

Report of the Chief Executive

APPLICATION NUMBER:	26/00495/FUL
LOCATION:	4 Knowle Hill, Kimberley, Nottinghamshire NG16 2PZ
PROPOSAL:	Demolish dwelling and construct replacement four-bedroom detached dwelling and alter rear dormer of detached garage

The application is brought to the Committee at the request of Councillor A Cooper.

1. Purpose of the Report

- 1.1 The application seeks planning permission to demolish a dwelling and construct a replacement four-bedroom detached dwelling and alter the rear dormer of the detached garage.

2. Recommendation

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

3. Detail

- 3.1 The application seeks planning permission to demolish a dwelling and construct a replacement four-bedroom detached dwelling and alter the rear dormer of the detached garage at 4 Knowle Hill, Kimberley.

4. Financial Implications

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

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

5. Legal Implications

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

6 Data Protection Compliance Implications

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

7. Background Papers:

- 7.1 Nil

Appendix

1. Details of the application

- 1.1 The application seeks to demolish a dwelling and construct a replacement four-bedroom detached dwelling and alter the rear dormer of the detached garage.

2. Site and surroundings

- 2.1 The application site is on Knowle Hill in Kimberley, a built up residential area. Knowle Hill is a steep cul-de-sac rising uphill from north to south. There are a variety of house sizes and styles running along the eastern side of the road with Kimberley Cemetery and allotments on the western side. The application site contains a modest detached property with a detached garage to the rear with a generous garden. The applicant has advised that the property is suffering from subsidence and needs to be demolished, there are significant cracks and sloping floors visible within the property. To the north of the site is a driveway which leads to The Coppice which sits behind the application site, the applicant has advised they have a right of access over the driveway so they can reach their detached garage. The other side of the driveway is 2 Knowle Hill which is a modest bungalow sitting at a lower level due to the slope of the hill. To the south of the site is 6 Knowle Hill which is an extended semi-detached property also in the ownership of the applicant.

3. Relevant Planning History

- 3.1 15/00426/FUL – Construct single storey rear extension and detached garage
3.2 10/00202/FUL – Construct Dwellinghouse – refused

4. Relevant Policies and Guidance4.1 **Broxtowe Aligned Core Strategy 2014:**

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

- Policy 10 - Design and Enhancing Local Identity.

4.2 **Part 2 Local Plan 2019**

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

- Policy 17 - Place-making, design and amenity.
- Policy 31 – Biodiversity Assets

4.3 **National Planning Policy Framework (NPPF) 2026**

- Section 3: Decision-making
- Section 4: Achieving Sustainable Development
- Section 14: Achieving Well-designed places

5. Consultations

5.1 **Consultees**

Comments received following initial consultation:

- Cllr C Carr - Kimberley Ward – no comments received
- Cllr A Cooper - Kimberley Ward – asked for the application to be considered at Planning Committee due to concerns regarding damage to utility services under the driveway and possible damage to the interior of 2 Knowle Hill.
- Cllr W Mee - Kimberley Ward – no comments received
- Kimberley Town Council – no comments received
- Ecology – no comments received
- Environmental Health – no objections requested informatives
- Highways – no objections subject to conditions

Comments received following re-consultation due to the receipt of a new Site Location Plan to include driveway/access to the north:

- Cllr C Carr - Kimberley Ward – no comments received
- Cllr A Cooper - Kimberley Ward – no further comments received
- Cllr W Mee - Kimberley Ward – no comments received
- Kimberley Town Council – no comments received
- Ecology – comments below in Ecology section
- Environmental Health – no further comments received
- Highways – no further comments received

5.2 Ecology comments: 'I have reviewed the submitted Preliminary Ecological Appraisal Report (PEAR) prepared by Elton Ecology, issued 7 July 2026.

The PEAR presents the results of a site walkover survey and Preliminary Roost Assessment of buildings conducted on the 7 November 2025. The site comprises a dwelling a garage, a shed and a glasshouse together with areas of modified grassland, bramble scrub and vegetated garden. There are 2 native hedgerows (Priority Habitat) and 2 non-native hedgerows.

The existing dwelling and garage building were assessed as having some suitability for roosting bats and in-line with current best practice guidance were subsequently subjected to dusk emergence surveys on the 14/05/2026 and 8/06/2026 no bats were recorded emerging from the buildings during the surveys from which I am satisfied that roosting bats are unlikely to be present and should not present a constraint to development.

The buildings and habitats on-site present suitable opportunities for nesting birds and the brash pile on-site provides suitable hibernacula/refugia for reptile, common amphibians and hedgehog. The brash pile needs to be removed under a precautionary method working statement to be secured by planning condition as part of a Construction Environment Management Plan. A number of non-native invasive plants were identified on the site including Montbretia, variegated

Yellow Archangel and Cotoneaster. These schedule 9 species need to be removed from site in-line with an approved control and eradication strategy as part of a CEMP to be secured by a planning condition.

The development area is below the 0.2 hectare threshold for BNG and so BNG does not apply.'

The Broxtowe Borough Council Ecologist recommended conditions for biodiversity enhancement and a Construction Environmental Management Plan (CEMP)

5.3 Eight neighbours were consulted on the application, three neighbour responses were received raising objections, these are summarised below:

- Reduced daylight due to rearward projection of new dwelling.
- Loss of privacy from first floor window on the side being able to see into garden
- Concerns regarding the extent of the Site Location Plan
- If Planning Permission is granted would at a minimum require a Construction Method Statement and a Construction Environmental Management Plan
- Would like application to be refused.
- Development is out of character and for profit.
- Object to noise and dust of construction
- *Demolition* – what is the process? What measures will be put in place to protect our property from damage or falling materials and any Plant used? How will materials be removed from site as the access road to the side is not suitable for heavy vehicles as experience during the construction of the double garage?
- Objection to Piling if it is to be used for the foundations
- The construction of the double garage created problems with the side access road which is of poor quality, the retaining wall for this is 2/3 feet lower than the service road and has considerable cracking and falling bricks as a result of this construction which was reported to applicant at the time.
- There were also cracked/sunken pipes under the side access which cost the owners of the Coppice a considerable amount of money to repair.
- Neighbours experienced cracking at their properties as a result of the piling and heavy vehicles used in the construction of the garage.
- Will the contractor or applicant provide insurance details prior to any approved demolition/ construction?
- Had to repair cracks following previous construction of garage
- Concerns regarding access alongside driveway/access and use of this access being required at all times by The Coppice
- Concerns about the garden boundaries of 4 and 6 Knowle Hill altering
- No explanation of why it is necessary to demolish the existing property
- Insufficient information regarding land stability risk

5.4 Eight neighbours were re-consulted on the application following the receipt of an amended Site Location Plan and ownership certificate B. There was one further objection which is summerised below:

- The same objections still stand and should still be considered

- The first floor side window should be removed or obscurely glazed

These points will be addressed below

6. Assessment

6.1 Principle

- 6.1.1 The principle of the demolition of a dwelling and the construction of a replacement four-bedroom detached dwelling and the alteration of the rear dormer of a detached garage is deemed acceptable in regard to the existing character of the dwelling and of the surrounding area.

6.2 Design

- 6.2.1 Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

- 6.2.2 This application seeks to demolish an existing detached dwelling and replace it with a four-bedroom detached dwelling, it also seeks to alter the rear dormer of the detached garage.

6.2.3 Construction of new dwelling

The proposed three-storey replacement dwelling will be approximately 5.6m from the highway and project 13.7m to the rear on the ground floor with a width of 7.6m. On the ground floor to the rear on the southern side will be a flat roofed plant room which will project a further 2.2m to the rear with a width of 3.5m and projecting 1.3m beyond the southern elevation it will have a maximum height of 2.5m. The single storey roof to the rear will have an eaves height of 2.5m and a ridge height of 3.7m. To the front of the property there will be a single storey element containing the front door with an eaves height of 2.5m and a ridge height of 3.3m

- 6.2.4 At first floor level the property has a front facing gable to the southern side of the front elevation with an eaves height of 5.6m and a ridge height of 7.3m. The rearward projection will be a maximum of 11m to the south and 10.1m to the north. The roof will have a maximum height to the eaves of 5.6m and to the ridge of 9.3m. The proposal will have two gable ended dormers containing a window to the rear, each with a height of 2.1m and a maximum width of 1.9m, these are set down from the main ridge of the property by 0.7m and up from the eaves 0.9m.

- 6.2.5 The new dwelling will have four skylights within the rear single storey element, patio doors with sidelights to the rear, a door from the utility and a door from

the plant room. The single storey element will be 3.6 from the rear of the detached garage. To the rear at first floor level there will be two windows at the first floor and two dormer windows within the roof. It is proposed that there will be four windows to the side elevation (north) three at ground floor level and one at first floor level. To the front at ground floor level will be a front door with side lights and a window. At first floor level there will be two windows and three skylights within the roof.

- 6.2.6 The proposed new dwelling will be constructed from red facing brick with a grey tiled roof and UPVC windows.
- 6.2.7 Whilst acknowledging that the property will be larger than the existing property, the plot it sits within is generous. The overall height of the property when measured to the top of the current chimney will be the same as the existing dwelling (9.3m) and it will be set back approximately 0.5m further from the road. As a result it will project 6.7m further to the rear, with 3.4m of this being single storey.
- 6.2.8 The style of the new dwelling and use of materials will ensure that it blends in well with the other properties on Knowle Hill, the new property will be approximately 1m wider than the existing property and should not appear over prominent in the street scene. By replicating the style and materials of the properties in the vicinity the proposed development is unlikely to have a significant impact upon the character of Knowle Hill. It is therefore considered that the design is acceptable.
- 6.2.9 Alterations to the detached garage to the rear
- 6.2.10 It is proposed to alter the rearward facing dormers by removing the two gable ended dormers and replacing them with a single flat roofed dormer containing two windows to the rear. The dormer will have a height of 1.3m and a width of 5.6m. The dormer will be set down from the ridge, up from the eaves and in from the sides of the roof. It is also proposed to block up the pedestrian access door to the south and insert new pedestrian access doors to the rear of the garage and the front of the garage adjacent to the double vehicular access door.
- 6.2.11 The change in the dormer is relatively modest and will allow the applicant to enjoy a view of their garden from the room above the garage. The insertion of the new pedestrian doorways will allow the applicant to access their garage and garden beyond from the rear of the newly constructed property. The flat roofed dormer will not be visible from the street scene and is not considered to dominate the existing detached garage. It is therefore considered that this element of the design is acceptable.

6.3 Amenity

6.3.1 Policy 10 (F) states that the impact of a development on neighbour amenity will be a consideration. Policy 17 (4d) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

6.3.2 The proposed replacement dwelling and alterations to the existing garage should be assessed in terms of their impact on the neighbouring properties.

6.3.3 Amenity Impact 2 Knowle Hill

This property is situated to the north/north east of the proposed development site and is a modest bungalow. It is separated from the application site by an access driveway which serves the property behind. No. 2 will be approximately 3.5m away from the side wall of the proposal however is situated 0.9m lower. In terms of loss of light, it is considered that there may be some loss of light late in the day however it is not considered that there will be a significant loss of light or overshadowing due to the siting of the properties and their orientation. In terms of loss of privacy and overlooking, no.2 has no windows facing the proposed development however the proposed development has four windows in the northern side. Given the distance and siting of the windows it is considered that there will be minimal direct overlooking as a result of the insertion of these windows however the first floor window will be conditioned to be obscurely glazed and non-opening below 1.7m to prevent incidental overlooking into the garden of no.2 and minimise any potential loss of privacy.

6.3.4 Amenity Impact The Coppice

This property is situated to the rear of the proposed new dwelling and it is understood from the applicant that the side driveway access is owned by The Coppice. In terms of increased overlooking, loss of privacy or loss of light it is considered that there should not be any significant impact on The Coppice due to its distance from the proposed new dwelling and alterations to the garage. In terms of the driveway/access any agreement regarding the use of this is a civil matter.

6.3.5 Amenity impact 6 Knowle Hill

This property is located to the south of the site and may experience some loss of light due to the erection of the new dwelling however this is not considered to be significantly more overshadowing than is currently caused by the existing property. In terms of loss of privacy and overlooking, there are no windows proposed in the southern elevation and whilst first/ second floor windows will be able to see into the garden, these are bedroom windows and should not increase the level of direct overlooking above that already present. Given that the amended dormer windows in the detached garage are beyond the rear boundary of no. 6 it is considered that it is unlikely that this will have a significant impact on their amenity.

6.3.6 Amenity of properties on Nottingham Road (64-68)

The properties on Nottingham Road have their rear gardens adjoining the northern side of the side driveway access road. In terms of any impact of loss of light, given their distance from the development it is considered that this will be minimal. In terms of direct overlooking and loss of privacy, due to the distance from the development it is likely that any impact will be minimal.

6.3.8 Amenity impact on residents of 4 Knowle Hill

Following the Planning Officer's site visit concerns were raised with the Agent regarding the proximity of the rear of the proposed new dwelling and the rear wall of the garage (3.6m). The officer invited changes to address this however was advised that no changes would be made. It is considered that the plot on which the new property will sit is very generous however the outlook from the ground floor of the new property will be limited by the proximity of the garage. Given the size of the garden it is considered that there is sufficient outdoor amenity space for the size of the property. It is also considered that given the height and orientation of the garage and the use of skylights in the rear of the proposed ground floor element the proximity of the garage to the rear elevation should not cause a significant loss of light.

6.3.9 General amenity

Neighbours have raised concerns about the creation of dust and the impact this may have on their amenity during the demolition and building. Neighbours are also concerned regarding the impact of the demolition, construction and land instability on their properties. Whilst understandable these are not material planning considerations and will be part of Building Control assessments. A Construction Method Statement will be conditioned to ensure that disturbance would be kept to a minimum. The Environmental Health Department have also provided informatives regarding the burning of commercial waste. Broxtowe Borough Council have a Planning Enforcement team which, if a resident is concerned about the construction phase of a development, can be contacted to ensure that development is being completed correctly. In addition construction hours are conditioned so as to minimise disruption to neighbouring properties.

6.4 Access

6.4.1 There is a driveway/access road to the northern side of the property which is the sole access to The Coppice which sits behind the application site. It is understood that the applicant has a right to use part of this in order to access the detached garage. Any agreements regarding this access route are a civil matter and not a material planning consideration.

6.4.2 As part of this application the applicant seeks to create off street parking to the front of the property with retaining walls either side. The plans indicate that this would provide two car parking spaces. Highways have requested conditions to ensure that the driveway is constructed and the kerb dropped

prior to use. It is considered that these additional spaces plus the existing parking inside/outside the detached garage provide ample off street parking.

7. Planning Balance

- 7.1.1 On balance, whilst acknowledging that a property will be demolished the proposal is deemed acceptable in terms of design, amenity and access and permission should be granted.

8. Conclusion

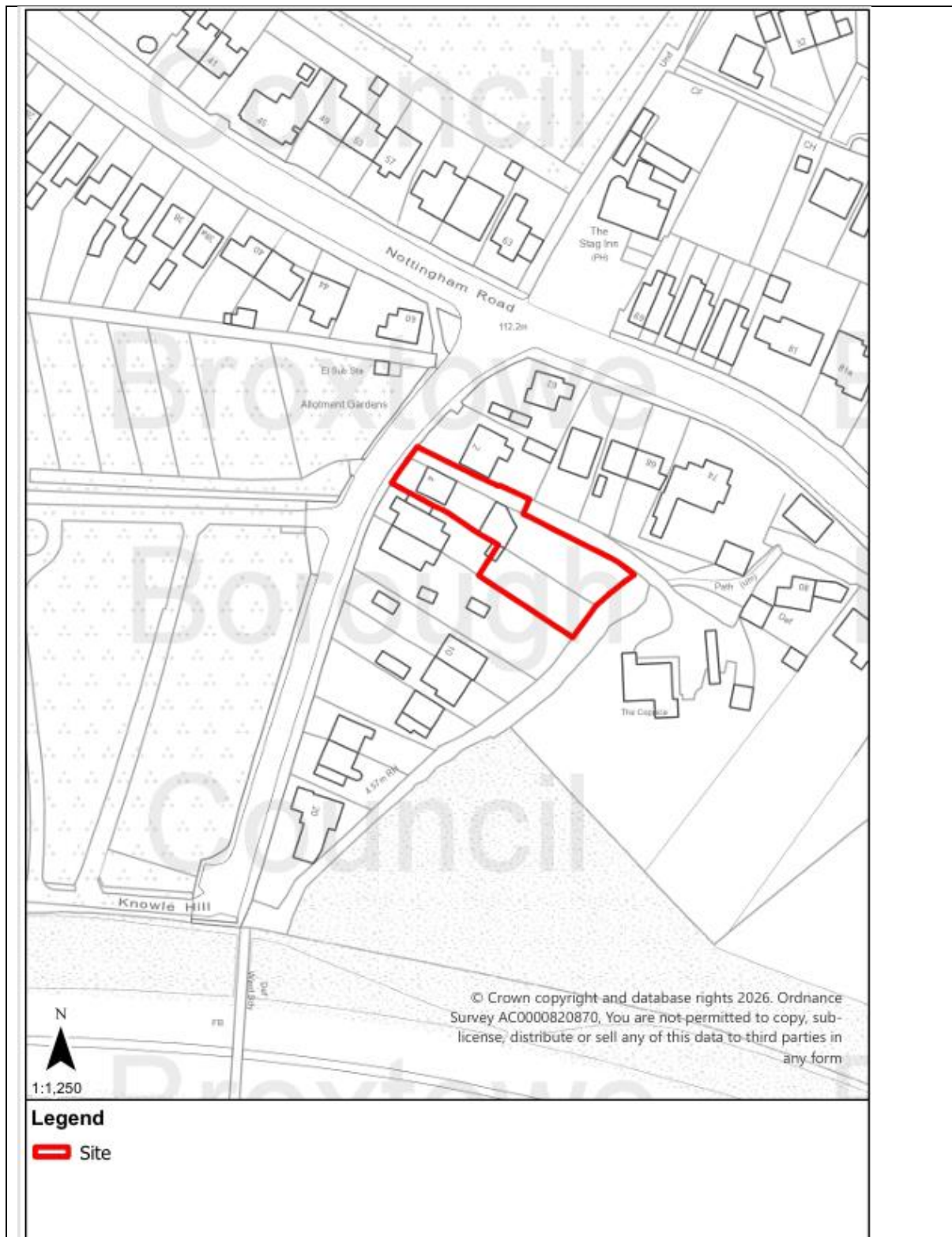
It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality Duty and comments raised in representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to: (i) the following conditions:	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <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>
2.	The development hereby permitted shall be carried out in accordance with the following plans: received by the Local Planning Authority on 29 July 2026: • Proposed Floor Plans, Block Plan and Roof Plan (JG/DE/2025/199/02) • Proposed Elevations, Street Scene and Sections (JG/DE/2025/199/02) received by the Local Planning Authority on 25 August 2026: • Site Location Plan Rev A (1:1250) <i>Reason: For the avoidance of doubt.</i>
3.	No building operations (above ground works) shall be carried out until samples of the materials to be used in facing external walls and roofs have been submitted to and approved in writing by the

	Local Planning Authority, and the development shall be constructed only in accordance with those details. <i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
4.	No development shall take place until a Construction Method Statement (CMS) / Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Borough Council. The statement shall include: a) the means of access for construction traffic; b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials used in construction of the development; e) a scheme for the recycling and disposal of waste resulting from construction/demolition works; and f) details of dust and noise suppression to be used during the construction phase. The approved statement shall be adhered to through the construction period. <i>Reason: To protect the amenity of neighbouring residents.</i>
5.	Prior to construction above foundation level, a Biodiversity Enhancement Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, as a minimum: • Integrated bat roosting features; • Integrated bee nesting features; • Integrated swift nesting features; and • Hedgehog gaps within garden boundary fencing. The approved scheme shall be implemented during construction and completed prior to first occupation of the development. <i>Reason: To minimise the impact of the development on protected species within the site and in accordance with Policy 31 of the Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i>
6.	No development, including groundworks or vegetation clearance, shall commence until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include: • A risk assessment of construction activities that may affect biodiversity; • Identification of biodiversity protection zones;

	• Measures to avoid or minimise impacts on biodiversity during construction, including lighting controls; • Details of the location and timing of sensitive works; • Arrangements for ecological supervision, including when specialist ecologists will be present on site; • Roles, responsibilities and communication procedures for biodiversity management; • Details of the Ecological Clerk of Works (ECow) or other suitably qualified person; and • Protective fencing, exclusion barriers and warning signage where required. The approved CEMP shall be implemented and adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority. <i>Reason: To minimise the impact of the development on protected species within the site and in accordance with Policy 31 of the Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).</i>
7.	No part of the development hereby approved shall be used until the dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification. The driveway surface must be constructed of hard-bound material and designed to prevent the unregulated discharge of surface water to the public highway. <i>Reason: In the interests of Highway safety and in accordance with Policy 17 of the Part 2 Local Plan 2019.</i>
8.	The first floor side window situated on the northern elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been approved in writing by the Local Planning Authority) and non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed and retained in this form for the lifetime of the development. <i>Reason: In the interests of residential amenity and in accordance with the aims of Policy 17 of the Broxtowe Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposal makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer

	Services on telephone 0300 500 80 80 to arrange for these works to be carried out, or alternatively the application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities
3.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
4.	You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outside the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).
5.	This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.
6.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Map

Plans (not to scale)

Existing Plans, Existing Elevations and Existing Block Plan

EXISTING FLOOR PLANS
SCALE 1:100



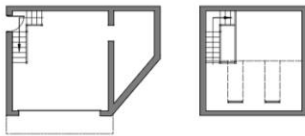
GROUND FLOOR

FIRST FLOOR

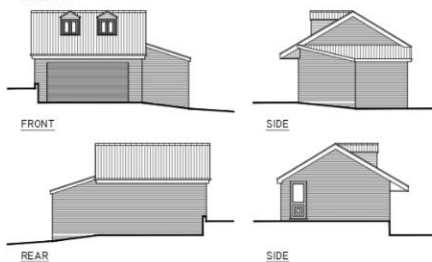
EXISTING ELEVATIONS
SCALE 1:100



EXISTING GARAGE FLOOR PLANS
SCALE 1:100



EXISTING GARAGE ELEVATIONS
SCALE 1:100



FRONT

SIDE

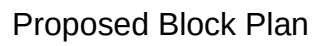
REAR

SIDE



EXISTING SITE BLOCK PLAN
SCALE 1:200

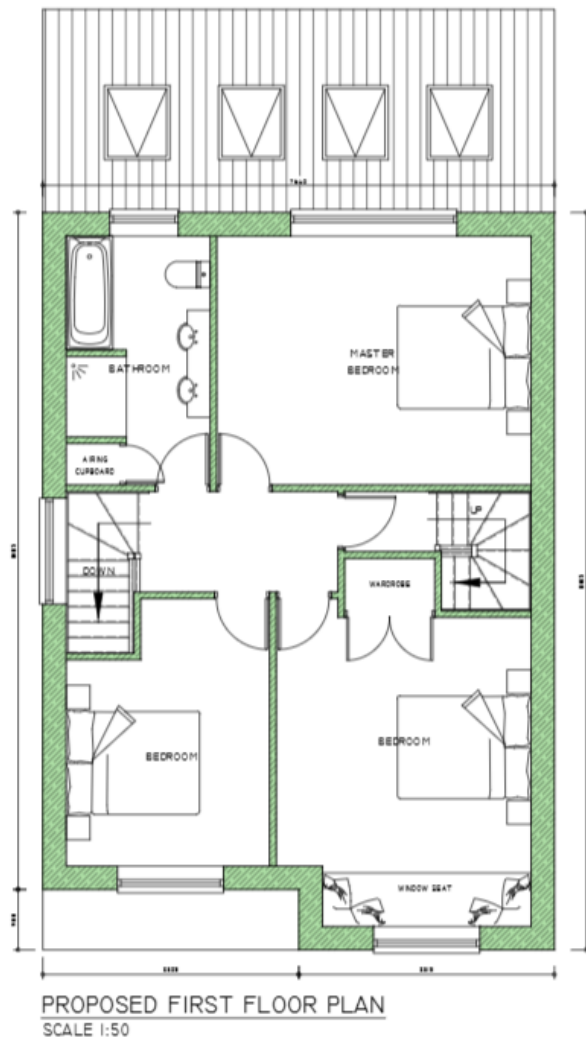
PROPOSED ELEVATIONS
SCALE 1:50 & 1:100



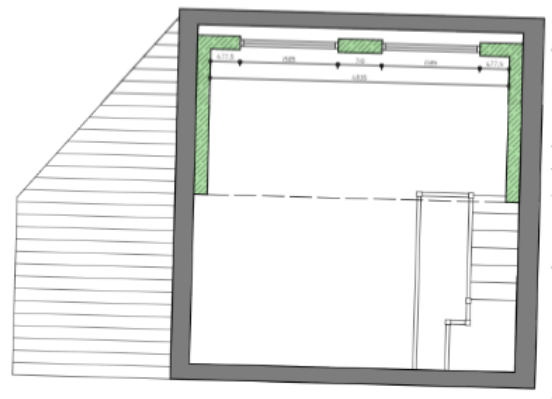
PROPOSED GARAGE GROUND FLOOR PLAN
SCALE 1:50



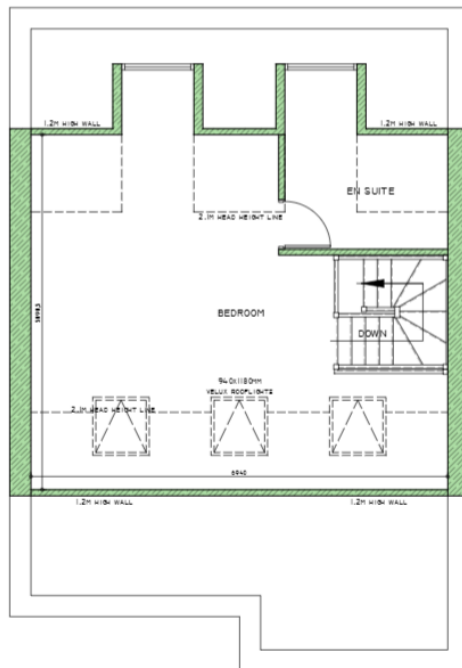
Proposed First Floor Plans



PROPOSED GARAGE FIRST FLOOR PLAN
SCALE 1:50



Proposed Second Floor Plans



PROPOSED SECOND FLOOR PLAN
SCALE 1:50