

Report of the Chief Executive

APPLICATION NUMBER:	18/00288/FUL
LOCATION:	242, 244, 248, 250, 252, & 254 DERBY ROAD STAPLEFORD NG9 7BG
PROPOSAL:	CHANGE USE OF 4 GROUND FLOOR RETAIL UNITS AND BASEMENTS (CLASS A1) TO FORM 11 APARTMENTS (CLASS C3), EXTERNAL ALTERATIONS AND CONSTRUCT REAR EXTENSIONS

1 Executive Summary

- 1.1 This major planning application was first brought before Planning Committee on 10 October 2018 with a recommendation for approval (original committee report attached as an appendix). Members resolved to grant planning permission at this meeting, subject to conditions and the prior signing of a Section 106 Agreement.
- 1.2 The planning permission has not been issued due to the Section 106 Agreement not yet being completed or signed.
- 1.3 The application is being returned to committee as a result of an objection by HS2 Ltd, following changes to the safeguarding zone for the HS2 route. The proposal is now recommended for refusal on the basis of this objection.

1 Details of the Application

1.1 The details of the proposed development have not changed from that presented to committee in October 2018.

2 Relevant Policies and Guidance

2.1 The relevant policies have previously been set out in the original committee report, attached as an appendix. However the following policy and section from the NPPF are now considered relevant as an additional consideration:

2.2 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy 15: Transport Infrastructure Priorities

2.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 9: Promoting Sustainable Transport

3 Re-Consultations

3.1 The safeguarding zone for the future HS2 route has been amended. As such, the application site now falls within this safeguarding zone. HS2 Ltd have been consulted, and have registered an objection to the development, on the grounds that the site is now located within the formal HS2 Phase 2b safeguarded area, and within land identified in the Working Draft Environmental Statement (WDES) shown as land potentially required for construction.

4 Conclusion

4.1 As an objection to the development has been made by HS2 Ltd, which cannot be resolved by amending the proposal, it is recommended that planning permission should be refused.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused, for the following reason:	
	The proposed development would conflict with the HS2 safeguarded route as published, emerging design developments and the Government's objective of delivering HS2, which is a project of national importance. It is considered that revised proposals or mitigation measures could not overcome these fundamental issues. The proposal is therefore contrary to the

	National Planning Policy Framework (NPPF) and Policy 15 of the Broxtowe Aligned Core Strategy (2014).
	NOTES TO APPLICANT
	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.



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Legend

-  Site
-  HS2 Route
-  Flood Zone 3
-  Flood Zone 2

Photographs



242, 244 and 248 Derby Road



250, 252 and 254 Derby Road

Plans (not to scale)

