



Broxtowe
Borough
COUNCIL

Broxtowe Borough Council

Authority Monitoring Report

1 April 2022 – 31 March 2023

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Broxtowe BC Authority Monitoring Report 2022-2023

This Authority Monitoring Report (AMR) comprises three sections:

- Introduction and compliance with legal requirements;
- Policy monitoring indicators;
- Summary of appeal decisions.

Introduction and Compliance with Legal Requirements

This AMR is prepared in accordance with Section 35 of the Planning and Compulsory Purchase Act 2004, Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004.

This legislation requires the AMR to include information on:

- the implementation of the Local Development Scheme (LDS),
- policies that the local planning authority are not implementing,
- NET additional dwellings,
- neighbourhood development orders and neighbourhood development plans,
- the Community Infrastructure Levy,
- the 'duty to co-operate',
- the significant environmental effects of the authority's plans.

Information regarding the implementation of the Authority's LDS

Broxtowe's Local Plan is in two parts. Part 1, the 'Aligned Core Strategies (ACS) for Broxtowe, Gedling and Nottingham City, was adopted in September 2014. The Part 2 Local Plan was adopted in October 2019. The Part 1 Plan is currently being reviewed which will result in the production of the Greater Nottingham Strategic Plan. Three 'Regulation 18' consultations have been undertaken, with a 'Regulation 19' consultation on a publication draft proposed to take place in early 2024. A review of the Part 2 Local Plan will follow. The LDS will be amended to indicate the intended timescales for these reviews.

Information on policies in the Local Plan which we are not implementing

All the policies in the ACS and the Part 2 Local Plan are being implemented.

Information on net additional dwellings

Full details of the provision of dwellings are included in the Council's [Strategic Housing Land Availability Assessment \(SHLAA\)](#), which is available on the Council's website.

Information on neighbourhood development orders and neighbourhood development plans that have been made

The information below is based on progress **up to the end of March 2023**. No neighbourhood development orders are being prepared in Broxtowe. Several neighbourhood development plans are being prepared. The following table gives information on the progress of these neighbourhood plans.

Table 1: Progress of Neighbourhood Plans in the Borough

Stage	Parish									Neighbourhood Forum	
	Awsworth	Brinsley	Trowell	Eastwood	Nuthall	Greasley	Kimberley	Stapleford	Cossall	Bramcote	Chetwynd: Toton and Chilwell
Area Application Submitted to Broxtowe	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Area Consultation	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Area Designation	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
Forum Application Submitted to Broxtowe	-	-		-	-	-	-	-	-	✓	✓
Forum Consultation	-	-		-	-	-	-	-	-	✓	✓
Forum Designation	-	-		-	-	-	-	-	-	✓	✓
Pre-Submission Consultation	✓	✓			✓	✓	✓		✓	✓	✓
Draft Plan submitted to Broxtowe	✓				✓				✓		✓
Draft Plan Consultation	✓				✓						✓
Plan at Examination	✓				✓						✓
Examiners Report Published	✓				✓						
Referendum	✓				✓						
Adoption	✓				✓						

Information regarding any report prepared under the Community Infrastructure Levy Regulations 2010

The Council has not prepared such a report. Options for CIL remain under consideration.

Actions taken regarding co-operation with other Local Planning Authorities, County Councils, bodies and persons prescribed

The Council is a member of the Joint Planning Advisory Board (JPAB) for Greater Nottingham. Membership of JPAB includes all the County, City, District and Borough Councils in Greater Nottingham. The role of the Board is “to facilitate the sustainable development and growth of Greater Nottingham by discharging the Duty to Co-operate (S110 of the Localism Act), and advising the constituent councils on the alignment of planning work across the Greater Nottingham area and other spatial planning and transport matters of mutual concern”. JPAB oversees the work of all authorities in Greater Nottingham on strategic planning policy issues. This includes: the preparation of the Greater Nottingham Strategic Plan; liaison with other East Midlands authorities; commissioning evidence on issues such as employment, retail and gypsies & travellers; and liaison with other organisations such as the D2N2 Local Enterprise Partnership (LEP), Homes England and the Environment Agency.

At officer, level the Council is involved in regular meetings within the Greater Nottingham Planning Partnership, the Nottinghamshire Policy Officers Group and the Nottinghamshire Development Management Officers Group, all of which co-operate on planning issues of inter-authority importance.

The Council also co-operates with adjoining authorities and other organisations as and when required on specific issues, such as Green Belt Reviews, the implications of major developments and the drafting of Local Plan policies.

To monitor the significant environmental effects of the implementation of each plan

The ACS includes monitoring indicators relating to each policy in the Plan. These are reported on in the next section of this AMR. In a few cases ACS monitoring indicators which are not considered to be relevant have been omitted. This enables European legislative requirements to be complied with and helps to identify any “unforeseen adverse effects” of the Plan, as required by the Regulation.

Policy Monitoring Indicators

This section details the monitoring indicators for policies in the Part 2 Local Plan, in the order in which they appear in the Plan, as well as policies in the ACS, together with information relating to these indicators. In some cases, relevant information is not available for the current year, however the Council is revising its monitoring arrangements and further relevant information will be included in future AMRs.

1. Flood Risk

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 certain criteria apply. List of permissions in flood risk areas granted contrary to Environment Agency advice.

Table 2: Applications Granted Contrary to Environment Agency Advice 2022-2023

Application Number	Site Address	Description	Note
23/00155/FUL	Meadow Lodge, 23 Meadow Road, Beeston. Nottinghamshire NG9 1JP	Change of use from residential care home (Class C2) to 9 no. residential apartments (Class C3). Construct single storey side / rear extension	The objection was received after planning permission was granted. Flood risk was considered as part of the application

In addition, as indicated in the Aligned Core Strategy, the list of developments incorporating Sustainable Drainage Systems (SuDs).

Table 3: Developments Incorporating Sustainable Drainage Systems (SuDs) 2022-2023

Application Number	Site Address	Description
21/00758/FUL	Broadgate House, Broadgate, Beeston, Nottinghamshire NG9 2HF	Change of use to 84 bed student accommodation (Class C4 HMO including an additional floor)
20/00844/OUT	Former Site Of Lynncroft Primary School, Garden Road, Eastwood, Nottinghamshire	Outline planning application with all matters reserved to construct up to 110 dwellings with access from Lynncroft
21/00672/REM	Boots Campus, Beeston, Nottinghamshire	Construct 397 dwellings (reserved matters relating to reference 14/00515/OUT - plots R1 to R11 inclusive and plots G2, 3 and 4 only)

Application Number	Site Address	Description
22/00540/FUL	Lock Up Garages, Middleton Street, Beeston, Nottinghamshire NG9 1BB	Construct three storey detached building to accommodate 10 apartments and provision of parking area to rear
22/00593/FUL	Central College Nottingham, High Road, Chilwell, Nottinghamshire NG9 4AH	Conversion of part of existing college to residential accommodation to provide 65 apartments. Construction of a 2/3 storey apartment building to provide 15 apartments. Construction of 6 semi-detached houses and one dormer bungalow. Reconfiguration of site to include access roads and hard/soft landscaping (revised scheme)
22/00346/REM	Land West Of Awsworth (inside The A6096), Including Land At Whitehouse Farm, Shilo Way, Awsworth, Nottinghamshire	Construct 250 dwellings (reserved matters in relation to appearance, landscaping, layout and scale)
22/00619/REM	Land Adjacent And North West Of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire	Construct residential development. Reserved matters relating to outline planning permission reference 20/00352/OUT - approval of details relating to appearance, landscaping, layout and scale
22/00602/FUL	Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire NG9 3GJ	Demolition of existing buildings and erection of 60 dwellings including access and drainage infrastructure, substation, open space and GCN mitigation (revised scheme)

2. Site Allocations and Housing Deliveries

Policies 2-7 in the Part 2 Local Plan make site allocations. This section covers aspects of these policies that need to be monitored. The table below shows the site allocations made in the Part 2 Local Plan in each settlement area and the number of new homes built this financial year and housing deliveries as indicated in the Aligned Core Strategy.

Table 4: Housing Trajectory against ACS Requirement 2011-2023

Financial Year	ACS Requirement	Cumulative ACS Rate	Built	Cumulative Built Rate
2011-2012	100	100	140	140
2012-2013	100	200	67	207
2013-2014	360	560	150	357
2014-2015	360	920	78	435
2015-2016	360	1,280	100	535
2016-2017	360	1,640	285	820
2017-2018	360	2,000	324	1,144
2018-2019	430	2,430	215	1,359
2019-2020	430	2,860	192	1,551
2020-2021	430	3,290	253	1,804
2021-2022	430	3,720	302	2,106
2022-2023	430	4,150	322	2,428

Table 5: Site Allocations and Housing Deliveries

Settlement	Number of Homes Built 2011-2022	Number of Homes Built (NET) 2022-2023	Total Supplied 2011-2023	Core Strategy Requirement by 2028
Main Built Up Area (MBA)	1,165	191	1,356	Minimum 3,800
Awsworth	34	-	34	Up to 350
Brinsley	17	28	45	Up to 150
Eastwood	689	90	779	Up to 1,250
Kimberley	192	13	205	Up to 600
Other Rural	9	-	9	No requirement
Total	2,106	322	2,428	6,150

More details can be found in the [SHLAA](#).

3. Development in the Green Belt

Policy 8 of the Part 2 Local Plan states that applications for development in the Green Belt will be determined in accordance with the NPPF. Here in this section we are indicating the number of permissions granted contrary to Green Belt policy by the Council and by inspectors, as well as any land removed from the Green Belt as indicated in the Aligned Core Strategy.

Table 6: Permissions Granted Contrary to Green Belt Policy 2022-2023

Application Number	Site Address	Description	Granted by
22/00139/FUL	68 Awsworth Lane, Cossall, Nottinghamshire NG16 2RZ	Single storey side & rear extension to existing dwelling	Committee Decision
21/00350/FUL	Park View Cottage, Main Street, Strelley, Nottinghamshire NG8 6PE	Erect side/rear extension following demolition of shed and outbuilding	Committee Decision
22/00021/FUL	143 Moorgreen, Newthorpe, Nottinghamshire NG16 2FF	Construct single storey side extension	Committee Decision
22/00179/FUL	56 Main Road, Watnall, Nottinghamshire NG16 1HT	Construct single storey side & rear extensions	Committee Decision
22/00333/FUL	5 Barlow's Cottages Lane, Awsworth, Nottinghamshire NG16 2QW	Construct two storey side extension	Committee Decision
22/00367/FUL	Nelson Cottage, Main Street, Strelley, Nottinghamshire NG8 6PD	Construct single detached garage	Committee Decision
22/00758/FUL	107 Babbington Lane, Kimberley, Nottinghamshire NG16 2PT	Construct two storey front and side extensions and balcony to rear.	Committee Decision
22/00649/FUL	25 Mansfield Road, Nether Green, Eastwood, Nottinghamshire NG16 3DW	Construct two storey side extension	Committee Decision

- No land was removed from the Green Belt in 2022-2023.

4. Regeneration

As part of the Aligned Core Strategy Policy 7, Regeneration will be focused on specific sites that deliver major schemes, and the completion of site or certain elements of it (e.g. sq. m of office development) is a monitoring indicator.

In the Regeneration policy of the Aligned Core Strategy it refers to the Boots / Severn Trent site in Broxtowe. No elements of this development were completed in 2022-2023, except that the main road through the Boots site is now accessible. There is outline planning permission (14/00515/OUT) for a mixed use development on the site.

5. Retention of Good Quality Existing Employment Sites

Policy 9 of the Part 2 Local Plan states that retention of good quality existing employment sites is essential to the borough. This section will cover employment floor space as well as employment and qualifications for monitoring from the Part 2 Local Plan and the Aligned Core Strategy.

Here in the tables below, we are indicating the amount of completions (floor space) and type of B and the new equivalent E(g) Class employment completions lost to other uses on Employment and Protected Employment sites.

Table 7: Employment Land Lost to Other Uses 2022-2023

Site Address		Floor Space Lost to Other Uses (m ²)			Total
		E(g) (B1)	B2	B8	
Former Dyeworks Site, West End Street, Stapleford	m ²	-	-3483	-	-3483
Total		-	-3483	-	-3483

Below is the NET gain and loss completions (floor space) of B and the new equivalent E(g) Class employment provision by type within the Borough, this includes industrial and warehouse development, not on Employment and Protected Employment sites.

Table 8: Employment Land, NET Gain and Loss 2022-2023

Type	GROSS Amount (m ²)		NET Total
	Gain	Loss	
E(g) (B1)	-	-246	-246
E(g)(i) (B1(a))	94	-2556.5	-2462.5
E(g)(ii) (B1(b))	-	-	-
E(g)(iii) (B1(c))	-	-49	-49
B2	-	-	-
B8	-	-5268.3	-5268.3

* E(g)(i-iii) (B1(a-c)) are not always broken down on applications, so above the breakdown is shown where it has been indicated

The table below shows available supply of unimplemented application gains, for industrial and warehouse floor space at the end of 2022-2023 and NET change in supply, completed applications at the end of 2022-2023, as indicated in the Aligned Core Strategy.

Table 9: Industrial and Warehouse Land 2022-2023

	Available Supply (ha)		
	B2	B8	Total
Hectares	0.36	0.43	0.79
	NET Change in Supply (ha)		
	B2	B8	Total
Hectares	-	-	-

The table below, shows the total amount of additional B1/B1a and the new equivalent E(g) classes for office floor space completions, as indicated in the Aligned Core Strategy.

Table 10: Additional E(g)/B1/B1a Office Floor Space 2022-2023

Site Address	E(g)/E(g)(i) (B1/B1a) (m ²)
School Bungalow, Newdigate Street, Kimberley, Nottinghamshire NG16 2NJ	94
Total	94

For the Aligned Core Strategy, it indicated to look at data for overall jobs in the plan area. It also included looking at the percentage of the working age population with NVQ level 2 or above. For all this information it can be located here: www.nomisweb.co.uk

Planning permissions for strategic sites, as indicated in the Aligned Core Strategy, are provided below.

- 14/00515/OUT An outline application for Boots at Beeston has been granted planning permission. The Outline application for mixed-use development comprising: up to 82,000sqm of employment floor space, comprising office units (E); research and development (E); industrial process (E); general industrial (B2); storage and distribution (B8); residential institutions (C2); non-residential institutions (E/F1); up to 2,500sqm retail & food/drink (E and sui generis); up to 675 residential units (C3); and associated works including demolition of existing structures; earthworks; remediation; access; car parking; pedestrian and cycle routes; open space; utilities; sustainable drainage systems. A Reserved Matters application (reference 21/00672/REM) was approved in December 2022.

- 11/00758/OUT An outline planning permission at Field Farm for 450 dwellings was granted in 2014 and Reserved Matters applications have subsequently been approved for parts of the site. Phase 1 for 118 dwellings which has been completed and Phase 2 for 132 dwellings is currently under construction. A Reserved Matters application 22/00601/REM for 200 dwellings was approved April 2023.

6. Town Centre Uses

Policy 10 of the Part 2 Local Plan indicates its intention to encourage higher density development in more compact centres. The section below shows completions for the proportion of use classes (the new E classes and the older A1, A2, etc.) by floor space in the 'main town centre' ground floor units **within the Town and District Centre boundaries**.

Table 11: Floor Space in Town and District Centres within Non-Prime Frontage 2022-2023

Class Type	Town Centre m ²	District Centre m ²	Total m ²
E(a) (A1)	-	334	334
F.2	-	-	-
E(c) (A2)	-	-	-
E(b) (A3)	-	-	-
Sui Generis (A4)	-	-	-
Sui Generis (A5)	-	-	-
E(g) (B1)	-	-	-
Total	-	334	334

The table below shows the proportion of use classes (the new E classes and the older A1, A2, etc.) completions by floor space in the 'main town centre' units **within the primary frontage of the Town and District Centres**.

Table 12: Floor Space in Town and District Centres within Primary Frontage 2022-2023

Class Type	Town Centre m2	District Centre m2	Total m2
E(a) (A1)	120.2	-	120.2
F.2	-	-	-
E(c) (A2)	-	-	-
E(b) (A3)	-	-	-
Sui Generis (A4)	-	-	-
Sui Generis (A5)	112	75.56	187.56
E(g) (B1)	-	-	-
Total	232.2	75.56	307.76

The table below indicates the number and type of permissions (the new E classes and the older A1, A2, etc.) granted at **upper floor level** for 'main town centre use' or housing **within the Town and District Centre boundaries**.

Table 13: Permissions Granted at Upper Floor Level 2022-2023

Class Type	Town Centre Permissions	District Centre Permissions	Total Permissions
E(a) (A1)	-	-	-
F.2	-	-	-
E(c) (A2)	-	-	-
E(b) (A3)	-	-	-
Sui Generis (A4)	-	-	-
Sui Generis (A5)	-	-	-
E(g) (B1)	-	-	-
E(g)(i) (B1a)	-	-	-
C3	1	2	3
Total	1	2	3

The table below indicates the amount of retail floor space completed (the new E classes and the older A1, A2, etc.) **outside of the defined Town and District Centre boundaries**, as indicated in the Aligned Core Strategy.

Table 14: Floor Space Outside Town and District Centres 2022-2023

Amount of Retail Floor Space Completed	m ²
E(a) (A1)	232.4
F.2	-
E(c) (A2)	50
E(b) (A3)	60
Sui Generis (A4)	98
Sui Generis (A5)	-
Total	440.4

7. Proposals for Retail in Edge-of-Centre and Out-of-Centre Locations

Policy 13 of the Part 2 Local Plan supports the emphasis on the viability and vitality of these areas. This section reports the number of permissions and the amount of floor space completed (the new E classes and the older A1, A2, etc.) in the **Edge-of-Centre and Out-of-Centre Locations**.

Table 15: Floor Space Permitted in Edge-of-Centre Locations 2022-2023

Amount of Completed Units within Edge-of-Centre:	Completions m ²	Number of Permissions
E(a) (A1)	-	-
F.2	-	-
E(c) (A2)	-	-
E(b) (A3)	-	-
Sui Generis (A4)	-	-
Sui Generis (A5)	-	-

Table 16: Floor Space Permitted in Out-of-Centre Locations 2022-2023

Amount of Completed Units within Out-of-Centre:	Completions m ²	Number of Permissions
E(a) (A1)	232.4	5
F.2	-	-
E(c) (A2)	50	3
E(b) (A3)	60	1
Sui Generis (A4)	48	1
Sui Generis (A5)	-	-

8. Centre of Neighbourhood Importance (Chilwell Road/High Road)

Policy 14 of the Part 2 Local Plan recognises that Chilwell Road / High Road is an important mixed use centre. This section reports on the number and type of permissions granted and completed (the new E classes and the older A1, A2, etc.) **within the Centre of Neighbourhood Importance**.

Table 17: Permissions Granted within the Centre of Neighbourhood Importance 2022-2023

Class Type	Number of Completions	Number of Permissions
E(a) (A1)	-	1
F.2	-	-
E(c) (A2)	-	-
E(b) (A3)	-	-
Sui Generis (A4)	1	1
Sui Generis (A5)	-	-
C3	-	1

The table below reports on the proportion of **ground floor residential (C3) units within the Centre of Neighbourhood Importance.**

Table 18: Number of Residential Units within the Centre of Neighbourhood Importance 2022-2023

Class Type	Number of Completions	Number of Permissions
C3	-	-

The table below reports on the number and type of permissions granted and completed (the new E classes and the older A1, A2, etc.) at **upper floor level** for 'main town centre' uses and residential **within the Centre of Neighbourhood Importance.**

Table 19: Permissions Granted at Upper Floor Level 2022-2023

Class Type	Number of Completions	Number of Permissions
E(a) (A1)	-	-
F.2	-	-
E(c) (A2)	-	-
E(b) (A3)	-	-
Sui Generis (A4)	-	-
Sui Generis (A5)	-	-
C3	-	-

9. Housing Size, Mix and Choice

Policy 15 of the Part 2 Local Plan recognises the Council's Corporate Plan and Housing Strategy and the need for Affordable Housing. This section will cover this aspect as well as other housing deliveries set in the Aligned Core Strategy and the Part 2 Local Plan.

The table below shows the number of completions by **dwelling type and size**.

Table 20: Dwelling Types Gain 2022-2023

Type	No. of Beds	Awsworth	Brinsley	Eastwood	Kimberley	Main Built Up Area	Other Rural	Total (GROSS)
Detached	1	-	-	-	-	-	-	-
	2	-	-	-	-	1	-	1
	3	-	2	9	2	17	-	30
	4	-	16	36	4	27	-	83
	5	-	2	2	-	7	-	11
	6+	-	-	-	-	6	-	6
Semi-Detached	1	-	-	-	-	-	-	-
	2	-	-	-	-	19	-	19
	3	-	8	5	-	39	-	52
	4	-	-	-	-	26	-	26
	5	-	-	-	-	4	-	4
	6+	-	-	-	-	10	-	10
Terraced	1	-	-	-	-	-	-	-
	2	-	-	4	-	19	-	23
	3	-	-	15	-	19	-	34
	4	-	-	-	-	5	-	5
	5	-	-	-	-	1	-	1
	6+	-	-	-	-	1	-	1
Bungalow	1	-	-	-	-	-	-	-
	2	-	-	-	-	1	-	1
	3	-	-	1	1	-	-	2
	4	-	-	-	-	-	-	-
	5	-	-	-	-	-	-	-
	6+	-	-	-	-	-	-	-
Flat	1	-	-	9	-	11	-	20
	2	-	-	11	6	11	-	28
	3	-	-	-	1	-	-	1
	4	-	-	-	-	-	-	-
	5	-	-	-	-	3	-	3
	6+	-	-	-	-	-	-	-
Total		-	28	92	14	227	-	361

The following table is additional information on any **communal completions** NET gain or loss since 2018.

Table 21: NET of Communal Dwellings Counting NET Beds and NET Cluster Flat Completions Per Year

Year	Care Home	Purpose Built Student Accommodation		Secure Residential
	Beds	Beds	Cluster	Beds
2018-2019	-	217	16	-
2019-2020	-5	106	24	-
2020-2021	4	32	5	-
2021-2022	10	-	-	-
2022-2023	51	-47	-12	-

Please note: The NET loss in purpose built student accommodation for 2022-2023 above is due to the demolition of buildings at the former St Johns College site, Bramcote.

Table 22: Affordable Completions from 2011

Year	Affordable Dwellings
2011-2012	32
2012-2013	13
2013-2014	56
2014-2015	55
2015-2016	23
2016-2017	20
2017-2018	8
2018-2019	43
2019-2020	16
2020-2021	38
2021-2022	40
2022-2023	68

The table below shows the number of **affordable housing completions**, by Social Rent, Intermediate Housing and Affordable Rent.

Table 23: Affordable Housing Complete 2022-2023

Type of Affordable Housing	Dwellings
Social Rent	18
Intermediate Housing	15
Affordable Rent	35

10. Gypsies, Travellers and Travelling Showpeople

Policy 16 of the Part 2 Local Plan takes a pro-active provision to meet identified need. This section indicates the number of pitches which are allocated, granted permission and implemented permissions.

- In 2022-2023 there were none.

11. Place-Making, Design and Amenity

Policy 17 of the Part 2 Local Plan notes that all development should be of a size, siting and design that makes a positive contribution to the character and appearance of the area. This section reports on the proportion of permissions (for 10 or more dwellings) which achieve at least nine 'greens' against in-house assessment of the quality of design with regard to BfL 12.

- In 2022-2023 there were nine permissions with developer assessments.

12. Shopfronts, Signage and Security Measures

Policy 18 of the Part 2 Local Plan states that shopfronts, signage and security measures should respect the local characteristic of the neighbourhood. This section will report on the number of permissions for shutters which are, or are not, in accordance with the policy.

- In 2022-2023 there was one which was approved.

13. Pollution, Hazardous Substances and Ground Conditions

Policy 19 of the Part 2 Local Plan indicates that the effects of pollution on health, the natural environment and all other adverse effects should be taken into account. This section will report the number of permissions which are contrary to the advice of the Council's Environmental Health department and/or the Environment Agency, together with the reasons for those decisions.

- In 2022-2023 there were no permissions contrary to advice.

14. Air Quality

Policy 20 of the Part 2 Local Plan states that air quality in Broxtowe is a significant issue due to mainly nitrogen dioxide emissions from vehicles using the M1 and A52. In this section these emissions are to be monitored as indicated in the Aligned Core Strategy.

The number of charging points are also monitored as it is stated in the Part 2 Local Plan that the use of more electric cars will also help to reduce these emissions.

The following links provide information regarding the location of electric vehicle charging points in the borough of Broxtowe:

<https://www.zap-map.com/live/>

<http://www.chargeyourcar.org.uk/d2n2/charge-point-map/>

The following new developments contain electric vehicle charging points that were **approved** in 2022-2023.

Table 24: Sites with Charging Points 2022-2023

Site Address	Number of Charging Points
Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire NG9 3GJ	60
Central College Nottingham, High Road, Chilwell, Nottinghamshire NG9 4AH	21
St Marys Filling Station, Nottingham Road, Nuthall, Nottinghamshire NG8 6AX	10
34 Church Street Stapleford Nottinghamshire NG9 8DJ	3
Lock up garages Middleton Street, Beeston, Nottinghamshire NG9 1BB	2
54 Trent Road, Beeston, Nottinghamshire NG9 1LQ	1

To reduce per capita CO₂ emissions and increase renewable power generation, as indicated in the Aligned Core Strategy there is information available on the following website:

<https://www.gov.uk/government/collections/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics>

15. Unstable Land

Policy 21 of the Part 2 Local Plan states that there is an extensive legacy within the borough of mining activity. This section will report the number of permissions which are contrary to the advice of the Coal Authority, together with the reasons for those decisions.

- In 2022-2023 there were no permissions granted contrary to the advice of the Coal Authority.

16. Minerals

Policy 22 of the Part 2 Local Plan states that Broxtowe will determine applications for non-mineral development which may affect mineral resources. This section will report the

number of permissions which are contrary to the recommendations of the County Council or the Coal Authority.

- In 2022-2023 there were no permissions.

17. Proposals Affecting Designated and Non-Designated Heritage Assets

Policy 23 of the Part 2 Local Plan applies to all heritage assets in the borough, including Listed Buildings, Conservation Areas, Scheduled Monuments and non-designated assets of all kinds.

The table below reports on the number of **heritage assets at risk on the national register**, which can be found on the Historic England Website <https://historicengland.org.uk/>

Table 25: Historic Assets at Risk 2022-2023

Type	Address	Number
Listed Building	The Summer House at The Yews, Kimberley Road	3
	Bennerley Viaduct	
	Willoughby Almshouses and adjoining Boundary Wall	
Conservation Area	Eastwood	3
	Kimberley	
	Nuthall	
Scheduled Monument	Greasley Castle	1

Below is the list of Conservation Area Appraisals published:

- Attenborough Village,
- Attenborough Barratt Lane,
- Beeston St John's Grove,
- Beeston West End,
- Bramcote,
- Eastwood,
- Kimberley,
- Stapleford Church Street, and
- Stapleford Nottingham Road

In addition to the above, here are another three which are awaiting completion:

- Brinsley,
- Chilwell, and
- Strelley.

The Conservation Area Appraisals are currently being reviewed by the Council's Conservation Officer.

18. The Health Impacts of Development

Policy 24 of the Part 2 Local Plan states that a Health Impact Assessment Checklist will be required with specific applications, as indicated in the policy. This section covers aspects that need to be monitored from the Aligned Core Strategy and the Part 2 Local Plan.

The table below indicates the number of applications for which a Health Impact Assessment Checklist is required, together with the outcome of those applications.

Table 26: Health Impact Assessments 2022-2023

Site Address	Outcome
Field Farm, Ilkeston Road, Stapleford, Nottinghamshire NG9 8JJ	Conditional Permission
Land West Of Awsworth (inside The A6096), Including Land At Whitehouse Farm, Shilo Way, Awsworth, Nottinghamshire	Conditional Permission
Land Adjacent And North West Of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire	Conditional Permission
Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire NG9 3GJ	Conditional Permission
Central College Nottingham, High Road, Chilwell, Nottinghamshire NG9 4AH	Conditional Permission
Bramcote College, Moor Lane, Bramcote Nottinghamshire NG9 3GA	Conditional Permission
136 Church Street, Eastwood, Nottinghamshire NG16 3HT	Conditional Permission
Station Road (Central) Car Park, Station Road, Beeston, Nottinghamshire	Refused but allowed on Appeal
Southfields Farm, Common Lane, Bramcote, Nottinghamshire NG9 3DT	Refused

The table below shows the number of applications relating to hot food takeaway uses within 400m of schools, together with the outcome of those applications. There was one application complete in 2022-2023.

Table 27: Hot Food Takeaway Applications within 400m of a School 2022-2023

A5 Site Address	Outcome
15 High Road Beeston Nottinghamshire NG9 2JL	Conditional Permission

The table below shows the need to improve accessibility from residential development to key community facilities and services, as indicated in the Aligned Core Strategy. Travel times shows the fastest travel time by public transport, which includes walking time from home the postcode to a bus stop, waiting time at the bus stop, in-vehicle travelling time (including interchange between services) and walking time from alighting bus stop to final destination.

Table 28: Travel Time to Key Services on Large Sites (10 dwellings or more) 2022-2023

Site Address	GP Surgery	Hospital	Primary School	Secondary School	Area of Employment
	Travel Time (mins)				
Field Farm, Ilkeston Road, Stapleford, Nottinghamshire NG9 8JJ	20	39	21	30	20
Land Between Ellis Grove And Wilmot Lane, Ellis Grove, Beeston, Nottinghamshire	7	18	4	8	6
22 Wollaton Road, Beeston, Nottinghamshire NG9 2NR	1	18	3	15	5
Land West Of Awsworth (inside The A6096), Including Land at Whitehouse Farm, Shilo Way, Awsworth, Nottinghamshire (Outline application)	21	33	16	24	18
Broadgate House, Broadgate, Beeston, Nottinghamshire NG9 2HF	7	13	5	10	5
Former Site Of Lynncroft Primary School, Garden Road, Eastwood, Nottinghamshire	13	40	11	22	13
Boots Campus, Beeston, Nottinghamshire	25	23	18	21	13
Lock Up Garages Middleton Street, Beeston, Nottinghamshire NG9 1BB	5	23	5	19	8
Land To The Rear Of Clayton Court, Queens Road, Beeston, Nottinghamshire	10	22	7	12	8
Central College Nottingham, High Road, Chilwell, Nottinghamshire NG9 4AH	10	21	6	11	1

Site Address	GP Surgery	Hospital	Primary School	Secondary School	Area of Employment
	Travel Time (mins)				
Land Adjacent And North West Of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire	31	32	25	18	31
Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire NG9 3GJ	27	32	36	18	33

The Aligned Core Strategy, was looking for data on showing life expectancy of residents in the borough. This can be found here <https://www.ons.gov.uk/>

19. Culture, Tourism and Sport

Policy 25 of the Part 2 Local Plan states that there is a deficiency in accessible and secure sport pitches. This section will report on the number, type and area of NET additional sports pitches.

- There were no additional pitches in 2022-2023.

Table 29: Sport Pitches 2022-2023

Site Address	Type	Area
-	-	-

The table below states the number and type of applications relating to tourism. There was one for 2022-2023.

Table 30: Applications Relating to Tourism 2022-2023

Site Address	Type
Land Off Grange Fields Farm, Mansfield Road, Eastwood, Nottinghamshire NG16 5AE	Holiday Lodge

There was no increase in provision of major sporting facilities in the borough for 2022-2023, as indicated in the Aligned Core Strategy.

20. Travel Plans

Policy 26 of the Part 2 Local Plan states that all developments of 10 or more dwellings or 1,000 sq. m. or more GROSS floor space will be expected to submit a Travel Plan.

The table on the following page shows the number of applications for which a Travel Plan is required, together with the outcome of those applications. There were nine applications with a Travel Plan in 2022-2023.

Table 31: Travel Plans Required 2022-2023

Site Address	Travel Plan Submitted?	Outcome
Land West Of Awsworth (inside The A6096), Including Land at Whitehouse Farm, Shilo Way, Awsworth, Nottinghamshire (Outline application)	Yes	Conditional Permission
Broadgate House, Broadgate, Beeston, Nottinghamshire NG9 2HF	Yes	Conditional Permission
Former Site Of Lynncroft Primary School, Garden Road, Eastwood, Nottinghamshire	Yes	Conditional Permission
Boots Campus, Beeston, Nottinghamshire	Yes on Outline	Conditional Permission
Land To The Rear Of Clayton Court, Queens Road, Beeston, Nottinghamshire	Yes	Conditional Permission
Central College Nottingham, High Road, Chilwell, Nottinghamshire NG9 4AH	Yes	Conditional Permission
Land West Of Awsworth (inside The A6096), Including Land At Whitehouse Farm, Shilo Way, Awsworth Nottinghamshire	Yes on Outline	Conditional Permission
Land Adjacent And North West Of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire	Yes on Outline	Conditional Permission
Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire NG9 3GJ	Yes	Conditional Permission

Implementation of individual schemes as listed within the Aligned Core Strategy’s Infrastructure Delivery Plan: No aspects of the relevant schemes in Broxtowe have yet been implemented, and the HS2 hub station will no longer be proceeding in Broxtowe.

21. Local Green Space

Policy 27 of the Part 2 Local Plan states that the field off Cornwall Avenue, Beeston Rylands is designated as Local Green Space. Development in this area would be considered harmful and would not be permitted except under very special circumstances.

This report indicates the number of permissions granted contrary to the Local Green Space policy by the Council and by inspectors, together with the reasons for those decisions.

- In 2022-2023 there were no applications.

22. Green Infrastructure Assets

Policy 28 of the Part 2 Local Plan states that Green Infrastructure is a network of living multi-functional natural features, green spaces, rivers, canals and lakes that link and connect villages, towns and cities.

The number of Local Wildlife Sites is 146 the area of which is 967.12 ha.

There are 15 Local Nature Reserves with a management plan in place, as indicated in the Aligned Core Strategy. These are given below:

- Alexandrina Plantation Bramcote,
- Bramcote Hills Park Woodland,
- Brinsley Headstocks,
- Colliers Wood Moorgreen,
- Hall Om Wong Kimberley,
- Hall Park,
- King George's Park Bramcote,
- Nottingham Canal,
- Pit Lane Recreation Ground,
- Sandy Lane Public Open Space,
- Smithurst Meadows,
- Stapleford Hill,
- Toton Fields,
- Watnall Green and,
- Watnall Spinney.

Green Flag status for open space, as indicated in the Aligned Core Strategy: In Broxtowe we have five sites that are managed to Green Flag award standard. These are located at:

- Bramcote Hills Park,
- Bramcote Old Church Tower,
- Bramcote Ridge,
- Brinsley Headstocks, and
- Colliers Wood.

The number of S106 contributions related to open space, as indicated in the Aligned Core Strategy.

Table 32: Section 106 Open Space Contributions 2022-2023

Application Number	Site Address
19/00443/FUL	80 Dovecote Road, Newthorpe, Nottingham NG16 3QN

Application Number	Site Address
20/00541/FUL	42-44 Brookhill Leys Road, Eastwood NG16 3HZ
17/00778/OUT	Ready Mixed Concrete (East Midlands) Ltd, Concrete Batching Plant, Long Lane, Attenborough, Nottinghamshire NG9 6BD
20/00675/FUL	Former Builders Yard rear of 68 Nottingham Road, Stapleford NG9 8AQ
20/00745/FUL	Old Station Yard, Station Road, Beeston, Nottinghamshire NG9 2AB

23. Cemetery Extensions

Policy 29 of the Part 2 Local Plan states that the following land is allocated as cemetery extensions which are all protected, at Church Walk, Brinsley and Field Lane, Chilwell. None of these sites have been extended this financial year.

24. Landscape

Policy 30 of the Part 2 Local Plan states that all developments within or affecting the local landscape areas indicated in the plan should make a positive contribution to the quality and local distinctiveness of the landscape. This section reports the number of permissions granted which are inconsistent with the 'landscape actions' of the Greater Nottingham Landscape Character Assessment.

- In 2022-2023 there were none.

25. Biodiversity Assets

Policy 31 of the Part 2 Local Plan states that this policy will apply to any Sites of Special Scientific Interest, Local Wildlife Sites or Local Geological Sites which are designated after the adoption of the plan. This section reports on the number of permissions granted for development that has harmed a Biodiversity Asset and the reasons for those permissions.

- In 2022-2023 there were none.

Retaining areas of biodiversity importance, as indicated in the Aligned Core Strategy, the NET change in the area of Local Wildlife Sites this year was an increase of 0.8ha.

The number of SSSIs in a favourable condition this year in the borough was five sites.

26. Developer Contributions

Policy 32 of the Part 2 Local Plan states that financial contributions may be sought from any development of 10 or more dwellings or more than 1,000 sq. m. or more of GROSS floor space. This section reports the number and amount of Section 106 contributions received in 2022-2023 financial year.

Table 33: Section 106 Contributions 2022-2023

Contribution Type	Amount Paid
Open Space	£167,708
Transport (ITPS)	£8,000
Affordable Housing	£755,005
Education	£71,625
Health	£40,704

Summary of Appeal Decisions

Overview

This summary reports on appeal decisions which were made between 1 April 2022 and 31 March 2023. The appeal decisions include applications which were submitted before the 2022-2023 financial year.

In 2022-2023, 28 appeals were determined. 12 (42.9%) of the appeals submitted were dismissed; 15 (53.6%) were allowed; and 1 of the appeals had a split decision (3.6%) (percentages all rounded to one decimal place). The appeals included, but were not limited to, householder applications, certificates of lawfulness and change of use applications. This is a significant increase to those recorded in the monitoring year for 2020-2021, where 16 appeals were recorded.

Appeals Allowed

The rise of appeals determined this financial year may largely be due to the recently adopted Article 4 Direction which covers some of the Beeston area. Out of the 28 appeals determined, 5 were (allowed) applications relating to Houses in Multiple Occupation (HMOs) in some way. The planning application reference numbers and descriptions of these are given below.

Table 34: Appeal Allowed

Reference	22/00203/FUL
Address	65 Pelham Crescent, Beeston
Description	Construct two storey rear extension to create a 5 bed house in multiple occupation (C4).

Reference	22/00203/FUL
Relevant Planning Policy	Houses in Multiple Occupation – Supplementary Planning Document (SPD) Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed
Summary	The Inspector noted that it was not possible to determine on a site visit how many HMOs were in the surrounding area and states that ‘the intensification would be moderate and in proportion to the existing activities’.

Table 35: Appeal Allowed

Reference	22/00101/FUL
Address	42 – 48 Henry Road, Beeston
Description	Convert existing ground floor garages and alterations to 2 no. first floor apartments to create 2 no. (4 bedroomed) C4 Apartments.
Relevant Planning Policy	Houses in Multiple Occupation – Supplementary Planning Document (SPD) Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 15: Housing Size, Mix and Choice – Part 2 Local Plan Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed
Summary	Despite acknowledging that the Council were concerned that there would be a sandwiching effect of HMOs (as noted in the HMO SPD), the Inspector noted that the available information ‘suggests that the proposal would not lead to a cluster or concentration of HMOs’.

Table 36: Appeal Allowed

Reference	22/00236/CLUP
Address	17 Templar Road, Beeston
Description	Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4)
Relevant Planning Policy	Article 3 and Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO).
Appeal Decision	Allowed
Summary	In their report, the Inspector stated that if ‘the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect’. The Inspector goes on to note that the ‘Article 4 Direction removing permitted development under Class L for a change of use from C3 to C4 did not come into effect until 26 March 2022’ and that therefore ‘the change of use, as described by the appellant, would have been lawful on the date that the application was made, i.e. on 16 th March 2022 as the right under Class L still existed on that date’.

Table 37: Appeal Allowed

Reference	21/00856/FUL
Address	Scrivens Opticians, 44 High Road, Beeston
Description	Construct single storey extension and replace shelter over external stair and change of use from Commercial (Class E) to Class C4 (HMO) for first and second floors
Relevant Planning Policy	Policy 8: Housing Size, Mix and Choice Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed

Summary	This was an appeal for the removal of a condition. In their report, the Inspector stated that they are 'satisfied that the development, without a condition restricting the number of occupants to three persons, would not harm the living conditions of nearby occupiers or result in unacceptable living conditions for future occupiers' and therefore determined that 'condition No 2 is not necessary'.
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Table 38: Appeal Allowed

Reference	21/00052/FUL
Address	150 Queens Road, Beeston
Description	Change of use of the existing residential property (Class C3) to a seven bedroomed HMO
Relevant Planning Policy	Policy 8: Housing Size, Mix and Choice Policy 15: Housing Size, Mix and Choice – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed
Summary	The Inspector regarded that the proposal would contravene neither Policy 10 of the Aligned Core Strategy or Policy 17 of the Part 2 Local Plan and states that 'there is little to indicate that the number of residents on the site would have a significant harmful impact on living conditions of the immediate surrounding residents'.

Table 39: Appeal Allowed

Reference	21/00909/FUL
Address	116 Marlborough Road, Beeston
Description	Change of use from residential (C3) to seven bedroomed House in Multiple Occupation (Sui Generis). Construction of cycle storage, gates and driveway
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan

Appeal Decision	Allowed
Summary	In their report, the Inspector noted that ‘the proposed development would not unacceptably harm the living conditions of the occupiers of the attached terraced properties, with particular regard to noise, on-street parking and bin collection’ and therefore does not conflict with the relevant Local Plan policies.

On 2 occasions, there were 2 sets of appeals made for the same site (APP/J3015/D/22/3298311 and APP/J3015/D/22/3298190 were in relation a property in Stapleford; and APP/J3015/W/21/3285647 and APP/J3015/W/22/3297042 were made in relation to a property in Beeston).

The remaining appeals (not HMO related) which were allowed were because the inspector disagreed with the Council’s view that the proposals were contrary to policy. A summary of these allowed appeals is given below:

Table 40: Appeal Allowed Contrary to Policy

Reference	20/00876/FUL
Address	3 Swingate, Kimberley
Description	Construct two detached houses with associated car parking, garages, access road and bin store
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed
Summary	The main issues in relation to this appeal was the effect of the proposal on the character and appearance of the area, and the effect of the proposed dwellings on the living conditions of neighbouring occupiers with particular regard to outlook and access to sunlight. In their report, the Inspector noted that the ‘proposal would accord with the scale and density of local housing and would not represent an over intensive form of development’. They also regarded that the scheme ‘would complement the character and appearance of the area’ and that the development would ‘not over-dominate the outlook from neighbouring properties’. As a result, it was determined that the proposal was not contrary to policy and thus the appeal was allowed.

Table 41: Appeal Allowed Contrary to Policy

Reference	21/00807/FUL (Appeal A)
Address	48 Wadsworth Road, Stapleford
Description	Retain raised patio and fencing and erect canopy
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed
Summary	The main issues in relation to this appeal was the effect of the proposal on the living conditions of the occupant of the neighbouring property with particular regard to light and visual impact. The Inspector noted that ‘the northern and western sides and the roof of the conservatory are glazed and provide ample levels of light to the space’ and therefore ‘the fence does not cause an unacceptable overbearing impact or loss of light to the conservatory’. The Inspector also adds that ‘as this tall section of fencing does not project beyond the conservatory, it does not have any significant impact on the rear garden’ of the neighbouring property. For these reasons, it was concluded that the appeal ‘would not cause harm to the living conditions’ for the occupant of the neighbouring property and would therefore accord with Policy 10 of the Aligned Core Strategy and Policy 17 of the Part 2 Local Plan.

Table 42: Appeal Allowed Contrary to Policy

Reference	21/00971/FUL
Address	Kings Carpets and Interiors, 129 – 131 High Road, Beeston
Description	Construct 3 storey building comprising 7 apartments and provision of parking area (revised scheme)
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed

Reference	21/00971/FUL
Summary	<p>The main issues in this appeal were the effect of the proposed development on the character and appearance of the area; the effect of the proposal on the living conditions of neighbouring dwellings with regard to outlook; and the effect of the proposal on on-road parking with regard to highway safety and capacity. In their report, the Inspector noted that the proposal 'would occupy much the same footprint as the existing structure' and that the 'use of setbacks to the façade on both streets would help to break up [these] elevations and provide relief and interest'. Although it is acknowledged in the report that the design is 'different to the architectural style of the existing building' it is also stated that the proposed replacement 'would be visually attractive' and would integrate into the street scene. In relation to living conditions, it is stated in the report that there would be sufficient separation distances to ensure that the proposal would not be 'overbearing in views from within or outside' neighbouring houses and therefore the living conditions of neighbours would 'not be materially impacted'. Regarding parking, only 8 parking spaces for staff would be provided – and not residents – it is noted that this would be made clear to any future occupiers and that this is offset by the available parking for '22 bicycles' and therefore, the proposal 'would not exacerbate local parking issues to the detriment of highway safety or capacity'. All of the above reasoning led to the overall conclusion that the scheme would be acceptable and comply with policy.</p>

Table 43: Appeal Allowed Contrary to Policy

Reference	21/00495/FUL
Address	Chaworth, Long Lane, Watnall
Description	Construct single storey rear and side extensions, change roof from pitched to flat and timber clad the front elevation.
Relevant Planning Policy	<p>Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy</p> <p>Policy 17: Place-making, Design and Amenity – Part 2 Local Plan</p>
Appeal Decision	Allowed

Reference	21/00495/FUL
Summary	The main issue in this appeal was the effect of the proposal on the character and appearance of the area. In their report, the Inspector determines that the proposal 'would not harmfully disrupt a consistent pattern of development or appear as an incongruous addition to the street scene' and goes on to conclude that the development would preserve the character and appearance of the area, and as such, accords with Policy 10 of the Aligned Core Strategy and Policy 17 of the Part 2 Local Plan.

Table 44: Appeal Allowed Contrary to Policy

Reference	21/00364/FUL
Address	Pair of Garages, Cyprus, Avenue Beeston
Description	Demolish existing garages and construct two self-contained flats.
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan
Appeal Decision	Allowed
Summary	The main issues in relation to this appeal are the effect of the proposed development on the character and appearance of the street scene; and, the effect of the proposed development on highway safety with specific regard to parking. Whilst the Inspector acknowledges that the building would be architecturally different in terms of design and materials compared the wider street scene, they go on to state that this 'in itself is not justification for dismissing a small residential development within a residential area' and as such 'would not have an adverse effect on the character and appearance of the street scene'. Despite concerns raised, in relation to highway safety, the Inspector holds that 'it is not necessary for this small-scale proposal to provide parking on site'. These assertions lead the Inspector to conclude that the proposal is not contrary to policy and therefore allows the appeal.

Table 45: Appeal Allowed Contrary to Policy

Reference	21/00443/FUL
Address	Hill Top Farm, Blake Road, Stapleford

Reference	21/00443/FUL
Description	Retention of entrance gates, perimeter fencing, pathway and driveway retaining wall.
Relevant Planning Policy	Policy 3: The Green Belt – Aligned Core Strategy Policy 8: Development in the Green Belt – Part 2 Local Plan
Appeal Decision	Allowed
Summary	The main issues in this case are whether the proposal is inappropriate development in regards to local and national policy; the effects of the proposal on the openness of the Green Belt; and if the proposal is inappropriate development, whether the harm by reason of appropriateness (and any other harm) is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it. Regarding the issue of openness, the Inspector regarded that the design of the fence ensured that it was 'not overly obtrusive, that views through the fence are not significantly impeded, and that the colour of the fence blends in with the planting inside the line of the fence'. Acceptability was also reached in relation to the gate element of the proposal as the Inspector noted that the gates are 'set well back from the road' and are 'not visually intrusive'. Whilst it is acknowledged that the proposal 'has resulted in a reduction of the openness of the Green Belt' it is overall determined that 'the resulting harm is limited' and this leads the Inspector to conclude that 'the security and highway safety benefits together with the fallback position identified...clearly outweigh the totality of the harm identified' and as such 'the very special circumstances necessary to justify the proposal exist'.

Table 46: Appeal Allowed Contrary to Policy

Reference	20/00891/FUL
Address	Central College, Nottingham Road, Chilwell
Description	Conversion of existing college building to student accommodation comprising 162 bedrooms including external alterations

Reference	20/00891/FUL
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan (Policy 19: Developer Contributions - Aligned Core Strategy; Policy 32: Developer Contributions – Part 2 Local Plan)
Appeal Decision	Allowed
Summary	The main issues relating to this appeal are the effects of the proposal on the living conditions of neighbouring occupants with respect to noise, disturbance and overlooking; and parking pressure in the surrounding area. In relation to noise and disturbance, the Inspector notes that ‘there is no reason to consider that this would be particularly, loud, contagious or invasive, such that it would significantly affect the living conditions of neighbouring occupants’. In relation to the issue of overlooking, it is noted that ‘there would be no significant change to the location of windows facing neighbouring dwellings, which would be separated by at least 27 metres’. Whilst concerns regarding insufficient parking on site are acknowledged, the Inspector refers to the Transport Assessment submitted as part of the planning application and notes that the proposal, by comparison to the previous development, ‘would represent a significant reduction in vehicular traffic’. Regarding the issue of parking the Inspector is ‘satisfied that the overall level of car ownership among residents of the development would be low’ and also concludes that ‘the proposal would not lead to harmful increases in on-street parking demand on surrounding streets’. In relation to character and appearance, the Inspector notes that the ‘scale and form of the building would not change’ and asserts that the ‘proposal would therefore conserve the character and appearance of the area’.

Table 47: Appeal Allowed Contrary to Policy

Reference	20/00667/FUL
Address	28 Park Road, Chilwell
Description	Construct one pair of semi-detached dwellings following demolition of existing bungalow

Reference	20/00667/FUL
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan.
Appeal Decision	Allowed
Summary	The main issues regarding this appeal are the effects on the character and appearance of the area; and the living conditions of the occupants of nearby dwellings. In their report, the Inspector regards that the proposal ‘would achieve a good standard of design...and would be visually appropriate in relation to other existing dwellings found in the vicinity’ and notes that the increased density would only be apparent ‘to the rear’ therefore leading to a conclusion that the character and appearance would not be negatively impacted. Later on in their report, in regards to the proposal’s impact on living conditions, the Inspector writes that no harm would be caused due to a number of factors such as separation distances, size and siting, and more specifically notes that the proposal’s orientation would ensure no harm as a result of ‘overlooking, massing, or through a loss of light or outlook’. All of these reasons lead the Inspector to conclude that both national and local policies have been complied with.

One appeal determined received a split decision. The details of this appeal are given below:

Table 48: Appeal Allowed with Split Decision

Reference	21/01005/FUL
Address	116 Derby Road, Bramcote
Description	Construct two storey side/rear extension, dormer to rear elevation and detached outbuilding ancillary to main dwelling.
Relevant Planning Policy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan.
Appeal Decision	Allowed

Reference	21/01005/FUL
Summary	<p>The main issue is the impact of the proposal on the living conditions of the occupiers of the neighbouring property with particular regard to outlook. Regarding the detached outbuilding of the scheme, the inspector agrees with the Council and notes that ‘the siting, scale and design of the proposed outbuilding is acceptable’ and allows this element of the appeal. In reference to the two storey side/rear extension aspect of the proposal, the inspector notes that this feature would ‘significantly increase the overall scale and massing of built development along the boundary’ with an effect that would be ‘unduly oppressive’ which would ‘unacceptably harm the outlook from the patio area’ of the neighbour. Therefore, this element of the appeal was dismissed.</p>

Although there were appeals allowed, it should be noted that with particular topics, especially those such as design and neighbour amenity, differences of opinion between councils and inspectors will sometimes occur. Importantly, these appeal decisions did not involve any questioning of the policy objectives or the interpretation of policy wording. The majority of the appeals which were allowed were due to the inspector disagreeing with the Council’s view that the proposals were contrary to policy, most notably, Policy 10 of the Aligned Core Strategy and Policy 17 of the Part 2 Local Plan.

Appeals Dismissed

12 appeals were dismissed in this financial year. The majority of these were dismissed as the Inspector agreed with the Council’s recommendation and determined that the development would be contrary to Policy 10 of the Aligned Core Strategy and Policy 17 of the Part 2 Local Plan. There was also one appeal which was dismissed as the Inspector found there to be conflict with the Environment Agency’s standing advice and, Policy 1 (Climate Change) of the Aligned Core Strategy, and Policy 1 (Flood Risk) of the Part 2 Local Plan. In addition to this, there were other appeals where the Inspector cited other policies which the proposed development was contrary to. Such policies included Policy 9: Gypsies, Travellers, and Travelling Showpeople; Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets; and Policy 28: Green Infrastructure Assets - Part 2 Local Plan.

A key application which was dismissed at appeal was for the construction of a dwelling at Coopers Green (22/00548/FUL). Important issues which was at the forefront of this decision was that of open space and green infrastructure assets (GIA). In their report, the Inspector agreed with the Council’s recommendation for refusal, and noted that ‘the proposal would cause significant harm to two GIA’ and would also result in ‘demonstrable harm to the character and appearance of the area’. Although other considerations were put forward in the appeal, such as the proposal’s positive impact on housing delivery figures, the Inspector concluded that would not outweigh the harm caused by the scheme. On the following page is a full list of the appeals which were dismissed:

Table 49: Appeals that were Dismissed

Reference	Address	Description	Relevant Planning Policy	Appeal Decision
22/00421/FUL	86 Baker Road, Newthorpe	Construct ground floor front and rear extension and hip to gable roof conversion with dormer windows.	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed
22/00548/FUL	Land Opposite 7 Coopers Green, Beeston	Construct dwelling	Policy 17: Place-making, Design and Amenity – Part 2 Local Plan Policy 28: Green Infrastructure Assets - Part 2 Local Plan	Dismissed
21/00849/FUL	Land to the rear of 177 and 179 High Road, Chilwell	Construct two storey dwelling	Policy 17: Place-making, Design and Amenity – Part 2 Local Plan Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets	Dismissed
21/00738/FUL	12 Hope Street, Beeston	Construct two storey side, single/two storey rear and first floor front and front extensions, front and rear dormers, demolish garage and construct	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed

Reference	Address	Description	Relevant Planning Policy	Appeal Decision
		detached garage		
22/00149/FUL	4 Victoria Gardens, Watnall	Construct first floor extension	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed
21/00807/FUL	48 Wadsworth Road Stapleford	Retain raised patio and fencing and erect canopy	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed
21/00092/FUL	Kings Carpets 129 High Road	Construct 3 and 4 storey building comprising 9 apartments (Use Class C4) and provision of parking area	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed
21/00400/FUL	199A Main Street, Newthorpe	Construct detached garage / workshop	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and	Dismissed

Reference	Address	Description	Relevant Planning Policy	Appeal Decision
			Amenity – Part 2 Local Plan	
20/00687/FUL	Land South of 50 Pinfold Road, Newthorpe	Construct 22 dwellings	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed
21/00756/FUL	74 Abbey Road Beeston	Construct two storey side extension, single storey rear extension and loft conversion with front and rear dormers (revised scheme)	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed
20/00272/FUL	Land adjoining 313 Nottingham Road, Toton	Change of use to residential including retention of static mobile home, touring caravan, utility/day room building, raised site levels and parking	Policy 1: Climate Change – Part 2 Local Plan Policy 9: Gypsies, Travellers, and Travelling Showpeople Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 1: Flood Risk – Part 2 Local Plan Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed

Reference	Address	Description	Relevant Planning Policy	Appeal Decision
21/00005/FUL	42 Greenhills Road, Eastwood	Construct dwelling with vehicle access and car parking, re-siting of gates and dropped kerbs	Policy 10: Design and Enhancing Local Identity – Aligned Core Strategy Policy 17: Place-making, Design and Amenity – Part 2 Local Plan	Dismissed

Applications for Costs

All applications for costs are determined separately of the respective appeal. Out of the 15 appeals (and the 1 split decision) which were allowed, there were 7 applications for costs. This is a significant increase when looked at against the 1 application for costs which was submitted last year. Out of the 7 applications for costs, 3 were awarded, 2 were allowed in part (these were both for the same site), and 2 were dismissed. Additional information on the applications for costs which were allowed (and allowed in part) are provided below:

- 22/00236/CLUP. Certificate of lawfulness for proposed change of use from dwelling house (Class C3) to house in multiple occupation (Class C4). (Application for costs allowed). The Inspector awarded the application for costs in this instance as they regarded that the Council ‘misapplied s192 of the Town and Country Planning Act 1990’ in that the initial planning application submitted was not determined ‘for the lawful certificate (LDC) under circumstances which existed on the relevant date’.
- 21/00052/FUL. Change of use of the existing residential property (Class C3) to a seven bedroomed HMO. (Application for costs allowed). For this application for costs, the applicant regards that the Council ‘did not explain clear planning reasons for the decision’ and in this instance, this is supported by the Inspector who put forward that the Council ‘made generalised assertions unsupported by any objective analysis and as such has not provided evidence to substantiate the reasons for refusal’.
- 21/00971/FUL. Construct 3 storey building comprising 7 apartments and provision of parking area (revised scheme). (Application for costs allowed in part). In their report, in relation to the issue of good design, the Inspector regarded that ‘the Council would have been entitled to have concluded that these considerations were insufficient to outweigh the harm it believed would be caused by the scheme to the character and appearance of the area’. In spite of this, the Inspector went on to note that there had been ‘unnecessary or wasted expense’ had been ‘demonstrated in relation to that part of the

Council's reason for refusal that relates to living conditions and on road parking' and therefore that a 'partial award for costs is justified'.

- 21/00092/FUL. Construct 3 and 4 storey building comprising 9 apartments (Use Class C4) and provision of parking area. (Application for costs allowed in part). In their report, the Inspector agrees with the Council's conclusions in relation to the impact of the proposal on the character and appearance of the area but found 'no harm to the living conditions of occupiers of adjacent dwellings or with regard to highway safety'. It is concluded that the 'appellants' costs in mounting the appeal were not unnecessarily incurred' and as such the application for a full awards of costs was refused. However, it is noted that 'unnecessary and wasted expense has been demonstrated in relation to two reasons for refusal' and on this basis, 'a partial award of costs is justified'.

Summary Tables

The below table shows the rate of the dismissal of appeals over an eighteen-year period (to the nearest whole number):

Table 50: Rate of Dismissal of Appeals

Year	Appeals Allowed	Appeals Allowed in Part	Appeals Dismissed	Total	Proportion Dismissed
2005/06	5	1	13	19	68%
2006/07	9	0	16	25	64%
2007/08	4	0	19	23	83%
2008/09	7	1	16	24	67%
2009/10	6	1	13	20	65%
2010/11	4	0	16	20	80%
2011/12	5	0	13	18	72%
2012/13	3	0	12	15	80%
2013/14	6	0	14	20	70%
2014/15	2	0	11	13	85%
2015/16	9	0	8	17	47%
2016/17	4	2	11	17	65%
2017/18	2	0	4	6	67%
2018/19	4	0	8	12	67%
2019/20	8	0	12	20	60%
2020/21	5	0	13	18	72%
2021/22	6	0	10	16	63%
2022/23	15	1	12	28	43%
Total 2005-21	104	6	221	331	67%

Table 51: Appeal Decisions (received between 1 April 2022 to 31 March 2023)

Application	Outcome	Officer Recommendation	Policy Wording Issues
20/00272/FUL	DISMISS	Refuse	No
20/00667/FUL	ALLOW	Approve	No
20/00891/FUL	ALLOW	Approve	No
20/00687/FUL	DISMISS	Approve	No
20/00876/FUL	ALLOW	Approve	No
21/00849/FUL	DISMISS	Refuse	No
21/00738/FUL	DISMISS	Approve	No
21/00856/FUL (this appeal was in relation to a condition on the decision notice which granted permission, and is not against the decision as a whole)	ALLOW	Approve	No
21/01005/FUL	Split Decision	Approve	No
21/00807/FUL (Appeal A)	ALLOW	Approve	No
21/00807/FUL (Appeal B)	DISMISS	Approve	No
21/00092/FUL	DISMISS	Approve	No
21/00971/FUL	ALLOW	Approve	No
21/00400/FUL	DISMISS	Refuse	No
21/00909/FUL	ALLOW	Approve	No
21/00704/FUL	ALLOW	Approve	No
21/00495/FUL	ALLOW	Refuse	No
21/00052/FUL	ALLOW	Approve	No
21/00756/FUL	DISMISS	Refuse	No
21/00364/FUL	ALLOW	Approve	No
21/00443/FUL	ALLOW	Approve	No
21/00005/FUL	DISMISS	Refuse	No
22/00421/FUL	DISMISS	Refuse	No

Application	Outcome	Officer Recommendation	Policy Wording Issues
22/00548/FUL	DISMISS	Refuse	No
22/00203/FUL	ALLOW	Refuse	No
22/00101/FUL	ALLOW	Approve	No
22/00236/CLUP	ALLOW	Refuse	No
22/00149/FUL	DISMISS	Refuse	No
20/00272/FUL	DISMISS	Refuse	No
20/00667/FUL	ALLOW	Approve	No

For any enquiries relating to information contained within this report please contact the Planning Policy Team at Broxtowe Borough Council, telephone 0115 917 7777 or policy@broxtowe.gov.uk.

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