



Tuesday, 27 September 2022

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 5 October 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 5 - 14)

The Committee is asked to confirm as a correct record the minutes of the meeting held on 7 September 2022.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 22/00166/FUL (Pages 15 - 46)

Demolition of the existing property known as Oban House and the construction of a Medical Centre incorporating a pharmacy and associated car parking, highway and landscaping works
Oban House, 8 Chilwell Road, Beeston NG9 1EJ

5.2 20/00789/FUL (Pages 47 - 70)

Construct six dwellings following demolition of existing dwelling
21 Edgwood Road, Kimberley, Nottinghamshire, NG16 2JR

5.3 21/00507/FUL (Pages 71 - 88)

Residential extensions and refurbishments creating one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.
Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire, NG16 2RT

5.4 21/00508/LBC (Pages 89 - 106)

Residential extensions and refurbishments creating one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.
Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire, NG16 2RT

5.5 22/00116/FUL (Pages 107 - 122)

Construct Multi Use Games Area Facility with 3m high perimeter fencing and 4 floodlighting columns (revised scheme)
Awsorth Junior and Infant School, The Lane, Awsorth

- 5.6 22/00367/FUL (Pages 123 - 132)
- Construct single detached garage
Nelson Cottage, Main Street, Strelley
- 5.7 22/00499/FUL (Pages 133 - 152)
- Construct three storey extension to the existing purpose built
student accommodation to create an additional six
bedrooms
1 Queens Road East, Beeston, Nottinghamshire
6. INFORMATION ITEMS
- 6.1 Appeal Decision (Pages 153 - 156)
- 6.2 Appeal Decision (Pages 157 - 158)
- 6.3 Delegated Decisions (Pages 159 - 168)

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PLANNING COMMITTEE

WEDNESDAY, 7 SEPTEMBER 2022

Present: Councillor D K Watts, Chair

Councillors: M Handley
D Bagshaw
L A Ball BEM
S J Carr
R I Jackson
G Marshall
P J Owen
S Paterson
D D Pringle
H E Skinner
E Williamson
R D Willimott

There were no apologies for absence.

22 **DECLARATIONS OF INTEREST**

Councillor D D Pringle declared a non pecuniary interest in item 5.2 as he had been acquainted with the applicant.

Councillors D D Pringle and R I Jackson declared a non pecuniary interest in items 5.1 and 5.2 as they were members of the Campaign for Real Ale (CAMRA) and had been lobbied by the same.

23 **MINUTES**

The minutes of the meeting on 27 July 2022 were confirmed and signed as a correct record.

24 **NOTIFICATION OF LOBBYING**

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

25 DEVELOPMENT CONTROL

25.1 22/00355/REG3

Residential development of 15 dwellings (12 houses and 3 apartments) and associated parking, including incorporation of part rear gardens of 15, 17a, 17b, 17c and 17d Great Hoggett Drive, following demolition of Inham Nook public house and demolition of garage blocks to the north of the site. Creation of a pocket park to amenity land north of community centre / library.

Inham Nook Hotel, Land to North of Chilwell Community Centre, garages to north of hotel and part of gardens to the rear of 15, 17A, 17B, 17C and 17D Great Hoggett Drive, Inham Road, Chilwell, Nottinghamshire, NG9 4HX

The application was brought the Committees as it was an application made on behalf of the Council.

There were no late items for the Committee to consider.

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

The Committee considered the application with particular reference to the climate crisis and the chance it gave the Council as a developer to provide high quality housing that would employ green technologies to lessen its impact on the environment.

It was noted that for each tree that was removed from the site, two trees would be planted. The placement and type of tree would be agreed by the Council through the planting scheme.

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

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

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

2. The development hereby permitted shall be carried out in accordance with the site location plan received by the Local Planning Authority on 22.04.22 and drawings numbered: 0203-S1-P02, 0204-S1-P02, 0205-S1-P02, 0206-S1-P02, 0207-S1-P01, 0208-S1-P01, 0209-S1-P01 and 0210-S1-P01 received by the Local Planning Authority on 17.05.22, drawing number 0008-S1-P03 received by the Local Planning Authority on 05.07.22 and drawing number 201 P1 received by the Local Planning Authority on 06.07.22.

Reason: For the avoidance of doubt.

3. The development hereby permitted shall not commence until details of a noise assessment have been submitted to and approved in writing by the Local Planning Authority. The report shall include details of noise attenuation measures required to meet the standard for internal noise levels defined in the current BS8233:2014 (including glazing and ventilation details) and BS4142 in relation to the operation of the proposed Air Source Heat Pumps. The dwellings hereby permitted shall not be occupied until the noise mitigation measures have been provided in accordance with the approved details and shall thereafter be retained for the lifetime of the development.

Reason: In the interests of the amenities of the future occupiers and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

4. The development hereby permitted shall not commence until details of a Construction Method Statement have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out strictly in accordance with the approved details.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

5. The development hereby permitted shall not commence until details of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.

- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the

developable area.

- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 years, 1 in 30 years, 1 in 100 years and 1 in 100 years plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of Severn Trent Water approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

Reason: To ensure the development does not increase the risk of flooding on the site or elsewhere, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014)

6. The development hereby permitted shall not commence until details of a Landscape Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall seek to achieve a minimum 10% biodiversity net gain, and shall include a detailed / annotated landscape plan with information on tree / plant and seed mixes, as well as the specification, height, aspect of the bird and bat boxes to ensure they are installed in suitable locations. Any hedgehog highways should also be mapped on plan.

The development shall thereafter be carried out strictly in accordance with the approved details.

Reason: In the interests of safeguarding and enhancing biodiversity in accordance with Policy 17 Of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).

7. No above ground works shall be commenced until details of all external materials including bricks, tiles, external finishes, windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

8. No above ground works shall be commenced until details of the appearance of the externally mounted air source heat pumps have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

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

9. No above ground works shall be commenced until details of a landscaping scheme have been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:

- (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development
- (b) numbers, types, sizes and positions of proposed trees and shrubs
- (c) proposed boundary treatments
- (d) proposed hard surfacing treatment
- (e) proposed lighting details
- (f) planting, seeding/turfing of other soft landscape areas including the pocket park area

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

Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

10. No above ground works shall be commenced until details of a scheme to provide Electric Vehicle Charging points have been submitted and approved in writing by the Local Planning Authority. The scheme shall include details of location of each EVC. The approved scheme shall be installed prior to the occupation of the dwelling to which the EVC is assigned.

Reason: To ensure that the development does not contribute to a reduction in air quality and to promote more sustainable means of transport, in accordance with Policy 20 of the Broxtowe Part 2 Local Plan (2019).

11. No above ground works shall be commenced until details, including sections, of the ramped accesses and steps leading from the public highway have been submitted to and approved in writing by the Local Planning Authority. The ramps and steps shall be installed in accordance with the approved details.

Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, and to ensure that safe and convenient access is provided, 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).

12. Prior to the occupation of any dwelling hereby permitted, the noise mitigation measures pertinent to that dwelling shall have first been installed and shall be retained thereafter for the lifetime of the development.

Reason: In the interests of the amenities of the future occupiers and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

13. Prior to the occupation of any dwelling hereby permitted, the bin collection points, parking spaces and turning areas shall have first been provided and shall be retained thereafter for the lifetime of the development.

Reason: In the interests of the appearance of the area and to ensure highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

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

Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

15. No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08.00 to 18.00 Monday to Friday, 08.00 to 13.00 Saturday and at no time on Sundays or Bank / public holidays.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

16. All excavations shall be covered overnight or otherwise have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipe work greater than 150mm should be capped off at the end of the day and chemicals should be stored securely.

Reason: In the interests of safeguarding wildlife in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).

NOTES TO APPLICANT

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
3. As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.

4. **The Lead Local Flooding Authority (LLFA) ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. The LLFA will provide bespoke comments within 21 days of receiving a formal consultation on any amendments.**

25.2 22/00228/FUL

Demolish public house and construct five detached dwellings and associated parking
Gardeners Inn, Awsworth Lane, Cossall, Nottinghamshire NG16 2RZ

At the request of the Chair, the order of the agenda was varied to hear this item first.

Councillor L A Ball BEM had requested that the application be brought before Committee for consideration.

Three late items were noted by the Committee, specifically a statement from Councillor J W McGrath who was the Nottinghamshire County Councillor for the area, an objection from a resident and the Coal Mining Risk Assessment dated 2020, relating to land adjacent to Gardeners Inn public House.

Richard Hutchinson, applicant and Rob Bryant, objecting, made representation to the Committee prior to the general debate.

Having given due consideration to all representations the Committee commenced the debate with specific reference to concerns about the fabric of the building deteriorating as it was empty, whilst giving the community a fair amount of time to fund raise to purchase the public house. There was also concern at the lack of information from the developer and it was considered that a delay in determining the application would allow time for this to be gathered.

There was concern that there was not enough information about whether the community would be able to purchase and run the Gardeners Inn as a viable public house. Discussions progressed on to the Gardeners Inn's former status as an asset of community value (AVC) and legal advice was given to the Committee.

It was proposed by Councillor L A Ball BEM and seconded by Councillor R I Jackson that the item be deferred until the Committee on 7 December 2022 to give the community and the developer time to gather information. On being put to the meeting the motion was carried.

RESOLVED that the application be deferred until the Committee meeting on 7 December 2022.

Reason

To allow further information to be submitted to the Council regarding the application.

26 INFORMATION ITEMS

26.1 APPEAL DECISION 20/00891/FUL

The appeal decision was noted, with particular reference to the award of costs against the Council.

26.2 APPEAL DECISION 2100364/FUL

The appeal decision was noted.

26.3 APPEAL DECISION 2101005/FUL

The appeal decision was noted.

26.4 APPEAL DECISION 2100092/FUL

The appeal decision was noted.

26.5 APPEAL DECISION 2100400/FUL

The appeal decision was noted.

26.6 APPEAL DECISION 2000687/FUL

The appeal decision was noted.

26.7 APPEAL DECISION 21/00443/FUL

The appeal decision was noted.

27 CURRENT POLICY WORK

The Committee noted the summary of the scope content and progress of current planning policy work.

There was a discussion about the impact the Nottinghamshire and Derbyshire Combined Authority on local governance.

Consideration was given to the prioritisation of the Climate Change Special Planning Document (SPD) and that this should include green infrastructure and biodiversity. The involvement of Portfolio Holders in the preparation of policy was also discussed.

It was proposed by Councillor D K Watts and seconded by Councillor S J Carr that the Climate Change SPD be prioritised, in conjunction with the Policy Advisory Working

Group and the relevant Portfolio Holder. On being put to the meeting the motion was passed.

RESOLVED that the Climate Change SPD be prioritised, in conjunction with the Policy Advisory Working Group and the relevant Portfolio Holder.

28 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that there was no reason to exclude the public and press for the following item of business.

29 DEVELOPMENT CONTROL

29.1 20/00219/ENF

The Committee considered whether direct action should be taken and whether works should be carried out in default in order that the land be tidied to a reasonable standard.

RESOLVED that direct action be taken and that works be carried out in default in accordance with the requirements of the Community Protection Notice date 1 November 2021 and the Remedial Order granted by Nottingham Magistrates' Court on 6 June 2022.

Report of the Chief Executive

APPLICATION NUMBER:	22/00166/FUL
LOCATION:	Oban House, 8 Chilwell Road, Beeston, NG9 1EJ
PROPOSAL:	Demolition of the existing property known as Oban House and the construction of a Medical Centre incorporating a pharmacy and associated car parking, highway and landscaping works

1.1 Purpose of Report

The application is brought to the Committee at the request of Councillor J C Patrick, due to the high level of interest that the proposal has generated.

1.2 Recommendation

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

1.3 Detail

- 1.3.1 The application seeks planning permission to demolish Oban House, to facilitate the construction of a detached building for the use as a medical centre, incorporating a pharmacy, along with associated parking, highway and landscape works.
- 1.3.2 The site contains a three storey Victorian building which was originally a house but was last in use as offices. The site is located within the St John's Grove Conservation Area and is also a Local Interest Building. The site is also directly adjacent to West End Conservation Area, which is to the south east.
- 1.3.3 The main issues relate to whether the loss of the building and associated landscaping would result in harm to the character and appearance of the conservation area; whether the replacement building would make a positive contribution to the character and appearance of the conservation area, and if not, would the public benefit outweigh any harm; whether the building is acceptable in terms of design and layout; whether the development would have an impact on highway safety; whether the development would result in harm to biodiversity; and whether there would be an acceptable impact on neighbouring amenity.
- 1.3.4 The benefit of the proposal is that it would provide a health and community use to address local shortfall. The negatives are the loss of a heritage asset and the impact of that loss on the character and appearance of the St Johns Grove Conservation Area and the wider surrounds.

1.4 Financial Implications

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 Section 106s (S106), or similar legal documents, are covered elsewhere in the report.

1.5 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.

1.6 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.

1.7 Background papers

- Preliminary Environmental Risk Assessment
- Design and Access Statement
- Drainage Strategy
- Transport Statement
- Arboricultural Report
- Preliminary Ecological Appraisal Report.

APPENDIX

2. Details of the application

- 2.1 Oban House would be demolished. The proposed development would consist of a substantial three storey detached building (third floor accommodation being to the roof space) which would be sited to the south west of the plot, built close to the front boundary. Car parking would be provided toward the rear of the site, to the north west boundary, accessed from Chilwell Road and utilising the existing access. A bin store and a substation would be positioned within the parking area, to the south east boundary where it adjoins the rear of 8a and 8b Chilwell Road (offices). A cycle store and parking area would be to the front of the proposed building.
- 2.2 The proposed building as originally submitted would have a large gable feature to the front elevation, having a steep roof with vertical brick columns interspersed with glazing, framed with dark grey aluminium, to the first and second floors. The ground floor level would also see the brick columns continue but would have shop windows. Either side of the main front feature, there would be brick wings, extending upward to the first floor. Beyond this, and to each side elevation, would be a three storey brick section which would provide (internally) space for staircases serving all floors. Dormers would also be within the roof slope to each side elevation. These would be finished in dark zinc cladding. The roof itself would be finished in Rosemary Clay tiles.
- 2.3 The design and appearance of the proposed building have been amended, following concerns in respect of the original design. The inset gable feature to the front elevation facing Chilwell Road has been omitted. This is shown to be replaced by a traditional gable frontage, with a series of traditionally proportioned windows to all three floors. A door to the front would utilise the original arch over from Oban House. The overall height has been reduced so as to reflect that of numbers 10 and 12, to the west. The building would have a more traditional appearance, being of brick to the elevations, stone sills and lintels over the windows, and a tiled roof.
- 2.4 Internally, the accommodation to the ground floor would include a pharmacy, accessed from the north east elevation, ancillary health space, accessed from the front elevation, reception, waiting rooms, consulting rooms and offices for the surgery accessed from a separate entrance on the north east side elevation, to the first floor there would be additional consulting rooms, waiting area and ancillary health space, and to the second floor mainly providing office space and staff facilities. All three floors have stair and lift access.
- 2.5 The proposed centre would be a replacement for the Manor Surgery, located nearby on Middle Street, adjacent to the Crown public house and the vicarage, and south of St John's parish church. The existing surgery was opened in 1982 for a patient list size of 7,500 persons and has been extended to add a pharmacy, storage area and offices. In 2018, due to the closure of a nearby GP surgery and to the closing of a patient list at another nearby surgery, the list had expanded to 13,000 patients. The proposed replacement surgery would provide

facilities that could better accommodate the current patient list, and, as there are a number of housing developments either currently being constructed or have planning permission to be constructed within the Beeston area and immediate surrounds, the proposal aspires to be able to accommodate any future demand.

3. Site and surroundings

- 3.1 The building is a substantial two storey detached Victorian property (third floor accommodation within the roof) with bay windows to the frontage at ground floor and first, each side of the centrally located entrance. The building has a gable roof with feature dormer to the front. There are bay windows at ground and first floor to the north east (side) elevation as well as an external escape stair. There are two extensions to the rear, built adjacent to the south west boundary. There is a large hard surfaced area to the side and part rear. The building is now understood to be vacant, with the last use being as offices.
- 3.2 To the rear of the property and parking area is a large grassed garden area, which is enclosed by mature trees to all boundaries and also provide a separation from the parking area.
- 3.3 The property is located within and to the eastern edge of St Johns Grove Conservation Area, and is a Building of Local Interest.
- 3.4 Directly to the south of the property is Beeston West End Conservation Area. St John's Church, opposite the site, is a Grade II Listed Building, which is set within an open green area with mature trees and landscaping.
- 3.5 To the south west of the site are 10 and 12 Chilwell Road. These are a pair of two storey Victorian semis, which are also Buildings of Local Interest. The three properties were built together and formed one of the first phases of building in the St Johns Grove area, and as such are considered to have group value. These properties are in use as a children's day nursery (immediately adjacent) and a physiotherapist consultancy. To the south west of these is a two storey building, set back from the road and to the corner of Devonshire Avenue, which is in use as a solicitor's practice.
- 3.6 To the north east of the site is 6 Chilwell Road, a flat roof two storey building in use as offices. The site boundary wraps round to the rear of this property. Adjacent to that is a restaurant and then a public house. The public house wraps around to the rear of the restaurant and as such shares a common boundary to the site. Beyond these properties, to the north east, is Beeston Square and the character of the area then becomes more commercial in nature.
- 3.7 To the rear of 10 and 12 Chilwell Road there is a large dwelling which has recently been extended to the south east (4 Devonshire Avenue). The rear garden of this property forms the south west boundary to the rear garden of no. 8.

- 3.8 To the rear of the site, beyond the garden area, are three dwellings, 5, 7 and 9 Cavendish Place. These are two storey properties. 15 Foster Avenue, located to the rear of the pub, also shares part of the common boundary to the site.

4. Relevant Planning History

- 4.1 Aside from an application to retain gates and pillars and reinstatement of part of boundary wall, reference 07/00998/FUL, there has been no planning history for this site.

5. Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 6: Role of Town and Local Centres
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment
- Policy 12: Local Services and Healthy Lifestyles
- Policy 14: Managing Travel Demand
- Policy 17: Biodiversity

5.2 **Part 2 Local Plan 2019:**

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

- Policy 10: Town Centre and District Centre Uses
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 31: Biodiversity Assets

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

- Part 2 – Achieving sustainable development
- Part 4 - Decision-making
- Part 7 – Ensuring the vitality of town centres
- Part 12 – Achieving well-designed places
- Part 16 – Conserving and enhancing the historic environment

5.4 **Beeston St John's Grove Conservation Area Character Appraisal**

5.5 Beeston West End Conservation Area Character Appraisal

6. Consultations

- 6.1 **County Council Conservation Officer:** The supporting documents submitted as part of the proposed development does acknowledge that Oban House makes a very considerable contribution to the St John's Grove Conservation Area, however the Conservation Officer considers that there would be a lack of positive contribution made from the replacement building, in respect of the significance of the conservation area. The loss of Oban House damages the Victorian setting of the church (St John's) and the new building does not replicate that relationship. The proposal would cause harm to the setting of St John's which whilst may not be considered substantial in isolation, the precedent for replacing the late Victorian and Edwardian villas in the streetscape of Chilwell Road represents a 'substantial' level of harm to the church. The proposal also impacts on the West End Conservation Area, adjacent. The opening up of the vista following tram works of the board school, church and toward Chilwell Road has been a positive contribution to the Conservation Area (CA), and views from the Board School ends with a view of Oban House. The replacement building does not offer any Victorian connection and views of it would erode the recently improved views out of the CA, and damage the appreciation of its character. This effect constitutes harm (less than substantial). The impact of the development would result in harm to the appreciation and significance of designated heritage assets, and substantial harm on the appreciation of the significance of St John's Grove Conservation Area, the effects being severe and as such constitutes substantial harm to a heritage asset. **Comments on amended plans:** Considers that the amended design does not address the main heritage impact of the damage caused to the character of the conservation area arising from the demolition of Oban House. The design approach is considered to be a pastiche design to the detriment of the CA's and are worse than the original, with both designs failing to retain the historic and architectural contribution of Oban House.
- 6.2 **Council's Conservation Adviser:** Acknowledges that under ordinary circumstances an application for the demolition of such a positive building located in a Conservation Area would be strongly resisted, and a recommendation would be made to refuse the application at all costs, however, as the proposed replacement is to be a doctor's surgery, a much greater scrutiny of the balance between harm and public benefits must be exercised. A thorough assessment of the test for the siting of the new surgery should be carried out, to identify whether Oban House is the only viable location for a new surgery, based upon public transport, access, parking and proximity to the expanding population of Beeston. The building is far too architecturally significant as a stand-alone non-designated heritage asset (even without considering the impact on the conservation area) to support its demolition on the basis that it is the only possible location for a new doctor's surgery, if there are other more suitable alternatives. With regards to the character of the building and its context within the Beeston West End CA, the Conservation Adviser considers that it is considered to be one of the most positive buildings in the Conservation Area; it is recognised as such in the

Conservation Area Appraisal. Such large Victorian and Edwardian villas readily allow for the conversion to residential use; as they are mostly too large for single occupancy, they can be converted to HMO to provide for young professional residential or student accommodation. The building can be thermally upgraded and it will have a secure future. The Conservation Adviser does not accept the principle that this building has reached the end of its habitable use, and does not consider this to be an adequate replacement for the loss of Oban House. The location is sensitive, directly opposite the Grade II listed St John the Baptist Church. Oban House further provides a character defining feature to the boundary of the Conservation Area. The principle element of concern is the sheer mundanity of the new building. It would serve as a bland and wholly alien replacement of Oban House; the gesture of reinstating the moulded round arched doorway at the front would further compound the harm, by juxtaposing the quality and craftsmanship of the late Victorian architecture with the uninspiring details of the present. This would only serve as a reminder to the substantial loss of Oban House. It is accepted that the proposed replacement is to be a doctor's surgery and therefore economies of scale must be achieved to make the scheme viable, but if the authority is mindful to permit the demolition of Oban House, the Conservation Adviser would strongly recommend design changes to achieve a more contextual building that respects the site's history. The impact on the setting of the adjacent Grade II listed Church is also a point of consideration in this matter. Recommends refusal of the planning application for the demolition of Oban House, as it is a highly significant non-designated heritage asset and great effort should be taken to preserve its future. Recommends that an Article 4 Direction be placed on the building that would allow for the building to be returned to residential use.

- 6.3 **Beeston and District Civic Society:** Whilst the society supports Manor Surgery's quest for new, larger, premises, and also support Oban House as the location for their new leasehold, do not support the loss of Oban House, or the design of the replacement building. Would support the retention of the building following renovation, and extending to the rear, which would be more sustainable. Considers that the loss of Oban House results in significant harm and is a threat to the character of the conservation area (designated heritage asset); additionally, the design of the new building, which takes its reference from the Parish Church, being ecclesiastical rather than medical in design, competes unsuccessfully with the church. The new building would not result in a positive visual impact. A petition with 225 signatories, against the demolition of Oban House, was submitted as part of the objection. **Comments on amended plans:** Objection still stands – the demolition of Oban House, felling of mature trees and reduction in boundary wall would negatively contribute to the boundary treatment and character of St John's Grove and Beeston West End, and would negatively impact and damage the character, vista and setting of the Grade II listed church.
- 6.4 **Historic Buildings and Places:** (working name of the Ancient Monuments Society) object to the demolition of Oban House and loss of a contributory and non-designated heritage asset. Comments that aside from harm to the

conservation area, the proposed building is of such a scale and design that it would dominate this part of the conservation area and appears to embody most of the threats to the conservation area as identified in Section 5 of the St John's Grove CA Character Appraisal. Section 16 of the NPPF makes it clear that LPA's have a duty to protect and enhance all heritage assets, including those that are non-designated and within conservation areas. No comments received in respect of amended plans.

- 6.5 **Victorian Society:** Object to the loss of a non-designated heritage asset as the property, whilst not listed, is of high quality architecturally, which will be lost through demolition. Oban House strongly marks the corner of the St John's Grove CA and its demolition would cause a disproportionate amount of harm to the significance of the CA at one of its most vulnerable points. The area is predominately residential in character and the new surgery would clearly be a large commercial building and represents an intrusion of a mass, form and materiality into the area and would have no relation to any of the positive aspects listed in the CA appraisal. The design is not of high enough quality to mitigate in any way for the loss of the existing building. The society note that the setting of the church opposite has been opened up following the construction of the road and tram lines, and as a result the inter-visibility of the buildings has been increased, and their relationship strengthened. The loss of Oban House would weaken this junction of the two conservation areas considerably. No comments received in respect of amended plans.
- 6.6 **Nottinghamshire County Council as Highway Authority:** Whilst one space per professional member of staff would be required for this type of development, it is acknowledged that given the sites' sustainable location, close to frequent public transport services and to public car parks nearby, as well as the vicinity being controlled by Traffic Regulation Orders, the shortfall in parking would not be considered to compromise highway safety, although it may be an amenity issue for residents. The boundary treatment to the car park entrance could mask the view of a vehicle exiting the site, and increase likelihood of injury to pedestrians. An alternative means of enclosure needs to be considered. Would expect the submission of a Travel Plan, however, this can be secured by condition. **Comments on amended plans:** Satisfied with the proposed site plan in respect of the vehicular access. Further work required in respect of the Travel Plan.
- 6.7 **Nottinghamshire County Council Policy Team:** No objections.
- 6.8 **Nottinghamshire County Council as Lead Local Flood Authority:** No objections subject to a condition requiring a surface water drainage scheme to be submitted and approved prior to commencement.
- 6.9 **Council's Environmental Health Officer:** No objections subject to conditions in respect of submission and approval of details of a noise report relating to the proposed air source heat pump and any other external plant; restriction on hours of construction; submission and approval of a Construction / Demolition Method Statement; submission and approval of details to survey site contamination including remedial measures; and a note to applicant in respect

of burning of waste on site. **Comments on amended plans:** An acoustic report has been submitted. Recommend a condition to ensure that the development is carried out in strict accordance with the report and that a post completion noise assessment be carried out to demonstrate that the resultant noise level does not exceed that approved.

- 6.10 **Council's Tree Officer:** Five trees which are shown to be removed in order to facilitate the development appear to be good quality (category B). These trees appear to be healthy with few defects and whilst the amenity value could be considered low as they are to the rear of the building, they are visible and located in a conservation area. It would be regrettable to lose the trees, however, it would depend on how much a medical centre is needed in that location. No further comments on the amended scheme.
- 6.11 **Notts Wildlife Trust:** Details submitted are lacking in regard to impact assessment, site / proposal specific mitigation, and ecological enhancement recommendations. A further survey should be carried out prior to demolition as the survey submitted is now 14 months old, in order to review whether the building supports a bat roost. Also raise concerns in respect of the accuracy of the survey results. Satisfied with assessment in respect of reptiles and mammals, and where in relation to breeding birds, subject to a condition prohibiting vegetation clearance works during bird breeding season (March to September). Notwithstanding this, the survey does not consider the presence of Swifts, which generally favour older buildings of two storey or more for nesting. Recommend conditions in regard to ensuring hedgehogs and badgers passing through the site are protected by ensuring excavation holes are covered and pipework capped, and that any boundary treatment be provided with a small hole in order to allow for a continuous pathway through the site for foraging and sheltering. The Trust are also concerned that the development would result in negative impacts to biodiversity. They consider that the scheme submitted would result in a substantial amount of habitat of value to wildlife, including grassland, scrub and numerous trees, would be lost. The proposed development would need to be amended so as to provide a 10% minimum Biodiversity Net Gain. The soft landscaping proposed is heavily dominated by non-native species, and species not locally present or appropriate to the broad habitat type. New trees should comprise of a diverse range of native species or species known benefits to wildlife. **Comments on amended plans:** NWT welcome improvements to the planting scheme to include predominately native species. Not all trees have been included in the biodiversity net gain calculation which would need to be addressed. NWT would suggest a green roof in place of a green wall in order to achieve an increased biodiversity gain. No further surveys required in respect of bats and birds. Recommend details of a Landscape Ecology Management Plan (LEMP) be secured by condition.
- 6.12 **NHS Clinical Commissioning Group:** No Section 106 contribution required, as the proposal is not residential. The CCG is fully supportive of this new surgery building, having approved the practice's business case in August 2021.
- 6.13 **Nottingham Express Transit:** No works to commence until a Construction and Demolition Method Statement has been submitted and approved, in order to

ensure the safe and continued operation of the NET system. No traffic associated with the works to be permitted to wait/load/unload on the tram alignment. Wheel wash facilities must be provided on site. It is noted that the site plan includes proposals for a sliding gate as well as a barrier, at the entrance. Concerned that trams would be delayed by vehicles waiting to gain access into the site. The gates/barriers should remain open during operational hours of the facility. NET request that the developer liaise with them in respect of encouraging staff and visitors to use the tram. **Comments on amended plans:** Satisfied that the entrance barrier has been set back, and confirmation that the gates adjacent to the highway will remain open during operational hours. Recommendations in terms of conditions remain as previous comments.

6.14 **Cadent:** No objection subject to an informative being included in respect of gas apparatus in the vicinity which may be affected by the works.

6.15 **Written representations:** site notice was posted and a press notice published. 23 neighbouring properties were consulted and 136 responses were received. There were 6 letters of support, 3 letters of observations, 1 letter with no objections and 126 letters of objection. The grounds of objection can be summarised as follows:

- Loss of building which is a non-designated heritage asset in a conservation area. Consideration should be made to retaining the building and adapting or extending for the proposed use. This would be more environmentally friendly
- Oban House makes a significant contribution to the setting of the conservation area and surrounds
- The design of the proposed building would be out of character, fail to respect the setting and an incongruous addition, being church like in design, and of an unacceptable bulk, mass and height
- The demolition of Oban House would have an unacceptable impact on the children's day nursery adjacent
- Alternative locations should be considered outside of conservation area – this could include public land such as the car park on Albion Street which has been used during covid times as a testing centre
- The submitted street scene images are misleading as adjacent buildings are not accurately depicted in terms of scale and massing
- The design and scale of the new building would affect the setting of the church opposite, as it would appear awkward due to the church like appearance, and would also affect and erode the character of both conservation areas
- Little attention appears to have been given to environmental matters such as water harvesting, flooding, greenery or wildlife
- The area is already well served by GP practices and pharmacies
- The proposal would lead to a loss of 27 trees which would result in a negative impact on visual amenity particularly in regard to the setting of the conservation areas and to other heritage assets
- Loss of trees – impact on biodiversity including loss or reduction of green 'corridor' for mammals and other creatures

- Increase in vehicles using the site has the potential to result in conflict with the tram / buses and other users of the highway
- Loss of neighbour amenity in terms of loss of privacy, noise during demolition and construction, and noise / pollution as a result of vehicles using the car park to the rear, which is close to residential properties
- The Heritage Impact Assessment is poor and of the opinion that it wrongly concludes that the loss of Oban House / construction of new building would result in less than substantial harm to the designated and non-designated heritage assets
- Query as to whether there is an identified need / justification for such a large increase in floor area between the existing facility and the proposed
- Support need, but not at the expense of the loss of Oban House.

6.16 14 Letters of support, no objection and observations can be summarised as follows:

- There is a need for increased access to enlarged medical facility which is built to be fit for purpose
- The design fits in with the street scene
- Oban House is not fit for re-use and is currently underused
- Likes design and will be an asset to Beeston
- Design boxy, should re-use Oban House rather than demolish
- Support need, but not loss of Oban House
- No objection as already lost anything worth preserving in Beeston.

6.17 A further 30 responses were received following re-consultation on amended plans. 27 were objections, one in support and two with observations. Comments that have not previously been reported above can be summarised as follows:

- Objection – why is the Council giving away trees on one hand and allowing removal of mature trees on the other
- Objection – Impact on privacy to dwellings on Cavendish Place from windows to rear
- Objection – No room left for expansion, if the projection in 10 years' time surpasses projected capacity, could the centre cope or would it be in a similar situation
- Objection – only 25 parking spaces provided which would be taken up by doctors, staff and pharmacists. Where would elderly and disabled people park in cold or inclement weather
- Objection – The scale and design (as amended) fills most of the space in width and height, which is overbearing; attaching elements from the existing building doesn't retain the character; proportion of window to brick is completely changed; the brick would be out of keeping with the area
- Observation – the revised design is much better
- Observation – a new medical centre is more important. A shame that the more contemporary design has been lost – Beeston needs to be bolder and aspirational

- Support – In support but would like more information on boundary treatment to neighbouring property.

7. Assessment

7.1 Principle

7.1.1 The main issues relate to whether the loss of the building and associated landscaping would result in harm to the character and appearance of the conservation area; whether the replacement building would make a positive contribution to the character and appearance of the conservation area, and if not, would the public benefit outweigh any harm; whether the building is acceptable in terms of design and layout; whether the development would have an impact on highway safety; whether the development would result in harm to biodiversity; and whether there would be an acceptable impact on neighbouring amenity.

7.1.2 The site is located just outside the Beeston Town Centre boundary. The proposed use of the site for a medical centre would be acceptable in principle, given the location close to the town centre and to a well-served public transport hub, and providing opportunity for users to combine their trip with other facilities in the centre thereby satisfying Policy A: Presumption in favour of sustainable development of the ACS. Notwithstanding this, the site is also located within St Johns Conservation Area, is adjacent to West End Conservation Area, and is in close proximity to St Johns Parish Church, a Grade II listed building. As such, the acceptability of the principle of and need for the development would need to be weighed against any impact that the development would have on designated and non-designated heritage assets.

7.2 Impact on Designated and Non-designated Heritage Assets, including setting

7.2.1 The Nottinghamshire County Council Conservation Officer advised, on the original proposal, that he objects to the development on the grounds that the level of harm that would be caused to the significance of the designated heritage asset (conservation area) by the demolition of Oban House would not be 'less than substantial'; the overall impact of the development would be considered to fail to conserve the significance of the conservation area as the best surviving area of late 19th century development in Beeston. The proposal therefore would be considered as resulting in substantial harm to a designated heritage asset; the impact arising from the new development would cause harm to the setting of the church, which is a Grade II listed building. The level of harm, in itself, may not be considered substantial, however should the other buildings (10 and 12 Chilwell Road) be lost in the future, this would result in a substantial level of harm to St John's church; It is considered that the proposed building does not offer any Victorian connection, and views of it would therefore erode the views out of the conservation area and damage the appreciation of its character. The proposal constitutes less than substantial harm to the West End Conservation Area; and that Oban House makes the most significant contribution on the Chilwell Road streetscape to the setting of the church,

sharing a Victorian heritage and together clearly reflecting the 19th century expansion of Beeston.

- 7.2.2 In conclusion, the Nottinghamshire County Council Conservation Officer considers that overall and taking into account the above, the proposed development would cause harm to the appreciation and significance of designated heritage assets, and in the case of the impact of the significance of St John's Grove Conservation Area, the effects are severe and would constitute substantial harm to a designated heritage asset. The proposal would therefore be contrary to Local Plan policy, and to Paragraph 201, Section 16 of the NPPF, which requires Local Planning Authorities to refuse permission where a proposed development would lead to substantial harm to a designated heritage asset, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.2.3 On the amended plans and information, the Nottinghamshire County Council Conservation Officer considers that the amended design does not address the main heritage impact of the damage caused to the character of the conservation area arising from the demolition of Oban House. The design approach is considered to be a pastiche design to the detriment of the CA's and are worse than the original, with both designs failing to retain the historic and architectural contribution of Oban House.
- 7.2.4 The Council's Conservation Advisor, for the reasons given in paragraph 6.2, recommends refusal of the planning application unless it can be demonstrated that the public benefit of developing the site for use as a GP surgery outweighs the loss and impact on the designated and non-designated heritage assets.

7.3 Public Benefit of the Proposal

- 7.3.1 The need for a new surgery/medical facility has been identified as Manor Surgery, which the development proposes to replace, currently operates from a constrained site on Middle Street. The existing surgery is built close to three of its boundaries, and with a small parking area to the front. The constraints include the proximity to Grade II Listed Buildings (St John's Church, to the north, and The Crown Public House, to the east) and is also within the West End Conservation Area. As a result, expansion of the existing surgery would be limited in terms of providing additional floor space.
- 7.3.2 It is stated that the need for an enlarged medical facility is driven by the growth in patient numbers, largely as a result of residential development in and around Beeston. Additionally, the patient roll has increased as a result of a nearby practice closing. The patient list has grown from 10,300 in 2016 to 13,000 in 2018. It is stated that additional facilities will be required in order to meet the medical needs of the growing community of Beeston and that the existing site is inadequate to accommodate this and any future growth. To meet the need, it is stated that a minimum of three additional GPs, three nurses and associated supported staff would be required. It is an aspiration of the surgery to remain close to or within half a mile of the town centre.

7.3.3 Supporting information submitted outlines steps taken to deliver the relocation of the existing surgery. A review of available sites has been undertaken by the applicant which identifies the need for the site to be both in close proximity to Beeston centre; be able to accommodate a surgery with gross internal area of 885 square metres with the ability to expand as patient lists increase; accommodate a pharmacy of 100 square metres and capacity for 32 onsite parking spaces. The minimum site area would therefore need to be 0.2 hectares. A thorough search of the current availability of sites and properties was undertaken in the week of 4 July 2022, using all recognised marketing platforms such as Rightmove, Zoopla etc. and by contacting commercial and residential property agents within the Nottingham area. It is stated that as growth in demand for new and existing housing stock in and around Beeston, land in Beeston is at a premium. Whilst two sites of 0.07 and 0.06 hectares were identified, these were considered to fall short of the 0.2 hectares required and furthermore were located in predominately residential areas. A further site was identified on Nuart Road (The Quadrant building, authorised use as offices) but given its location on a cul-de-sac, would not meet locational requirements and the level of parking required for the new centre would not be satisfied. In addition, The Quadrant would have more space than required which would necessitate the need to lease out the additional floor space. There would need to be a restriction on the type of occupier they lease it to, for reasons of safety and security, which would be commercially unviable from the property owners' perspective. In conclusion, the subject site at Oban House is the only currently available and deliverable site for the re-location of Manor Surgery available at the time of the review.

7.3.4 The applicant states that the public benefits of the scheme, providing an enlarged and improved medical facility, would outweigh any impacts on Designated and Non-designated Heritage Assets. It is considered that there is a public benefit to provide an enlarged and accessible medical health facility within Beeston town centre.

7.4 Design, Scale and Layout

7.4.1 The design as originally submitted saw a detached two storey building with three floors of accommodation (third storey accommodated in the roof). The frontage of the building, having a tall gable with vertical glazed / brick elements, had the appearance of a place of worship and would be taller than the closest building, 10 Chilwell Road, to the south west of the site and which the building would be seen in the context of. It was considered that the design and scale of the building would have failed to respect the character and appearance of the area, and would have unsuccessfully competed with the character and appearance of the parish church opposite.

7.4.2 The amended plans and elevations now show a building that is lower in height, therefore of a more domestic scale, and with a more modest gable to the front with window positions and fenestration of a traditional pattern so as to reflect the predominately residential character of the area. The design and scale are considered to be acceptable subject to details of materials.

7.4.3 In respect of the layout, the proposed scheme is considered acceptable as it allows for the building to have a street presence, being built to the same position as the building it would replace, and utilises the same access. By the nature of the facility, car parking needs to be accommodated and whilst this would result in the loss of the garden area to the rear of the site, it would be impractical to accommodate elsewhere in the site. The main entrance into the building would be from the north west side elevation, as this would allow for level access for all users. Bin storage would be accommodated in an enclosed area within the car park. Bicycle stands would be provided both to the front of the building and close to the main entrance on the side for both staff and visitors.

7.5 Highway Safety

7.5.1 The Highways Authority have no objections to the development, as it is acknowledged that despite the shortfall in parking spaces for staff use, the site is in a highly sustainable location close to frequent public transport services and to public car parks nearby. In respect of the access, a sliding gate is proposed which would remain open during operational hours. A Travel Plan has been submitted, however as this is not considered satisfactory, the details would be secured by condition. In conclusion, it is considered that the development would not have a significant impact on Highway Safety or result in increased demand locally for on street parking, given the immediate vicinity being controlled by Traffic Regulation Orders.

7.6 Amenity

7.6.1 The buildings to the north east and south west are in commercial use (6 Chilwell Road is an office, and 10 Chilwell Road is a children's day nursery) and as such it is considered that the proposed building would not have a significant impact in terms of amenity.

7.6.2 4 Devonshire Avenue is the closest residential property to the site and is located to the west of the site. This is a detached two storey dwelling which has been extended to its south east elevation by two storeys, and has a detached two storey outbuilding to the south east corner adjacent to the common boundary. It is the latter detached building that the proposed development would be adjacent to. This building has no openings on the side elevation facing the site and as such the proposed building would have no significant impact on this element. The main dwelling and side extension is within 9m of the common boundary. The proposed building would be offset from the boundary by a minimum of 1m. Whilst this relationship is close, it is considered that due to the substantial size of no. 4, where access to light and outlook is achievable from other aspects of the property, the proposed development would not have a significant impact in terms of loss of light or outlook. It is noted that there would be windows proposed in the side elevation of the new building, facing toward no. 4 and as such it would be reasonable for any windows to be obscurely glazed where they would directly face the rear elevation of the main dwelling, in order to safeguard privacy.

7.6.3 Residential properties to the north west and north east (15 and 17 Foster Avenue, and 5, 7 and 9 Cavendish Place) which share the common boundary with the site would be a minimum of 38m distant from the rearmost part of the proposed building and as such it is considered that the proposed building would not result in a loss of light, outlook or privacy to the occupiers of these properties.

7.7 Biodiversity and Trees

7.7.1 There are several trees within and to the rear of the site, mainly located to the common boundaries, and which enclose a grassed garden area, and there are several trees to the frontage of the site. Oban House itself is of age, and has outbuildings to the rear, all of which could be suitable to support protected species such as bats.

7.7.2 In respect of the trees to be removed, which would mainly be to the north east and south east boundaries and selective ones to the frontage, the Tree Officer states that whilst the loss of the trees, some of which are good quality, would be regrettable, it would depend on how much a medical centre is needed in this location. A soft landscaping scheme has been submitted and this indicates several replacement trees are proposed to be planted within the site. Soft landscaping would be proposed to the edges of the parking area. It is considered that the replacement trees and the additional landscaping would, for the most part, satisfactorily mitigate for the loss of those trees to be removed. The landscaping scheme is recommended to be secured by condition.

7.7.3 In respect of ecology on the site, including protected species, as the main building and outbuildings would have the potential to accommodate roosting bats, and the surrounding trees would potentially provide foraging habitat, a further survey should be carried out prior to the demolition of any building on the site in order to ensure there are no potential impacts on protected species (bats). This survey has now been carried out and as NWT are satisfied with the results, no further survey would be required.

7.7.4 Conditions in respect of protecting other fauna on site are recommended and will be secured by condition. The proposed development would need to provide a 10% minimum biodiversity net gain and as this has not been demonstrated during the lifetime of the application, a condition is recommended to secure details of how this would be achieved.

7.8 Noise and Pollution

7.8.1 The development would be sited close to residential and other sensitive uses (for example, the day nursery) and as such a condition requiring details of a noise report relating to both the Air Source Heat Pumps as proposed and to any other external plant to be installed would need to be secured. Following the receipt of a Noise Report, this is considered satisfactory by the Environmental Health Officer, however the measures identified would need to be installed and maintained as per the report. This would be secured by condition. A restriction in respect of hours of construction/demolition and details of a Construction/

Demolition Method Statement would need to be agreed and would be secured by condition.

7.8.2 The facility would generally be open during day time and evenings and as the site is adjacent to the Town Centre it is considered that, subject to the conditions outlined above, the development would not have a significant detrimental impact on the amenities of neighbours in terms of noise and disturbance, both during the period of demolition and construction, and once the facility is operating.

7.8.3 A condition to secure details of contamination including remedial measures is recommended.

7.9 Sustainability (Energy)

7.9.1 The supporting documents state that the proposed building would be constructed to standards above those required by current Part L of the Building Regulations, and would comply with the energy requirements of the BREEAM 'Very Good' rating. The building design would follow the passive 'fabric first' principles, to initially reduce the primary energy demands of the building, which would include a high performance building fabric envelope with low thermal transmittance and low air permeability. Passive solar design principles would also be incorporated, maximising natural daylighting whilst limiting solar heat gains, and passive natural ventilation systems would be utilised.

7.9.2 A low carbon Air Source Heat Pump would be included which would provide space heating, matched by underfloor heating, to allow for lower heating flow fully exploiting the efficiency benefits of the ASHP, and avoiding use of natural gas / boilers.

7.9.3 It is noted that the energy efficiency of the existing building, given the age, would be unlikely to be able to achieve that of a modern building.

7.10 Drainage

7.10.1 A Surface Water Drainage Strategy would need to be submitted and approved prior to the commencement of the development. This would be secured by condition.

8. Conclusion

8.1 The proposed development would have no significant impact in terms of neighbour amenity and highway safety. The benefits of the proposal are that it would provide a replacement medical centre which would be capable of accommodating a larger number of patients in terms of both existing needs and as projected following increase in residential developments in the area; would ensure that the medical centre is accessible to all users and remain in a sustainable location; and would be accommodated in a purpose built building which would be constructed so as to meet BREEAM rating of 'very good'. This is afforded great weight. The negative impacts are the loss of a non-designated

heritage asset within and adjacent to conservation areas; impact on Grade II Listed Building and setting of the St Johns Grove Conservation Area; which are considered to constitute substantial harm. This element is afforded significant weight, but, due to the buildings status as a non-designated heritage asset, cannot be considered, in the view of the officer, to be more weight than the benefits. Impact in terms of Biodiversity and Ecology, and noise and pollution can be mitigated for by way of appropriately worded conditions.

- 8.2 On balance therefore, we are minded to weigh in favour for the application. Therefore it is recommended that conditional planning permission be granted subject to the S106 Agreement.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the drawings received by the Local Planning Authority on 04.08.22:</p> <ul style="list-style-type: none"> • 0002-P01 • 0003-P01 • 0004-P03 • 0005-P03 • 0007-P03 • 0008-P02 • 0009-P03 • 0010-P01 • 0011-P01 • 0012-P02 • N0765(08)001C • N0765(90)001B • N0765(96)001A <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The development hereby permitted shall not commence until details of a Construction Method Statement have been submitted to and approved in writing by the Local Planning Authority. Particular attention should be paid to the presence of overhead</p>

	<p>electricity cables and poles supporting them, located outside the front of the site. No demolition or construction traffic will be permitted to wait / load / unload on the tram alignment. The works shall thereafter be carried out strictly in accordance with the approved details. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) Parking provision for site operatives and visitors; c) The loading and unloading of plant and materials; d) The storage of plant and materials used in construction / demolition of the development; e) A scheme for the recycling / disposal of waste resulting from construction / demolition; f) Details of dust and noise suppression to be used during the construction phase, and details of measures to prevent debris being deposited on the public highway / tram tracks; and g) The identification, isolation and removal of any asbestos containing materials. <p><i>Reason: In the interests of the amenities of nearby residents and in the interests of highway safety, in accordance with the aims of Policies 17 and 19 of the Broxtowe Part 2 Local Plan (2019), and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
4.	<p>The development hereby permitted shall not commence until details of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> • Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA • Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods. • For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm. • Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.

	<ul style="list-style-type: none"> • Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development. <p><i>Reason: To ensure the development does not increase the risk of flooding on the site or elsewhere, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014)</i></p>
5.	<p>The development hereby permitted shall not commence until details of a Landscape Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall seek to achieve a minimum 10% biodiversity net gain, and shall include a detailed / annotated landscape plan with information on tree / plant and seed mixes, as well as the specification, height, aspect of bird and bat boxes to ensure they are installed in suitable locations. Any hedgehog highways should also be mapped on plan.</p> <p>The development shall thereafter be carried out strictly in accordance with the approved details.</p> <p><i>Reason: In the interests of safeguarding and enhancing biodiversity in accordance with Policy 17 Of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<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 first occupied or brought into use until:</p> <p>i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an</p>

	<p>alternative has first been approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019)</i></p>
7.	<p>The development hereby permitted shall not commence until details of measures to protect retained trees during demolition and construction have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be carried out in accordance with the approved details.</p> <p><i>Reason: To ensure the retained trees are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
8.	<p>No above ground works shall be commenced until samples of all external materials including bricks, tiles, external finishes, windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
9.	<p>No above ground works shall be commenced until details of a landscaping scheme have been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) proposed boundary treatments which should include measures for hedgehog / small mammal access (b) samples of proposed hard surfacing treatment (c) proposed lighting details <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
10.	<p>No above ground works shall be commenced until details of a detailed Travel Plan have been submitted to and approved in</p>

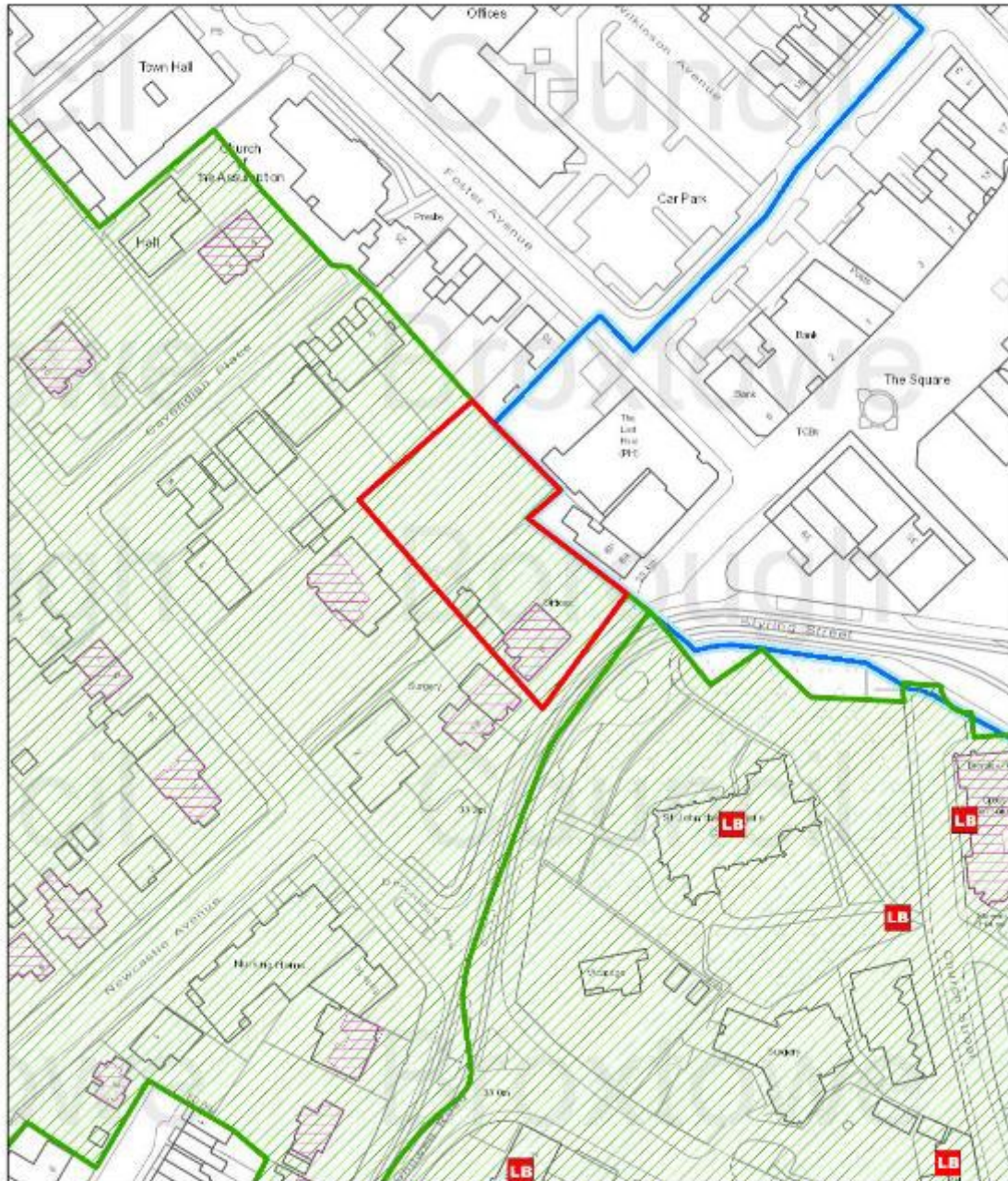
	<p>writing by the Local Planning Authority. The Plan shall thereafter be implemented prior to first use of the building.</p> <p><i>Reason: In the interests of promoting sustainable modes of travel in the interests of highway safety and neighbour amenity, in accordance with Policy 26 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>Prior to the occupation of any part of the building hereby permitted, the approved noise mitigation measures shall have first been installed and a further noise assessment report demonstrating that the resultant noise level does not exceed the levels specified in the approved acoustic assessment shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter for the lifetime of the development.</p> <p><i>Reason: In the interests of the amenities of the future occupiers and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12.	<p>Prior to first use of the building hereby permitted, the bin collection points, cycle stands, parking spaces and turning areas shall have first been provided and shall be retained thereafter for the lifetime of the development.</p> <p><i>Reason: In the interests of the appearance of the area and to ensure highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
13.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
14.	<p>No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08.00 to 18.00</p>

	<p>Monday to Friday, 08.00 to 13.00 Saturday and at no time on Sundays or Bank / public holidays.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
15.	<p>All excavations shall be covered overnight or otherwise have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipe work greater than 150mm should be capped off at the end of the day and chemicals should be stored securely.</p> <p><i>Reason: In the interests of safeguarding wildlife in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
16.	<p>The windows on the first floor and second floor side (South West) elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
17.	<p>Vegetation clearance works shall not be carried out between the months of March to September.</p> <p><i>Reason: In the interests of safeguarding wildlife in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
3.	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.
4.	The Lead Local Flooding Authority (LLFA) ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. The LLFA will provide bespoke comments within 21 days of receiving a formal consultation on any amendments.

Site Plan

Oban House, 8 Chilwell Road, Beeston NG9 1EJ



8/3/2022, 3:10:44 PM

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

1:1,250
0 0.01 0.02 0.03 0.04 m
0 0.01 0.03 0.05 km
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You are not permitted to copy, publish, distribute or sell any of this data to third parties in any form.

Photographs



View from Styring Street



Side elevation facing access



Rear elevation



Rear garden, showing trees to the boundaries



Rear of 4 Devonshire Avenue, to the west of the site



8a / 8b Chilwell Road, with Last Post to left, behind, north east of the site



Front elevation – view from Styring Street



St John the Baptist Church, to the south east of the site

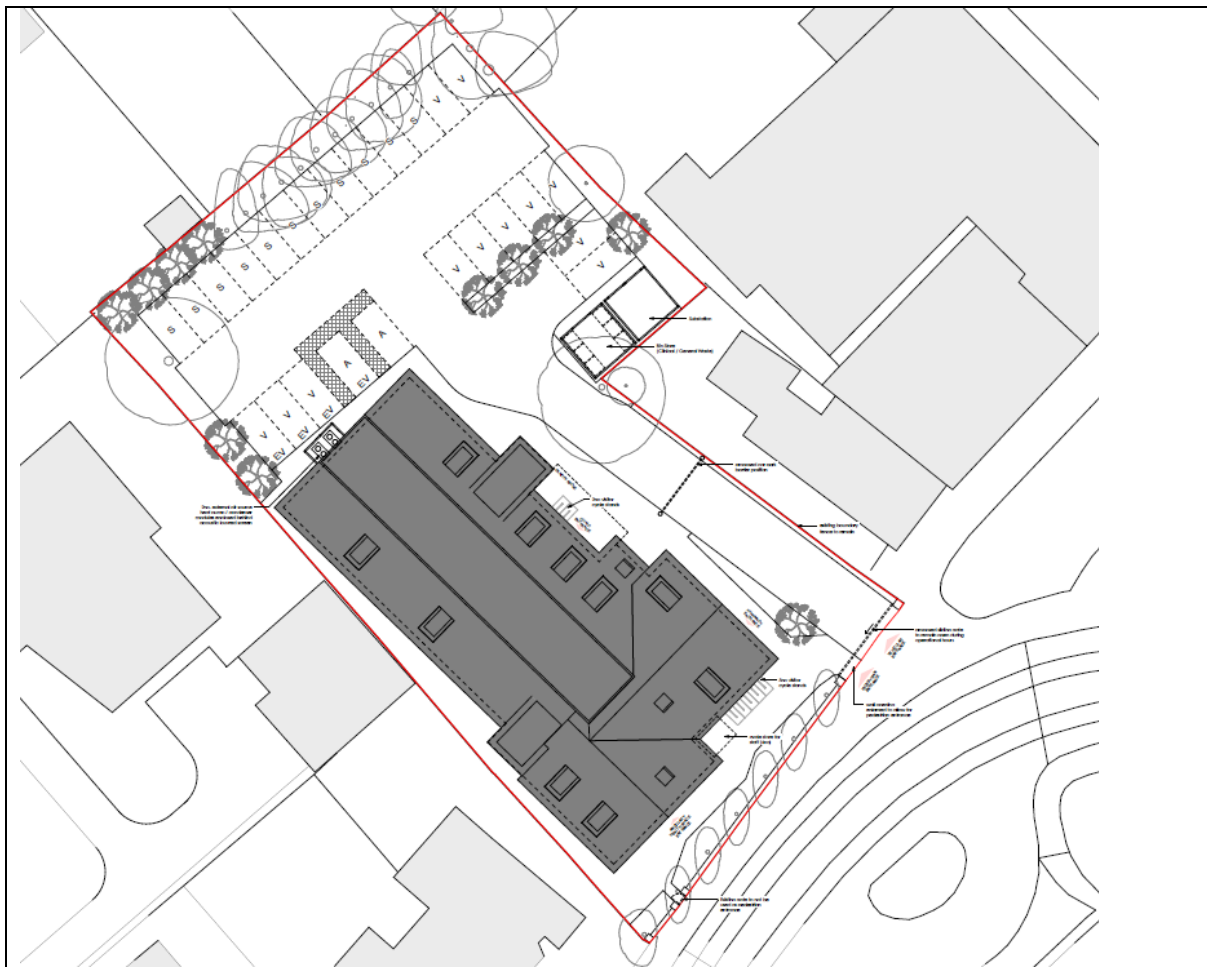


Front elevation – view from church grounds



12, 10 and 8 Chilwell Road respectively

Plans (not to scale)



Proposed Site Plan



Proposed Front Elevation



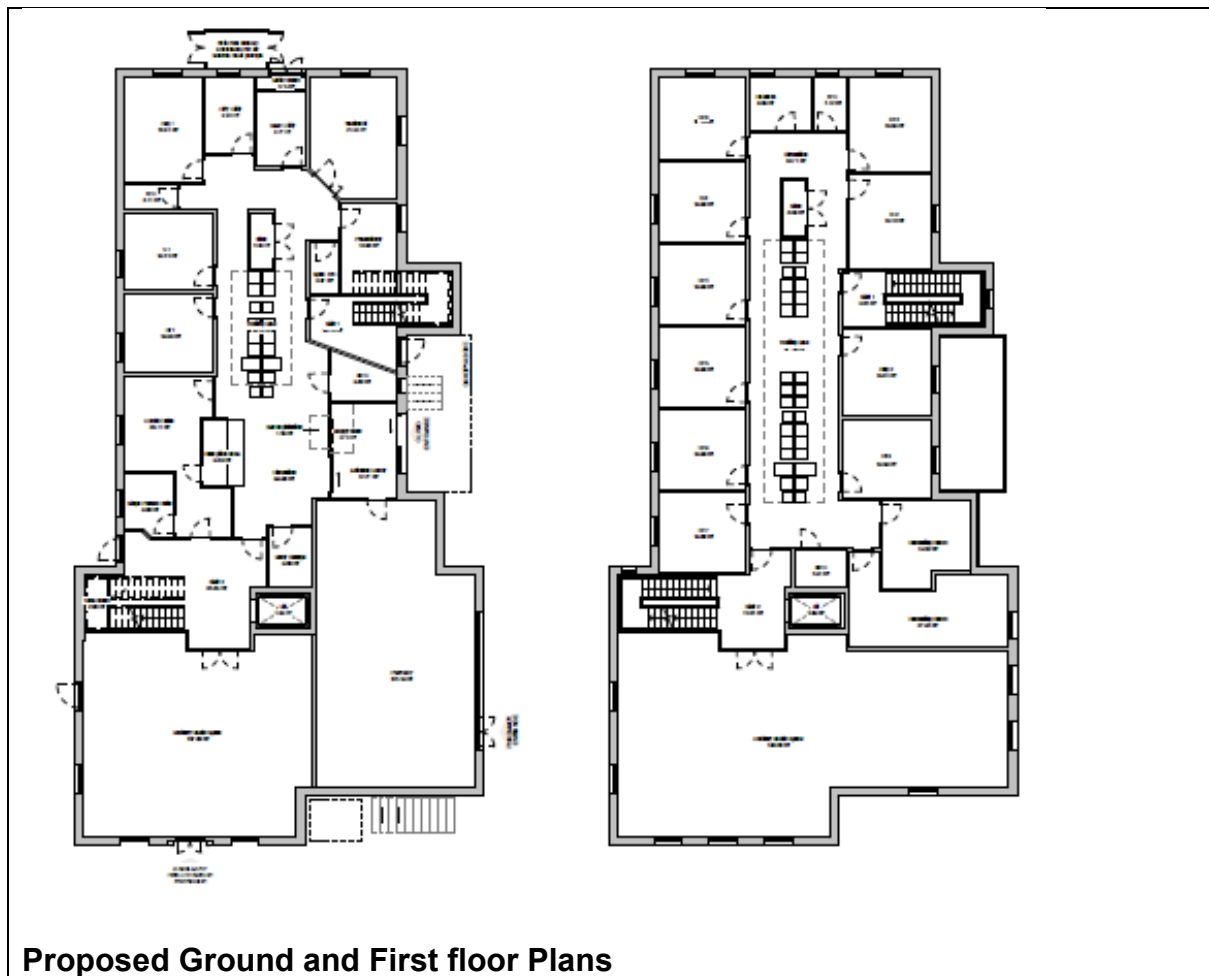
Proposed Rear Elevation

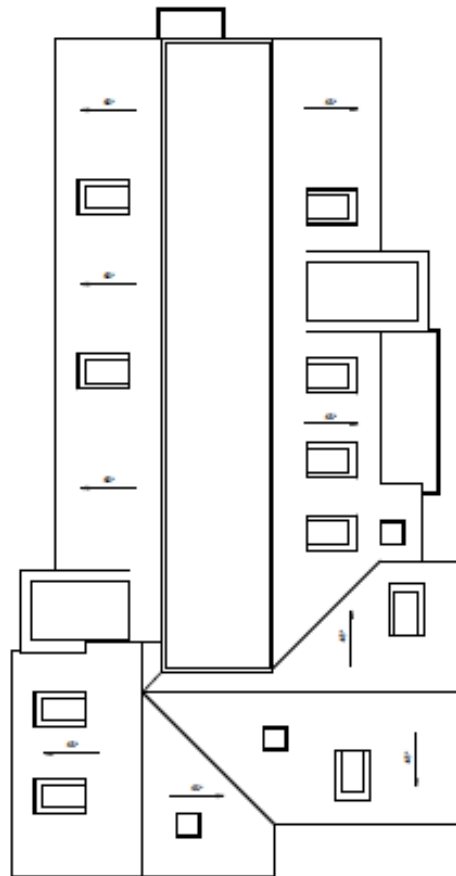
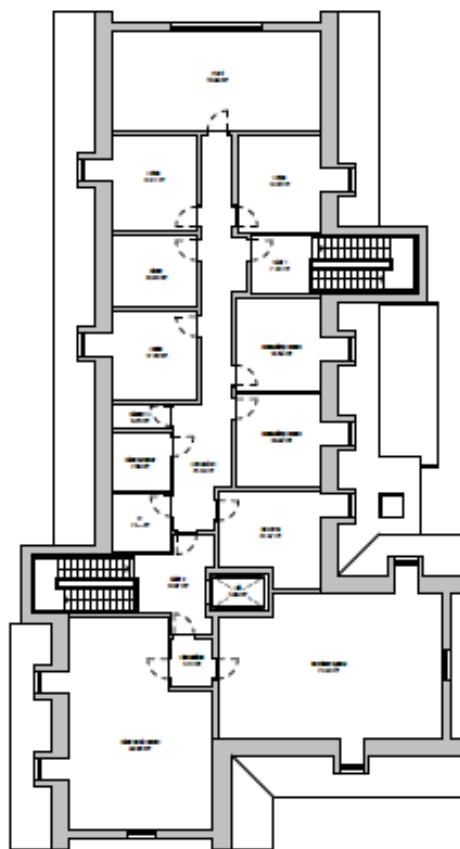


Proposed Side (north east) Elevation – Main entrance



Proposed Side (south west) Elevation





Proposed Second Floor and Roof Plan

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Report of the Chief Executive

APPLICATION NUMBER:	20/00789/FUL
LOCATION:	21 Edgwood Road, Kimberley, Nottinghamshire, NG16 2JR
PROPOSAL:	Construct six dwellings following demolition of existing dwelling

1.1 Purpose of Report

This application is brought to the Committee upon the request of Councillor S Easom and Councillor R S Robinson.

1.2 Recommendation

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

1.3 Detail

1.3.1 This application seeks full planning permission to construct six dwellings following the demolition of the existing dwelling number 21 Edgwood Road, with two dwellings fronting Edgwood Road and four dwellings located to the rear accessed via Abba Close.

1.3.2 The proposal includes a mix of dwellings which are listed as follows:

- (Plots 1 and 2) Three bedroomed semi-detached two storey dwellings fronting Edgwood Road;
- (Plots 3, 4 and 5) Three bedroomed semi-detached two storey dwellings to rear of Plots 1 and 2 within centre of the site accessed via Abba Close;
- (Plot 6) Six bedroomed two storey dwelling located to the rear of the site accessed via Abba Close.

1.3.3 During the course of the application, a variety of amended plans have been submitted which are summarised below:

1. Reduction in house numbers from 8 – 7 and alterations to the parking arrangements following Highways comments.
2. Reduction in house numbers from 7 – 6 and further changes to parking arrangements.
3. Removal of front facing dormer windows to plots 1 and 2 and reduction in overall heights of properties.

- 1.3.4 The site currently consists of a detached two storey residential dwelling which is served by a long linear garden and is located within a predominantly residential area. Directly to the rear there are mature trees within the dismantled railway line which forms a Local Wildlife Site and Site of Special Scientific Importance.
- 1.3.5 The main issues relate to whether the principle of residential development is acceptable; whether the layout and design of the development is acceptable, whether there will be any impacts upon residential amenity and whether there would be any detrimental impact on highway safety.
- 1.3.6 The benefits of the proposal are that the residential development would see the development of a site within a sustainable urban location. The proposed dwellings are not considered to be harmful to the character of the surrounding area, or have an unacceptable significant impact on neighbouring amenity or highway safety.
- 1.3.7 The Committee is asked to resolve that planning permission be granted subject to the conditions outlined in the appendix.

1.4 Financial Implications

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.

1.5 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.

1.6 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.

1.7 Background Papers

- Design and Access Statement;
- Ecology Report.

APPENDIX

2. Details of the Application

- 2.1 This application seeks full planning permission to construct six dwellings following the demolition of the existing dwelling number 21 Edgwood Road, with two dwellings fronting Edgwood Road and four dwellings located to the rear accessed via Abba Close.

3. Site and Surroundings

- 3.1 The application site consists of a two storey detached dwelling set back from the main road of Edgwood Road, with a driveway to the front/side and large garden area to the rear in excess of 80m. To the east there are single storey detached dwellings located on Abba Close. Along the boundary with Abba Close there are mature conifer trees approximately 4m – 5m in height. To the west there is a two storey residential dwelling number. Along the western boundary with the immediate neighbouring property there are 4m – 5m high conifer trees. Directly to the rear there are mature trees within the dismantled railway line which forms a Local Wildlife Site and Site of Special Scientific Importance.

4. Relevant Planning History

- 4.1 Outline planning permission was granted under reference number 97/00543/OUT to use to land to the rear of the existing dwelling for a detached bungalow.
- 4.2 Planning permission was granted under reference number 12/00244/FUL to construct a double garage.
- 4.3 Planning permission was granted under reference number 19/00231/FUL to construct a detached garage with ancillary living accommodation above.

5. Relevant Policies and Guidance5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy A – Presumption in favour of sustainable development
- Policy 1 – Climate change
- Policy 2 – The spatial strategy
- Policy 8 – Housing mix and choice
- Policy 10 – Design and enhancing local identity
- Policy 14 – Managing travel demand.

5.2 Part 2 Local Plan 2019

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

- Policy 15 – Housing size, mix and choice
- Policy 17 – Place-making, design and amenity
- Policy 19 - Pollution, Hazardous Substances and Ground Conditions
- Policy 20 - Air Quality
- Policy 2 - Unstable Land
- Policy 31 – Biodiversity Assets.

5.3 National Planning Policy Framework (NPPF) 2021:

5.3.1 The National Planning Policy Framework (NPPF) 2021, outlines a presumption in favour of sustainable development, that planning should be plan-led, decisions should be approached in a positive and creative way and high quality design should be sought.

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport.
- Section 11 – Making effective use of land.
- Section 12 – Achieving well-designed places.

6. Consultations

6.1 Nottinghamshire County Council Highways

First Consultation

The off-street parking arrangement associated to plots 1 to 3 replicate those found within commercial parking areas, which make no provision for bin storage on collection days. It also creates a cluster of vehicles which make it difficult for drivers to see approaching traffic, particularly when adjacent spaces are occupied. The compact nature of the parking prohibits those with mobility impairment from boarding/alighting a vehicle and could even restrict access into the dwelling. Furthermore, the depth of the parking spaces fronting the hedgerow is not sufficient to accommodate a vehicle wholly within the curtilage. We do not wish to encourage this type of layout which is not suitable for its intended use.

Whilst bin areas have been made available within each dwelling, the cramped nature of the site means they will be dumped on the public highway on collection days where their presence will cause an obstruction.

The NPPF places an obligation on development to prioritise the needs of pedestrians and cyclists by providing appropriate infrastructure that aids movement within a site, and which safely integrates with the wider network. It would therefore make sense to provide a 2m wide footway along the west side of Abba Close so

that pedestrians no longer have to negotiate a live carriageway to reach Edgewood Road.

Only one of the two parking spaces associated to plot 7 will be regularly used as it relies on a number of convoluted manoeuvres to access/egress the space. It is more likely that drivers will park in the turning head, thereby restricting the manoeuvres of other traffic which is not acceptable.

Plots 4, 5, and 6 should have a single entry/exit point at the private drive to control manoeuvres at the access.

In view of the above, we recommend refusal until such time that our comments have been addressed satisfactorily.

Second Consultation

The off-street parking arrangement associated to plots 1 to 3 is sufficient to accommodate 6 vehicles in 2.4m wide bays. The bays have not been delineated on the drawings but their absence could result in drivers straddling what could effectively be two spaces and result in vehicle displacement to the public highway. Similarly, we have concerns the compact nature of the parking area will preclude some drivers with mobility impairment from boarding/alighting their vehicle. Again, this could result in vehicle displacement to the public highway and may even be an equality issue.

Refuse storage is available on the frontage, but the compressed nature of the parking area means that it is unlikely they can be carried up to the highway threshold on collection days unless there are unoccupied spaces.

Nottinghamshire County Council's Highway Design Guide recommends parking spaces directly adjacent to an obstruction should measure 3.3m wide, 3.0m wide open plan, with secondary spaces at 2.4m wide. We would therefore expect an overall width of 16.8m along the frontage to absorb the anticipated parking demand, yet just 14.4m is available.

The situation can be resolved by decreasing the number of dwellings to two units, although this is unlikely to be considered favourably. We would therefore suggest the overall number of bedrooms within these properties is reduced from three to two rooms so that there is sufficient space to absorb the expected level of parking demand. Any existing street furniture to facilitate access to the parking spaces will need to be relocated with the consent of the apparatus owner, at the applicant's own risk and expense.

The NPPF places an obligation on development to prioritise the needs of pedestrians and cyclists by providing appropriate infrastructure that aids movement within a site, and which safely integrates with the wider network. It would therefore make sense to provide a 2m wide footway along the west side of Abba Close so that future occupiers have an appropriate means of access to reach their properties by foot. This request has not been addressed and so it could be concluded the proposal is not NPPF compliant.

Refuse collection operatives are unlikely to walk through a gated access to reach the bin store at the rear of plot 5, and so it is more likely they will be stored in the highway on collection days. A bin store should be provided behind the highway threshold within the communal driveway serving plots 4 and 5, in a manner that does not restrict access/egress manoeuvres. The same applies to plot 6.

Although we previously raised an objection, the quiet nature of the area is such that it would be difficult to defend a refusal on highway safety grounds. There is however scope to minimise the impacts on the network, and would hope further details are submitted so that we can make further comment.

Third Consultation

A reduction in the number of dwellings on the Edgwood Road frontage has reduced the prevalence of “side by side” parking which provides more room for future occupiers to board/alight their vehicle, and makes it easier for bins to be stored within curtilage on collection days.

The communal parking area serving plots 3, 4, and 6 will be occupied on a “first come first served” basis where it is hoped the spaces at either end will be available for those with mobility issues.

Any refuse collection areas should be sufficient to hold the maximum number of bins. We recommend your Waste and Recycling Team are consulted for a view.

Should any statutory apparatus need relocating to facilitate access to driveways, then the applicant will need to meet the full cost.

There are no highway objections subject conditions.

6.2 **Nottinghamshire County Council Rights of Way** – No objections.

6.3 **Nottinghamshire Wildlife Trust**

First Consultation

Given the close proximity to the Kimberley Cutting Local Wildlife Site and Kimberley Railway Cutting SSI, an ecological desktop assessment and Phase 1 survey was requested.

Second Consultation

Following the submission of the ecology report a holding objection was submitted given the inaccuracies in the report.

Third Consultation

No objections subject to varies conditions including a Landscape and Ecological Management Plan (LEMP).

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

6.5 **Council’s Waste Collection** – Provide general advice regarding bin storage requirements.

6.6 **Environmental Health** – No objections subject to conditions.

6.7 **Kimberley Town Council** – Object to the application on the grounds of there being too many dwellings, parking being a problem in the vicinity and vehicular manoeuvres becoming difficult in the cul-de-sac.

6.8 **First Consultation**

Twelve properties either adjoining or opposite the site were consulted along with the posting of 1 site notice, with 23 letters having been received objecting on the grounds of:

- Over development of the site;
- Out of character with the area;
- Loss of privacy;
- Increased noise/disturbance;
- Sense of enclosure;
- Loss of Wildlife;
- Existing drainage system not sufficient for additional housing;
- Additional parking with the cul-de-sac of Abba Close;
- Impact on existing parking/access problems along Edgwood Road.

6.9 **Second Consultation**

Following receipt of amended plans, all properties previously consulted and those which made representations along with residents that made representations were re-consulted along with the posting of 1 site notice, with a further 17 letters having been received objecting on the same grounds as previously mentioned.

6.10 **Third Consultation**

Following receipt of further amended plans, all properties previously consulted and those which made representations along with residents that made representations were re-consulted along with the posting of 1 site notice, with a further 20 letters having been received objecting on the same grounds as previously mentioned:

7. **Assessment**

7.1 The main issues relating to this application are the principle of development, design and the impact upon visual amenity of the area, residential amenity and highway safety. These are discussed in turn as follows:

7.2 **Principle**

7.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (ACS) and Policy 15 of the Part 2 Local Plan 2019 state that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes. Policy 17 of the Part 2 Local Plan states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area. Policy 10 of the ACS (d and e) states that massing, scale, proportion, materials, architectural style and detailing will be considerations when assessing development.

- 7.2.2 The existing house will be demolished and replaced with semi-detached dwellings fronting Edgwood Road and a further four to the rear. It is acknowledged the proposal will create further dwellings on land currently undeveloped which serves as garden land to the host dwelling, however, within the vicinity of the application site there are substantial sized plots that vary in design and the siting and layout of the proposed dwellings are not considered to represent an overdevelopment of the plot. The application site is also located in a sustainable urban, residential area within Kimberley, close to the town centre and local facilities. It is therefore considered the principle of residential development on the land has been established subject to careful consideration of other material planning considerations.

7.3 **Design and Visual Amenity**

- 7.3.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.
- 7.3.2 The application site currently consists of a detached two storey dwelling set back from Edgwood Road. Directly to the front there is a large driveway, with a long linear garden directly to the rear. The application proposes to demolish the existing dwelling and replace with two semi-detached dwellings set forward of the siting of the existing dwelling and 5.5m from the back hedge of the pavement. Directly to the front of the dwellings, two parking spaces per plot are proposed. The design of the dwellings is in keeping with the existing street scene with pitched roofs and gables ends. To the rear dormer windows are proposed. The design of these properties is considered to be in keeping with the street scene of Edgwood Road.
- 7.3.3 To the rear of these properties a further two semi-detached dwellings are proposed (plots 3 and 4) backing onto plots 1 and 2. These properties are modern in design with hipped roofs and glazed frontages. Directly to the rear there are landscaped gardens backing onto plots 1 and 2, with a landscaped area to the front adjacent the garden serving plot 5, which is of the same design as plots 3 and 4. Two parking spaces per plot are proposed between the frontages of plots 3 and 4 and 5, which are accessed via Abba Close. In addition, a larger dwelling plot 6 is proposed to the rear of the site. Again this is a modern design with a hipped roof and glazed frontage. Whilst the dwelling appears two-storey from the front, given the difference in land levels the dwelling appears three-storey to the rear. However, given the siting of the dwelling and the retention of the existing hedgerow this will not be visible within the street scene of Abba Close. A detached garage is also proposed to the front of the dwelling within the driveway serving the dwelling adjacent the western boundary.
- 7.3.4 In respect of boundary treatments, there are a variety of hedgerows along the boundaries which are proposed to be retained along with the provision of the planting of new trees and hedgerows. Furthermore, a 2m high timber fence is proposed along the boundary between plots 1 and 2 and 2 and 4 as well as a new fence along the boundary with Abba Close.

- 7.3.5 Whilst concerns have been raised by local residents in respect of overdevelopment of the land, the development being out of character with the area and sense of enclosure within Abba Close, the layout provides adequate external amenity space per plot and separation distances. In respect of Abba Close which consists of traditional single storey detached dwellings, there is adequate separation distance between plots 3, 4 and 5 in excess of 13m and the proposed landscaping will simulate the development into the street scene of Abba Close effectively.
- 7.3.6 Information provided on the submitted plans indicates the use of red and grey facing brickwork as per the elevations and plain concrete Duo Edgmere roof tiles, again as per the elevations. Given the location of the site and the orientation of the buildings within the site, the use of these materials is considered acceptable.
- 7.3.7 Whilst it is acknowledged that the character of the site will change from that of a garden to one of built development, this will not be at odds with the residential character of the area. The proposal is not considered to have any significant detrimental impact upon the character of the street scene or visual amenity of the area.

7.4 Residential Amenity

- 7.4.1 Objections have been received from neighbouring properties in respect of loss of privacy and noise/disturbance.
- 7.4.2 Direct to the west there is an existing residential dwelling number 6 Browns Flats. The boundary consists of a stone wall with a timber fence to the top approximately 2.5m in height. There are also 4m – 5m high conifer trees along the boundary. The neighbouring property is set approximately 2m from the boundary. Serving the side facing elevation of the neighbouring property there is a landing window and bathroom window which are obscurely glazed. There is a ground floor window serving a games room, although this is covered by a timber walkway. To the side of this property facing into the garden there are patio doors serving a kitchen/dining area, with a large glazed window at first floor level serving a bedroom. On the opposite side there is an obscurely glazed window serving a bedroom. Plots 1 and 2 are set in excess of 35m from the side elevation of the immediate neighbouring properties. Whilst there are dormer windows serving these properties, the separation distance and existing boundary treatment is considered sufficient to mitigate against any potential overlooking issues. Plots 3, 4 and 5 are located within the centre of the site and positioned adjacent the existing boundary. In respect of Plot 6 which is situated to the rear of the site, whilst there are windows on the front elevation, it is not considered there will be any overlooking issues given the obscurely glazed nature of the side window serving the existing bedroom. Whilst a detached garage is proposed to the front of plot 6 and adjacent the boundary, this will be set in from the boundary by 1m and will consist of a low eaves height of 2m and an overall height to the ridge of the pitched roof which slopes up away from the boundary of 4.3m.
- 7.4.3 Abba Close is located to north east of the application site and consists of four detached single storey properties set back from the main road with gardens and driveways to the front. Plots 1 and 2 are set a significant distance away from these properties. Within the centre of the site plots 3 and 4 will be located to the rear of an existing conifer hedgerow which is proposed to be retained. Plot 5 will be

positioned facing into Abba Close with an entrance door and bedroom window at ground floor level and bedroom window at first floor. However, this property is positioned facing onto the garage serving number 2 Abba Close and there will be a separation distance of in excess of 15m. Plot 6 will be located to the rear of the site adjacent the existing hedgerow which is to be retained and parallel to number 4 Abba Close, with a separation distance of 4.8m.

- 7.4.4 Concerns have also been raised in respect of the location of the six parking spaces serving plots 3, 4 and 5 and the potential for residents to directly overlook into the habitable rooms of dwellings located on Abba Close. In respect of this, it is considered there is adequate separation distance in excess of 13m between the rear of the spaces and the front of the closest dwelling. Furthermore, it is not considered future residents would sit in their cars for long periods of time and would only be using their cars for comings/goings and loading/unloading their cars like any other residential property with associated car parking spaces.
- 7.4.5 In view of the above, it is not considered there will be any significant detrimental impact upon the immediate neighbouring properties in respect of overlooking, overbearing or noise impacts.

7.5 Highway Safety

- 7.5.1 The application site is currently served by a long driveway which is accessed off Edgwood Road. The application proposes semi-detached dwellings fronting onto Edgwood Road which will be served by 2 parking spaces each located directly to the front of plots 1 and 2. The remaining dwellings will be accessed via Abba Close which is narrow in nature at the access point but then extends out in width to a turning area towards the end of the cul-de-sac. Plots 3, 4 and 5 as per plots 1 and 2 will be 3 bedroomed in nature and again the provision of 2 off – street parking spaces is considered acceptable. Whilst plot 6 is larger in nature with a total of six bedrooms, this plot is served by a large driveway to the front and also a detached double garage, providing a total of four off-street parking spaces and adequate space within the site to allow vehicles to turn and leave the site in a forward gear.
- 7.5.2 The Highway Authority originally objected to the proposal due to the overall number of dwellings proposed and parking arrangements not being suitable to mitigate against the provision of vehicles associated with the development parking on Edgwood Road and Abba Close. Following on from the submission of amended plans and the reduction of the total number of units down to six, the Highway Authority offer no objections to the proposal subject to conditions.
- 7.5.3 Whilst concerns have been raised by residents in respect of existing parking problems along Edgwood Road and access issues for refuge vehicles, there are no restrictions on parking along Edgwood Road in the form of traffic regulation orders and the layout adequately provides off street parking provision for each plots. It is considered there are no highway safety issues relating to this proposal.

7.6 Other Issues

- 7.6.1 Policy 31 of Part 2 Local Plan 2019 states that all development proposals should seek to deliver a net gain in biodiversity and geodiversity and contribute to the Borough's ecological network. Permission will not be granted for development which would cause significant harm to sites and habitats of nature conservation or

geological value, together with species that are protected or under threat. Support will be given to the enhancement and increase in the number of sites and habitats of nature conservation value, and in particular to meeting objectives and targets identified in the Nottinghamshire Biodiversity Action Plan. It continues to state that in all cases permission will not be granted for development that results in any significant harm or loss to the Biodiversity Asset, unless the benefits of development are clearly shown to outweigh the harm.

7.6.2 Given the close proximity to the Kimberley Cutting Local Wildlife Site and Kimberley Railway Cutting SSI, an ecological desktop assessment and Phase 1 survey was requested by Nottinghamshire Wildlife Trust. Following receipt of this request, Nottinghamshire Wildlife Trust raise no objections to the proposal subject to conditions relating to the proposal being carried with the recommendations within the report and the submission of a Landscape and Ecological Management Plan (LEMP).

7.6.3 It is considered there will not be any impact on the ecology of the site and the surrounding area and given the conditions regarding biodiversity net gain the proposal complies with the NPPF and appropriate policies.

7.6.4 Concerns have been raised in respect of the existing drainage system within the area being insufficient to take on an additional six dwellings. The application site is not located within a flood zone and it is proposed that both surface water and sewage would be connected to existing services and would require separate permission from Severn Trent Water. Furthermore, this matter would be adequately dealt with under Building Regulations.

8 Planning Balance

8.1 On balance this scheme would enable the provision of a residential development of six dwellings to be constructed in place of an existing dwelling and associated garden land. The scheme complements the existing built form of the area, without impinging on amenity of those residents currently bordering the site. There are no significant constraints to developing this site that cannot be addressed by conditions, and on balance therefore, it is considered the scheme is acceptable.

9 Conclusion

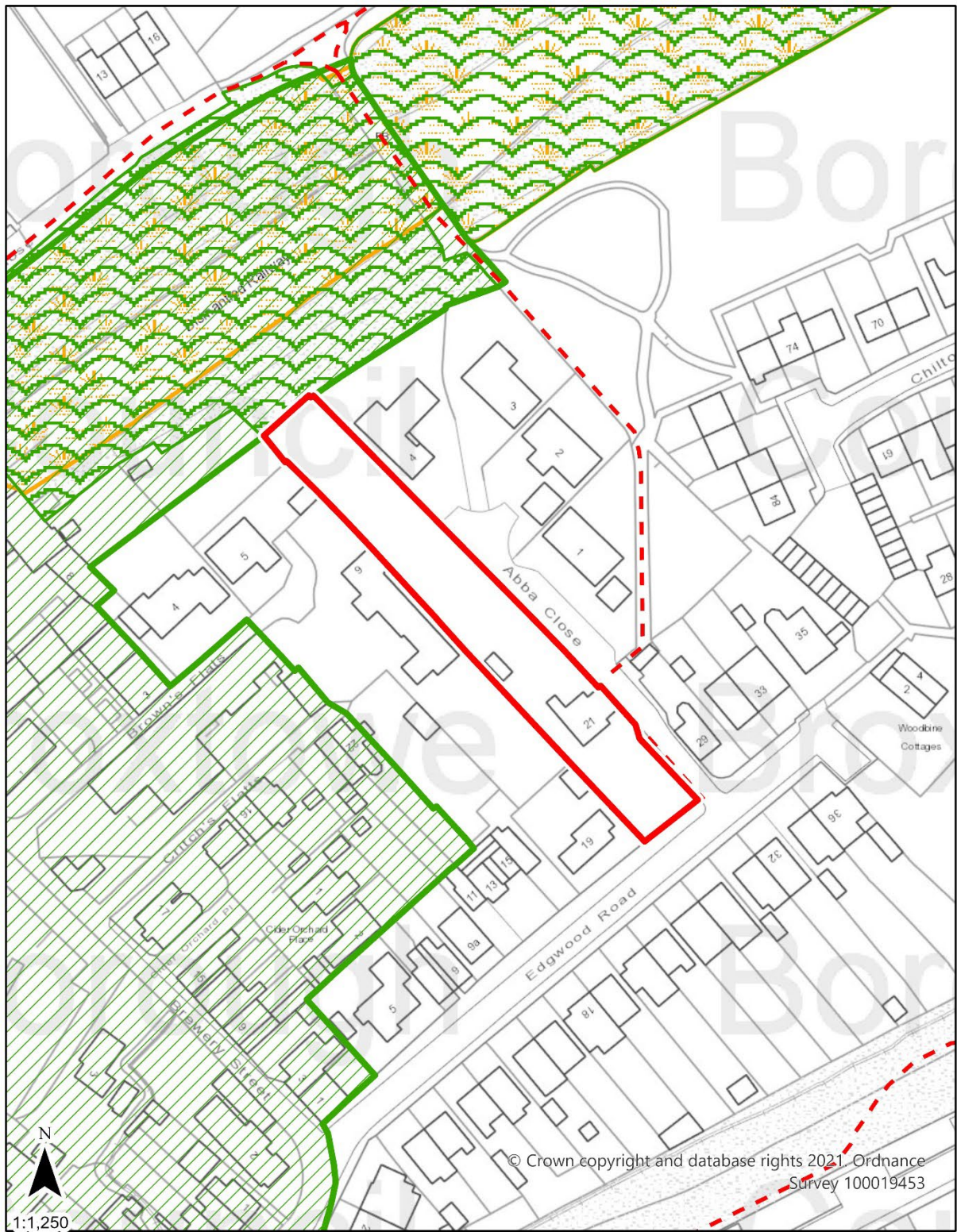
9.1 Having regard to all material considerations, the proposed development is required to assist in meeting the Borough's overall housing requirement. As the site is located in the main built-up area of Kimberley, this carries significant weight as the location is sustainable. Therefore, the proposal is considered to be in accordance with the relevant local and national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with:</p> <p>Site Location Plan, Block Plan and Site Plan, 048 002H; Proposed Garage Elevations and Floor Plans, 048 901; Plots 1 and 2 Elevations and Street Scene, 048 702B; Plots 1 and 2 Floor Plans, 048 701C; Plots 3 and 4 Elevations and Floor Plans, 048 201B, Plot 5 Elevations and Floor Plans, 048 601B; Plot 6 Elevations and Floor Plans, 048 801B; Proposed Roof Plan, 048 003C</p> <p>received by the Local Planning Authority 02 September 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No demolition or construction hereby approved shall take place until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:</p> <ul style="list-style-type: none"> a) The means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials; e) a scheme for the recycling/disposal of waste resulting from demolition/construction works; and f) details of dust and noise suppression to be used during demolition and construction. <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect nearby residents from excessive disturbance and loss of amenity.</i></p>

4.	<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> <p><i>Reason: To protect nearby occupants from excessive construction and demolition noise and vibration.</i></p>
5.	<p>No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local planning authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:</p> <p>i) all appropriate 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.</p> <p><i>Reason: In the interest of public health and safety.</i></p>
6.	<p>Occupation of the proposed dwellings shall not take place until their respective driveway/parking areas are served from a dropped kerb vehicular crossing.</p> <p><i>Reason: In the interest of highway safety.</i></p>
7.	<p>Occupation of the proposed dwellings shall not take place until their respective driveway/parking areas have been provided surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveway/parking areas to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.</p> <p><i>Reason: In the interest of highway safety.</i></p>
8.	<p>No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.</p> <p><i>Reason: In the interest of highway safety.</i></p>

9.	<p>No development or site clearance shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:</p> <ul style="list-style-type: none"> (a) Numbers, types, size and positions of trees and shrubs and existing trees to be retained; (b) Measures for the protection of retained trees; (c) A detailed plan which demonstrates biodiversity net gains across the site (based on the recommendations provided in the submitted Preliminary Ecological Appraisal) (Elite Ecology (V2 11.04.2022)); (d) Planting, seeding/turfing of other soft landscape areas; (e) Details of site boundary treatments; (f) A timetable for implementation of the scheme. <p>The landscaping scheme shall be carried out in accordance with the approved timetable and the tree protection measures shall be in place before any site clearance/development commences. If any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.</p> <p><i>Reason: In the interests of visual amenity and of enhancing biodiversity, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Part 2 Local Plan (2019).</i></p>
10.	<p>No development, including site clearance shall commence until a Landscape and Ecological Management Plan (LEMP) is submitted to and approved in writing. Details to be included within the LEMP include:</p> <ul style="list-style-type: none"> • All mitigation recommendations laid down within the ecology report including those for badgers, nesting birds, hedgehogs, and bats; • A plan showing the location of retained and created habitats, including details of appropriate species to plant (eg native species and those with known benefits to wildlife); • Locations of bat boxes, bird boxes, hedgehog highways, and habitat piles (include specifications/installation guidance/numbers); • Mitigation recommendations in relation to retained / created habitats (eg. no spraying of herbicide, fires, or storage of materials adjacent to the LWS).

	<i>Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.</i>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3.	The development makes it necessary to construct a vehicular crossing over a footway/verge of the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended), and therefore land over which you have no control. You are therefore required to contact licences@viaem.co.uk to arrange for the necessary permissions prior to works taking place.
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.	As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.



Legend

- Site Outline
- Footpath
- Conservation Area
- Local Wildlife Site
- SSSI

Photographs

Edgwood Road Street Scene



Front view of site



Abba Close





View from within the site towards Edgwood Road



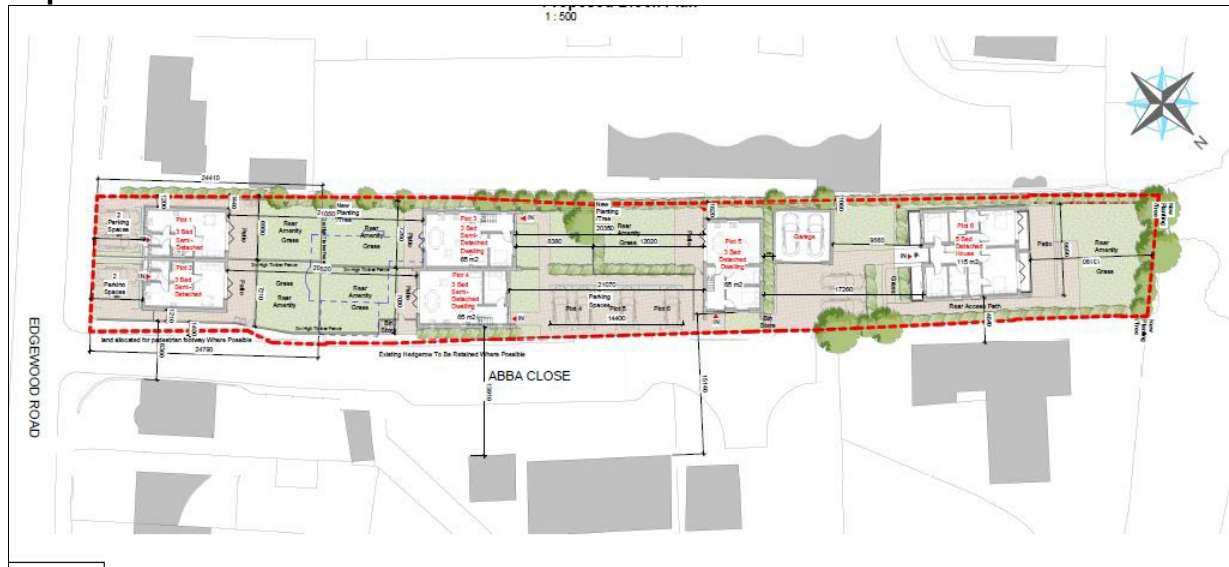
Rear garden



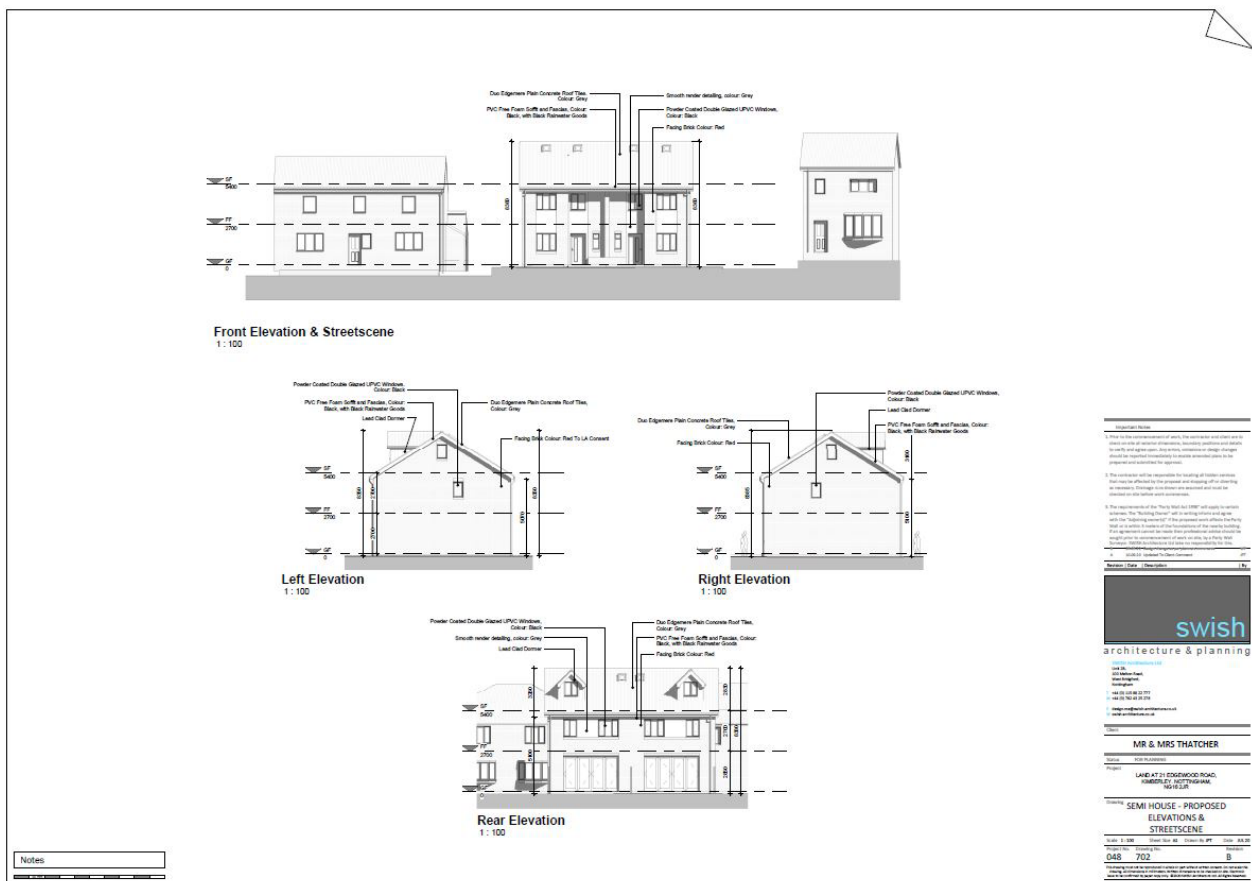


Plans (not to scale)

Proposed Site Plan



Plots 1 and 2 Elevations and Street Scene



The figure contains several architectural drawings for a semi-detached house:

- Proposed First Floor Plan 1:50:** A detailed floor plan showing two symmetrical units. Each unit includes a Master Bedroom (13'0" x 11'0"), a Bedroom 2 (10'0" x 10'0"), a Bathroom (5'0" x 6'0"), a Kitchen (10'0" x 10'0"), a Dining Room (10'0" x 10'0"), and a Living Room (13'0" x 11'0"). The overall dimensions are 11'0" wide by 31'0" deep.
- Proposed Second Floor Plan 1:50:** A detailed floor plan showing two symmetrical units. Each unit includes a Bedroom 3 (10'0" x 10'0"), a Bathroom (5'0" x 6'0"), and a Roof Void Storage area. The overall dimensions are 11'0" wide by 31'0" deep.
- Proposed Ground Floor Plan 1:50:** A detailed floor plan showing two symmetrical units. Each unit includes a Kitchen (10'0" x 10'0"), a Dining Room (10'0" x 10'0"), a Living Room (13'0" x 11'0"), and a Roof Void Storage area. The overall dimensions are 11'0" wide by 31'0" deep.
- Front Sketch 3D:** A perspective drawing of the house, showing its semi-detached nature, gabled roof, and brickwork.
- Technical Drawing:** A detailed cross-section of the roof structure, showing the internal layout, including the Roof Void Storage, and the external dimensions.

[illegible]

The architectural drawings for the detached dwelling are as follows:

- Elevations:**
 - Front Elevation (1:100):** Shows a gabled house with a central entrance and a large window. Materials include PVC Free Foam Scaff and Facades, Colour Black, with Dark Reinforced Glass; Dark Edgewise Plain Concrete Roof; Thin, Colour Grey; and Fencing Brick Colour Grey.
 - Left Elevation (1:100):** Shows the side profile of the house. Materials include PVC Free Foam Scaff and Facades, Colour Black, with Dark Reinforced Glass; Dark Edgewise Plain Concrete Roof; Thin, Colour Grey; Fencing Brick Colour Grey; and Powder Coated Double Glazed Aluminium Windows, Colour Black.
 - Rear Elevation (1:100):** Shows the back of the house with a gabled roof. Materials include PVC Free Foam Scaff and Facades, Colour Black, with Dark Reinforced Glass; Dark Edgewise Plain Concrete Roof; Thin, Colour Grey; and Powder Coated Double Glazed Aluminium Windows, Colour Black.
 - Right Elevation (1:100):** Shows the side profile of the house. Materials include PVC Free Foam Scaff and Facades, Colour Black, with Dark Reinforced Glass; Dark Edgewise Plain Concrete Roof; Thin, Colour Grey; Fencing Brick Colour Grey; and Powder Coated Double Glazed Aluminium Windows, Colour Black.
- 3D Front View:** A perspective drawing of the front of the house, showing the gabled roof, central entrance, and large window. A car is parked in the driveway.
- Floor Plans:**
 - Level 0 (1:50):** Shows the ground floor layout, including the Living/Dining area, Kitchen, Bathroom, and Bedrooms. The overall dimensions are 10.00m by 10.00m.
 - Level 1 (1:50):** Shows the first floor layout, including the Master Bedroom, Bedroom 2, and Bedroom 3. The overall dimensions are 10.00m by 10.00m.

Notes:

1. The drawings are intended to be used for the construction of the building and shall not be used for any other purpose. The drawings are intended to be used for the construction of the building and shall not be used for any other purpose.
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MR & MRS THATCHER

LAND AT 21 ESKDALE ROAD, HORSLEY, NOTTINGHAM NG16 2JH

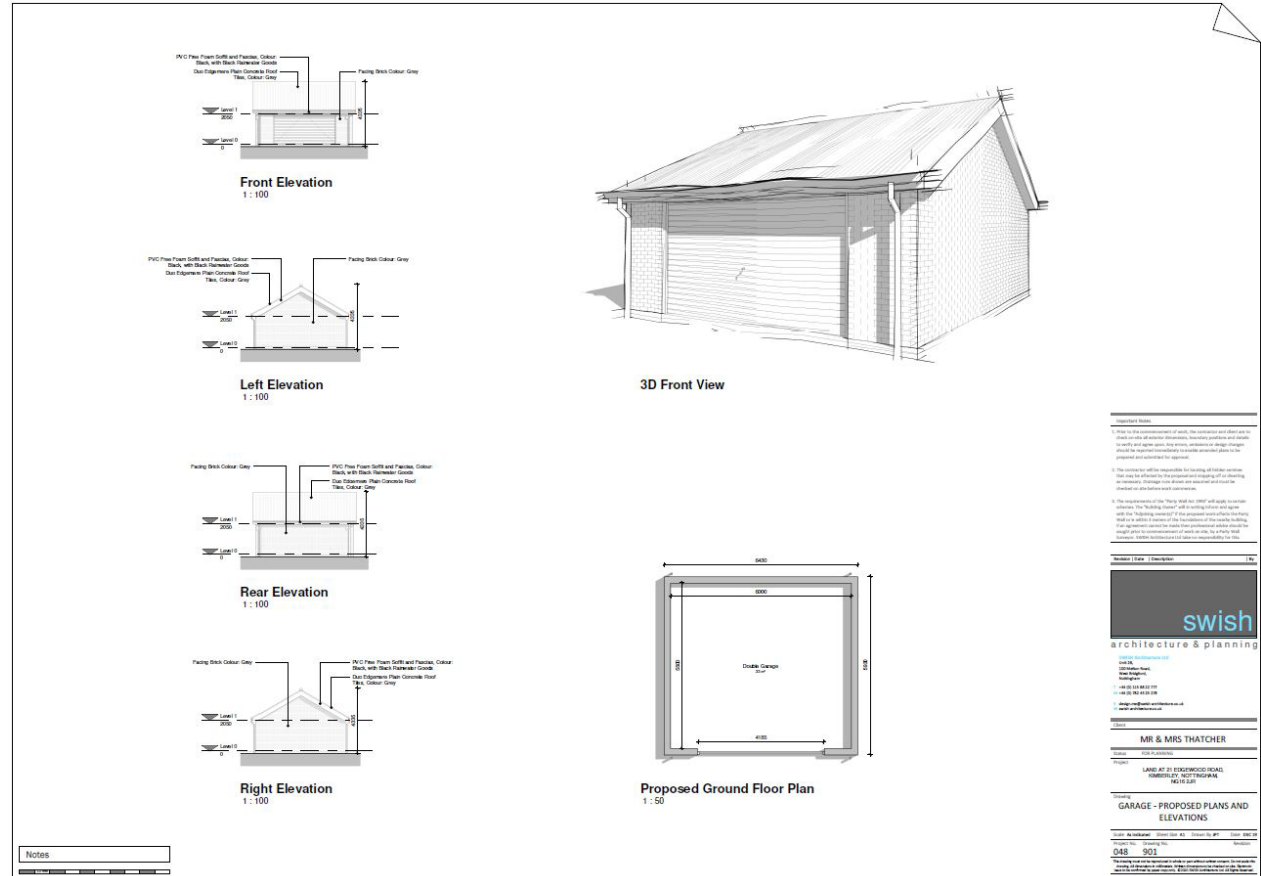
DETACHED DWELLING - PROPOSED PLANS AND ELEVATIONS

Scale: 1:50 (Site Plan), 1:100 (Elevations), 1:50 (Floor Plans)

Notes: 1. The drawings are intended to be used for the construction of the building and shall not be used for any other purpose.

[illegible]

Detached Garage Elevations and Floor Plans



Report of the Chief Executive

APPLICATION NUMBER:	21/00507/FUL
LOCATION:	Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire, NG16 2RT
PROPOSAL:	Residential extensions and refurbishments creating one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.

1.1 Purpose of Report

This application is brought to the Committee upon the request of Councillor L A Ball BEM.

1.2 Recommendation

The Committee is asked to resolve that planning permission be refused as the reason for refusal outlined in the appendix.

1.3 Detail

- 1.3.1 This application seeks full planning permission to construct residential extensions to a Grade II* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.
- 1.3.2 The main issues relate to whether the principle of the proposed extensions and refurbishment to create four dwellings is acceptable and the impact upon the Grade II* Listed Building.
- 1.3.3 The benefits of the proposal are that it would bring an existing vacant Grade II* Listed Building back into use which is falling into disrepair and has been vacant for a number of years. The negatives of the proposal are that the design of the proposed extensions are unacceptable and as the building is a Grade II* Listed Building for which both national and local planning policy protects these highly sensitive and important buildings against unacceptable extensions, on balance, the scheme is unacceptable and should be refused.
- 1.3.4 The Committee is asked to resolve that planning permission be refused as the reason for refusal outlined in the appendix.

1.4 Financial Implications

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.

1.5 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.

1.6 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.

1.7 Background Papers

- Design and Access Statement;
- Heritage Statement;
- Bat Survey;
- Tree Survey;
- Traffic Survey;
- Visual Images.

APPENDIX

2. Details of the Application

- 2.1 This application seeks full planning permission to construct residential extensions to a Grade II* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.

3. Site and Surroundings

- 3.1 The application site is located within the Cossall Conservation Area and Nottinghamshire Green Belt and is located within the centre of Cossall Village. To the front of the site there is a wall with an overgrown garden area. To the rear there is also an overgrown garden area. The Almshouses currently consist of six, one bedroom dwellings and one, three bedroomed dwelling. The building has been extended in the past with the provision of small flat roof extensions to the rear. The site is located within a predominantly residential area with residential properties to the side and directly opposite, with the Parish Hall to the opposite side.

4. Relevant Planning History

- 4.1 Planning permission and Listed Building Consent was granted under reference numbers 10/00044/FUL and 10/00045/FUL to rebuild the front wall.

5. Relevant Policies and Guidance5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment.

5.2 **Part 2 Local Plan 2019**

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

- Policy 8: Development in the Green Belt
- Policy 11: The Historic Environment
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity.

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

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

- Section 16: Conserving and Enhancing the Historic Environment
Paragraph 195: LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise.

Paragraph 196: where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 199: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 201: where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) The nature of the heritage asset prevents all reasonable uses of the site;
- b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;
- d) The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 203: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The statutory duty under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 '*In considering whether to grant listed building*

consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

6. Consultations

6.1 **Cossall Parish Council** – No objections, consider the development proposal will ensure the wellbeing of the valued historic building.

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

6.3 **The Highway Authority** - No Objections.

6.4 **Historic England**

First Consultation

The proposed conversion to Almshouses to four dwellings would seriously and irreversibly harm their character as small single dwellings, which is a fundamental part of their significance. The proposed scheme involves a significant amount of intervention, including large, intrusive and inappropriate extensions, alterations to the listed building and harmful alterations to its setting.

In our view, in relation to Paragraph 202 of the National Planning Policy Framework (NPPF), the proposal would cause a high level of less than substantial harm to the overall significance of this highly graded listed building and the contribution to significance made by its setting.

Additionally, the proposals would result in harm to a key listed building within the Cossall Conservation Area. We do not believe that a clear and convincing justification has been provided for the high level of harm that we believe would be caused by the proposal, as required by Paragraph 200 of the NPPF. Historic England objects to the applications on heritage grounds.

Second Consultation

Having considered the revised plans, we still have serious concerns in relation to the proposed scheme and the resultant impact on the overall significance of this highly graded listed building. We believe that the proposed alterations and extensions to the historic Almshouses would cause a high level of harm to the significance of this highly graded listed building and would erode its setting. As such, the proposals would result in harm to a key building within the Cossall Conservation Area and would have an adverse impact on its significance, character and appearance.

We do not believe that a clear and convincing justification has been provided for the high level of harm that we believe would be caused by the proposals. We strongly disagree with the conclusions in the accompanying Heritage Statement that the proposals would not result in harm to the appreciation of the significance of the heritage assets; that the proposed extensions would complement the existing building; and that the proposal would not adversely affect the setting of the adjacent listed buildings or the character and appearance of the conservation area. We note that the Heritage Statement has not been updated to reflect the amended scheme.

In relation to the paragraph 202 of the NPPF, we believe that the level of harm caused would be high level of less than substantial harm. We believe that other less harmful options exist to bring this important highly graded back into use. Furthermore, we are unconvinced by the viability argument put forward by the applicant. We would expect both the condition of the listed building and the constraints provided by the listed status to have been reflected in the purchase price. The argument put forward would not comply with the Historic England published guidance on enabling development.

Recommendation

Historic England objects to the applications on heritage grounds. We believe that the revised proposal would result in serious harm to the special interest and significance of the Grade II* listed Willoughby Almshouses. We continue to advise that proposals would also result in harm to the significance, character and appearance of the Cossall Conservation Area. We do not believe that a clear and convincing justification has been provided for the high level of harm that we believe would be caused by the proposal.

We consider that the applications do not meet the requirements of the NPPF, in particular paragraph numbers 195,197,199, 200, 202.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Conservation Officer - I have looked into this application in detail, it is certainly a complex one and I have the following initial observations to make:

- The GII* listed building is not watertight at present and the building is on Historic England's Heritage at Risk (HAR) register. Something must be done about this and a viable solution must be found.
- There is clearly a degree of harm to this proposal that is at the higher end of less than substantial harm. Historic England (HE) do not approve and they recommend refusal.
- An argument has been made by the applicant's agent that the positive benefits of the conversion to the new arrangement of dwellings, with the parking at the rear, outweighs the disbenefits of the scheme and would take the building off the HAR register (which is a pressing issue and hence there are significant public benefits to this).
- It is important to determine how much the building has deteriorated since it was purchased in 2017. It is a statutory duty of a listed building owner to keep a building wind and water tight and Para 196 of the NPPF states that: *'where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'*
- HE also make reference to 'enabling development' which the applicant's agent does not.

- HE state that they do not consider this application to be in accordance with their enabling development guidelines. This is clearly a case of enabling development, as whatever works are carried out are going to be harmful to the character of the GII* listed building, thus the harmful conversion will 'enable' the restoration of the building. The Heritage Statement does provide detailed costs, a GDV and the original purchase price, but the figures are not put together properly in a residualised appraisal.

(Gross Development Value - (Existing Use Value + Development Costs) = conservation deficit)

- Once the conservation deficit figure is reduced to zero, the scheme becomes viable and every effort should be made to find a solution in accordance with these figures (thereby 'enabling' the development). If we are working on the basis that it is nobody's fault that the building is in such a poor condition, then the above calculations should be submitted as a residual appraisal by the applicant. This should then be scrutinised independently by an RICS accredited valuer.

-There are two key issues here, firstly the Existing Use Value (EUV) which is not necessarily the £250,000 price paid for the property in 2017. If it was purchased in 2017 as a building that was not watertight and had significant defects, then it should have had a much lower nominal value and the developer over paid for the site. HE have also noted this when they state: *'furthermore, we are unconvinced by the viability argument put forward by the developer. We would expect both the condition of the listed building and the constraints provided by the listed status to have been reflected in the purchase price.'*

- The second key issue is the developer's profit margin. This should be included as a development cost. HE have become ambiguous about this in their revised Enabling Development Guidance (revised 2020). Their previous document stated 15-20% profit on development costs as acceptable, but now they do not mention a figure. I consider 15-20% profit margin to be an acceptable development 'cost'.

In conclusion, I think a proper residual appraisal should be submitted as part of this process, because without it HE's concerns (and my own) cannot be overcome. It should also be demonstrated that the property was purchased in its present state and it was not allowed to degrade over the period 2017-2022 willingly. Once the figures are made crystal clear, we can look at how much needs to be generated in the GDV to determine how much intervention is required. For example, a comparative residual appraisal showing the scheme with parking and another without parking, will very quickly show that a development without parking is simply not viable and this would address HE's concerns. HE have offered their observations without fully addressing the viability issues at stake and it is for the applicant to highlight this. The applicant has already collated many of the development costs (which are increasing at an unprecedented rate, the BCIS index reflected a 19.7% increase in material costs 2020-21), so it should not take them much to compile all of this in a residual appraisal.

- 6.5 Eight neighbouring properties were consulted on the original application and amended plans along with the posting of a site notice, with no letters of objection having been received.

7. Assessment

- 7.1 The main issues relate to whether the principle of the proposed extensions and refurbishment to create four dwellings is acceptable and the impact upon the Grade II* Listed Building.

7.2 Principle and Impact on a Grade II* Listed Building

- 7.2.1 The Willoughby Almshouses and the adjoining boundary walls is a Grade II* listed building. The Grade II* listing reflects the more than special architectural and historic interest of the group. This places the Willoughby Almshouses within the top 8% of listed buildings in England. The Almshouses date from 1685. They were endowed by George Willoughby, a member of a wealthy local family, which included Sir Francis Willoughby, who built the nearby Wollaton Hall. The red brick with plain tile roof building originally consisted of a row of eight individual dwellings for four poor men and women, two of which have been merged. A central unit was designed with a ridged roof. The three to the left and four to the right were expressed with steep gables, which gives the building a wide and grand frontage, despite it being comprised of humble dwellings. The fenestration to the frontage mainly consists of stone chamfered mullioned windows with cast-iron leaded casements and flat drip moulds. The central section of the building has a sundial on the front façade. The principal façade has survived unaltered.
- 7.2.2 Notwithstanding the merger of two of the original dwellings, the Almshouses have largely retained their internal plan-form and small-scale character. Flat roofed extensions with modern casement windows were added in the twentieth-century, to provide kitchens and toilets for each dwelling. These utilitarian additions are small in scale and subservient to the original building. Flat roofed dormers and inappropriate windows have been inserted into the rear side of the original building.
- 7.2.3 The frontage to the building comprises an unusual historic high double-wall, the origins of which are obscure. Openings have piers with ball finials. To the north of the building is a single grassed open space, enclosed by walls, and beyond is open fields. Consequently, there is a strong contrast between the heavily enclosed streetscene setting and the open, verdant nature of the setting to the rear of the building.
- 7.2.4 The building and attached walls is highly significant, reflected by its grade II* listed status. It is an architecturally fine building dating from the C17, which has an important historic connection to the Willoughby family and Cossall village. Almshouses from the C17 are relatively rare. Nikolaus Pevsner describes the Almshouses as a 'delicious group'. The building retains much of its architectural and historic character as a row of small individual dwellings. Notwithstanding the merger of two of the eight Almshouses, and the addition of kitchens and bathrooms, the plan form and internal spatial character of the original building has survived relatively unaltered. A fundamental characteristic of Almshouses is that they are modular with a repeating form, and modest in scale.
- 7.2.5 The Almshouses are located within Cossall Conservation Area and make a strong positive contribution to its character and appearance and the significance of the

streetscene. The Almshouses were used for sheltered/community housing up until relatively recently when the properties were sold at auction to the current owner. The continuity of use as small dwellings serving the local community for over three-hundred years is part of the significance of the building. The building is included on Historic England's 'Heritage at Risk' register as it is currently vacant and its condition is deteriorating.

7.2.6 In terms of design, concerns were raised with the gent in respect of the plans originally submitted, specifically the size of the extensions proposed to increase living accommodation at the Grade II* Listed Building. Whilst the principle of a form of development is considered acceptable, the proposed scheme involved significant intervention, including;

- Large intrusive and incongruous extensions altering the character of the Listed Building;
- Substantial Internal and layout alterations to the Listed Building;
- Harmful alterations to the setting, requiring areas of demolition to Listed structures to provide vehicle access.

7.2.7 In view of this both the Officer and Historic England raised objections, in relation to Paragraph 202 of the National Planning Policy Framework (NPPF), that the proposal would cause a high level of less than substantial harm to the significance of this Grade II* Listed Building; its character, appearance and setting.

7.2.8 Following on from the objection amended plans were submitted, however the amendments are not considered enough to overcome the objection from both the Conservation Officer or Historic England. The concerns are as follows:

- It appears that it is now proposed to block up existing doorways on the front elevation and also the central passage way to the rear. This is considered to be harmful to the character of the principal elevation of the Almshouses, the most visible elevation in the Cossall Conservation Area and is not supported by the Council;
- Whilst the bulk of the extensions have been scaled back and this is considered an improvement, it is considered that the continuous block of extensions across the entire north elevation is over dominant and harmful to the view of the Grade II* Listed Building;
- The use of materials proposed are not considered acceptable in terms of the relationship with the Listed Building.

7.2.9 The above concerns have been forwarded onto both the agent and the applicant along with the comments received from the Conservation Officer advising a proper residual appraisal should be submitted as part of the application process, because without it Historic England's concerns and the Conservation Officer's cannot be overcome. However, no further amendments or supporting information have been submitted and the applicant has advised he wants the application assessing in its current form. It is therefore considered the proposal would cause a high level of

less than substantial harm to the significance of this Grade II* Listed Building; its character appearance and setting. Additionally, the proposals would result in harm to a key Listed Building within the Cossall Conservation Area. Furthermore, it is not considered that a clear and convincing justification has been provided for the high level of harm that would be caused by the proposal, as required by Paragraph 200 of the NPPF.

8 Planning Balance

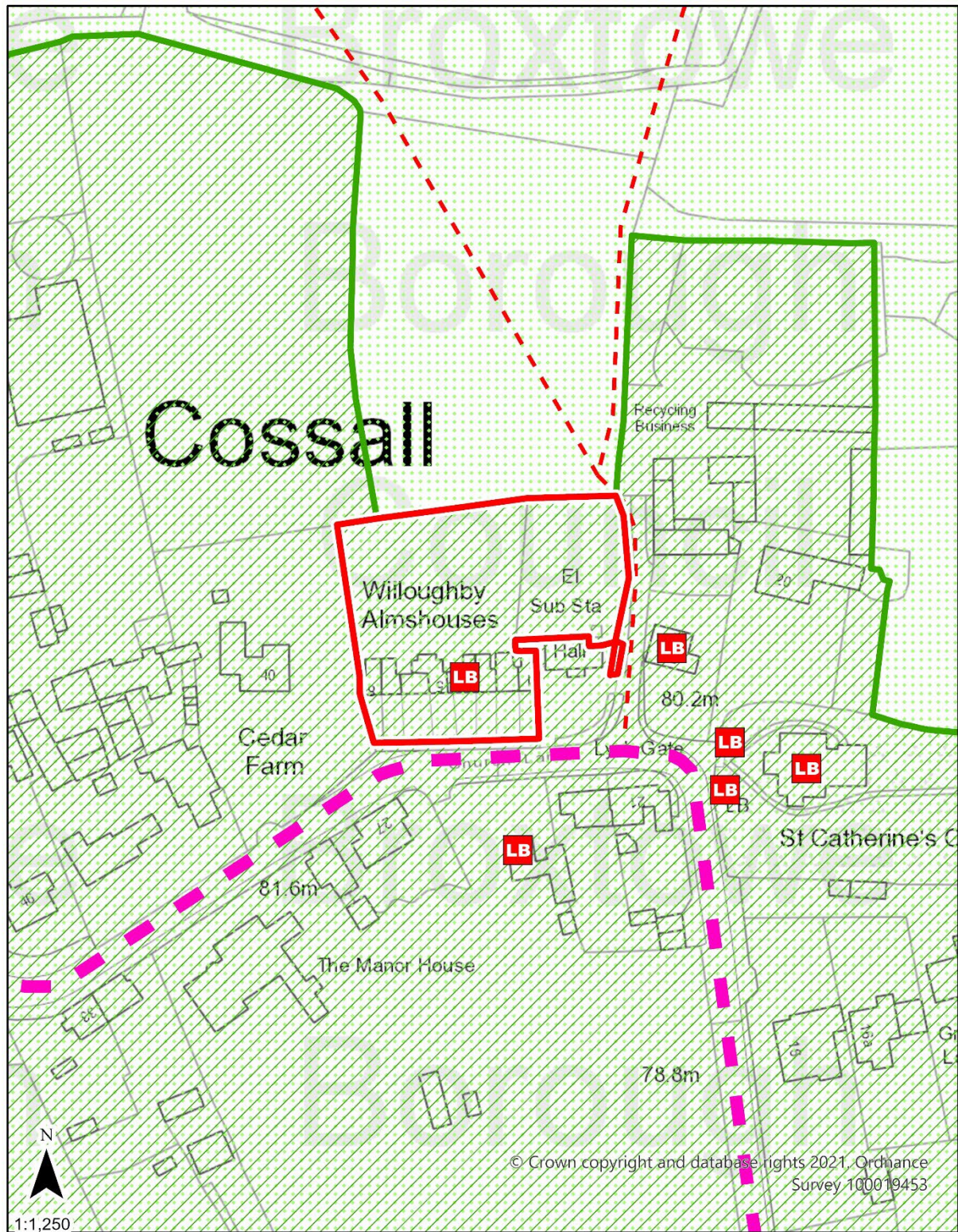
- 8.1 The benefits of the proposal are that it would bring an existing vacant Grade II* Listed Building back into use which is falling into disrepair and has been vacant for a number of years. The negatives of the proposal are that the design of the proposed extensions are unacceptable and as the building is a Grade II* Listed Building for which both national and local planning policy protects these highly sensitive and important buildings against unacceptable extensions, on balance, the scheme is unacceptable and should be refused.

9 Conclusion

- 9.1 To conclude, for the reasons set out above, the scheme is considered to directly contravene the terms of paragraph 200 and 201 of the NPPF (2021) which state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction), should require clear and convincing justification and that substantial harm to a grade II listed building should be exceptional. Furthermore, it is considered the scheme directly contravenes with paragraph 201 of the NPPF (2021) which states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. The proposal would therefore be contrary to Policy 11 of the Broxtowe Aligned Core Strategy (2014), to Policy 23 of the Part 2 Local Plan (2019) and the NPPF (2021).

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission is refused subject to the following reason.	
1.	A clear and convincing justification for the proposed harm to the Grade II* Listed Building and its setting that will result from the works to create four dwellings including significant extensions to the rear has not been provided. The proposal would cause a high level of less than substantial harm to the overall significance of this highly graded listed building and the contribution to significance made by its setting and the Cossall Conservation Area. Accordingly, the proposal is contrary to Policy 11 of the Broxtowe Aligned Core Strategy (2014), Policy 23 of the Part 2 Local Plan (2019) and the NPPF (2021).

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



Legend

- Site Outline
- Classified Road
- Footpath
- Conservation Area
- Green Belt
- LB Listed Building

Photographs

Front elevation



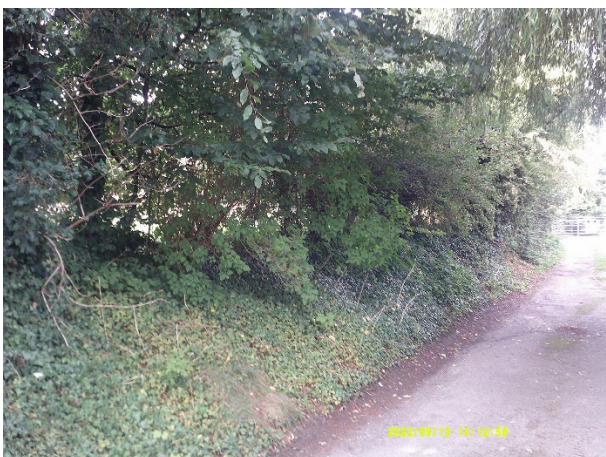
Side view



Access Road



Point of access for driveway



Location of driveway behind Parish Hall leading to rear parking

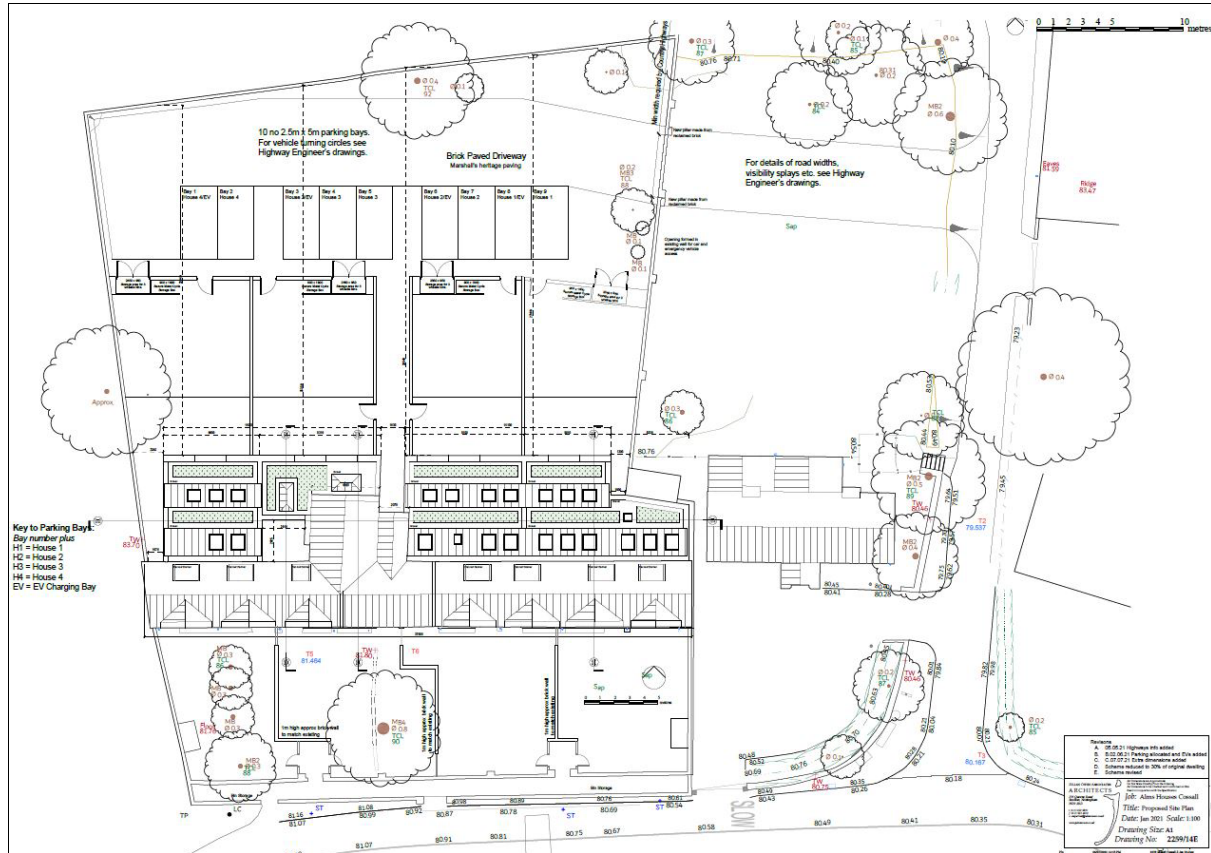


Rear Elevation

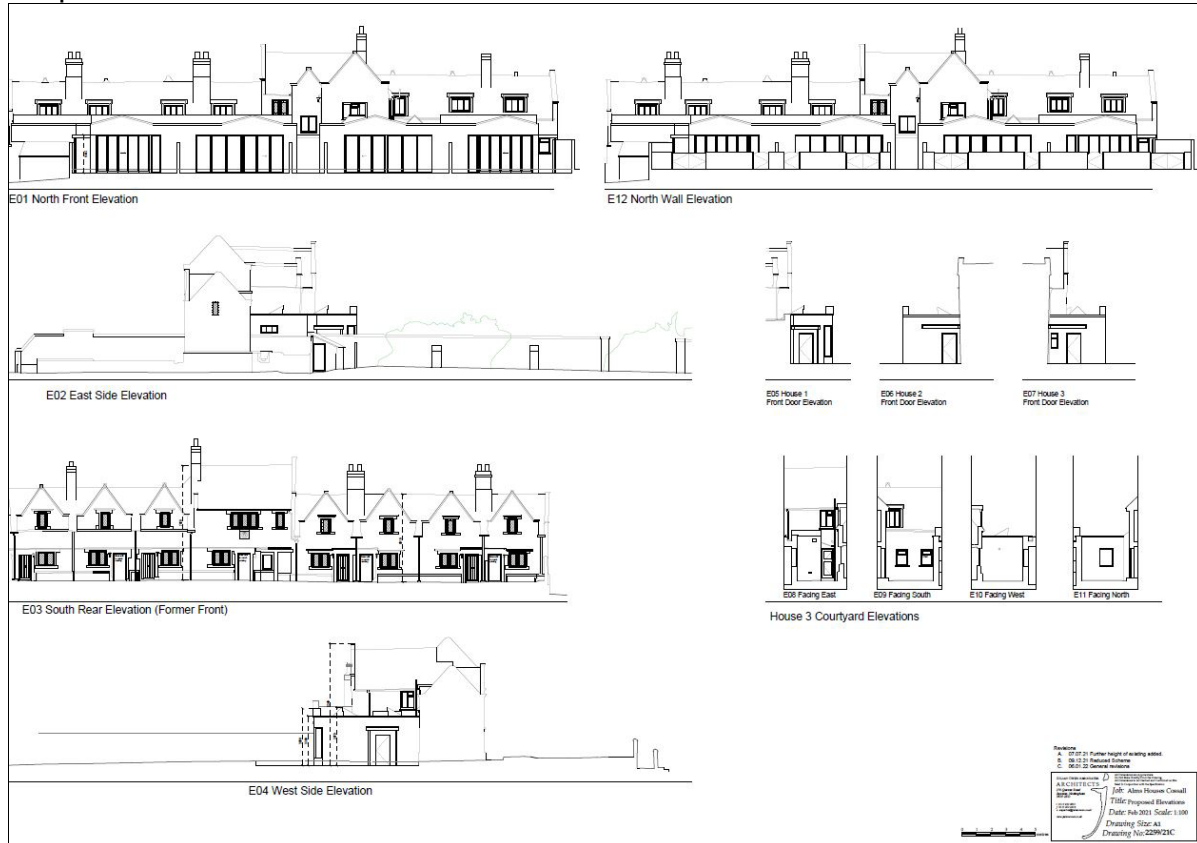


Plans (not to scale)

Site Plan



Proposed Elevations



Rear Colour Elevation



Proposed Ground Floor Plan



Proposed First Floor Plan



Rear Visual



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Report of the Chief Executive

APPLICATION NUMBER:	21/00508/LBC
LOCATION:	Willoughby Almshouses, Church Lane, Cossall, Nottinghamshire, NG16 2RT
PROPOSAL:	Residential extensions and refurbishments creating one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.

1.1 Purpose of Report

This application is brought to the Committee upon the request of Councillor L A Ball BEM.

1.2 Recommendation

The Committee is asked to resolve that Listed Building Consent be refused as the reason for refusal outlined in the appendix.

1.3 Detail

1.3.1 This application seeks Listed Building Consent to construct residential extensions to a Grade II* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.

1.3.2 The main issues relate to whether the principle of the proposed extensions and refurbishment to create four dwellings is acceptable and the impact upon the Grade II* Listed Building.

1.3.3 The benefits of the proposal are that it would bring an existing vacant Grade II* Listed Building back into use which is falling into disrepair and has been vacant for a number of years. The negatives of the proposal are that the design of the proposed extensions are unacceptable and as the building is a Grade II* Listed Building for which both national and local planning policy protects these highly sensitive and important buildings against unacceptable extensions, on balance, the scheme is unacceptable and should be refused.

1.3.4 The Committee is asked to resolve that Listed Building Consent be refused as the reason for refusal outlined in the appendix.

1.4 Financial Implications

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.

1.5 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.

1.6 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.

1.7 Background Papers

- Design and Access Statement;
- Heritage Statement;
- Bat Survey;
- Tree Survey;
- Traffic Survey;
- Visual Images.

APPENDIX

2. Details of the Application

- 2.1 This application seeks Listed Building Consent to construct residential extensions to a Grade II* Listed Building and refurbishments to create one 2-bedroomed dwelling (House 1), two 3-bedroomed dwellings (House 3 and 4) and one 4-bedroomed dwelling (House 2), new gardens, a new vehicular access and a car park, off-site alterations to junction of track to the east of the site with Church Lane and to remove certain trees from the rear of the site.

3. Site and Surroundings

- 3.1 The application site is located within the Cossall Conservation Area and Nottinghamshire Green Belt and is located within the centre of Cossall Village. To the site there is a wall with an overgrown garden area to the front. To the rear there is also an overgrown garden area. The Almshouses currently consist of six, one bedroom dwellings and one, three bedroomed dwelling. The building has been extended in the past with the provision of small flat roof extensions to the rear. The site is located within a predominantly residential area with residential properties to the side and directly opposite, with the Parish Hall to the opposite side.

4. Relevant Planning History

- 4.1 Planning permission and Listed Building Consent was granted under reference numbers 10/00044/FUL and 10/00045/FUL to rebuild the front wall.

5. Relevant Policies and Guidance5.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment

5.2 **Part 2 Local Plan 2019**

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

- Policy 8: Development in the Green Belt
- Policy 11: The Historic Environment
- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity

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

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

- Section 16: Conserving and Enhancing the Historic Environment
Paragraph 195: Local Planning Authority (LPA) should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise.

Paragraph 196: where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 199: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 201: where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) The nature of the heritage asset prevents all reasonable uses of the site;
- b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;
- d) The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 203: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

6. Consultations

6.1 **Cossall Parish Council** – No objections, consider the development proposal will ensure the wellbeing of the valued historic building.

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

6.3 **The Highway Authority** - No Objections.

6.4 **Historic England**

First Consultation

The proposed conversion to almshouses to four dwellings would seriously and irreversibly harm their character as small single dwellings, which is a fundamental part of their significance. The proposed scheme involves a significant amount of intervention, including large, intrusive and inappropriate extensions, alterations to the listed building and harmful alterations to its setting.

In our view, in relation to Paragraph 202 of the National Planning Policy Framework (NPPF), the proposal would cause a high level of less than substantial harm to the overall significance of this highly graded listed building and the contribution to significance made by its setting.

Additionally, the proposals would result in harm to a key listed building within the Cossall Conservation Area. We do not believe that a clear and convincing justification has been provided for the high level of harm that we believe would be caused by the proposal, as required by Paragraph 200 of the NPPF. Historic England objects to the applications on heritage grounds.

Second Consultation

Having considered the revised plans, we still have serious concerns in relation to the proposed scheme and the resultant impact on the overall significance of this highly graded listed building. We believe that the proposed alterations and extensions to the historic almshouses would cause a high level of harm to the significance of this highly graded listed building and would erode its setting. As such, the proposals would result in harm to a key building within the Cossall Conservation Area and would have an adverse impact on its significance, character and appearance.

We do not believe that a clear and convincing justification has been provided for the high level of harm that we believe would be caused by the proposals. We strongly disagree with the conclusions in the accompanying Heritage Statement that the proposals would not result in harm to the appreciation of the significance of the heritage assets; that the proposed extensions would complement the existing building; and that the proposal would not adversely affect the setting of the adjacent listed buildings or the character and appearance of the conservation area. We note that the Heritage Statement has not been updated to reflect the amended scheme.

In relation to the paragraph 202 of the NPPF, we believe that the level of harm caused would be high level of less than substantial harm. We believe that other less harmful options exist to bring this important highly graded back into use. Furthermore, we are unconvinced by the viability argument put forward by the applicant. We would expect both the condition of the listed building and the constraints provided by the listed status to have been reflected in the purchase price. The argument put forward would not comply with the Historic England published guidance on enabling development.

Recommendation

Historic England objects to the applications on heritage grounds. We believe that the revised proposal would result in serious harm to the special interest and significance of the Grade II* listed Willoughby Almshouses. We continue to advise that proposals would also result in harm to the significance, character and appearance of the Cossall Conservation Area. We do not believe that a clear and convincing justification has been provided for the high level of harm that we believe would be caused by the proposal.

We consider that the applications do not meet the requirements of the NPPF, in particular paragraph numbers 195, 197, 199, 200, 202.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Conservation Officer - I have looked into this application in detail, it is certainly a complex one and I have the following initial observations to make:

- The Grade II* listed building is not watertight at present and the building is on Historic England's Heritage at Risk (HAR) register. Something must be done about this and a viable solution must be found.
- There is clearly a degree of harm to this proposal that is at the higher end of less than substantial harm. Historic England (HE) do not approve and they recommend refusal.
- An argument has been made by the applicant's agent that the positive benefits of the conversion to the new arrangement of dwellings, with the parking at the rear, outweighs the disbenefits of the scheme and would take the building off the HAR register (which is a pressing issue and hence there are significant public benefits to this).
- It is important to determine how much the building has deteriorated since it was purchased in 2017. It is a statutory duty of a listed building owner to keep a building wind and water tight and Para 196 of the NPPF states that: *'where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.'*
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relatively recently when the properties were sold at auction to the current owner. The continuity of use as small dwellings serving the local community for over three-hundred years is part of the significance of the building. The building is included on Historic England's 'Heritage at Risk' register as it is currently vacant and its condition is deteriorating.

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- Whilst the bulk of the extensions have been scaled back and this is considered an improvement, it is considered that the continuous block of extensions across the entire north elevation is over dominant and harmful to the view of the Grade II* Listed Building;
- The use of materials proposed are not considered acceptable in terms of the relationship with the Listed Building.

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character appearance and setting. Additionally, the proposals would result in harm to a key Listed Building within the Cossall Conservation Area. Furthermore, it is not considered that a clear and convincing justification has been provided for the high level of harm that would be caused by the proposal, as required by Paragraph 200 of the NPPF.

8 Planning Balance

- 8.1 The benefits of the proposal are that it would bring an existing vacant Grade II* Listed Building back into use which is falling into disrepair and has been vacant for a number of years. The negatives of the proposal are that the design of the proposed extensions are unacceptable and as the building is a Grade II* Listed Building for which both national and local planning policy protects these highly sensitive and important buildings against unacceptable extensions, on balance, the scheme is unacceptable and should be refused.

9 Conclusion

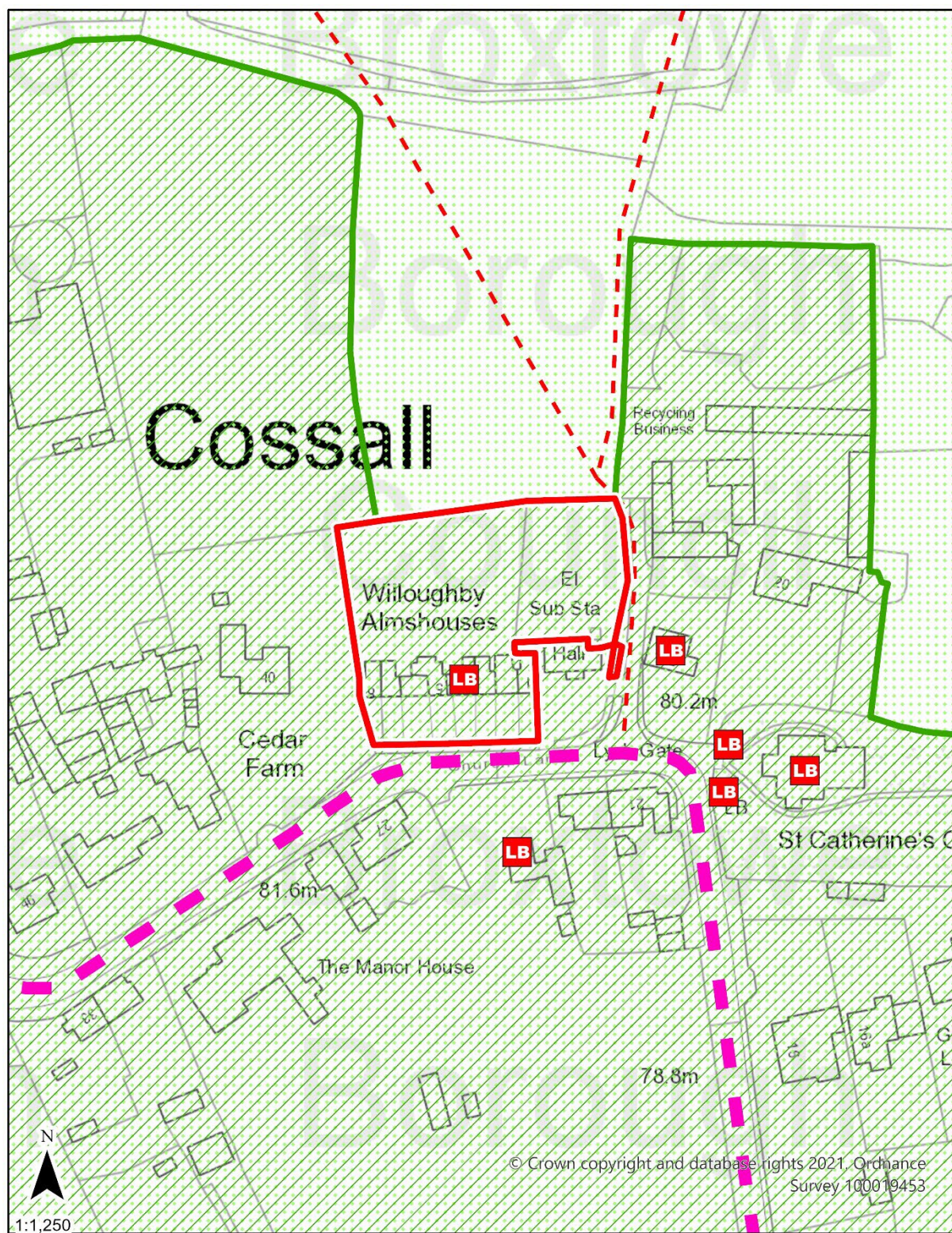
- 9.1 To conclude, for the reasons set out above, the scheme is considered to directly contravene the terms of paragraph 200 and 201 of the NPPF (2021) which state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction), should require clear and convincing justification and that substantial harm to a grade II listed building should be exceptional. Furthermore, it is considered the scheme directly contravenes with paragraph 201 of the NPPF (2021) which states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. The proposal would therefore be contrary to Policy 11 of the Broxtowe Aligned Core Strategy (2014), to Policy 23 of the Part 2 Local Plan (2019) and the NPPF (2021).

Recommendation

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

1.	A clear and convincing justification for the proposed harm to the Grade II* Listed Building and its setting that will result from the works to create Four dwellings including significant extensions to the rear has not been provided. The proposal would cause a high level of less than substantial harm to the overall significance of this highly graded listed building and the contribution to significance made by its setting and the Cossall Conservation Area. Accordingly, the proposal is contrary to Policy 11 of the Broxtowe Aligned Core Strategy (2014), Policy 23 of the Part 2 Local Plan (2019) and the NPPF (2021).

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



Legend

-  Site Outline
 Classified Road
 Footpath
 Conservation Area
 Green Belt
 Listed Building

Photographs

Front elevation



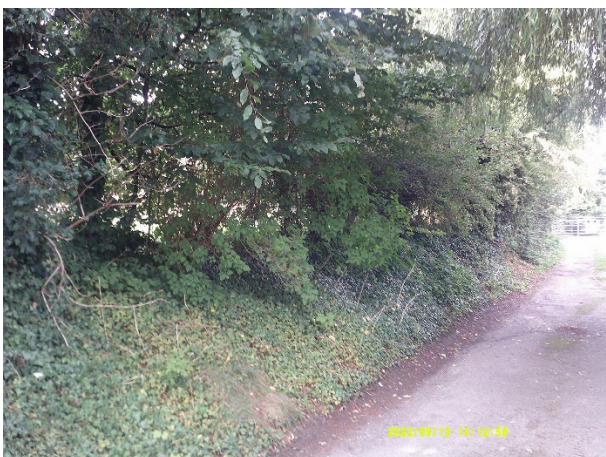
Side view



Access Road



Point of access for driveway



Location of driveway behind Parish Hall leading to rear parking

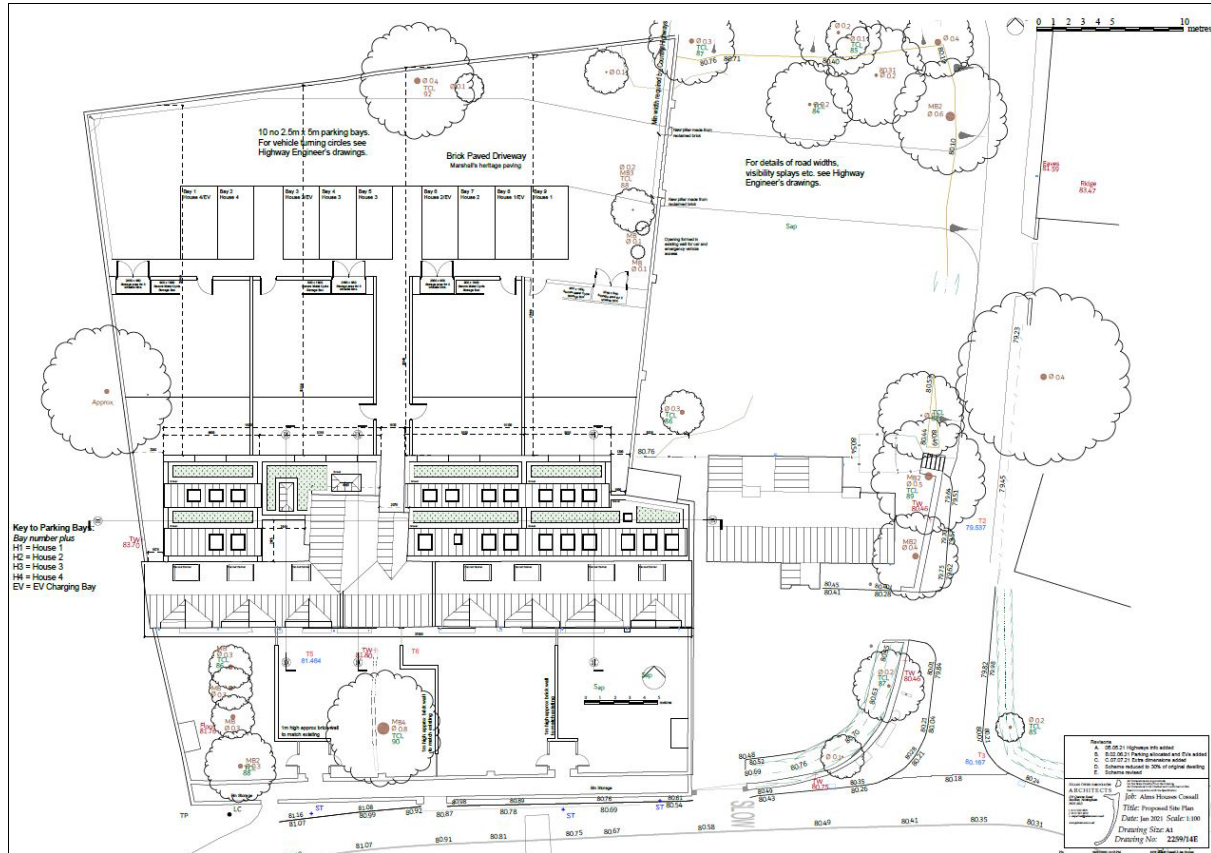


Rear Elevation

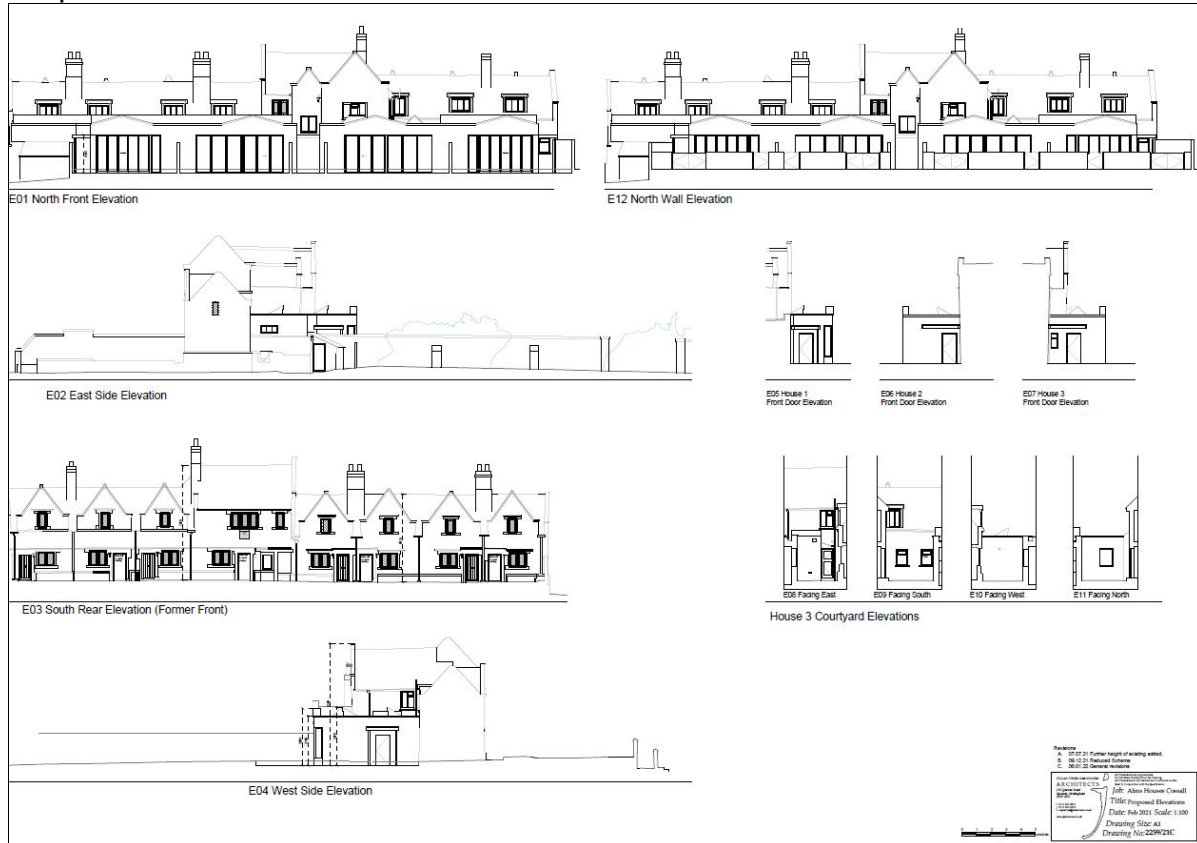


Plans (not to scale)

Site Plan



Proposed Elevations



Rear Colour Elevation



Proposed Ground Floor Plan



Proposed First Floor Plan



Rear Visual



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Report of the Chief Executive

APPLICATION NUMBER:	22/00116/FUL
LOCATION:	Awsworth Junior and Infant School, The Lane, Awsworth
PROPOSAL:	Construct Multi Use Games Area (MUGA) Facility with 3m high perimeter fencing and 4 floodlighting columns (revised scheme)

1. Purpose of the Report

The application is brought to the Committee at request of Councillor D D Pringle.

2. Recommendation

The Committee is asked to resolve that planning permission is approved subject to the reasons outlined in the appendix.

3. Detail

- 3.1 The application seeks permission for a multi –use games area (MUGA), with a 3m high mesh fence and four lighting columns to be located on the school playing field in the north east corner of the site. To access the MUGA from the school car park a 30m path will be laid that is 1.2m wide. The MUGA will provide all year round, purpose built sports facility that will benefit the physical education of the pupils and the wider community through the community use. Due to the land level differences across the site there will be some alterations to the levels to ensure a level area within the MUGA.
- 3.2 The application has been amended during the determination of the application to overcome the objection raised by Sport England. Sport England objected to the MUGA only for the schools use and stated the MUGA should be made available out of school hours and weekends to the wider community. Following the amendment of the application to allow community use of the MUGA Sport England removed their objection.
- 3.3 There are no site specific planning policies affecting the application. The main consideration are the design of the proposal and impact on neighbouring amenity.
- 3.4 The proposed MUGA has been positioned to north east of the site, along the existing shrub and tree lined boundary with the parking along The Lane. The mature screening along with the colour of the mesh fencing will enable the MUGA to be in keeping with the school surroundings. It is not considered to be harmful to the street scene or out of keeping with the character of the area.
- 3.5 The proposed MUGA is not considered to result in an unacceptable loss of amenity for neighbouring residents and a number of conditions have been recommended along with a management plan to mitigate against any potential

noise impacts of the proposal. The position of the MUGA will only have one boundary with residential dwellings, to the north, that has some hedgerow, that will be conditioned to be added to making a substantial hedgerow.

- 3.6 Overall, it is considered the proposal is acceptable and that planning permission should be granted in accordance with the recommendations.

4. Financial Implications

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 Section 106s (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

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

None submitted.

APPENDIX**8 Details of the Application**

- 8.1 The application seeks permission to construct a multi-use games area (MUGA) facility at Awsworth Junior and Infant School. The proposed MUGA is approximately 32m x 16m, with a recess each end for goals, four lighting columns in each corner and be surrounded by a 3m high mesh fencing conditioned to be green. The surface of the MUGA will have a shock pad installed before the artificial surface is laid. Due to the land rising from the north, east and southern boundary the land will be required to be levelled during construction of the MUGA.
- 8.2 The MUGA will allow for all weather use for the school and wider community and a noise management plan has been submitted with the application that covers code of conduct, opening times, the school's responsibilities, complaints management procedure and investigation.
- 8.3 The land that the MUGA will be installed on rises up from parking within the site, and falls again to the north of the site adjacent to the boundaries with the dwellings along The Lane.

9 Site and Surroundings

- 9.1 The application site forms part of the school playing fields. The site borders residential dwellings to the north of the site and to the east is off street parking on The Lane.
- 9.2 There are land level differences around the school site, and the land falls away to the south where the school buildings are located. There is an existing boundary treatment securing the school on the north, east and southern boundary along with some trees and hedgerow along the north and eastern boundary.

10. Relevant Planning History

- 10.1 An application was refused by the Planning Committee for a MUGA (21/00254/FUL) at the site, but in a different position on the playing field. The MUGA was for school use only.

11. Relevant Policies and Guidance**11.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:****11.1.2 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 10: Design and Enhancing Local Identity
- Policy 12: Local Services and Health Lifestyles.

11.2 Part 2 Local Plan 2019:

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

- Policy 17: Place-making, Design and Amenity
- Policy 25: Culture, Tourism and Sport.

11.3 National Planning Policy Framework (NPPF) 2021:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places.

12. Consultations

12.1.1 **Environmental Health** – There has been several sets of comments from Environmental Health Officer during the application due to the changes in hours and community use.

12.1.2 First set of comments the Environment Health Officer did not raise any objection to the MUGA being used during school hours subject to conditions on hours, no hire or general public use, to maintain the MUGA in accordance with the manufacturers guidance to prevent excessive noise form operational wear and tear and the lighting to be installed and operated in accordance with current guidance from the Institute of Lighting Engineers.

12.1.3 Following Sport England objection the application was amended to increase the hours and community use. A second set of comments was received from the Environmental Health Officer and again they raised no objection to the installation of the MUGA and lighting subject to conditions on hours of operation, shall be operated in accordance with the submitted School Noise Management Plan, maintain the MUGA in accordance with the manufacturers guidance to prevent excessive noise form operational wear and tear and the lighting to be installed and operated in accordance with current guidance from the institute of lighting engineers.

12.2.1 **Parish Council** – The Parish Council provided two formal sets of comments on the application.

12.2.2 First set of comments were relating to the school use only of the MUGA. The Parish Council welcomed the re positioning of the MUGA away from residential dwellings to the north and west of the site, but still had concerns regarding noise impact on dwellings. The introduction of lighting raised further concerns and the Parish Council requested a guarantee that the MUGA would only be used for the school and there would be a restriction on the hours. Due to the position and height of the fencing they requested the fencing should be green to match the existing perimeter fencing.

12.2.3 Following Sport England's objection the application was amended to increase the hours and community use and the Parish Council provided a second set of comments. The Parish Council wishes to register the strongest concern regarding the amendment to the application. The Parish Council has concerns regarding the location and inevitably means there will be some adverse impact on nearby residents and feel these should be minimised and/or mitigated wherever possible. The proposal is constantly changing and the Parish Council

has had to modify their response accordingly. The Parish Council was satisfied previously with the MUGA for school use only but their main concerns relate to the likely adverse impacts on nearby residents particularly in terms of noise and disturbance resulting from extended hours of use; potential traffic generation and parking conflicts in the local area resulting from actively encouraging external users to use the new facility; concerns in relation to detailed design / appearance / layout of the proposed facility especially in the context of the school playing field being a designated Local Green Space in the Awsworth Neighbourhood Plan. The Parish Council would like to discuss and develop, with the East Midlands Educational Trust, a community use agreement submitted and approved to the LPA prior to the facility being brought into use.

- 12.2.4 The Parish Council would like to point out there is already a full size football pitch, changing rooms, cricket pitch, sports pavilion, small MUGA, skateboard area, bowling green, two children's playgrounds and pocket park all within close proximity to the school and these areas are regularly used. The Parish Council also refer to the existing parking at the Village Hall, which closes at dusk, so parking would be an issue should the users of the MUGA choose to park at the Village Hall in the winter months.
- 12.2.5 The Parish Council note that Sport England area very clear as regards their expectations for applicants to receive funding from the very start of the process, and would be interested to know when Sport England funding was applied for and when the offer was made. The Parish Council wish for Sport England to re consider their conditions for funding and support the previous scheme.
- 12.2.6 The Parish Council would consider reduced hours over the weekend and bank holidays and consider this to be a reasonable compromise between the needs for the school and level of impact on amenity for nearby residents that the Parish Council is concerned to protect.
- 10.2.7 The Parish Council has stated that the future new housing (250 new homes) to be constructed in Awsworth soon and expect Broxtowe Borough Council to be satisfied in terms of any section 106 developer contributions which might be reasonable to be required. Could this be extended to appropriate contributions towards the facility at the school MUGA.
- 12.3 **Sport England** – Sport England commented a total of three times during the application.
- 12.3.1 Sport England stated that they are a statutory consultee as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and should have been consulted on the previous application (reference 21/00254/FUL) as the proposal involves land used as a playing field. Due to the lack of details/information a holding objection was put in place by Sport England.
- 12.3.2 Following additional information Sport England provided a further set of comments acknowledging the MUGA will result in the loss of grass playing field, Sport England is mindful that the MUGA is aimed at primary school children who will learn basic skills in playing sport, offer opportunities for sporting activities unusable due to bad weather and that the lighting will provide opportunities for school use and school club use. However, Sport England was disappointed the MUGA could not be used by the wider community over longer hours. Sport England objected and stated should the application be determined without the support of Sport England then the application will need to be

referred to the Secretary of State in line with The Town and Country Planning (Consultation) (England) Direction 2021.

- 12.3.3 Following the amended application for longer hours during the week and weekend and offering the MUGA out to the community for use Sport England removed their objection but requested a condition regarding the submission and approval of a community use agreement that is prepared in consultation with Sport England. Should this condition be omitted or determined without a community use agreement then Sport England would object to the application and the application will need to be referred to the Secretary of State in line with The Town and Country Planning (Consultation) (England) Direction 2021.

- 12.4 **Neighbours** – A total of 17 representations have been received from neighbours and members of public through the determination of the application. The five letters of support can be summarised as follows:

- Support the development, but the field drainage is awful;
- Appreciate the moving of the MUGA to the opposite side of the field;
- Sole use for the school – no objection;
- Great facility for the benefit of the community;
- Urge local councillors to support the proposal;
- Live nearby and support the scheme;
- The children deserve a more appropriate all weather supporting area to use during the school day, to object is to this planning is to deny our children their right to play and have a safe space to do so;
- Been underfunded for years and pleased to see that the local school is trying to improve the facilities of the school, not only for the pupils who attend but the wider community;
- The MUGA will provide a much needed income in a time that they are desperately requiring for the smallest projects;
- The plans have been put in place are well thought out, the management plan they have in place is reasonable and there is no reason why this project should not go ahead;
- Wholeheartedly support the scheme.

- 12.4.1 The 12 letters of objection can be summarised as follows:

- Will the trees be removed;
- Only operated during school hours including flood lights;
- Lack of parking already and this will be made worse;
- When works start where will the residents park;
- How long will the disruption be for;
- No additional parking spaces provided;
- Is it for financial gain or really for improving facilities for the school;
- Already a court/cricket pitch/play area close to the school;
- Why are flood lights required for a school;
- Potential noise and light nuisance;
- Rain water run off – standing water in wet weather;
- The original application did not include flood lights which seem excessive and will result in light intrusion into nearby properties;
- Lack of information to make an informed judgement;

- Work shifts and have to sleep at the front of the house due to the noise from the playground etc. The noise from the front of the house will result in no sleep. Can it be moved somewhere else;
- The hours are past children's bed times and will affect their sleep;
- Residents parking will be required as spaces will be limited;
- Morphed into a 7 days, weekend and evening facility for the general public not for school use;
- The parking at the village hall is already used to the max and closes at sunset;
- Money is more important than peace and quiet of the neighbouring properties, how are people meant to sit out in gardens at the weekend and evenings;
- Past history of the site: security has been breached and unauthorised persons being able to enter, the word gets around the village and no time the field and playground will swarming with villagers using and abusing the site;
- The noise and language can be horrific at times from the existing MUGA near the village hall, so would have this noise and language from both sides at weekends;
- The schedule of works does not mention the residents and;
- The thought of this development is keeping me awake at night.

13 Assessment

13.1 The main issues for consideration are the design and appearance of the proposed development and its impact on neighbouring amenity.

13.2 Principle

13.2.1 Policy 12 of the Broxtowe Aligned Core Strategy (2014) states that new, extended or improved community facilities will be supported where they meet a local need. The proposed MUGA will provide improved facilities at the school for sport and physical education during all months of the year, for the children and the wider community. It is therefore considered that the principal of development is acceptable subject to an assessment of the design and appearance of the proposal and the impact on neighbouring amenity.

13.3 Design

13.3.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 policy 10 states that all new development should be designed to make a positive contribution to the public realm and sense of place, reinforce valued local characteristics and have regard to the local context and be designed in a way that conserves locally and nationally important heritage assets and preserves or enhances their setting.

13.3.2 Throughout determination of the application the position, design and materials of the MUGA have not changed. The proposed MUGA will be sited in the north east of the school field and will enable the existing field to be used for other sports, the MUGA measures approximately 32m x 16m with two goal recess in the north and southern fencing. The existing boundary treatment along the north and east will remain, trees/shrubs and existing boundary treatment. The proposed fencing around the MUGA will be 3m in height and will be conditioned to be green to match the existing fencing around the school. The four flood lights will be positioned in each corner of the of the MUGA with two lights on

each lighting column and be approximately 8m in height to enable lighting to cover the whole of the MUGA.

- 13.3.3 It is considered the proposal would not be out of keeping with the surroundings, that is, in the context of a primary school and its outdoor play areas, and the fencing and MUGA will be screened from the street scene. It should be noted that due to the height of the lighting, the four lighting poles will be visible above the existing boundary treatment and shrubs when viewed from the street scene, but would not be considered to be obtrusive or visually dominant.
- 13.3.4 Overall, it is considered that the proposed MUGA, fencing and lighting will not be harmful to the street scene, out of keeping with the character of the area or harmful to the visual amenity of the neighbouring dwellings.

13.4 Amenity

- 13.4.1 The proposed MUGA will be approximately 7m from the northern boundary with The Vicarage, 8.5m from the eastern boundary with The Lane. Taking into account the height of the fencing and boundary treatments along the north and eastern boundary it is considered that these distances are sufficient to ensure the proposal will not result in an unacceptable loss of light or sense of encloses for the residents of the neighbouring properties to the north of the site.
- 13.4.2 The application has been accompanied with a lighting plan demonstrating the position of the poles, the lighting within the MUGA and the overspill from the lighting to the land around the MUGA, proposed floodlighting plan by Halliday Lighting. This plan also includes the land contours and boundary treatment around the site. The plan demonstrates that the height of the lighting poles is required to be 8m in height to enable adequate lighting within the centre of the MUGA.
- 13.4.3 Concerns have been raised by members of the public and the Parish Council regarding impact on neighbouring properties due to the increase noise, light pollution and the accumulative disturbance as a result of the proposal. These concerns were raised throughout the determination of the application and with consultation with the Council Environmental Health Officer, following the amended hours operations to include evening and weekend use, the Environmental Health Officer has raised no objection to the proposal and hours of use for the MUGA, subject to conditions on hours of operation, shall be operated in accordance with the submitted School Noise Management Plan, maintain the MUGA in accordance with the manufacturers guidance to prevent excessive noise form operational wear and tear and the lighting to be installed and operated in accordance with current guidance from the institute of lighting engineers.
- 13.4.4 Concerns were raised regarding noise specifically in relation to the general use of the MUGA during the evening and weekends. The agent has supplied a Noise Management Plan that includes a code of conduct, school's responsibilities and complaints management procedure along with investigation. The Local Planning Authority and the Environmental Health Officer are satisfied with this document and this will be secured by condition.
- 13.4.5 Overall it is considered that subject to the recommended conditions that the proposal will not result in an unacceptable loss of amenity for the residents of neighbouring properties.

13.5 Highway Safety

13.5.1 Concerns have been raised by neighbours and the Parish Council regarding parking within the consultation responses and that there are insufficient spaces for the MUGA and residents parking. 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 to access the development. Policy 10 of the ACS states that development should be designed so as to reduce the dominance of motor vehicles.

13.5.2 It is noted that within the school grounds there is off road parking for several vehicles and given there are regular public transport services and as the MUGA is aimed at the local community where sustainable means of transport such as walking and cycling could be achieved, it is considered that there would not be any shortfall in parking resulting in highway safety issues.

13.6 Other

13.6.1 Concerns have been raised regarding drainage and the potential impact on local flooding as a result of the proposal. The application site is not within a flood zone and it is not considered to be at risk of flooding. The MUGA will be constructed with adequate drainage in line with the submitted plans.

13.6.2 Concerns have been raised about security of the school and MUGA when not in use. The MUGA is sited within the school fencing and it is considered that there would not be any concerns in respect of school security or unauthorised use.

13.6.3 The Parish Council has asked to be consulted on community use agreement submitted to the Local Planning Authority before the MUGA is brought into use. As no part of the development is on the Parish Council land there would not be any reason to formally consult with the Parish Council once this information has been submitted to the Local Planning Authority.

13.6.4 Sport England has been the driving force to ensure the MUGA is made available for the community as well as the school. To ensure the MUGA is available for community use they have requested a community use agreement be added to the decision notice. The community use agreement is to be drawn up between the applicant, Sport England and the Local Planning Authority before any works commence on site, and the use of the MUGA carried out in accordance with the agreement for the lifetime of the development.

13.7 Planning Balance

13.7.1 The proposed MUGA will provide a high quality sporting facility that can be used all year round for many different activities within physical education for the school and with wider community. The MUGA and the lighting are sited in a location that will be easy accessible when entering the school grounds and will be sited behind the existing hedgerow and boundary treatment running along The Lane. It is considered that the MUGA and lighting will not have any harmful impact on the character of the surrounding area. It is acknowledged that there are residential dwellings to the north of the site, given the MUGA and lighting will be set in from the boundaries and the hedgerow to these side provides a substantial boundary treatment to mitigate against the visual impact of the

proposal. Whilst some noise from the MUGA is inevitable, it is unlikely that this will be significantly different in terms of levels from the activities that can currently take place on the playing fields within the school grounds and the MUGA run by the Parish Council. The recommended conditions are considered sufficient to mitigate these impacts.

- 13.7.2 On balance it is considered that the benefits of the proposal sufficiently outweigh any limited harm and on balance it is considered the proposal is acceptable.

14. Conclusion

- 14.1 Overall it is considered that the proposal is acceptable and that planning permission should be granted, subject to the conditions listed in the recommendation.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. 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 20201-16 (p3), Topographical B21352-01, Plan showing existing pitch 20201-16 (p) 09 received by the Local Planning Authority 6 June 2022 and proposed floor plan and elevations of the MUGA 20201-16 (p) 06, lighting plan HLS3565 and block plan 20201-16 (p) 05 received by the Local Planning Authority 4 April 2022. Reason: For the avoidance of doubt.
3.	The hereby approved MUGA and lighting shall not be commenced until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing with the Local Planning Authority. The agreement shall apply to the MUGA and lighting and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The

	<p>development shall not be used otherwise than in strict compliance with the approved agreement.</p> <p>Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy 25 of the Part 2 Local Plan (2019) and Policy 12 of the Broxtowe Aligned Core Strategy (2014).</p>
4.	<p>The MUGA and Lighting shall not be used except between the hours of Monday to Friday 08.00 – 20.00, Saturday and Sunday and Bank Holiday 08.00-18.30 and any other public holidays without prior agreement in writing of the Local Planning Authority.</p> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
5.	<p>Details of any external lighting to be used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimize overspill and light pollution. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development in line with the current guidance from the Institute of Lighting Engineers - Reduction of Obtrusive Light Guidance for the duration of the permitted use.</p> <p>Reason: The details area required to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</p>
6.	<p>The MUGA shall be maintained in accordance with the manufacturers guidance to prevent excessive noise from wear and tear.</p> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>
7.	<p>The MUGA shall be operated in line with the East Midlands Educational Trust and Aswsorth Primary School Noise Management Plan received 28 July 2022 as approved.</p> <p>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</p>

8.	<p>The mesh fencing of the MUGA shall be green in colour and shall be retained as such for the lifetime of the development.</p> <p>Reason: To ensure a satisfactory standard of external appearance in accordance with Policy 17 of Broxtowe Part 2 Local Plan.</p>
	NOTES TO APPLICANT
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it in line with adopted policies.</p>

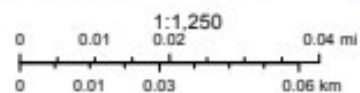
Map

22/00116/FUL - MUGA Awsworth School



9/6/2022, 4:42:47 PM

- | | | | |
|---|-------------------------|---|-----------|
|  | Local Interest Building |  | Group TPO |
|  | Open Spaces |  | Site |
|  | Mature Landscape Area | | |



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Photographs



Access gate



Parking along The Lane



View towards access and parking



View to the east



View to the north



Aerial view from google earth

MapServe

Site Location Plan
(SCALE 1:1250)

PD: MUGA Revised
PT: Inset for comment

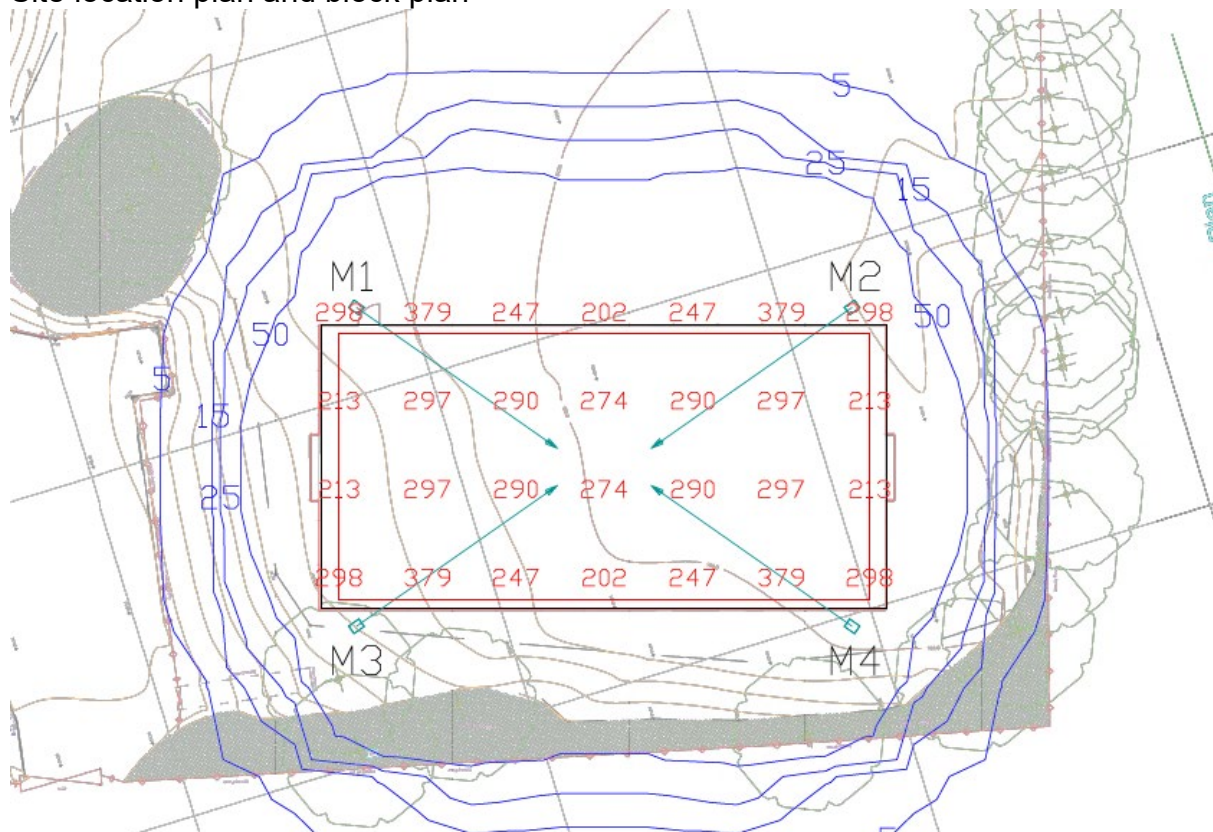
ME: WY 05/02/21
ME: WY 26/02/21

Site 1

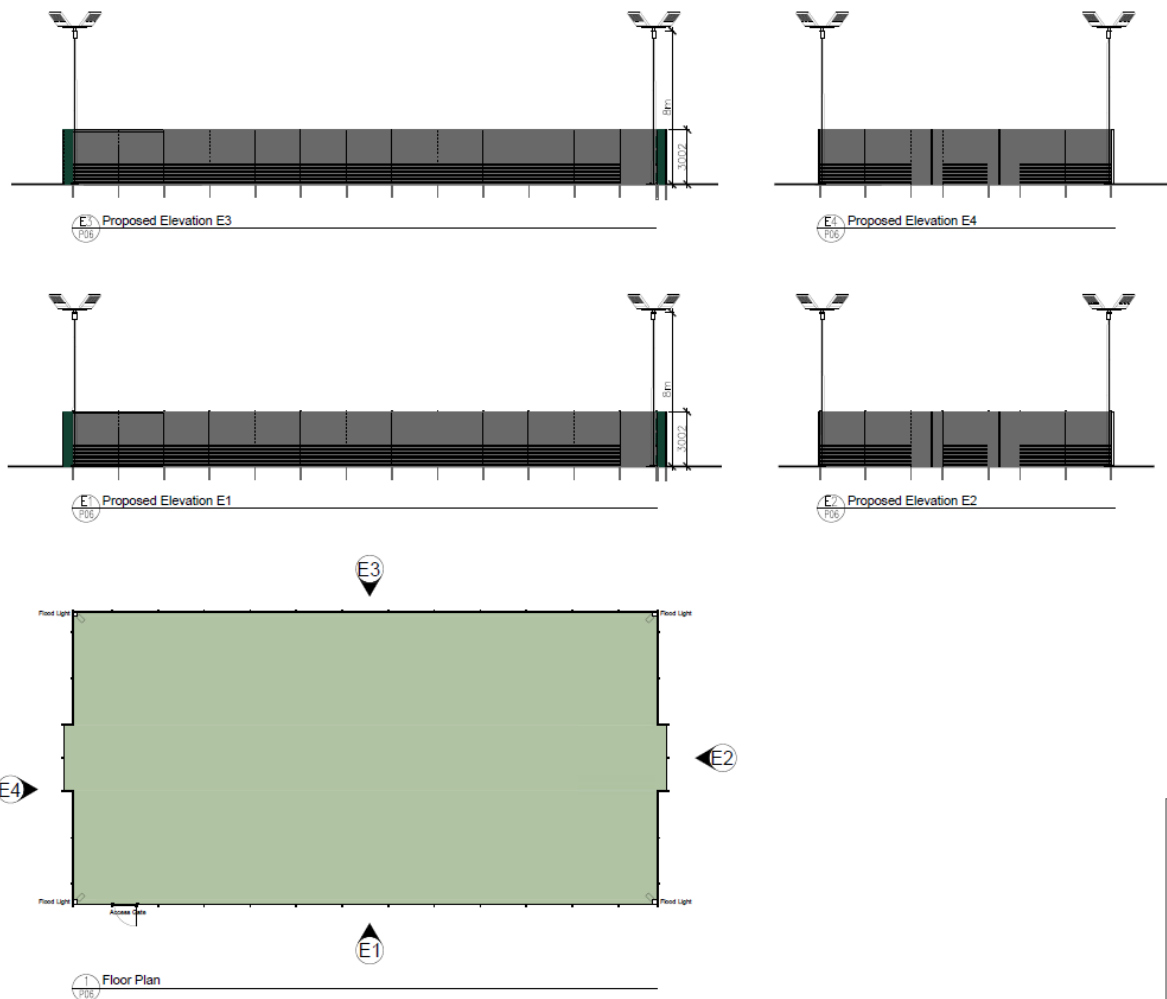
Surveyors in Education

Aysworth Primary Academy

Site location plan and block plan



Lighting plan



Proposed MUGA and elevations

Report of the Chief Executive

APPLICATION NUMBER:	22/00367/FUL
LOCATION:	Nelson Cottage, Main Street, Strelley
PROPOSAL:	Construct single detached garage

1. Purpose of the Report

The application is brought to the Committee at request of Councillor P J Owen.

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 detached dual pitched garage measuring 6m in length, 4m wide, 2.1m to the eaves and 3.8m to the ridge. The garage is to be constructed out of reclaimed brick and blue slate with timber doors painted Strelley red. The proposal was amended to address the Conservation Officers comments and be more in keeping with the Conservation Area of Strelley.

3.2 The site lies within the Strelley Conservation Area, Nottinghamshire Green Belt, Local Character Area and Strelley Article 4 Direction.

3.3 The main issues relate to whether or not the principle of the development is acceptable and whether it would have a detrimental impact on the character of the designated Conservation Area of Strelley, be appropriate development within Green Belt, whether the design and appearance of the proposal is acceptable and the whether there would be an unacceptable impact on neighbour amenity.

3.4 The benefits of the scheme are that it would provide a detached garage 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.

4. Financial Implications

4.1 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 Section 106s (S106) or similar legal documents, are covered elsewhere in the report.

5. Legal Implications

- 5.1 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 None.

APPENDIX

8 Details of the Application

- 8.1 The application seeks permission to construct a detached dual pitched garage within the curtilage of a dwelling. The garage measures 6m in length, 4m wide, 2.1m to the eaves and 3.8m to the ridge. The garage is to be constructed out of reclaimed brick and blue slate with timber doors painted Strelley red. The garage will be positioned to the south of the site, approximately 3m from the boundary with the highway and behind the railings.

9 Site and Surroundings

- 9.1 The application site lies within the Conservation Area of Strelley and is washed over by Green Belt. The detached dwelling formed by the conversion of a former kennels and the dwelling lies to the north east of the site. To the south and west of the plot is an area of grass and hardstanding and the property is in clear view from within the Conservation Area due to decorative metal railings.
- 9.2 Around the Conservation Area of Strelley there are other detached garage, set back from the boundary with the highway, that are constructed using materials and design in keeping with the Conservation Area.
- 9.3 The property is located in a rural location within Nottinghamshire Green Belt. To the east lies The Kennels a locally listed building and to the north is an agricultural barn construction. The wider area around the site is open fields.

10 Relevant Planning History

- 10.1 An application (87/00671/FUL) was approved to convert the barn to single storey cottage.
- 10.2 An application (95/00051/FUL) was approved for a lounge extension.
- 10.3 An application (07/00204/FUL) was approved for new glazing doors to the guest bedroom.
- 10.4 An application (09/00550/FUL) was approved to construct a porch and install a roof over the existing courtyard.

11 Relevant Policies and Guidance11.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

11.1.2 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

- Policy 11: The Historic Environment

11.2 Part 2 Local Plan 2019:

11.2.1 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
- Policy 23: Proposal affecting Designated and Non-Designated Heritage Assets

11.3 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
- Section 16: Conserving and enhancing the historic environment.

12 Consultations

12.1 A site notice was displayed along with an advertisement in the paper. One neighbour was consulted on the application and no formal comments have been received.

12.2 Conservation Officer – Concerns were raised about the shape, size and materials of the garage along with the garage door details. An amended scheme was submitted and the Conservation Officer did not raise any concerns regarding the materials, design or impact on the Conservation Area.

13 Assessment

13.1 The main issues relate to whether or not the principle of the development is acceptable in the Green Belt, whether the garage would conserve or enhance the Conservation Area, whether the design and appearance of the proposal is acceptable and the impact on neighbour amenity.

14 Principle and Green Belt

14.1.1 The application site is located in the Conservation Area of Strelley and is washed over by Green Belt and therefore the principle of development is subject to whether or not it complies with local and national policies.

14.1.2 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 buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport, recreation; extensions to dwellings as

long as it does not result in a disproportionate additions over and above the size of the original dwelling.

- 14.1.3 It is noted the area of the site where the garage would be sited is littered with domestic structures and the construction of the garage would tidy this area up. There is a standard size shed, an area designated to chickens/ducks, water but and other materials.
- 14.1.4 The construction of a detached garage is a new building within Green Belt that is not for agricultural or outdoor sport or recreation use and as such is considered to be inappropriate development in Green Belt.
- 14.1.5 To conclude the detached garage within the domestic curtilage of Nelson Cottage fails to comply with Section 19 of the NPPF (2021) and Policy 8.

15. Conservation Area and design

- 15.1.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 policy 10 states that all new development should be designed to make a positive contribution to the public realm and sense of place, reinforce valued local characteristics and have regard to the local context and be designed in a way that conserves locally and nationally important heritage assets and preserves or enhances their setting. Policy 11 states that proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance. Planning decisions will have regard to the contribution heritage assets can have to the delivery of wider social, cultural, economic and environmental objectives.
- 15.1.2 Part 2 Local Plan 2019 Policy 23 states that proposals affecting a heritage asset and/or its setting will be considered whether the proposals would be sympathetic to the character and appearance of the asset and any feature of special historic, architectural, artistic or archaeological interest that it possesses. Whether the proposals would conserve and enhance the character and appearance of the heritage asset by virtue of siting, scale, building form, massing, height, materials and quality of detail; d) Whether the proposals would respect the asset's relationship with the historic street pattern, topography, urban spaces, landscape, views and landmarks. Whether the proposals would demonstrate high standards of design appropriate to the historic environment.
- 15.1.3 Concerns were raised regarding the design, size, materials along with the position of the detached garage by the Conservation Officer. These concerns were addressed in the amended scheme.
- 15.1.4 The Conservation Officer considers the amended scheme for the detached garage would make a positive contribution to the Conservation Area through the sensitive location of the detached garage, being set against the back drop of an existing wall, the pallet of materials, reclaimed bricks and slates along with the reduction in size of the garage. The Conservation Officer considers that the detached garage would be sympathetic to the character and appearance of the Conservation Area.

16. Amenity

16.1.1 In regards to amenity, as the detached garage has been set in from the highway and is located behind a wall and fence on the eastern boundary with The Kennels, the closest dwelling, to the east. It is considered that the garage would not have any significant impact on the amenity of this dwelling.

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

17 Highway Safety

17.1.1 There is an existing vehicular access to the site and there are no proposed changes to this arrangement. There is adequate turning area within the site to enable a vehicle to enter and exist in a forward gear along with sufficient off road parking for the dwelling.

18 Planning Balance

18.1.1 The benefits of the proposal are that it would provide a garage for the dwelling, would not have any impact on residential amenity and be in keeping with a structure within a Conservation Area. However, this does not overcome the negative impacts on Green Belt as it would be considered as being inappropriate within the Green Belt.

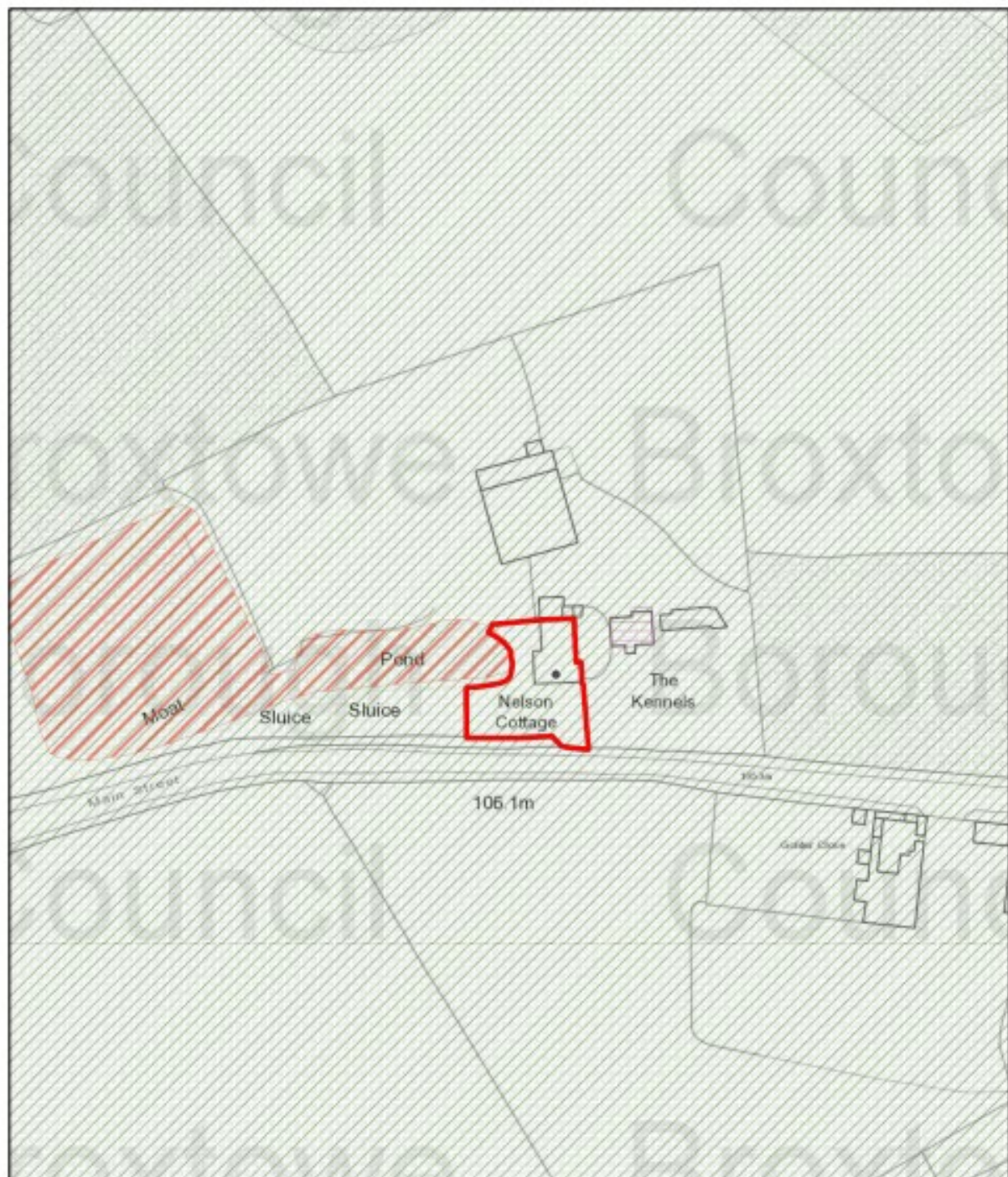
19 Conclusion

19.1 Recommend that planning permission for the development is refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused subject to the following reasons:	
1.	The proposal constitutes inappropriate development within the Green Belt as the construction of new domestic buildings are inappropriate. Very special circumstances have not been demonstrated that clearly outweigh the harm resulting from the inappropriateness of the proposed development and the significant harm upon openness. Accordingly, the proposal is contrary to Policy 8 of the Part 2 Local Plan (2019) and the NPPF (2021) and there are no other material considerations that justify treating this proposal as an exception.
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it in line with adopted policies.

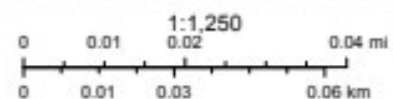
Map

22/00367/FUL - Nelson Cottage Strelley



8/25/2022, 4:20:29 PM

- | | |
|--|---|
|  Green Belt |  Conservation Area |
|  Scheduled Ancient Monument |  Site |
|  Local Interest Building | |



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Photographs



Boundary and access along Main Street



Location of garage



Garden area and views out of site



Boundary treatment with The Kennels



Image of site from street scene – google image

The architectural drawings include the following components:

- Floor Plan:** Shows a rectangular building footprint with a semi-circular protrusion on the left side. Dimensions include a width of 4000 and a depth of 5000. A north arrow is located to the left of the plan.
- Elevation (A):** The front elevation showing a building with a gabled roof, a central entrance with a door, and a window. Annotations include "white painted hardwood steel core shutter" for the door, "solid glass" for the window, and "white painted steel" for the roofline. A note indicates "white painted steel" is required for approval.
- Elevation (B):** The side elevation showing a building with a gabled roof and a side wall. A note indicates "white painted steel" is required for approval.
- Elevation (C):** The rear elevation showing a building with a gabled roof and a side wall. A note indicates "white painted steel" is required for approval.
- Window Details:** A vertical section showing a window unit with a "18 second unit with white spacers" and a "KSC certified hardwood or approved softwood with minimum white paint style finish". A horizontal section shows the window frame and sash.

The top drawing is a detailed roof plan and layout. It shows a rectangular building footprint with a dark grey upper section and a light grey lower section. A car is shown parked on the left side of the building. A north arrow is located to the left of the car. A scale bar at the bottom indicates 0m, 10m, and 20m. The drawing is labeled 'ROOF PLAN & LAYOUT'.

The bottom drawing is a location plan at a scale of 1:1250. It shows the building's location relative to a pond, a road, and a river. The building is highlighted with a red outline. The drawing is labeled 'LOCATION PLAN 1:1250'.

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Report of the Chief Executive

APPLICATION NUMBER:	22/00499/FUL
LOCATION:	1 Queens Road East, Beeston, Nottinghamshire
PROPOSAL:	Construct three storey extension to the existing purpose built student accommodation to create an additional six bedrooms.

1. Purpose of the Report

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

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 consent for the construction of a three storey extension to an existing purpose built student accommodation to create 6 new bedrooms. The site includes an existing purpose built student accommodation comprising of 32 bedrooms. The site is located within the main built up area of Beeston.
- 3.2 The site is in a predominantly residential area including residential properties to the south, west and north-west. To the east includes University of Nottingham sports pitches. The site is located within the Beeston Article 4 Direction area.
- 3.3 The main issues relate to whether the principle of the purpose built student accommodation extension 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.
- 3.4 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 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

- Design and Access Statement
- Flood Risk Assessment
- Transport Statement
- Tree Survey.

APPENDIX**1. Details of the Application**

- 1.1 The application seeks full planning consent for the construction of a three storey extension to an existing purpose built student accommodation to create 6 new bedrooms with associated kitchen and dining facilities.

2. Site and Surroundings

- 2.1 The site includes an existing purpose built student accommodation comprising of 32 bedrooms comprising of 5 cluster flats (19/00799/FUL). The existing site layout includes 10 car parking spaces, external cycle storage and bin storage.
- 2.2 The site is in a predominantly residential area including residential properties to the south, west and north-west. To the east includes University of Nottingham sports pitches, with Queens Road East adjoining the west boundary. Queens Road East in this location is largely characterised by two storey semi-detached dwellings.
- 2.3 The application site is located to the north east of the main built up area of Beeston, with the University of Nottingham being located directly to the north of the site. The University Boulevard tram stop is to the north of the site, providing access to the centre of Beeston as well as the University campus and Nottingham city centre.

3. Relevant Planning History

- 3.1 In January 2019, planning was granted for a purpose built student accommodation consisting of 36 bedrooms within three separate flat roofed blocks all of which four storeys (19/00297/FUL). A revised scheme was granted planning permission for a purpose built student accommodation consisting of 32 bedrooms within three flat roofed blocks including 2 four storey and 1 three storey block (19/00799/FUL).

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

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

Policy A: Presumption in Favour of Sustainable Development

Policy 1: Climate Change

Policy 8: Housing Size, Mix and Choice

Policy 10: Design and Enhancing Local Identity

4.2 Part 2 Local Plan 2019:

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

Policy 1: Flood Risk

Policy 15: Housing Size, Mix and Choice
Policy 17: Place-making, Design and Amenity
Policy 19: Pollution, Hazardous Substances and Ground Conditions.

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

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
Section 9: Promoting Sustainable Transport
Section 12: Achieving well-designed places
Section: Meeting the challenge of climate change, flooding and coastal change.

5. Consultations

5.1 **Broxtowe Environmental Health** – no objections subject to conditions:

- Noise mitigation measures for future occupiers to be in accordance with noise report.
- Restrict construction hours.
- Construction / Demolition Method Statement.

5.2 **Broxtowe Private Sector Housing** – no objections.

5.3 **Broxtowe Waste** – minimum bin size requirements provided. The application has been designed in accordance with these minimum standards.

5.4 **County Highways** – no objections subject to conditioning that the parking and turning areas are provided prior to occupation of the extension.

5.5 **Environment Agency** – site lies within Flood Zone 2 therefore standing advice applies.

5.6 **Resident comments** - 3 objections received raising the following concerns:

- Construction noise/disruption affecting neighbouring properties.
- Lack of parking on site for the size of the scheme.
- Should be affordable housing.
- No need for more student accommodation in this location.
- Existing bin storage area is inadequate.

6. Assessment

6.1 Principle

6.1.1 The site is located within the main built up area of Beeston. The principle of residential development in this location has been established by the previous planning permission granted for 32 bed purpose built student accommodation which is currently occupied (19/00799/FUL).

6.1.2 The proposal would provide 6 additional bedrooms intended for student accommodation. 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 services within the vicinity of the site.

6.2 Design

6.2.1 The site is located on a corner plot off Queens Road East which is highly visible. The proposed extension would be set back from the front elevation of the existing student accommodation building and includes a lower ridgeline than the 4 storeys part of the existing building. The scale of the proposed extension is 3 storeys and is also consistent with the adjoining block. The proposed design features a dual pitched roof which is consistent with residential properties within the vicinity of the site. Use of light grey bricks is proposed for the facing elevations and a dark finish standing seam for the dual pitched roof. Further to this, the proposal includes the reconfiguration of the existing site layout and includes an undercover bin store at ground floor level.

6.2.2 There are limited concerns with regards to the siting, size, scale and design of the proposed dwellings. It is considered that the proposed extension would be a subservient addition to the existing building. The design and materials have been carefully considered to help the proposal integrate with neighbouring residential properties. As a result, it is considered that the proposed design would comply with the requirements contained within 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).

6.3 Amenity

6.3.1 A number of concerns have been raised in relation to the proposal. It should be noted that given the scale of the proposal there are limited concerns with regards to any potential disruption resulting from the proposal. Given the scale of the proposal it is considered not necessary to condition a construction management plan and construction working hours have been added as an advisory note.

6.3.2 The site has no neighbouring properties immediately to the north or east of the site. Residential properties to the west of the site are set away from the boundary of the site by the intervening road, resulting in a separation distance a minimum of approximately 27m. This is considered sufficient to ensure that

the proposal would not result in any unacceptable loss of amenity for the neighbouring properties to the west of the site.

- 6.3.3 The south side elevation of the proposed extension would be approximately 7m from the side elevation of 3 Queens Road East. No windows are proposed in the side elevation of the proposed extension reducing any potential overlooking concerns. This is considered a sufficient separation to ensure there is no loss of amenity for any neighbouring properties to the south. Due to the siting, size, scale and design of the development the proposal is considered not to significantly impact the amenity of any neighbouring properties in terms of any potential overlooking, overbearing or overshadowing impact.
- 6.3.4 With regard to the internal layout of the building, the accommodation would provide each bedroom with access to natural light and to an outlook, and each resident would have access to shared communal space, in the form of a kitchen/living/dining area. Each bedroom would have its own bathroom, and all bedrooms would exceed the 8 square metres minimum as set out in the Council's House in Multiple Occupation (HMO) Property Standards.
- 6.3.5 Amended plans have been submitted to demonstrate undercover bin storage space in accordance with the Council's Waste bin size requirements for the overall development comprising of 38 bedrooms. The proposed extension would be set away from the rear boundary and would not affect any existing trees sited to the east of the development.

7 Flood Risk

- 7.1 Policy 1 of the Part 2 Local Plan states that development will not be permitted in areas at risk from any form of flooding unless: there are no suitable and reasonably available alternative locations for the proposed development in a lower-risk area outside the Green Belt; and in the case of fluvial flooding, the proposal is protected by the Nottingham Trent Left Bank Flood Alleviation Scheme or other flood defences of equivalent quality; and adequate mitigation measures are included. The justification for the policy is that within Beeston and Attenborough there are substantial areas which are within Flood Zones 2 and 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme.
- 7.2 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'.
- 7.3 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. The closest area of flood zone 3 lies on the other side of university boulevard.

- 7.4 The Sequential Test, as set out in planning practice guidance, aims to steer development to areas with lowest risk of flooding. The scope and approach of the sequential test submitted follows the same approach for the existing approved building (19/00799/FUL) identifying sites using the latest Broxtowe Strategic Housing Land Availability Assessment (SHLAA 2020/21). 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).
- 7.5 It is important to note that the existing building was previously granted consent subject to conditioning the finished floor levels shall be set no lower than 27.31m AOD (19/00799/FUL). The FRA submitted in support of this application also recommends that finished floor levels for the development shall be set no lower than 27.31mAOD and flood reliance measures are also recommended to be incorporated into the development and set to a minimum of 27.61mAOD. The proposed drainage strategy includes an attenuation tank to be installed underground to the rear of the proposed extension.
- 7.6 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, proposed floor levels, flood resilient construction and surface water drainage.

8 Highway Safety

- 8.1 No changes are proposed to the existing access that serves the purpose built student accommodation previously granted consent (19/00799/FUL). There are no highway safety concerns with regards to the existing access. The proposed development would reduce the overall number of car parking spaces available on site from 10 to 7 spaces. On-street parking on surrounding streets is controlled by Traffic Regulation Order. Should any displacement occur then it is unlikely to result in a safety issue. County Highways have reviewed the application and provided no objections to the proposed number of car parking spaces. Further to this, cycle storage is located to the rear of the property.
- 8.2 It is noted from the consultation responses concerns have been raised that 7 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 the site is located within easy walking

distance of the University of Nottingham and Beeston town centre, it is not envisaged that any shortfall in parking will result in a highway safety issue.

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

9. Other Matters

- 9.1 Concerns have been raised by local residents in respect of the need for more student accommodation and the overpopulation of students in Beeston. The 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.

- 9.2 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.

- 9.3 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.

10. Conclusion

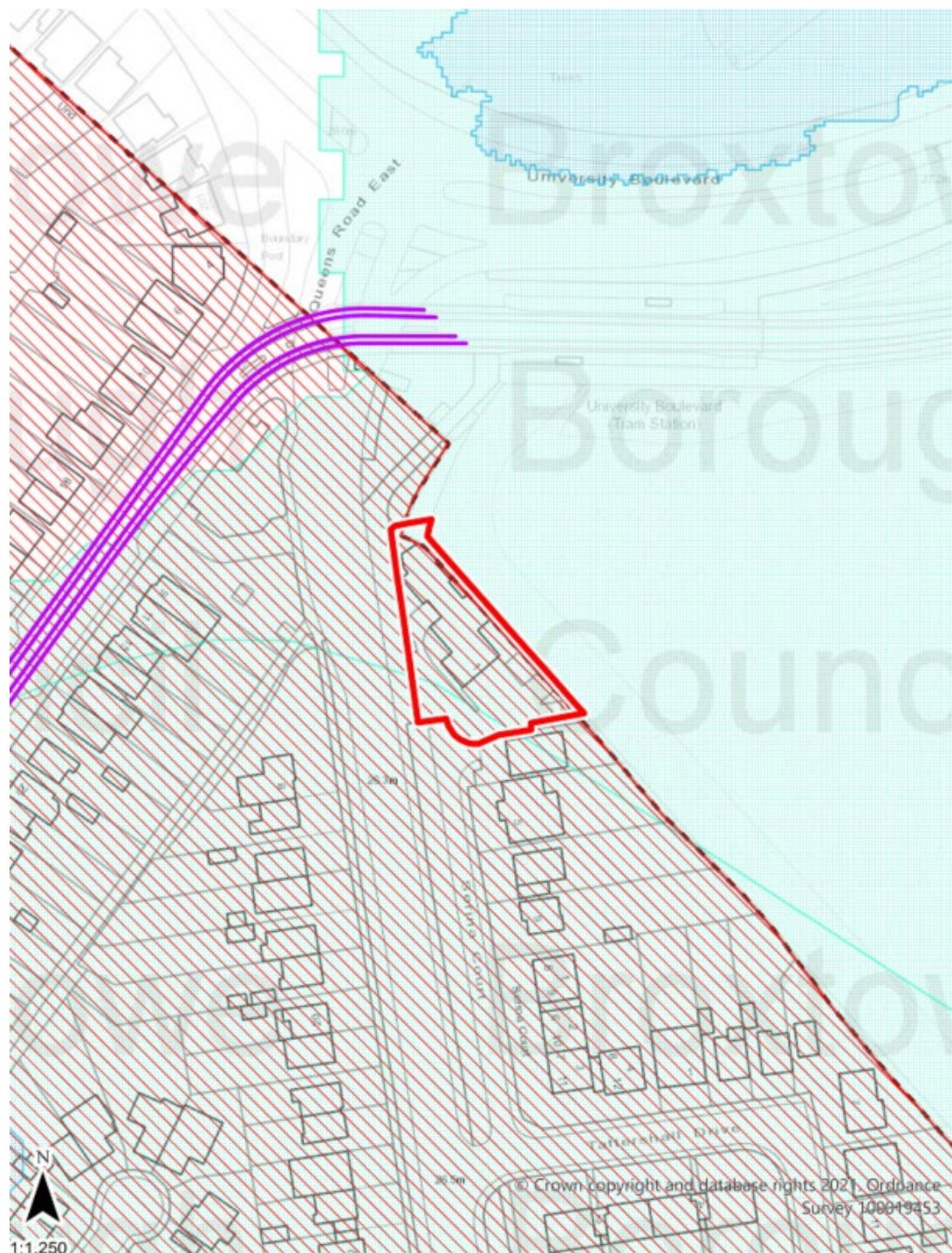
- 10.1 The benefits of the proposal are that the development would provide a good standard of purpose built accommodation, in a highly sustainable location, and which could contribute to the freeing up of dwelling houses which are suitable for long term residents. On-site car parking and cycle storage is proposed.
- 10.2 The proposed extension is considered to be a subservient addition that has been carefully designed in terms of siting, size, scale and design.

- 10.3 Finally, the proposed development has been designed to ensure there is no significant impact in terms of any potential overlooking, overbearing or overshadowing impact.
- 10.4 On balance, it is considered that any potential concerns would be outweighed by the benefits of the scheme, which is considered to be in accordance with the policies contained within the development plan. This is given significant weight.
- 10.5 It is recommended that planning permission is granted, subject to the conditions set out below.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>The development hereby 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>
2.	<p>This permission shall be read in accordance with the following plans: Site Location Plan No. DL/503/000, Existing Floor Plans No. DL/503/310, Existing Elevations No. DL/503/311, Existing Site Black Plan DL/503/100, (All received by the Local Planning Authority 13/06/22), Proposed Floor Plans DL/503/320 Rev. A, Proposed Floor Plans with Dimensions No. DL/503/322 Rev. A, Proposed Elevations No. DL/503/321 Rev. A, Proposed Site Layout GF No. DL/503/301 Rev. B (All received by the Local Planning Authority 06/09/22).</p> <p>Reason: To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.</p>
3.	<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>

4.	<p>The development permitted shall be carried out in accordance with the submitted Flood Risk Assessment (RPS Consulting Services Ltd., dated May 2022) and in particular the following mitigation measures detailed within:</p> <ul style="list-style-type: none"> - Finished floor levels shall be set no lower than 27.31m AOD; - Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61m AOD. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.</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>
5.	<p>The proposed extension shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall then be maintained in accordance with the approved details for the lifetime of the development.</p> <p>Reason: To ensure a satisfactory form of development.</p>
6.	<p>Prior to occupation of the dwellings, noise mitigation measures as detailed in Acute Acoustics Ltd noise assessment dated 20th March 2019, ref 2354 Beeston shall be implemented in full.</p> <p>Reason: To protect the occupiers from excessive environmental noise 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>

Site Location Plan (all plans not to scale)



Legend

- Site Outline
- Tram Route
- Article 4 Direction
- Flood Zone 3
- Flood Zone 2

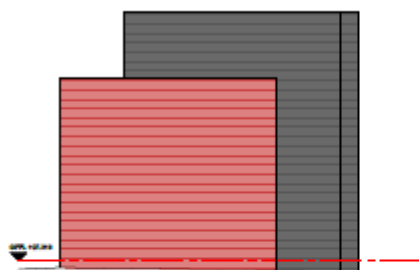
Existing Site Plan



Existing Elevations



Side Elevation (North West)



Side Elevation (South East)

All dimensions must be checked on site.
Do not scale from this drawing.

A Building Control application is required prior to commencement of works, whether via a Building Notice or a Full Plan application. Please contact us should you require further information.

All structural designs to be checked and approved by Building Control prior to commencement of works.

The Party Wall Act may apply where proposed works are on or close to a boundary. The client or a party wall surveyor on their behalf should serve and return an agreed notice to the Party Wall Act. This should be carried out in the required approved time before commencing any works on site. Any further guidance will also be sent to the client.

Building over or close to a public (or shared) water drain or a Sub-Soil Drain is required to be served by Severn Trent Water. Please contact Severn Trent Water Field Office for further details. 0115 2343 534.



Front Elevation (South West)



Rear Elevation (North East)

revision date index here

Proposed Site Plan



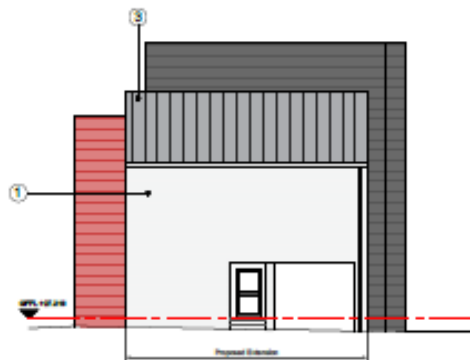
Proposed Floor Plans



Proposed Elevations



Side Elevation (North West)



Side Elevation (South East)

NOTES

All dimensions must be checked on site.
Do not scale from this drawing.

A Building Control application is required prior to commencement of works, either as a Building Notice or a Full Plan application. Please contact us should you require further information.

All structural designs to be carried out by Structural Engineer. Calculations to be checked and approved by Building Control prior to commencement of works.

The Party Wall Act may apply where proposed works are on or close to a boundary. The owner of a party wall or structure on both sides should serve and indicate as required under the Party Wall Act. This should be carried out to the required approved form before commencing any works on site. Note there are no party wall notices in 1000 guidance.

If building over or close to a public (or shared) street then a Build Over Notice is required to be served to Severn Trent Water. Please contact Severn Trent Water Street Office for further details - 0189 2543 834.

- KEY**
- ① Mixed grey brickwork
 - ② Black UPVC windows (to match existing)
 - ③ Metal cladding with roofing grey anthracite



Front Elevation (South West)



Rear Elevation (North East)

See A 3038/25/15: 10m elevation to not subject to automatic alarm

View from Serina Court



Front elevation of adjoining block



Proposed location of extension



Side elevation of neighbour 3 Queens Road



Side elevation of existing student accommodation



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Report of the Chief Executive

APPEAL DECISION

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

RECOMMENDATION BY OFFICER - APPROVE

REASON FOR REFUSAL - The development, by virtue of the scale and massing of the extensions, would be out of keeping with the character of properties in the immediate area, would result in an overbearing impact on the neighbouring properties and would represent an over-intensive development for the size of the plot. In addition, the rear dormer windows would have a detrimental impact on neighbour amenity by virtue of the overlooking. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

LEVEL OF DECISION: PLANNING COMMITTEE

APPEAL DISMISSED

The Inspector considered the main issues to be the impact of the development upon the character and appearance of the area and the living conditions of the occupiers of neighbouring properties in respect of outlook and privacy.

The Inspector considered that the detached appeal building, while having common characteristics typical of the area, is somewhat taller than its neighbours, and especially in relation to the two bungalows which adjoin it, one on Hope Street and the other on Cyril Avenue. Its rendered, off-white, upper area under a hipped roof, located on the corner of Hope Street and Cyril Avenue, give it a somewhat imposing presence in the street scene.

In terms of design, the Inspector stated while the proposed extensions would add significantly to the scale of the host property, it would continue to have a reasonable amount of amenity space around it and in itself, the proposed development would not be disproportionate or unacceptable in design terms. However, the proposed development would significantly change the character and appearance of the host building when appreciated within the street scene. The three-storey glazed front gable would introduce an incongruous element and whilst there are occasional dormer windows in the area, these were small and were the exception to largely unbroken roof lines. Furthermore, the change from a hipped roof to a gable would not accord with the prevailing roof patterns in the area. The proposed raising of the roof by approximately 0.9 metres would also give the building an unsatisfactory visual dominance in the street scene, especially when viewed alongside the bungalows to either side.

In terms of privacy and outlook the Inspector stated, the impact on no. 14 would be the increase to the height of the host building and the proposed single storey extension. The latter, by its limited height would not have a significantly adverse impact upon privacy, and

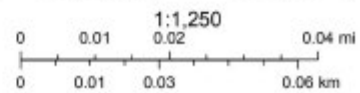
while the increased height of the building would give some adverse impact in terms of outlook, this would be limited to views from the outdoor amenity spaces of the bungalow and when viewed in a sideways direction from the front and rear of the property. And for no 16, the proposed single storey rear extension to the host property would bring the building closer to its boundary with No.16 Cyril Avenue and especially to the latter's rear amenity space. By its single storey height and position, but it would not have a materially harmful effect upon the outlook or privacy of the occupants of the bungalow. However, the incorporation of the box dormer would effectively add another storey to habitable rooms in the appeal property and this, plus the proposed additional overall height to the property, would have a significantly adverse impact upon the outlook and privacy of the occupants of the bungalow. The proposed use of obscure glass to the dormers (though not shown for the roof lights) would reduce the impact upon privacy, but not to outlook.

Therefore, the Inspector concluded that the proposed development would not accord with policy 10 of the Broxtowe Core Strategy 2014 (CS) which requires that new development should reinforce local characteristics and architectural styles, or with policy 17 of Part 2 of the Local Plan 2018 (LP) which requires new development to integrate into its surroundings and to make a positive contribution to the character and appearance of the area. In addition, it would not conform to chapter 12 of the National Planning Policy Framework 2021 (the Framework) which gives great importance to the need for good design, and that it would fail to accord with policy 10 of the Core Strategy and policy 17 of the Local Plan which aim to protect the amenities of the occupiers of neighbouring properties.

12 Hope Street, Beeston



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



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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	21/00909/FUL
LOCATION:	116 Marlborough Road, Beeston, Nottinghamshire NG9 2HN
PROPOSAL:	Change of use from residential (C3) to seven bedroomed House in Multiple Occupation (Sui Generis). Construction of cycle storage, gates and driveway.

APPEAL ALLOWED

The application was recommended for planning permission at Planning Committee on 9 March 2022. The Committee resolved to refuse planning permission for the following reasons:

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

The Inspector considered the main issues were if there is sufficient off-road parking and the effect on living conditions of neighbours in particular regard to noise, on-street parking and bin collection.

The Inspector concluded that the site is highly accessible due to its proximity to Beeston town centre and sustainable transport links. In addition, it was concluded that four off-street parking spaces was sufficient to serve seven residents. It was noted that nearby roads are busy but on-street parking was available. Little evidence was provided to suggest there would be actual harm to highway safety from on-street parking in connection with the property.

The Inspector concluded that although the development is for a larger HMO, this does not imply it will lead to unacceptable effects on living conditions for neighbours. The appeal site is in a densely developed residential area on a busy road close to Beeston town centre. In the context of such background noise levels, the activity generated by seven persons living independent lives is unlikely to be more marked and intensive by comparison to that generated by the occupation of a seven-bedroom dwelling.

The Inspector concluded by stating the following: Concern has been expressed about the loss of a family home adding to an overconcentration of HMOs in the area. However, no evidence has been provided as to the residential profile of the neighbourhood where the appeal site is located to demonstrate that point.

22/00909/FUL 116 Marlborough Road Beeston Nottinghamshire NG9 2HN



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0 0.01 0.03 0.06 km

BROXTOWE BOROUGH COUNCIL DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

**PLANNING APPLICATIONS DEALT WITH FROM
13 AUGUST 2022 TO 16 SEPTEMBER 2022**

CONTENTS

Planning applications dealt with under Delegated Powers

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

BROXTOWE BOROUGH COUNCIL

DEVELOPMENT CONTROL – PLANNING & COMMUNITY DEVELOPMENT

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant	:	Mr Ivan Bone	22/00471/FUL
Site Address	:	6 The Green Chilwell Nottinghamshire NG9 5BE	
Proposal	:	Construct two storey side and front extension and front porch replacement/extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Paul Bucknall	22/00494/FUL
Site Address	:	189 Long Lane Attenborough Nottinghamshire NG9 6BZ	
Proposal	:	Construct single storey rear extension and two storey side and rear extension. Construct porch to front elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr Harbhajan Singh Bains	22/00514/FUL
Site Address	:	43 Bramcote Avenue Chilwell Nottinghamshire NG9 4DW	
Proposal	:	Construct dwelling and associated works, including demolition of existing bungalow (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Ms K Lowde	22/00571/LBC
Site Address	:	Chilwell School Queens Road West Chilwell Nottinghamshire NG9 5AL	
Proposal	:	Listed Building Consent for internal decoration	
Decision	:	Conditional Permission	

Applicant	:	Mrs Anna Warrener	22/00587/PNH
Site Address	:	240 Bye Pass Road Chilwell Nottinghamshire NG9 5HL	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.5 metres, with a maximum height of 3.0 metres, and an eaves height of 2.8 metres.	
Decision	:	PNH Approval Granted	

AWSWORTH, COSSALL & TROWELL WARD

Applicant	:	Mr Roy Bamford	22/00493/FUL
Site Address	:	17 The Meadows Awsworth Nottinghamshire NG16 2RE	
Proposal	:	Conversion of stables into one dwelling	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Berry	22/00556/FUL
Site Address	:	27 Station Road Awsworth Nottinghamshire NG16 2QZ	
Proposal	:	Raise the ridge height of dwelling to facilitate loft conversion including the construction of two rear dormers. Construction of pitched roofs to conservatory and store.	
Decision	:	Conditional Permission	

Applicant	:	Mr & Miss Chris & Ellie Hayes & McNicol	22/00591/CLUP
Site Address	:	30 Derbyshire Avenue Trowell Nottinghamshire NG9 3QD	
Proposal	:	Certificate of Lawfulness for proposed single storey rear extension and first floor rear extension	
Decision	:	Withdrawn	

BEESTON CENTRAL WARD

Applicant	:	Mr Tim Garratt Blackstar Advisory Limited	22/00385/LBC
Site Address	:	74 Broadgate Beeston Nottinghamshire NG9 2FW	
Proposal	:	Demolition of existing cottage and outbuildings	
Decision	:	Refusal	

Applicant	:	Mr King Tang	22/00501/FUL
Site Address	:	Land Adjacent 15 Lambeth Court Beeston Nottinghamshire NG9 2DT	
Proposal	:	Construct two x 2 bedroom dwellings	
Decision	:	Refusal	

Applicant	:	Mr Patrick Crinnigan	22/00525/FUL
Site Address	:	1 Hawthorn Grove Beeston Nottinghamshire NG9 2FG	
Proposal	:	Construct single/ two storey side extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Ms Fang Yang	22/00541/FUL
Site Address	:	44 Queens Road East Beeston Nottinghamshire NG9 2GS	
Proposal	:	Construct single storey front and side extension (revised scheme)	
Decision	:	Conditional Permission	

Applicant	:	Mr H Ashraf	22/00562/FUL
Site Address	:	22 Coventry Road Beeston Nottinghamshire NG9 2EG	
Proposal	:	Retain garage	
Decision	:	Conditional Permission	

Applicant	:	Mr M Younis	22/00576/PNH
Site Address	:	22 Lower Road Beeston Nottinghamshire NG9 2GL	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 7.0 metres, with a maximum height of 3.0 metres, and an eaves height of 3.0 metres.	
Decision	:	Prior Approval Refused	

BEESTON NORTH WARD

Applicant	:	Mr Shafiq Ahrmed	22/00322/FUL
Site Address	:	15 Broadgate Avenue Beeston Nottinghamshire NG9 2HE	
Proposal	:	Construct single storey rear extension, first floor side extension and part hip to gable roof extension including rear dormer	
Decision	:	Refusal	

Applicant	:	Mrs Musarat Nasir	22/00547/PNH
Site Address	:	62 Dennis Avenue Beeston Nottinghamshire NG9 2PR	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.0 metres, with a maximum height of 3.0 metres, and an eaves height of 2.7 metres	
Decision	:	Prior Approval Not Required	

Applicant	:	Mr Matt Marinelli Hofton & Son Ltd	22/00548/FUL
Site Address	:	Land Opposite 7 Coopers Green Beeston Nottinghamshire NG8 2RP	
Proposal	:	Construct dwelling	
Decision	:	Refusal	

BEESTON RYLANDS WARD

Applicant	:	SRL Traffic Systems Limited	22/00461/FUL
Site Address	:	17 Beeston Business Park Technology Drive Beeston Nottinghamshire NG9 1LA	
Proposal	:	Retain 6 condenser units to rear elevation	
Decision	:	Conditional Permission	
Applicant	:	Sinclair	22/00470/FUL
Site Address	:	62 East Crescent Beeston Nottinghamshire NG9 1QA	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Ms Gandy	22/00512/FUL
Site Address	:	35 Ashfield Avenue Beeston Nottinghamshire NG9 1PY	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Nikki Whitfield Upperton Pharma Solutions	22/00520/FUL
Site Address	:	Unit 3, 5 And 11 Beeston Business Park Technology Drive Beeston Nottinghamshire NG9 1LA	
Proposal	:	External alterations to Units 3, 5 and 11, including external fire escape stairwells, 9 flues within roof, construction of plant compound and substation, and associated equipment	
Decision	:	Conditional Permission	

BEESTON WEST WARD

Applicant	:	Mr Guy Surfleet Everards	21/00877/FUL
Site Address	:	Crown Inn 20 Church Street Beeston Nottinghamshire NG9 1FY	
Proposal	:	Retain 12m x 9m white marquee to car park	
Decision	:	Conditional Permission	
Applicant	:	Mr Andrew Groves	22/00326/FUL
Site Address	:	89 Park Road Chilwell Nottinghamshire NG9 4DE	
Proposal	:	Construct single storey rear/side extension	
Decision	:	Conditional Permission	
Applicant	:	Totally Tapped Robert Witt Totally Tapped	22/00391/FUL
Site Address	:	104 Chilwell Road Beeston Nottinghamshire NG9 1ES	
Proposal	:	Change of use to craft beer pub	
Decision	:	Conditional Permission	
Applicant	:	Ms Catherine Burrett	22/00496/FUL
Site Address	:	37 Elm Avenue Beeston Nottinghamshire NG9 1BU	
Proposal	:	Construct single storey side extension and detached garage following demolition of current side and rear extensions and garage	
Decision	:	Conditional Permission	
Applicant	:	MR RASSAM ALI RASSAMS CREAMERY	22/00508/ADV
Site Address	:	Unit 1 2 Station Road Beeston Nottinghamshire NG9 2WJ	
Proposal	:	Display 2 illuminated signs	
Decision	:	Conditional Permission	
Applicant	:	Specsavers Specsavers Optical Stores	22/00535/FUL
Site Address	:	4 Chilwell Road Beeston Nottinghamshire NG9 1EF	
Proposal	:	Proposed installation of 8 no. AC condensing units	
Decision	:	Conditional Permission	
Applicant	:	Specsavers Specsavers Optical Stores	22/00536/ADV
Site Address	:	4 Chilwell Road Beeston Nottinghamshire NG9 1EF	
Proposal	:	Proposed internally illuminated fascia sign & internally illuminated projecting sign.	
Decision	:	Conditional Permission	

Applicant	:	Mr Dino Labbate Swish Architecture Ltd.	22/00574/FUL
Site Address	:	New Vernon House Vernon Avenue Beeston Nottinghamshire NG9 2NS	
Proposal	:	Demolition of existing building and erection of 8 No. apartments over four storeys	
Decision	:	Conditional Permission	
Applicant	:	Mr Rob Heath	22/00608/CAT
Site Address	:	2 West End Beeston Nottinghamshire NG9 1GL	
Proposal	:	T8 - Large Lime Tree reduce by 2-3m, lift to 4m and crown clean.	
Decision	:	No Objection	
Applicant	:	Mr Bok Gan	22/00609/CAT
Site Address	:	4 West End Beeston Nottinghamshire NG9 1GL	
Proposal	:	T1 Conifer Reduce by 3-4m in height and trim back as much as possible before going brown and overhang into 9 Grange Avenue.	
		T2 Cotoneaster reduce overhang boundary with 9 Grange Avenue garden	
		T3 Conifer trim back as much as possible before going brown.	
Decision	:	No Objection	
Applicant	:	Ms H Durham	22/00633/FUL
Site Address	:	20 Lacemaker Road Chilwell Nottinghamshire NG9 1DZ	
Proposal	:	Construct boundary fence	
Decision	:	Conditional Permission	
Applicant	:	Surfleet	22/00642/CAT
Site Address	:	Crown Inn 20 Church Street Beeston Nottinghamshire NG9 1FY	
Proposal	:	T1 Sycamore: Fell to ground level this tree is causing the wall to collapse.	
		T2 Sycamore: Crown lift to 3.0m	
		T3 Sycamore: Crown lift to 3.0m	
Decision	:	No Objection	
BRAMCOTE WARD			
Applicant	:	Mr Frankie Labbate	22/00446/FUL
Site Address	:	102 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Construct front boundary wall and access gates	
Decision	:	Conditional Permission	
Applicant	:	Mr and Mrs Cunningham	22/00456/FUL
Site Address	:	17 Finsbury Road Bramcote Nottinghamshire NG9 3FZ	
Proposal	:	Construct Single Storey Side and Front Extensions and Detached Garage to the Rear.	
Decision	:	Conditional Permission	
Applicant	:	Mr Gren Ireson	22/00482/FUL
Site Address	:	61 Bankfield Drive Bramcote Nottinghamshire NG9 3EH	
Proposal	:	Construct front porch	
Decision	:	Conditional Permission	
Applicant	:	Mr Darren Hurrell	22/00515/FUL
Site Address	:	116 Derby Road Bramcote Nottinghamshire NG9 3HP	
Proposal	:	Construct single/ two storey side and two storey rear extensions with dormer to rear elevation (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Ms Pui Chung	22/00558/CAT
Site Address	:	The Old Cottage Common Lane Bramcote Nottinghamshire NG9 3DT	
Proposal	:	Application to fell lombardy poplar tree to ground level	
Decision	:	No Objection	

Applicant	:	Mr Richard Adams North Sands Developments Ltd	22/00588/CAT
Site Address	:	88 Cow Lane Bramcote Nottinghamshire NG9 3BB	
Proposal	:	Application to fell trees numbered T6 (Holly), T13 (Yew), T14 (Leyland Cypress), T15 (Leyland Cypress), T16 (Cherry Laurel), T17 (Holly), T18 (Holly), T19(Yew)	
Decision	:	No Objection	

BRINSLEY WARD

Applicant	:	MR Daniel Rotariu	22/00377/FUL
Site Address	:	184 Broad Lane Brinsley Nottinghamshire NG16 5BE	
Proposal	:	Construct single storey rear extension with solar panels on roof and raised patio area	
Decision	:	Conditional Permission	

Applicant	:	Sarah and Luke Meakin	22/00491/FUL
Site Address	:	11 Whitehead Drive Brinsley Nottinghamshire NG16 5AW	
Proposal	:	Construct raised roof with dormers to front and rear elevation and insertion of Juliette balcony to west elevation, to facilitate loft conversion. Increase height of roof to porch. External alterations to windows and doors to the rear elevation	
Decision	:	Conditional Permission	

Applicant	:	Mr J O'Neil	22/00497/FUL
Site Address	:	54 Mansfield Road Brinsley Nottinghamshire NG16 5AE	
Proposal	:	Retain stable block on land rear of 44 to 46 Mansfield Road	
Decision	:	Conditional Permission	

Applicant	:	Mr Gavin Hall The Go Between (Brinsley) Ltd	22/00504/FUL
Site Address	:	1 Moor Road Brinsley Nottinghamshire	
Proposal	:	Retain canopy to provide covered seating area for micro pub	
Decision	:	Conditional Permission	

Applicant	:	Mr A Brudenell	22/00518/CLUP
Site Address	:	32 Cherry Tree Close Brinsley Nottinghamshire NG16 5BA	
Proposal	:	Certificate of Lawfulness for proposed flat roof dormer to the rear elevation	
Decision	:	Withdrawn	

CHILWELL WEST WARD

Applicant	:	Mr Colin Taylor Taylor Built Homes Limited	22/00266/REM
Site Address	:	Land Adjacent 378 High Road Chilwell Nottinghamshire NG9 5EG	
Proposal	:	Construct one dwelling (reserved matters appearance, landscaping, layout and scale - planning reference 19/00811/OUT)	
Decision	:	Conditional Permission	

Applicant	:	Mr Dilraj Athwal	22/00468/FUL
Site Address	:	12 Orton Avenue Bramcote Nottinghamshire NG9 3DW	
Proposal	:	Construct rear / side single storey extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Dickinson	22/00551/FUL
Site Address	:	147 Haddon Crescent Chilwell Nottinghamshire NG9 5JR	
Proposal	:	Construct first floor side and front extension	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs David Paterson	22/00581/FUL
Site Address	:	8 Lark Close Chilwell Nottinghamshire NG9 4GJ	
Proposal	:	Construct single storey front extension and external alterations to front elevation of garage	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant	:	Mr & Mrs Divall	21/00977/FUL
Site Address	:	Land Off Grange Fields Farm Mansfield Road Eastwood Nottinghamshire NG16 5AE	
Proposal	:	Removal / demolition of all existing buildings and structures and change of use to construct holiday lodge	
Decision	:	Conditional Permission	

Applicant	:	Mr & Mrs Joe Smereka Josef Architecture Ltd	22/00421/FUL
Site Address	:	86 Baker Road Newthorpe Nottinghamshire NG16 2DP	
Proposal	:	Construct ground floor front and rear extension and hip to gable roof conversion with dormer windows.	
Decision	:	Refusal	

Applicant	:	Robert Bryan	22/00473/FUL
Site Address	:	18 Brackenfield Drive Giltbrook Nottinghamshire NG16 2US	
Proposal	:	Construct extension to existing double garage.	
Decision	:	Conditional Permission	

Applicant	:	Sophie Mead	22/00474/ADV
Site Address	:	519 Unit 1 Nottingham Road Giltbrook Nottinghamshire NG16 2GS	
Proposal	:	Display 2 illuminated signs and 1 internally illuminated totem	
Decision	:	Conditional Permission	

KIMBERLEY WARD

Applicant	:	Mr Stuart Lacey	22/00345/FUL
Site Address	:	9 Beverley Drive Kimberley Nottinghamshire NG16 2TW	
Proposal	:	Construct single storey side & rear extensions	
Decision	:	Conditional Permission	

Applicant	:	Mr S Midgley Fairgrove Developments Limited	22/00452/FUL
Site Address	:	Site Of Kimberley Brewery Hardy Street Kimberley Nottinghamshire	
Proposal	:	Construct one dwelling (plot 10)	
Decision	:	Conditional Permission	

Applicant	:	Miss Vicky Alhadeff	22/00500/FUL
Site Address	:	26 Alma Hill Kimberley Nottinghamshire NG16 2JF	
Proposal	:	Garage conversion into residential offices	
Decision	:	Conditional Permission	

Applicant	:	MR CONNOR MEE	22/00522/FUL
Site Address	:	18 Hillcrest Close Watnall Nottinghamshire NG16 1JN	
Proposal	:	Retain Front Porch	
Decision	:	Conditional Permission	

Applicant	:	Mrs Carla Campbell	22/00526/FUL
Site Address	:	31 Park Avenue Kimberley Nottinghamshire NG16 2PW	
Proposal	:	Change of use of summer house and coal shed to nano brewery (Class B2)	
Decision	:	Refusal	

Applicant	:	Mr And Mrs Topham	22/00546/PAAP1
Site Address	:	9 Wetherby Close Kimberley Nottinghamshire NG16 2TZ	
Proposal	:	Enlargement of dwelling by construction of one additional storey	
Decision	:	Withdrawn	

NUTHALL EAST & STRELLEY WARD

Applicant : Liza Burgon 22/00382/FUL
Site Address : 101 Nottingham Road Nuthall Nottinghamshire NG16 1DN
Proposal : **Construct two storey side and part rear extension and conversion of existing garage to habitable room**

Decision : **Conditional Permission**

Applicant : Mr Jagdish Patel 22/00472/FUL
Site Address : 14 Willesden Green Nuthall Nottinghamshire NG16 1QF
Proposal : **Retention of boundary wall to the front and side boundary. Insertion of metal railings between the piers**
Decision : **Conditional Permission**

STAPLEFORD NORTH WARD

Applicant : MR K POSHNJA 22/00502/FUL
Site Address : 142 Pasture Road Stapleford Nottinghamshire NG9 8GQ
Proposal : **Construct single storey rear and two storey side extension and erect new boundary fence and gates.**
Decision : **Conditional Permission**

Applicant : Mr T. Broster Peveril Homes 22/00503/FUL
Site Address : Field Farm Ilkeston Road Stapleford Nottinghamshire NG9 8JJ
Proposal : **Erection of substation in connection with residential development**
Decision : **Conditional Permission**

Applicant : Mr Mark Wright 22/00539/FUL
Site Address : 187 Pasture Road Stapleford Nottinghamshire NG9 8HZ
Proposal : **Dropped kerb**
Decision : **Conditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Jamie Lakin 22/00329/CLUP
Site Address : 32 Pinfold Lane Stapleford Nottinghamshire NG9 8DL
Proposal : **Certificate of proposed development to erect cabin**
Decision : **Approval - CLU**

Applicant : Mr Connor Bourne 22/00498/FUL
Site Address : 11 Nottingham Road Stapleford Nottinghamshire NG9 8AB
Proposal : **Change of use of ground floor to Tattoo Studio (Sui Generis use)**
Decision : **Conditional Permission**

STAPLEFORD SOUTH WEST WARD

Applicant : Ms Elizabeth Meadows 22/00545/FUL
Site Address : 12 Hawthorne Avenue Stapleford Nottinghamshire NG9 7GP
Proposal : **Retain installation of air source heat pump**
Decision : **Conditional Permission**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr Ian Raven 22/00218/FUL
Site Address : 23 Cleve Avenue Toton Nottinghamshire NG9 6JH
Proposal : **Construct one replacement dwelling**
Decision : **Conditional Permission**

Applicant : Mr L Hart Skinvasion Tattoo 22/00399/FUL
Site Address : 357 Nottingham Road Toton Nottinghamshire NG9 6EG
Proposal : **Change of Use from hairdressing to tattoo and piercing studio**
Decision : **Conditional Permission**

Applicant : Mr Bilan 22/00453/FUL
Site Address : 10 Kirkland Drive Chilwell Nottinghamshire NG9 6LX
Proposal : **Construct second floor and three storey front, single/ two-storey rear and side and first floor/single storey side extensions and external alterations (revised scheme)**
Decision : **Conditional Permission**

WATNALL & NUTHALL WEST WARD

Applicant : Mr Paul Singh 22/00532/VOC
Site Address : Temple Lake House 53A Kimberley Road Nuthall Nottinghamshire NG16 1DA
Proposal : **Variation of condition 2 (The development hereby permitted shall be carried out in accordance with the numbered drawings) of Reference Number: 19/00619/FUL**
Decision : **Conditional Permission**

Applicant : Mr Rob Buttress 22/00544/P3JPA
Site Address : 3 Kimberley Road Nuthall Nottinghamshire NG16 1DA
Proposal : **Prior Notification under Class MA - Change of use from part Commercial, Business and Service (Class E) to residential use (Class C3)**
Decision : **Prior Approval Not Required**

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