline permission relates to the Site Location Plan No. 27465-ARC-XX-XX-DR-A-00004 received by the Local Planning Authority on 03.12.22.</p> <p><i>Reason: For the avoidance of doubt.</i></p>

<p>4.</p>	<p>Before any development is commenced detailed drawings and particulars showing the following (the 'Reserved Matters') shall be submitted to and approved by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) the scale, layout and external appearance of the dwellings; b) the means of access and parking provision within the site; and c) the landscaping treatment of the site. <p>The development shall be carried out strictly in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only and to ensure that the details of the development are acceptable to the Local Planning Authority.</i></p>
<p>5.</p>	<p>No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> • Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753. • Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area. • Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA • Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1

	<p>year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.</p> <ul style="list-style-type: none"> • For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm. • Details of STW approval for connections to existing network and any adoption of site drainage infrastructure. • Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development <p><i>Reason: To ensure that the development does not increase the risk of flooding to the site or to flood risk off the site, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>6.</p>	<p>No part of the development hereby approved shall commence until details of an investigative survey of the site have been submitted to and approved in writing by the Local Planning Authority. The investigative survey must have regard for ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. Thereafter, no building pursuant to this permission shall be occupied or otherwise be brought into use until:</p> <ul style="list-style-type: none"> (i) All necessary remedial measures have been completed in accordance with details approved in writing by the Local Planning Authority; and (ii) It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified. <p><i>Reason: In the interests of public health and safety, in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>7.</p>	<p>No part of the development hereby approved shall commence until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include measures to help reduce any impacts on wildlife and habitats during the development stage. The CEMP shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of ensuring that the development does not result in harm to the biodiversity value of the site, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>

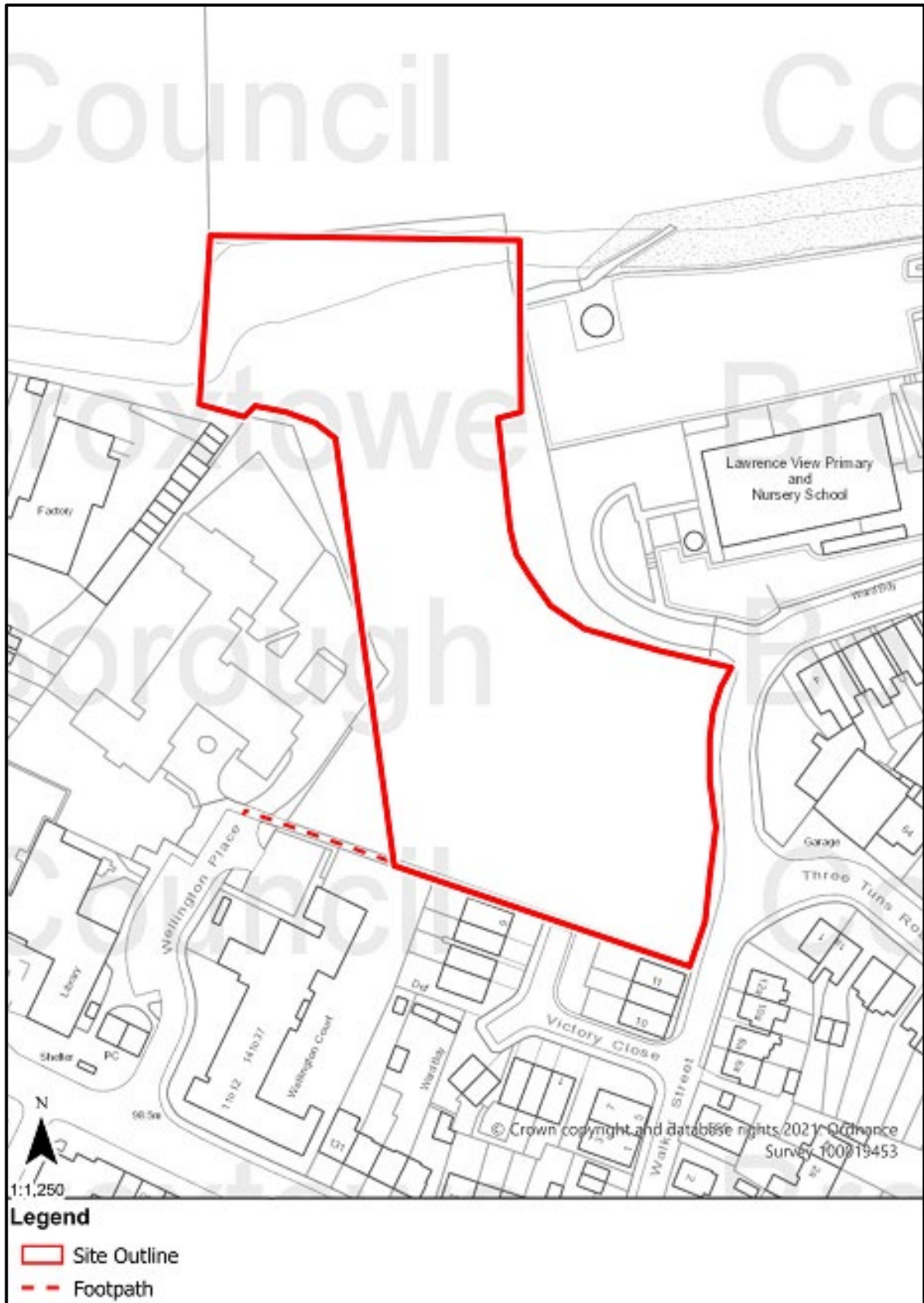
<p>8.</p>	<p>No part of the development hereby approved shall commence until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of ecological enhancements, bird nest boxes, bat boxes, maintenance schedule, and green roofs. The LEMP shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of ensuring that a biodiversity gain can be achieved, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>9.</p>	<p>No part of the development hereby approved shall commence until cross sections through the site, including the existing dwellings adjacent, have been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of residential amenity and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>10.</p>	<p>No part of the development, including demolition, hereby approved shall be commenced until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:</p> <ul style="list-style-type: none"> a) The parking of vehicles of site operatives and visitors b) Loading and unloading of plant and materials c) Storage of plant and materials used in the construction of the development d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate e) Wheel washing facilities f) Measures to control the emission of dust and dirt during construction g) A scheme for recycling/disposal of waste resulting from demolition and construction works h) A risk assessment in relation to the railway <p>The development shall be carried out in accordance with the approved details.</p> <p><i>Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>11.</p>	<p>No above ground works shall commence until details of Electric Vehicle Charging points including quantity and location have been</p>

	<p>submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of promoting the use of sustainable modes of transport in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
<p>12.</p>	<p>No dwelling hereby approved shall be occupied until the access road and any communal parking / turning areas have been completed and made available for use.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>13.</p>	<p>The detailed drawings and particulars required under condition 4(c) shall include the following details:</p> <ul style="list-style-type: none"> a) trees to be retained and measures for their protection during the course of development; b) numbers, types, sizes and positions of proposed trees and shrubs; c) proposed boundary treatments; d) proposed hard surfacing treatment for all areas; e) planting, seeding/turfing of other soft landscape areas; and f) details of a management and maintenance scheme including a timetable for implementation of the scheme. <p>The approved scheme shall be carried out strictly in accordance with the approved details. Soft landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p>
<p>14.</p>	<p>The development shall be carried out in accordance with the recommendations contained within the Ecological Impact</p>

	<p>Assessment dated November 2020, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of ensuring that a biodiversity gain can be achieved, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i></p>
15.	<p>The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy dated 05.03.21, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure that the development does not increase the risk of flooding to the site or to flood risk off the site, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).</i></p>
16.	<p>The development shall be carried out in accordance with the Travel Plan dated June 2021, unless otherwise agreed in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of promoting the use of sustainable modes of transport in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).</i></p>
17.	<p>No development shall commence until details for the protection and/or enhancement of the adjacent Eastwood Public Footpath 26 have been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: Insufficient information has been submitted and in the interests of visual amenity and public health and safety, in accordance with Policy 17 and 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>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.</p>
3.	<p>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.</p>
4.	<p>The Local Planning Authority ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to an</p>

	<p>objection to the discharge of conditions. We will provide you with bespoke comments within 21 days of receiving a formal consultation.</p>
5.	<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>

Site location plan (not to scale)



Photographs

View of access off Walker Street



View towards access and Three Tuns Road



View of public footpath adjacent access off Walker Street



View of access/overgrown site



Proposed layout plan (indicative only / showing approved north site 20/00844/OUT)



Report of the Chief Executive

APPLICATION NUMBER:	22/00212/REG3
LOCATION:	Gayrigg Court, Chilwell, Nottinghamshire
PROPOSAL:	Demolition of garages and construct two semi-detached dwellings

1 Purpose of Report

- 1.1 This application is brought before Planning Committee as the Council is the landowner and applicant.

2. Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

- 3.1 The application seeks full planning permission for the demolition of 13 garages and construct a pair of semi-detached dwellings and 13 replacement off road parking spaces, 8 located close to the semi-detached dwellings and 5 located on a grassed area to the west of the dwellings, separate to the building plot. Two trees are proposed to be removed from within the site.
- 3.2 A Design and Access Statement, pre development arboricultural report, car park study and ecological assessment have been submitted with the application.
- 3.3 Around the site is a mixture of two storey dwellings, apartments and three storey apartments with footpaths to the north, east and southern boundaries beyond which are the rear gardens for neighbouring dwellings. There is a mixture of boundary treatments from hedgerows, close board fencing with concrete posts providing privacy for these dwellings. The existing public footpaths will remain around the edge of the site giving access to the wider area. To the south of the site is an additional parking area for residents and their visitors, located on higher land, within Gayrigg Court.
- 3.3 The main issues relate to whether the principal of a pair of dwellings and replacement parking is acceptable, whether the development is acceptable in terms of parking issues, design and impact on neighbour amenity, and whether the removal of two trees would have a detrimental impact on the character of the area.
- 3.4 The benefits of the proposal would be the provision of two additional family sized homes within a sustainable, urban location with access to regular bus service and trams giving access to shops, schools, public open spaces which would be in accordance with policies contained within the development plan and which is given significant weight. The proposed semi-detached dwellings would contribute to the local economy by providing jobs during the construction process. There would be a change in the parking layout but this is considered to be outweighed by the benefits of the scheme.

4. Data Protection Compliance Implications

4.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

5. Background Papers

5.1 There were no background papers.

APPENDIX

1 Details of the Application

- 1.1 The application seeks to construct a pair of semi-detached dwellings with three bedrooms, bathroom, kitchen, lounge/dinner and ground floor WC. To the rear of the dwellings there would be an enclosed garden area approximately 13.6m in length with a 1.8m close board fence on the north, east and southern boundaries. On the southern roof plane, a bank of eight solar panels is proposed.
- 1.2 The semi-detached dwellings would have a pitched roof, with a maximum eaves height of approximately 5.6m and a maximum height to the ridge of 8.3m The application forms state buff facing bricks, fibre cement tiles with vertical timber board cladding in the recessed entrances
- 1.3 A row of 13 terraced garages will be demolished and removal of 13 parking spaces in order to accommodate the dwellings, but replacement parking will be provided, 8 parking spaces forward of the principal elevation of the semi-detached dwellings, and 5 parking spaces on a grassed area located to the west of the site, adjacent to dwellings on Patterdale Court, this is in addition to the existing parking to the south of the site. To facilitate the replacement parking provision and landscaping two trees will be removed from within the site.

2 Site and surroundings

- 2.1 The site is located in a residential area and currently has 13 terraced garages which are rented by property owners in the surrounding area and 13 parking spaces located along the northern boundary. There is on road parking for existing dwellings within and around the site for residents and their visitors. The site is surrounded by dwellings with a mixture of 1.8m close board fencing and hedges forming the domestic boundaries. The site frontage is open with two trees and pavements.
- 2.2 The site lies within a residential area of terrace and block of flats, with a mixture of two storey and three storey buildings with a pedestrian path and a small areas of grass located around the edge of the site. There are two small trees within the red line, and these are located to the entrance of the site. The land levels rise north to south and a small incline east to west. To the south of the site is an additional parking area providing extra parking spaces for the residents of Gayrigg Court and the immediate area.
- 2.3 To the north of the site lies a tram stop giving access to a wider area and services, to the north east lies Inham Nook Recreation Ground and to the east is Eskdale Junior School.

3 Relevant Planning History

- 3.1 No relevant planning history.

4 Relevant Policies and Guidance

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

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

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

4.2 **Part 2 Local Plan 2019**

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

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes
- Section 9 - Promoting Sustainable Transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places.
- Section 15 – Conserving and enhancing the natural environment

5 Consultations

5.1 **Nottingham County Council Highways:** has assessed the application and has not raised any objection subject to standing advice for conditions and informatives for the parking provision and layout.

5.2 **Environmental Health Officer– Pollution:** has assessed the application and has not raised any objections but has requested conditions be applied for contaminated land due to the land being used as garages. As the proposed development site is close to existing residential developments and therefore occupiers may be adversely impacted by excessive construction noise a condition should be added to any decision notice regarding hours of works. As the garages are proposed to be demolished to facilitate the semi-detached dwellings and parking a construction/demolition method statement shall be submitted to and agreed in writing and adhered to throughout the construction period. An informative should be added to the decision notice to ensure no burning of commercial waste.

- 5.3 **Parks and Environment Officer – Bins:** has assessed the application and has not raised any objections subject to the developer purchasing the first time provision of bins.
- 5.4 **Broxtowe Borough Council – Tree Officer:** I have no objections to the proposal, The Sycamore T3 growing in a private garden, the tree is obscuring the street lamp and ideally could use removing, the Cherry T2 and the Rowan T1 are in poor health and are showing signs of decline and I have no objections to the removal of those trees.
- 5.5 **NET:** there were no comments from NET.
- 5.6 Twenty-nine properties were consulted and a site notice was displayed. A total of 5 objections have been received. The comments can be summarised as follows:
- Loss of privacy/overlooking to adjacent properties;
 - Overshadowing to gardens and habitable rooms;
 - A sense of enclosure and vulnerable;
 - Poor outlook towards a side wall;
 - Increased issues with surface flooding to the neighbouring garden and encroaching into the houses following heavy rainfall;
 - Loss of parking and no replacement disabled parking spaces;
 - Unrealistic to be expected to use the top car park in Gayrigg Court;
 - The council is under pressure to build houses and so upsetting the dynamic/people/parking;
 - Not enough spaces for cars;
 - Gayrigg Court is already crowded with vehicles;
 - The development will deface the area and not enhance the character of the area;
 - Environmental impact will be negative as per net carbon footprint in the area;
 - Concerns about asbestos removal;
 - Issues with bin lorries and emergency services requiring access;
 - Materials and compound storage;
 - Increased noise during construction and after;
 - Hedgehogs within close proximity to the site;
 - Concerns regarding the car parking survey and its validity;
 - Antisocial behaviour and;
 - Confirmation of which trees are to be retained/removed.

6 Assessment

- 6.1 The main issues for consideration are whether the proposed development is acceptable in design and layout, has sufficient parking, has an acceptable relationship with neighbouring properties and provides an adequate standard of amenity for future occupants.
- 6.2 **Principal**
- 6.2.1 The site is within an existing residential area and provides an opportunity to provide additional housing outside of Green Belt. There is also a need to boost housing

supply which a site such as this can help deliver. The provision of a pair of semi-detached dwellings on a brown field site is considered to be a benefit in terms of contributing to the provision of homes within the borough.

6.2.2 Whilst it is acknowledged there will be a loss of 13 garages and 13 parking spaces, it is considered the loss is outweighed by the proposal of residential units that make an efficient use of the land. Whether there is adequate space to accommodate a pair of semi-detached dwellings, replacement parking and the impact a development of this size will have on neighbouring properties, the character of the area and parking provision will be discussed below.

6.2.3 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will provide a pair of three bedroom dwellings, suitable for occupation by a family, within an existing settlement in a sustainable location with public transport links providing access to the wider area. It is considered the proposed dwellings and replacement parking will not have an adverse effect on neighbour amenity and the design, massing, scale and appearance are considered to be acceptable. The principal of the development is therefore considered to be acceptable.

6.3 Design and visual amenity

6.3.1 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.

6.3.2 The site currently has a row of terraced garages sited on the southern part of the site that are in a poor state of repair, an area of hardstanding for vehicles on the northern part of the site and two trees to the west of the site, that provide limited visual amenity to the area. The area proposed for the five additional parking spaces is an open plan grassed area which functions as green space.

6.3.3 The demolition of the garages and construction of a pair of dwellings will fill the whole of the site from north to south retaining the existing pathways and be set back from the principal elevation of 4 Gayrigg Court, to the south, and having shared parking to the front. The design and position of the dwellings and their private amenity space retains the openness when approaching the site from Eskdale Drive with views over the replacement parking for residents.

6.3.4 Consideration has been given to the fenestration details for the dwellings and the type of materials to assimilate the development in to the area, the choice of buff brick and concrete tiles along with vertical cladding reflects the materials in the wider area. The height to the eaves and ridge reflects the dwellings within close proximity to the site and the different levels enables the dwellings to have a scale and proportion similar to the adjacent dwellings.

6.3.5 The removal of two trees to create an area of replacement parking, one of which is in early decline and one providing moderate vitality to the area will not have a detrimental impact on the visual amenity of the area following their removal as neither tree contribute significantly to the character of the area, being small

ornamental trees constrained by being planted within a hard surface. The area forward of the principal elevations and in view when approaching the site, will be soft landscaped to soften the public and private boundaries and improve the visual amenity of the area.

- 6.3.6 The creation of the additional parking located to the west of the dwellings will remove some grassed open space, but given the size of the area required to create the five parking spaces there will still be adequate areas of grass surrounding this area to retain the openness and maintain the visual amenity of the area.
- 6.3.7 Concerns have been raised about the development defacing the area and not enhancing the character of the area resulting in a sense of enclosure. The position of the dwellings within the site, the location of the replacement parking and materials proposed all will ensure the character of the area is retained and enhanced.
- 6.3.8 To conclude, it is considered the dwellings and the replacement parking layouts reflect an acceptable level of design that will tie in with the appearance of the surrounding properties. Consideration has been given to the position of the development and enabling the development to make a positive contribution to the area through the choice of materials and landscaping.

6.4 Amenity

- 6.4.1 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.
- 6.4.2 To the north of the site lies a terrace of two storey dwellings, 47-59 Eskdale Drive, which are set down lower than the site and have a sloping garden area leading from the site to a rear porch and habitable room windows. The distance between the proposed side elevation of the pair of semi-detached dwellings and the habitable room windows on these dwellings is approximately 16.2m with a public pathway running along the boundaries. There is a mixture of 1.8m close board fencing and mature hedge rows forming the rear garden boundary with the site, of which many have a pedestrian gate giving access to the hardstanding and garages. It should be noted there is one tree within the garden of these dwellings that is annotated and discussed in the tree survey (T3).
- 6.4.3 Concerns have been raised regarding loss of privacy, overshadowing and poor outlook, however it is considered that the position of the proposed semi-detached dwellings and the distance between the habitable rooms on the rear elevations of the dwellings on Eskdale Drive would not result in a detrimental impact on loss of light to the habitable rooms and the garden areas of 47, 49, 51, 57 and 59. Given the distance and position of the proposed dwellings there may be limited loss of light to the garden areas only of 53 and 55 Eskdale Drive but not significant enough to request an amendment and or refusal. Concerns were raised regarding loss of privacy from the proposed side windows towards these dwellings, however given the proposed windows will serve a ground floor secondary window to the lounge (positioned behind the boundary treatment) and a landing window at first floor that will be conditioned to be obscure glazed, it is considered that there will not be any

significant opportunity for overlooking towards any of these dwellings from side windows. Any overlooking that may occur from the windows located on the principal or rear elevation will be at an acute angle.

- 6.4.4 To the east lies a row of terrace two storey dwellings, 1-3 Gayrigg Court, these dwellings and their private gardens are on the same level as the site and there is approximately 21.6m between the rear elevation of the pair of semi-detached dwellings and the principal elevations of the dwellings on Gayrigg Court. There is a mixture of styles of fencing all 1.8m in height with a pedestrian gate leading to a public path. Concerns have been raised regarding loss of privacy, overshadowing and poor outlook, it is considered that the position of the proposed semi-detached dwellings and the distance between the habitable rooms on the elevation facing the site would not result in a detrimental impact on loss of light to the habitable rooms and the garden areas of these dwellings.
- 6.4.5 To the south lies a row of terrace two storey dwellings, 4-6 Gayrigg Court, which are side on to the site. The land around these dwellings slowly rises from north to south. The closest dwelling to the site, 4 Gayrigg Court, has a mature hedge forming the boundary approximately 2m in height and a tree that is annotated and discussed on the tree survey (T4). The distance between the side elevations of the proposal and 4 Gayrigg Court is approximately 3.6m and there are no side windows to this property. Given the position of the proposed dwellings it is considered there would not be any impact on residential amenity to 4 Gayrigg Court.
- 6.4.6 The eight replacement parking spaces are to be positioned forward of the principal elevation of the semi-detached dwellings and along the boundaries with the dwellings on Eskdale Drive and with 4 Gayrigg Court. The replacement parking will not have any impact on the residential amenity of these dwellings. The construction of the additional five replacement parking spaces that are to be constructed on a grassed area to the west of the site would not have any impact on the residential amenity of the dwellings within close proximity to them (Patterdale Court).
- 6.4.7 To conclude, the position of the dwellings and replacement parking would have adequate separation distances, obscurely glazed windows on side elevations to restrict any overlooking and would ensure a neighbourly relationship can be achieved, to secure an acceptable level of amenity can be retained for the dwellings around the site. It is also acknowledged the future occupants will have an acceptable level of amenity due to the level of light to the dwelling and that the garden is of an adequate size.

6.5 Parking

- 6.5.1 In relation to assess the highway impacts of the proposal paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.5.2 The proposal seeks to demolish the 13 existing garages and remove the 13 hardstanding car spaces and create a pair of semi-detached dwellings with 13 replacement parking spaces, of which 4 will be for the dwellings.
- 6.5.3 Concerns were raised in the representations in relation to the car parking survey and its validity. A car parking survey was carried out and this acknowledges that the removal of the garages could result in cars currently being parked in the garages, being parked on street on Gayrigg Court instead. The purpose of the car parking survey was to determine the level of existing on street parking and whether there is sufficient capacity to accommodate an increase in parking demand. The car parking survey was carried out on Gayrigg Court for a 24-hour period on Thursday 30 January 2020. It was determined that there is sufficient capacity on Gayrigg Court to accommodate 63 parked cars, excluding the garages to be replaced by the proposed development, with a maximum number of vehicles parked on Gayrigg Court was 33 within the 24-hour period, this equates to 52%. Therefore, there is capacity for an additional 30 vehicles to be parked on Gayrigg Court, excluding the garage and hardstanding within the site. During the 24-hour car park survey vehicle movements in and out of the garages were also surveyed and no vehicles were recorded, but the report states it was not possible to determine whether or not there was a car parked in any of the garages. The car parking survey concludes there is sufficient capacity on Gayrigg Court to accommodate 63 parked cars, this excludes the garages and hardstanding within the site and it is considered there is sufficient evidence to accommodate the development and loss of garages and hardstanding parking. It is also noted that some properties on Eskdale Drive have off street parking to the front.
- 6.5.4 As the proposal seeks to create an additional 13 off road parking spaces within Gayrigg Court, the level of off street parking achieved would be 76, of which 4 will be allocated for the semi-detached dwellings. It is considered that there will not be a significant impact on highway safety or on street parking.
- 6.5.5 There have been comments that there is no provision for disabled parking (either dedicated or shared) within the scheme, at the current time there is no requirement to provide any disabled parking.
- 6.5.6 Any cars parked illegally or that would block emergency vehicles would be a police or highway enforcement matter.
- 6.5.7 It is acknowledged there will be construction vehicles associated with the site, however it is considered that there is adequate space on and around the site not to cause a nuisance. Notwithstanding this, a condition to secure a construction method statement, prior to commencement of the development, would ensure that any impact on neighbouring occupiers or on the highway network is kept to a minimum.
- 6.5.8 To conclude, it is considered that sufficient parking has been provided to accommodate the pair of semi-detached dwellings and replacement parking for the existing dwellings within close proximity to the site, it is considered the parking survey has provided sufficient evidence to demonstrate that the area around Gayrigg Court can support the additional parking following the demolition of the garages and construction of the semi-detached dwellings, subject to conditions.

6.6 Environmental Health

- 6.6.1 Policy 19 of the Part 2 Local Plan states development of land potentially affected by contamination will not be permitted unless and until a site investigation has been carried out to assess the nature and degree of contamination, using a method of investigation agreed in writing with the Council. Paragraph 184 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rest with the developer and/or landowner.
- 6.6.2 The Councils Environmental Health Officer has stated the proposed development is located on land that may be contaminated due to its historic use as garages, therefore before commencement on sited an investigative survey of the site shall be carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.
- 6.6.3 As the proposed development site is close to existing residential developments and therefore occupiers may be adversely impacted by excessive construction noise a condition would be imposed securing appropriate hours of work in order to secure the residential amenity and safety of residents and the general public.
- 6.6.4 The Councils Parks and Environment Officer for bins has assessed the application and has not raised any objections subject to the developer purchasing the first time provision of bins. The bins would be accommodated in the rear gardens and can be left in an accessible location for collection, on Gayrigg Court.

6.7. Other issues

- 6.7.1 Concerns have been raised regarding flooding, however it is noted that the site is not covered by any flood zone and surface water drainage. It is proposed that both surface water and sewage would be connected to existing services and would require separate permission from Severn Trent Water. Furthermore, this matter would be adequately dealt with under Building Regulations and therefore is not necessary to implement a planning condition and the development therefore is not considered to increase risk of flooding or surface water run-off to other properties.
- 6.7.2 Concerns have been raised regarding the environmental impact of the proposal. The proposal seeks to minimise the carbon footprint of the dwellings and has incorporated 8 solar panels to each dwelling and given the high standard of modern technology the dwellings this will reduce their carbon footprint.
- 6.7.3 Within the representations it has been stated that hedgehogs have been sighted within and around the site. As hedgehogs are listed as a Species of Principal Importance under the provision of NERC Act 2006 an informative condition will be included to the decision notice to make the applicant aware of their obligations under the Wildlife and Countryside Act 1981.

6.7.4 Concerns have been raised regarding changes to the site which would increase the opportunity for antisocial behaviour. The position of the dwellings and replacement parking has been designed to allow natural surveillance of the area. Should any antisocial behaviour be experienced this should be reported to the Police.

7 Planning Balance

7.1 The benefits of the proposal are that it would provide two family homes within an existing urban area and would support short term benefits such as jobs during the demolition and construction of the proposed dwellings and creation of the off road parking spaces and would be in accordance with policies contained within the development plan. Whilst it is acknowledged there will be limited impact on the amenity of neighbours through loss of sunlight to two gardens, this is outweighed by the benefits of the scheme and due to its location is highly sustainable location.

8 Conclusion

8.1 To conclude, it is considered the proposed dwellings are an acceptable size, scale and layout that there will not be an adverse effect on neighbour amenity and it will provide and acceptable standard of amenity for future occupants of the dwellings. The level of replacement parking is acceptable to meet the requirements of the existing and proposed dwellings and the scheme is considered to be acceptable and should be approved.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be approved subject to the following reasons.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2.	The development hereby permitted shall be carried out in accordance with drawings Proposed house types elevations and floor plans 2766(08) B03 Rev B, Proposed site plan 2766 (08) B01 Rev B and Proposed block plan 2766 (08) B02 Rev A received 4 March 2022 and Solar panel details received 21 April 2022. The Design and Access Statement, pre development arboricultural report and ecological assessment received 4 March 2022. Reason: For the avoidance of doubt.

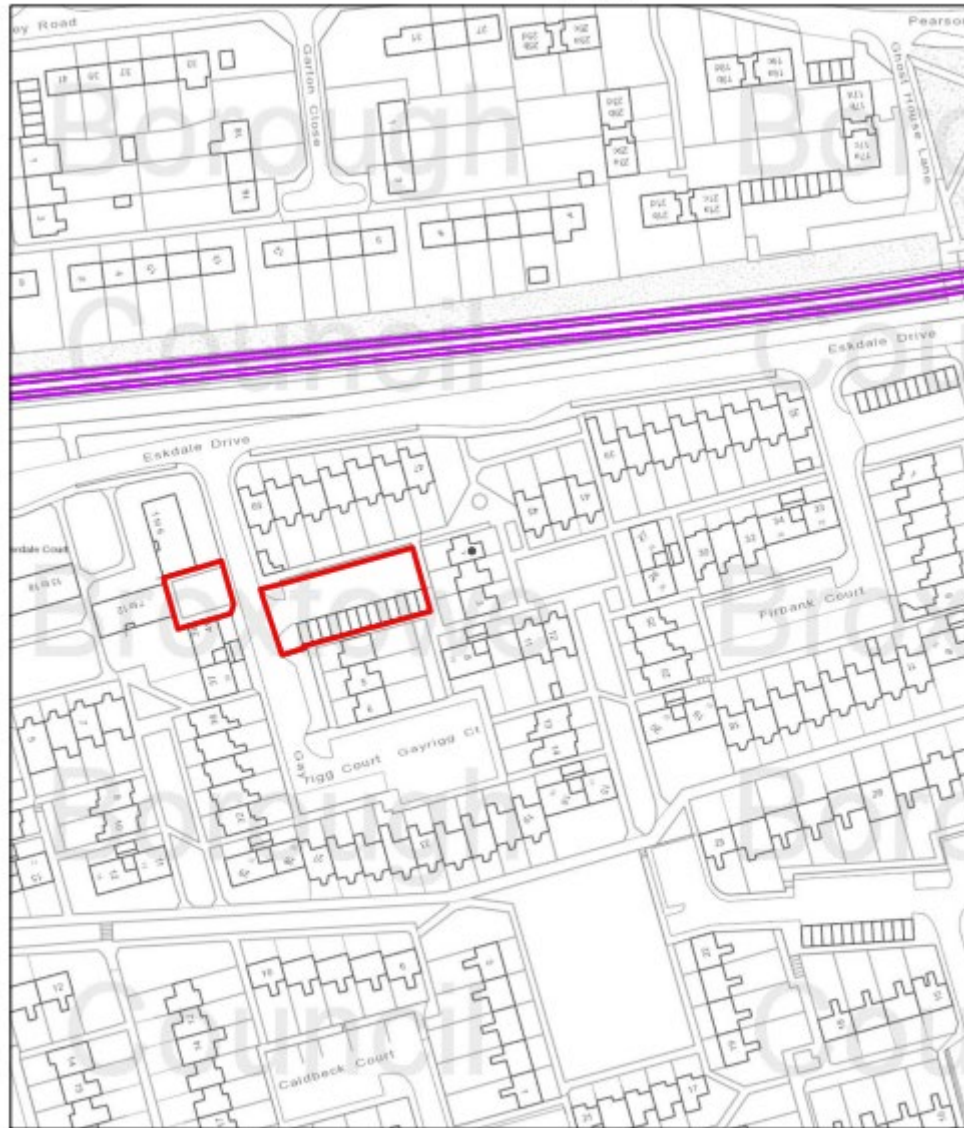
<p>3.</p>	<p>(a) No development shall commence until a site investigation scheme has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The scheme must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The scheme shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:</p> <p>i. All the necessary remedial measures for the building have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii. It has been certified to the satisfaction of the Local Planning Authority, through the submission of a verification report that the necessary remedial measures for the building have been implemented in full.</p> <p>The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development</p> <p>Reason: commencing to ensure the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of Broxtowe Aligned Core Strategy (2014).</p>
<p>4.</p>	<p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p>Reason: and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>5.</p>	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <p>a. numbers, types, sizes and positions of proposed trees and shrubs;</p> <p>b. details of boundary treatments;</p> <p>c. planting, seeding/turfing of other soft landscape areas and</p> <p>d. timetable for implementation.</p>

	<p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p>Reason: No such details were submitted with the application, to ensure the development presents a satisfactory standard of external appearance to the area, to ensure a sufficient standard of neighbour amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</p>
<p>6.</p>	<p>The first floor window in the north elevation and south elevations shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.</p> <p>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>7.</p>	<p>No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or bank holidays.</p> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>8.</p>	<p>No development within the full planning permission phase hereby approved shall take place until a Construction/Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) Parking provision for site operatives and visitors; c) The loading and unloading of plant and materials; d) The storage of plant and materials used in construction/demolition of the development; e) A scheme for the recycling/disposal of waste resulting from construction/demolition works; f) Details of dust and noise suppression to be used during the construction phase and;

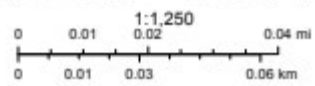
	<p>g) A report identifying any asbestos and documenting its safe removal</p> <p>The approved statement shall be adhered to throughout the construction period.</p> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>9.</p>	<p>No part of the development hereby permitted shall be brought into use until the parking bays/ areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2766(08) B01 Rev B. The parking bays/ areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.</p> <p>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>10.</p>	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no enlargement improvement or alterations to the dwelling, roof additions or other alterations (falling within Class A, B and Class C) shall be undertaken.</p> <p>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</p>
	<p>NOTES TO APPLICANT</p>
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the</p>

	<p>applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority</p>
3.	<p>As this permission relates to the creation of a new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</p>
4.	<p>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.</p>
5.	<p>Developer to purchase the first time provision of bins. Notice served in due course.</p> <p>2.Each property would be allocated the following: 1 x 240 litre bin for residual waste 1 x 240 litre bin for recycling waste 1 x 37 litre bag for glass</p> <p>3.Bins need to be presented at the edge of adopted highway for emptying.</p> <p>4.The size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm (d)</p>
6.	<p>The development makes it necessary to construct and reinstate vehicular crossings over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p>

22/00212/REG3 - Gayrigg Court



5/16/2022, 4:31:19 PM



-  Tram Route
-  Site

Site location plan

Photographs



Site notice



Looking north towards dwellings on Eskdale Drive and hardstanding parking



Looking east across site



Looking west across site



Looking towards Eskdale Drive Junction and area of grass to be Parking



Garages to be demolished



Looking south across site
Bottom of the site near to No1



Looking north from behind the garages
Bottom of the site



View towards additional Parking in Gayrigg Court



View from the back of the garages and side of No 3 Gayrigg Court



Additional parking at Gayrigg Close

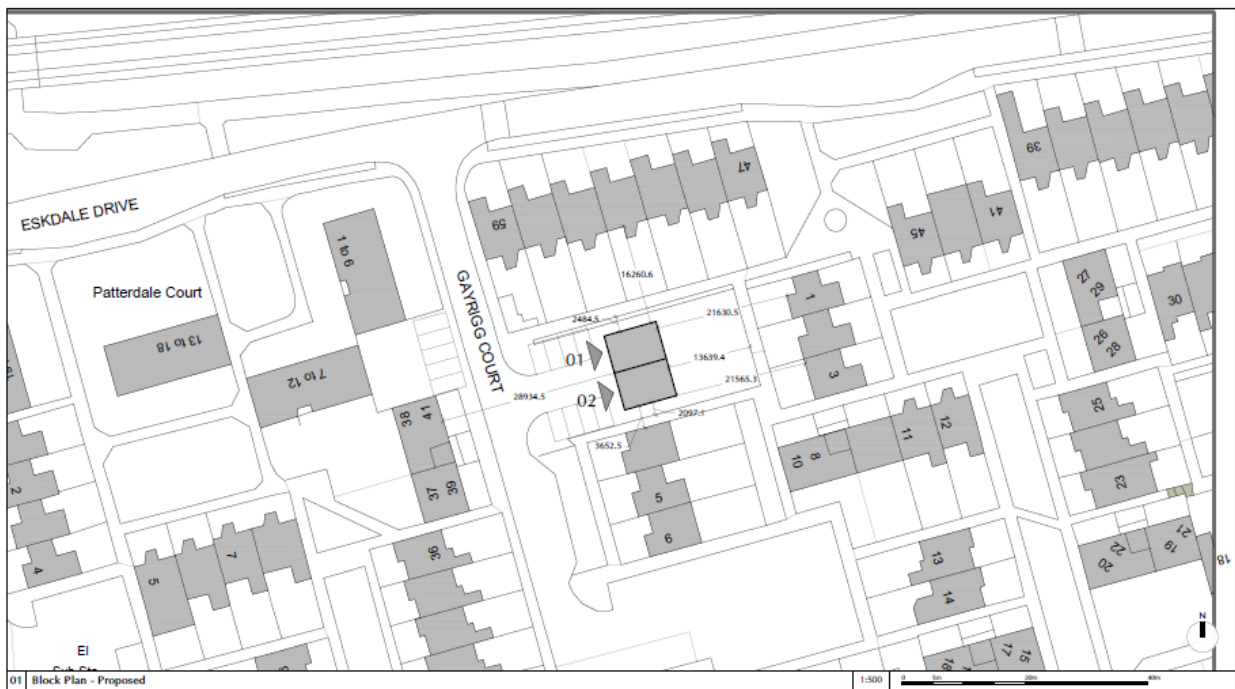


Location of the replacement parking (5)

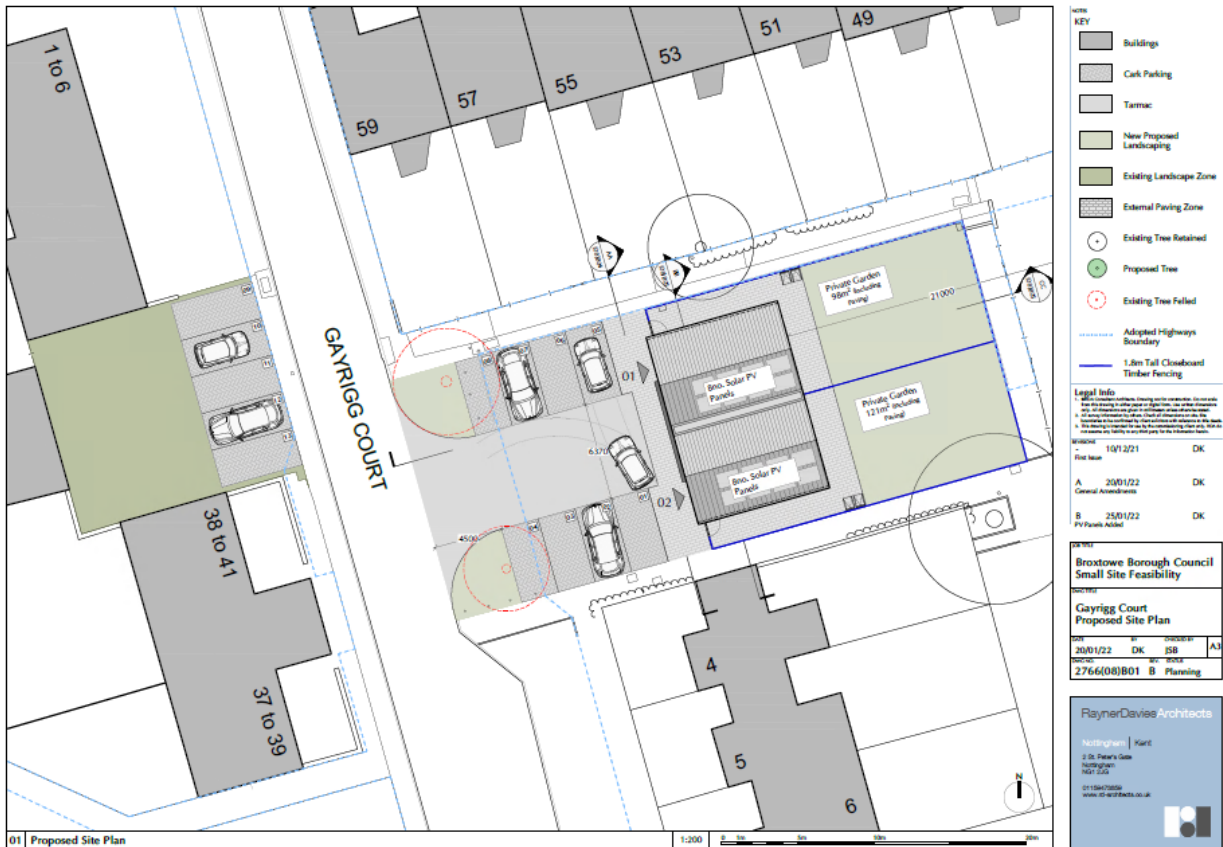
Plans (not to scale)



Existing block plan



Proposed block plan



Proposed site plan and roof plan showing solar panels along with replacement parking



Proposed elevations and floor plans

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Report of the Chief Executive

APPLICATION NUMBER:	22/00210/REG3
LOCATION:	Felton Close, Chilwell, Nottingham
PROPOSAL:	Demolition of garages and construct two semi-detached dwellings and two apartments with associated parking, landscaping and amenity space

1. Purpose of Report

This application is brought before Planning Committee as the Council is the landowner and applicant.

2. Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

- 3.1. The application seeks full planning permission for the demolition of 8 garages in the form of two rows of 4 garages, the construction of a pair of semi-detached dwellings and two storey structure accommodating two apartments along with the creation of 18 vehicular parking spaces and additional landscaping. The application block plan has been amended to demonstrate the location of the three trees that are to be felled and no development on highway land, a consultation has been undertaken following the amended plan and any comments from the public will be reported in the late background paper, the Highway Authority has already provided comments on the amended plan.
- 3.2. A Design and Access Statement, pre development arboricultural report, car park study and ecological assessment have been submitted with the application.
- 3.3. Around the site lies two storey semi-detached and terraced properties with large private amenity space to each rear. To the north part of the site lies an open plan area/communal grassed area. Within the turning head and the grassed area residents of the existing dwellings on Felton Close use the area as off road parking. To the north, east and west of the site are footpaths, with the vehicular access to the south of and centrally positioned within the site.
- 3.4. The main issues relate to whether the principal of a pair of dwellings, two apartments and replacement parking with landscaping is acceptable and if the development is acceptable in terms of parking issues, design and impact on neighbour amenity, the removal of three trees on the character of the area and enhancement of the ecology around the site.
- 3.5. The benefits of the proposal would be two additional family homes and two apartments within a sustainable, urban location with access to a well-served public transport route giving access to shops, schools, public open spaces which would

be in accordance with policies contained within the development plan that is given significant weight. The proposed semi-detached dwellings and apartments would contribute to the local economy by providing jobs during the construction process. There would be a change in the parking layout but this is considered to be outweighed by the benefits of the scheme.

4. Data Protection Compliance Implications

4.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

5. Background Papers

5.1 There were no background papers.

APPENDIX

1 Details of the Application

- 1.1 The application seeks to construct a pair of semi-detached dwellings with two bedrooms, bathroom, kitchen, living diner and WC, located to the east of the access, along with a two storey building accommodating two x one bedroom apartments, located to the west of the access, all fronting Valley Road and roughly following the building line of 28 and 30 Valley Road. Both sets of residential dwellings have access to private amenity space located to the rear elevation, which would be enclosed by a 1.8m close board fence. On the western roof planes of each building there would be a bank of solar panels.
- 1.2 The semi-detached dwellings and apartment building will be constructed out of buff bricks and fibre cement tiles, with detailing to the fenestrations. Forward of the principal elevations is a small area laid to lawn and three existing trees. Beyond the rear gardens of the dwellings is a small open plan grassed area with a total of three pathways leading to the dwellings within Felton Close.
- 1.3 Two sets of four terraced garages, total of eight, will be demolished to facilitate the construction of the two apartments and an open area of grass will facilitate the construction of the semi-detached dwellings. The application seeks to replace the garages and create formal parking for a total of eighteen cars to serve both the proposed dwellings and the existing dwellings towards the north of the site whilst retaining the turning head and grassed/trees.

2 Site and surroundings

- 2.1 The site is located in a residential area and currently has eight garages which are rented by property owners in the surrounding area. There are no designated parking spaces for residents and as a result vehicles are parked in the turning head, on the grass and pavements within close proximity to the site. There is a mixture of boundary treatments around the site including hedges, fencing and brick boundary treatments all ranging from 1m to 1.5m in height.
- 2.2 The land around the site is flat and has pedestrian pathways around the edges of the site running adjacent to the boundaries of the dwellings in Felton Close.
- 2.3 To the south of the site lies the tram network and to the east lies Inham Nook recreation ground with a bowls green, tennis courts, football pitches and a children's playground.

3 Relevant Planning History

- 3.1 No relevant planning history.

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

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

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

4.2 Part 2 Local Plan 2019

- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous substances and ground conditions
- Policy 31: Biodiversity Assets

4.3 National Planning Policy Framework (NPPF) 2021:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes
- Section 9- Promoting Sustainable Transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places.
- Section 15 – Conserving and enhancing the natural environment

5 Consultations

- 5.1 **Nottinghamshire County Council Highways:** has assessed the application and the revised block plan, 2766 (08) C02D. The Highway Authority is satisfied that all outstanding issues with regards to the build outs being removed from over the adopted highway have been resolved and now considers that the proposal is satisfactory and raises no objection to the proposal, subject to conditions and informatives for the parking provision and layout.
- 5.2 **Environmental Health Officer– Pollution:** has assessed the application and has not raised any objections but has requested conditions be applied for contaminated land due to the land being used as garages. As the proposed development site is close to existing residential developments and therefore occupiers may be adversely impacted by excessive construction noise a condition should be added to any decision notice regarding hours of works. As the garages are proposed to be demolished to facilitate the semi-detached dwellings and parking a construction/demolition method statement shall be submitted to and agreed in writing and adhered to throughout the construction period. An informative should be added to the decision notice to ensure no burning of commercial waste.
- 5.3 **Parks and Environment Officer – Bins:** has assessed the application and has not raised any objections subject to the developer purchasing the first time provision of bins.

- 5.4 **Nottinghamshire Wildlife Trust** – has reviewed all the information submitted and can confirm the ecology survey and report has been undertaken according to good practice guidelines. The Wildlife Trust would wish to see native replacement trees for the loss of the three trees within the site, any pipework greater than 150mm be capped at the end of each day and chemicals stored correctly. To conclude the Wildlife Trust, support the recommendations made within the ecology survey.
- 5.5 **The Tree Officer** has assessed the application and provided comments on the trees to be removed to facilitate the development and the trees to be retained. They noted T2 has already been felled due to storm damage as it was up rooted by high winds. T1, Norway Maple, showing to be removed, is a reasonable specimen, however, it will be compromised by the development as the root system RPA will extend into the zone of Construction. In respect of T8 Norway Maple, the tree is showing as to be removed as the tree is growing in competition with T9 Norway Maple and as such is exhibiting a one sided growth pattern, no objections to the removal of this tree. The Tree Officer did note several trees will either require crown lift or crown clean along with careful demolition and excavation of the existing hardstanding areas to avoid damage to the root systems. To conclude the Tree Officer would have no objection to the removal of the three trees in order to facilitate the proposal.
- 5.6 27 properties were consulted and a site notice was displayed. A total of 15 comments have been received. The comments can be summarised as follows:
- Bollards necessary to stop residents parking on the grass;
 - Trees needed between parking and houses;
 - During construction will proper access be made for wheelchair and mobility scooter;
 - Traffic issues – will the current parking area be changed, access and extra traffic;
 - Councils are being urged to create more affordable housing but using every blade of grass to accomplish this is taking things too far;
 - It's a done deal;
 - Issues with mobility scooter on the pavements with protruding tree roots and broken slabs
 - Loss of light to dwellings, requiring lights to be used and as a result higher bills;
 - Issue with parking and not enough especially including visitors parking on pavements;
 - Taking out three trees will not help the planet;
 - The development will remove the sense of calm on the street.
 - The development will enclose the existing dwellings;
 - Too many cars and not enough parking space;
 - Issue with lighting;
 - The development will be to the detriment of the environment;
 - Building over the main sewer;
 - Ecology survey doesn't mention any replacement trees;
 - Instead of spending money on new housing maintain the existing stock;

- The world is tackling pollution and our government has committed to reduce CO2 emissions, building new houses/apartments in this small area is totally against what the Government has promised;
- Working from home since the pandemic and noises, dust etc from construction while working from home will have a negative impact on mental health;
- Safety of the children since it's on a route to schools nearby, children walk themselves to school and will create a high safety risk to them;
- Will gather residents and protest if the proposal is accepted;
- Loss of privacy and;
- Parking survey is out of date.

6 Assessment

6.1 The main issues for consideration are whether the proposed development is acceptable in design and layout, has sufficient parking, has an acceptable relationship with neighbouring properties and would provide an adequate standard of amenity for future occupants.

6.2 Principal

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

6.2.2 Whilst it is acknowledged there will be a loss of 8 garages, it is considered the loss is outweighed by the proposal of residential units that make an efficient use of the land. Whether there is adequate space to accommodate a pair of semi-detached dwellings, two apartments, replacement parking and the impact a development of this size will have on neighbouring properties, the character of the area and parking provision will be discussed below.

6.2.3 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will provide a pair of family homes in the form of two bedroom dwellings and also provide two x one bedroom apartments, within an existing settlement in a sustainable location with public transport links providing access to the wider area. It is considered the proposed dwellings and replacement parking will not have an adverse effect on neighbour amenity and the design, massing, scale and appearance are considered to be acceptable. The principal of the development is therefore considered to be acceptable.

6.3 Design and visual amenity

6.3.1 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.

- 6.3.2 The site currently has two rows of four terraced garages sited on the south west part of the site, that are in a poor state of repair and which have a negative impact on the appearance of the area, small areas of grass areas with trees towards the south of the site and a turning head used by residents as undesignated parking spaces.
- 6.3.3 The demolition of the garages and construction of a pair of dwellings and apartments to the south east and west of the site will still allow views into Felton Close from Valley Road. The grassed area located directly behind the dwellings will be changed to accommodate nine parking spaces each side of the vehicular access and allow views to the north of the site. The design and position of the dwellings and their private amenity space has been positioned to be in line with the dwellings to the east and west of the site, 28 and 30 Valley Road. The setting back of the built form to be in line with these dwelling ensure the openness of views towards Felton Close vehicular access. The change from grass to parking will be a change visually but would not have any detrimental impact on the openness of Felton Close. Areas of soft landscaping would be provided to soften the parking areas.
- 6.3.4 Consideration has been given to the fenestration details for the dwellings and the block of apartments and the type of materials to assimilate the development in to the area, the choice of buff brick and concrete tiles along with vertical cladding reflects the materials in the wider area. The height to the eaves and ridge reflects the dwellings within close proximity to the site and the different levels enables the dwellings to have a scale and proportion similar to the adjacent dwellings.
- 6.3.5 Two trees T1 (Norway Maple) and T2 (Rowan) are to be removed to the south of the site but there will still be three trees along the southern boundary of the site to ensure no detrimental impact of the visual amenity of the area following their removal. The area forward of the principal elevations and in view when approaching the site, will be soft landscaped to soften the public and private boundaries and improve the visual amenity of the area.
- 6.3.6 Towards the middle of the site T8 is also proposed to be removed (Norway Maple) the loss of the tree will not have any significant impact on the visual amenity of the area. The trees are located to the south of the parking areas and allows an adequate area of grass to be able to retain the openness and maintain the visual amenity of the area.
- 6.3.7 Concerns have been raised about the development creating an enclosed area due to the location of the proposal being towards the south of the site. The position of the dwellings and apartments have been designed to ensure no sense of enclosure to the existing dwellings on Felton Close. The existing trees to be retained will ensure the character of the area is retained and enhanced.
- 6.3.8 To conclude, it is considered the dwellings, apartments and the replacement parking reflects an acceptable level of design that will tie in with the appearance of the surrounding properties. Consideration has been given to the position of the development and enabling the development to make a positive contribution to the area through the choice of materials and landscaping.

6.4 Amenity

- 6.4.1 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.
- 6.4.2 To the north, east and west of the site are a row of two storey dwellings that are on the same ground level as the site. The dwellings and apartments have been positioned to be to the south of the site and so it is considered that there would be no significant impact in terms of loss of light, overlooking or overbearing for the occupiers of these properties.
- 6.4.3 To the south east of the site lies an end terrace dwelling, 28 Valley Road, with two ground floor side elevation windows. There is a gap between the windows and the 1.8m close board fencing on the boundary and it is considered there would not be an impact on this property in terms of loss of light to the habitable rooms and the garden area.
- 6.4.4 To the south west lies an end terrace dwelling, 30 Valley Road, with no side windows facing the site. It is considered that the proposal would not result in a detrimental impact on loss of light to the habitable rooms and the garden areas of this dwelling.
- 6.4.5 To the south of the site lies a row of terrace dwellings and given the distance between the proposal and these dwellings, over a public highway it is considered that there would not be any impact on the residential amenity of these dwellings.
- 6.4.6 The replacement parking and additional parking within the site has been positioned to be away from the turning head and would not have any impact on the residential amenity of the dwellings within close proximity to them.
- 6.4.7 To conclude, the position of the dwellings, apartments and replacement parking has adequate separation distances, obscurely glazed windows on side elevations to restrict any overlooking and ensures a neighbourly relationship can be achieved and to secure an acceptable level of amenity can be retained for the dwellings around the site. It is also acknowledged the future occupants will have an acceptable level of amenity, with a satisfactory level of internal space and access to natural light and an outlook.

6.6 Parking

- 6.6.1 In relation to assess the highway impacts of the proposal paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.6.2 The proposal seeks to demolish the 8 existing garages and create 18 parking spaces.

- 6.6.3 Concerns were raised in the representations in relation to the car parking survey and that it is out of date. A car parking survey was carried out and acknowledges that the removal of the garages could result in cars currently being parked in the garages, being parked on street on Felton Close instead. The purpose of the car parking survey was to determine the level of existing on street parking and whether there is sufficient capacity to accommodate an increase in parking demand.
- 6.6.4 The car parking survey was carried out over a 24-hour period from 07:00 Tuesday 4 February 2020 till 07:00 Wednesday 5 February 2020. It was determined that there is sufficient capacity on Felton Close to accommodate 26 parked cars, excluding the garages, without blocking dropped kerbs or driveways. The existing arrangement does require vehicles to be parking on grass verges or the turning head at the north of the site. It was noted in the report that parking on the turning head and on the grassed verges is carried out in an unsafe and unmanaged manner in unmarked positions due to the lack of formalised car parking provision on the site. The number of cars parked on Felton Close, excluding garages, was 18 and given the maximum parking capacity of 26 cars this equates to a parking stress of 69% and so therefore there is capacity for a further 8 vehicles to be parked on Felton Close. During the 24-hour period two vehicles were observed using the garages and the new development would result in five additional vehicles. It is considered there is sufficient evidence demonstrate that the parking can accommodate the development and compensate for the loss of garages.
- 6.6.5 As the proposal seeks to create an additional 18 off road parking spaces within Felton Close, it is considered that there will not be a significant impact on highway safety or on street parking and there would be no changes to the pedestrian footpaths around the edges of the site.
- 6.6.6 It is acknowledged there will be construction vehicles associated with the site, however it is considered that there is adequate space on and around the site not to cause a nuisance. Notwithstanding this, a condition requiring the submission of details of a Construction Method Statement would further ensure that the development would keep disruption to a minimum. The details to be agreed prior to commencement of the works.
- 6.6.7 To conclude, it is considered that sufficient parking would be provided to accommodate the pair of semi-detached dwellings, apartments and replacement parking for the existing dwellings. It is considered the parking survey has provided sufficient evidence to demonstrate that the area within the site can support the additional parking following the demolition of the garages and construction of the semi-detached dwellings and apartments, subject to conditions.

6.7 Environmental Health

- 6.7.1 Policy 19 of the Part 2 Local Plan states development of land potentially affected by contamination will not be permitted unless and until a site investigation has been carried out to assess the nature and degree of contamination, using a method of investigation agreed in writing with the Council. Paragraph 184 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rest with the developer and/or landowner.

- 6.7.2 The Councils Environmental Health Officer has stated the proposed development is located on land that may be contaminated due to its historic use as garages, therefore before commencement on site an investigative survey of the site shall be carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.
- 6.7.3 As the proposed development site is close to existing residential developments and therefore occupiers may be adversely impacted by excessive construction noise a condition should be added to any decision notice regarding hours of works. There shall not be any construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday and 08:00-13:00 Saturdays and no time on Sunday or Bank Holidays.
- 6.7.4 As the garages are proposed to be demolished to facilitate the semi-detached dwellings, apartments and parking a construction/demolition method statement shall be submitted to and agreed in writing and adhered to throughout the construction period.
- 6.7.5 The conditions regarding hours of work and relating to the Construction Method Statement would secure the residential amenity and safety of residents and the general public.
- 6.7.6 The Councils Parks and Environment Officer for bins has assessed the application and has not raised any objections subject to the developer purchasing the first time provision of bins. As each property has a secure rear garden, the bins can be safely stored off the public highway, and the bins can easily be collected by the refuse team.

6.8 Ecology

- 6.8.1 Para 180 of the NPPF is also applicable, that states when determining planning applications, Local Planning Authorities should apply the following principle, amongst others, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 6.8.2 Policy 31 of the Local Plan Part 2 states that all development proposals should seek to deliver a net gain in biodiversity and geodiversity and contribute to the Borough ecology network. Permission will not be granted for development which would cause significant harm to site and habitats of nature conservation or geological value, together with species that are protected or under threat.
- 6.8.3 Nottingham Wildlife Trust has assessed the application and fully support the ecology recommendations within ecology survey and is content that this can be secured by a suitable worded condition.

6.8.4 The concerns raised regarding the loss of trees and no replacements will be addressed through the landscaping scheme condition.

6.8.5 The concerns raised within the representation regarding ecology and protecting the environment has been considered and given recommendations within the ecology report it is considered there will not be any impact on the ecology of the site and the surrounding area.

6.9 Arboricultural Issues

6.9.1 The Tree Officer has assessed the application and provided comments on the trees to be removed to facilitate the development and the trees to be retained. They noted T2 has already been felled due to storm damage as it was up rooted by high winds. T1, Norway Maple, showing to be removed, is a reasonable specimen, however, it will be compromised by the development as the root system RPA will extend into the zone of Construction. In respect of T8 Norway Maple, the tree is showing as to be removed as the tree is growing in competition with T9 Norway Maple and as such is exhibiting a one sided growth pattern, no objections to the removal of this tree. The Tree Officer did note several trees will either require crown lift or crown clean along with careful demolition and excavation of the existing hardstanding areas to avoid damage to the root systems.

6.9.2 To conclude the Tree Officer would have no objection to the removal of the three trees in order to facilitate the proposal. The concerns raised regarding the loss of trees and no replacements will be addressed through the landscaping scheme condition.

6.10 Other issues

6.10.1 Concerns have been raised regarding the environmental impact of the proposal. The proposal seeks to minimise the carbon footprint of the dwellings and apartments and has incorporated solar panels to each dwelling and given the high standard of modern technology the dwellings this will reduce their carbon footprint.

6.10.2 The comments raised about building over a sewer are matters that would be dealt with under Building Regulations.

7 Planning Balance

7.1 The benefits of the proposal are that it would provide two family homes and two x one bedroom apartments within an existing urban area and would support short term benefits such as jobs during the demolition and construction of the proposed dwellings and creation of the off road parking spaces and would be in accordance with policies contained within the development plan. There would not be any significant impact on the amenity of neighbours.

8 Conclusion

8.1 To conclude, it is considered the proposed dwellings and apartments are an acceptable size, scale and layout that there will not be an adverse effect on neighbour amenity and it will provide and acceptable standard of amenity for future

occupants of the dwellings. The level of replacement parking is acceptable to meet the requirements of the existing and proposed dwellings and the scheme is considered to be acceptable and should be approved.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following reasons.</p>	
<p>1.</p>	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</p>
<p>2.</p>	<p>The development hereby permitted shall be carried out in accordance with drawings proposed block plan 2766 (08) C02 Rev D received 12 May 2022, proposed elevations and floor plans for the apartments 2766 (08) C04 Rev B, proposed elevations and floor plans for the semi-detached dwellings 2766 (08) C03 Rev B, Ecology survey and pre development arboricultural report received 4 March 2022 and Solar panel details received 21 April 2022. Ecology survey and pre development arboricultural report received 4 March 2022.</p> <p>Reason: For the avoidance of doubt.</p>
<p>3.</p>	<p>(a) No development shall commence until a site investigation scheme has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The scheme must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The scheme shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>(b) No building to be erected pursuant to this permission shall be occupied or brought into use until:</p> <p>i. All the necessary remedial measures for the building have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii. It has been certified to the satisfaction of the Local Planning Authority, through the submission of a verification report that</p>

	<p>the necessary remedial measures for the building have been implemented in full.</p> <p>The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development</p> <p>Reason: commencing to ensure the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of Broxtowe Aligned Core Strategy (2014).</p>
4.	<p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p>Reason: and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
5.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a. numbers, types, sizes and positions of proposed trees and shrubs; b. details of boundary treatments; c. planting, seeding/turfing of other soft landscape areas and d. timetable for implementation. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p>Reason: No such details were submitted with the application, to ensure the development presents a satisfactory standard of external appearance to the area, to ensure a sufficient standard of neighbour amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</p>
6.	<p>The first floor window in the east elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning</p>

	<p>Authority) and retained in this form for the lifetime of the development.</p> <p>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>7.</p>	<p>No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays.</p> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>8.</p>	<p>No development within the full planning permission phase hereby approved shall take place until a Construction/Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) Parking provision for site operatives and visitors; c) The loading and unloading of plant and materials; d) The storage of plant and materials used in construction/demolition of the development; e) A scheme for the recycling/disposal of waste resulting from construction/demolition works; f) Details of dust and noise suppression to be used during the construction phase and; g) A report identifying any asbestos and documenting its safe removal <p>The approved statement shall be adhered to throughout the construction period.</p> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
<p>9.</p>	<p>No part of the development hereby permitted shall be brought into use until the parking bays/ areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2766(08) B01 Rev B. The parking bays/ areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.</p>

	<p>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
10.	<p>Occupation of the herby approved dwellings shall not take place until the site access has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p>Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
11.	<p>The parking bays shall not be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.</p> <p>Reason: In the interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
12.	<p>The demolition of the garages and construction of the dwellings and apartments, shall be carried out in accordance with the mitigation measures as detailed in sections 5.17, 5.18 and 5.21 of the Ecological Assessment dated 29.06.21 unless otherwise approved in writing by the Local Planning Authority.</p> <p>To ensure that any protected species which may be present on site are not adversely affected, in accordance with the NPPF (2019) section 15, Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Aligned Core Strategy (2014).</p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore</p>

	<p>ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority</p>
3.	<p>As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.</p>
4.	<p>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.</p>
5.	<p>Developer to purchase the first time provision of bins. Notice served in due course.</p> <p>2. Each property would be allocated the following:</p> <ul style="list-style-type: none"> 1 x 240 litre bin for residual waste 1 x 240 litre bin for recycling waste 1 x 37 litre bag for glass <p>3. Bins need to be presented at the edge of adopted highway for emptying.</p> <p>4. The size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm (d)</p>
6.	<p>The development makes it necessary to construct and reinstate vehicular crossings over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at:</p> <p>http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p>

22/0021/REG3 - Felton Close



5/18/2022, 7:41:12 AM

-  Tram Route
-  Site

Site location plan



Photographs



Site notice



Garages to be demolished



Looking east in the site



Looking north in the site



Looking east within the site



Dwelling to the east No.28



Dwelling looking west No 30

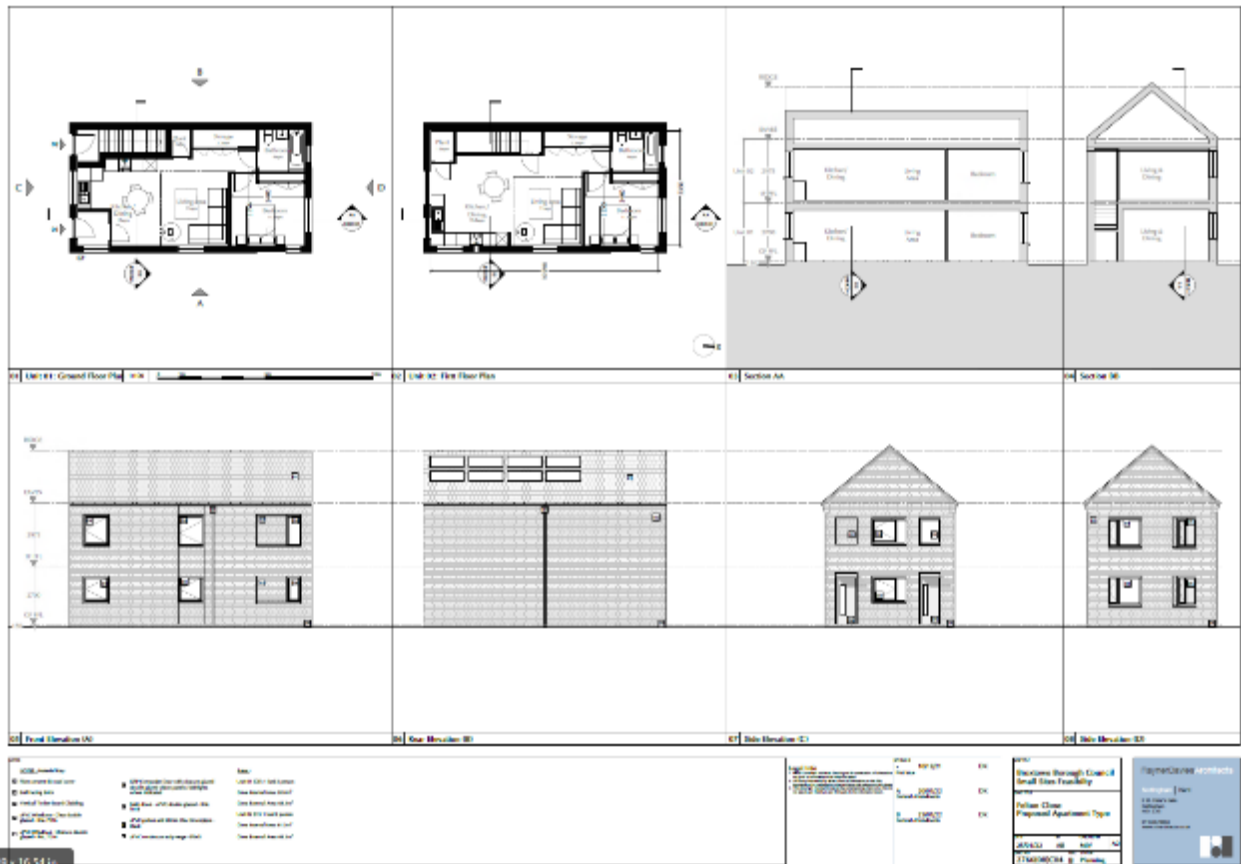
Plans (not to scale)



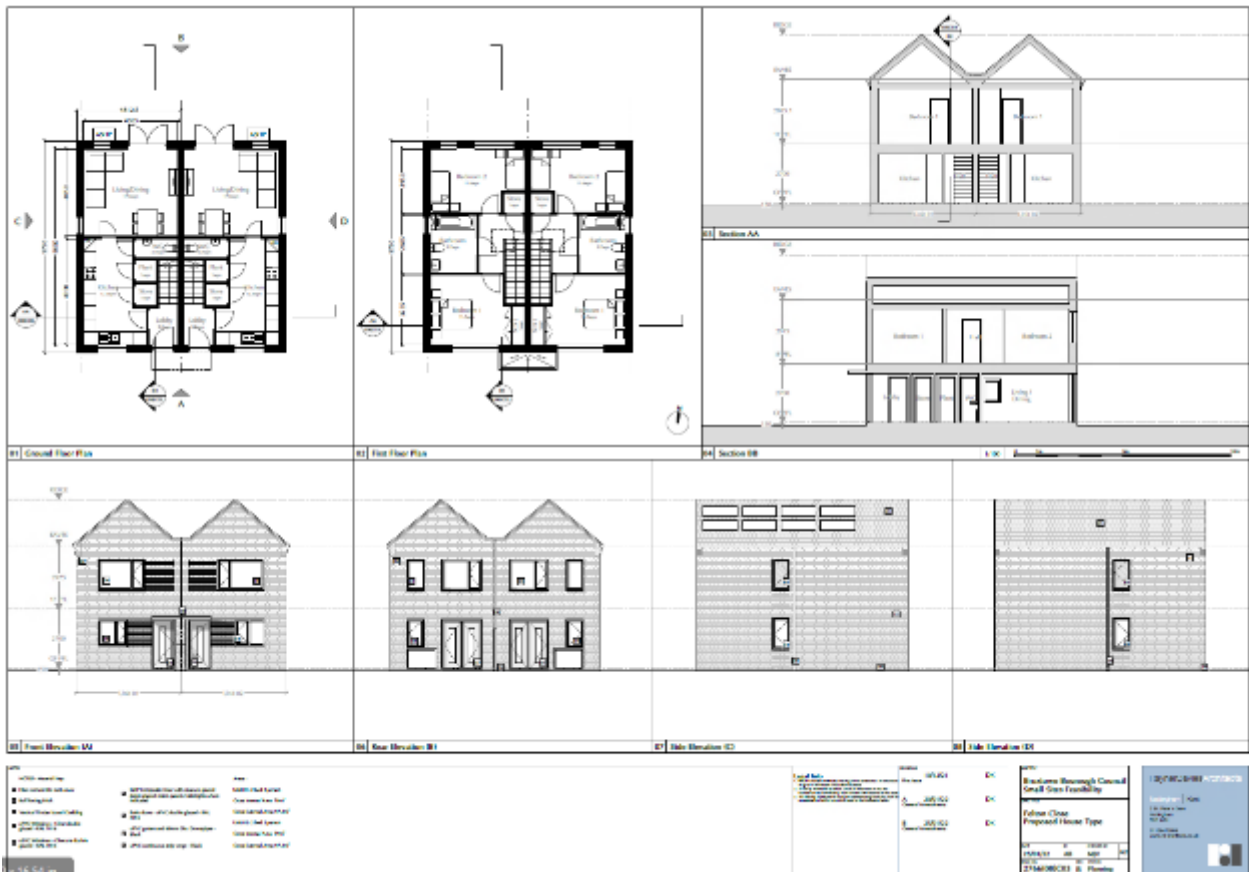
Submitted site location plan



Amended block plan Rev D



Proposed elevations and floor plans of apartments



Proposed elevations and floor plans of semi detached dwellings

Report of the Chief Executive

APPLICATION NUMBER:	20/00101/FUL
LOCATION:	42 - 48 Henry Road, Beeston, Nottinghamshire, NG9 2BE
PROPOSAL:	Convert existing ground floor garages and alterations to 2 no. first floor apartments to create 2 no. (4 bedroomed) C4 Apartments

1. Purpose of Report

Councillor P Lally has requested that the application is determined by the Planning Committee, due to concerns raised regarding loss of parking spaces.

2. Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

- 3.1. This application seeks planning permission to convert existing ground floor garages and alterations to two first floor apartments to create two (four bedroomed) Class C4 apartments.
- 3.2. The building is a 3-storey detached apartment block, housing four x two bed apartments to the first and second floor, with six garages to the ground floor. The roof is a side facing gable, with the second floor situated partially within the roof slope. The site is adjacent to a neighbouring apartment block of three storeys, having accommodation to all three floors (no integral garages). Within the site there is landscaping and a parking area which is shared with the neighbouring apartment block. To the rear (north) of the site there is a low rise industrial building accessed off Henry Road. The street is mainly characterised by housing of two-storey semi-detached and terraced dwellings with off street parking. There are similar sized apartment blocks to the north east, on Rushes Close.
- 3.3. It is considered that the main issues relate to whether the principle of the enlargement of the existing apartments is acceptable; whether there is adequate amenity for the future occupiers; whether there would be an acceptable impact on neighbour amenity; and whether there would be an acceptable impact on highway safety.
- 3.4. The benefits of the proposal are that it would contribute to the provision of a mixture of housing options and sizes within the Beeston area, would be in accordance with policies contained within the development plan and would have no significant impact on neighbour amenity or on highway safety. There are no significant negative impacts.

4. Data Protection Compliance Implications

4.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

5. Background Papers

5.1 There were no background papers.

APPENDIX

1 Details of the Application

- 1.1 The proposal is to convert the existing ground floor garages and alter the layout of the two first floor apartments to create two x 4 bedroomed) Class C4 apartments. This would result in the loss of the six existing garages. Access to the newly formed apartments would be to the front elevation, providing separate accesses to each. The second floor flats would be retained as existing, that is, as two x 2 bedroom apartments, and access would remain as per the existing arrangements.
- 1.2 The two apartments would be a mirror of each, with a front entrance and glazing replacing the garage doors, and new windows to the rear elevation at ground floor. The ground floor layout would provide a hall, leading to a lounge one side and a kitchen/ dining area to the other side, with two shower rooms. Stairs leading to the first floor where four bedrooms would be provided.

2 Site and Surroundings

- 2.1 The building is a 3 storey detached apartment block, it has a gable roof with two front glazed gable ends and a centrally located entrance with communal area and stairs leading to the upper floors. The building is formed of brown bricks, with the third floor and inset entrance having contrasting sandy bricks. There is a purple brick course above the garages and dark plain tiles on the roof. The site is located at the end of a cul-de-sac, with the access road and parking area being private. Accessing the site there is an open drive and either side there are low boundary walls and landscaping including 3 trees. There are no parking restrictions on Henry Road, with car parking possible along both sides of Henry Road. Properties along Henry Road are generally two-storey semi-detached and terraced houses, with many properties having off-road parking to the front. Within the same site is a neighbouring three storey block and to the rear of Henry Road, on Rushes Close, there are more three storey apartment blocks. Behind the site is a single storey industrial building currently occupied by Central Design Ceramics which is connected to a further single storey commercial building (Amores) which faces Station Road. The industrial unit is accessed at the end of Henry Road. The site currently has 8 surface parking spaces serving the two blocks, in addition to the 6 garages (the latter proposed to be removed as part of the application). The south east boundary has a 2.4m high brick wall, which forms the boundary to no. 34. This property has one first floor obscurely glazed window in the side elevation facing the site. Both the neighbouring block, in the wider site, and apartment blocks on Rushes Close have living accommodation to the ground floor. The neighbouring block has an open frontage and lawn.
- 2.2 The site is located in flood zones 2 and 3 and is also within the East Beeston Article 4 Area.

3 Relevant Planning History

- 3.1 Planning permission was granted for the two apartment blocks under reference 89/00218/FUL, with the description, '*construct 7 flats in two blocks with car parking*'. This included condition 2 '*the garages shall be used for the accommodation of private vehicles only and no trade or business shall be carried out therefrom*' and

condition 5 *'the garages, parking spaces and courtyard shown on the approved plans shall be provided before the buildings are occupied and shall thereafter be kept available for the parking and turning of vehicles at all times'*.

3.2 In relation to condition 2 (above), the condition does not restrict the conversion to a habitable space in its wording (which is used in a similar condition throughout that period in housing areas like Chilwell and Toton), and was likely put in place to protect the amenity of residents within the development and neighbouring residents in an area that has been transforming from light industrial to residential over the proceeding period. Therefore, the proposed conversion to provide internal amenity space on the ground floor as part of a HMO retains the residential nature of the building and site, and protects the development from a trade or business use.

3.3 In relation to condition 5 (above), as part of the proposal, parking and turning would continue to be available with the parking spaces and courtyard retained and it is considered that parking amenity will be adequately provided within this retained provision as covered in the access section below. Comments from Nottinghamshire County Council Highway Authority are expected and will be reported at committee.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

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

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, design and amenity

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

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

4.4 **Beeston Article 4 Direction** – which revoked Permitted Development change of use from a C3 to a small HMO (Class C4). The Houses in Multiple Occupation (HMOs) SPD is at draft stage and therefore carries limited weight.

5 Consultation

- 5.1 **Council's Private Sector Housing Officer** – no objections on the proposal, the two HMO's look to have adequate sized rooms. In relation to the existing second floor flats, bedroom two is too small to be suitable for an adult let, if one person or a couple renting these flats this would be fine as could be used as a store or study (it should be noted that the layout of the second floor is not changing as part of this proposal).
- 5.2 **Council's Waste and Recycling Officer** - advisory comments regarding provision of bins.
- 5.3 **Council's Environmental Health Officer** – no objections, subject to notes to applicant in relation to contractors limiting noisy works to certain times and burning of commercial waste.
- 5.4 **Environment Agency** – To meet the National Planning Policy Framework requirements in relation to flood risk, require the development to include a condition in relation to flooding mitigation, and include flood information as a note to applicant.
- 5.5 **Nottinghamshire County Council Highways** – Waiting comments, which will be reported at committee.
- 5.6 Six neighbours were consulted on this application and a site notice posted, with 2 responses received both objecting to the proposal. The reasons for objections can be summarised as follows:
- Proliferation of HMO's in the immediate area.
 - Increase in parking and traffic generation.
 - Non-compliance with national and local policy in respect of HMO in residential area.
 - Large rise in cost of rent compared to rent of family homes.
 - Noise generated by the construction / works.
 - Lack of communication from the landlord / developer regarding proposals.
 - Lost council tax revenue, should the properties be occupied by students.

6 Assessment

- 6.1 The main issues for consideration are
- 6.2 P2LP (2019): Policy A: Presumption in favour of sustainable Development - the Council will work proactively with applicants to secure sustainable development. Policy 1 states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and in the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent quality; and adequate mitigation measures are included. Policy 15 states that proposals should provide an appropriate mix of house size, type, tenure and density to ensure that the needs of the residents of all parts of the borough are met. Policy 17

requires new development to integrate into its surroundings and requires new development to provide a satisfactory degree of amenity for the occupiers of both the proposed and existing properties.

ACS (2014): Policy 1 Climate Change states that all development proposals will be expected to mitigate against and adapt to climate change, to comply with national and contribute to local targets on reducing carbon emissions and energy use unless it can be demonstrated that compliance with the policy is not viable or feasible. Policy 8 states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes, and will be informed by various factors including the need to redress the housing mix within areas of concentration of student households and Houses in Multiple Occupation. Policy 10 requires all new development to make a positive contribution to the public realm and sense of space, and to reinforce local characteristics, and that development will be assessed on a range of elements including the structure, texture and grain, including orientation and positioning of buildings and requires new development to provide a satisfactory degree of amenity for the occupiers of both the proposed and existing properties.

Article 4 revokes a change of use from C3 dwellinghouse to C4 small HMO within the East Beeston area.

The site is within an established residential area and as such the principle of a residential use is considered to be acceptable, subject to consideration of design, residential amenity (both for the occupiers and neighbours) and parking. The proposal seeks to provide two further bedrooms within two separate properties, with both dwellings becoming Class C4 use. The properties would be suitable for occupation by a range of tenancies and the existing apartments have a second bedroom which has been noted by Private Sector housing as being too small for current standards, and therefore it is unlikely to be attractive to a family, as such the enlargement and use as a C4 would be acceptable as it would not result in the loss of a quality C3 use. The proposal would therefore accord with the aims of Policy 8 of the Aligned Core Strategy, and Policy 15 of the Part 2 Local Plan.

6.3 House in Multiple Occupation

- 6.3.1 This development would result in an increase in shared accommodation within Beeston. As the site is in close proximity to Nottingham University, it is considered that providing more purpose built student accommodation within Beeston would reduce the demand on more traditional housing within Henry Road and the wider area covered by the Article 4 Direction being converted to HMO Class C4 accommodation.
- 6.3.2 The SPD aims to ensure that the demand for HMO accommodation can be met across the Article 4 Area in a way that does not lead to adverse impacts on the character of the area through a saturation of a single type of home, though this is currently at draft level and therefore carries limited weight. The data available shows there are no known HMO's on Henry Road, or to Rushes Close (to the rear), though there are clusters nearby on Station Road and Queens Road East though as the site is at the end of a cul-de-sac these properties do not readily neighbour the site. Private Sector Housing have commented that the two HMO's would

provide adequate room sizes. In relation to sound reduction, the building is already built, but the conversion would be covered by Building Regulations which would ensure adequate soundproofing between the floors and to the windows. Safe and convenient access is as existing, whilst cycle storage could be provided within the existing block. As a purpose built site, bin storage and waste would be provided for as per the existing arrangement.

6.3.3 As a purpose built block it is considered that the proposal lends itself well to conversion and use as a HMO, would provide suitable living accommodation and whilst limited, help reduce demand for conversion of neighbouring properties to HMO's and therefore accord with Policy 8 by protecting family homes. Due to the proposal being away from other known HMO's it is considered that no cluster would be added to nor would the proposal result in a proliferation of HMOs in the immediate surroundings. Therefore, the HMO element of the proposal is considered acceptable.

6.4 Design

6.4.1 In terms of mass and scale, it is considered that the change of use does not represent a disproportionate addition as the building would not be extended beyond its existing footprint and would provide an increase in accommodation, without an increase in built form.

6.4.2 The design is considered acceptable as the additional fenestration to the front and rear elevations would reflect the existing design of the building.

6.4.3 The physical alterations would be limited to the replacement of garages doors with windows and doors of the same size, and the insertion of windows replacing brick on the rear elevation. The use of these materials is considered acceptable and would not require a condition to secure details of materials.

6.4.4 On the street, the view of the block would be of windows and doors instead of garages doors, therefore it is considered to have no significant impact on the street scene.

6.4.5 Overall it is considered that the proposal would have no significant impact in terms of design.

6.5 Amenity

6.5.1 As the proposal is for a change of use, with conversion of garages to a habitable space, it is considered that it would have no significant impact on neighbouring properties in terms of loss of light, outlook or privacy as there would be no increase to the built form, and additional fenestration would be limited to the ground floor facing the car park and to the rear, an industrial building. It is considered that the proposal would provide an increase in natural surveillance, which would be a positive impact on security and the feeling of safety at the end of this cul-de-sac.

6.5.2 As the flats would be retained on the second floor, with the addition of two bedrooms below there may be some additional impact but this would be offset by

communal facilities moving to the ground floor, therefore the change would be considered neutral.

- 6.5.3 In terms of amenity for the future occupiers, the proposal would provide suitable bedroom sizes to the first floor and communal facilities to the ground floor, with suitable levels of light and outlook. Therefore, it is considered that the proposal would provide an acceptable level of amenity for future occupiers.

6.6 Access

- 6.6.1 Beeston town centre, the university and railway station are within walking distance of the proposal. The site is well served by tram and bus services, therefore whilst there would be the loss of six garage spaces, more sustainable modes of transport would be available, reducing the need for reliance on the private car, and within the site 8 parking spaces will be retained which is considered to be an acceptable level of parking to serve the two apartment blocks. Therefore, as the proposal is for 4 additional bedrooms overall, which would be similar to a proposal for a new dwelling or other likely extensions along Henry Road, it is considered that there would be no significant impact to current parking provision and that adequate private parking is provided within the site.

- 6.6.2 In relation to assessing the highway impacts of a proposal, paragraph 111 of the NPPF states that development should only be refused highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.6.3 The site lies within an existing urban location within a reasonable proximity to Beeston Town Centre. Whilst it is acknowledged there could be some increase in on-street parking as a result of this development, it is considered this would not pose a highway safety risk. Car parking spaces have been provided to serve the two apartment blocks. Therefore, it is considered that the parking arrangement is acceptable for this site and would not warrant refusal.

6.7 Flood Risk

- 6.7.1. The site is located within Flood Zone 2 and 3. A dwelling house within this flood zone allocation would be classified as more vulnerable and is considered to be an appropriate form of development in these flood zones. There are no bedrooms proposed on the ground floor level of accommodation, which would be considered a risk to life should flooding occur when occupants are asleep, and the first floor provides access to a safe space whilst occupants await rescue or for any flooding to subside. Information should be provided to the developers / occupants on surface water management, access and evacuation and floor levels. The site is for a change of use and therefore does not require a sequential test. A Flood Risk Assessment has been submitted which assesses surface water management around the site (with no surface water shown on the site), the upper floors would act as a safe refuge from flooding with all sleeping accommodation remaining on the upper floors of the building.

- 6.7.2. In terms of flood mitigation methods, the supporting documentation concludes that ground floor level will be 27.20 AOD, with water resistant ground floor doors to

27.80m AOD. Making the development flood resilience to 27.80m AOD, with no ground floor sleeping, a safe refuge and a flood emergency plan. The Environment Agency have stated to meet the National Planning Policy Framework requirements in relation to flood risk, it is required that the development complies with a recommended condition in relation to flooding mitigation, and include flood information as a note to applicant within any decision. To conclude, it is considered that the issues of flood risk have been appropriately addressed.

6.8 Other Matters

- 6.8.1 Economic benefit, lack of need - financial gain is not a material planning consideration, but there is a need for a variety of housing in the Beeston area including HMO's.
- 6.8.2 Lack of notification / communication from the developers. There is no validation requirement for the developers to submit a statement of community involvement for this scale of development. The Local Planning Authority have complied with the statutory requirements in respect of neighbour notifications.
- 6.8.3 Lost council tax revenue – financial receipts are not a material planning consideration.

7 Planning Balance

7.1 The benefits of the proposal are that it would contribute to the provision of a mixture of housing options and sizes within the Beeston area and would reduce the demand on traditional housing (albeit at a small level), would be in accordance with policies contained within the development plan, are acceptable in terms of flood risk and have no significant impact on neighbour amenity or on highway safety. There are no significant negative impacts, and therefore the scheme is considered acceptable.

8 Conclusion

8.1 Overall, it is considered that the proposal is acceptable and that 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.	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 and drawing numbers 003

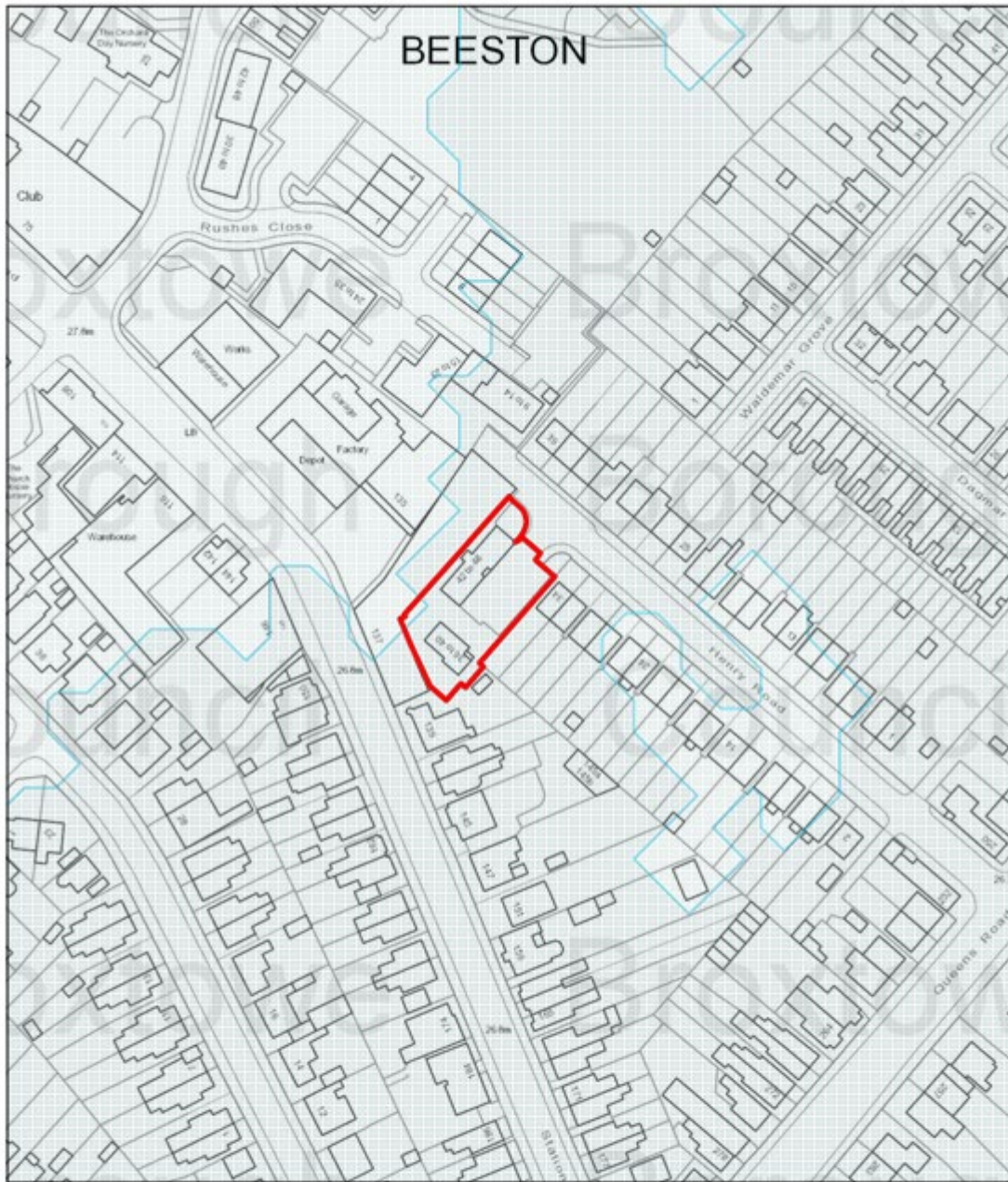
	<p>Rev C and 004 Rev D by the Local Planning Authority on 11 March 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (ref. RLC/0937/FRA01, issued on 4/2/22) and the following mitigation measures it details:</p> <ul style="list-style-type: none"> • Finished floor levels shall be set no lower than 27.20m above Ordnance Datum • No sleeping accommodation to be provided on the ground floor • Flood resistance measures shall be implemented so that the development is resistant up to a height of 27.80mAOD (i.e., flood doors, backwater and non-return valves, and raised electrical fittings) <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding to the proposed development and future occupants and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Aligned Core Strategy (2014).</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>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.</p>
3.	<p>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.</p>

<p>4.</p>	<ul style="list-style-type: none"> • Developer to purchase the first time provision of bins. Notice served in due course. • It is assumed the site already has existing waste collection provision on site for the existing flats so these comments relate to the additional capacity needed • Each new apartment studio would be allocated the following (not single person): <ul style="list-style-type: none"> 1 x 240 litre bin for residual waste 1 x 240 litre bin for recycling waste 1 x 37 litre bag for glass • The size of a 240 litre bin is 1074mm (h) x 580mm (w) x 734mm (d) • It is assumed that the bins would be stored on site • Bins would need to be put out for collection at the edge of the adopted highway for emptying (Henry Road) • Crews will not enter the site to collect and return bins to the storage point <p>For more information please email recycling@broxtowe.gov.uk</p>
<p>5.</p>	<p>The Environment Agency strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in: Government guidance on flood resilient construction https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings</p> <p>CIRIA Code of Practice for property flood resilience https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience_.aspx</p> <p>British Standard 85500 – Flood resistant and resilient construction https://shop.bsigroup.com/ProductDetail/?pid=00000000030299686</p>
<p>6.</p>	<p>–The Environment Agency advise: The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit https://www.gov.uk/sign-up-for-flood-warnings. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also</p>

	<p>save lives and enable the emergency services to prepare and help communities.</p> <p>For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding.</p> <p>To get help during a flood, visit https://www.gov.uk/help-during-flood.</p> <p>For advice on what do after a flood, visit https://www.gov.uk/after-flood.</p>
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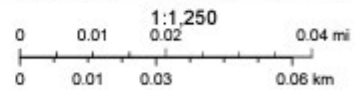
Site Map

42-48 Henry Rd, Beeston



5/11/2022, 4:18:05 PM

-  Flood Zone 2
-  Flood Zone 3
-  Site



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Photographs



Access from Queens Road to Henry Street (facing north east), looking toward site at the end of cul-de-sac.



Site access off Henry Road.



Front south east elevation.



Access to site off Henry Road.



Car parking area and view back towards Henry Road.



South east boundary to 34 Henry Road.



Neighbouring block to south west.



View from neighbouring block.



Rear north west elevation and boundary with industrial unit.



Rear north west elevation and boundary with industrial unit.



Block to rear of Henry Road, on Rushes Close.



Henry Road, view from site access facing south east.

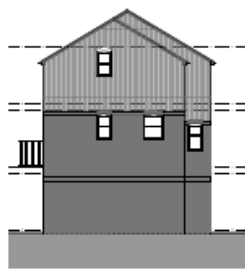
Plans (not to scale)



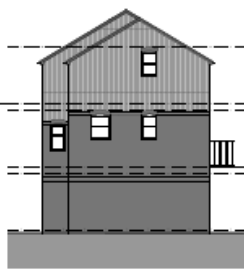
Existing Front Elevation



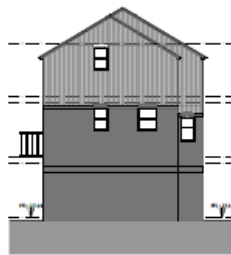
Proposed Front Elevation



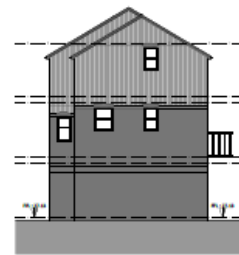
Existing Side Elevation



Existing Side Elevation



Proposed Side Elevation



Proposed Side Elevation

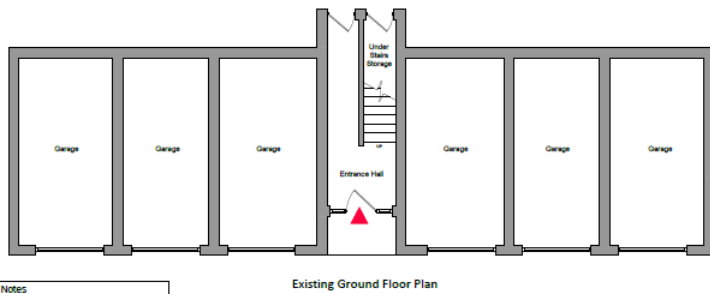
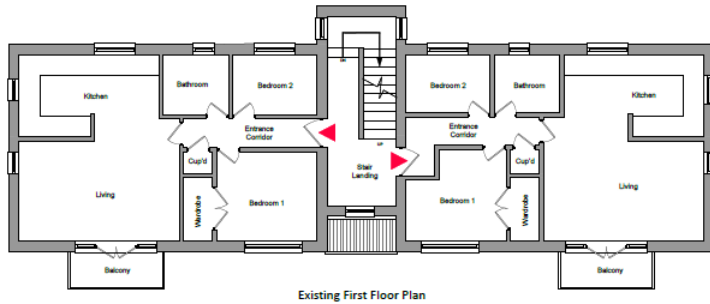
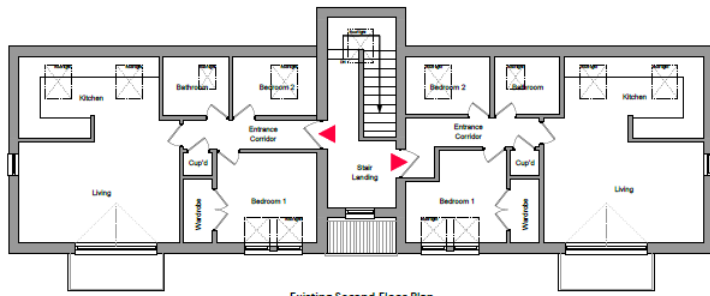


Existing Rear Elevation



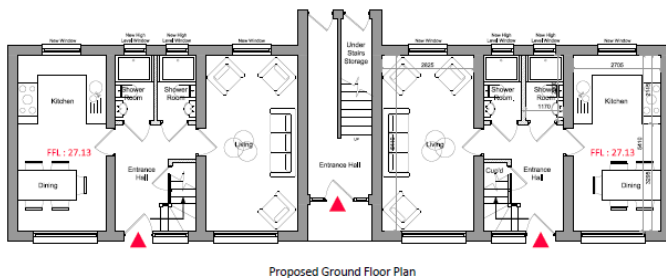
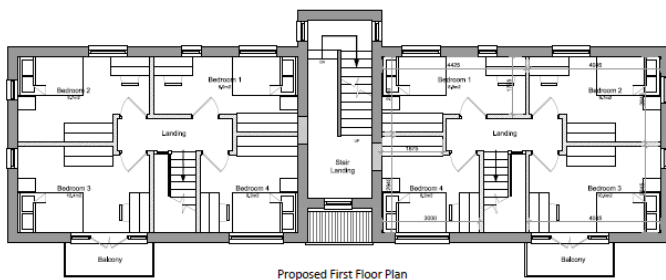
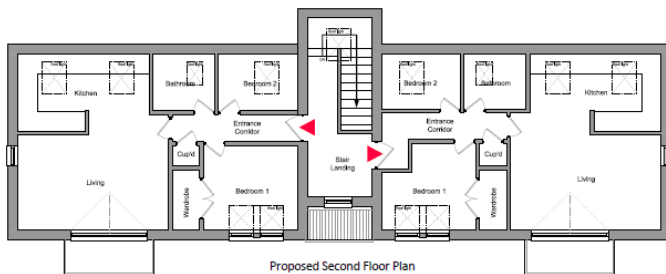
Proposed Rear Elevation

Existing and Proposed Elevations



Notes

Existing & Proposed Floor Plans





Proposed Site Location Plan 1:1250



Site and Block Plans

Report of the Chief Executive

APPLICATION NUMBER:	22/00030/FUL
LOCATION:	Lockup Garages, Chetwynd Road, Toton, Nottinghamshire
PROPOSAL:	Construct two detached dwellings

1. Purpose of Report

The application is brought to the Committee at the request of Councillor R I Jackson.

2. Recommendation

The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

3.1. The application seeks full planning permission to construct two dormer bungalows on land to the rear of 12 Chetwynd Road. The existing garages and outbuildings on site will be demolished.

3.2. The main issues relate to whether the principle of two dormer bungalows would be acceptable, whether the design is acceptable; whether there would be an unacceptable impact on neighbour amenity, whether the proposal would have an unacceptable impact on highway safety and flood risk.

3.3. The benefits of the proposal would mean two additional homes within a sustainable, urban location which would be in accordance with policies contained within the development plan which is given significant weight. The proposal would contribute to the local economy by providing jobs during the construction process. The development would be in accordance with the policies contained within the development plan. This is given significant weight.

4. Data Protection Compliance Implications

4.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

5. Background Papers

5.1 There were no background papers.

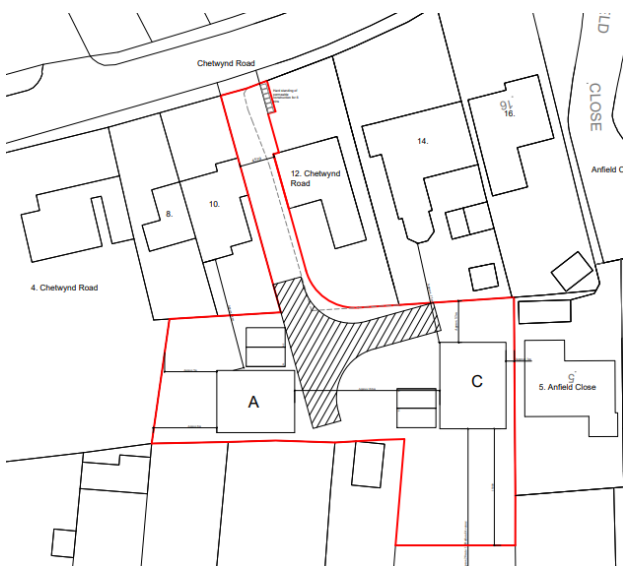
APPENDIX

1 Details of the Application

- 1.1 The application seeks full planning permission to construct two dormer bungalows on land to the rear of 12 Chetwynd Road. The existing garages and outbuildings on site will be demolished.
- 1.2 The access to the new dormer bungalows will be taken from Chetwynd Road and will be widened. A bin store with space for six bins will be positioned next to the entrance.
- 1.3 It is important to note that outline planning consent including access and layout was granted for 2 dormer bungalows at planning committee 9th September 2020 (20/00283/OUT). This application mirrors the approved access and layout. As a result, it is considered that the principle of 2 dormer bungalows has already been established.
- 1.4 During the course of the application the following amendments have been made:
 - Access widened and bin store area provided.
 - Detached single garage reduced in height.
 - Removal of 1 window at first floor level in the south side elevation of plot 1.
 - Finished floor levels including existing land levels of neighbouring plots have been provided.

Approved layout and access (20/00283/OUT):

Proposed layout:



f

2 Site and surroundings

- 2.1 The site includes land off Chetwynd Road, set back from the highway at the end of a private drive. The site contains two rows of brick built garages with flat roofs. Two outbuildings are also within the site. The site is a mixture of grass, vegetation, trees and hardstanding. It is enclosed by hedges and fencing. The site is located in Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding.
- 2.2 The site lies within a predominantly residential area. There are a mixture of houses and bungalows that adjoin the site from Rutland Avenue and Chetwynd Road. Nos. 12 and 14 Chetwynd Road are bungalows with single storey rear extensions and nos. 8 and 10 Chetwynd Road are a pair of semi-detached houses. No. 5 Anfield Close is a bungalow positioned to the east of the site. No. 13 Rutland Avenue is a bungalow positioned to the south of the site. No. 9 Rutland Avenue is a bungalow and nos. 7 and 11 are houses and they are all positioned to the south of the site.

3 Relevant Planning History

- 3.1 In 2020, outline planning consent including access and layout was approved for 2 dormer bungalows at planning committee (20/00283/OUT). It is important to note that this application, also for 2 dormer bungalows, mirrors the access and layout previously approved.

4 Relevant Policies and Guidance

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

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

- Policy 1: Climate Change
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

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

- Policy 1: Flood Risk
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity

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

- Part 2 – Achieving sustainable development
- Part - 4 Decision-making
- Part 5 – Delivering a sufficient supply of homes
- Part - 11 Making effective use of land
- Part 12 – Achieving well-designed places
- Part 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

- 5.1 **NCC Highways:** no objections (no material changes from the former submission).
- 5.2 **Council's Environmental Health Officer:** no objections subject to conditioning contamination and construction noise.
- 5.3 **Resident comments:** A site notice was posted and neighbouring properties were consulted. 8 objections were received. Comments received can be summarised as follows:

Visual Amenity

- Design of proposed dormer bungalows is unacceptable (too big/materials)

Residential Amenity

- Siting/size of garage will result in an overbearing/overshadowing impact on neighbouring properties.
- Siting/size of proposed dwellings will result in an overbearing/overshadowing/loss of privacy impact on neighbouring properties.
- Proposed access will result in noise/disturbance from comings and goings
- Difference in land levels between site and surrounding gardens will impact privacy and amenity of neighbouring properties
- Sense of enclosure
- Loss of view
- Limited details of boundary treatment

Highway Safety

- Proposal will increase traffic
- Construction vehicles will create congestion and reduce on street car parking availability
- Limited details of bin store

Other Matters

- Proposed development will disrupt existing sewer systems
- Removal of asbestos will be dangerous
- Red line plan is accurate in relation to surrounding plots
- Flooding and surface water drainage issues in this location
- Ecological impact (loss of existing wildlife)
- Potential damage to neighbouring trees

6 Assessment

- 6.1 The main issues relate to whether the principle of two dormer bungalows would be acceptable, whether the design is acceptable; whether there would be an unacceptable impact on neighbour amenity, whether the proposal would have an unacceptable impact on highway safety and flood risk.

6.2 Principle

- 6.2.1 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt. There is also a significant need to boost housing supply which sites such as this can help deliver. The provision of two bungalows is considered to be a benefit in terms of contributing to the provision of homes in the borough.
- 6.2.2 It is considered that the proposal will be limited in any impact on the character and appearance of the area and will have no significant impact on neighbour amenity or highway safety. Further to this, outline planning consent including access and layout was granted for 2 dormer bungalows in this location (20/00283/OUT). This application mirrors the approved access and layout. As a result, it is considered that the principle of 2 dormer bungalows has already been established.

6.3 Flood Risk

- 6.3.1 Policy 1 of the Part 2 Local Plan (2019) states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt. Whilst the sequential test must still be applied, the minimisation of development in the Green Belt in Broxtowe will be treated as a 'sustainability benefit' and the Green Belt will be treated as a major constraint with regard to whether other sites are 'reasonably available'.
- 6.3.2 The site is located within Flood Zone 2 which is land with a medium probability (between 1 in 100 and 1 in 1000) of river flooding. A Flood Risk Assessment (FRA) has been submitted with the application. The Environment Agency were consulted on this application and did not provide comments due to the site being located within Flood Zone 2 and being subject to standing advice.
- 6.3.3 The Sequential Test, as set out in planning practice guidance, aims to steer development to areas with lowest risk of flooding. Since the site is located within Flood Zone 2, the site is considered to be sequentially appropriate for more vulnerable development following the guidance in Table 3 of planning practice guidance (paragraph 67 Ref. 7-067-20140306).
- 6.3.4 It is important to note that outline planning consent has been granted for 2 dwellings in this location subject to conditioning the finished floor levels shall be set no lower than 29.63m AOD. The FRA submitted in support of this application also recommends that finished floor levels for the development and safe access and egress will be set 300mm above the modelled 100 year + climate change flood level, in line with the current permission (20/00283/FUL).
- 6.3.5 From reviewing the FRA, it is considered that flood risk issues have been satisfactorily addressed. The FRA has addressed the probability of flooding, climate change, emergency access and egress, proposed floor levels, flood resilient construction and surface water drainage.

6.4 Visual Amenity

- 6.4.1 Concerns have been raised by neighbouring properties in respect of the siting, size and scale of the proposed development.
- 6.4.2 The site is located at the end of a private drive set back from Chetwynd Road. Views of the proposed dormer bungalows from Chetwynd Road will be lessened due to the siting of the proposed development set back from the highway. Plot 1 and plot 2 have been positioned to match the approved layout under outline consent 20/00283/OUT. Furthermore, the submitted layout maintains a spacious appearance which is consistent with a number of neighbouring properties.
- 6.4.3 Size and architecture of residential properties in this location vary including two storey properties and bungalows. In terms of the design, the dwellings are considered to be contemporary in appearance featuring a dual pitched roof including front and rear dormer windows. The proposed dormer windows are considered not disproportionate in size. Plot 1 is the smaller dwelling featuring a gable in the front elevation including glazing and cladding. Plot 2 is the larger dwelling including single storey aspects projecting from both side elevations and a smaller gable in the front elevation. A condition has been added requiring details of the proposed materials to be submitted to the Local Planning Authority.
- 6.4.4 The proposed design of the detached garage serving plot 1 includes a dual pitched roof. Plot 2 includes an integrated garage. In light of the above, it is considered that the siting and design of the proposed dwellings is appropriate and the proposal will not appear significantly at odds with the existing surrounding development. Landscaping and boundary treatment details have been conditioned to ensure the proposal integrates with the surrounding garden plots.
- 6.4.5 As such, it is considered that the siting, size, scale and design of the proposed dwellings in the location would not represent a significant impact on the appearance of the visual amenity of the area.

6.5 Residential Amenity

- 6.5.1 A number of concerns have been raised in respect of potential overlooking, overbearing and overshadowing impacts resulting from the proposed development.
- 6.5.2 The proposed dwellings in terms of internal floor space and outside amenity space to the rear of each property exceeds the minimum national requirements. There are no concerns regarding the proposal being an overdevelopment of the plot and the proposed dwelling will provide adequate living conditions for any future occupiers of the dwellings.
- 6.5.3 Specifically concerns relate to the overbearing impact resulting from the size and siting of the proposed detached garage serving plot 1. As a result, the ridgeline height of the proposed detached garage has been amended and reduced in height from approximately 4.48m to 4m. The detached garage would be set approximately 0.4m from the rear boundary of 8 Chetwynd Road, 0.7m from the rear boundary of 10 Chetwynd Road and 1.2m from the rear boundary of 76 High Road. As such, it

is considered that the siting and size would not result in a significant overbearing impact.

- 6.5.4 Concerns have been raised with regards to the siting, size and scale of both plot 1 and plot 2 resulting in a potential overlooking, overbearing and overshadowing impact on surrounding properties. It is important to note that the proposed layout matches the approved layout for 2 dormer bungalows approved at planning committee 9th September 2020.
- 6.5.5 Plot 1 would be set away from the southern boundary of the site by approximately 0.9m. To the south, the side elevation of plot 1 would be separated from the rear elevation of 9 Rutland Avenue by 25m. Furthermore, the side elevation window at first floor level has been removed to reduce any potential overlooking concerns. To the west, the rear elevation of plot 1 would be separated from the rear elevation 76 High Road by approximately 48m. To the north, the side elevation of plot 1 would be separated from the rear elevation of 10 Chetwynd Road by approximately 14m.
- 6.5.6 Plot 2 is set away from the north and east boundary by approximately 1m. To the north, the side elevation of the single storey aspect would be separated from the rear elevation of an existing conservatory of 14 Chetwynd Road by approximately 9m and 12m from the rear elevation of the original property. To the east, the rear elevation of plot 2 would be separated from the side elevation of 5 Anfield Close by approximately 2m. Whilst plot 2 includes a dormer window in the rear elevation this serves an ensuite (non-habitable room) which lessens any potential loss of privacy for neighbouring properties. 5 Anfield Close is a bungalow and includes 1 obscurely glazed window in its side elevation which further lessens any potential overlooking impact. Velux windows proposed in both plots are positioned at high level which would reduce any overlooking impact. An existing detached garage is sited forward of 5 Anfield Close, as a result this lessens any potential overbearing impact resulting from the single storey aspect of plot 2. To the south, the side elevation of plot 2 is separated from the rear elevation of 13 Rutland Avenue by approximately 26m. As such, it is considered that the proposed dwellings are sited an adequate separation distance from surrounding properties and therefore reducing any potential loss of privacy.
- 6.5.7 The amended site layout plan submitted demonstrates proposed finished floor levels and it is considered that the siting of the proposed dwelling in this location will not result in any significant overlooking, overbearing or overshadowing impact. Whilst concerns have been raised with regards to the noise resulting from the comings and goings in respect of two dwellings it is considered that this is not a significant impact upon the amenity of neighbouring properties.
- 6.5.8 To conclude, it is considered that due to the siting, size, scale and design of the proposal the application will not be significantly detrimental to the amenity of any neighbouring properties in terms of any potential overlooking, overbearing or overshadowing impact.

6.6 Highway Safety and Parking

- 6.6.1 A number of concerns have been raised in respect of the potential increase in traffic and on street parking on Chetwynd Road. The Highways Authority have not

objected to the application; the access is identical to the previously approved application 20/00283/FUL. It is considered the amount of parking proposed (two spaces) per dormer bungalows is acceptable. Sufficient space is available within the site to absorb the additional demand for parking, and to enable drivers to enter and exit in a forward gear. The access arrangement includes the provision of a bin store to ensure they are not stored on the highway on collection days. A condition in relation to the bin storage, dropped kerb, driveway/parking/turning areas, appropriate drainage and hard surfacing has been included in the interests of highway safety.

- 6.6.2 It is considered the traffic generated from two dormer bungalows in relation to that of the existing garages on the site would not be dissimilar. Whilst there may be construction vehicles parked close to the site and on the street for a period of time, this is to be expected and it is considered it would not warrant a refusal.
- 6.6.3 In relation to assessing the highway impacts of a proposal, paragraph 111 of the NPPF states that development should only be refused highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.6.4 The site lies within an existing urban location within a reasonable proximity to Toton Lane park and ride. Whilst it is acknowledged there could be some increase in on-street parking as a result of this development, it is considered this would not pose a highway safety risk. Two car parking spaces have been provided per dormer bungalow and the Highways Authority have not raised any objection in relation to the development. Therefore, it is considered that the parking arrangement is acceptable for this site and would not warrant refusal.

6.7 Other matters

- 6.7.1 A number of concerns have been raised by residents which will be addressed within this section.
- 6.7.2 Although the trees on site may support wildlife, the site is outside of the conservation area and there are no TPO's (Tree Preservation Orders) attached to them, therefore they could be removed at any time. Any works carried out during the course of the development is the responsibility of the relevant land owner and any damages to neighbouring boundaries or existing trees would be a civil matter. However, landscaping and boundary treatments have been conditioned. There is no requirement for this application to provide details on the impact of local wildlife.
- 6.7.3 A pre-commencement condition will be included in respect of submitting a contamination survey before works begin. An advisory in respect of asbestos and prohibiting bonfires will be included.
- 6.7.4 A degree of noise and disturbance is expected from the construction process.
- 6.7.5 The applicant has confirmed that the red line plan is accurate and all land within the application site is within the ownership of the applicant.

6.7.6 It is considered two additional dwellings can be accommodated in this location in terms of access to foul drainage and utilities and this would be dealt with after the planning process.

7 Conclusion

7.1 To conclude, it is considered that the proposal would provide a good standard of accommodation for two dormer bungalows in a sustainable location. The proposed development would help to enhance the character and appearance of the locality by redeveloping the existing untidy garage site.

7.2 Finally, the proposed scheme has been designed to ensure there is no significant impact in terms of any potential overlooking, overbearing or overshadowing impact.

7.3 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.

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

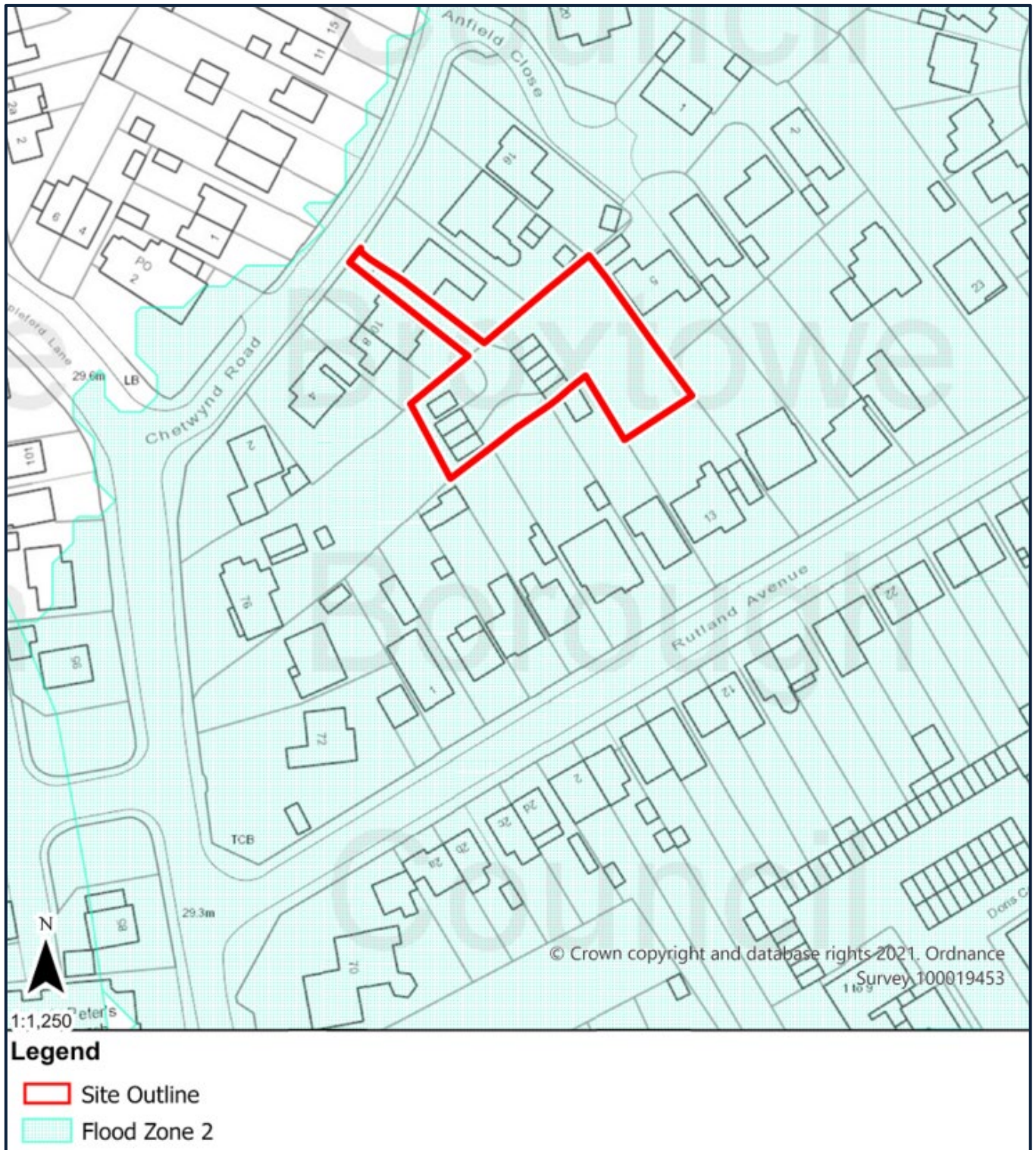
<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby approved shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2.	This permission shall be read in accordance with the following plans: existing topographical survey plan, proposed plot 2 No. JG/BW/2021/058/02 (all received by the local planning authority 10/01/22), amended site location plan 1:1250, proposed layout plan No. JG/BW/2021/058/03 Rev. A, proposed plot 1 No. JG/BW/2021/058/01 Rev. A (all received by the local planning authority 28/04/22). Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
3.	No development shall take place until samples of the materials and finishes to be used for the external elevations and roof of the proposal have been agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out with those materials, unless the Local Planning Authority gives written approval to any variation. Reason: To ensure the satisfactory appearance of the development in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

<p>4.</p>	<p>a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</p> <p>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>(ii) It has been certified to the satisfaction of the local planning authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.</p> <p>Reason: In the interest of public health and safety in accordance with Policy 19 - Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>
<p>5.</p>	<p>No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <p>a) The means of access for construction traffic;</p> <p>b) parking provision for site operatives and visitors;</p> <p>c) the loading and unloading of plant and materials;</p> <p>d) the storage of plant and materials used in construction / demolition the development;</p> <p>e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and</p> <p>f) details of dust and noise suppression to be used during the construction phase.</p> <p>g) a report identifying any asbestos and documenting its safe removal.</p> <p>The approved statement shall be adhered to throughout the construction period.</p> <p>Reason: To protect the amenity of neighbouring residents in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>

<p>6.</p>	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p>Reason: To protect nearby occupants from excessive construction noise and vibration in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>
<p>7.</p>	<p>Prior to the first occupation of the dwellings hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment prepared by Michael Evans & Associates Ltd dated 16th March 2022. The finished floor levels shall be set no lower than 29.63m AOD. This mitigation measure shall be maintained and retained for the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019).</p>
<p>8.</p>	<p>No development above slab level shall take place before a scheme of landscaping has been submitted to and approved by the Local Planning Authority. The approved landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a. numbers, types, sizes and positions of proposed trees and shrubs b. details of boundary treatments (including the bin store); c. proposed hard surfacing treatment; d. planting, seeding/turfing of other soft landscape areas; and e. a timetable for implementation of the scheme. <p>The approved scheme shall be carried out strictly in accordance with the approved details. Soft landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).</p>
<p>9.</p>	<p>The dwellings hereby approved shall not be first occupied until:</p> <ul style="list-style-type: none"> • the private shared driveway is constructed in accordance with the Block Plan JG/BW/2021/058/03 Rev. A; • the dropped vehicular footway crossing on Chetwynd Road has been widened and available for use; • the access drive is surfaced in a hard, bound material (not loose aggregate) for a minimum of 5.5m behind the highway boundary

	<p>and designed to prevent the unregulated discharge of surface water onto the public highway and;</p> <ul style="list-style-type: none"> the bin store as shown on Block Plan JG/BW/2021/058/03 Rev. A is constructed and made available for use. The dropped vehicular footway crossing and bin store shall then be maintained in such form for the lifetime of the development. <p>Reason: In the interests of highway safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).</p>
10	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking or re-enacting this Order, no extensions, enlargements, or roof alterations shall be carried out to the dwellings hereby approved which come within Class A, B and C of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.</p> <p>Reason: In the interests of protecting the privacy of neighbouring properties and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).</p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the determination of this application by seeking positive amendments and working to determine it within the agreed determination timescale.</p>
2.	<p>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.</p>
3.	<p>The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.</p>
4.	<p>The development makes it necessary to construct a dropped kerb crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licencespermits/temporary-activities</p>
5.	<p>In order to comply with the Control of Asbestos Regulations 2012, an assessment is required to determine whether the building has asbestos containing materials (ACMs). This must be carried out before any structural work on the building occurs. For properties or parts of properties needing upgrading, refurbishment or demolition, then a 'Refurbishment/ Demolition Survey' is required. Copies of reports relating to asbestos identification and management should be sent to the Environmental Health team.</p>

Site location plan (not to scale)



Photographs

View of existing access to the site



View of access towards Chetwynd Road



View of No. 5 Anfield Close



Rear of No. 5 Anfield Close



Rear of No. 11 Rutland Avenue



Rear of No. 9 Rutland Avenue



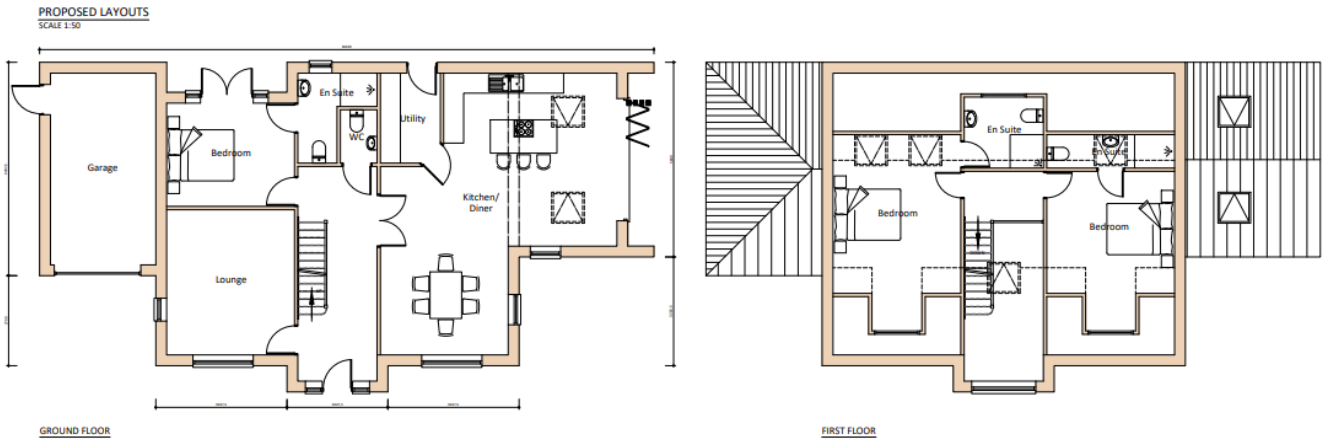
Plans (not to scale)

Proposed site layout



Proposed plot 2 (elevations and floor plans)





Proposed plot 1 including detached garage (elevations and floor plans)



Report of the Chief Executive

APPLICATION NUMBER:	22/00142/FUL
LOCATION:	8 Kenton Avenue, Nuthall, Nottinghamshire, NG16 1PX
PROPOSAL:	Construct single storey and two storey rear extensions

1. Purpose of Report

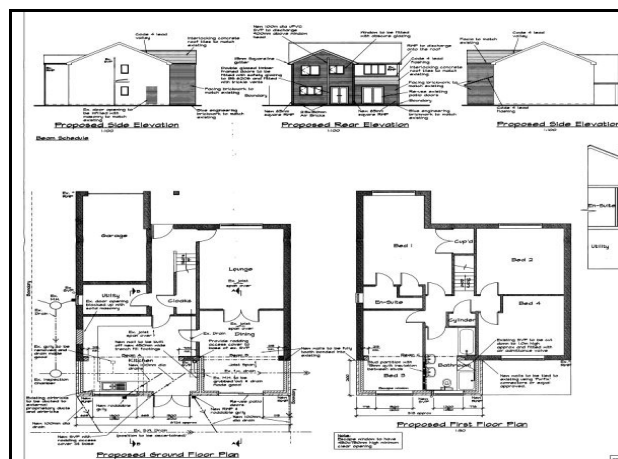
Councillor P J Owen has requested this application be determined by Committee.

2. Recommendation

The Committee is asked to resolve that planning permission be granted for with the conditions set out in the appendix.

3. Detail

- 3.1 This application seeks consent to construct a single/two storey rear extension creating a kitchen/dining area at ground floor and a larger bedroom along with a bathroom at first floor level. There is currently a conservatory to the rear which will be removed as part of the proposal.
- 3.2 To the front of the property there is currently a porch which is open to the front and side. The plans indicate the bricking up of the side of the porch and the provision of a door to the front which do not require planning permission.
- 3.3 The application site consists of a two storey detached dwelling with a driveway/garden area to the front and a garden to the rear. The dwelling is located on a cul de sac with similar dwelling within the street scene and to the rear on Croxley Gardens.
- 3.4 Planning permission was previously granted under reference number 05/00506/FUL to construct a two storey extension to the rear of the property (see below). However, this was never implemented and the planning permission has now expired.



- 3.5 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.
- 3.6 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.
- 4. Data Protection Compliance Implications
 - 4.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.
- 5. Background Papers
 - 5.1 There were no background papers.

APPENDIX

1 Details of the application

- 1.1 This application seeks consent to construct a single/two storey rear extension creating a kitchen/dining area at ground floor and a larger bedroom along with a bathroom at first floor level. There is currently a conservatory to the rear which will be removed as part of the proposal.

2 Site and Surroundings

- 2.1 The application site consists of a two storey detached dwelling with a driveway/garden area to the front and a garden to the rear. The dwelling is located on a cul de sac with similar dwelling within the street scene and to the rear on Croxley Gardens. The application site is located within a predominantly residential area.

3 Relevant Planning History

- 3.1 Outline planning permission was granted under reference number 86/00298/OUT for the construction of a residential development on the land.
- 3.2 Planning permission was granted under reference number 87/00480/FUL to construct 105 houses and garages.
- 3.3 Planning permission was granted under reference number 05/00605/FUL to construct a two storey extension to the rear of the property. This was never implemented and the planning permission has now expired.

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 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 17: Place-making, Design and Amenity

5 Consultations

- 5.1 4 neighbouring properties were consulted during the processing of the planning application, with 4 letters having been received objecting on the grounds of:

- Overlooking/loss of privacy;
- Loss of light/overshadowing;
- Noise and disturbance;
- Parking/unloading of building materials;

- Design.

6 Assessment

- 6.1 The main issues for consideration relate to whether the design and scale of the development would be acceptable, and whether there would be an unacceptable impact on neighbour amenity

6.2 **Design and Visual Amenity**

- 6.2.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

- 6.2.2 The proposed extensions consist of a single storey extension to the rear creating a kitchen/dining area, measuring the full width of the rear elevation and extending out by 4m. The ground floor will be served by a window to the kitchen and bi folding doors to the dining area, in the rear elevation. The extension will have a flat roof with an overall height of 2.717m with a roof light. At first floor level an extension is proposed which will increase the floor space of an existing bedroom and bathroom. The first floor extension will be built up to the end elevation of the main dwelling extending across by 5.855m and out from the rear elevation by 2.2m. The extension will be served by a pitched roof set at a height of 6.9m, which will be set lower than the roof of the main dwelling and limiting views from within the street scene of Kenton Avenue. Information provided on the submitted application form and plans indicates the use of matching materials for the external elevations and roof of the extension, which given its location is considered acceptable.

- 6.2.3 The proposal is not considered to have any significant detrimental impact upon the character of the street scene or visual amenity of the area.

6.3 **Amenity**

- 6.3.1 Objections have been received from neighbouring properties in respect of overlooking/loss of privacy, loss of light/overshadowing, noise and disturbance and parking/unloading of building materials.

- 6.3.2 Directly to the north of the application site there is an existing two storey detached dwelling, number 6 Kenton Avenue. The host dwelling is set behind the rear of the neighbouring property by approximately 2m, with the land levels serving number 6 set approximately 200mm higher than those within the application site. To the rear of number 6 there is an existing conservatory along with a 2m high close boarded timber fence along the boundary. The proposed ground floor extension will extend out from the rear of the dwelling by 4m and will be served by a flat roof with a height of 2.717m. Above the proposed ground floor extension a first floor extension is also proposed which will be in line with the end side elevation nearest to number 6. However, the extension will only extend out from the rear elevation of the dwelling by 2.2m and will be served by a pitched roof which will be set lower than the roof

of the main dwelling. Furthermore, the first floor extension will not protrude any further behind the rear elevation of number 6, with the submitted block plan indicated this part of the proposal to be in line with the rear elevation of number 6. In addition, there are no windows proposed in the side elevation of either the ground or first floor extensions, with the only window within the side elevation of number 6 being an obscurely glazed first floor landing window. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 6 Kenton Avenue.

6.3.3 To the south of the application site there is an existing two storey detached dwelling, number 10 Kenton Avenue. To the rear of the host dwelling there is currently a conservatory extension of 4m in length, built up to the boundary which consists of a 2m high close boarded timber fence. The proposed ground floor extension will extend out from the rear elevation by 4m, will be set in from the boundary by 215mm and served by a flat roof with an overall height of 2.717m. The proposed first floor extension will be set in from the boundary by 2.65m. To the rear of number 8 there is a double integral garage which is set forward of the rear elevation of number 10. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 10 Kenton Avenue.

6.3.4 Directly to the rear of the application site there are two immediate neighbouring properties, numbers 4 and 5 Croxley Gardens. The proposed ground floor extension will be sited 8.12m stepping in to 6.5m from the rear boundary which consists of a 2m high close boarded timber fence, with the first floor section being set in a further 2.2m. The gardens serving the properties to the rear are served with rear gardens with depths of 10m. To the rear of the proposed ground floor extension a window is proposed and bi folding doors serving a kitchen/dining area. It should be noted that the properties to the rear are set at a higher level than the application site. In addition, whilst a first floor extension is proposed, this will only be extending out by 2.2m to the rear and will allow for a larger floor space to serve an existing bedroom and bathroom. It is therefore considered that the proposal will not have any significant impact on the amenity of the immediate neighbouring property number 10 Kenton Avenue.

6.3.5 Whilst concerns have been raised in respect of noise/disturbance during construction and the parking/unloading of building materials, should noise/disturbance become an issue this can be dealt with by separate legislation by the Environmental Health department. Furthermore, the property is served by a large driveway for which building materials could be stored and there are no traffic regulation orders in the form of double yellow lines which would restrict vehicle parking within Kenton Avenue.

7 Planning Balance

7.1 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.

8 Conclusion

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

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be Granted subject to the following conditions:</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan 1: 1250 and Proposed Floor Plans received by the Local Planning Authority on 17 February 2022, Proposed Elevations received by the Local Planning Authority on 31 March 2022 and Proposed Block Plan and Roof Plan received by the Local Planning Authority on 27 April 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>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.</p> <p><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></p>
NOTES TO APPLICANT	
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week agreed determination timescale.</p>
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal</p>

	<p>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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Legend

 Site Outline

Photographs

Front elevation and immediate neighbouring properties



Boundary with number 6 Kenton Avenue



Boundary with number 10 Kenton Avenue



Numbers 4 and 5 Croxley Gardens to rear

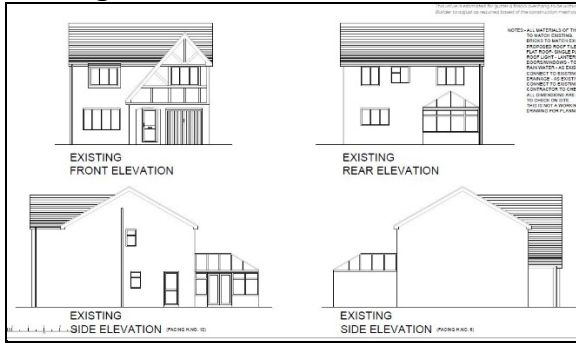


Existing rear elevation

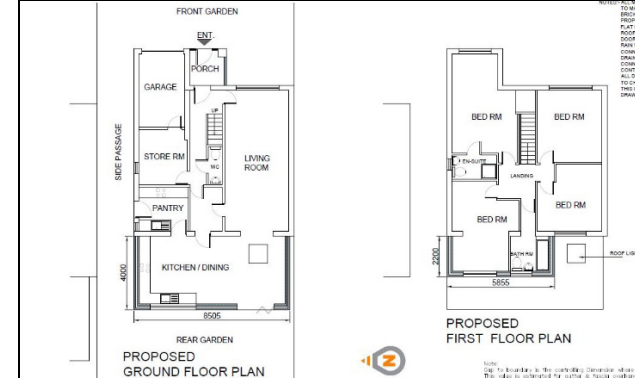


Plans (not to scale)

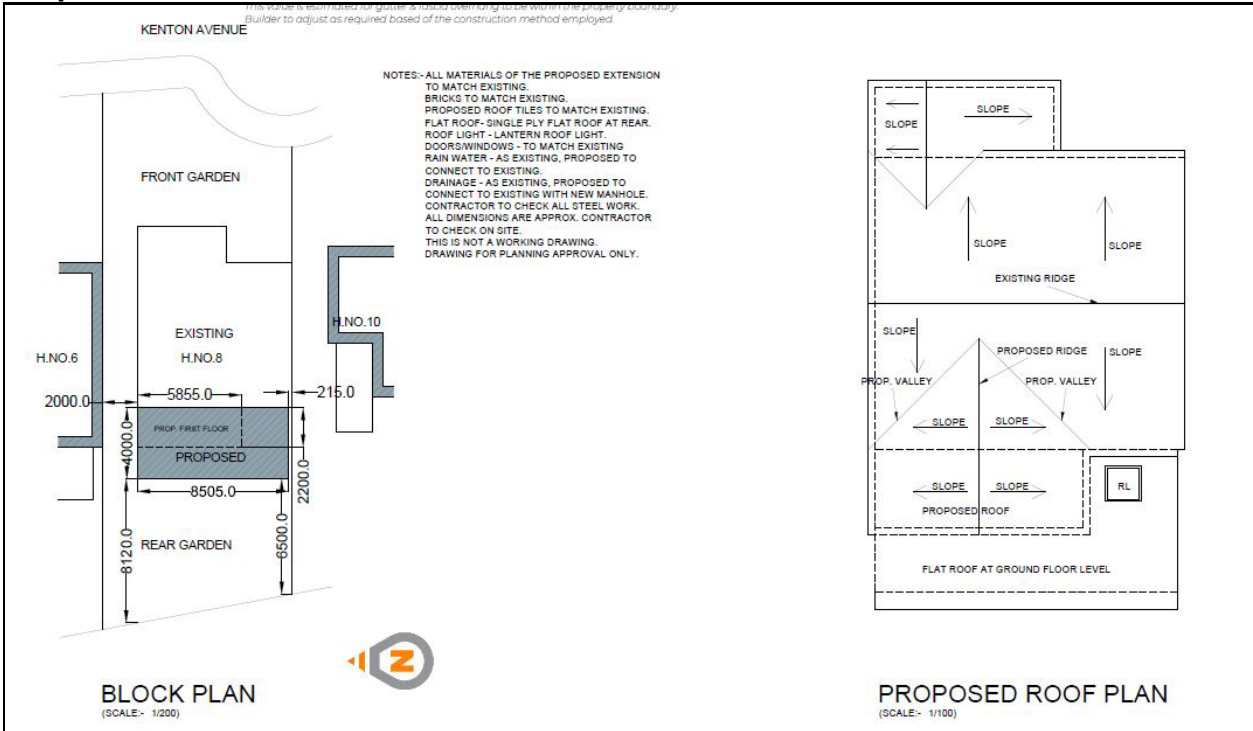
Existing Elevations and Floor Plans



Proposed Elevations and Floor Plans



Proposed Block Plan



Report of the Chief Executive

APPLICATION NUMBER:	22/00240/FUL
LOCATION:	53 Enfield Street, Beeston, Nottinghamshire, NG9 1DL
PROPOSAL:	Retention of single storey and two storey rear extension. Amendments to include extended roof to incorporate roof overhang, render of side gable to match front of dwelling, construction of pitched roof to first floor extension incorporating existing rear dormer and hip to gable extension.

1. Purpose of Report

Councillor G Marshall has requested that the application is determined by the Planning Committee.

2. Recommendation

The Committee is asked to resolve that planning permission be refused subject to conditions outlined in the appendix.

3. Detail

- 3.1. This application is to retain a single storey and two storey rear extension, change the flat roof of the first floor rear extension to a hipped roof, reduce the height of the rear dormer and extend the eaves of the roof outward to establish a gable design on the side elevation.
- 3.2. The dormer was first built in 2018 with the construction of a rear one and two storey extension. However, whilst the rear extensions had received planning permission the first floor of the rear extension was built with a flat roof instead of the hipped roof that was proposed in the accepted plans and the dormer was built without planning permission which has changed the roof structure of the house from a hipped roof to a gable.
- 3.3. This led to an enforcement case and a retrospective planning application in 2019. This application was rejected, a decision that was appealed and rejected by the Planning Inspectorate.
- 3.4. The dormer was rejected in both the application and appeal because of the negative impact that it has on the design of the house, which does not respect the traditional design of the original dwelling nor the character and appearance of the area. The flat roof on the first floor rear extension was also noted as inappropriate by the planning inspector as it creates a bulky structure at the rear of the house.
- 3.5. This planning application seeks to reduce the visual impact of the dormer from the streetscene by extending the eaves of the roof outward in an attempt to establish a gable design and reduce the box structure of the dormer. It also intends to

introduce a hipped roof to the first floor rear extension more similar to what was accepted in the original planning application.

- 3.6. The benefits of the proposal are that it would keep the dormer that adds living space to the house, save the applicant money of reducing the size of the dormer to meet permitted development regulations and negate the need for enforcement action and potential loss of the dormer. The negative impacts are negative visual impact that it has on the area through its size in bulk and changes to the original roof shape and could set a precedent for dormers on the road that would ultimately change the character of the area.

4. Data Protection Compliance Implications

- 4.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

5. Background Papers

- 5.1 There were no background papers.

APPENDIX

1 Details of the Application

- 1.1 This application is to retain a single storey and two storey rear extension, change the flat roof of the first floor rear extension to a hipped roof, reduce the height of the rear dormer and extend the eaves of the roof outward to establish a gable design on the side elevation.
- 1.2 The two storey rear extension extends out 3m from the rear elevation and is 4.2m wide. It has a very shallow pitched roof (0.35m), which visually appears as a flat roof, with a total height of 5.9m.
- 1.3 The roof of the first floor rear extension will be changed from a flat roof to a hipped roof that will be 1.5 metres high, taking the total height to 7m.
- 1.4 The single storey rear extension wraps-around the two storey rear extension, extending 5.5m from the original rear elevation and for a width of 6.2m. It currently has a flat roof and a total height of 3.1m (from the lowest adjacent ground level).
- 1.5 The ground floor rear elevation has glazed double doors with full-height side lights and a single door with two side lights (the doors are 0.35m above ground level). The first floor has a two light window. The side elevations are blank.
- 1.6 The dormer measures 2.1m high by 6m wide and protrudes from the roof by 3.4m.
- 1.7 The cladding on the side elevation of the upper gable will be removed and the wall will be rendered instead. The gable will be moved out over the side elevation by 0.4 metres. The dormer roof will be lowered from the ridge of the roof and its total height will be reduced.

2 Site and surroundings

- 2.1 This is a two storey semi-detached house. Its walls are brick but the first floor front elevation is white rough cast render. The windows and doors are white uPVC. The roof tiles are dark grey.
- 2.2 The property has a one and two storey rear extension at the rear which has brick walls that almost match the rest of the building albeit a lighter shade. These rear extensions have flat roofs. The rear dormer that is subject to the proposal has dark grey cladding all around. It has a flat roof that joins the ridge of the original building and forms a rectangular side of the roof of the building.

3 Relevant Planning History**Planning**

- 3.1 18/00323/FUL Construct single storey and two storey rear PERC extension

- 3.2 19/00131/FUL Retain single storey & two storey rear extension, rear dormer and hip to gable extension (revised scheme) REF

Appeals

- 3.3 19/00020/APL WR Retain single storey & two storey rear extension, rear dormer and hip to gable extension (revised scheme) INPROG

Enforcements

- 3.4 03/00055/ENF Enforcement Enquiry CLOSER
- 3.5 17/00257/ENF Enforcement Enquiry CLOSER
- 3.6 19/00011/ENF Enforcement Enquiry PLNREC

4 Relevant Policies and Guidance

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

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan 2019:**

- 4.2.1 The Council adopted the Part 2 Local Plan (P2LP) on 16 October 2019.
- Policy 17: Place-making, design and amenity

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

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

5 Consultations

- 5.1 Six properties either adjoining or opposite the site were consulted and a site notice was displayed. No responses were received.

6 Assessment

- 6.1 The main issues for consideration are whether or not the principle of development is acceptable due to the design and appearance of the proposal, and its impact on the visual amenity of the area.

6.2 **Principle**

The application site is not covered by any site specific planning policy. It is therefore considered that the principle of development is acceptable subject to any assessment of the design and appearance and its impact on neighbouring amenity.

6.3 Design

Policy 10 of the ACS section 2 states that developments will be assessed in terms of d) massing, scale, 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 existing buildings and 4 c) dormers should not dominate the roof.

The footprint of the single and two storey rear extensions are the same as the approved plans. This plan seeks to amend the flat roof that was built to accommodate the construction of the rear dormer, with a hipped roof that is more similar to the originally proposed application with the two storey rear extension that was accepted (18/00323/FUL). The bricks used for the rear extensions are considered acceptable because they are in keeping with the original dwelling.

The plans aim to make the dormer less prominent by lowering its roof from the ridge height and building the eaves of the roof outward, in order to reduce the box effect that the dormer has created and to make the gabled side of the house more pronounced and visible. Nevertheless the dormer will remain to be visible from the streetscene and dominate the building. This dormer has changed the roof of the house from a hipped roof to a boxed roof. Even with this creation of a gabled roof that might be more visually amenable, the dormer has significantly altered the appearance of the roof of the house by changing from a hipped roof to a gable and has thereby removed the symmetry with its adjoining neighbour. The planning inspector when writing the justification for reusing the appeal to the original application stated that:

The bulk of the extension is then compounded by the installation of the rear dormer, which covers almost the whole of the rear roof slope, with a box structure that does not respect the traditional design of the original dwelling, creating a structure that has the outward appearance of dominating the surrounding area, and does not respect the character and appearance of the area.

The changes proposed in this application do not do enough to adjust the dormer to correct the criticisms outlined in the inspector's report. It will still have a flat roof that although not directly protruding from the ridge will create a box appearance from the side of the house. Therefore, the criticisms that were stated in the original refusal and the planning inspector's report remain for this application following amendments.

Furthermore, these changes only alter the view from Enfield Street as the view of the dormer from the rear property and from Hope Street, from which it is highly visible, will remain unchanged as a large and unsightly addition to the roof that does not fit in with the character of the area.

It can also be said that widening the roof over the side of the house by 0.43 metres as the potential to create a lopsided looking house from the front elevation with eaves that are overly large.

The hipped roof for the first floor rear extension is an improvement and represents a reversion to the original plan that the rear extension was accepted under. It answers criticisms of the flat roof that it was 'prominent, bulky and would set an

unacceptable precedent'. Therefore, this proposal can be seen as a positive contribution to the design of the house.

6.4 **Amenity**

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.

As the dormer will be no taller than the existing roof there is unlikely to lead to a reduction in natural light. The wall that it is parallel to has only one window and is already shaded as it is north facing. Therefore, this dormer will not negatively impact the natural light levels for neighbours.

The dormer does have the potential to overlook the rear gardens of nos. 51 and 55. However, because the first floor rear elevation windows of the application property already have the potential to overlook the rear gardens of nos. 51 and 55, it is considered the impact of the dormer is not significantly greater than the original dwelling or the approved two storey rear extension.

As the single and two storey rear extension have the same footprint as the originally approved application, it is considered the rear extensions do not have a significantly greater impact on the amenity of the occupants of nos. 51 and 55 Enfield Street compared to the originally approved plans. This is because the single storey extension has a flat roof and the two storey extension only extends out by 3m.

7 Planning Balance

7.1 The benefits of the proposal are that it would keep the dormer that adds living space to the house, save the applicant money of reducing the size of the dormer to meet permitted development regulations and negate the need for enforcement action and potential loss of the dormer.

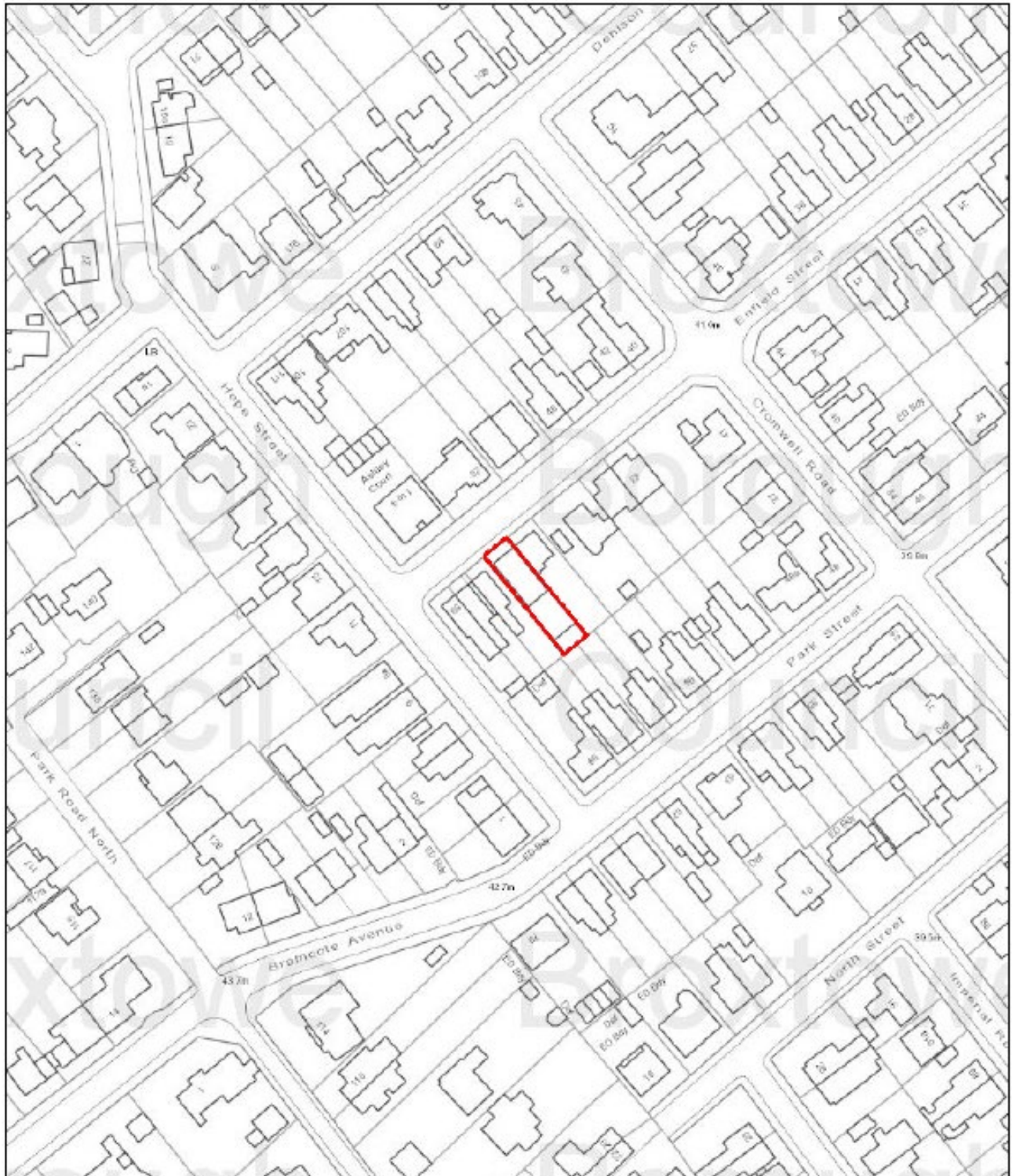
7.2 The negative impacts are negative visual impact that it has on the area through its size in bulk and changes to the original roof shape and could set a precedent for dormers on the road that would ultimately change the character of the area.

7.3 On balance, the negative impacts are considered to carry sufficient weight to outweigh the benefits of the proposal.

8 Conclusion

8.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations, the development is not acceptable and planning permission should be refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following conditions.	
1.	The proposed development, by virtue of the design, the bulk of the dormer, the change of the roof from hip to gable and its widening, would be a dominant addition that fails to respect the proportions and design of the existing dwelling. It is considered that the extension would be overly prominent in the street scene to the detriment of the character and appearance of the building and the surrounding area. The proposed development would therefore be contrary to Policy 10 of the Aligned Core Strategy (2014), Policy 17 of the Broxtowe Part 2 Local Plan (2019).
	NOTES TO APPLICANT
1.	The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any minor alterations which could be made to the scheme to make the proposal acceptable.



Photographs



Side view from Enfield Street



Front view from Enfield Street



Rear view with 55 Enfield Street



Rear view with 51 Enfield Street



View from Hope Street



Rear view

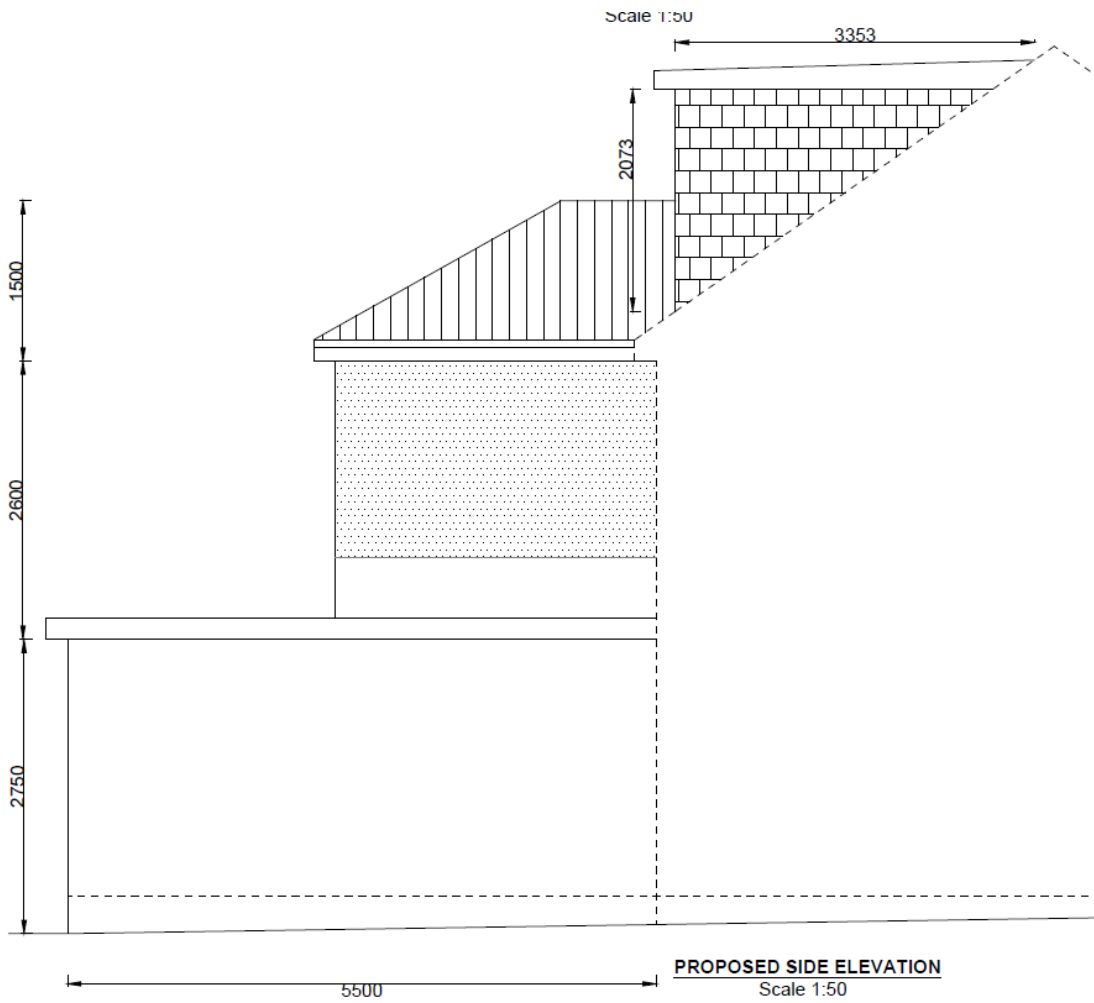
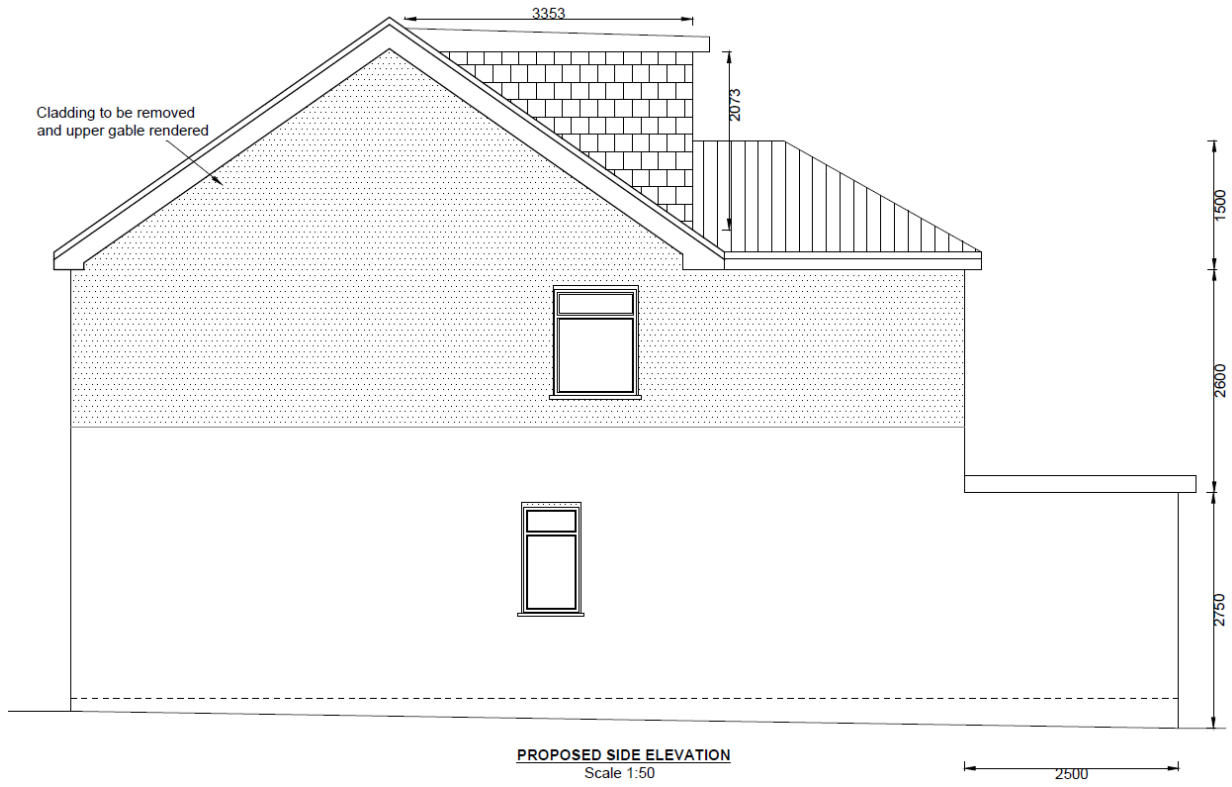
Plans (not to scale)

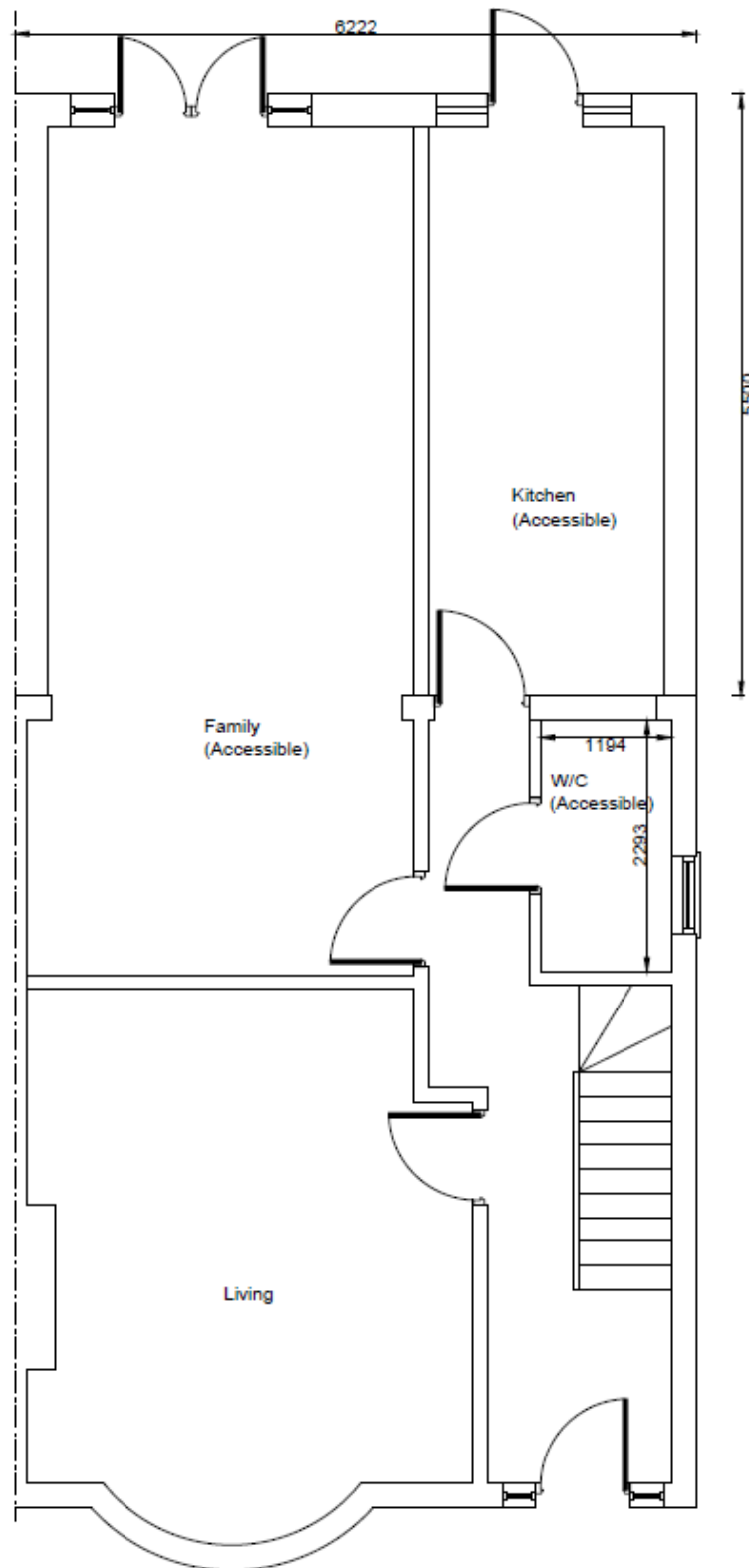


PROPOSED FRONT ELEVATION
Scale 1:50

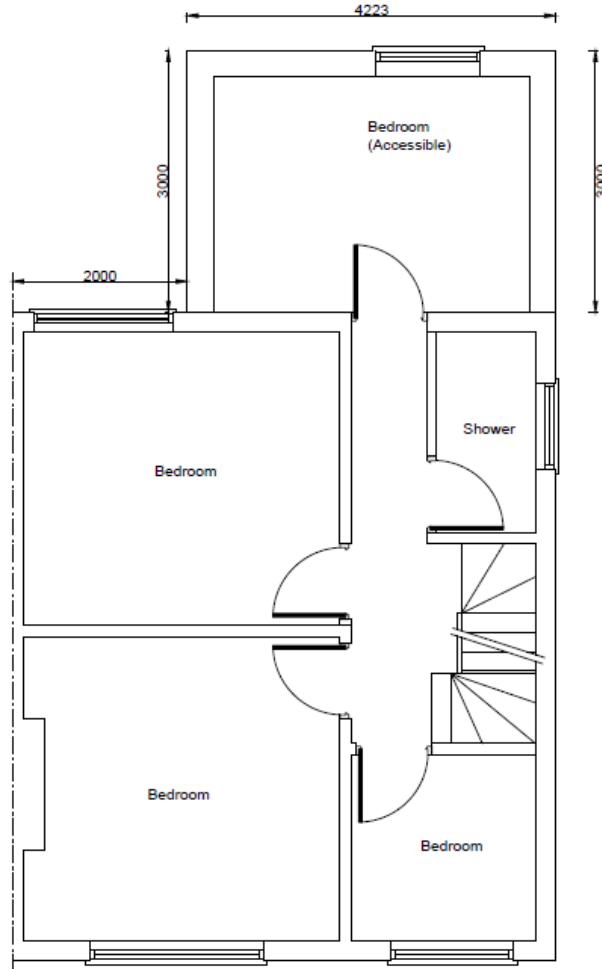


PROPOSED REAR ELEVATION
Scale 1:50

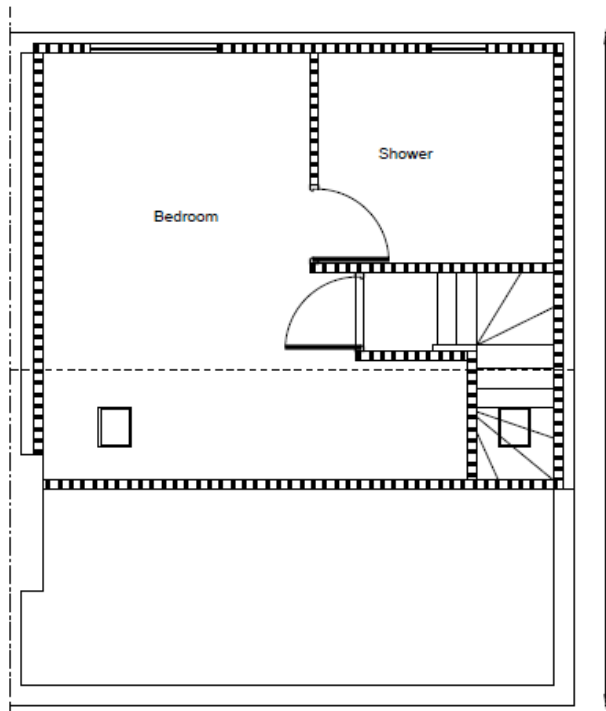




PROPOSED GROUND FLOOR PLAN
Scale 1:50



PROPOSED FIRST FLOOR PLAN
Scale 1:50



PROPOSED SECOND (LOFT) FLOOR PLAN
Scale 1:50

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BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
18 APRIL 2022 TO 20 MAY 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

**PLANNING APPLICATIONS DETERMINED BY
DEVELOPMENT CONTROL**

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mr & Mrs David Fordham 22/00108/FUL
Site Address : 9 Bye Pass Road Chilwell Nottinghamshire NG9 5BN
Proposal : **Construct single storey front, rear and side extensions and dropped kerb extended (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Robert Holland 22/00144/FUL
Site Address : 55 Bramcote Avenue Chilwell Nottinghamshire NG9 4DW
Proposal : **Construct single storey rear and side extension**
Decision : **Conditional Permission**

Applicant : Mr Baker 22/00146/FUL
Site Address : 50 Allison Gardens Chilwell Nottinghamshire NG9 5DG
Proposal : **Construct a single storey rear extension, replace existing garage flat roof with gable roof, fix external insulation to all external walls and rendering.**
Decision : **Conditional Permission**

Applicant : Mr Craig Gregory 22/00168/FUL
Site Address : 23 Gwenbrook Road Chilwell Nottinghamshire NG9 4AZ
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Rick & Emma Whitaker 22/00202/FUL
Site Address : 1A The Close Chilwell Nottinghamshire NG9 5DF
Proposal : **Construct side and rear extension and convert double garage to single garage with window alterations (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr C Francis 22/00314/PNH
Site Address : 213 Bye Pass Road Chilwell Nottinghamshire NG9 5HR
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.95 metres, with a maximum height of 3.85 metres, and an eaves height of 2.50 metres**
Decision : **PNH Approval Not Required**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Miss Robertson 22/00131/FUL
Site Address : 28 Croft Crescent Awsworth Nottinghamshire NG16 2QY
Proposal : **Construct single rear/side extension**
Decision : **Conditional Permission**

Applicant : Mr and Mrs Smedley 22/00148/FUL
Site Address : 1 Roehampton Drive Trowell Nottinghamshire NG9 3QY
Proposal : **Construct two storey side extension**
Decision : **Conditional Permission**

BEESTON CENTRAL WARD

Applicant : Mr B Akbar 22/00071/FUL
Site Address : 60 Queens Road East Beeston Nottinghamshire NG9 2GS
Proposal : **Construct single storey rear extension and boundary fence**
Decision : **Conditional Permission**

Applicant : Ms A Lu Lighthome UK Ltd 22/00080/FUL
Site Address : 2 Union Street Beeston Nottinghamshire NG9 2LU
Proposal : **Change of use of part of storage room to food preparation room**
Decision : **Conditional Permission**

Applicant : Mr Mark Buckingham 22/00092/FUL
Site Address : Apartment 1A Humber Buildings Humber Road Beeston Nottinghamshire NG9 2ET
Proposal : **Construct second floor flat in Class C4 use above apartment 1A Humber Buildings**
Decision : **Conditional Permission**

Applicant : Henry Dorman Rivers Birtwell 22/00156/FUL
Site Address : 256 Queens Road Beeston Nottinghamshire NG9 2BD
Proposal : **Change of use of a dwelling house (C3) to a house in multiple occupation (C4) and construct a single storey rear extension and provision of cycle parking**
Decision : **Refusal**

Applicant : Mr Zepeng Wen 22/00203/FUL
Site Address : 65 Pelham Crescent Beeston Nottinghamshire NG9 2ER
Proposal : **Construct two storey rear extension to create a 5 bed house in multiple occupation (C4)**
Decision : **Refusal**

Applicant : Mr & Mrs Younis 22/00217/CLUP
Site Address : 66 Salisbury Street Beeston Nottinghamshire NG9 2EQ
Proposal : **Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4)**
Decision : **Refusal**

Applicant : Mr David Yue Y&Q Deyi Hang Ltd 22/00236/CLUP
Site Address : 17 Templar Road Beeston Nottinghamshire NG9 2DX
Proposal : **Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4)**
Decision : **Refusal**

Applicant : McNeil 22/00267/CLUE
Site Address : 62 Fletcher Road Beeston Nottinghamshire NG9 2EL
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 Gabrio Tolentino 22/00007/FUL
Site Address : 30 Farfield Avenue Beeston Nottinghamshire NG9 2PU
Proposal : **Construct shed**
Decision : **Conditional Permission**

Applicant : Mr J Bridges 22/00091/ROC
Site Address : 8 Windrush Close Beeston Nottinghamshire NG9 3LN
Proposal : **Variation of condition 3 of planning permission 21/00381/FUL, to use embossed white upvc cladding on front and rear of first floor elevations**
Decision : **Conditional Permission**

Applicant	:	Mr Kuldip Johal	22/00140/FUL
Site Address	:	25 Middleton Crescent Beeston Nottinghamshire NG9 2TH	
Proposal	:	Construct single and two storey rear extension and decking, with rendering of the house and alterations to front elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr Atwal	22/00227/CLUP
Site Address	:	25 Broadgate Beeston Nottinghamshire NG9 2HD	
Proposal	:	Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4)	
Decision	:	Refusal	
Applicant	:	Mr Jim Taylor	22/00232/PNH
Site Address	:	75 Marlborough Road Beeston Nottinghamshire NG9 2HL	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 8.00 metres, with a maximum height of 4.00 metres, and an eaves height of 2.65 metres.	
Decision	:	PNH Approval Not Required	
Applicant	:	Mr Rizwan Kaber	22/00269/CLUP
Site Address	:	79 Peveril Road Beeston Nottinghamshire NG9 2HU	
Proposal	:	Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4)	
Decision	:	Withdrawn	
Applicant	:	Mr Rizwan Ahmed	22/00270/CLUP
Site Address	:	19 Marlborough Road Beeston Nottinghamshire NG9 2HG	
Proposal	:	Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4)	
Decision	:	Withdrawn	
Applicant	:	Mr S Ahmed	22/00288/PNH
Site Address	:	25 Peveril Road Beeston Nottinghamshire NG9 2HY	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.00 metres, with a maximum height of 3.00 metres, and an eaves height of 2.7 metres	
Decision	:	PNH Approval Granted	
BEESTON RYLANDS WARD			
Applicant	:	Michael Holder	22/00057/FUL
Site Address	:	56 Meadow Road Beeston Nottinghamshire NG9 1JT	
Proposal	:	Construct dormers to form loft conversion	
Decision	:	Refusal	
Applicant	:	Mr & Mrs Bennett & Edy	22/00200/FUL
Site Address	:	4 Beech Avenue Beeston Nottinghamshire NG9 1QH	
Proposal	:	Construct single storey rear and two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr patrick douse AlanWood & Partners	22/00204/FUL
Site Address	:	D95 Building First Avenue Boots Campus Beeston Nottinghamshire	
Proposal	:	Construct rear extension to D95 building	
Decision	:	Conditional Permission	
BEESTON WEST WARD			
Applicant	:	MR ANRAN HU	21/00840/FUL
Site Address	:	24 Chilwell Road Beeston Nottinghamshire NG9 1EJ	
Proposal	:	Retain single storey rear extension	
Decision	:	Conditional Permission	

Applicant : Mr M Ali 22/00096/FUL
Site Address : 35 Dale Lane Chilwell Nottinghamshire NG9 4EA
Proposal : **Construct two storey side and rear extension, single storey front and rear extension with rear balcony (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr Ibrahim 22/00111/FUL
Site Address : 14 Elm Avenue Beeston Nottinghamshire NG9 1BU
Proposal : **Construct single storey rear/ side extension**
Decision : **Conditional Permission**

Applicant : Mr Alex Navarro 22/00118/FUL
Site Address : 4 Cavendish Place Beeston Nottinghamshire NG9 1BY
Proposal : **Construct single storey side extension and raised patio area**
Decision : **Conditional Permission**

Applicant : Natalie and James Martin and Ricardo 22/00182/FUL
Site Address : 9 Imperial Avenue Beeston Nottinghamshire NG9 1EZ
Proposal : **Construct single storey side and rear extension**
Decision : **Conditional Permission**

Applicant : M Jordan & J Billing 22/00231/FUL
Site Address : 14 Louis Avenue Beeston Nottinghamshire NG9 1DX
Proposal : **Construct single storey rear/side extension**
Decision : **Conditional Permission**

Applicant : Mr Watkinson 22/00242/FUL
Site Address : 25 High Road Chilwell Nottinghamshire NG9 4AF
Proposal : **Install new shop front**
Decision : **Conditional Permission**

BRAMCOTE WARD

Applicant : Miss Harpret Randhawa 22/00201/CLUE
Site Address : 303 Wollaton Road Beeston Nottinghamshire NG9 2TE
Proposal : **Certificate of Lawfulness for an existing use as a House in Multiple Occupation within Use Class C4**
Decision : **Approval - CLU**

BRINSLEY WARD

Applicant : Katy Falls Barratt David Wilson Homes 22/00145/FUL
Site Address : Brinsley Recreation Ground Church Lane Brinsley Nottinghamshire
Proposal : **Proposed amendments to plot 1 (approved under ref: 20/00641/FUL) including the repositioning of the dwelling, alterations to the proposed access and driveway and revised location of the garage**
Decision : **Conditional Permission**

CHILWELL WEST WARD

Applicant : Jane Hing 22/00106/FUL
Site Address : 6 Kirkbride Court Chilwell Nottinghamshire NG9 5NG
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Tom Roberts 22/00117/FUL
Site Address : 20 Pearson Avenue Chilwell Nottinghamshire NG9 4GQ
Proposal : **Construct single storey side and rear extension.**
Decision : **Conditional Permission**

Applicant : Cornerstone C/O Agent 22/00187/FUL
Site Address : Army Cadet Force 120 Swiney Way Toton Nottinghamshire NG9 6GX
Proposal : **Replacement of existing 17.4m monopole with 25.0m monopole and associated ancillary equipment/cabinets**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Mr Charles Healey 22/00219/FUL
Site Address : 11 Percy Street Eastwood Nottinghamshire NG16 3EP
Proposal : **Construct single storey rear extension, loft conversion with rear dormer, including raising ridge height**
Decision : **Conditional Permission**

Applicant : Mr J Pollard 22/00323/PNH
Site Address : 45 Kirby Road Eastwood Nottinghamshire NG16 3QA
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.0 metres, with a maximum height of 3.3 metres, and an eaves height of 2.695 metres**
Decision : **PNH Approval Not Required**

GREASLEY WARD

Applicant : Mr George Allsop 21/01012/FUL
Site Address : 6 Goodman Close Giltbrook Nottinghamshire NG16 2UR
Proposal : **Construct two storey side and single storey front and rear extensions**
Decision : **Conditional Permission**

Applicant : Nicola Worden 22/00063/FUL
Site Address : 15 Halls Lane Newthorpe Nottinghamshire NG16 2BW
Proposal : **Construct single/ two storey side and single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Troy Marshall 22/00151/FUL
Site Address : 49 Pinfold Road Newthorpe Nottinghamshire NG16 2FT
Proposal : **Rear and side ground floor extension**
Decision : **Conditional Permission**

Applicant : Mr Millar Greene King Pub Co 22/00221/ADV
Site Address : The Hayloft 441 Nottingham Road Giltbrook Nottinghamshire NG16 2GB
Proposal : **Installation of replacement illuminated and non illuminated signs to the exterior of the building**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Mr Lee Smith 21/00963/OUT
Site Address : Land At Knowle House 74 Nottingham Road Kimberley Nottinghamshire NG16 2NA
Proposal : **Outline application to construct a detached two bedroom bungalow (with some matters reserved)**
Decision : **Conditional Permission**

Applicant : Mr Andrew Inger 22/00103/FUL
Site Address : 4 Tower Crescent Kimberley Nottinghamshire NG16 2PS
Proposal : **Construct detached outbuilding**
Decision : **Conditional Permission**

NUTHALL EAST & STRELLEY WARD

Applicant : Mr & Mrs Davidson 22/00115/FUL
Site Address : 6 Drummond Drive Nuthall Nottinghamshire NG16 1BL
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

STAPLEFORD NORTH WARD

Applicant : G Levy 22/00169/FUL
Site Address : 21 Mackinley Avenue Stapleford Nottinghamshire NG9 8HU
Proposal : **Constuct single storey side and rear extension**
Decision : **Conditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Mr Glenn Charles 21/00462/FUL
Site Address : 47 Welch Avenue Stapleford Nottinghamshire NG9 8EJ
Proposal : **Construct single storey side/rear extension and front porch**
Decision : **Conditional Permission**

Applicant : Mrs Leanne Gregory 21/01057/FUL
Site Address : 53 Toton Lane Stapleford Nottinghamshire NG9 7HB
Proposal : **Installation of dropped kerb to public highway**
Decision : **Withdrawn**

Applicant : Mr Babinda Sandhu 22/00141/CLUP
Site Address : 176 Nottingham Road Stapleford Nottinghamshire NG9 8BJ
Proposal : **Certificate of Lawfulness for the proposed erection of an outbuilding to form a family garden play room with shower facilities and jacuzzi (revised scheme)**
Decision : **Approval - CLU**

Applicant : Mr T Rawson 22/00253/DEM
Site Address : 34 Church Street Stapleford Nottinghamshire NG9 8DJ
Proposal : **Prior Notification for demolition of former Daycare Centre (Sparkle Daycare)**
Decision : **Prior Approval Not Required**

STAPLEFORD SOUTH WEST WARD

Applicant : J Brice & K Guilford 22/00095/FUL
Site Address : 71 Halls Road Stapleford Nottinghamshire NG9 7FX
Proposal : **Construct single storey rear extension and two storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Brian Rackstraw B R Rackstraw 22/00244/P3JPA
Site Address : 17 Derby Road Stapleford Nottinghamshire NG9 7AN
Proposal : **Prior Notification under Class O- Change of use from offices (Class E) to 1 dwelling (Class C3)**
Decision : **Prior Approval Not Required**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr Gary Woodhouse 22/00137/FUL
Site Address : 25 Welbeck Gardens Toton Nottinghamshire NG9 6JD
Proposal : **Three storey front extension, single storey rear extension and hipped roof over existing garage. Increase in height of roof and installation of two dormer windows to the front elevation. Alterations to windows and doors in the existing elevations**
Decision : **Conditional Permission**

Applicant : Mr W Elliott 22/00205/FUL
Site Address : 7 Birkin Avenue Toton Nottinghamshire NG9 6ET
Proposal : **Construct single storey side extension, canopy to rear and loft conversion including gable to side elevation**
Decision : **Conditional Permission**

Applicant : Mr Simon Farthing 22/00243/FUL
Site Address : 17 Carrfield Avenue Toton Nottinghamshire NG9 6FE
Proposal : **Construct first floor rear extension. Insert first floor side window (revised scheme)**
Decision : **Conditional Permission**

WATNALL & NUTHALL WEST WARD

Applicant : Mr Stuart Singh 18/00843/FUL
Site Address : Home Farm Nottingham Road Nuthall Nottinghamshire NG16 1DP
Proposal : **Restore and convert farm building to create 10 residential units. Construct 4 additional new build dwellings replacement farmhouse and agricultural barn. Rebuild building within crew yard to construct a car port. Demolish east range building and outbuildings to rear of south range**
Decision : **Withdrawn**

Applicant : Mr Stuart Singh 18/00844/LBC
Site Address : Home Farm Nottingham Road Nuthall Nottinghamshire NG16 1DP
Proposal : **Listed Building Consent to restore and convert farm building to create 10 residential units. Construct 4 additional new build dwellings. Rebuild building within crew yard to construct a car port. Demolish east range building and outbuildings to rear of south range**
Decision : **Withdrawn**

Applicant : Mr D Shaw 21/00869/FUL
Site Address : 1 Spencer Drive Nuthall Nottinghamshire NG16 1DQ
Proposal : **Construct detached double garage, two storey side extension, re-site entrance and raise front wall height (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mr P Burton 22/00068/FUL
Site Address : Holly Bush Farm Long Lane Watnall Nottinghamshire NG16 1HU
Proposal : **Form new brick skin to existing dwelling**
Decision : **Conditional Permission**

Applicant : Mr S Midgley 22/00149/FUL
Site Address : 4 Victoria Gardens Watnall Nottinghamshire NG16 1GZ
Proposal : **Construct first floor front extension**
Decision : **Refusal**

Applicant : Ms Nicola Prewett 22/00216/PNH
Site Address : 4 Alandene Avenue Watnall Nottinghamshire NG16 1HH
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.6 metres, with a maximum height of 3.62 metres, and an eaves height of 2.25 metres.**
Decision : **PNH Approval Not Required**
