

Report of the Chief Executive

APPLICATION NUMBER:	22/00160/FUL
LOCATION:	Former New Jerusalem Church, Grove Street, Beeston, Nottinghamshire
PROPOSAL:	Construction of 9 flats following demolition of former place of worship

1.1 Purpose of the Report

Councillor S Dannheimer and Councillor T A Cullen have requested this application be determined by Committee.

1.2 Recommendation

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

1.3 Detail

- 1.3.1 The application is seeking permission to construct a residential block of nine flats following the demolition of a former place of worship (The New Jerusalem Church).
- 1.3.2 The site consists of a single storey building on a corner plot of Grove Street and Dovecote Lane. The surrounding land is made up of hardstanding and is enclosed by fencing, gates and hedging. There is a Tree Protection Order (TPO) tree in the southern corner of the site. The site is surrounded by residential properties. The site is located within Flood Zones 2 and 3, which is land with a high probability (1 in 100 or greater) of river flooding.
- 1.3.3 The main issues relate to whether the principle of the replacement building for residential properties would be acceptable, if there is an acceptable level of design, an acceptable level of amenity with existing neighbours and for new occupants, sufficient parking is provided and if the development is acceptable in flood risk terms. These matters alongside others will be explained in more detail below.
- 1.3.4 The principle of residential development, for between one and nine dwellings, has been established under the approval of a planning in principle application (PIP), reference 18/00748/PIP. A PIP application only requires the Local Planning Authority (LPA) to consider the location, land use and amount of development. All other details are subject to a 'technical detail's' consent application; however, this was not submitted.
- 1.3.5 The benefits of the proposal would mean an existing site that is outside of the Green Belt and is currently unoccupied, is utilised for the purposes of residential accommodation. In addition, the site is in a sustainable location with close access to public transport and Beeston town centre reducing reliance on private vehicles. Furthermore, the layout would provide an acceptable standard of living for the future occupiers. The development would be in accordance with the policies

contained within the development plan which is given significant weight. There would be some impact on neighbour amenity but this is outweighed by the benefits of the scheme.

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

- Tree Survey, Arboricultural Method Statement and Arboricultural Impact Assessment
- Bat Survey
- Design and Access Statement
- Topographical Survey
- Flood Risk Assessment.

APPENDIX**1 Details of the Application**

- 1.1 The application is seeking permission to construct a residential block of nine flats following the demolition of a former place of worship (The New Jerusalem Church).
- 1.2 The building will consist of three storeys with a flat roof, stepped in from the southern corner from the TPO tree and stepped down from three to two storeys next to no. 67 Dovecote Lane. Each flat will either have one or two bedrooms, a kitchen/living/dining room and bathroom. Two flats will have a study. There will be eight parking spaces, a bin store and cycle store to the rear of the site, accessed from Grove Street.
- 1.3 The design of the building will reflect a contemporary style which was amended during the course of the application from a more traditional style property. This will be discussed in more detail below.

2 Site and surroundings

- 2.1 The site is a corner plot to the north of the junction of Grove Street and Dovecote Lane. A single storey building with an attached L shape annexe building to the rear currently occupies the site. The main building has a pitched roof with gable ends and the annexe has a lower hipped roof. The building is set back slightly from both Dovecote Lane and Grove Street and has an associated parking area to the rear, accessed from Grove Street.
- 2.2 The area is residential in character, with larger detached and semi-detached properties occupying well-proportioned plots, with enclosed front and rear gardens. To the north west is no. 67 Dovecote Lane, a two storey detached dwelling of late 19th Century. The property has its' main entrance plus two habitable room windows at ground floor level within the facing elevation.
- 2.3 The Hylands Hotel complex sits to the rear of the site, and extends through to Queens Road, wrapping round the side of no. 67 Dovecote Lane. The complex comprises of the main buildings (two pairs of former semi -detached properties) known as nos. 303 to 309 Queens Road, which face that road, and no. 10 Grove Street, one half of a semi-detached property, which is located to the rear of the application site but sited some distance from the common boundary. There is a single storey detached garage building associated with the hotel sited directly adjacent to the common boundary. A grassed amenity area to the rear and side of the garage form a buffer to the parking area for the hotel.
- 2.4 On the opposite side of Grove Street, to the south east, is number 73 Dovecote Lane, a two storey Victorian semi-detached dwelling, which has accommodation in the roof. The side elevation of this property faces the site. There are five habitable room windows in this elevation, three above ground floor level, and two each at ground floor and first floor in the facing elevation of the two storey annexe to the rear.

- 2.5 To the north east of this property is number 17 Grove Street, a detached bungalow thought to be built post 1980.
- 2.6 To the south east of the site, on the opposite side of Dovecote Lane and facing the site, there is a terrace of two storey dwellings of early 20th Century. These properties have a mix of brick and render, with mock Tudor features.
- 2.7 To the north east of Grove Street there is a mix of development from Victorian style properties to newer style detached/semi-detached properties and blocks of flats. Permission was granted for 9 flats (19/00631/FUL) in May 2020. A revised application for 13 flats was agreed (21/00133/FUL) at December 2021 planning committee subject to a Section 106 which has yet to be signed.

3 Relevant Planning History

- 3.1 Outline permission (74/00504/OUT) was granted in December 1974 to use the land to site a church.
- 3.2 Planning permission (75/00345/FUL) was granted in June 1975 to construct a church and ancillary accommodation.
- 3.3 Planning permission (86/00598/FUL) was granted in October 1986 to replace the flat roof with a pitched roof to part of church. 98/00578/FUL
- 3.4 Planning permission (98/00578/FUL) was granted in December 1998 to demolish the ancillary hall and kitchen and create additional car parking space.
- 3.5 Permission in principle (18/00748/PIP) was granted in January 2019 for residential development of between 1 and 9 dwellings.

4 Relevant Policies and Guidance

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

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

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

4.2 Part 2 Local Plan

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

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

4.3 National Planning Policy Framework (NPPF) 2021:

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

5 Consultations

5.1 Council's Tree Officer: The Sycamore protected by TPO/BEE/24 shown as T1 will require a crown lift and a crown thin as detailed within the tree report. There are numerous telephone lines that pass through the canopy, therefore, the crown thin should address this problem to relieve congestion around the lines.

If the recommendations and guidance contained within the tree report are followed, no objections are raised to the proposal.

5.2 Council's Landscape Officer: no comments to raise.

5.3 Council's Environmental Health Officer: no objection subject to a condition requiring a noise report due to the proximity of the site to Queens Road due to traffic noise levels. Advise a condition in respect of working hours and the submission of a construction/demolition statement. Advisory in respect of prohibiting burning waste.

5.4 Councils Private Sector Housing Officer: no objection. Would advise that the second floor, one bedroom flat has the means of escape exit door adjacent to the kitchen, also the bedroom door opens directly into the lounge/kitchen. Ideally the layout be flipped around so the bedroom opens into a hall way near exit door and kitchen/lounge behind a door at the rear.

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

5.6 Nottinghamshire County Council as Highways Authority: refer to standing advice, no comments to make.

5.7 The Environment Agency: first response: object. The submitted Flood Risk Assessment (FRA) does not meet the requirements as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA fails to consider the following:

- Consider how people will be kept safe from the identified flood hazards. Acknowledge that the finished floor level (FFL) is set 600mm above the 1 in 30% climate change flood level. However, the ground floor still remains at risk during a 1 in 100 year 50% CC event. The proposals incorporate self-contained flats at ground floor with more vulnerable sleeping accommodation placing occupants at risk. In this instance, refer to the Greater Nottingham SFRA Addendum which has the following guidance for new residential development within Flood Zone 3.

- Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event as well as safe access and egress routes.

Second response: no objection. Can confirm that the finished floor levels are acceptable and look to be sufficiently raised above existing ground levels to provide appropriate freeboard above the 1 in 100 year + 30% climate change breach event. Satisfied that the proposals more closely meet the requirements for finished floor levels as set out within the Greater Nottingham Strategic Flood Risk (GNSFRA) Addendum for new residential development.

Advise conditions in respect of the finished floor levels, flood resilience measures being incorporated and that a flood response plan/evacuation plan is agreed with the Local Planning Authority and Emergency Planners to ensure safe evacuation of future occupants.

5.8 Seven neighbours were consulted on the application and a site notice and amended site notice were posted. Fifteen objections, 5 observations and 1 supportive comment were received which can be summarised as follows:

- Three storeys is too high, two storeys would be more appropriate
- Sense of enclosure
- Loss of privacy
- Overlooking from windows
- Noise and disturbance from nine families living on site and construction
- Loss of daylight/sunlight
- Taller than surrounding buildings which will cause overshadowing
- Oppressive
- Not in keeping with surrounding Victorian properties
- No flats on Dovecote Lane
- Huge, 'boxey', flat roof design is inappropriate
- Should reflect a traditional design
- Too dominant
- Unsympathetic design
- Inadequate consideration of TPO tree
- Inadequate landscaping proposed
- Reduction in wildlife
- Insufficient parking
- Area suffers from parking problems due to proximity to train station, The Victoria pub and surrounding developments, including the upcoming Maltings development which has insufficient parking itself
- Increase in traffic and congestion in an already busy area and route
- Road is used as a cut through
- Road is already hazardous for pedestrians, children and cyclists
- Need residents only parking
- Fails to meet Broxtowe Local Plans parking guidance in appendix 4
- Part of national cycle route
- Solar panels will lose light and be compromised
- Would welcome houses on site
- Street scene drawing is deceptive and attempts to make the development more visually appealing/ less dominant

- Proposal fails to deal with constraints of the site
- No reference to materials or architectural features of surrounding buildings
- Constrained by parking provision
- Photos in D+A Statement are selective in the view provided
- Fails to meet national space standards
- No plans have been provided to show building corresponding to surrounding buildings heights
- No details of affordability of flats claimed by the proposal
- Development should provide affordable homes
- Increased pressure on drainage and sewerage
- Increased flood risk
- Live close to application but wasn't notified of it
- Good use of a site that has a deteriorating building on it

5.9 An email was received on behalf of Darren Henry MP, requesting a response to a neighbour's concerns in regards to the impact the building would have on their amenity. The concerns of the neighbour were considered, the plans were amended accordingly and a response was returned to the MP's office.

6 Assessment

6.1 The main issues are considered to be the principle of the proposed development, if the development is acceptable in flood risk terms, the design and layout, parking and the relationship to neighbouring properties.

6.2 **Principle**

6.2.1 Policy 8 of the Broxtowe Aligned Core Strategy (2014) encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the area. Grove Street is characterised by varying styles and sizes of properties including traditional Victorian style houses and more modern apartment blocks that range from two to three storeys in height. The application site is surrounded by more traditional style properties but to the north east, this traditional style becomes more dispersed with more new build properties and flats.

6.2.2 The site is within an existing residential area and provides an opportunity to provide additional housing outside of the Green Belt. There is also a need to increase housing supply which sites such as this can help deliver. The provision of nine flats on this brownfield site is considered to be a benefit in terms of contributing to the provision of homes in the borough, especially given its proximity to Beeston train station and Beeston town centre where there are regular trams/buses.

6.2.3 It is evident from concerns raised that there is a preference for a traditional style development as opposed to contemporary. However, there is no requirement for this development to replicate the appearance and style of immediate surrounding properties. There are numerous examples of development that have been accepted within the borough that reflect contemporary design within

more traditionally designed areas. This will be discussed in more detail in the design section below.

- 6.2.4 There is a proposal of eight car parking spaces for nine flats. Whilst there is a shortfall of one space for one flat, it is considered, given the location of the site, that the amount of parking is sufficient to serve the site and will not pose a highway safety risk.
- 6.2.5 The site has received permission in principle for up to nine flats (18/00748/PIP) in January 2019 which establishes the principle of residential development on the site.
- 6.2.6 The Environment Agency has not raised any objection to the application.
- 6.2.7 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will also provide an additional nine residential units within an existing settlement in a sustainable location, close to Beeston town centre and public transport links. It is considered the proposed flats will not have an adverse effect on neighbour amenity and the design, massing, scale and appearance are considered to be acceptable (as detailed below). The principle of the development is therefore considered to be acceptable.

6.3 Flood Risk

- 6.3.1 The site is located within Flood Zone's 2 and 3 which is land with a high probability (1 in 100 or greater) of river flooding. A Flood Risk Assessment has been submitted with the application. Paragraph 159 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere.
- 6.3.2 Within Beeston 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. Sequentially, it is considered the site is acceptable and it is considered a positive that this location minimises additional development in the Green Belt in Broxtowe. Furthermore, this application makes good use of a brownfield site in an existing residential area. Therefore, when assessing whether other sites are 'reasonably available', this site can be viewed as a 'sustainability benefit' and the Green Belt must be treated as a major constraint.
- 6.3.3 In relation to access and egress/ evacuation, the FRA states the following: "*safe access and egress is unlikely to be possible due to the flood depths on the surrounding roads. It is therefore likely that the building will be required to provide safe refuge areas until an evacuation can be made or until the floodwater subsides. The site is within an area where the EA offers a flood warning service; it is recommended that any future inhabitants sign up to this service.*" The agent further stated that the only option for the safe refuge is within the building which is provided by the finished floor levels which are above the 1 in 100 year + 50% climate change level.

- 6.3.4 The Environment Agency (EA) initially raised concerns and objected to the application due to the ground floor level not being raised to a sufficient height to account for the risk at a 1 in 100 year 50% climate change event and not providing sufficient detail on flood warning and evacuation as well as safe access and egress routes.
- 6.3.5 The plans were amended to incorporate a sufficient ground level and further information was provided on safe access and egress routes. The Environment Agency removed their objection and confirmed they were satisfied the proposal was more closely met the requirements for finished floor levels as set out within the Greater Nottingham Strategic Flood Risk (GNSFRA) Addendum for new residential development. They advised conditions in respect of the finished floor levels being no lower than 0.9m above ground level, incorporating flood resilience measures as set out in the FRA and a flood response/evacuation plan being submitted to the LPA. It is considered necessary to incorporate the conditions in respect of the floor levels and resilience measures but unnecessary for further details to be provided for an evacuation plan. It is considered the information provided is sufficient that that a condition in respect of requesting an evacuation plan is unnecessary for the development to be safe in flood risk terms.
- 6.3.6 To conclude, within Beeston there are substantial areas which are within Flood Zone 3 but have a high degree of protection against flooding due to the Nottingham Trent Left Bank Flood Alleviation Scheme. A failure to permit residential development on sites such as this which are protected by good quality flood defences, and have a site specific FRA demonstrating the development is acceptable on flood risk grounds, will lead to alternative locations being required in less sustainable locations, including the Green Belt. It is considered that the development would be compliant with the requirements of the NPPF in relation to flood risk.

6.4 Design

- 6.4.1 A number of concerns have been raised in regards to the proposal of a contemporary style development in this location. However, when referring to design in this context it should mainly relate to proportions, scale and massing more than the appearance and taste. This is not to say the appearance isn't considered but it means that the appearance of a new development should not have to replicate the traditional design of neighbouring properties for it to be acceptable. This is reflected in the appeal decision (LPA ref: 21/00364/FUL, Appeal ref: APP/J3015/W/22/3290140) which was allowed for two flats that were of a contemporary style on Cyprus Avenue in Beeston which is situated on a road that is relatively traditional in character. The reason for refusal referred to the contemporary design and being out of character with the surrounding area which constituted traditional design. The Inspector responded to this by stating the following points:
- *The proposed building has clearly been designed to be visually contemporary and contrasting with the prevailing built form*

- *I acknowledge that the building would be architecturally different – both in terms of design and potential materials palette – compared to the wider street scene. However, just because something is different is in itself not justification for dismissing a small residential development within a residential area.*

- 6.4.2 Whilst it is acknowledged that this is a different site and application (and each application is determined on its own merits), it demonstrates that the principle of contemporary development can be acceptable in predominantly traditionally designed areas and that existing styles do not have to be replicated in order for a development to reflect an acceptable level of design. However, as mentioned above, Grove Street does incorporate a mix of different style properties to the north east which include purpose built flats and newer style properties which are not strictly a Victorian style. Furthermore, there has been the approval of a three storey apartment block for nine flats under 19/00631/FUL which fronts onto Grove Street.
- 6.4.3 Concerns have been raised in respect of the proposed building being too domineering and that it should be reduced to two storeys in height. However, although the building will be three storeys in height, it will still be shorter in height than no. 73 Dovecote Lane which is a semi-detached house. There are a mix of different heights of buildings within the immediate area and it is considered the proposal of an apartment block that has a maximum height of 9.8m is acceptable that it will not appear out of keeping in terms of its height.
- 6.4.4 The building will step down from three to two storeys next to no. 67 Dovecote Lane which is considered to break up the massing between the two buildings. The proposed apartment building, at its tallest height, will be approximately 0.6m taller in height than no. 67 which is considered to be an acceptable difference that it will not appear overbearing in comparison to this property in the street scene.
- 6.4.5 Adjoining the north east of the site is a single storey garage and amenity area belonging to the Hylands Hotel. Beyond this there is an access road and a pair of semi-detached houses. There is a large visual break in the street scene that the proposal of a three storey building up to the north east boundary is considered to be acceptable in that it will not appear hemmed in or overbearing in the street scene.
- 6.4.6 During the course of the application, the plans were amended following feedback that the initial design appeared relatively bland and that a more striking, contemporary design building would be more achievable. It is considered the proposed contemporary design is acceptable in that the dominance and height of the building has been reduced, the roof has been simplified but the proposed material pallet breaks up the overall expanse of the elevations. The proposed materials will be conditioned to ensure samples are provided in advance of above ground works commencing. The fenestration is relatively symmetrical that this reflects a balanced appearance of the overall appearance.
- 6.4.7 The layout of the building is considered to be acceptable that it responds appropriately to the site forming a L-shape which wraps around the corner of

Dovecote Lane and Grove Street. The car parking area will be largely obscured from the public realm which is considered to be a positive feature of the development in that it reduces the visibility of cars associated with the flats and the amount of hardscaping.

- 6.4.8 To conclude, it is considered the design and layout of the building is acceptable and responds to the plot size and will not appear out of character with the area. Whilst it is acknowledged it does not strictly follow the traditional design of some of the surrounding properties, it is considered this is acceptable given that Grove Street has a varied mixed of traditional styled properties, including purposed built apartment blocks.

6.5 **Amenity**

- 6.5.1 A number of concerns have been received in relation to the impact on amenity in regards to noise and disturbance, overlooking, being overbearing and loss of daylight and sunlight.

- 6.5.2 The property that will be mostly impacted by the proposed flats will be no. 67 Dovecote Lane. No. 67 is a detached house positioned to the north west of the site. It is considered the amended plans have incorporated changes to ensure there is now an acceptable level of amenity afforded between the two buildings. The proposed flats have been stepped down to two storeys next to no. 67 which means this part of the building aligns with the eaves of no. 67. The overall height of the building is approximately 0.6m taller at its highest point than no 67 but this is stepped away from no. 67. The buildings will have a 3.5m separation distance and it will be 6.5m from no. 67 to the three storey element which is considered to be acceptable separation distances. No. 67 extends approximately 2.7m beyond the rear of the south west wing of the building. The south east wing of the building will be approximately 14m no. 67 and 10.6m from the boundary shared with no. 67. It is considered these separation distances are acceptable that there will not be a detrimental impact on the amenity of no. 67. The north west (side) elevation of the part of the building closest to no. 67 will be blank. The north west (rear) elevation of the building will have windows facing towards the rear garden of no. 67; however, the majority of the windows at first and second floor will serve a corridor serving access to the flats. Two bedroom windows at first and second floor serving flats 6 and 9 will face the end of the rear garden of no. 67. Whilst it is acknowledged they will be able to view the garden, the windows will have an oblique view of the primary rear amenity space of no. 67 which is most likely to be occupied. Considering the separation distances and the above, it is considered the flats will not result in a detrimental amount of overlooking. The first floor bathrooms windows will be conditioned to be obscurely glazed and the ground floor windows serving primary rooms will be partially obscured by a 1.8m high fence. However, landscaping details will be conditioned. It is acknowledged there will be an impact on the amenity of no. 67 Dovecote Lane but due to the layout and design of the building, it is considered this will not be detrimental.

- 6.5.3 Whilst it is acknowledged there will be windows serving primary rooms in the elevations facing outwards onto Dovecote Lane and Grove Street, the intervening roads and separation distances are considered to reduce the level

of overlooking to an acceptable level. Furthermore, it is accepted that there will be mutual overlooking from other houses facing the site and from outward facing windows onto the roads.

- 6.5.4 It is considered the building has been appropriately designed in regards to its height in relation to the surrounding buildings that it will not cause a sense of enclosure or be overbearing.
- 6.5.5 Concerns have been raised that the flats do not meet the Government's Technical Housing Standards for space requirements. Whilst a prediction of how many people occupying one flat cannot be made, the below is assumed based on the lowest occupancy in line with the Government's space standards.

Flat	No. of bedrooms	Square metres	National Standard* Square Metres
1	2	56.9	61
2	1	42.7	39
3	1	42.7	39
4	2	56.9	61
5	1	47.2	39
6	2	60.3	61
7	1	35.8	39
8	1	47.2	39
9	2	60.3	61

**National Space Standards from Depart for Communities and Local Government Technical Housing Standard – Nationally Described Space Standard*

- 6.5.6 The concerns raised in regards to space standards were shared with the agent and two of the flats were amended to change a bedroom into a study (flats 5 and 8).
- 6.5.7 It is considered the flats will provide an acceptable level of amenity for future occupants of the site with outward facing windows and an acceptable floor space and whilst some of the flats will fall short of the national space standards, it is still considered an acceptable level of amenity has been afforded. The layout of the flats is considered to be relatively spacious and the overall site is considered to not be overdeveloped and well-spaced out. Furthermore, Dovecote Lane recreation ground is within walking distance of the flats for outdoor amenity space. The above space standards are not adopted with Broxtowe's policies and therefore although some fall short of these standards, for the reasons stated above, it is considered the flats will allow for an acceptable level of amenity for future occupants.
- 6.5.8 It is considered the building is a sufficient distance from all other properties that there will not be a detrimental impact on the amenity of any neighbours as a result of the proposed development.

6.6 Highways

- 6.6.1 It is evident within the consultation responses that there is concern that the development has insufficient parking provision which will lead to increased demand for on-street parking which would be detrimental to the area.
- 6.6.2 In relation to assessing the highway impacts of a proposal, paragraph 111 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 107 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.6.3 It is considered the proposal of eight parking spaces for nine flats is acceptable, especially given the sustainable location of the site which is close to Beeston town centre with access to regular bus/tram services and being within walking distance of Beeston train station.
- 6.6.4 Whilst it is acknowledged there will be an increase in traffic on Grove Street as a result of this development and a combination of other developments, it is still considered there is sufficient parking to ensure this will not be to the detriment of highway safety. Furthermore, it is considered the amount of traffic caused by nine additional flats would not be refusable based on the possibility of more traffic accidents, especially given the level of parking provided.
- 6.6.5 It is considered the proposed development will not cause a significant risk to highway safety, pedestrians or cyclists. The parking is contained within the site and there is one access point from Grove Street which is positioned away from the junction with Dovecote Lane. Cars travelling around this area are likely to be travelling at lower speeds due to the them being side roads. It is considered the proposal of nine additional flats in this location will not pose a significant highway safety risk.
- 6.6.6 It is considered the number of car parking spaces is acceptable that there will not be a detrimental impact on highway safety as a result of the development.

6.7 Other Matters

- 6.7.1 The below considers neighbour's comments and other matters that have not already been addressed in the report.
- 6.7.2 It is considered the amount of noise and disturbance associated with nine additional flats would not be detrimental that it would warrant refusal, furthermore, Environmental Health has not raised any concerns with this. In relation to construction noise, a construction/demolition statement will be required to be submitted and the working hours will be restricted to control noise within an acceptable time period.

- 6.7.3 Broxtowe Local Plan (2004) has now been superseded by both the Aligned Core Strategy (2014) and Part 2 Local Plan (2019) and the policies contained within the plan are no longer relevant.
- 6.7.4 The introduction of parking permits is dealt with by Nottinghamshire County Council as Highways Authority.
- 6.7.5 The existing site is already largely hardscaping and therefore the introduction of any soft landscaping would be a benefit to the site. The TPO tree will be retained to the front and the Tree Officer has advised that the recommendations of the tree survey are agreed with. Works to the tree are advised but this would be subject to an application being submitted. A condition will be imposed requesting details of landscaping which will include soft landscaping, boundary treatments and details of the bin/cycle store.
- 6.7.6 A plan has been provided to show the building in context of no. 67 and 73 Dovecote Lane which is considered sufficient to provide context of the height of the building.
- 6.7.7 There is no requirement for the flats to be affordable as this is not a major scheme.
- 6.7.8 A sufficient consultation process was carried out, adjoining neighbours were consulted and two site notices were posted (initial notice and amended notice) which meets statutory guidelines.
- 6.7.9 The information provided within the application is considered to be sufficient in determining it.
- 6.7.10 The plans have been amended to consider the solar panels on the south east roof slope of no. 67. It is considered the building stepping down to two storeys next to this slope is sufficient to allow light to be received by the solar panels.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide nine additional homes within an existing urban area and would support short term benefits such as jobs during the construction of the proposed dwellings and would be in accordance with policies contained within the development plan. Whilst it is acknowledged there will be some impact on the amenity of neighbours, this is outweighed by the benefits of the scheme and due to its location within a sustainable area.

8 Conclusion

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

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	<p>1. 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>
<p>2.</p>	<p>The development hereby permitted shall be carried out in accordance with drawings:</p> <p>Received by the Local Planning Authority on 15 March 2022:</p> <ul style="list-style-type: none"> - Site Location Plan (1:1250) <p>Received by the Local Planning Authority on 13 September 2022:</p> <ul style="list-style-type: none"> - JG/TH/2021/066/02 Rev D <p>Received by the Local Planning Authority on 4 October 2022:</p> <ul style="list-style-type: none"> - JG/TH/2021/066/01 Rev C <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>No development shall commence until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the construction period. The Demolition and Construction Method 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 the development; e) a scheme for the recycling/disposal of waste resulting from construction/ demolition works; and f) details of dust and noise suppression to be used during the construction phase. g) a report identifying any asbestos and documenting its safe removal. <p><i>Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided</i></p>

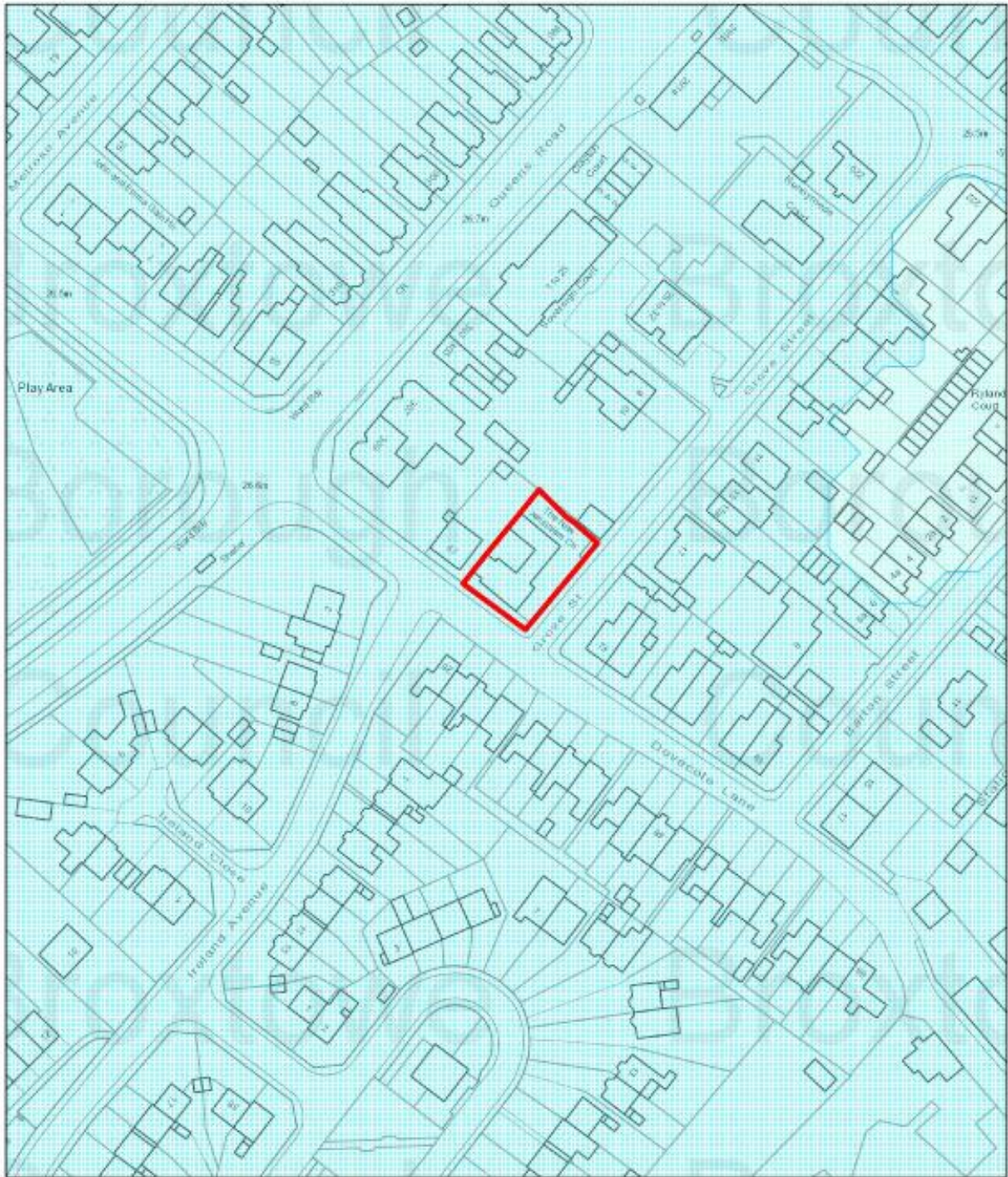
	<i>before development commences to ensure that the details are satisfactory, in the interests of highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
4.	<p>No development shall 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). 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 in perpetuity.</p> <p><i>Reason: No such details were submitted with the application, to protect occupiers from excessive external noise and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
5.	<p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p><i>Reason: No such details were submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
6.	<p>No above ground works shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> a) numbers, types, sizes and positions of proposed trees and shrubs b) details of boundary treatments; c) proposed bin and cycle stores; d) proposed hard surfacing treatment; e) planting, seeding/turfing of other soft landscape areas; and f) timetable for implementation of the scheme. <p>The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning</p>

	<p>Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).</i></p>
7.	<p>No works shall commence until the protective tree fencing as shown on page 10 of the Tree Survey, Arboricultural Method Statement (AMS) and Arboricultural Impact Assessment (AIA) under Appendix 3 – Tree Protection Specification has been erected in the position shown on page 14 annotated “position of protective fencing as shown in appendix 3”. The fencing shall be retained in this position until the completion of the construction of the building.</p> <p><i>Reason: To reduce the risk of damage to a TPO tree and in accordance with Policy 31 of the Part 2 Local Plan and Policy 17 of the Aligned Core Strategy (2014).</i></p>
8.	<p>The finished floor levels shall be set no lower than 0.9m above ground level in accordance with drawings: JG/TH/2021/066/02 Rev D and Flood Resilience measures shall be incorporated into the design of the building as detailed in paragraph 5.5.4 of the submitted Flood Risk Assessment by Michael Evans & Associates LTD ref: 21-668 dated 13 January 2022 received by the Local Planning Authority on 4 March 2022.</p> <p><i>Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
9.	<p>The windows in flats 9 and 6 serving en-suites shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of neighbour amenity and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
10.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.</p> <p><i>Reason: To minimise disturbance to neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part</i></p>

	<i>2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i>
	<u>NOTE TO APPLICANT</u>
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 waste on site is prohibited.
3.	The future owners/occupiers of the proposed dwelling should sign up to the Environment Agency's Flood Warning Direct Service.
4.	As this permission relates to the creation of a new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
5.	Any works to a TPO tree must receive consent from the Local Planning Authority in advance of works being carried out.

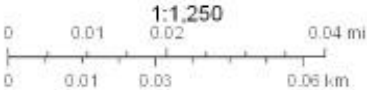
Map

22/00160/FUL Grove Street



10/4/2022, 4:09:27 PM

-  Flood Zone 2
-  Flood Zone 3
-  Site



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Photos



South/south west view of site



View towards north east boundary of site



North east boundary of site



South east elevation of church



No. 67 to the left, south west elevation of church



South west elevation of building

Plans (not to scale)

PROPOSED ELEVATIONS
SCALE 1:100



FRONT (GROVE STREET)



SIDE (DOVECOTE LANE)



SIDE



REAR

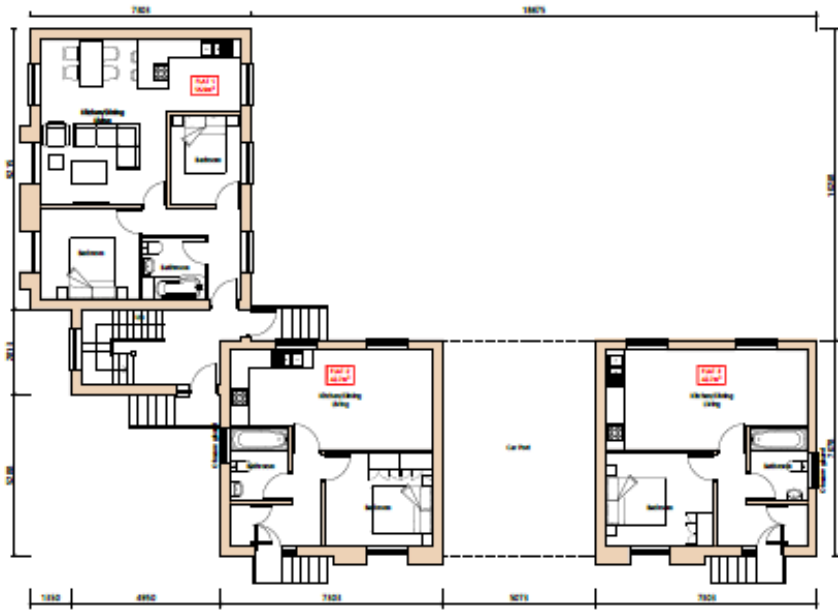
PROPOSED STREET SCENE
SCALE 1:100



Plans (not to scale)



PROPOSED GROUND FLOOR PLAN
SCALE 1:100



Proposed Plans (not to scale)

PROPOSED SECOND FLOOR PLAN
SCALE 1:100

PROPOSED FIRST FLOOR PLAN
SCALE 1:100

