

## Report of the Chief Executive

**19/00029/FUL****RETROSPECTIVE PLANNING APPLICATION TO DEMOLISH THE EXISTING PROPERTY  
THE DOVECOTE BAR AND GRILL 29 BEAUVALE NEWTHORPE  
NOTTINGHAMSHIRE NG16 2EZ**

Given the degree of local concern, the Head of Neighbourhoods and Prosperity has requested this planning application is brought to Planning Committee.

**1      Details of the Application**

- 1.1 This is a retrospective planning application for the demolition of the former Dovecote Bar and Grill. Demolition works started in November 2018 and were completed in December 2018. Debris of the former public house still remains and the site remains open.

**2      Site and Surroundings**

- 2.1 The site is set back from the main road of Beauvale. To either side of the site and directly opposite there are existing residential properties. To the north of the site there is open land which forms part of the Green Belt.

View from the west from the main road of Beauvale.

View from the east from the main road of Beauvale.

**3      Relevant Planning History**

- 3.1 17/00554/FUL – planning permission was granted in 2017 for the change of use of the public house/restaurant (Class A4) to a single dwelling. This planning permission has not been implemented.

**4      Policy Context****4.1      National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) February 2019, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.

#### **4.2 Broxtowe Aligned Core Strategy**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

#### **4.3 Saved Policy of the Broxtowe Local Plan**

- 4.3.1 The Part 2 Local Plan is currently awaiting Examination hearing sessions. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:
- 4.3.2 Local Plan Policy E8: Development in the Green Belt states that planning permission will not be permitted in the Green Belt except where it constitutes appropriate development.

#### **4.4 Part 2 Local Plan (Draft)**

- 4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 10 representations in relation to policy 8 and 11 representations in relation to Policy 17. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did include a request that further modifications be undertaken to Policy 8 but not policy 17. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight.
- 4.4.2 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.
- 4.4.3 Policy 17 - Place-making, design and amenity states permission will be granted for development which meets a number of criteria including that it integrates into its surroundings

#### **5 Consultations**

- 5.1 Broxtowe Borough Council Environmental Health Officer – Raises no objections.
- 5.2 The Council's Conservation Officer offers no objections to the retrospective demolition of the public house.

5.3 Nottinghamshire County Council Rights of Way Officer raises no objections but advises the footpath which adjoins the site should remain open.

5.4 4 neighbours were consulted on the application along with the posting of a site notice. During the course of the application 1 letter has been received raising concerns in respect of the demolition, waste remaining on the site and there being no security fencing to prevent fly tipping.

6 Appraisal

6.1.1 The main issue relating to this application is the loss of the public house and the impact upon the visual amenity of the area.

6.1.2 The former public house was previously located centrally within the site, with a tarmacked car park to the front of the building and garden area to the rear. Further beyond to the rear there are open fields which are within the Green Belt.

6.1.3 The building was previously in use as a public house/restaurant on the ground floor and residential at first floor level. The premises closed for business in 2013 and remained closed up until the start of the demolition works in November 2018. Information submitted with the application includes the points that since this time no party had approached the applicant to reopen the business due to its semi remote position, the change in drinking attitudes and the introduction of microbars had rendered the business non profitable.

6.1.4 It is further pointed out that since the closure of the premises, the building had been resting in a state of disrepair and had been the source of persistent vandalism and access by unauthorised individuals. The car park and surrounding land had also been subject to fly tipping. In light of the issues that had been arising from the site and the difficulties of maintaining security, the applicant did not want the risk of fatality occurring so action was taken to demolish the building over a six week period.

6.1.5 In respect of the loss of the building, the Council's Conservation Officer offers no objections to the loss of the building and advises the site is not located within a Conservation Area and the former public house was not a Listed Building nor listed as Building of Historic Importance. Furthermore, the building had not been nominated by any local groups for listing by the Council as an Asset of Community Value prior to its demolition.

6.1.6 It should also be noted that planning permission was granted in 2017 to convert the former public house into a single dwelling. Although this would have retained the building on the site, the planning permission was not implemented.

6.1.7 No planning application has been submitted to develop the site to date. However, it is considered the site could accommodate a small residential development of a suitable design with adequate off – street parking provision and garden spaces, without intruding into the Green Belt to the rear of the site.

6.1.8 Concerns have been raised by local residents in respect of the state the site has been left with evidence of debris from the demolition still on the site and no

security fencing to prevent fly tipping on the site. A condition is therefore recommended for the site to be cleared and a form of security fencing to be erected within one month from the date of the planning permission being granted.

## **6.2 Conclusion**

6.2.1 Whilst the demolition of the former public house has led to the loss of a prominent building within the street scene of Beauvale, the building had been vacant for a significant period of time and was becoming an eyesore due to vandalism and fly tipping. The granting of this permission and the provision of the condition to remove the debris from the site and to secure the site will improve the visual amenity of the area, with the potential for a small residential development to be provided on the site in the near future which would assist in meeting the borough's overall housing requirements.

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

## **Recommendation**

**The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:**

- 1. The development hereby permitted shall be retained in accordance with drawing number Site Location Plan 1: 1250 received by the Local Planning Authority on 11 January 2019.**
- 2. Within 1 month from the date of this permission, all debris from the demolition of the public house shall be removed from the site and details of fencing to secure the site and a timetable for installation shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed in accordance with the approved details.**

## **Reasons**

- 1. For the avoidance of doubt.**
- 2. To ensure the site presents a more pleasant appearance in the locality.**

## **Note to applicant**

- 1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.**
- 2. The applicant is hereby advised that the existing public right of way to the west of the site should remain open, unobstructed and be kept on its legal**

**alignment at all times. Vehicles should not be parked on the Right of Way or materials unloaded or stored so as to obstruct the path.**

Background papers

Application case file