



Tuesday, 19 July 2022

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 27 July 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             |               |

## A G E N D A

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 3 - 16)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 6 July 2022.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 22/00030/FUL (Pages 17 - 44)

Construct two detached dwellings  
Lockup Garages, Chetwynd Road, Toton, Nottinghamshire

5.2 22/00333/FUL (Pages 45 - 54)

Construct two storey side extension  
5 Barlow's Cottages Lane, Awsworth, Nottinghamshire,  
NG16 2QW

5.3 22/00105/FUL (Pages 55 - 72)

Construct first floor and two-storey rear extension including  
raising the ridge height and balcony, front porch and garage/  
store alterations including a mono-pitched roof to the store

52 Assarts Road, Nuthall, Nottinghamshire, NG16 1AP

5.4 22/00125/FUL (Pages 73 - 108)

Construct purpose built student accommodation (sui  
generis) and ground floor commercial unit (Class E(g)(i))  
with associated access, car parking, landscaping and  
infrastructure

Station Road (Central) Car Park Station Road Beeston  
Nottinghamshire

6. INFORMATION ITEMS

6.1 Delegated Decisions (Pages 109 - 116)

6.2 Appeal Decision (Pages 117 - 120)

## PLANNING COMMITTEE

WEDNESDAY, 6 JULY 2022

Present: Councillor T Hallam (Substitute), in the Chair

Councillors: D Bagshaw  
L A Ball BEM  
G Marshall  
P J Owen  
S Paterson  
D D Pringle  
H E Skinner  
E Williamson  
R D Willimott  
J M Owen (Substitute)  
M Radulovic MBE (Substitute)

Apologies for absence were received from Councillors D K Watts, M Handley, S J Carr and R I Jackson.

### 11 ELECTION OF CHAIR

It was proposed by Councillor H E Skinner and seconded by Councillor G Marshall that Councillor T Hallam be elected as Chair for the meeting. On being put to the meeting, the motion was carried.

**RESOLVED that Councillor T Hallam be appointed as Chair for the duration of the meeting.**

### 12 DECLARATIONS OF INTEREST

Councillor P J Owen declared a non pecuniary interest in item 5.1 as he had been the political opponent of the objector. Minute number 15.1 refers.

Councillors G Marshall, M Radulovic MBE, H E Skinner and S Paterson declared a non pecuniary interest in item 5.1 as they shared a party affiliation with the objector. Minute number 15.1 refers.

### 13 MINUTES

The minutes of the meeting of 8 June 2022 were confirmed and signed as a correct record.

14 NOTIFICATION OF LOBBYING

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

15 DEVELOPMENT CONTROL

15.1 22/00142/FUL

Construct single storey and two storey rear extensions  
8 Kenton Avenue, Nuthall, Nottinghamshire, NG16 1PX

Councillor P J Owen requested that this application be determined by Committee at the meeting of 8 June 2022 where it was deferred to allow a site visit to take place.

There were no late items for the Committee to consider.

Sheik Assab, objecting, addressed the Committee prior to the general debate.

The Committee considered the application and were concerned by the size and scale of the proposed development along with its impact on neighbour amenity. It was noted that a previous planning permission that had been granted and subsequently lapsed without being built was for a significantly smaller extension.

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

**Reasons**

**The proposed extensions given the scale and size represent an over intensive form of development which would have an unacceptable impact on the amenity of the immediate neighbouring properties in terms of loss of light by virtue of its overbearing nature, contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

15.2 22/00211/REG3

Demolition of garages and construct three dwellings  
Selside Court, Chilwell, Nottinghamshire

This application was brought before Committee for consideration because the Council was the applicant.

The late items were comprised of plans amended to move the dwellings further away from the boundary with other homes on Selside Court and two further objections from local residents.

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

The Committee debated the application noting concerns regarding the Toton and Chetwynd Plan, the need for affordable housing in the area and that the demolition of the garages would prevent antisocial behaviour. It was also considered that the appearance of the proposed development would be an improvement compared to the garage site.

**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 drawings proposed elevations and floor plan 2766(08)A03 Rev A and site location plan 2766(02)A01 Rev A received 4 March 2022, proposed block plan 2766(08)A02 Rev B, proposed street elevations 2766(08)A04 Rev C, proposed block plan 2766(08)A01 Rev B received 2 June 2022, 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 and Geo-Environmental Assessment received 24 May 2022.

*Reason: For the avoidance of doubt.*

3. (a) No building to be erected pursuant to this permission shall be occupied or brought into use until:
  - 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
  - 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.

The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development

*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).*

4. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.

*Reason: 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).*

5. No above ground works shall take place until a landscaping scheme showing biodiversity net gain has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:
- a. numbers, types, sizes and positions of proposed trees and shrubs;
  - b. details of boundary treatments;
  - c. planting, seeding/turfing of other soft landscape areas and
  - d. timetable for implementation.

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

*Reason: No such details were submitted with the application, 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).*

6. 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.

*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).*

7. 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:
- 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

The approved statement shall be adhered to throughout the construction period.

*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).*

8. 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.

*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).*

9. Occupation of the hereby 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.

*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).*

10. 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.

*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).*

11. 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.

*Reason: 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).*

## 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 deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [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
3. As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: [3015snn@broxtowe.gov.uk](mailto:3015snn@broxtowe.gov.uk) to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
4. Burning of 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.
5. Developer to purchase the first time provision of bins. Notice served in due course.
  1. Developer to purchase the first time provision of bins. Notice served in due course.
  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
  3. Bins need to be presented at the edge of adopted highway for emptying.
  4. The size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm (d)

### 15.3 21/00350/FUL

Erect side/rear extension following demolition of shed and outbuilding  
Park View Cottage, Main Street, Strelley Nottinghamshire

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

There were no late items and no public speakers.



The Committee debated the application with particular reference to the sympathetic nature of the proposal to the original property, that there were no neighbour objections and that the development would not impact negatively on the openness and amenity of the Green Belt.

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

#### **Conditions**

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Location Plan with drawing reference 2325/01 and the Proposed Plan with drawing reference 2325/05, both received by the Local Planning Authority on 20 April 2021 and the Block Plan with drawing reference 2325/02\_Rev A and Proposed Elevations with drawing reference 2325/06, both received by the Local Planning Authority on 17 May 2021.**
- 3. The extension shall be constructed using bricks and roof tiles of a type, texture and colour so as to match those of the existing building.**

#### **Reasons**

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

#### 15.4 22/00021/FUL

Construct single storey side extension  
143 Moorgreen, Newthorpe, NG16 2FF

Councillor M Brown had requested that this application be determined by Committee.

There were no late items.

Jane Cousins, applicant, and Councillor M Brown, Ward Member, addressed the Committee prior to the general debate.

The Committee considered the application and during the debate they noted the high quality of the design of the extension. It was considered that the proposed development would not have a negative impact on the openness and amenity of the Green Belt.

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

#### **Conditions**

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority 25 January 2022, proposed ground floor plan 1072-03 Rev D, proposed section 1072-08 Rev D and proposed elevations 1072-07 Rev D received by the Local Planning Authority on 17 January 2022.**
- 3. The extensions hereby approved shall be constructed using bricks and tile of a type, texture and colour so as to match those of the existing dwelling.**

#### **Reasons**

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**

#### **Note to Applicant**

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
- 2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.**

**Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)**

15.5 22/00132/FUL

Construct single storey extensions to front and rear  
11 Mayfield Drive, Stapleford, Nottingham, NG16 5AE

This application was called before Committee by Councillor J W McGrath.

There were no late items and no public speakers.

The Committee noted the report and all relevant representations in the making of their decision.

**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 1: 1250 and Proposed Floor Plans received by the Local Planning Authority on 16 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.

*Reason: For the avoidance of doubt.*

3. The extension shall be constructed using bricks, tiles, windows and doors of a type, texture and colour so as to match those of the existing building.

*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).*

#### **NOTES TO APPLICANT**

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the eight week agreed determination timescale.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

#### 15.6 22/00179/FUL

Construct single storey side and rear extensions  
56 Main Road, Watnall, Nottinghamshire, NG16 1HT

Councillor J M Owen had requested that the Committee determine this application.

There were no late items.

Suzanne Yeomans, applicant, addressed the Committee prior to the general debate.

The Committee debated whether the size of the development was appropriate in the Green Belt. It was noted that although the application proposed a sizable extension to the property, the plot was large and mostly concealed from view by a large hedge so as to mitigate any negative impact on the openness and amenity of the Green Belt.

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

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 by the Local Planning Authority on 25 February 2022 and drawing number GD/SY/2022/003/02 Rev A received by the Local Planning Authority on 20 April 2022.

*Reason: For the avoidance of doubt.*

3. The extensions shall be constructed using bricks of a type, texture and colour so as to match those of the existing building.

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

#### **NOTES TO APPLICANT**

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coalauthority](http://www.gov.uk/government/organisations/the-coalauthority)

3. No construction, demolition 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.

15.7 22/00208/FUL

Construct single storey rear extension  
66 Dovecote Lane, Beeston, Nottinghamshire, NG9 1JG

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

There were no late items and no public speakers.

The Committee considered the application with specific regard to the large corner plot, which would mean that neighbours would not be impacted by the proposed development.

**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, the Proposed Block Plan Rev 3, the Proposed Elevations Plan Rev 3 and Proposed Floor Plan Rev 3 received by the Local Planning Authority on 26 May 2022.**

***Reason: For the avoidance of doubt.***

3. **The extension shall be finished in a smooth white render.**

***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).***

**NOTES TO APPLICANT**

1. **The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.**
2. **The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.**

**Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)**

15.8 22/00185/FUL

Construct two storey extensions to front, side and rear, increase ridge height to form loft conversion with velux roof lights, including new hip roof over front projection and hip roof to existing side extension and external alterations (revised scheme)  
29 Rivergreen Crescent, Bramcote, Nottinghamshire, NG9 3ET

This application was brought before the Committee by Councillor D K Watts.

There was a late item comprised of an email received from neighbour regarding the description of the development which was noted by the Committee.

Will Woods, applicant and Susan Atton, objecting, addressed the Committee prior to the general debate.

The Committee gave due consideration to all representations before it.

**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, the Proposed Block Plan and the Proposed Roof Plan received by the Local Planning Authority on 28 February 2022, the Existing & Proposed Elevations Rev 2 and the Proposed Floor Plans Rev 2 received by the Local Planning Authority on 18 May 2022.**

***Reason: For the avoidance of doubt.***

3. **The development shall be constructed using tiles and exposed bricks to be of a type, texture and colour so as to match those of the existing building and the existing/proposed elevations shall be finished in an off-white (colour) render (as per the approved elevations).**

***Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and 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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.**

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coalauthority](http://www.gov.uk/government/organisations/the-coalauthority)

3. **No construction, demolition 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.**

## 16 INFORMATION ITEMS

### 16.1 APPEAL SUMMARIES

The appeals summaries were noted.

### 16.2 DELEGATED DECISIONS

The delegated decisions were noted.

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**Report of the Chief Executive**

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

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 This application was first brought before Planning Committee on 8 June 2022 with a recommendation to grant conditional planning consent. Members deferred making a decision on the application to allow for consideration to reduce the impact on neighbours in terms of potential overbearing impact.

3.2 In response to the decision at the previous planning committee the agent has amended the plans to reduce the footprint of plot 2 to lessen the impact on neighbouring properties to the north and north-east.

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

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:  
There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

The comments from the Head of Legal Services were as follows:  
The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6. Data Protection Compliance Implications

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

7. Background Papers

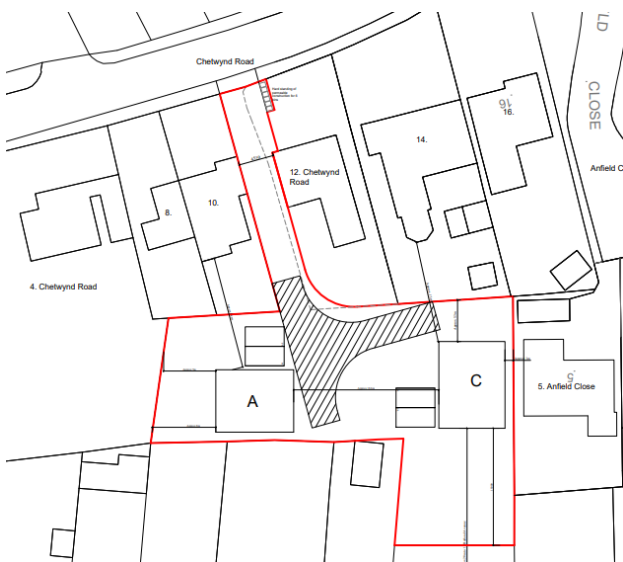
7.1 Nil

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). Plot 2 has been reduced in size (removal of side garage and 1m taken of south side elevation).

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



Revised proposed layout:



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 Assessment

3.1 **Appraisal**

3.1.2 It remains consideration that the proposed scheme does not result in an unacceptable loss of amenity for any neighbouring properties. Plot 2 has been reduced including the removal of the side garage and part of the southern side elevation has been reduced. The width of plot 2 has been reduced by approximately 4.6m. As a result, plot 2 is set further away from the northern boundary and therefore lessening any potential impact on neighbouring properties to the north and north-east. Further to this, approximately 1m has been taken off the southern side elevation to help reduce any overbearing impact. It is considered that the siting of the proposed dwelling in this location will not result in any significant overlooking, overbearing or overshadowing impact.

3.1.8 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.

4. Conclusion

4.1 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.

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

4.3 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.

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

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| <b><u>Recommendation</u></b>  |  |
| <b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b> |  |
| <b>1.</b>   | <b>The development hereby approved shall be begun before the expiration of three years from the date of this permission.</b> |

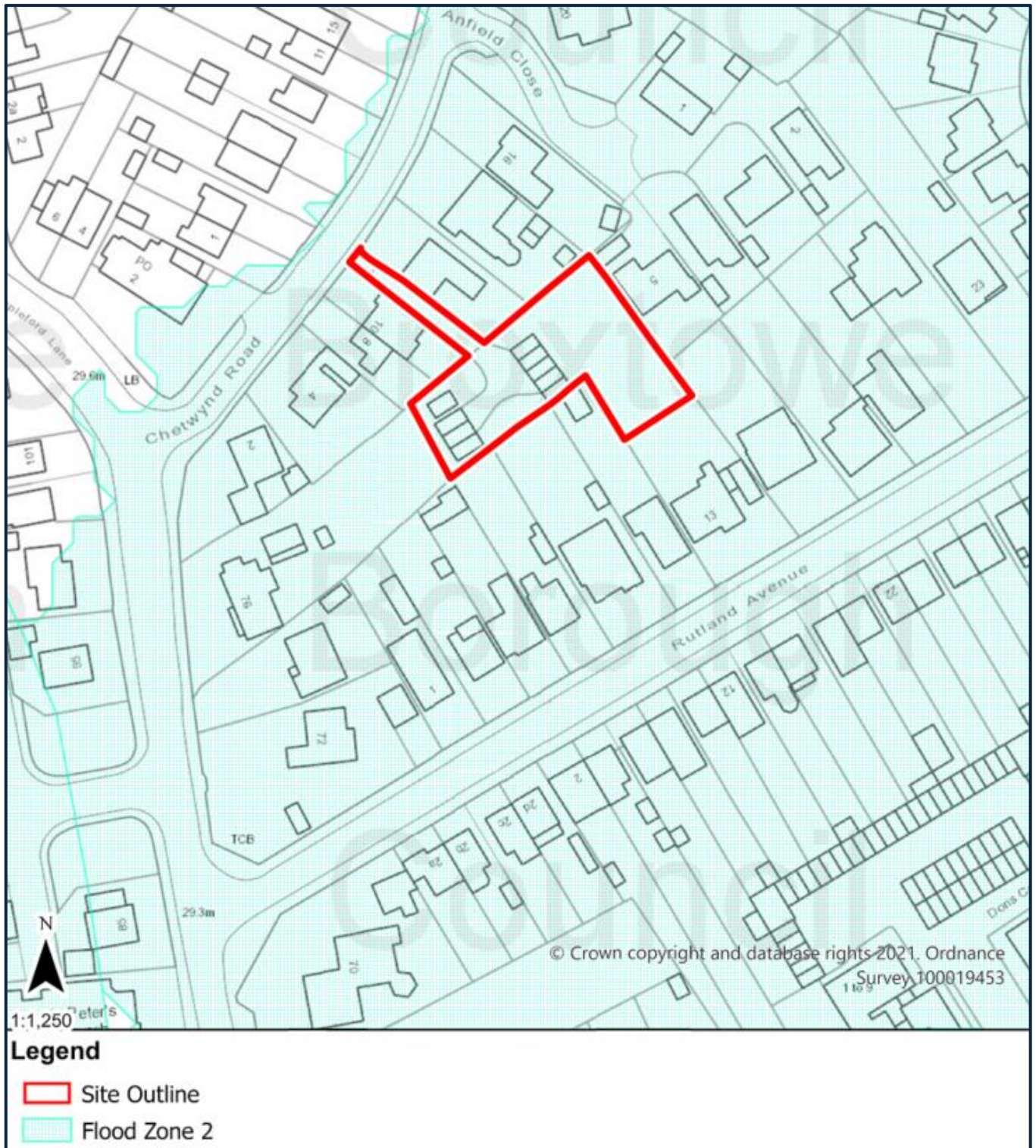
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|                  | <p><b>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.</b></p>  |
| <p><b>2.</b></p> | <p><b>This permission shall be read in accordance with the following plans: existing topographical survey plan (received by the local planning authority 10/01/22), amended site location plan 1:1250, proposed plot 1 No. JG/BW/2021/058/01 Rev. A (received by the local planning authority 28/04/22), proposed plot 2 No. JG/BW/2021/058/02 Rev. A, proposed layout plan No. JG/BW/2021/058/03 Rev. B (received by the local planning authority 23/06/22).</b></p> <p><b>Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</b></p>  |
| <p><b>3.</b></p> | <p><b>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.</b></p> <p><b>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</b></p>   |
| <p><b>4.</b></p> | <p><b>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.</b></p> <p><b>b) No building to be erected pursuant to this permission shall be occupied or brought into use until:-</b></p> <p><b>(i) All necessary remedial measures have been completed in accordance with details approved in writing by the local planning authority; and</b></p> <p><b>(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.</b></p> <p><b>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.</b></p> |

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| <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> <ul style="list-style-type: none"> <li>a) The means of access for construction traffic;</li> <li>b) parking provision for site operatives and visitors;</li> <li>c) the loading and unloading of plant and materials;</li> <li>d) the storage of plant and materials used in construction / demolition the development;</li> <li>e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and</li> <li>f) details of dust and noise suppression to be used during the construction phase.</li> <li>g) a report identifying any asbestos and documenting its safe removal.</li> </ul> <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 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and 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 and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019 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 &amp; 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 Broxtowe 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</p>   |

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|           | <p><b>Planning Authority. The approved landscaping scheme shall include the following details:</b></p> <ul style="list-style-type: none"> <li>a. numbers, types, sizes and positions of proposed trees and shrubs</li> <li>b. details of boundary treatments (including the bin store);</li> <li>c. proposed hard surfacing treatment;</li> <li>d. planting, seeding/turfing of other soft landscape areas; and</li> <li>e. a timetable for implementation of the scheme.</li> </ul> <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 Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and 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"> <li>• the private shared driveway is constructed in accordance with the proposed layout plan No. JG/BW/2021/058/03 Rev. B;</li> <li>• the dropped vehicular footway crossing on Chetwynd Road has been widened and available for use;</li> <li>• the access drive is surfaced in a hard, bound material (not loose aggregate) for a minimum of 5.5m behind the highway boundary and designed to prevent the unregulated discharge of surface water onto the public highway and;</li> <li>• the bin store as shown on proposed layout plan No. JG/BW/2021/058/03 Rev. B 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.</li> </ul> <p>Reason: In the interests of highway safety and in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 of the Part 2 Local Plan (2019).</p>  |
| <p>10</p> | <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</p>  |

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|    | <p>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><b>NOTES TO APPLICANT</b></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:<br/> <a href="http://www.nottinghamshire.gov.uk/transport/licencespermits/temporary-activities">http://www.nottinghamshire.gov.uk/transport/licencespermits/temporary-activities</a></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>             |
| 6. | <p>As this permission relates to the creation of a new units, please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> 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> |

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)

Amended proposed site layout



Amended proposed plot 2 (elevations and floor plans)

PROPOSED ELEVATIONS  
SCALE 1:100



FRONT 1:50



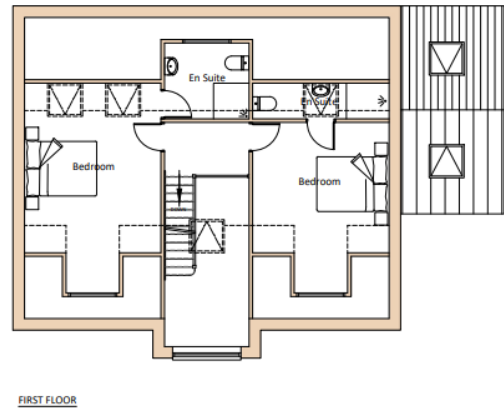
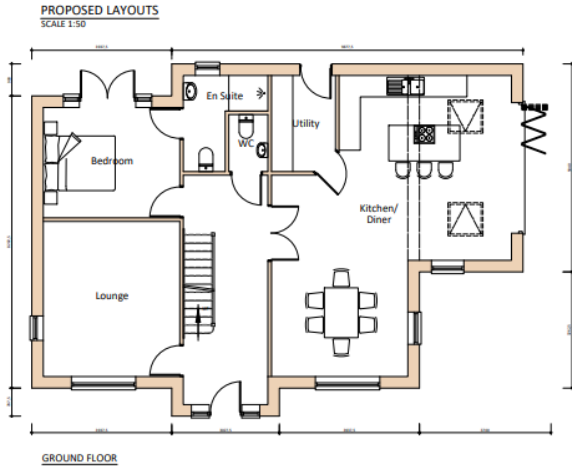
SIDE



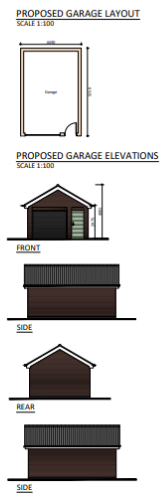
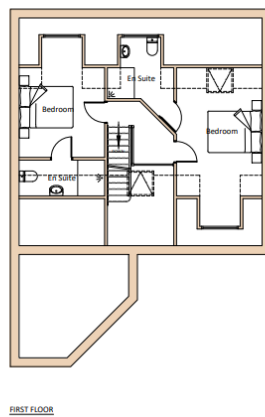
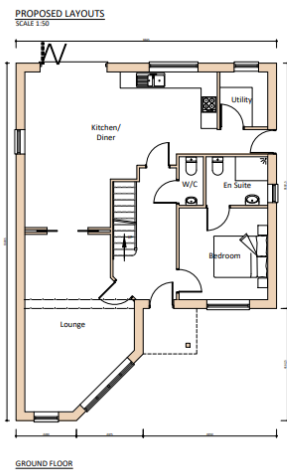
REAR



SIDE



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



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Report of the Chief Executive

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

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.

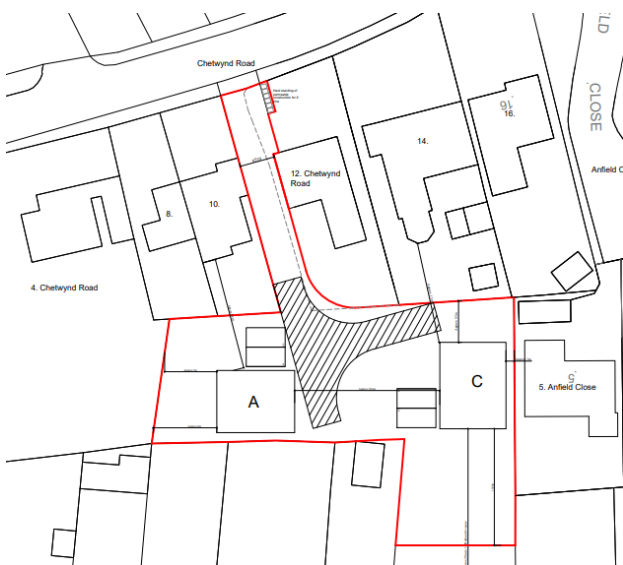
APPENDIX

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:



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## 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.

| <b><u>Recommendation</u></b>  |   |
|---|---|
| <b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b> |   |
| <b>1.</b>   | <b>The development hereby approved shall be begun before the expiration of three years from the date of this permission.</b><br><br><b>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.</b>  |
| <b>2.</b>   | <b>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).</b><br><br><b>Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</b> |
| <b>3.</b>   | <b>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.</b><br><br><b>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.</b>   |

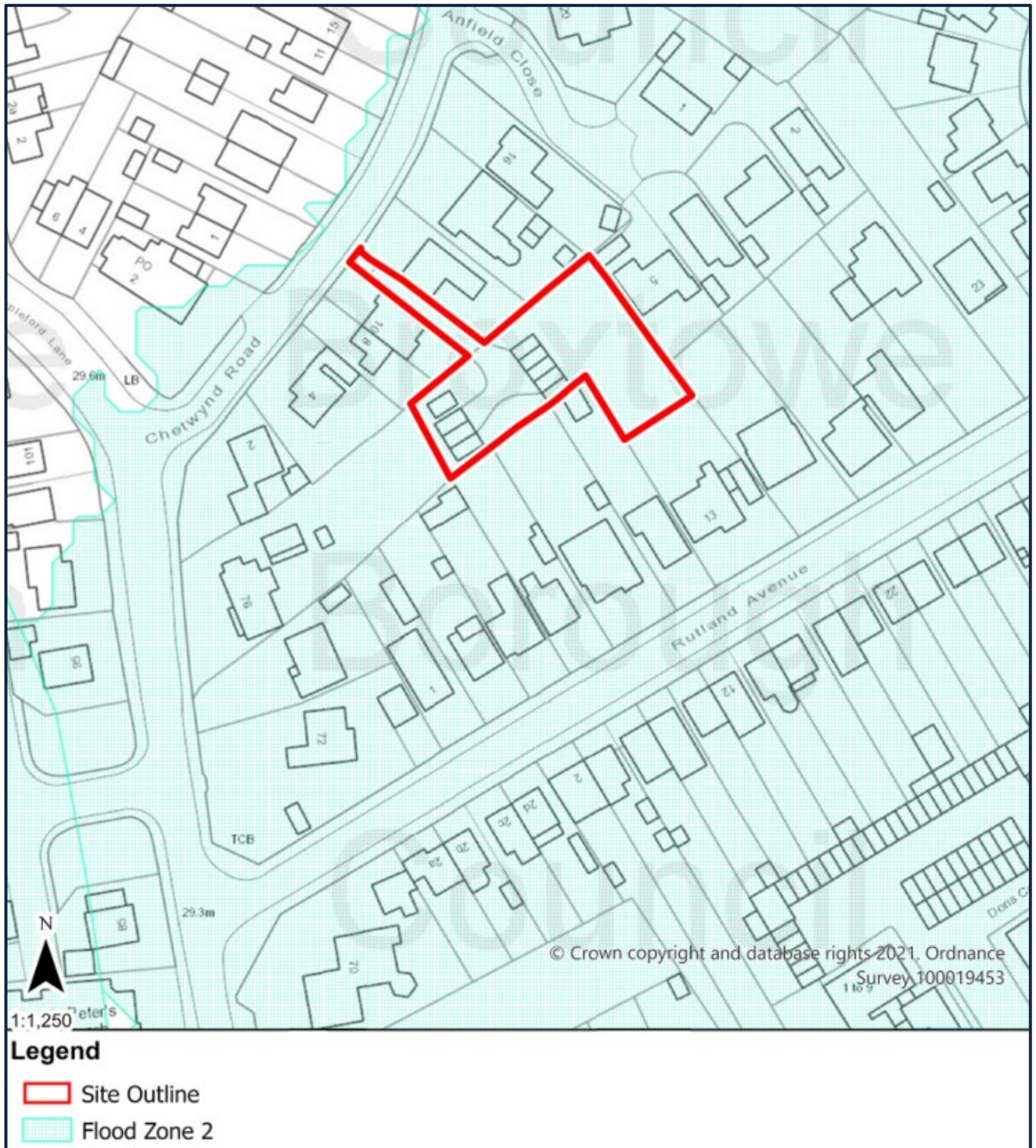
|           |  |
|-----------|--|
| <p>4.</p> | <p>a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential 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><b>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.</b></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><b>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.</b></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 &amp; 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"> <li>a. numbers, types, sizes and positions of proposed trees and shrubs</li> <li>b. details of boundary treatments (including the bin store);</li> <li>c. proposed hard surfacing treatment;</li> <li>d. planting, seeding/turfing of other soft landscape areas; and</li> <li>e. a timetable for implementation of the scheme.</li> </ul> <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"> <li>• the private shared driveway is constructed in accordance with the Block Plan JG/BW/2021/058/03 Rev. A;</li> <li>• the dropped vehicular footway crossing on Chetwynd Road has been widened and available for use;</li> <li>• the access drive is surfaced in a hard, bound material (not loose aggregate) for a minimum of 5.5m behind the highway boundary</li> </ul>   |

|    |   |
|----|---|
|    | <p>and designed to prevent the unregulated discharge of surface water onto the public highway and;</p> <ul style="list-style-type: none"> <li>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.</li> </ul> <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><b>NOTES TO APPLICANT</b></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:<br/> <a href="http://www.nottinghamshire.gov.uk/transport/licencespermits/temporary-activities">http://www.nottinghamshire.gov.uk/transport/licencespermits/temporary-activities</a></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



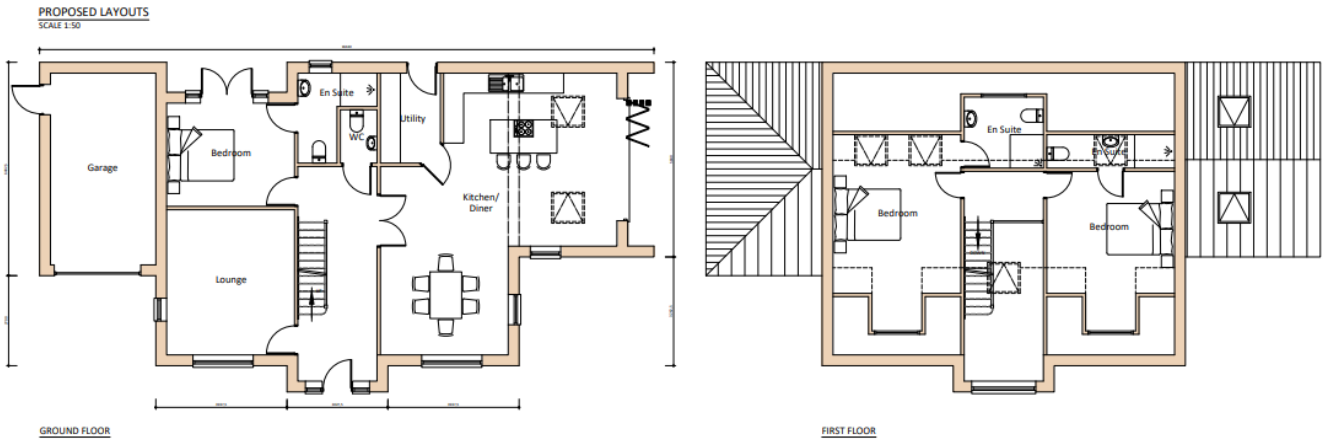
Plans (not to scale)

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**

|                            |  |
|----------------------------|--|
| <b>APPLICATION NUMBER:</b> | <b>22/00333/FUL</b>  |
| <b>LOCATION:</b>           | <b>5 Barlow's Cottages Lane, Awsworth, Nottinghamshire, NG16 2QW</b> |
| <b>PROPOSAL:</b>           | <b>Construct two storey side extension</b>                           |

1. Purpose of the Report

The application is brought to the Committee at request of Councillor L A Ball BEM.

2. Recommendation

**The Committee is asked to resolve that planning permission is refused subject to the reasons outlined in the appendix**

3. Detail

- 3.1 The application seeks permission for a two storey side extension with gable roof.
- 3.2 The dwelling is an end terrace property within a semi-rural area, Awsworth, within the Nottinghamshire Green Belt.
- 3.3 The main issues relate to whether or not the principle of the development is acceptable in the Green Belt, whether the design and appearance of the proposal is acceptable and the impact on neighbour amenity.
- 3.4 The benefits of the scheme are that it would provide additional living accommodation to a residential family home. However, this does not overcome the principle of the application that it directly contravenes policies in relation to the extension resulting in inappropriate development in the Green Belt and its impact on openness.

3.5 Financial Implications

The comments from the Head of Finance Services were as follows:  
 There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

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 None submitted.

## APPENDIX

6 Details of the Application

- 6.1 The application seeks permission to construct a two storey side extension with gable roof. The extension will serve a downstairs living room and first floor bedroom.

7 Site and Surroundings

- 7.1 The application property is an end terrace dwelling in a line of four dwellings. The building is finished in a smooth cream render and has a front porch extension. There is off road parking to the front and the site is enclosed by gates, a brick wall, fencing and vegetation.
- 7.2 The property is located in Awsworth, in a semi-rural location within Nottinghamshire Green Belt. It has some residential properties to the east, west but mainly to the south and open fields to the north.

8 Relevant Planning History

- 8.1 An application (81/00274/FUL) was approved for a front porch and detached garage in April 1981.

9 Relevant Policies and Guidance9.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 3: The Green Belt
- Policy 10: Design and Enhancing Local Identity

9.2 **Part 2 Local Plan 2019:**

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

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, Design and Amenity

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

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt Land

## 10 Consultations

10.1 One site notice was displayed. Two neighbour comments were received, both raising observations which can be summarised as follows:

- The right of way to the east of the site is not annotated on the plans
- Number 4 and 5 are shown as having the same garden
- Loss of privacy
- Concerns with traffic generation and access
- Business vehicles parked at address
- No dropped kerb access
- Position/lack of windows are not in keeping with property.

## 11 Assessment

11.1 The main issues relate to whether or not the principle of the development is acceptable in the Green Belt, whether the design and appearance of the proposal is acceptable and the impact on neighbour amenity.

### 11.2 Principle and Green Belt

11.2.1 The application site is situated within Green Belt land, and therefore the principle of development is subject to whether or not it complies with local and national Green Belt policy. Broxtowe Local Plan Part 2 (2019) Policy 8 states that development in the Green Belt will be determined in accordance with the Section 149 of the NPPF (2021) states that the Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt, exceptions to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy 8 of the P2LP states that additions which result in a total increase of more than 30% of the volume of the original building will be regarded as disproportionate.

11.2.2 As stated in the Planning History section of the report, the original dwelling has been extended with a porch and a detached garage which is taken into consideration when calculating the increase in volume (81/00274/FUL). The volume of the original dwelling has been calculated to be approximately 378.6m<sup>3</sup>, the two storey side extension is 252m<sup>3</sup> and the existing porch is 10.6m<sup>3</sup>. Elevational plans have not been provided of the garage but the volume is approximately in excess of 28m<sup>3</sup>. Therefore, taking into consideration previous extensions (existing porch and garage), plus the proposed two storey side extension, this would mean the additional volume would be 290.6m<sup>3</sup>. Therefore, the proposed extension (and existing porch) would result in an approximate increase of 76.7% of the original volume of the dwelling.

11.2.3 Notwithstanding the above, an extension could be acceptable on this site if it did not exceed the 30% volume increase of the main property but in addition to this concern, the design itself is also considered to be a concern that it is comparable in width to the main house and is more reflective in size and massing of a new dwelling.

11.2.4 To conclude, the proposed extension would exceed the 30% volume increase which would not be considered a limited addition to the original dwelling, and therefore an exception to inappropriate development, in accordance with Policy 8. The proposal is therefore considered to be inappropriate development in the Green Belt. In addition, the proposed design is also considered to be unacceptable due to its unacceptable size, scale, massing and width.

### 11.3 Design

11.3.1 Concerns were raised in relation to the design of the extension. The proposed extension will be constructed flush with the main house and will be 5.1m in width. The main property is 5.3m in width. It is considered that the combination of the flush front elevation and comparable width of the extension to the main property dominates the existing building and reflects the appearance of a new dwelling as opposed to an extension. It is considered the excessive width of the property and lack of setback from the front elevation means the extension will dominate the existing building and represent an overly-prominent appearance in the street scene.

11.3.2 Whilst it is acknowledged the host dwelling is the end property in a terrace of four dwellings, it is considered the proposed extension should still represent an element of subservience with a set back from the front elevation and a shorter width. However, it is the combination of these characteristics that means the extension has the appearance of an additional dwelling and therefore will appear out of character with the terrace properties. Furthermore, the resulting width of the property would be 10.4m in width and with a matching render and no setback would appear out of character with the main properties within the terrace due to the inappropriate massing, scale and proportion.

11.3.3 Policy 17 of the Part 2 Local Plan refers to householder development being 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. It further states that two storey side extension should avoid a terrace effect. Policy 10 of the Aligned Core Strategy refers to development being assessed in terms of its massing, scale and proportion.

11.3.4 During the course of the application, concerns were raised in regards to the width of the extension, lack of setback from the front elevation and the fenestration. Only the fenestration was amended in the front elevation which included more windows with soldier courses and aligned more with the design of the windows in the host dwelling. It is considered the fenestration was improved to an acceptable level.

11.3.5 To conclude, it is considered the proposed extension reflects an unacceptable design due to its excessive width which is comparable to the main property and no setback. It is considered it directly contravenes Policy 17 of the Part 2 Local Plan and therefore should be considered as a reason for refusal.



**11.4 Amenity**

11.4.1 In regards to amenity, as the extension is situated on a corner plot and does not extend beyond the front or rear elevation of the property, it is considered it will not have a significant impact on the amenity of any surrounding neighbours.

11.4.2 It is considered that windows are sufficiently placed to not cause a significant amount of overlooking.

11.4.3 To conclude, it is considered the proposed extension will not have a detrimental impact on the amenity of any neighbours.

**11.5 Highway Safety**

11.5.1 Concerns have been raised that the property does not have a dropped kerb which can be confirmed from the site visit. However, whilst this was confirmed at the time of the site visit, this does not relate to whether the application is acceptable and therefore is not a matter that can be considered in line with the application.

11.5.2 It is considered the proposal of a two storey extension with the existing sized drive would not generate a significant amount of traffic or cause access issues that would warrant a reason for refusal of the application.

11.5.3 Business vehicles parked at the address are not a planning consideration when determining this application.

**11.6 Other Matters**

11.6.1 Matters in relation to the right of way and shared access are not planning considerations.

11.6.2 The plans are sufficient and accurate to determine the merits of the application.

**11.7 Planning Balance**

11.7.1 The benefits of the proposal are that it would provide enhanced living accommodation for the occupiers and would not have a significant impact on neighbour amenity. However, this does not overcome the negative impacts of the unacceptable design and that the development would be considered as being inappropriate within the Green Belt with the applicant failing to demonstrate exceptional circumstances which would allow for development over and above the allowed 30%.

**12 Conclusion**

12.1 Recommend that planning permission for the development is refused.

|   |  |
|---|--|
| <b><u>Recommendation</u></b>  |  |
| The Committee is asked to RESOLVE that planning permission be refused subject to the following reasons: |  |
| 1.  | The proposal constitutes inappropriate development within the Green Belt as the proposed extension, in conjunction with the existing extension, represent a disproportionate addition to the size of the original building. Very special circumstances have not been demonstrated that clearly outweigh the harm resulting from the inappropriateness of the propose development and the significant harm upon openness. Accordingly, the proposal is contrary to Policy 8 of the Part 2 Local Plan (2019) and the NPPF (2021) and there are no other material considerations that justify treating this proposal as an exception. |
| 2.  | The proposed extension is considered to reflect an unacceptable design that dominates the main building and appears overly prominent in the street scene due to the excessive width and no set back from the front elevation of the property. Accordingly, the proposal is contrary to Policy 10 of the Aligned Core Strategy (2014), Policy 17 of the Part 2 Local Plan (2019) and the NPPF (2021).   |
| <b>NOTES TO APPLICANT</b>   |  |
| 1.  | The Council has acted positively and proactively in the determination of this application by working to determine it in line with adopted policies.  |

**Map**



- Legend**
- Site Outline
  - Green Belt

Photographs



South (front) elevation



South (front) elevation



North (rear) elevation



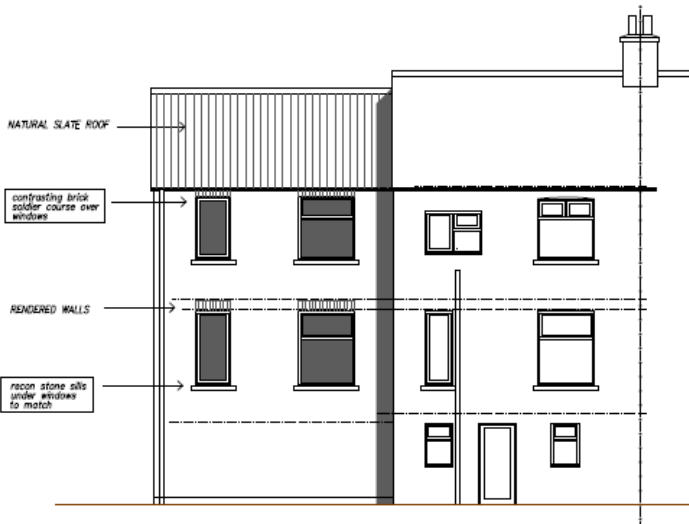
South (front) elevation

**Plans (not to scale)**

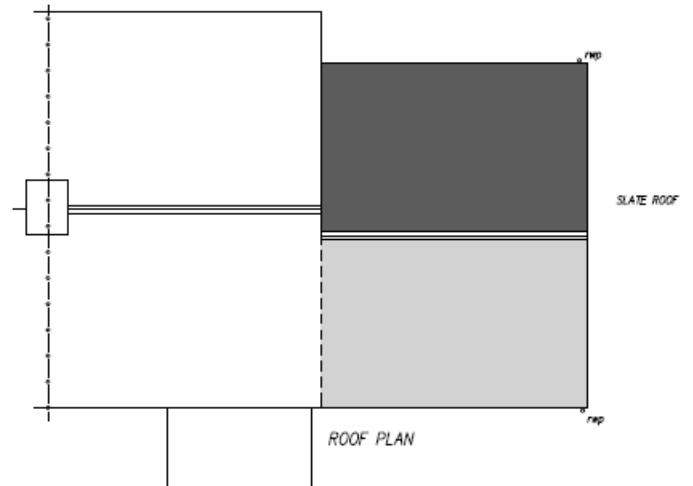


SOUTH ELEVATION (BARLOWS COTTAGES)

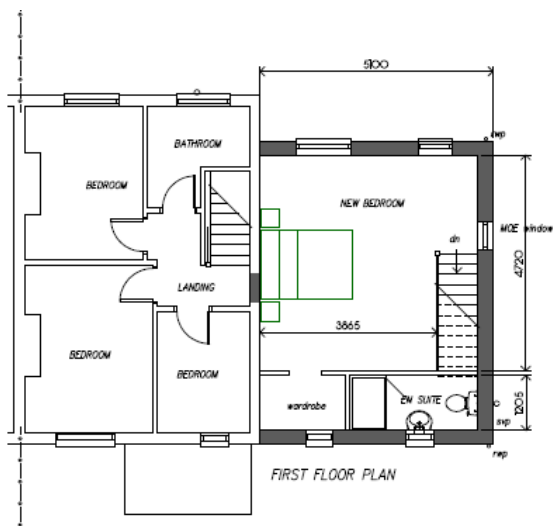
SIDE ELEVATION (EAST – GIN CLOSE WAY)



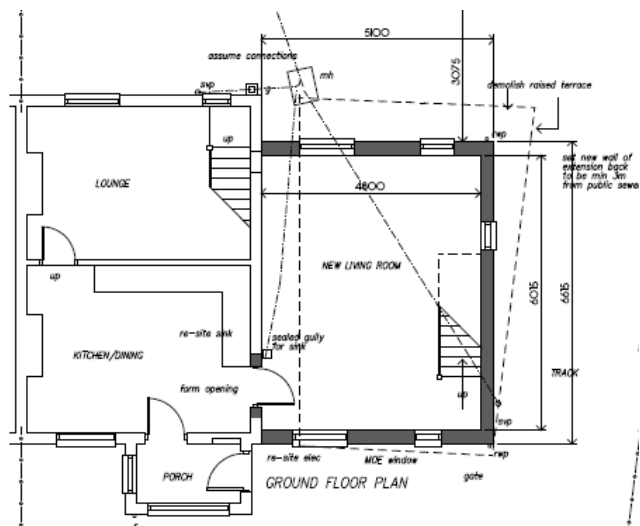
NORTH ELEVATION



ROOF PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

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**Report of the Chief Executive**

|                            |   |
|----------------------------|---|
| <b>APPLICATION NUMBER:</b> | <b>22/00105/FUL</b>   |
| <b>LOCATION:</b>           | <b>52 Assarts Road, Nuthall, Nottinghamshire, NG16 1AP</b>  |
| <b>PROPOSAL:</b>           | <b>Construct first floor and two-storey rear extension including raising the ridge height and balcony, front porch and garage/ store alterations including a mono-pitched roof to the store</b> |

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 the reasons set out in the appendix.**

3. Details

3.1 This application seeks planning permission for a first floor and two-storey rear extension including raising the ridge height and balcony, front porch and garage / store alterations including a mono-pitched roof to the store.

3.2 The application site consists of a detached bungalow with a side facing gable roof and a flat-roofed detached garage and a store adjacent to the common boundary with no. 50. It is located in a suburban residential estate, where there is a mixture of housing style, and bounds the Horsendale Recreation Ground and Broxtowe Country Park to the rear of the site.

3.3 There are no constraints restricting residential extensions in this area, though the Nuthall Neighbourhood Plan has been adopted and is therefore a consideration. The principle of this proposal is therefore acceptable. The main issues relate to whether or not the design and appearance of the proposal are acceptable and impact on neighbour amenity and parking.

3.4 The benefits of the proposal are that it would be extensions to an existing residential dwelling, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan. It would also accord with policies with the neighbourhood plan. There are considered no negative impacts therefore the proposal is acceptable.

4. Legal Implications

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

5. Data Protection Compliance Implications

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

6. Background Papers

Nil.



## APPENDIX

7. Details of the Application

- 7.1 This application seeks planning permission for a first floor and two storey rear extension including raising the ridge height of the dwelling, balcony to the rear elevation, front porch and garage / store alterations including a mono-pitched roof to the store.
- 7.2 The proposed first floor and two storey rear extension would extend the whole width of the existing dwelling, with the two-storey part having a depth of 2.5m. The first floor part would be constructed on the rear roof slope. This extension would have a mono-pitch roof, connecting to and rising above the existing front roof slope by 1.8m – creating a clerestory roof. The rear eaves height would be 4.8m high. On the front elevation there would be two windows in the raised element with a rooflight to the front roof slope and five rooflights on the rear roof slope. Facing the rear there would be bi-fold doors and a window on the ground floor and two windows and a set of French doors to access the balcony. On the side elevation facing the side access there would fenestration changes to the ground floor with two windows moved, and the removal of a door.
- 7.3 The balcony would be inset on the first floor of the southern corner of the rear elevation, and have an obscured glazed screen on the side (south east) elevation, facing no. 54, extending up to the roof eaves. The front porch would be constructed to the north corner of the front elevation, and become the main entrance area. It would extend a partial width, with both side elevations left blank. To the front elevation there would be a door with narrow glazing to one side.
- 7.4 The garage / store would see changes to both roofs, with the garage retaining a flat roof and the store having a mono pitch roof at a height of 4.4m and a set of French doors facing into the garden. The store would become an office.
- 7.5 The dwelling would increase from two to three bedrooms (four including the walk-in wardrobe/ study). Internally on the ground floor there would be considerable layout changes with extended daytime living space, and the retention of bedroom and bathroom facilities. The first floor would provide three bedrooms, a walk-in wardrobe / study and a bathroom.
- 7.6 During the course of the application amended plans were received omitting a single storey side extension, including an obscured glazed screen to the side of the balcony, windows to the front blank two storey elevation, moving the position of the proposed porch and changing the roof design of the store. Neighbouring properties were re-consulted on a change of description of development and on the amended plans.

8. Site and surroundings

- 8.1 The application site consists of a detached bungalow with a side facing gable roof and a flat-roofed detached garage / store on two levels which is adjacent to the boundary with no. 50. The property is located in a suburban residential estate, where there is a mixture of housing style constructed at the same period, but with many properties having extensions, and a few examples of cladding and render in

the wider area. Assarts Road slopes uphill in a north westerly direction, towards Horsendale School at the top of the hill. The site slopes down from the public highway, with properties across on the north east side of the highway at a higher level. Beyond the rear patio, the rear garden has 4 steps downward and the rear garden slopes steeply downward to the rear boundary. Horsendale Recreation Ground and Broxtowe Country Park are to the rear of the site.

8.2 Both neighbouring dwellings (50 and 54), are detached bungalows. 54 is of a similar side gable roofed design, has its side access and then a detached garage along the rear boundary with the site. 50 has a forward / rear facing gable roof, has a rear conservatory and its side elevation forms the boundary (and a wall with a concrete trellis), with the site's side access, with no side windows facing the site. Other boundary treatment in the rear are approximately 1.8m and follow the level of the land. There is one parking space to the front, with relatively open front boundary treatments, and no. 50 at a slightly higher level with a retaining wall along the front boundary.

9. Relevant Planning History

9.1 There is no relevant planning history associated with this site post 1974.

10. Relevant Policies and Guidance

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

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

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

**Part 2 Local Plan 2019**

- Policy 17: Place-making, design and amenity

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

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

**Nuthall Area Designation (adopted)** – The proposal site is within the Horsendale Character Area, within the Nuthall Neighbourhood Plan. The area comprises a mixture of housing types and ages and is typified by a mixture of houses with off-road parking, pedestrian access to facilities on the Mornington estate and a pub. For Horsendale it is expected that all new development will be designed, constructed and implemented to minimise creation of waste, maximise the use of recycled materials and assist in the collection, separation, sorting, recycling and recovery of waste.

- Policy 1: New Housing.
- Policy 3: Live Work Units.

- Policy 5: Design and the Historic Environment.

11. Consultations

11.1 **Councillors & Parish Councils:**

- Councillor P J Owen – called in the proposal to Planning Committee.
- Councillor P Simpson - no comments received.
- Nuthall Parish Council - Raise objection to the proposed development - Over intensification of site, loss of amenity (parking and other) to neighbouring properties. Not in accordance with the Parish Council's Neighbourhood plan.

11.2 Five neighbouring properties were originally consulted, with 26 responses (and a petition) being received during the neighbour consultation and re-consultation periods. A further consultation took place, due to amended plans and a change of description. Further responses were received. All comments received can be summarised as follows:

11.3 Four observation letters in relation to:

- Parking,
- National shortage of bungalows,
- Privacy - ridge height and balcony,
- Views of site - not fair to users of Broxtowe Country Park to be overlooked from the height of a balcony, when this is not the present circumstance,

11.4 Twenty-two objections (and a petition) can be summarised as follows:

- Parking and traffic – not enough parking on site and highway not suitable for level of traffic and parking, will cause further congestion, due to school pick up and drop off,
- Precedent – approval of this proposal would create a precedent and lead to further reducing of bungalow stock,
- Lack of notification,
- Loss of privacy – due to first floor rear extension balcony & office which will overlook back gardens.
- Lifetime home - the ability for people to remain within the community and receive care in their own homes rather than going into costly residential care, which from a cost point of view will have an effect on local services and funding, bungalow is for disabled and elderly people,
- Economic benefits – proposal has no economic benefits and will devalue properties & house will be unsellable,
- Design – the new structure constitutes a new build in the middle of a mature suburban residential road made up of 29 bungalows, is over-development and is out of character with the existing row of bungalows and will stick out like a carbuncle, a sore thumb, a 'Picasso' drawing on top of a 'Constable' landscape. It is out of keeping, large and unsightly due to ridge height and balcony,
- Design queries – are windows on the roof another bedroom and as garage will no longer be a garage, it should not be referenced as such,
- Noise
- Crime - proposal would attract burglars

- Well-being – the application has had an effect on health,
- Business in relation to the home office – area is not built for business use,
- Covenant – there is a covenant to stop bungalows becoming houses,
- Property has been left on a disgraceful state,
- Building regulations – should stop things like this getting built.
- Lack of communication from the applicant – no empathy or consideration given by the owners of the property to local residents.
- Supportive of some form of development - understand why there is a need to improve the bungalow.

## 12 Assessment

12.1 The main issues relate to whether or not the design and appearance of the proposal are acceptable and impact on neighbour amenity and parking.

### 12.2 Design and Appearance

12.2.1 In terms of mass and scale, it is considered that the proposed development does not represent a disproportionate addition. The proposed first floor extension would be constructed above an existing element, and would be set back from the existing front elevation by 4.9m and will only increase the height of the existing ridge by 1.8m, with the two-storey part only extending 2.5m further into the rear garden, where the roof would slope downward to an eaves height of 4.8m. Whilst the proposed first floor / two-storey rear extension will increase the height of the existing roofline, it will not extend any further forward or to the sides of the existing building.

12.2.2 The front porch would be single storey, set below the existing roof height by 1m and is therefore considered to be a relatively minor addition.

12.2.3 The application form states that the proposed development would use tiles of type, texture and colour so as to match those of the existing building and the existing/proposed elevations would be finished in a white (colour) render and black/dark grey timber cladding. Though this would be the first property to apply render and cladding to the whole building, there are examples of cladding and render mainly to the front gable of many buildings within the street, there are also wider examples of render and cladding throughout the estate and the use of render to retrofit older properties to mitigate against climate change is an important consideration within planning, therefore the use of these materials is considered acceptable due to the wholesale renovation of the dwelling and in order to provide a modern lifetime home. As the extensions will be visible from the street, the materials will be conditioned to ensure that the development has an acceptable finish.

12.2.4 In terms of design, it is considered the proposed development is modern in comparison with its neighbouring dwellings, but has tried to strike a compromise and retain elements of the original bungalow, this is considered acceptable in this circumstance. The proposed extensions would have a clerestory roof, retaining part of and having a similarity to the existing sideways gable roof. Adding a first floor to the existing dwelling is considered to be acceptable and will not appear out of

keeping with the character of the area, as this is a residential area with a mix of bungalows, detached and semi-detached houses, whilst most of these dwellings were built at a similar period, there has been a mixture of extensions and new construction within the area over the preceding years and it would be unfair to limit development that only confirms to the original structure, neither is there any constraints restricting development to a set style or size within this neighbourhood.

12.2.5 It is therefore considered that, given the acceptable design and materials, the proposed extensions are of a size, siting and scale that will not appear over-prominent or out of character within in the street scene or as viewed from public vantage point within Horsendale Recreation Ground / Broxtowe Country Park.

### 12.3 Amenity

12.3.1 The proposal is considered to comply with Policy 1 of Nuthall Neighbourhood Plan as bedroom and washing facilities would be retained to the ground floor providing for an elderly resident or someone with mobility needs. It is considered that this house would also fulfil some of the needs for a lifetime home, with the additional space allowing for a multi-generational home or carers to be available, and the re-modelling of the dwelling would also provide for an improved layout capable of being adapted to suit the lifetime of its occupants as per Policy 15 of the P2LP (2019). It should also be noted that the rear garden is at quite a steep level, so the site can already be considered to be over more than one storey when viewed from the rear in particular.

12.3.2 No. 50 Assarts Road is to the north west of the application site. This property has a rear conservatory and its side elevation forms the boundary (along with a wall with a concrete trellis) with the site's side access. There are no side windows facing the site and the detached garage / office is along the rear common boundary. No. 50 is at a slightly higher level than the site. No part of the proposal would be any nearer to no. 50 than the existing building, with the site's side access at a gap of 2.6m in between. The porch would have a gable roof and would have a lower eaves height at the side. The first floor extension would be above the existing rear roof slope and therefore the existing building, and the two-storey rear part of the proposal would extend for a relatively modest depth of 2.5m. The balcony would be inserted into this rear extension and towards the opposite side of the site. Therefore, with no. 50's conservatory, the concrete trellis on the boundary there is already an element of over-looking, and it is considered that the impact would not be significantly different to the existing situation. Whilst the garage / store is on the boundary with no. 50, the works would be limited to within the site and the store roof would be at a height of 3.6m viewed from the higher level (and no. 50's rear elevation), but is beyond the lower garage roof. Therefore, it is considered that the overall proposed development would have no significant impact on the amenities of the occupiers of no. 50.

12.3.3 No. 54 Assarts Road is to the south east of the application site. This property is at a slightly lower level than the application site and has its side access and then a detached garage along the rear boundary with the site. No part of the proposal would be any nearer to no. 50 than the existing building and the porch would be situated to the opposite side of the front elevation at a distance of 3m to the boundary. The first floor extension would be above the existing roof, with the two-

storey rear part of the proposal extending for a relatively modest depth of 2.5m and which would be to the north west of no. 54, next to their side access and no. 54's detached garage, set just off the boundary. The balcony to the first floor would be positioned toward this side of the proposal, but would be inserted into the proposed rear elevation and there would be a full height obscured screen facing towards no. 54 the retention of which will be secured by condition. Therefore, it is considered that the proposed development would have no significant impact on the amenities of the occupiers of no. 54.

12.3.4 35 and 37 Assarts Road are situated across the highway, to the north east. Both properties are at a higher level, have off-road parking and are bungalows. They will have sight of the front of the clerestory roof of the first floor extension, though this would be at a distance and with the proposal set back from the frontage it would obscure sight of the two-storey rear part of the proposal. The garage alterations are considered minimal and are within the rear garden, whilst the front porch is single storey as per the existing bungalow, set below the existing roof height, 4.5m off the front highway and will be an entrance area. Therefore, it is considered that the proposal would have no significant impact on the amenities of the occupiers of these front neighbours.

12.3.5 In relation to amenity comments received, given the relatively modest depth of the rear extension at 2.5m, the fact that the balcony would be inserted onto the first floor of this elevation, with a glazed screen to the south east and the relatively wide distances between neighbouring plots along the row, it is considered that the balcony would have no significant impact on privacy to the rear gardens of properties on Assarts Road or to the users of the public open areas beyond the site.

12.3.6 It is considered that the proposal will not result in an unacceptable loss of amenity for any neighbouring properties.

#### 12.4 Access

12.4.1 Parking restrictions are in place to the north east side of Assarts Road and continue to the south east to the junction with Carters Wood Drive. The restrictions are in place as part of a school zone, thereby restricting parking Monday- Friday during school drop off and pick up times. Restrictions are in place to mitigate against school traffic, and are in place for the benefit of residents and therefore the occupiers would be in the same position as neighbouring properties, which would require them to adjust vehicle usage as appropriate, it would therefore be unfair to prejudice this development when a larger property within the zone may already have similar parking provision.

12.4.2 The dwelling would increase from two to three (four including the walk-in wardrobe/study). One parking space would be retained to the front, as existing, whilst the side drive and garage would still be accessible for smaller vehicles. The dwelling is with walking distance of Phoenix Park Tram Stop and to other public transport options and therefore complies with the Nuthall Neighbourhood Plan Policy 1 in reducing the need to travel particularly by private car. Therefore, it is considered that there is sufficient parking provision available to serve the development.

12.5 Other Issues

- 12.5.1 Initially the site was incorrectly plotted, as soon as this was highlighted it was corrected and a second consultation took place. A site notice was also posted on Assarts Road due to this error, to alleviate the initial consultation concerns from neighbours, therefore the Council has carried out its legal requirement for a neighbour consultation. The applicant is under no legal requirement to consult neighbouring properties.
- 12.5.2 The granting of planning permission for one site does not automatically set a precedent for future development. Planning applications would be considered on their own merit and in the context of the site in which they are located.
- 12.5.3 The Council have worked with the applicant to make changes to the plans to ensure and to provide a clear and concise description of the proposed development.
- 12.5.4 Works should be carried out as per the approved plans in any planning decision, they would also undergo regular inspection by Building Control. An NTA has also been included in the decision reminding the applicant of acceptable construction times.
- 12.5.5 Whilst it is noted that there is an office proposed for the existing store, the applicant has not applied for a change of use to cover a business from home. That said many developments contain a home office / or study and may not require a change of use application given the popularity of hybrid working). Policy 3 of the Nuthall Neighbourhood plan also promotes working from home, as a form of reducing congestion in nearby roads and improving local air quality.
- 12.5.6 Impact on private rights such as property value / saleability and the economic benefit of a proposal for the applicant are not material considerations.
- 12.5.7 No evidence has been provided of a covenant protecting the dwelling as a bungalow, which was granted planning permission on ref. 74/00487/FUL. Even so this would be outside the remit of a planning application.

13 Planning Balance

- 13.1 The benefits of the proposal are that it would be extensions to an existing residential dwelling, would have an acceptable design, would not have a significant negative impact on neighbour amenity and would be in accordance with the policies contained within the development plan, and the Nuthall Neighbourhood Plan. It is also considered to provide facilities for a lifetime/ multi-generational home and the works would likely improve the energy performance of the building.
- 13.2 There are considered no negative impacts, therefore the proposal is acceptable.

14 Conclusion

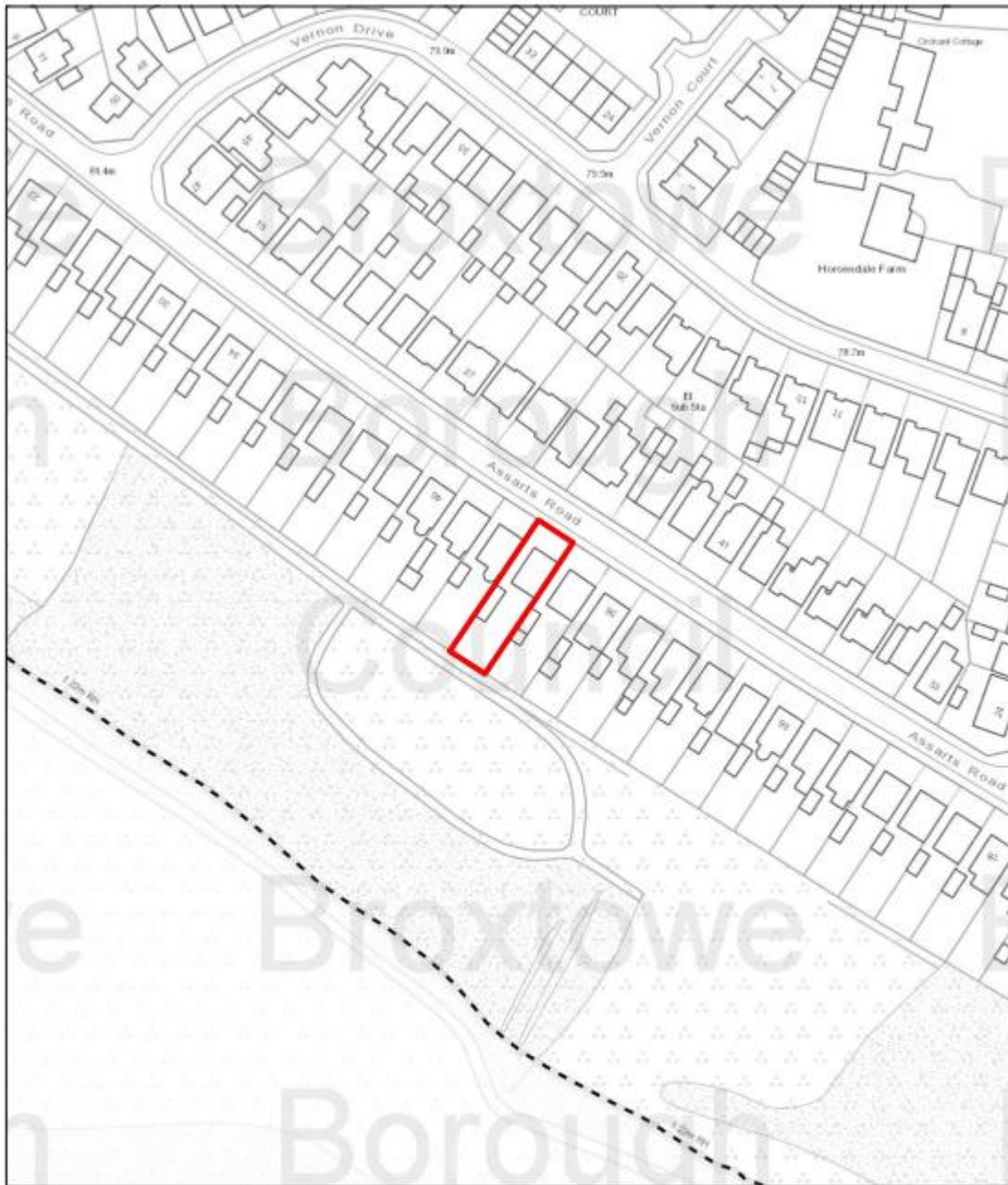
- 14.1 Recommend that planning permission for the development is granted.

|  |   |
|--|---|
| <b><u>Recommendation</u></b>   |   |
| The Committee is asked to RESOLVE that planning permission be granted for the following reasons: |   |
| 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, the Proposed Block Plan and drawing number MNCN/JR/22/002/P1 Rev D received by the Local Planning Authority on 28 June 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>  |
| 3.   | <p>The development shall be constructed using tiles of a type, texture and colour so as to match those of the existing building and the existing/proposed elevations shall be finished in a white coloured render and black/ dark grey timber cladding as annotated on the approved elevations).</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).</i></p> |
| 4.   | <p>The obscurely glazed screen on the south eastern corner of the first floor balcony hereby approved shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>  |
|  |   |
|  | <b>NOTES TO APPLICANT</b>   |
| 1.   | The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.   |
| 2.   | The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority   |



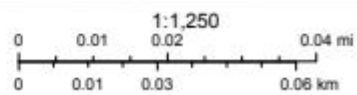
|           |   |
|-----------|---|
|           | <p>website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>   |
| <p>3.</p> | <p>No construction, demolition or site preparation work in association with this permission 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> |

52 Assarts Road Nuthall Nottinghamshire NG16 1AP



7/5/2022, 1:58:31 PM

 Site



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Photographs



Two storey dwellings across front highway.



Assarts Road, facing south east.



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



Front boundary with no. 50.



Rear (south west) elevation.



Rear boundary and Horsendale Recreation Ground/ Broxtowe Country Park.



View from rear elevation to neighbouring boundary (no. 54).



View from rear elevation to neighbouring boundary (no. 50).



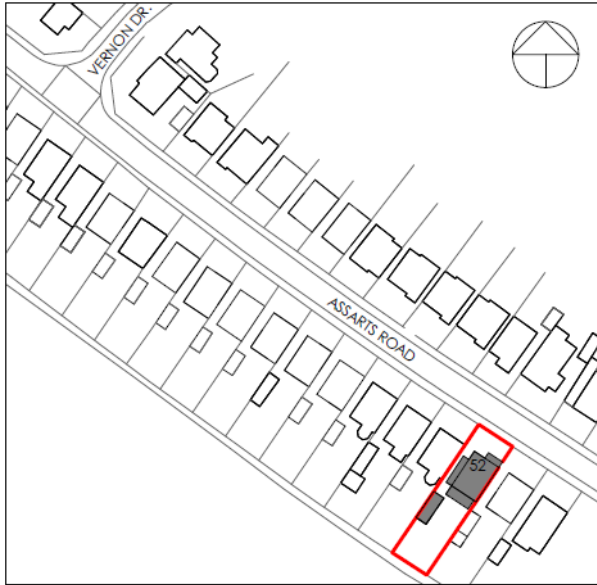
Garage/ outbuilding on boundary with no. 50.



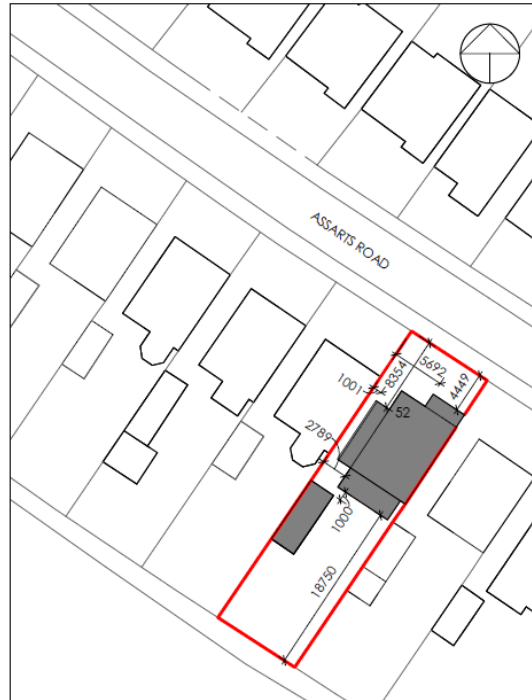
Rear boundary with no. 54.

**Plans (not to scale)**

Site Location and Proposed Block Plan

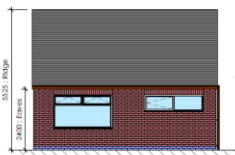


SLP  
1 : 1250



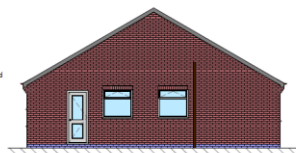
BLOCK PLAN  
1 : 500

Existing and Proposed Elevations



FRONT - EX.  
1 : 100

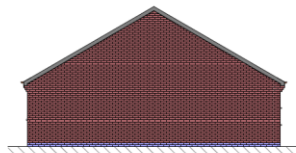
- Existing dwelling
- White uPVC windows
- Red brickwork
- Pitched roof with grey concrete tiles
- Black soldier heads
- Brown uPVC fascia, soffit and rainwater goods
- Brickwork joints with blue engineering of DPC



RIGHT - EX.  
1 : 100



REAR - EX.  
1 : 100



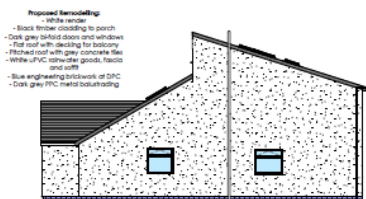
LEFT - EX.  
1 : 100



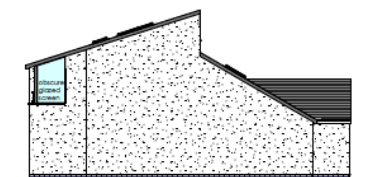
FRONT - PROPOSED  
1 : 100



REAR - PROPOSED  
1 : 100



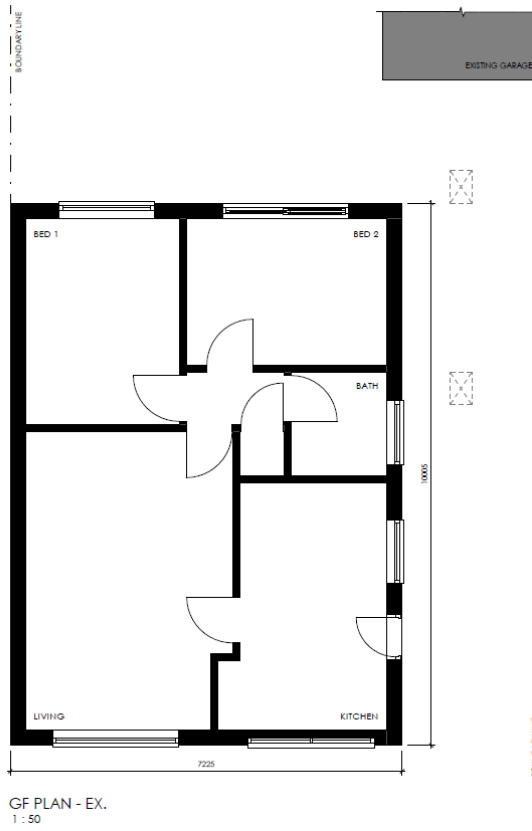
RIGHT - PROPOSED  
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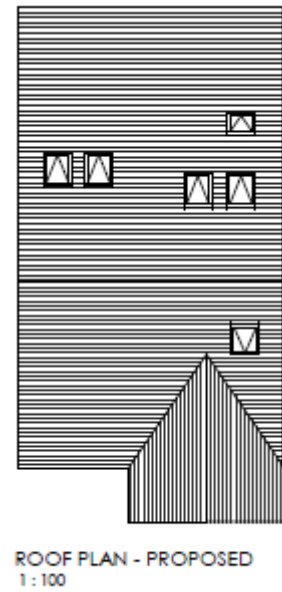
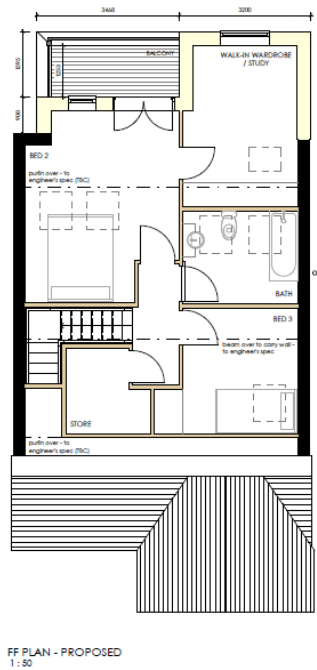
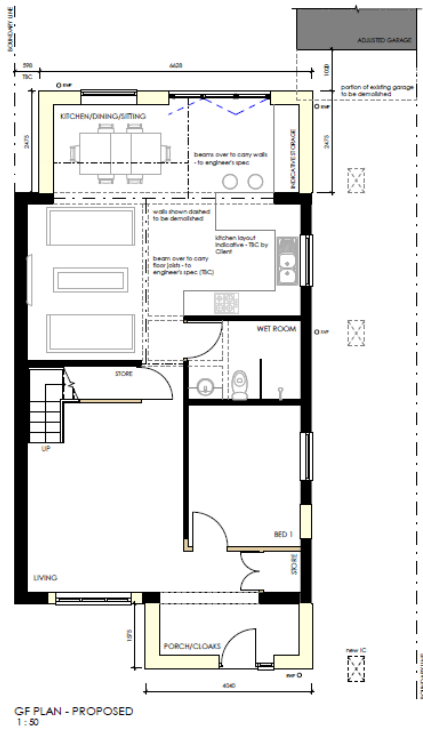
LEFT - PROPOSED  
1 : 100

- Proposed Renovation:
- White render
- Black fence cladding to porch
- Dark grey bifold doors and windows
- Flat roof with decking to balcony
- Pitched roof with grey concrete tiles
- White uPVC rainwater goods, fascia and soffit
- Blue engineering brickwork at DPC
- Dark grey PVC metal balustrading

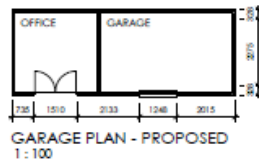
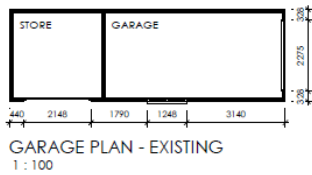
Existing floor plan



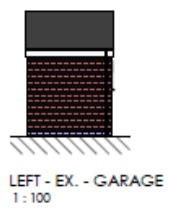
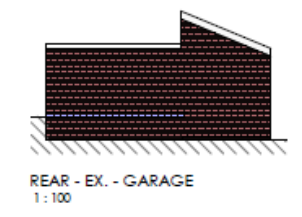
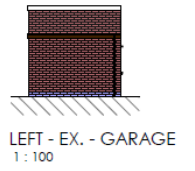
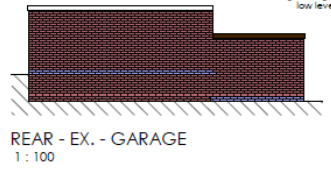
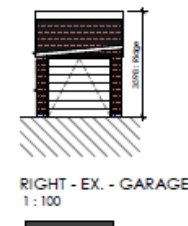
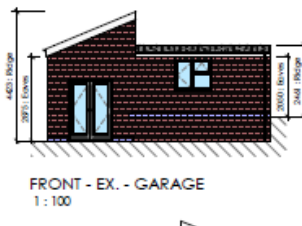
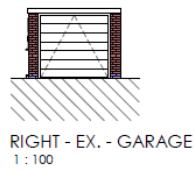
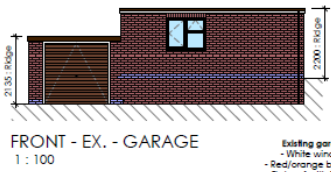
Proposed Floor and Roof Plan



Existing and Proposed Garage



- Proposed garage:
  - Dark grey patio doors and windows
  - Red/orange brickwork
  - Monopitch roof with half brick
  - Brick soldier head
  - Blue engineering brickwork at low level



- Existing garage:
  - White windows
  - Red/orange brickwork
  - Flat roof with half brick
  - Brick soldier heads
  - Blue engineering brickwork at low level

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**Report of the Chief Executive**

|                            |   |
|----------------------------|---|
| <b>APPLICATION NUMBER:</b> | <b>22/00125/FUL</b>   |
| <b>LOCATION:</b>           | <b>Station Road (Central) Car Park Station Road<br/>Beeston Nottinghamshire</b>   |
| <b>PROPOSAL:</b>           | <b>Construct purpose built student accommodation (sui generis) and ground floor commercial unit (Class E(g)(i)) with associated access, car parking, landscaping and infrastructure</b> |

1. Purpose of the Report

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

2. Recommendation

**The Committee is asked to resolve that planning permission be granted subject to the prior completion of an agreement under Section 106 of the Town and County Planning Act 1990 and conditions outlined in the appendix.**

3. Detail

- 3.1 The application seeks full planning consent for the construction of a purpose built student accommodation (sui generis) containing 419 studio flats and ground floor commercial unit (Class E(g)(i)) with associated access, car parking, landscaping and infrastructure. The proposed development is located within the Beeston town centre at land bound by Styring Street, Middle Street and Station Road.
- 3.2 The application site is approximately 0.38 hectares and comprises of a hardstanding area which is largely surrounded by 1.8m high mesh fencing. Currently, the site is partly being used as a council car park which is accessed from Station Road. The south eastern part of the site is vacant.
- 3.3 The main issues relate to whether the proposed mixed use as residential and commercial is acceptable; whether the design is acceptable; whether there would be unacceptable impact on the amenity of future and neighbouring occupiers and whether the proposal would have an unacceptable impact on highway safety.
- 3.4 The benefits of the scheme are that the proposal would provide purpose built student accommodation and would in turn allow for less pressure on C3 dwellings to be occupied as a C4 use; it would be in a sustainable location with good access to public transport and to facilities such as retail, leisure, health and education, reducing reliance on private vehicles; and would provide a good standard of living for the future occupiers. The proposed scheme also includes commercial floor space to help support the vitality of Beeston town centre. The development would be in accordance with the policies contained within the development plan. This is given significant weight.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Data Protection Compliance Implications

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

6. Background Papers

Nil

## APPENDIX

6 Details of the Application

- 6.1 The application seeks full planning consent for the construction of a purpose built student accommodation (sui generis) containing 419 studio flats and ground floor commercial unit (Class E(g)(i)) with associated access, car parking, landscaping and infrastructure. The proposed development is located within the Beeston town centre at land bound by Styring Street, Middle Street and Station Road.

7 Site and Surroundings

- 7.1 The proposed development is located within the Beeston town centre at land bound by Styring Street, Middle Street and Station Road. To the immediate southwest of the site is the Beeston Bus and Tram Interchange located on Styring Street, with four-five storey residential apartment buildings beyond this. To the southeast and south of the site there is a mix of commercial and residential properties fronting Middle Street. Station Road forms the north-eastern site boundary with a pedestrian crossing leading to a Tesco Extra food store and car park immediately north of the site. To the immediate northwest of the site is the recently developed Arc Cinema building.

- 7.2 The site is situated within the Beeston town centre and forms part of The Square Beeston allocation under Policy 11 in accordance with the Part 2 Local Plan 2019.

8 Relevant Planning History

- 8.1 In 2018, planning permission was granted for a hybrid application (18/00360/FUL) comprising: i) Full application to construct cinema (Class D2) and commercial units (Class A1 - A5) with ancillary uses (plant, bin stores etc.) and public realm; and ii) Outline application for mixed use development to include residential dwellings (Class C3) with car parking, commercial units (Class A1 - A5) and assembly and leisure units (Class D2) with associated ancillary areas (plant and bin stores etc) (with all matters reserved). To the northwest of the site, the full application to construct a cinema has been fully implemented.

- 8.2 In 2020, reserved matters approval (19/00816/REM) was granted to construct 132 apartments (Class C3) and flexible use commercial unit (retail/financial and professional services/restaurant/bar/takeaway/assembly and leisure - Classes A1-A5 and D2) (now E and Sui generis) with car parking and landscaping (reserved matters relating to planning permission reference 18/00360/FUL).

9 Relevant Policies and Guidance9.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 9.1.2 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 6: Role of Town and Local Centres
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 14: Managing Travel Demand
- Policy 19: Developer Contributions

## 9.2 Part 2 Local Plan 2019:

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

- Policy 10: Town Centre and District Centre Uses
- Policy 11: The Square Beeston
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 20: Air Quality
- Policy 23: Proposals affecting Designated and Non-Designated Assets
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 31: Biodiversity

## 9.3 National Planning Policy Framework (NPPF) 2021:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes
- Section 7: Ensuring the vitality of town centres
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 16: Conserving and enhancing the historic environment

## 10 Consultations

10.1 **County Council Highway Authority:** First set of comments, amendments required. The principle of the access off Station Road has been established by 19/00816/REM. 6 car parking spaces proposed, however there is no facility for drivers to enter and exit the site in a forward gear if all the parking spaces are occupied. It would appear a kerbed radii access is proposed to serve the site when a continuous footway should be provided to retain continuity for pedestrians. Further details should be submitted for assessment.

- 10.2 The area of land to the rear of the servicing layby will effectively become the footway but resides within the red line boundary. County Highways request covenants secured by S.106 to ensure the lay-by remains open to the general public and is maintained in perpetuity for the lifetime of the development. A Traffic Regulation Order is required to control the manner in which the new layby will be utilised. The servicing arrangements for the commercial units remains the same as that previously approved under the former submission.
- 10.3 **County Council Highway Authority:** Second set of comments, no objections. After assessing the Transport Technical Note, the vehicular entry/exit point to the car-park is now shown with a continuous footway across the access to retain continuity for pedestrians. Parking within the courtyard area has been altered to ensure mobility impaired drivers have their own designated bays. The swept path analysis has demonstrated sufficient turning facilities.
- 10.4 **County Council Lead Local Flood Authority:** No objections.
- 10.5 **County Council Historic Environment:** First set of comments, further detail required. The site is opposite the boundary to Beeston West End conservation area, a designated heritage asset. The D&A statement identifies this built heritage asset and the proposed design demonstrates a suitable response to the setting of the conservation area by stepping down the height of the blocks facing onto Styring Street. Elsewhere the blocks onto Station Street are very tall and will rival the setting of St John the Baptist church (grade II listed HA) and Anglo-Scotia Mills on Wollaton Road (grade II listed HA). The submitted information does not appear to consider the wider views of the Station Street block in the views around the town centre that incorporate these landmark designated heritage assets. In the absence of evidence to indicate otherwise, it would be appropriate to very carefully consider whether the height of the Station Street block is too dominant within the town centre and likely to harm the setting of both listed buildings.
- 10.6 **County Council Historic Environment:** Second set of comments, no objections. The submitted Heritage Assessment has examined the concerns previously raised with regards to the potential impacts arising from the scale and location of the development on the settings of various designated heritage assets. The officer is now content that the HIA has been undertaken in an appropriate manner and does not wish to disagree with the conclusions. The evidence provided is sufficient to demonstrate that the impacts will be on the lower end of the scale of 'less than substantial' and as such has no objection to the granting of planning permission.
- 10.7 **Historic England:** The submitted Written Scheme of Archaeological Investigation recognises the risk that important remains will likely be encountered, but is constrained the model of a 'watching brief' set out in other consents and hence offers a strategy which falls short of what is required to effectively manage that risk and hence the public interest. In the context of a site likely to contain complex archaeological remains an approach which

attempts to mitigate the impact of development by monitoring intrusions, i.e. from what may by chance be encountered in the digging of footings, services etc. when works are already underway is inadequate.

- 10.8 **County Council Archaeology:** No objections subject to watching brief and strip, map and sample condition. In line with Historic England's comments about the sensitivity of the site there is high potential for the site to contain archaeological remains. However, the officer is also mindful that there is a previous consent for the site, which has a condition requiring an archaeological watching brief. The WSI which has been submitted is for a "watching brief" but with contingency to expand this to a strip, map and sample should archaeological remains be uncovered. In the circumstances this is probably the best solution available, and as such the officer recommends that it is accepted.
- 10.9 **Council's Private Sector Housing Officer:** No objections. Minimum room sizes are approximately 16m<sup>2</sup> inclusive of en suites.
- 10.10 **Council's Environmental Health Officer:** No objections subject to conditioning the following matters: noise mitigation recommendations contained within Noise Assess noise report Ref. 13327.01.v4 (dated February 2022), piling noise, working hours, Construction Method Statement, commercial opening hours and delivery hours, plant noise, commercial odour/ventilation.
- 10.11 **Council's Contamination Officer:** No objections.
- 10.12 **Council's Air Quality Officer:** No objections.
- 10.13 **Council's Tree Officer:** No objections. It should be noted that tree planting around the perimeter of the site (Styring Street and Middle Street) should be designed in consideration for the overhead equipment for the adjacent Tram system.
- 10.14 **Council's Waste Officer:** The proposed number of bins, bin store location and collection frequency would not be deliverable from Council waste services. The applicant has confirmed waste collection is to be undertaken by a private contractor. A waste management plan has been conditioned to ensure an appropriate comprehensive waste strategy is implemented for the lifetime of the development.
- 10.15 **Nottinghamshire Wildlife Trust:** No objections subject to conditioning construction protections measures and a Landscape Environmental Management Plan (LEMP) to ensure the proposal delivers an environmental net gain in line with Part 15 of the NPPF.
- 10.16 **Nottinghamshire Police:** No objection. Security and anti-social behaviour deterrents should be considered in the design of the proposal. As such, a Secure by Design condition has been proposed in the interests of reducing the

potential for crime. Secured by Design (SBD) is a minimum standard for security.

10.17 **Nottinghamshire Clinical Commissioning Group:** Request a contribution of £90,818.25 towards enhancing capacity/infrastructure within local GP practices (The Manor Surgery, The Oaks Medical Centre and Abbey Medical Centre).

10.18 **Severn Trent Water:** No objections.

10.19 **Nottingham Express Transport (NET):** No objections. The exit onto Styring Street is currently prevented under an existing Traffic Regulation Order, therefore servicing vehicles are not permitted access on to Styring Street from the site. Servicing vehicles will use the proposed lay-by. For the avoidance of doubt, bollards should be conditioned adjacent to Styring Street.

10.20 **Written representations:** 4 site notices were posted, a press notice was advertised and neighbouring properties were consulted. 210 objections and 102 letters of support in total received.

- 176 objections and 44 letters of support first consultation.
- 33 objections and 58 letters of support second consultation.

#### Concerns raised:

##### *Principle of development*

- Lack of evidence to demonstrate the need for student accommodation in Beeston.
- There are already too many student accommodation developments/HMOs in Beeston.
- Student overpopulation within Beeston.
- The site should be better used for the community i.e. affordable housing or green space.
- No need for more commercial development
- Loss of existing car parking.
- Lacks local infrastructure to support the scheme.

##### *Visual Amenity*

- Unacceptable design and out of keeping with locality – size/scale too big for this location.
- The proposed height of the building out of keeping with the surrounding landscape.
- Overdevelopment of site – disproportionate in bulk/appears cramped and block appearance lacks creativity.
- Negative impact on the adjacent conservation area.
- Proposed materials are not sensitive to the locality.
- Lack of green space/features.
- Fails to reflect the recognised Design Code in respect of previous application 18/00360/FUL. The proposal lacks setbacks and visual breaks.

*Residential Amenity*

- Sizes of bedrooms appear too small.
- Overlooking impact - potential loss of privacy resulting from proposed windows.
- Overshadowing impact - the scale of the development would result in loss of light on surrounding streets and on neighbouring properties.
- Overbearing impact – resulting from the size/scale of the development on neighbouring properties.
- Cinema lighting will affect future occupiers of the proposal.
- The proposal will increase the sense of enclosure and wind tunnel effect
- The proposal will impact neighbouring properties in terms of noise and air pollution
- The construction period will result in noise and disruption to neighbouring properties.
- Anti-social behaviour associated with the proposed increase of students in this location.
- Increased litter in the locality.

*Highway Safety*

- The proposed number of parking spaces is inadequate for a development of this size.
- The proposed intensification of the site will increase traffic congestion in Beeston and increase pollution.
- The building is located on a busy transport route increasing highway issues.
- Construction vehicles will cause congestion and traffic.
- The proposal will increase safety risks for pedestrians
- The proposed development will reduce on street car parking availability within the local area.

*Other matters*

- Students will not support local businesses and do not pay Council tax
- The proposal lacks biodiversity enhancements.
- Insufficient drainage details.
- General inaccuracies in some of the supporting documents provided.
- The proposed development is not environmentally friendly.
- Impact house prices negatively.

Support:

- Positive addition to the local housing market.
- The proposal will free up more family homes.
- Help support the local economy and create growth in Beeston (increased footfall in town centre).
- Good quality student accommodation.
- The site is currently an eyesore.
- High quality design.



- The proposed scheme will complement the cinema.
- The development has been designed to reduce the reliance on vehicles.

10.21 Neighbouring properties were re-consulted for 14 days in relation to changes to the design of the scheme including more visual breaks and the inclusion of a public art elevation in the corner of the Middle Street and Station Road. Comments received repeated the issues listed above.

10.3.1 Beeston Civic Society – objection raising the following concerns:

- Demand/Viability - Where is the evidence for the need for this purpose built student accommodation in Beeston, above and beyond that of residential dwellings? / Where is the need for studio flats?
- Design – Block appearance. Improved elevation/window details required. Visual break ups required.
- Policy compliance issues – the proposal does not comply with Policy 11 of the Part 2 Local Plan.
- Drainage issues.
- Inaccuracies within documents submitted.
- Inadequate number of parking provided.
- Security – Secured by Design should be considered.
- S106 – developer contributions required.
- Biodiversity/landscaping – net gain should be secured.
- Potential overshadowing issues.
- Design code compliance issues (18/00360/FUL) in terms of setbacks, massing and visual breaks.
- Sustainability – the development should follow a low carbon approach. The submitted Energy and Sustainability statement requires further clarification.

## 11 Assessment

### 11.1 Principle

11.1.1 Policy 11 of the Broxtowe Local Plan Part 2 requires the provision of a minimum of 132 homes, active frontages at ground floor level and landmark buildings providing a gateway into Beeston from the south and tram/bus terminus to the south west. The principle of the residential development with ground floor commercial use has been established by the grant of the outline permission (as part of the hybrid application 18/00360/FUL). Reserved matters consent was granted in 2020 for 132 apartments and ground floor commercial use.

11.1.2 The proposal would provide 419 studio flats intended for student accommodation with ground floor commercial use located within Beeston town centre. The proposal would therefore be purpose built and could accommodate occupiers who could otherwise occupy C3 dwellings, to the detriment of the wider community, as this would represent the loss of accommodation that would be more suited to families and other longer term residents. The application site is considered to be highly sustainable for purpose built accommodation, being

close to a wide range of amenities including the university campus, and to the centre of Beeston and is close to a wide range of sustainable transport options such as the tram and bus terminus immediately to the south west of the site.

11.1.3 It is important to note that the proposal would provide 419 dwellings rather than the 132 permitted under 18/00360/FUL and therefore contribute a further 287 dwellings to the housing land supply in the Borough. This is a significant boost at a time when maintaining an adequate supply is becoming more challenging. The additional dwellings would also be on previously developed land that is not in green belt or otherwise protected, reducing pressure on land that is.

## 11.2 Design

11.2.1 The layout, scale, massing and appearance follows the principles within the approved reserved matters scheme 19/00816/REM. However, the scheme has been revised to include the quadrant plot at the corner of Styring Street and Middle Street. It is recognised that part of the building would be the tallest structure in the town. The proposed building would have a maximum height of approximately 29m (beside Station Road). The cinema complex is approximately 19.6m high. The Lace Mill on Wollaton Road is approximately 21m tall, the Council Offices are 13.6m tall and the Tesco store on the opposite side of Station Road to the site has maximum height of approximately 10m. However, the development will take place on a prominent town centre site which is considered to be capable of accommodating a building of the height proposed without detriment to the character of the area or neighbour amenity, particularly given the wide roads separating the site from neighbouring buildings.

11.2.2 The scheme includes a two-storey commercial space with a gross internal area of 423.65sqm fronting the landscaped area between the application site and the recently developed cinema complex. This follows the form of the approved reserved matters layout which included retail provision in this location.

11.2.3 The proposed main entrance to the student accommodation building is from Styring Street which will promote activity and provide natural surveillance. The proposed scheme will front onto the surrounding roads with a central landscaped courtyard. As above, the proposed commercial unit will face onto the landscaped public realm area opposite the new Cinema complex.

11.2.4 The proposed scheme is 8-storeys along Station Road, 6-storeys facing the new cinema complex and landscaped public realm, and 4-storeys facing Styring Street and the Transport Interchange. The proposed scheme, broadly reflects the previously approved scale and massing under reserved matters application 19/00816/REM and is no taller than the previously approved scheme. This part of the development will create a landmark building and act as a wayfinding point from Beeston station to the south. Station Road varies in width from two lanes of traffic beside the north western part of the site to four lanes beside the south eastern part, with a wide footpath on both sides of the road. Accordingly, it is considered that having the tallest part of the development beside this road is

appropriate. The main block beside Styring Street will be four storeys in height which is comparable to the height of the development to the south west. Styring Street is a wide road so it is considered the development will have no adverse impact on the openness of the transport interchange. The chamfered corner of the block to the south east of the cinema complex will open up the public realm area to those using the interchange. In addition, the full height glazing of the commercial unit adds interest at ground level and is relatable to pedestrians. This block will be of a comparable height to the cinema complex. The lowest block is towards the centre of the site, fronting Middle Street and will have two storeys. This provides a contrast in scale to the tallest part of the building and provides a sense of space between the north eastern and south western blocks.

11.2.5 Full height windows to the amenity spaces will provide good levels of daylight and allow views into the landscaped courtyard. The buildings will be further articulated by the use of vertical setbacks, feature corner windows, feature decorative metal spandrel panels and textured brickwork. The proposed development incorporates high quality materials with the elevations clad in two complimentary bricks, a darker brick to the upper storeys with a pale brick to the base. The block fronting Styring Street will be in a third contrasting colour brick. Two-storey high curtain walling to the facade of the retail unit will create an active frontage to the public realm area.

11.2.6 Amendments have been made to the plans during the course of the application, including the incorporation of enhancing key corners, more vertical breaks, a space for public art detailed on the south elevation and green roofs. The proposal follows the same design principles of the previously approved scheme 19/00816/REM and therefore use of complimentary construction materials including contrasting brick colours, vertical setbacks, enhanced corner designs and ground active frontages help to add interest to the proposed development. This application has been further enhanced with the inclusion of additional vertical glazing in the Middle Street/Styring Street corner and a public art space on the Middle Street/Station Road corner. Details of the public art space have been conditioned.

11.2.7 To conclude, the design and scale of the proposed development is considered to relate well to its town centre location.

### 11.3 Heritage

11.3.1 Although the site itself contains no designated heritage assets, there are heritage assets in the surrounding area, notably those located to the north west of the site, including the Beeston West End Conservation Area Conservation Area beyond to the north west) and three listed buildings (Church of St John the Baptist, the Village Cross and Crimean War Memorial). Of these, the setting of the cross and memorial would not be affected by the development due to intervening development and the limited nature of the setting of these structures. Other listed buildings in the locality would also not be affected due to separation distances and intervening development. As such, the church

(grade II) is identified as the only protected building that could potentially be affected. The height of the church is such that it is not sufficiently high enough to be a tall landmark building in the existing town centre long distance views.

11.3.2 In relation to the setting of the church, road alterations to accommodate the tram system have provided the church with a clearly defined setting which it is considered will not be affected significantly by the proposed development.

11.3.3 The current appearance of the application site is considered to detract from the adjacent West End Conservation Area as it is visible on approaching the town centre with the Conservation Area as a backdrop. As the development will remove the gap site, it is considered it will be of benefit to the appearance of the Conservation Area. It is considered the proposal will be a visually cohesive and high quality development. The area has a number of multi storey buildings and the scale of the development is considered to respond to these. Although the scheme would introduce a taller building than any of the existing buildings, the massing of the different blocks should ensure it will not be overly dominant or overbearing. Furthermore, as Styring Street is wide, this will ensure adequate separation distance remains and allow views of the buildings forming the boundary of the Conservation Area. It is therefore considered the proposal will not be harmful to the character or appearance of the West End Conservation Area.

11.3.4 The County Council's conservation officer has raised no objection to the application. Furthermore, the County Council's Archaeology officer has raised no objections to the proposed model of a watching brief and strip, map and sample which has been conditioned. Overall it is considered the proposed development will not harm any heritage assets.

#### 11.4 Amenity

11.4.1 The Manor Centre development is comprised of four-five storey buildings fronting Styring Street to the south west of the site, with Middleton House on the corner of Styring Street and Middle Street being a three-four storey building. There is a distance of over 30m between the site and the nearest residential neighbours on the Manor Centre development. Although the residential/commercial properties to the south east of the site on Middle Street are located at a lower level than the site, there is a separation distance of over 35m between the site boundary and the nearest property on this road. Given these separation distances and as the site has roads on three sides and on the fourth side adjoins the cinema complex site, it is considered the proposed development will not be overbearing or cause any significant loss of light or privacy to nearby residents.

11.4.2 The site is located in the town centre beside the tram/bus interchange and the commercial unit proposed on the site is therefore considered to be acceptable in terms of residential amenity given the level of noise created in such a location.

11.4.3 The density of the development is high but it is considered the residents of the proposed development would have a sufficient standard of amenity. Whilst the minimum internal floor space of the proposed studio flats fall below national guidance contained within the Technical Housing Standards (2015), the proposed studio flats are deemed appropriate for purpose built student accommodation and are consistent with similar schemes approved by the Council. The unit sizes are inclusive of en-suites and benefit from shared amenity space at Ground Floor. Further to this, the Council's Private Sector Housing team have provided no objections to the sizes of the studio flats. All units have a window, as do all living areas. The accommodation would provide each bedroom with access to natural light and to an outlook, and each unit kitchen/living space. Each unit would have its own bathroom and all units would exceed 14m<sup>2</sup> minimum as set out in the Council's House in Multiple Occupation (HMO) Property Standards. Whilst the majority of the studio flats proposed are approximately 16m<sup>2</sup> (318 units) the development includes a mix of larger studio flats approximately 19m<sup>2</sup> – 30m<sup>2</sup> (101 units).

11.4.4 In terms of air pollution, Environmental Health have not raised this as an issue and the site is not within or near an Air Quality Management Area. The beneficial impacts of the development with regard to air quality include the provision of high density housing in a town centre location well served by train, tram and bus availability, giving new residents the opportunity to travel by sustainable modes of transport, and therefore reducing the number of more polluting trips by car.

11.4.5 To conclude on amenity, it is considered the proposed development will have no significant impact on neighbour amenity and future occupants will have a sufficient standard of amenity.

## 11.5 Highway Safety

11.5.1 It is proposed to provide vehicular access to the site from Station Road. The location of the proposed vehicle access is similar to that of the consented hybrid planning application ref. 18/00360/FUL and reserved matters application ref. 19/00816/REM. The proposed access point will be located 36m north west of the Middle Street/Station Road crossroads.

11.5.2 To enable servicing to take place, a lay-by is proposed beside Station Road, to the northwest of the proposed vehicular access, this also mirrors the approved layout of the reserved matters application ref. 19/00816/REM. The area of land to the rear of the servicing layby will effectively become the footway but resides within the red line boundary. County Highways have requested covenants are secured by S.106 to ensure it remains open to the general public and is maintained in perpetuity for the lifetime of the development. Further to this, an indicative plan to show the lay-by controlled by Traffic Regulation Order (TRO), has been provided and a condition has been added requiring the applicant to submit a TRO application. This is to ensure the Traffic Regulation Order TRO process can be implemented in a timely manner so that the lay-by does not become prone to abuse.

- 11.5.3 Nottingham Express Transit (NET) have provided no objections to the layout and serving arrangement proposed. The exit onto Styring Street is currently prevented under an existing traffic regulation order. NET have requested conditioning a scheme of bollards at the Styring end to restrict any vehicles exiting on to Styring Street.
- 11.5.4 County Highways have provided no objections to the proposal as the principle of access into the site has already been determined favourably by application reference 19/00816/REM. A total of 6 parking spaces will be provided on the ground floor, comprising of 2 spaces for Management Team staff, 2 spaces for visitors, and 2 accessible parking bays.
- 11.5.5 The service lay-by does not align with the bin store but a private refuse company will be responsible for collecting the bins associated with the development and the lay-by is as close to the bin store as it can be given the constrained nature of the site.
- 11.5.6 It is noted from the consultation responses concerns have been raised that 6 parking spaces are insufficient for the proposed development. Paragraph 111 of the NPPF states 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. Paragraph 107 provides a list of factors which should be taken into account, which includes the availability of and opportunities for public transport, and the type, mix and use of the development. Policy 10 of the ACS states that development should be designed so as to reduce the dominance of motor vehicles. However, when considering there are regular public transport services and amenities within the immediate locality, and parking on surrounding roads is controlled by Traffic Regulation Order, it is not envisaged that any shortfall in parking will result in a highway safety issue.
- 11.5.7 The Applicant confirms and sets out herein that the occupants will be prohibited from bringing a car to site with them. This will be made clear to occupants prior to them signing a tenancy agreement and will be set out clearly within their tenancy agreement that this rule is to be adhered to and the ultimate recourse would be termination of their tenancy agreement. This will be managed by a 24-hour on site security and management team appointed by the building owner and the management team will be contactable to the local community should any breach to the above rule need to be reported. The Applicant is committing to providing a free tram pass to all students for the entire duration of their occupancy. It is acknowledged that concerns around car parking relate to visitors as well as students themselves. As such, the Applicant will provide free 24hr parking passes per student per academic year which will enable visitors to park in nearby public car parks.
- 11.5.8 Travel Plan management procedures will be put in place during the peak pick-up and drop-off times within the academic year. This will include creating timeslots for check-in for use of the 6 car parking spaces on site and staggered to reduce bottle necks. Support team members appointed by the management company will be on hand on the ground to show new residents to their

accommodation, and car parking attendants will be on hand to support people and ensure that the allotted time check-in time slots are adhered to. The same processes will be applied at check-out. In light of the above, a Travel Plan and Student Management Plan have been conditioned to help reduce traffic during potentially busy drop off and collection periods of the academic year and help to enforce reduced vehicle reliance.

11.5.9 Cycle storage parking will also be provided within the development. The site is in a highly sustainable location immediately adjacent to the tram and bus interchange and within walking distance of the train station. There may be additional pressure for on-street parking on nearby residential streets but it is considered that the development would not lead to a rise in nuisance or dangerous parking in the area, particularly given parking on surrounding roads is controlled by Traffic Regulation Order.

11.5.10 In conclusion, it is considered the proposed development would not have an unacceptable impact on highway safety.

#### 11.6 Sustainability and Climate Change

11.6.1 The proposed development uses a low-carbon approach which comprises of a highly insulated development and renewable energy generation. It is proposed to install photovoltaic panels and air source heat pump condensers to the 5<sup>th</sup> and 7<sup>th</sup> floor roofs space to generate renewable electricity. Further to this, green roofs would be installed on the 3<sup>rd</sup> and 5<sup>th</sup> roof space. As such, a condition has been added requiring full details of the design and management of any renewable energy structures on site. Electric vehicle charging points and cycle storage have been provided.

#### 11.7 S106 / Developer Contributions

11.7.1 As this application is for student accommodation, no financial contributions towards affordable housing will be sought. Within Broxtowe, it is accepted practice that affordable housing provision is not sought when residential schemes are for student only accommodation.

11.7.2 An open space contribution has not been requested. The site is within walking distance of Broadgate Park.

11.7.3 A transport contribution has not been requested as the development is within close proximity to public transport.

11.7.4 Nottinghamshire Clinical Commissioning Group request a contribution of £90,818.25 towards enhancing capacity/infrastructure within local GP practices (The Manor Surgery, The Oaks Medical Centre and Abbey Medical Centre). The applicant has confirmed agreement in writing to the payment of this amount as a financial contribution as part of a Section 106 Agreement.

11.7.5 Whilst the development provides 419 dwellings, in light of the above developer contributions, the application has been assessed on the grounds that the

proposal is for purpose built student accommodation and therefore the S106 agreement should restrict the occupation of the dwellings to students.

#### 11.8 Other Matters

11.8.1 Concerns have been raised by local residents in respect of the need for more student accommodation and the overpopulation of students in Beeston. The submitted Student Need Report (2021) outlines student growth has been on the rise in Nottingham in recent years. Figures produced by the Higher Education Statistical Agency (HESA) show a full-time student population of 63,900 in 2019, up by 22.1% since 2015. The compound annual rate of growth in student demand over the last 5 years has been 4.9%. If the demand continues to grow at this rate and all accommodation in the pipeline is delivered, StuRents estimates a shortfall of approximately 6,000 beds by 2024 required to serve both universities. The Report outlines that currently only HMO properties are available for students wanting to live in the Beeston area meaning there is no existing purpose-built student accommodation on offer in Beeston similar to this proposal. The proposed development would offer choice to prospective occupants who want to live in Beeston, providing an alternative to traditional HMO properties which are likely to be more limited in supply going forwards due to the recent implementation of an Article 4 Direction restricting change of use from dwellinghouses to HMOs within a large area of Beeston which came into force on 26th March 2022.

11.8.2 Concerns have also been raised from local residents that proposed student accommodation has been given priority over affordable housing. This development does not justify a requirement for affordable housing provision and none is being sought. This development would result in an increase in student accommodation within Beeston but there is an identified need for this type of accommodation within this area and as the site is in close proximity to Nottingham University. It could be considered that providing more purpose built student accommodation within Beeston means this scheme could reduce the demand on more traditional housing being converted into rental properties for students. Therefore, it is considered the development may result in more properties within the wider area being available for first time buyers or families. This development should therefore be viewed favourably in terms of wider housing provision.

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

11.8.4 Nottinghamshire Police have been consulted and security deterrents have been requested. As such, a Secure by Design condition has been proposed in the interests of reducing the potential for crime.

11.8.5 The proposed development would introduce more footfall to the town centre than that permitted under 18/00360/FUL, albeit this is more likely to be focussed



on term-time weekends and weekday mornings and evenings as students are likely to be on campus during the daytime and away outside of term-time. This will contribute to the evening food, drink and entertainment economy, which are experience-based uses key to the future viability of town centres.

## 12 Conclusion

- 12.1 The benefits of the proposal are that the development would provide a good standard of purpose built accommodation, in a highly sustainable location, and which could contribute to the freeing up of dwelling houses which are suitable for long term residents. On-site car parking and cycle storage is proposed.
- 12.2 The design has been carefully considered with the aim of adding local interest to establish a landmark development and gateway into the town centre to help to enhance the character and appearance in this location. The proposed scheme also follows low carbon approach in reducing the impact of the development on climate change featuring renewable energy systems and green roofs.
- 12.3 Moreover, the proposed development has been designed to ensure there is no significant impact in terms of any potential overlooking, overbearing or overshadowing impact.
- 12.4 It is important to note the potential risk of costs being awarded against the Council should the application be recommended refusal on the grounds of design/scale, parking or purpose built student accommodation. The proposal follows the same design principles and scale (8-storeys) of the previous scheme granted consent at planning committee 20<sup>th</sup> May 2020 (ref. 19/00816/REM). County Highways have provided no objections to the provision of only 6 car parking spaces given the highly sustainable location of the site with access to regular public transport services within the immediate locality. Following a recent appeal decision in relation to 9 purpose built student cluster flats at 129 - 131 High Road, Beeston (Kings Carpets), the Inspector awarded costs against the Council for failing to substantiate the highway safety reason for refusal especially given that no objections were provided from County Highways regarding the level of parking provided. Finally, in consideration for the growing need for purpose built student accommodation in Beeston it would appear unsubstantiated to refuse the application on the grounds of the grounds of purpose built student accommodation.
- 12.5 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.
- 12.6 It is recommended that planning permission is granted, subject to the conditions set out below.

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| <p><b><u>Recommendation</u></b></p> <p>The Committee is asked to RESOLVE that planning permission be granted subject to:</p> <p>(i) the prior completion of an agreement under section 106 of the Town &amp; Country Planning Act 1990; and</p> <p>(ii) the following conditions:</p> |  |
| <p>1.</p>   | <p>The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.</p>  |
| <p>2.</p>   | <p>This permission shall be read in accordance with the following plans:</p> <ul style="list-style-type: none"> <li>• Proposed TRO of Layby Ref. SR-HSP-00-00-DR--C-900 (received by the Local Planning Authority 05/07/22)</li> <li>• Proposed Site Plan Ref. SRB2-MAB-01-ZZ-DR-A-00221-P04</li> <li>• Ground Floor &amp; Mezzanine Plan Ref. SRB2-MAB-01-ZZ-DR-A-00310-P04</li> <li>• Third &amp; Fourth Floor Plans Ref. SRB2-MAB-01-ZZ-DR-A-00312-P03</li> <li>• Fifth, Sixth &amp; Roof Plan Ref. SRB2-MAB-01-ZZ-DR-A-00313-P03</li> </ul> <p>(all received by the Local Planning Authority 30/06/22)</p> <ul style="list-style-type: none"> <li>• First &amp; Second Floor Plans Ref. SRB2-MAB-01-ZZ-DR-A-00311-P02</li> <li>• South &amp; North Elevations Ref. SRB2-MAB-01-ZZ-DR-A-00611-P02</li> <li>• East &amp; West Elevations Ref. SRB2-MAB-01-ZZ-DR-A-00612-P02</li> <li>• 3D Views Ref. SRB2-MAB-01-ZZ-DR-A-900001-P02</li> <li>• Street Views Ref. SRB2-MAB-01-ZZ-DR-A-900002-P02</li> <li>• Accommodation Schedules Ref. SRB2-MAB-ZZ-ZZ-SH-A-00005-P03</li> </ul> <p>(all received by the Local Planning Authority 19/05/22)</p> <ul style="list-style-type: none"> <li>• Site Location Plan Ref. SRB2-MAB-01-00-DR-A-00200-P01</li> <li>• Existing Site Plan Ref. SRB2-MAB-01-00-DR-A-00210-P01</li> </ul> <p>(received by the Local Planning Authority 14/02/22)</p> <p>Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</p> |

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| <p>3.</p> | <p>No development above slab level shall commence until samples/details of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.</p> <p>Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>  |
| <p>4.</p> | <p>No development shall take place until details of a methodology for an archaeological watching brief and strip, map and sample (in accordance with Section 4.3 and 4.4 of the Written Scheme of Investigation for Archaeological Works, March 2019) have been submitted to and approved in writing by the Local Planning Authority. The approved watching brief and strip, map and sample shall be implemented in full accordance with the agreed details.</p> <p>Reason: The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure any below-ground archaeological remains are monitored and record in accordance Policy 11 – Historic Environment of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 23 – Proposals affecting Designated and Non-Designated Heritage Assets of the Broxtowe Part 2 Local Plan 2019.</p> |
| <p>5.</p> | <p>No development above slab level shall commence until a waste management plan has been submitted to and agreed in writing with the Local Planning Authority. The approved waste management plan shall be implemented in full accordance with the agreed details.</p> <p>Reason: Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure sufficient provision is made for bin storage on the site in the interests of highway safety and residential amenity and in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Part 2 Local Plan (2019).</p>   |
| <p>6.</p> | <p>Prior to the commencement of the development, a detailed Landscape and Ecological Management Plan shall be submitted to and approved and by the Local Planning Authority. The Landscape and Ecological Management Plan shall be in accordance with the</p>   |

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|    | <p>enhancement measures contained within Section 7 of the Preliminary Ecological Appraisal Survey (Middlemarch Environmental dated January 2022) and shall be implemented in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of securing an environmental net gain in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</p>  |
| 7. | <p>Prior to the commencement of the development, a detailed renewable energy and sustainability management plan shall be submitted to and approved by the Local Planning Authority. Details should include the siting, design and required maintenance of any renewable energy structures. The renewable energy and sustainability management plan shall be in accordance with the recommendations contained within the Energy and Sustainability Statement by BSAP dated 7th February 2022.</p> <p>Reason: In the interests of sustainability in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Part 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF 2021.</p> |
| 8. | <p>All excavations shall be covered overnight or else have an escape ramp to prevent entrapment of badgers, hedgehogs, and other wildlife. All pipework greater than 150 mm should be capped off at the end of the day and chemicals should be stored securely.</p> <p>Reason: In the interests of protecting wildlife habitats in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.</p>   |
| 9. | <p>No development shall commence until details of any necessary piling or other penetrative foundation design have been submitted to and approved in writing by the Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented on accordance with the approved details.</p> <p>Reason: To protect nearby occupants from excessive construction noise and vibration in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>  |

|            |   |
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| <p>10.</p> | <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> <li>a) The means of access for construction traffic;</li> <li>b) parking provision for site operatives and visitors;</li> <li>c) the loading and unloading of plant and materials;</li> <li>d) the storage of plant and materials used in construction / demolition for the development;</li> <li>e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and</li> <li>f) details of dust and noise suppression to be used during the construction phase.</li> </ul> <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 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p> |
| <p>11.</p> | <p>Suitable ventilation and filtration equipment shall be installed to suppress and disperse odour created from food preparation operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority prior to the uses commences of the development. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.</p> <p>Reason: To protect nearby occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>  |
| <p>12.</p> | <p>The development hereby permitted shall be carried out in accordance with noise mitigation measures contained within Section 4 of the Noise Assess noise report Ref. 13327.01.v4 (dated February 2022).</p> <p>Reason: To protect nearby occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity</p>   |

|     |   |
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|     | <p>and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>  |
| 13. | <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 occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>   |
| 14. | <p>The commercial premises shall not be used except between 08.00 - 00.00 Sundays to Thursday and 08.00 - 01.00 Friday and Saturday without the prior agreement in writing of the Local Planning Authority.</p> <p>Reason: To protect nearby occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>   |
| 15. | <p>Deliveries by commercial vehicles shall only be made to or from the site between 07.30 - 20.00 hours Monday to Saturday and at no time on Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.</p> <p>Reason: To protect nearby occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p>   |
| 16. | <p>The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant this permission, shall not exceed the existing background sound level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive premises.</p> <p>Reason: To protect nearby occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.</p> |
| 17. | <p>No commercial unit shall be occupied until details of the siting, size and design of street bollards adjacent Strying Street has been submitted to and agreed in writing by the Local Planning</p>   |

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|            | <p><b>Authority.</b> The development shall be implemented on accordance with the approved details.</p> <p><b>Reason:</b> To ensure there is no future allowance for vehicles exiting on to Styring Street in the interests of highway safety and in accordance with in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>  |
| <p>18.</p> | <p>No commercial or residential unit shall be occupied until all vehicle and cycle parking has been provided in accordance with the approved Proposed Site Plan Ref. SRB2-MAB-01-ZZ-DR-A-00221.</p> <p><b>Reason:</b> In the interests of highway safety in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>   |
| <p>19.</p> | <p>No above ground works shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) numbers, types, sizes and positions of proposed trees and shrubs</li> <li>(b) proposed boundary treatments</li> <li>(c) proposed hard surfacing treatment</li> <li>(d) proposed lighting details</li> <li>(e) planting, seeding/turfing of other soft landscape areas</li> <li>(f) proposed retaining walls or similar structures</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><b>Reason:</b> 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 Policy 10 - Design and Enhancing Local Identity of the of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan (2019).</p> |
| <p>20.</p> | <p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar</p>  |

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|            | <p>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 Policy 10 - Design and Enhancing Local Identity of the of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan (2019).</p>   |
| <p>21.</p> | <p>The development shall not be occupied until full details of the artwork feature fronting onto Middle Street has been submitted to and approved in writing by the Local Planning Authority. The agreed details shall thereafter be implemented and within an agreed time frame.</p> <p>Reason: To add local interest to the design of the approved scheme in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.</p>  |
| <p>22.</p> | <p>Prior to the first occupation or use of the approved development, a Student Management Plan (SMP) shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall only be carried out in accordance with the approved SMP. For the avoidance of doubt, the SMP shall include the following:</p> <ol style="list-style-type: none"> <li>1) Details of on-site staffing, including a dedicated property manager during normal office hours supported by designated wardens who will reside at the premises and will deal with any emergencies or incidents outside office hours including night time supervision;</li> <li>2) The proposed management of servicing and deliveries;</li> <li>3) Full details of on-site residential car parking prevention measures; and</li> <li>4) Sustainable transport incentives including the provision of tram passes to future occupants and parking passes during the drop off and collection periods.</li> </ol> <p>Reason: In the interests of highway safety in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part</p> |

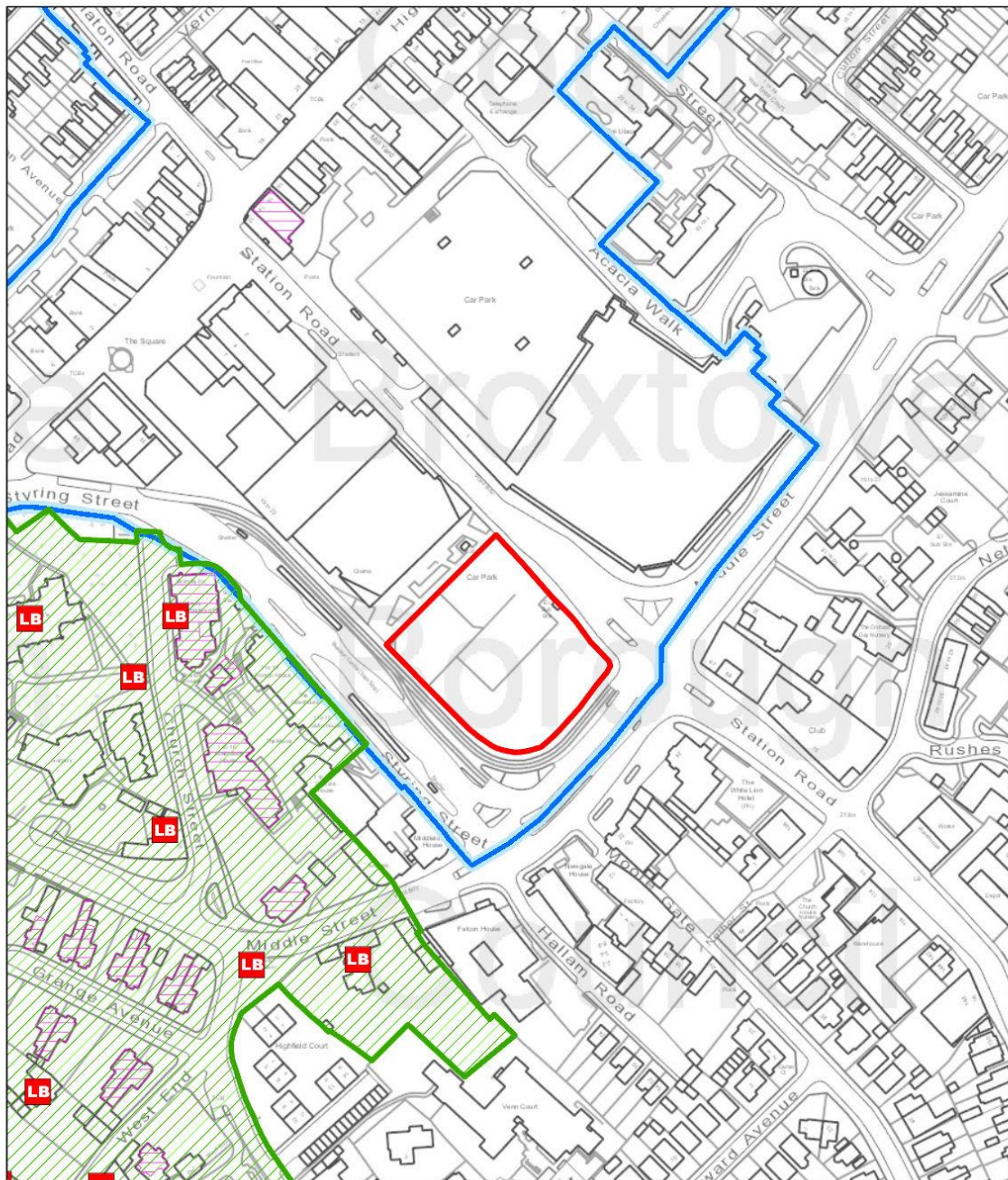


|            |   |
|------------|---|
|            | <b>2 Local Plan (2019) and Part 9 - Promoting Sustainable Transport of the NPPF 2021.</b>   |
| <b>23.</b> | <p><b>The vehicular entry/exit point hereby permitted shall be carried out with a continuous footway across the access in accordance with the Transport Technical Note produced by HSP Consulting (dated 26th April 2022).</b></p> <p><b>Reason: In the interests of highway safety in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan (2019) and Part 9 - Promoting Sustainable Transport of the NPPF 2021.</b></p>   |
| <b>24.</b> | <p><b>No commercial unit shall be occupied until an application for a Traffic Regulation Order has been made to control on-street parking within the new layby on Station Road as shown for indicative purposes only on drawing Proposed TRO of Layby Ref. SR-HSP-00-00-DR--C-900.</b></p> <p><b>Reason: In the interests of highway safety in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan (2019) and Part 9 - Promoting Sustainable Transport of the NPPF 2021.</b></p>   |
| <b>25.</b> | <p><b>No part of the development hereby permitted shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in the plan.</b></p> <p><b>Reason: In the interests of highway safety and the environment to encourage use of more sustainable modes of transport than the car and in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan (2019) and Part 9 - Promoting Sustainable Transport of the NPPF 2021.</b></p> |
| <b>26.</b> | <p><b>No development shall take place above slab level until written and illustrative details of the number, siting, design and future use of the electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority.</b></p> <p><b>Reason: To future proof the development and in the interests of air quality in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan (2019)</b></p>  |

|    | NOTES TO APPLICANT   |
|----|--|
| 1. | The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.  |
| 2. | Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building. |
| 3. | The internal layout, design and construction of any commercial food premises must meet the current Food Safety and Health and Safety requirements. The applicant must therefore contact the councils Food and Occupational Safety Section on Tel: 01159173485 prior to commencement of the permission.   |
| 4. | As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.              |

Site Location plan (not to scale)

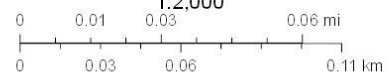
Station Road (Central) Car Park Station Road Beeston



7/8/2022, 11:37:45 AM

1:2,000

- Listed Building
- Local Interest Building
- Conservation Area
- Site
- Green Belt
- Town Centre Boundaries



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Photos



View of existing site access



View from Middle Street junction



View south to north



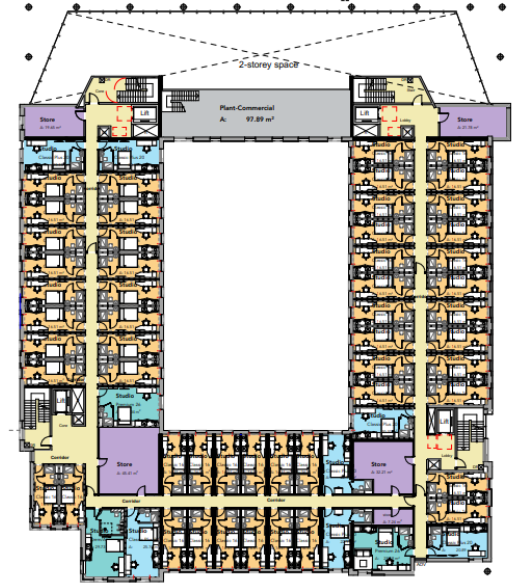
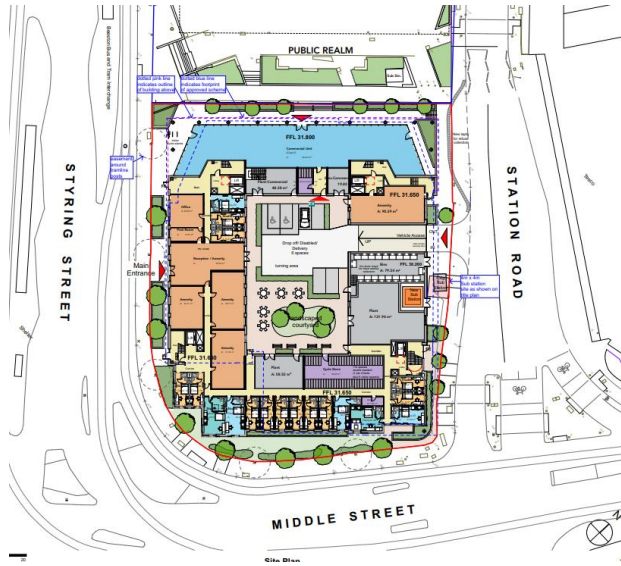
View of Styring Street/Middle Street corner



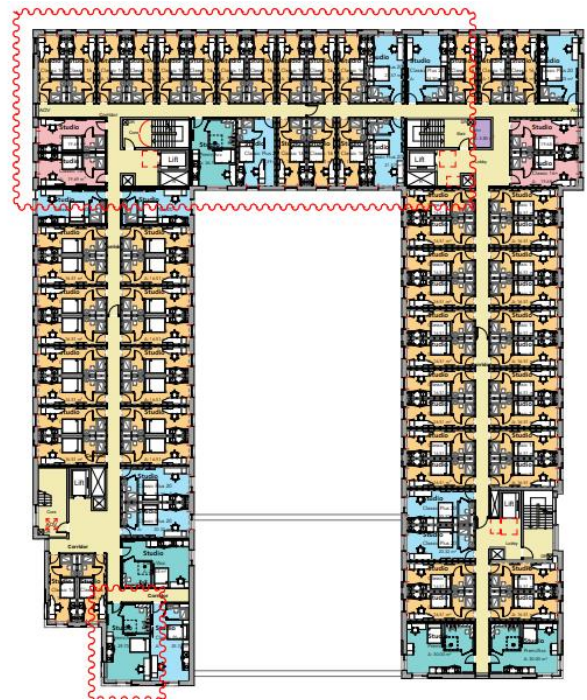
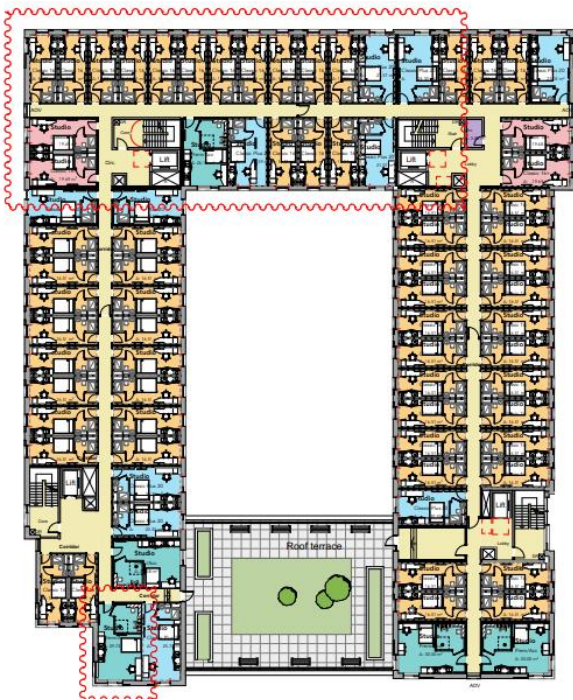
View from tram interchange (including cinema)

Plans (not to scale)

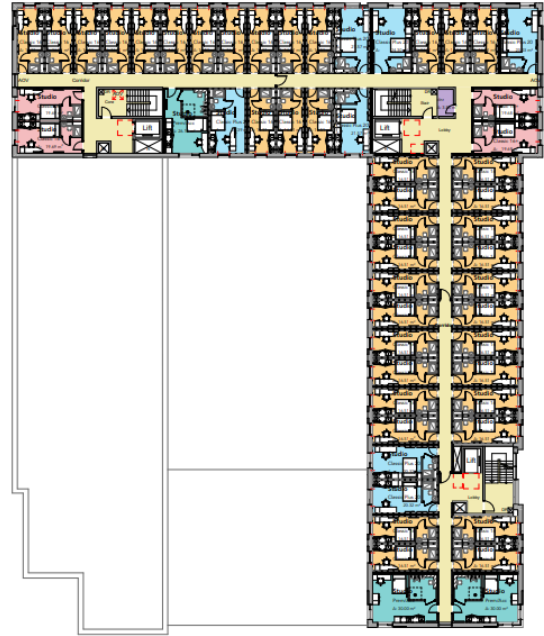
Proposed site plan/ground floor and mezzanine floor plan



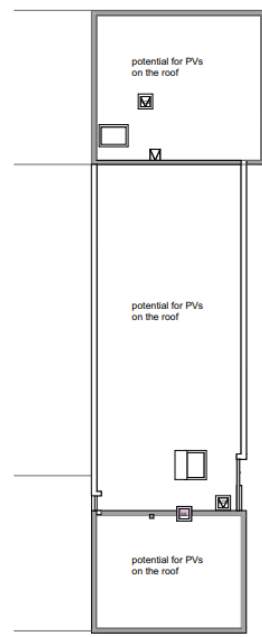
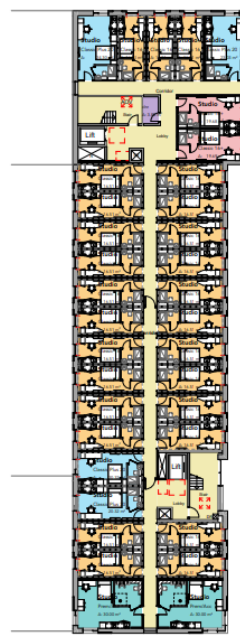
Proposed first and second floor plans



Proposed third and fourth floor plans



Proposed fifth/sixth floor plan and roof plan



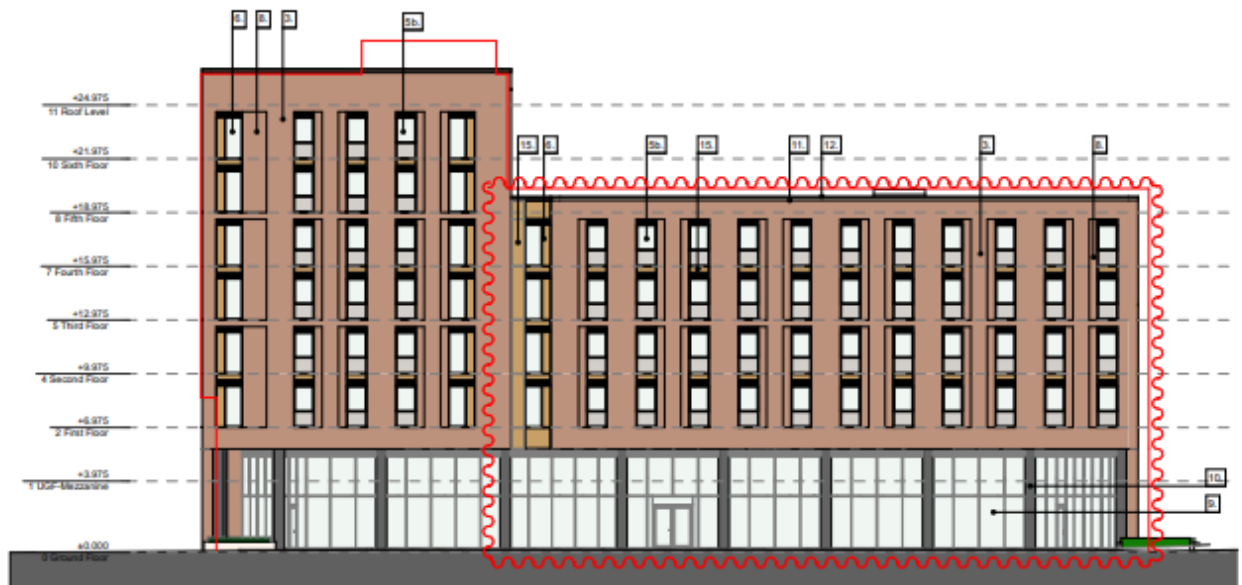
Proposed south and north elevations



E-01

South Elevation - Middle Street

1:200

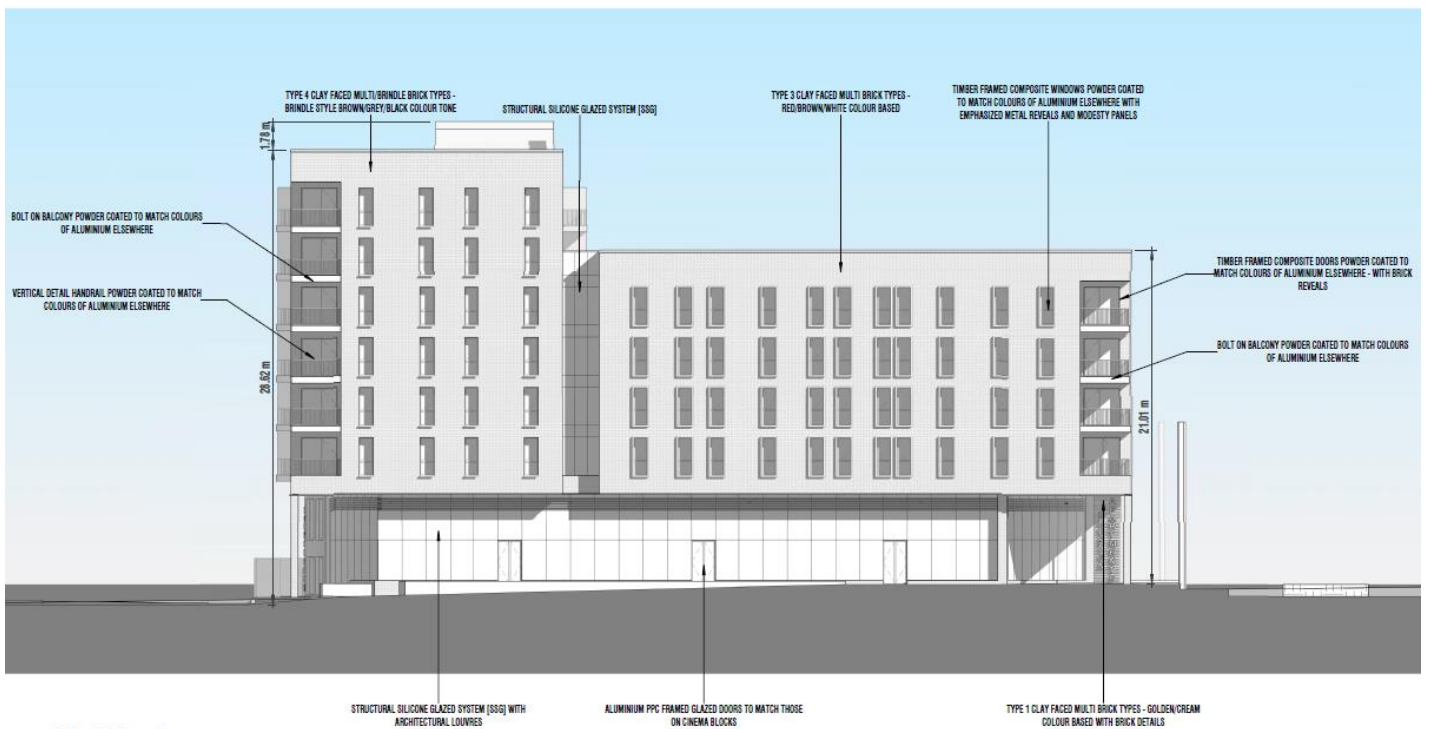


E-04

North Elevation

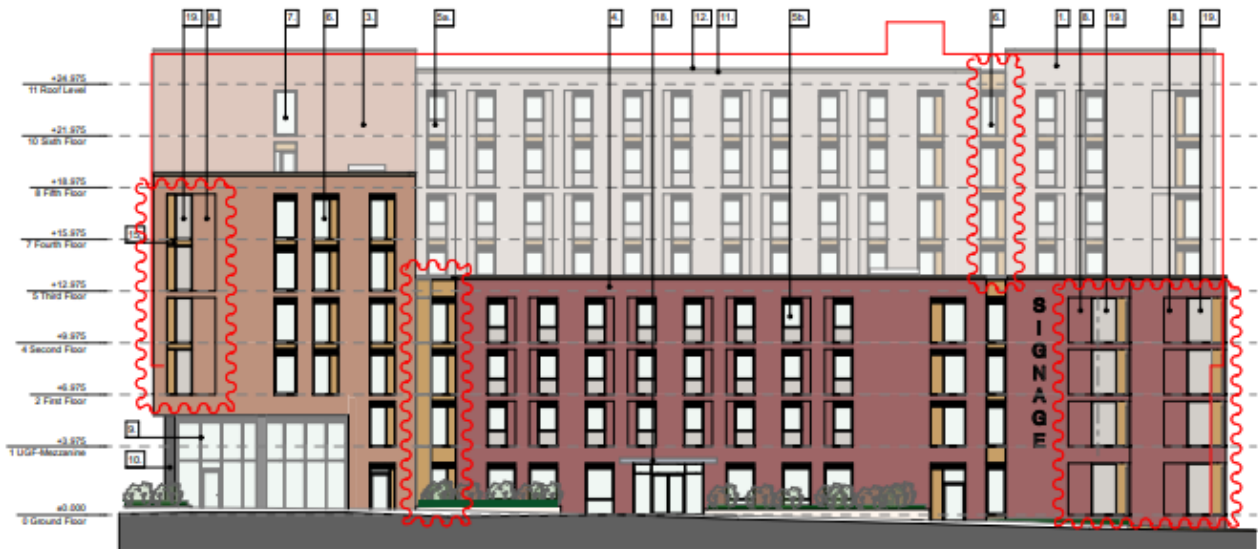
1:200

Approved south and north elevations (19/00816/REM)

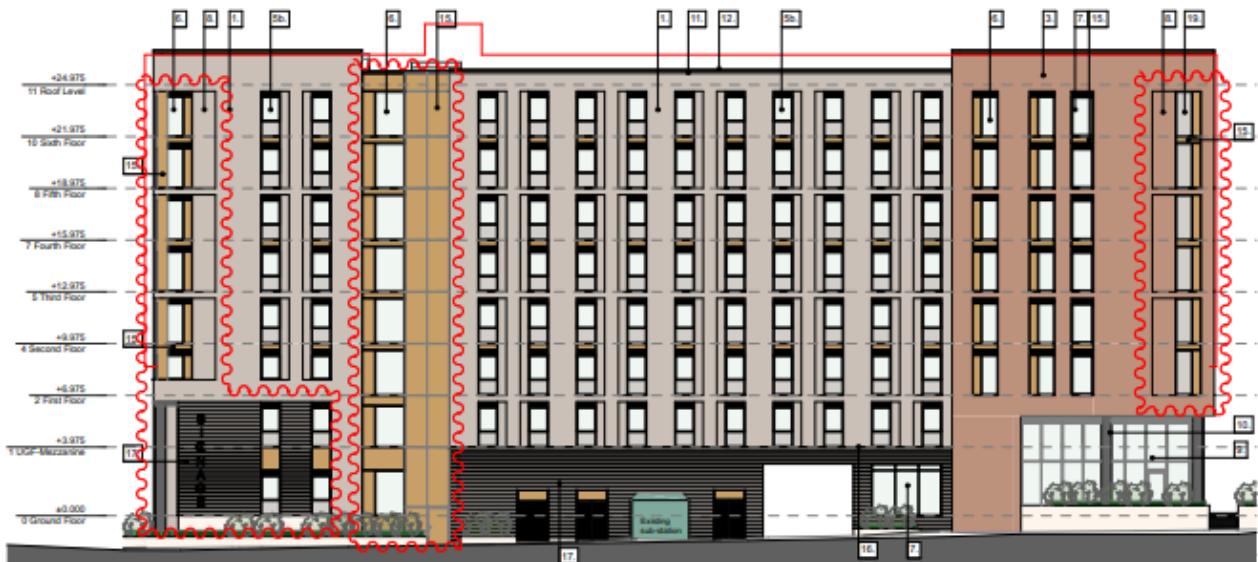




Proposed west and east elevations

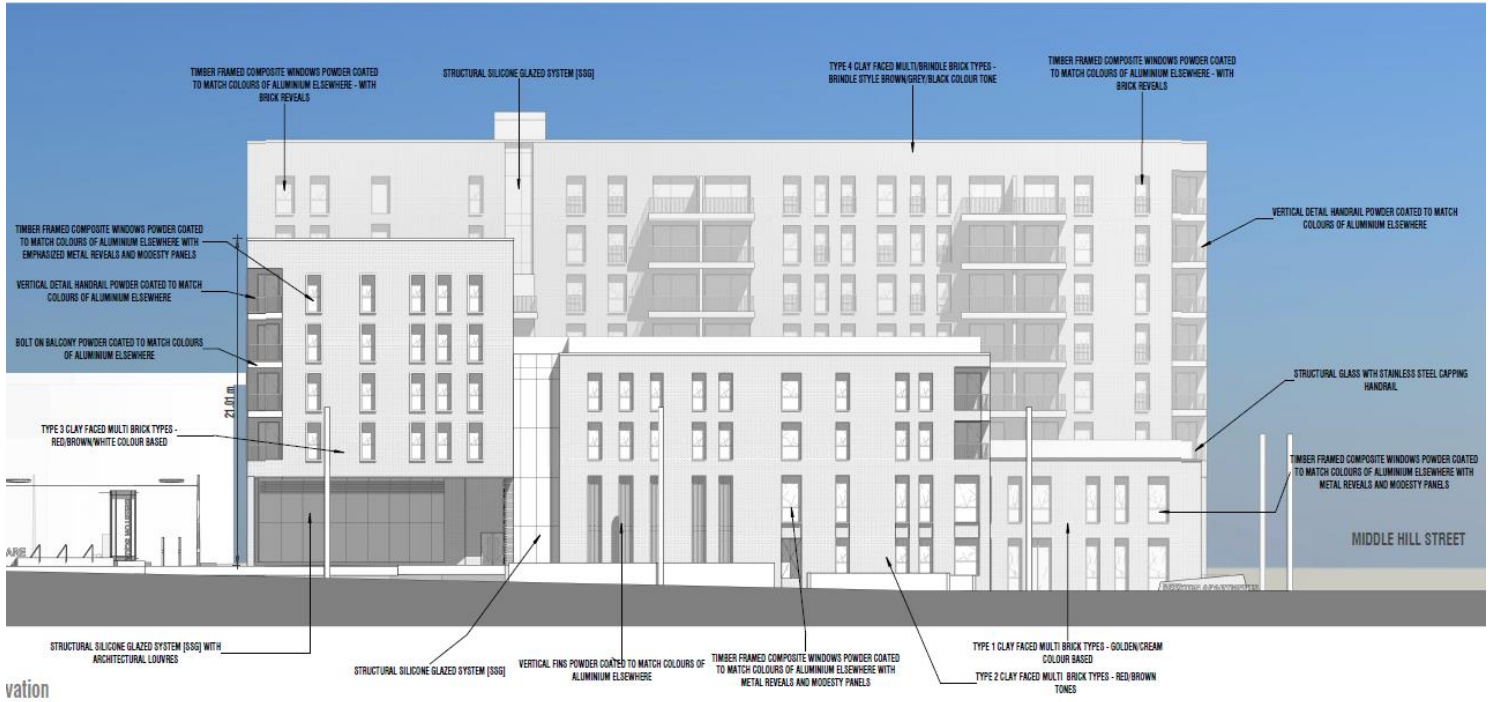


**E-02** West Elevation - Styring Street 1:200

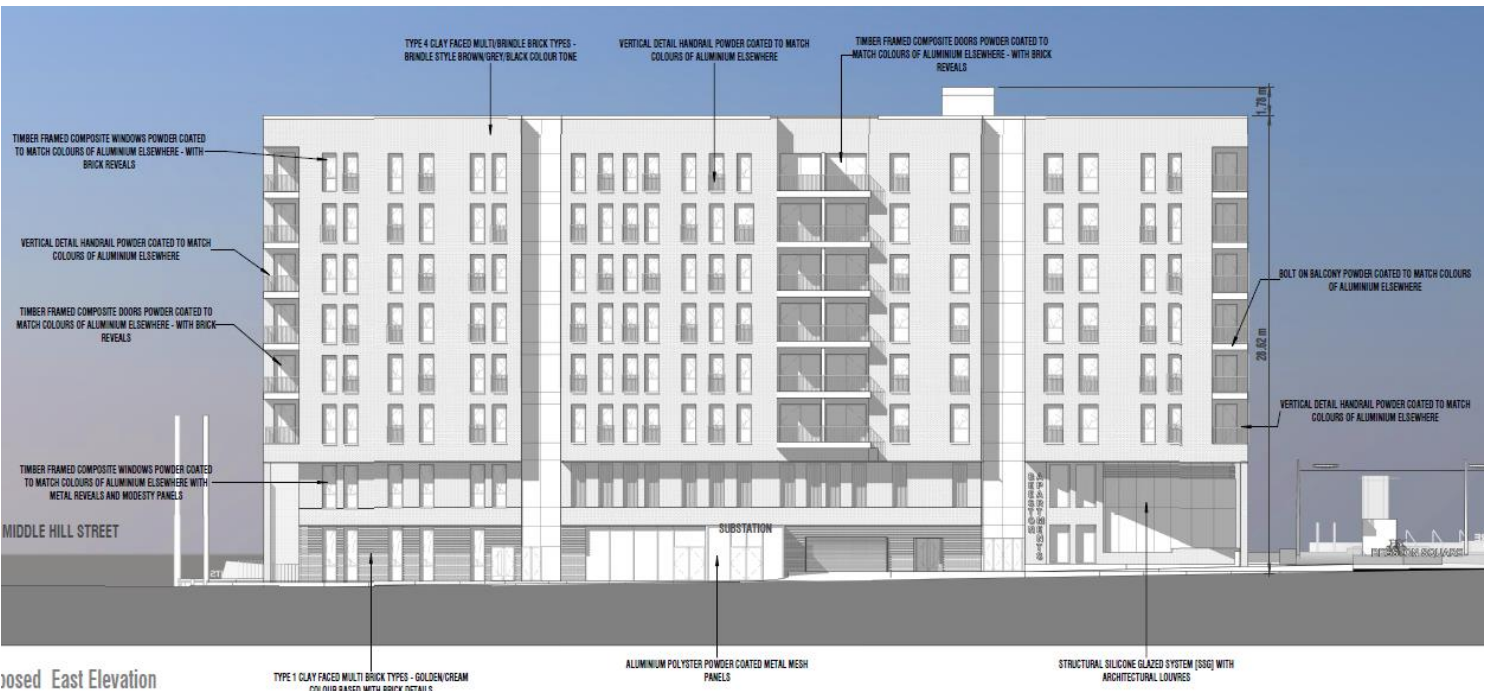


**E-03** East Elevation - Station Street 1:200

Approved west and east elevations (19/00816/REM)



vation



osed East Elevation

3D Views



View along Station Road from North



View along Styring from West



View along Styring from South



View along Station Road from SE

Street Views



View along Station Road from SE



View along Station Road from NW

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## **BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT**

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**PLANNING APPLICATIONS DEALT WITH FROM  
20 June 2022 TO 8 July 2022**

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### **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 : Carl Scott 22/00128/FUL  
Site Address : 15 Barratt Lane Attenborough Nottinghamshire NG9 6AD  
Proposal : **Conversion of existing garage to detached granny annexe for ancillary use to the main dwelling**  
Decision : **Conditional Permission**

Applicant : Miss Bagguley 22/00226/FUL  
Site Address : 12 Crofton Road Attenborough Nottinghamshire NG9 5HT  
Proposal : **Construct rear single storey extension**  
Decision : **Conditional Permission**

Applicant : Mr And Mrs Peach 22/00254/FUL  
Site Address : 57 Scrivelsby Gardens Chilwell Nottinghamshire NG9 5HJ  
Proposal : **Render front, side and rear elevations from the 11th row of bricks**  
Decision : **Conditional Permission**

Applicant : Mr Subi Gashi 22/00250/FUL  
Site Address : 67 Crofton Road Attenborough Nottinghamshire NG9 5HW  
Proposal : **Construct single and two storey rear extension**  
Decision : **Conditional Permission**

Applicant : Mr Capo 22/00279/FUL  
Site Address : 79 Mottram Road Chilwell Nottinghamshire NG9 4FW  
Proposal : **Construct single storey rear and two storey side/rear extensions and render**  
Decision : **Conditional Permission**

Applicant : Mr Toplis Wolf Electrical 22/00287/FUL  
Site Address : 2 Ashley Close Chilwell Nottinghamshire NG9 4BQ  
Proposal : **Demolish existing dwelling and construct replacement dwelling**  
Decision : **Conditional Permission**

Applicant : C Stevenson 22/00296/FUL  
Site Address : 8 Ireton Grove Attenborough Nottinghamshire NG9 6BJ  
Proposal : **Construct single storey side extension**  
Decision : **Conditional Permission**

Applicant : Mr C Law 22/00302/FUL  
Site Address : 7 Riverdale Road Attenborough Nottinghamshire NG9 5HU  
Proposal : **Construct two storey side extension with car port**  
Decision : **Conditional Permission**

Applicant : Mr & Mrs Hutchinson 22/00349/FUL  
Site Address : 18 Heathfield Grove Chilwell Nottinghamshire NG9 5EB  
Proposal : **Construct two storey side extension and a single storey rear and side extension and external alterations**  
Decision : **Conditional Permission**

Applicant : Lauren Vickers 22/00397/FUL  
Site Address : 61 Hall Drive Chilwell Nottinghamshire NG9 5BX  
Proposal : **Retain and make alterations to hip-to-gable and rear dormer construction (revised scheme)**  
Decision : **Refusal**

Applicant : Mr & Mrs Mills 22/00398/FUL  
Site Address : 15 Gwenbrook Road Chilwell Nottinghamshire NG9 4AZ  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr Kwok 22/00411/PNH  
Site Address : 155 Bramcote Avenue Chilwell Nottinghamshire NG9 4FE  
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 2.4 metres.**  
Decision : **PNH Approval Not Required**

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Applicant : Mrs C Kennedy 22/00422/PNH  
Site Address : 9 Oban Road Chilwell Nottinghamshire NG9 4FX  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.60metres, with a maximum height of 3.50metres, and an eaves height of 3.00 metres.**  
Decision : **PNH Approval Not Required**

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#### **AWSWORTH, COSSALL & TROWELL WARD**

Applicant : Miss Heather Shaw 22/00291/FUL  
Site Address : 28 St Helens Crescent Trowell Nottinghamshire NG9 3PZ  
Proposal : **Construct rear single storey extension and front porch**  
Decision : **Conditional Permission**

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Applicant : Mr and Mrs Kirk 22/00305/FUL  
Site Address : 1 Douglas Avenue Awsworth Nottinghamshire NG16 2RJ  
Proposal : **Construct rear orangery**  
Decision : **Conditional Permission**

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Applicant : Mr Robert Crane 22/00394/FUL  
Site Address : 41 Barlow's Cottages Lane Awsworth Nottinghamshire NG16 2QW  
Proposal : **Construct wall, gate and fence**  
Decision : **Conditional Permission**

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#### **BEESTON CENTRAL WARD**

Applicant : Mrs M Beaumont 22/00099/FUL  
Site Address : 73 City Road Beeston Nottinghamshire NG9 2LQ  
Proposal : **Construct first floor rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr David Yue Y&Q Deyi Hang Ltd 22/00261/CLUP  
Site Address : 17 Templar Road Beeston Nottinghamshire NG9 2DX  
Proposal : **Certificate of Proposed Lawfulness to construct single storey rear extension**  
Decision : **Approval - CLU**

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Applicant : Xuemin Xu 22/00312/CLUP  
Site Address : 24 Princess Avenue Beeston Nottinghamshire NG9 2DH  
Proposal : **Certificate of proposed development to construct single storey rear extension and hip to gable roof extension and dormer**  
Decision : **Approval - CLU**

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Applicant : Mr Patrick Crinnigan 22/00336/FUL  
Site Address : 1 Hawthorn Grove Beeston Nottinghamshire NG9 2FG  
Proposal : **Change of use of a dwelling house (C3) to a house in multiple occupation (C4) and construct a single and two storey rear extension. Installation of new window to side elevation at first floor.**  
Decision : **Withdrawn**

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## BEESTON NORTH WARD

Applicant : Wayne Brankin Positive Independence 22/00143/FUL  
Site Address : 48 Burrows Avenue Beeston Nottinghamshire NG9 2QW  
Proposal : **Change of use from dwelling house (C3) to solo occupancy children's home (C2)**  
Decision : **Conditional Permission**

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Applicant : Mr N Ahmed 22/00207/FUL  
Site Address : 28 Farfield Avenue Beeston Nottinghamshire NG9 2PU  
Proposal : **Construct two storey and single storey rear extensions and single storey front extension (revised scheme)**  
Decision : **Conditional Permission**

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Applicant : MR JAMES SMITH 22/00252/FUL  
Site Address : 8 Jasmine Close Beeston Nottinghamshire NG9 3LH  
Proposal : **Construct single storey rear/side extension and external changes**  
Decision : **Conditional Permission**

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Applicant : Mr Michael Ellwood 22/00339/FUL  
Site Address : 25 Heather Rise Beeston Nottinghamshire NG9 3AG  
Proposal : **Conversion of garage to self-contained accommodation. Replace garage door with brick wall and insertion of windows**  
Decision : **Conditional Permission**

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Applicant : Mr. & Mrs. Sneddon 22/00348/FUL  
Site Address : 17 Firs Avenue Beeston Nottinghamshire NG9 2QJ  
Proposal : **Demolition of existing side extension and construct single/two storey side/ rear extension and front porch**  
Decision : **Conditional Permission**

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## BEESTON WEST WARD

Applicant : Mr Sky Barker 22/00307/FUL  
Site Address : 16 Hope Street Beeston Nottinghamshire NG9 1DR  
Proposal : **Installation of external wall insulation and render to existing walls**  
Decision : **Conditional Permission**

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Applicant : Mr Alec MacLean 22/00318/FUL  
Site Address : 56A Imperial Road Beeston Nottinghamshire NG9 1FN  
Proposal : **Construct single storey side and rear extension**  
Decision : **Conditional Permission**

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Applicant : Churchill Retirement Living 22/00352/VOC  
Site Address : Land Between Ellis Grove And Wilmot Lane Ellis Grove Beeston Nottinghamshire  
Proposal : **Variation of condition 2 of reference 21/00575/FUL to amend the site plan to reconfigure the landscaping and parking.  
Replace the site plan reference 30047BS PL003 with 30047BS PL003 A.**  
Decision : **Conditional Permission**

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Applicant : Churchill Retirement Living 22/00353/FUL  
Site Address : Land Between Ellis Grove And Wilmot Lane Ellis Grove Beeston Nottinghamshire  
Proposal : **Redevelopment of strip of land between two sites for parking and landscaping in relation to application reference 21/00575/FUL**  
Decision : **Conditional Permission**

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## BRAMCOTE WARD

Applicant : Mr R Maling North Sands Developments Ltd 22/00126/FUL  
Site Address : 88 Cow Lane Bramcote Nottinghamshire NG9 3BB  
Proposal : **Construct three detached dwellings**  
Decision : **Conditional Permission**

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Applicant : Mr Chris Mellor 22/00138/FUL  
Site Address : 85 Cow Lane Bramcote Nottinghamshire NG9 3BB  
Proposal : **Improvement of a thermal element of the property via fixation of external render. Install additional window and sunpipe.**  
Decision : **Conditional Permission**

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Applicant : Mr T Mahmood 22/00167/FUL  
Site Address : 3 Warrender Close Bramcote Nottinghamshire NG9 3EB  
Proposal : **Construct single storey rear extension and side dormer**  
Decision : **Refusal**

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Applicant : Mrs Shaheen Khan 22/00229/FUL  
Site Address : 86 Cow Lane Bramcote Nottinghamshire NG9 3BB  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr P Hilton 22/00258/CLUE  
Site Address : 24 Denewood Avenue Bramcote Nottinghamshire NG9 3EU  
Proposal : **Certificate of Lawfulness to retain existing use as a utility room**  
Decision : **Approval - CLU**

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Applicant : Mrs Nina Passi 22/00262/FUL  
Site Address : 41 Latimer Drive Bramcote Nottinghamshire NG9 3HS  
Proposal : **Construct single storey side/rear extension and alterations to porch roof**  
Decision : **Conditional Permission**

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Applicant : Mr & Ms Cardell-Williams & Blackburn 22/00271/FUL  
Site Address : 53 Thoresby Road Bramcote Nottinghamshire NG9 3EP  
Proposal : **Construct two storey front extension, raise the roof to the existing single storey rear extension and existing first floor extension. Change of materials used to the external elevations**  
Decision : **Conditional Permission**

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Applicant : Mr V Hemraj 22/00277/FUL  
Site Address : 60 Thoresby Road Bramcote Nottinghamshire NG9 3EN  
Proposal : **Loft conversion to include hip to gable conversion above side extension, including high level window in the side (south) elevation to serve loft; rear dormer with Juliet balcony; and pitched roof dormer to side (north) elevation**  
Decision : **Conditional Permission**

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Applicant : MR DAVID LANDA 22/00344/FUL  
Site Address : 118 Derby Road Bramcote Nottinghamshire NG9 3HP  
Proposal : **Construct two storey rear extension (re submission)**  
Decision : **Conditional Permission**

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Applicant : Mr Kamal Raj 22/00405/FUL  
Site Address : 65 Beeston Fields Drive Bramcote Nottinghamshire NG9 3TD  
Proposal : **Installation of air-conditioning units in acoustic enclosures**  
Decision : **Conditional Permission**

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## BRINSLEY WARD

Applicant : Mr Anthony Atkin 21/01033/FUL  
Site Address : Allandale Farm Hall Lane Brinsley Nottinghamshire NG16 5BJ  
Proposal : **Change of use of part of outbuilding used as stable / tack store / staff room to one self-contained dwelling**  
Decision : **Conditional Permission**

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## CHILWELL WEST WARD

Applicant : Mrs Mythily Sivamayuran 22/00084/FUL  
Site Address : 8 - 10 Chetwynd Road Chilwell Nottinghamshire NG9 5GD  
Proposal : **Retain compressor unit**  
Decision : **Conditional Permission**

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Applicant : Mr C Molde 22/00358/FUL  
Site Address : 1 Field Lane Chilwell Nottinghamshire NG9 5FF  
Proposal : **Construct single-storey rear and side extensions**  
Decision : **Conditional Permission**

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## EASTWOOD HILLTOP WARD

Applicant : Mrs Tracey Peet 22/00401/FUL  
Site Address : 133 Queens Road South Eastwood Nottinghamshire NG16 3NG  
Proposal : **Construct front dormer to facilitate loft conversion**  
Decision : **Refusal**

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## EASTWOOD ST MARY'S WARD

Applicant : Mr Chris Samples Tailormade Interiors 22/00181/FUL  
Site Address : 23 Wood Street Eastwood Nottinghamshire NG16 3DD  
Proposal : **Construct 2 storey side extension**  
Decision : **Conditional Permission**

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Applicant : Mrs Chloe Source HSBC UK Bank plc 22/00310/FUL  
Site Address : 53 Nottingham Road Eastwood Nottinghamshire NG16 3AE  
Proposal : **Install replacement external ATM and surround and install external CCTV**  
Decision : **Conditional Permission**

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Applicant : Mrs Chloe Source HSBC UK Bank plc 22/00311/ADV  
Site Address : 53 Nottingham Road Eastwood Nottinghamshire NG16 3AE  
Proposal : **Install replacement ATM surround**  
Decision : **Conditional Permission**

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## GREASLEY WARD

Applicant : MR LEE BIRCHALL GREENE KING 22/00239/FUL  
Site Address : The Hayloft 441 Nottingham Road Giltbrook Nottinghamshire NG16 2GB  
Proposal : **Construct paved terrace and structure to cover paved area**  
Decision : **Conditional Permission**

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Applicant : Mrs Godhaniya 22/00357/CLUP  
Site Address : 76 Moorgreen Newthorpe Nottinghamshire NG16 2FB  
Proposal : **Certificate of Lawfulness for proposed single storey rear extension**  
Decision : **Approval - CLU**

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Applicant : Mr & Miss John & Natalie Michalski & Williams 22/00484/FUL  
Site Address : Land At 209 Main Street Newthorpe Nottinghamshire NG16 2DL  
Proposal : **Construct new two storey dwelling with first floor rear balcony (revised scheme)**  
Decision : **Conditional Permission**

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## NUTHALL EAST & STRELLEY WARD

Applicant : Burton 22/00278/FUL  
Site Address : 31 Temple Drive Nuthall Nottinghamshire NG16 1BE  
Proposal : **Construct rear and side single extension to the property in white render**  
Decision : **Conditional Permission**

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Applicant : Mr And Mrs Khurram Tariq 22/00309/FUL  
Site Address : 67 Harcourt Crescent Nuthall Nottinghamshire NG16 1AZ  
Proposal : **Construct single storey rear extension and front porch and convert part of the garage into utility room**  
Decision : **Conditional Permission**

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## STAPLEFORD NORTH WARD

Applicant : Mark Allen 22/00259/ADV  
Site Address : Unit 1 Hickings Lane Stapleford Nottinghamshire NG9 8PA  
Proposal : **Display 3 internally illuminated fascia signs, 2 non illuminated fascia, and 1 internally illuminated totem sign**  
Decision : **Conditional Permission**

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## STAPLEFORD SOUTH EAST WARD

Applicant : Mr David Bonser 22/00159/FUL  
Site Address : 3 Walker Grove Stapleford Nottinghamshire NG9 7GY  
Proposal : **Construct single storey side/ front and rear extensions**  
Decision : **Conditional Permission**

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Applicant : Mr Amir Ali 22/00351/FUL  
Site Address : 92 Church Street Stapleford Nottinghamshire NG9 8DJ  
Proposal : **Retain the change of use to car wash and car valeting business, including the erection of a canopy, protective screens and additional drainage**  
Decision : **Refusal**

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## TOTON & CHILWELL MEADOWS WARD

Applicant : Paul Fretwell Wellfield Property Investments Ltd 22/00381/CLUP  
Site Address : 37 Sandown Road Toton Nottinghamshire NG9 6JW  
Proposal : **Certificate of Lawful Development to construct single storey rear extension and demolish detached garage/greenhouse**  
Decision : **Approval - CLU**

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Applicant : Mr & Mrs Adcock 22/00388/FUL  
Site Address : 25 Darley Avenue Toton Nottinghamshire NG9 6JP  
Proposal : **Construct single storey rear extension, hip to gable to rear elevation, installation of dormer to side elevation and introduction of Juliet balcony to rear**  
Decision : **Conditional Permission**

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Applicant : Sara Barley 22/00389/FUL  
Site Address : 6 Bridgnorth Way Toton Nottinghamshire NG9 6LH  
Proposal : **Construct single storey side and rear extensions**  
Decision : **Conditional Permission**

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Applicant : Mrs Gavagan 22/00404/CLUP  
Site Address : 33 Whitburn Road Toton Nottinghamshire NG9 6HP  
Proposal : **Certificate of Lawfulness for proposed single storey rear extension**  
Decision : **Approval - CLU**

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## WATNALL & NUTHALL WEST WARD

Applicant : Mr Ian Webster 22/00263/FUL  
Site Address : 75 Main Road Watnall Nottinghamshire NG16 1HE  
Proposal : **Dropped kerb**  
Decision : **Conditional Permission**

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**Report of the Chief Executive**

**APPEAL DECISION**

|                            |  |
|----------------------------|--|
| <b>APPLICATION NUMBER:</b> | <b>22/00272/FUL</b>  |
| <b>LOCATION:</b>           | <b>Land adjacent 313 Nottingham Road Toton</b>   |
| <b>PROPOSAL:</b>           | <b>Change of use to residential including retention of static mobile home, touring caravan, utility / dayroom building, raised site levels and parking</b> |

**APPEAL DISMISSED**

The application was refused planning permission under delegated powers and the decision notice issued on 29 September 2020, for the reasons below:

1. *The development, by virtue of its' siting within Flood Zone 3b, would fail to accord with the National Planning Policy Framework (2019) (paragraphs 155 and 159), Policy 1 of the Broxtowe Aligned Core Strategy (2014), and Policy 1 of the Broxtowe Part 2 Local Plan (2019).*
  
2. *The development, by virtue of its' layout, position of development, temporary appearance of the static home and design of the utility building, would fail to accord with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).*
  
3. *The static home, by virtue of its position within the site and the proximity of windows to the common boundary with 313 Nottingham Road, would have an unacceptable impact on privacy for the occupiers of this property, and therefore fails to accord with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).*

The Planning Inspectorate considered the appeal by way of an informal hearing.

The Inspector issued a decision letter and considered the main issues to be whether the proposal would be inappropriate development in the Green Belt; the effect of the proposed development on the openness of the Green Belt; whether the development would conform with local policies and national guidance with regard to flood risk; the effect of the proposal on the character and appearance of the local area; the effect of the proposal on living conditions of occupiers of 313 Nottingham Road, with particular regard to overlooking; whether the Council has made sufficient provision for Gypsy and Traveller sites in accordance with local policies and national guidance; whether there is overriding need for the development; and whether the harm to Green Belt, by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations, and if so, would this amount to the very special circumstances necessary to justify the proposal.

The Inspector summarised that the proposed development would have an adverse impact on the openness of the Green Belt primarily as a consequence of the raised levels associated with the change of use, and the solid boundary fence erected around the site, however as only part of the site is affected by Green Belt

assignment, the harm carries lesser weight in considering the overall planning balance.

In terms of Flood Risk, the Inspector concluded that, due to the raising of levels within the site, the development has and would increase the risk of flooding outside of the site due to displacement of flood water, primarily from the River Erewash, which is in close proximity to the site. The Inspector also concluded that the future occupiers of the site would also be at risk from flooding. The Environment Agency are unlikely to grant a Flood Risk Activity Permit for any compensation scheme such as underground water storage or other sustainable drainage schemes.

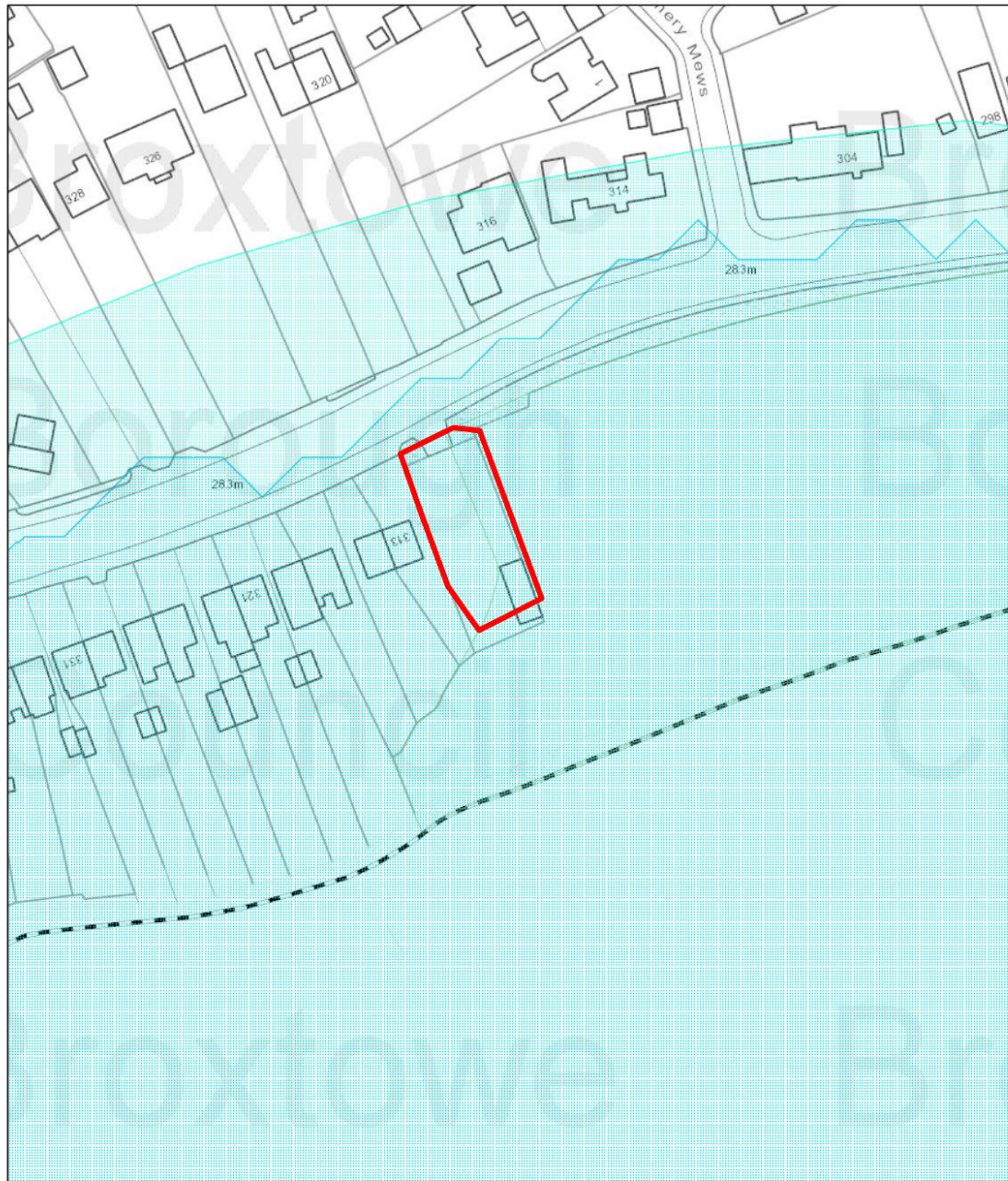
In terms of character and appearance and living conditions, the Inspector concluded that the development would appear incongruous within the street scene, even if mitigation measures such as landscaping were to be introduced. The development both as existing and as proposed would result in overlooking toward 313 and as such would have an unacceptable impact on neighbour amenity.

The Broxtowe Part 2 Local Plan (Policy 16) states that a site will be identified for two pitches to accommodate Gypsy and Traveller families before the end of 2019. This has not occurred and the Inspector concluded that the Council has failed to make sufficient provision in accordance with both local and national policies. The lack of supply is considered by the Inspector to be a significant material consideration in the determination of the appeal and that the lack of alternative sites outside of a flood zone and within the Borough and in the best interests of the children indicates that there is an overriding need for the family to find a suitable site, and this carried considerable weight in favour of the appeal.

Overall, the Planning Inspector concluded that whilst the need and lack of sites within the borough carried significant weight, and the impact on openness of the Green Belt, impact on neighbour amenity and impact on character and appearance of the street scene carried weight, it was considered that the proposal would have significant conflict with the NPPF, PPTS, the Environment Agency standing advice and Local Plan policy in relation to flood risk, and the effect of the development on other land uses and occupiers. This harm is not outweighed by the best interests of the child and overriding need. The proposals are contrary to the local development plan and national guidance, and whilst there are material considerations, these carry insufficient weight to outweigh that conflict.

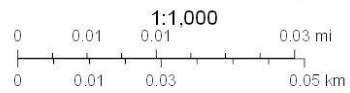
The Inspector concluded that the appeal should be dismissed.

Land adjacent 313 Nottingham Road Toton



6/27/2022, 12:19:55 PM

- Green Belt
- Flood Zone 3
- Flood Zone 2
- Site



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