



3 January 2017

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday 11 January 2017 in the New Council Chamber, Town Hall, Beeston at 7:00pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer or a member of his team at your earliest convenience.

Yours faithfully

Chief Executive

To:	Councillors	D Bagshaw	A Harper
		L A Ball BEM (Vice Chair)	R D MacRae
		J S Briggs	G Marshall
		T P Brindley	J K Marsters
		M Brown	P J Owen
		M Handley (Chair)	R S Robinson

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, in any item on the agenda.

3. MINUTES

PAGES 1 - 15

The Committee is asked to confirm as a correct record the minutes of the meeting held on 7 December 2016.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL
- 5.1 16/00781/FUL PAGES 16 - 21
 Installation of air handling equipment on the flat roof to the rear of the building
Hickings Lane Medical Centre, 120 Ryecroft Street, Stapleford, Nottinghamshire NG9 8PN
- 5.2 16/00674/FUL PAGES 22 - 27
 Construct single/two storey rear extension
108 Marlborough Road, Beeston NG9 2HN
- 5.3 16/00604/FUL PAGES 28 - 35
 Construct single storey side and rear extension, raise roof height, including dormers and external alterations
5 Brown's Flats, Kimberley NG16 3DZ
- 5.4 16/00777/FUL PAGES 36 - 42
 Retain change of use from residential (class C3) to a mixed use as residential and use of existing outbuilding as micro brewery (including retention of flue)
7 Lime Grove, Stapleford NG9 7GF
- 5.5 16/00732/ROC PAGES 43 - 51
 Removal of condition 3 of planning permission 15/00285/FUL to allow for the retail store to be open prior to practical completion of all of the dwellings on the site
Pinfold Trading Estate and Nags Head, Nottingham Road, Stapleford NG9 6AD
6. INFORMATION ITEMS
- 6.1 Report on Proposed Government Changes to the Local Criteria for Designation of Local Planning Authorities PAGES 52 - 56
- 6.2 Delegated Decisions PAGES 57 - 62

PLANNING COMMITTEE

7 DECEMBER 2016

Present: Councillor M Handley, Chair

Councillors: D Bagshaw	L A Ball BEM
J S Briggs	T P Brindley
M Brown	M J Crow (substitute)
E Cubley (substitute)	R D MacRae
J K Marsters	P J Owen
J C Patrick (substitute)	M Radulovic MBE
R S Robinson	

Apologies for absence were received from Councillors G Marshall, A Harper and R I Jackson.

33. **DECLARATIONS OF INTEREST**

Councillor M Radulovic MBE declared a non-pecuniary interest in agenda item 6.2, the applicant being known to him, minute no. 37.2 refers. Councillor J S Briggs declared a non-pecuniary interest in agenda item 6.3 since she was speaking as ward member in respect of the item, minute no. 37.3 refers.

34. **MINUTES**

The minutes of the meeting held on 9 November 2016 were confirmed and signed.

35. **NOTIFICATION OF LOBBYING**

The Committee received notifications of lobbying in respect of the planning applications subject to consideration at the meeting.

36. **TREE PRESERVATION ORDER**

36.1 **Tree Preservation Order: Newthorpe Common 1977** **Application to Fell**

The report sought approval to fell eight Lombardy Poplars; six located on Council owned land at Keeling Close, Newthorpe and two located within the private garden of 344A Nottingham Road, Newthorpe.

RESOLVED that permission to fell the group of six poplar trees on Broxtowe Borough Council land and two poplars on land belonging to 344A Nottingham Road be granted.

37. DEVELOPMENT CONTROL

37.1 14/00242/FUL

Hybrid planning application comprising: full application for industrial, storage and distribution buildings (Use Classes B1 B and C, B2 and B8), land for school expansion (Class D1), car parking and associated road infrastructure. Outline application for up to 310 residential units and community building with means of access included
(all other matters reserved)
Beeston Business Park, Technology Drive and Trent Vale Road Sports Ground, Beeston NG9 2ND

The application was considered by Planning Committee on 12 October 2016. Members resolved to grant planning permission subject to the prior completion of a Planning Obligation which they resolved should additionally include provision for a community facility. Members requested that, prior to the Planning Obligation being agreed, the details of the revised agreement be reported back to Planning Committee.

The Committee was referred to the summary of late items which included an email from Beeston Free Church outlining suggested development proposals for the retention of the Plessey Club building and an email from Councillor Kate Foale supporting such proposals.

Councillor T A Cullen (ward member for Beeston Rylands), Mr David Gilkerson (objecting) and Mr Rory Finnan (applicant) addressed the Committee prior to the general debate.

Members debated the item and the following significant comments were noted:

- The opportunity for residents to have a new community building was noted and this was likely to be more economically viable than renovating the existing building.
- A new, low maintenance and economically viable building was likely to inspire residents and a new community facility would promote enthusiasm and encourage new people to use it.
- Ward members and local people should be involved in discussions as to the detail and design of a new building.

RESOLVED that:

The Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to:

- (i) the prior completion of a Planning Obligation to secure the provision of contributions towards off-site affordable housing, off-site highway works, to ensure the provision of a community building and the 60 space car park and to safeguard the provision of land for school expansion to accommodate pupils generated by this development and the Alliance Boots development (not part of this application), and
- (ii) the following conditions:

Conditions in respect of outline element

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
3. No residential development shall commence until a phasing plan for the whole residential site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan.
4. No development shall be commenced in respect of any individual residential phase until detailed drawings and particulars showing the following for that respective phase have been submitted to and approved in writing by the Local Planning Authority:
 - (a) the layout, scale, and external appearance of all buildings;
 - (b) the particulars of the materials to be used in the facing of the external surfaces of all buildings;
 - (c) cross sections through the site showing the finished floor levels of the new dwellings in relation to adjacent land and buildings. These details shall be related to a known datum point;
 - (d) landscaping.

The development shall be carried out strictly in accordance with the approved details.

5. No residential phase of development shall be commenced until detailed drawings and particulars showing parking and turning facilities (including measures to prevent the unregulated discharge of surface water therefrom onto the public highway), site road layout and visibility splays for that respective phase have been submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be first occupied until its associated parking and turning

facilities and the road serving it have been constructed in accordance with the agreed details.

Conditions in respect of full element

6. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
7. No development relating to any commercial building shall commence until a phasing plan for the whole commercial site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan.
8. No commercial phase of development shall be commenced until samples of the proposed external facing materials for that respective phase have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.
9. No fixed plant and/or machinery associated with air movement shall be installed within the site until a noise report, including details of the acoustic specification of such fixed plant and/or machinery, has been submitted to and agreed in writing by the Local Planning Authority.

Noise from fixed plant and/or machinery associated with air movement shall be designed to achieve operational noise levels 10dB below the existing background noise level at a position 1m from the facade of the nearest sensitive receptors, providing that a minimum plant noise limit of 35dB LAeq,T where the prevailing background noise levels in dB at a position 1m from the facade of the nearest sensitive receptors minus 10dB(a) are below this value.

The plant/machinery shall be installed in accordance with the agreed details and thereafter maintained in the agreed form for the lifetime of the development.

10. No commercial building shall be first occupied until its associated parking, turning and servicing facilities have been provided in accordance with the approved plans and constructed so as to prevent the unregulated discharge of surface water therefrom onto the public highway. These facilities shall thereafter be retained in the agreed form for the lifetime of the development.
11. No commercial building shall be first occupied until associated cycle parking facilities have been provided in accordance with details which shall first have been submitted to and agreed in writing by the Local Planning Authority. These facilities shall thereafter be retained in the agreed form for the lifetime of the development.

12. Prior to the occupation of each commercial building (excluding businesses employing less than 20 employees), a travel plan (including details of proposed monitoring and future review) for that occupier shall be submitted to and approved in writing by the Local Planning Authority. Each of these individual travel plans shall be implemented as approved for the duration of each individual occupation.

Conditions in respect of whole scheme

13. The development hereby permitted shall be carried out in accordance with drawings numbered: 001 Site Location Plan - application area, 002 Site Location Plan - detailed application area, 003 Site Location Plan - outline application area, 005 Rev A Proposed commercial site plan, 010 Unit 1 floor and roof plans and elevations, 011 Unit 2 floor and roof plans and elevations, 012 Unit 3 floor and roof plans and elevations, 013 Units 4-9 floor and roof plans and elevations, 014 Units 10-13 floor and roof plans and elevations, 015 Units 14-17 floor and roof plans and elevations, 016 Units 18-21 floor and roof plans and elevations, 017 Units 22-24 floor and roof plans and elevations, 018 Unit 25 floor and roof plans and elevations, 019 Unit 26 floor and roof plans and elevations, 020 Unit 27 floor and roof plans and elevations, 021 Gatehouse floor and roof plans and elevations, 030 Street elevations (excluding sections A-A and B-B), PL12_011 Rev A Tree Pit Details, PL12_002-008 (inclusive) and 010 Rev B Landscape General Arrangement and planting plans, Sheets 1-7 and 9 received by the Local Planning Authority on 15 June 2016; drawings numbered: 004 Rev B Proposed overall site plan, 022 Rev A Units A and B floor and roof plans and elevations and

PL12_009 Rev C Landscape General Arrangement and planting plans, Sheet 8 received by the Local Planning Authority on 19 August 2016 and drawing number 023 Rev B Phasing plan and the phasing strategy received by the Local Planning Authority on 3 October 2016.

14. No phase of development hereby permitted shall be commenced until details of flood mitigation measures for that respective phase identified as being necessary within the Flood Risk Assessment (FRA) reference BBP-BWB-EWE-XX-RP-EN-0001_FRA Revision P4 (notwithstanding the finished floor levels stated at 4.2 of this FRA which are yet to be agreed) and a timescale for their completion, have been submitted to and agreed in writing by the Local Planning Authority. The flood mitigation measures shall be undertaken in accordance with the agreed details and timescale.
15. No phase of development shall be commenced until a surface water drainage scheme for that respective phase, based on sustainable drainage principles, has been submitted to and approved in writing

by the Local Planning Authority. Each surface water drainage scheme should include the following:

- (a) the ability to accommodate surface water run-off on-site up to the 1 in 100 year event plus an allowance for climate change (30%), based upon the submission of drainage calculations;
- (b) a minimum of two forms of surface water treatment to be incorporated within the design;
- (c) consideration of the results of the contamination survey (as required by condition 16) when designing any infiltration drainage proposals;
- (d) horizontal and longitudinal cross sections through any proposed swales/attenuation ponds;
- (e) details of how the Attenborough Gravel Pits SSSI will be protected during the construction and operation of the development including the use of necessary measures to ensure run-off is managed to provide treatment and control (including measures to protect against incidents of pollution spill);
- (f) a timetable for implementation; and
- (g) details of the responsibility for the future maintenance of drainage facilities.

The schemes shall be implemented in accordance with the details to be agreed under (f) and thereafter maintained in accordance with the agreed details for the lifetime of the development.

16. (a) No phase of development shall be commenced until an investigative survey of that respective part of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.
- (b) No building to be erected pursuant to this permission shall be first occupied or brought into use until:
- (i) all the necessary remedial measures for that respective building have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and

- (ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures for that respective building have been implemented in full.
17. No phase of the development hereby permitted shall be commenced until drainage plans for the disposal of foul sewage relating to that respective phase and a timescale for completion of any necessary works, have been submitted to and agreed in writing by the Local Planning Authority. Any foul sewage drainage works necessary shall be undertaken in accordance with the agreed details and timescale.
 18. No phase of development shall be commenced until a scheme to treat and remove suspended solids from surface water run-off during construction works for that respective phase has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall be implemented in accordance with the agreed details.
 19. No phase of the development shall be commenced until wheel washing facilities for that respective phase have been installed on the site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no debris is discharged or carried onto the public highway. These facilities shall be retained on the respective part of the site until the substantial completion of each respective phase of construction work.
 20. No phase of the development shall be commenced until details of the site boundary treatments and curtilage boundary treatments for that respective phase of development have been submitted to and approved in writing by the Local Planning Authority: no dwelling or commercial unit shall be occupied until its own boundary treatments have been erected in accordance with the agreed details. No building on any subsequent phase shall be first occupied until the approved site boundary treatment for the preceding phase has been completed in accordance with the agreed details. No building forming part of the last phase of development shall be first occupied until the approved site boundary treatment has been completed in accordance with the agreed details.
 21. No commercial building hereby permitted shall be brought into use and no dwelling shall be constructed until a further noise report which incorporates noise mitigation measures and a timescale for their completion (as recommended in the BWB Noise Report ref BMT-2254-NA dated 18 May 2016), has been submitted to and agreed in writing by the Local Planning Authority. The mitigation measures shall be undertaken in accordance with the agreed details and timescale.

- 22. No development shall be commenced in respect of any phase until a landscaping scheme for that respective phase of development has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall include the following details:**
- (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development. No development in the respective phase of development shall commence until the agreed protection measures are in place;**
 - (b) numbers, types, sizes and positions of proposed trees and shrubs;**
 - (c) proposed hard surfacing treatment;**
 - (d) planting, seeding/turfing of other soft landscape areas;**
 - (e) a timetable for implementation of the scheme.**

The approved schemes shall be carried out strictly in accordance with the approved details.

- 23. The approved landscaping for each phase of development shall be carried out not later than the first planting season following the substantial completion of each respective phase or first occupation of the building(s) within the respective phase, whichever is the sooner, and any trees or plants which, within a period of 10 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**
- 24. No phase of the development hereby permitted shall commence until a Construction Management Plan (CMP) relating to that respective phase has been submitted to and approved in writing by the Local Planning Authority. The CMP shall set out measures to protect existing species and habitats during the construction phase. The CMP shall be implemented in accordance with the approved details for the duration of the construction period for that phase of development.**
- 25. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays.**
- 26. If, during development, contamination not previously identified is found to be present at the site then no further development on that phase of development shall take place until a remediation strategy detailing how this unsuspected contamination is to be dealt with has been submitted to and agreed in writing by the Local Planning Authority. Any required remediation shall be undertaken in accordance with the agreed details and it shall be certified to the**

satisfaction of the Local Planning Authority that the additional remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.

27. No piling or other foundation designs using penetrative methods shall be used except where it has been demonstrated through the submission of a foundation risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reasons

1. & 2. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
3. To secure an orderly form of development.
4. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory and in accordance with the aims of the NPPF and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory in the interests of highway safety to ensure appropriate access and parking arrangements are provided on the site and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Saved Policy T11 of the Broxtowe Local Plan (2004).
6. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
7. To secure an orderly form of development.
8. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
9. To protect local residents from excessive noise, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 10. In the interests of highway safety to ensure satisfactory access, servicing and parking arrangements are provided and in accordance with the aims of Saved Policy T11 of the Broxtowe Local Plan (2004).**
- 11. In the interests of supporting sustainable modes of transport and in accordance with the aims of Saved Policy T11 of the Broxtowe Local Plan (2004) and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).**
- 12. In the interests of highway safety and the environment to encourage use of more sustainable modes of transport than the car and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).**
- 13. For the avoidance of doubt.**
- 14. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, to ensure mitigation takes place to reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014).**
- 15. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, to prevent an increase in flood risk, to improve and protect water quality, to improve habitat and amenity, to protect the nature reserve from pollution and in accordance with the aims of the NPPF and Policy 1 of the Broxtowe Aligned Core Strategy (2014).**
- 16. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Saved Policy E29 of the Broxtowe Local Plan (2004).**
- 17. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, to ensure the development is provided with a satisfactory means of drainage, to minimise the risk of pollution and in accordance with the aims of Saved Policy E26 of the Broxtowe Local Plan (2004).**
- 18. No details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, to reduce the risk of surface water pollution and in**

accordance with the aims of Saved Policy E26 of the Broxtowe Local Plan (2004).

19. No details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory and in the interests of highway safety to minimise the amount of debris carried onto the highway in accordance with the aims of Saved Policy T11 of the Broxtowe Local Plan (2004).
20. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of residential amenity and the appearance of the area, to ensure the operations of the railway (in relation to the associated phase) are not adversely affected and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
21. To protect local residents from excessive noise, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
22. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
23. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
24. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, to safeguard protected species and valued habitat, in particular the Attenborough Gravel Pits SSSI, during the construction phase and in accordance with the aims of Policy 17 of the Broxtowe Aligned Core Strategy (2014).
25. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
26. To ensure any unknown contamination encountered during development is appropriately dealt with to prevent pollution of the environment and to render the site free from risk to human health, in accordance with the aims of Saved Policy E29 of the Broxtowe Local Plan (2004).
27. In the interests of protecting the environment as there is residual contamination present at the site which could potentially be

mobilised as a result of certain piling techniques and in accordance with the aims of Saved Policy E29 of the Broxtowe Local Plan (2004).

Notes to Applicant

- 1. In order to carry out off-site works, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. The applicant is advised to contact the County Council Highways team for details on Tel: 0115 9772210.**
- 2. This permission has been granted contemporaneously with a planning obligation(s), and reference should be made thereto.**
- 3. Beeston public footpath No. 62 runs through the site and it should remain open and free from obstruction at all times.**
- 4. The applicant is advised to contact National Grid before works commence on site in relation to the gas pipeline crossing the site.**
- 5. The applicant is advised to contact Network Rail prior to commencing any works on land adjacent to the railway line Email: assetprotectionline@networkrail.co.uk**
- 6. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.**
- 7. In respect of condition 16, the reports previously submitted will be taken into account.**
- 8. In respect of condition 22, consideration will be given to the planting plans submitted for the commercial development.**
- 9. Natural England recommends that the developer produces a leaflet for the proposed residents highlighting the importance and sensitivity of the nearby Nature Reserve.**
- 10. The applicant is encouraged to enter into dialogue with Network Rail about providing land to facilitate a ramped replacement for the existing footbridge over the railway that connects Dovecote Lane with the application site.**
- 11. If bats are found, work must stop immediately as bat species are statutorily protected from reckless killing, injuring and disturbance, and roost sites from damage and obstruction. For further advice, the Bat Conservation Trust can be contacted on 0345 1300228.**
- 12. The decision has been reached taking into account the guidance in paragraphs 186-187 of the National Planning Policy Framework, with positive amendments having actively been sought during the consideration of the application.**

37.2 16/00270/FUL

Change of use from Heritage Centre (Class D1 to day spa, beauty salon and tea room incorporating D H Lawrence exhibition
Durban House, Mansfield Road, Eastwood NG16 3DZ

The application, as detailed above, had been brought to Committee since the Council was the landowner.

The Committee was referred to the summary of late items which included a letter supporting the application and a neighbour consultation form which did not include comments. An email from David Brock, member of the D H Lawrence Society, to the Council's Chief Executive was also circulated.

Mr Malcolm Gray (objecting) and Mrs Michelle Davis (applicant) addressed the Committee prior to the general debate.

Members debated the item and the following significant comments were noted:

- The proposals would provide jobs and help support the economy of Eastwood.
- There was a need to support local businesses and it was good that the building would be brought back into use.

RESOLVED that planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the floor plans received by the Local Planning Authority on 31 October and 22 November 2016, site location plan received by the Local Planning Authority on 2 November 2016 and the additional information received by the Local Planning Authority on 21 and 22 November.**
- 3. The use hereby permitted shall not be open to customers outside of the following times: 08:00 – 21:00 hours Monday to Friday 08:00 - 18:00 hours Saturdays and 09:00 – 17:00 on Sundays, Bank Holidays and other public holidays.**

Reasons

- 1. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To protect local residents from excessive operational noise.**

Note to Applicant

The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework with positive dialogue with the applicant during the course of the application to ensure that all relevant information had been submitted to demonstrate the business operation.

(Councillor M Radulovic MBE, having declared an interest, did not vote on the item.)

- 37.3 16/00577/FUL
Construct two storey side and rear extensions
59 Scrivelsby Gardens, Chilwell NG9 5HJ

The application, as detailed above, had been brought to Committee at the request of Councillor J S Briggs.

There were no late items in respect of this application.

Mr G Aulsebrook (objecting) and Mr David Hobbs (applicant) addressed the Committee prior to the general debate. Councillor Briggs spoke as ward member.

RESOLVED that planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawings numbered: 001 DH B and 003 DH B received by the Local Planning Authority on 20 October 2016.
3. The extensions shall be constructed using materials of a type, texture and colour so as to match those of the existing building.

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

Note to Applicant

The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by allowing the applicant to submit amended plans to address the concerns raised.

(Councillor J S Briggs, having declared an interest, did not vote on the item.)

38. **INFORMATION ITEM**

38.1 **Delegated Decisions**

The Committee noted the decisions determined under delegated powers between 21 October and 9 November 2016.

Report of the Director of Legal and Planning Services

16/00781/FUL**INSTALLATION OF AIR HANDLING EQUIPMENT ON THE FLAT ROOF TO THE REAR OF THE BUILDING****HICKINGS LANE MEDICAL CENTRE, 120 RYECROFT STREET, STAPLEFORD, NOTTINGHAMSHIRE NG9 8PN**

This application is brought before the Committee as the applicant is a Borough Councillor.

1. Details of the application

1.1 This application seeks permission for the installation of air handling equipment on the flat roof to the north east (rear) of the building. Most of the equipment has already been installed.

1.2 The air handling equipment will extend 8.6m in length across the flat roof and will be 1.2m wide. At its highest point, it will be 3.4m above the ground level extending 0.6m above the flat roof level. It will have an aluminium power coated hood over the main air handling unit which will closely match the colour of the roof covering and fascias. The lagging to the pipework will also be closely matched in colour to the roof covering and fascias.

2. Site and surroundings

2.1 The medical centre is positioned centrally within a corner plot at the intersection of Hickings Lane service road and Ryecroft Street.

2.2 The street scene is characterised by two storey semi-detached dwellings which are set back from the highway. This section of Hickings Lane has a more open character due to the landscaped verge and line of trees between the main highway and the service road.



2.3 The building is single storey with a hipped roof with a recently constructed L-shaped flat roofed extension to the north east and north west. The land slopes down across the site from north to south, whilst hedging beside the boundary with the footway screens the main facade.

2.4 No. 141 Hickings Lane is a two storey semi-detached dwelling beyond the north east site boundary. The south west elevation has windows at a ground floor level only. On the boundary between no. 141 and the application site there is a 2m high fence. Beyond the south east site boundary there is a garage block associated with Springfield Court and a flat roofed building fronting Ryecroft Street which operated as a shop but appears to be vacant.

3. History

3.1 An application (00/00002/FUL) for an extension and new pitched roof was approved in March 2000. A hipped roof was implemented on all elements of the original flat roofed building. An application (15/00512/FUL) for a link extension and external works was approved in September 2015. The flat roofed extension wraps around part of the side elevation creating an L-shape.

4. Policy context

4.1 National Policy

4.1.1 Section 7 – Requiring Good Design: states that developments should function well and add to the overall quality of the area.

4.1.2 Section 8 – Promoting Healthy Communities: decisions should ensure that established facilities are able to develop and modernise in a way that is sustainable for the benefit of the community.

4.2 Broxtowe Aligned Core Strategy

4.2.1 Policy 10 – Design and Enhancing Local Identity: new development will be assessed in terms of its impact on the amenity of nearby residents or occupiers.

4.2.2 Policy 12 – Local Services and Healthy Lifestyles: extended or improved community facilities will be supported where they meet a local need.

4.3 Saved Policies of the Broxtowe Local Plan

4.3.1 Saved Policy E34 – Control of Noise Nuisance: states planning permission will not be granted for development if residential premises are exposed to significant noise disturbance.

4.3.2 Saved Policy RC2 – Community and Education Facilities: This policy applies to most Class D1 uses and lists criteria which include that the amenity of neighbouring properties and the character of the area should not be adversely affected.

5. Consultations

- 5.1 The Senior Environmental Officer has raised no objection subject to a condition requiring the submission of a noise report.

6. Appraisal

- 6.1 The main issues to consider with this application are the impact on neighbour amenity and the character of the area.

6.2 No. 141 Hickings Lane adjoins the north east boundary with the medical centre. From the south west elevation of no. 141, there is a minimum distance of 2.4m to the boundary with the medical centre. There is a 2m high fence on the boundary between the medical centre and no. 141 which extends 18m from the Hickings Lane service road to the rear of the medical centre. There is a slope down meaning the medical centre is located at a lower level than no. 141. Due to the separation distance and change in level it is considered that the amenity of the occupants of no. 141 will not be adversely affected.

6.3 No. 20B Moorfield Court is positioned to the north west of the application site. Due to the intervening service road, Hickings Lane and the separation distance, it is considered the air handling equipment will have minimal impact on the amenity of the occupants of this property.

6.4 No. 102 Ryecroft Street is located beyond the south east site boundary. It operated as a shop but appears to be vacant. Both the north east and north west elevations are blank. Due to where the air handling equipment is proposed, it will not be visible and therefore will have no impact on the amenity of current or future occupants of this property.

6.5 No. 1 Sherwin Road is a semi-detached dwelling positioned to the east of the medical centre. It has a sizeable garden, 22m in length. Due to the separation distance, it is considered the air handling equipment will have minimal impact on the amenity of the occupants of no. 1.

6.6 No. 5 Springfield Court is an end terrace dwelling positioned to the south east of the medical centre. There is a distance of 19m from the north west elevation of no. 5 and the boundary with the medical centre. Aligning the south east boundary with the medical centre there is a row of garages. Due to the intervening garages and separation distance, it is considered the amenity of the occupants of no. 5 will not be adversely affected by the air handling equipment.

6.7 The air handling equipment will be located 0.6m above the flat roof extension. The proposed colour of the equipment will closely match that of the roof covering and fascias. It is therefore considered the appearance of the air handling equipment will not be a prominent feature and will be in keeping with the building.

6.8 As the air handling equipment is located to the rear and is set back from Hickings Lane service road, it is considered it will not have a detrimental impact on the street scene of Hickings Lane. Due to the orientation of the medical centre, the air handling equipment will not be visible from Ryecroft Street and therefore will have no impact on visual amenity from this direction.

7. Conclusion

7.1 It is concluded that the overall appearance, design and massing of the air handling equipment is suitable for this type of building. The air handling equipment would not cause an unacceptable loss of residential amenity and it would not be a prominent visual addition to the flat roof part of the medical centre. The proposal therefore accords with Broxtowe Local Plan Policies E34 and RC2, with Policies 10 and 12 of the Broxtowe Aligned Core Strategy and with the National Planning Policy Framework.

Recommendation

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of the permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Proposed Elevations received by the Local Planning Authority on 06 December 2016.**
- 3. Within one month of the date of this decision notice, a noise report shall be submitted to the Local Planning Authority for approval in writing. The report shall be prepared in accordance with provisions of the current BS4142 to predict noise levels at the nearest residential boundary/nearest residential façade. Predictions shall be contained in a report which sets out: a large scale plan of the proposed development; noise sources and measurement/prediction points marked on plan; a list of noise sources; a list of assumed noise emission levels; details of noise mitigation measures; description of noise calculation procedures; noise levels at a representative sample of noise sensitive locations and a comparison of noise level with appropriate criteria. Where criteria are exceeded at any location the applicant should explain why that excess is immaterial or what further mitigation (including a timetable for provision) will be undertaken to ensure that criteria will be met. Any mitigation measures shall be installed in accordance with the agreed details and retained/maintained in the agreed form for the lifetime of the development**

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990.**
- 2. For the avoidance of doubt.**

3. To protect nearby residents from excessive noise and in accordance with Policy E34 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

Notes to Applicant

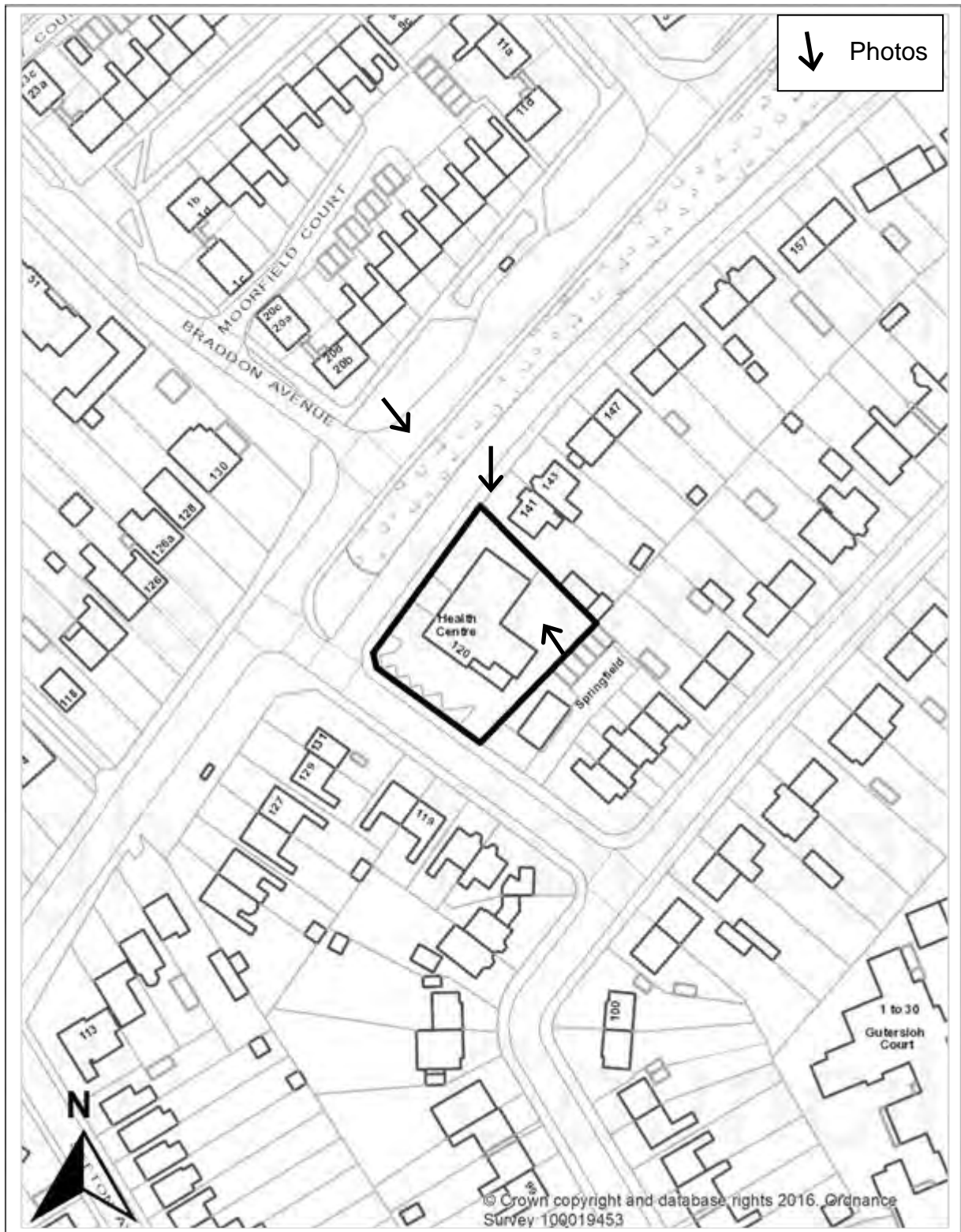
1. The Council has acted positively and proactively in the determination of the application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by working to determine this application within the eight week determination timescale.
2. The proposed 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 Coal Authority on 01623 646 333.

Further information is also available on The Coal Authority website at www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at www.groundstability.com

Background papers

Application case file



Hickings Lane Medical Centre, 120 Rycroft Street, Stapleford
Installation of air handling equipment on the flat roof to the rear of the building

Planning Committee 11 January 2017

Scale: 1: 1,250

Directorate of Legal and Planning Services

Report of the Director of Legal and Planning Services

**16/00674/FUL
CONSTRUCT SINGLE/TWO STOREY REAR EXTENSION
108 MARLBOROUGH ROAD, BEESTON, NG9 2HN**

Councillor S J Carr has requested this application be determined by Committee.

1 Details of the application

- 1.1 The application seeks permission to construct a two storey/single storey rear extension.
- 1.2 The proposed single storey extension will extend for the width of the house, will project 5m from the rear elevation of the house and will have a 3m high flat roof. The two storey extension will have a gable roof with a height to eaves of 5m and a height to ridge of 6.65m. The two storey extension will project from the rear elevation by 3.5m and be set in 1.9m from the boundary with no. 110. Matching brickwork and roof tiles are proposed.
- 1.3 Two sets of glazed doors are proposed in the rear of the single storey extension and a roof light is proposed in the flat roof of this extension. One first floor, rear window is proposed in the two storey extension. Both side elevations will be blank. The extension will create an extended living room and kitchen with a bedroom above.

2 Site and surroundings

- 2.1 The application property is an end terrace dwelling. A 2.2m high outbuilding with mono pitch roof in the garden of no. 110 extends for 0.75m from the rear elevation between the two properties, then a shed extends for 1.5m, with a 2.5m high privet hedge extending to the rear boundary. A 2m high outbuilding adjoins the north west elevation of no. 106 and extends 7m along the boundary. There is a gap 1m in length and then a 2m high privet hedge forms the remainder of the south east boundary. The rear boundary is a 2.8m high privet hedge and other vegetation.
- 2.2 The site is relatively flat. Marlborough Road is a street formed of bungalows, terraced, semi-detached and detached houses of various designs.





3 Relevant planning history

- 3.1 An application (06/01030/FUL) for a two storey and single storey rear extension was approved in January 2007. The single storey section was proposed to extend the full width of the existing dwelling and had a proposed depth of 3m. The two storey element was proposed to match this depth, have a hipped roof to match the existing house and a lower ridge height. It was proposed for the two storey extension to be positioned 2m in from the boundary with no. 110, with the lean-to roof of the single storey extension intervening. No windows were proposed in the side (north west) elevation facing no. 110. A ground floor window and glazed doors and a first floor window were proposed in the rear (north east) elevation. A ground floor window was proposed in the side (south east) elevation facing no. 106.

4 Policy context

4.1 National Policy

- 4.1.1 The National Planning Policy Framework (NPPF) March 2012, outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, a good standard of amenity for existing and future occupants should be secured and high quality design should be sought.

4.2 Broxtowe Aligned Core Strategy

- 4.2.1 Policy 10 'Design and Enhancing Local Identity' states that development should be assessed in relation to its massing and scale, materials, design and impact on the amenity of nearby residents.

4.3 Saved Policy of the Broxtowe Local Plan

- 4.3.1 Policy H9 'Domestic Extensions' states that extensions will be permitted provided that they are in keeping with the original building in terms of style, proportion and materials, are in keeping with the appearance of the street scene and do not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties.

5 Consultations

- 5.1 Councillor S.J Carr has submitted an objection in relation to the application. He states that the application restricts access to the neighbouring property which is a mid-terrace, the property is too extensive and the house is being used for multi-occupancy and will have implications for parking on an already congested road.
- 5.2 A letter of objection has been received from no. 110 Marlborough Road. Their objections can be summarized as follows: application claims the work has not started but excavations of the foundations have commenced, failure to acknowledge pruning of hedge along the joint boundary, provision of additional bedrooms for a house that has been used for multi-occupancy student accommodation with the potential of generating further traffic and accentuating parking problems, failure to indicate the colour of materials and whether these will be compatible with the existing terrace row, impact on communal foul water system, overbearing size causing a loss of privacy, overshadowing to patio area, loss of daylight/sunlight given its location to the south side of their property, loss of sunlight will have detrimental impact on rear garden planting, block access to rear garden through side gate adding to a sense of enclosure, out of proportion to adjacent properties and will give a cramped effect to the end terrace which will be visible from the street and unacceptable loss of amenity.

6 Appraisal

- 6.1 The main issues to consider with this application are the design of the proposed extension and the impact on neighbour amenity.
- 6.2 There is a variety of housing types and styles on Marlborough Road. A number of the houses have had permission for single storey rear extensions. One nearby property, no. 105, has had permission for a two storey side extension.
- 6.3 The single storey element of the extension will project from the rear wall by 5m. The two storey element will be set in from the boundary with no. 110 by 1.9m and project from the rear elevation by 3.5m. No. 110 benefits from a sizeable garden, 19m in length. It is acknowledged that the extension will be located to the south east of no. 110 but it is considered that the separation distance and their sizeable garden will mean the two storey extension does not significantly impact on the amenity of the occupants of no. 110. The single storey extension will be 3m in height and it is considered this will have minimal impact on the amenity of the occupants of no. 110 given the modest height and boundary treatment.
- 6.4 In relation to specific concerns raised by the occupants of no. 110, the impact of the extension on the communal foul water system is unlikely to be significant. A boundary hedge will need to be cut back to enable the extension to be built. The proposed extension will not block access to no. 110's rear garden. In terms of work commencing on the extension foundations, the applicant believed he could implement his previous permission but was advised to submit a further planning application as 06/01030/FUL had expired. It is considered that the proposed extension will not generate significant additional demand for parking and there is space on the site for a vehicle to park. This is considered to be sufficient

provision for a dwelling of this size in this location. Concern has been raised that the house is being used for multiple occupancy student accommodation. Once extended, the house would have four bedrooms. As the property is not being used by more than six residents, no change of use planning application is required.

- 6.5 The extension will be 2.4m from the boundary with no. 106 which is a bungalow. No. 106 has a garage that aligns the boundary between the two properties for 7m, which has no windows or roof lights in the north west elevation. It is considered due to this intervening garage that the extension will not have a detrimental impact on the amenity of the occupants of no. 106. No windows are proposed in either side elevations of the extensions so it is considered there will be minimal impact on the loss of privacy for neighbouring residents. It is considered that no other neighbours would be adversely affected by the proposed development.
- 6.6 The use of matching bricks and roof tiles are proposed which is considered to be appropriate. The two storey extension will have a hipped roof which matches the style of the original house. The main garden area is to the rear of the property. Whilst the garden area would be reduced in size following completion of the extension, it is considered that the garden would still be a sufficient size and that the proposed extension is a proportionate addition to the house.

7 Conclusion

- 7.1 It is concluded that the extension would be in keeping with the original building in terms of style, proportion and materials and as it is located to the rear, will have no impact on the street scene of Marlborough Road. The extension would not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties. The proposal therefore accords with Broxtowe Local Plan Policy H9, with Policy 10 of the Broxtowe Aligned Core Strategy and with the National Planning Policy Framework.

Recommendation

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Ordnance Survey Plan (1:1250), Proposed Block Plan (1:200) and Proposed First Floor Plan received by the Local Planning Authority on 26 September, Proposed Elevations and Proposed Ground Floor Plan received by the Local Planning Authority on 30 September 2016 and Proposed Roof Plan received by the Local Planning Authority on 25 October 2016.**
- 3. The extension shall be constructed using materials of a type, texture and colour so as to match those of the existing building.**

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by working to determine this application within the eight week determination timescale.**
- 2. 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 Coal Authority on 01623 646 333.**

Further information is also available on The Coal Authority website at www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service at www.groundstability.com

**Background papers
Application Case File**



108 Marlborough Road, Beeston
Construct single/two storey rear extension

Planning Committee 11 January 2017

Scale: 1: 1,250

Directorate of Legal and Planning Services

Report of the Director of Legal and Planning Services

**16/00604/FUL
CONSTRUCT SINGLE STOREY SIDE AND REAR EXTENSION,
RAISE ROOF HEIGHT, INCLUDING DORMERS AND EXTERNAL
ALTERATIONS
5 BROWN'S FLATS, KIMBERLEY NG16 3DZ**

This application is brought before the Committee at the request of the Chief Executive.

1. Processing of application

1.1 The Chief Executive, in consultation with the Head of Neighbourhoods and Prosperity, has taken the decision that another authority should process this application. To this end, officers at Erewash Borough Council agreed to conduct an assessment of the application and provide Broxtowe with their appraisal of the scheme.

1.2 This appraisal forms the remainder of this report and members are asked to consider the proposal and determine the application in line with the usual Committee procedure.

2. Proposals

2.1 This application proposes a 3 metre increase in floor space to the rear of the building. It proposes to increase the ridge height of the bungalow by approximately 3 metres and install rooms within the roof space. Two dormer windows are proposed to the front and two are proposed to the rear. To the front, a two storey glazed porch feature is proposed. In the existing projecting section to the front, two ground floor windows are proposed (serving a bedroom) and following the height increase a feature first floor window serving a 'snug' is proposed. To the rear, bi-fold doors, patio doors and a smaller window are proposed at ground floor, together with a first floor feature window serving the first floor master bedroom. To the side (facing No.3), a first floor ensuite window is proposed. On the other side of the property a door and two windows are proposed at ground floor with two features windows at first floor, one serving a bedroom, the other the 'snug'.

2.2 The plans suggest plain concrete roof tiles, dark grey windows and doors, horizontal cladding on the dormers and between the ground and first floor windows to the rear, and off white smooth render. The plans detail that these are all subject to Local Authority approval.

3 Site and surroundings

3.1 The site is accessed from a single track, unmade private road (Brown's Flats) accessed from Brewery Street, a single lane road.

- 3.2 The applicant's property is a brick built bungalow with gables and a projecting element to the front. There is parking to the front of the property on a paved driveway. To the rear there is a breeze block outbuilding close to the boundary with the neighbour, 4 Brown's Flats. There is also a conservatory to the rear. The area directly to the rear of the property is hard surfaced and flat, before the land drops away to a sloping grassed area and a heavily treed area beyond. To the north-east of the property is an area of land at the same level to the dwelling with a garage structure. This area is separated from Brown's Flats by a double gate.
- 3.3 The property to the south-west (4 Brown's Flats) is set at a lower level than the applicant's property. It is a bungalow with rooms in the roof space which is finished in white render, with a hipped roof on the main house and dormer window to the front and back. It has a projecting gable and off street parking to the front. To the rear it has a first floor balcony. In a similar way to the applicant's property, the land directly to the rear is hard surfaced and flat with steps leading down to a grassed area below.
- 3.4 On the opposite side of Brown's Flats is a large detached two-storey dwelling (Orchard House 6 Brown's Flats), which is built at right angles to the applicant's property. This property has two-storey projecting elements, dormer windows and is constructed from brick and stone. It features large glazed elements as well as a first floor balcony to the front. There is a large parking and turning area to the front of the dwelling and an area of grass. The property's private amenity space is to the south-east of the dwelling. This property looks to have a vehicular access from Brown's Flats and Critch's Flats, with the main access appearing to be from Brown's Flats. There is metal gate to Critch's Flat and a substantial gate and boundary wall feature to Brown's Flats. The Brown's Flats entrance is directly opposite the applicant's property.
- 3.5 On the opposite side of Orchard House's parking and turning area, part of 22 Critch's Flat is visible.
- 3.6 Building work is underway at the building on the corner of Brewery Street and Brown's Flats. The two-storey building which fronts Critch's Flat, with a long rear elevation on Brown's Flat's, has only first floor windows in the Brown's Flat elevation.
4. Relevant site history
- 4.1 There is no relevant planning history at the application site.
5. Policy context
- 5.1 National Planning Policy
- 5.1.2 The National Planning Policy Framework (NPPF) March 2012, contains a general presumption in favour of sustainable development. Paragraph 14 advises that where the local plan policies are silent on a matter there should

be a presumption in favour of development, unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits. The NPPF outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, sustainable economic development should be proactively driven and supported, high quality design and a good standard of amenity for existing and future occupants should be secured, full account should be taken of flood risk, heritage assets should be conserved in a manner appropriate to their significance, the natural environment should be conserved and enhanced, developments should be located in sustainable locations and effective use of brownfield land should be made. National Planning Policy Framework

5.2 Aligned Core Strategy (2014)

5.2.1 Policy 10: Design and Enhancing Local Identity sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced.

5.3 Broxtowe Local Plan (2004)

5.3.1 Saved Policy H9 permits extensions to dwellings providing that are in keeping with the original building and the streetscene, do not create a cramped or terracing effect which would be out of character and which do not cause an unacceptable degree of loss of privacy or amenity for the occupiers of neighbouring properties.

6. Consultations

6.1 Broxtowe Environmental Health – development is within 250m of an historical landfill site. Accordingly a gas prevention condition is requested.

6.2 A site notice was erected on 12/10/2016 by an Officer at Broxtowe Borough Council and the following neighbours were consulted by letter:

- 4 Brown's Flats, Kimberley
- 6 Brown's Flats, Kimberley
- 21 Edgwood Road, Kimberley

6.3 A letter of support was received from 21 Edgwood Road stating:

- Development is in keeping with No. 3 Brown's Flats.
- Proposal restores privacy and amenity which has been severely affected by the development at Orchard House.

6.4 Letters of objection were received from Orchard House 6 Brown's Flats (from three occupiers of this property); 2 Main Street and Critch House, 22 Critch's Flats. The planning related concerns which will be considered in the assessment of the application were:

- Overdevelopment of the plot.

- Height of dwelling violates our privacy.
- Visually overbearing with a large expanse of glass to the front.
- Includes land outside the domestic curtilage.
- Detrimental impact in an area of natural beauty and its habitat.
- Loss of privacy – will overlook our front garden, our garage and bedroom windows, and parking.
- Our first floor windows to the north east elevation were conditioned to be obscurely glazed and fixed closed – to prevent overlooking of neighbour's garden. If the application is approved, we would expect to have the obscure glazing/fixed windows condition removed.
- Impact on trees – damage to trees would have a detrimental impact on the local environment, ecology and views to and front Hardy Close.
- Encourage a smaller and less intrusive design.

7. Assessment

- 7.1 The key issues to assess relate to the design of the proposal and the impact on neighbouring properties.
- 7.2 In terms of design, the existing character of the properties and building in the immediate area is varied. Large glazed sections, projecting elements and dormer windows are present on both 4 and 6 Brown's Flats and these elements have been incorporated into the proposed design. The proposal increases the height of the property by close to 3 metres. This will result in the applicant's property being taller than the neighbouring bungalow. However, the applicant's property is at the end of the street and the increase in height is not considered to adversely impact upon this varied street scene. The proposal introduces different materials to that which currently exist at the dwelling, but it is considered that these are acceptable given the variety that exists at the neighbouring properties. A condition of consent can ensure the external materials are acceptable.
- 7.3 In terms of the impact on neighbouring properties, the impact on the neighbouring bungalow (4 Brown's Flats) is considered acceptable. There are no side facing windows in the main section of the neighbouring bungalow and the increase in the footprint of the applicant's property is not considered to result in an adverse impact on 4 Brown's Flats by overlooking, loss of privacy or outlook (the nearest opening at this property to the applicant's property is a door leading from a utility-type area of the kitchen). Although the application proposes a side facing window looking towards 4 Brown's Flats, this serves an en-suite and looks onto a blank elevation in any case.
- 7.4 The dwelling at 4 Abba Close has windows looking towards the applicant's property. This property is approximately 30metres from the side elevation of the applicant's property, which is considered a sufficient separation distance. It is also noted that 4 Abba Close is separated from the application site by the rear garden of 21 Edgwood Road. The proposed first floor side facing windows have the potential to overlook the garden of 21 Edgwood Road. However, there is approximately 14.8metres between these windows and the boundary and given that this area of the garden is furthest from the

dwelling at 21 Edgwood Close, it is considered to be less sensitive than an area closer to the dwelling. It is therefore not considered necessary to require that these windows are obscure glazed.

- 7.5 The proposal introduces first floor front facing windows which have the potential to overlook 6 Brown's Flats. The front facing dormer windows serve a bathroom and a landing area and it is not considered that will result in overlooking or loss of privacy to 6 Brown's Flats. Although the porch feature introduces glazing at first floor, this is not considered to cause overlooking at first floor. The first floor feature window serving the 'snug' requires further consideration.
- 7.6 The nearest window/opening at 6 Brown's Flats to the proposal are French doors in the gable end of 6 Brown's Flats, which serve a bedroom above the garage. These French doors are obscure glazed and fixed shut as a requirement of the planning application for this dwelling. There is another non-obscure glazed front facing dormer window above the garage which also serves this bedroom. According to the approved plans for 6 Brown's Flats, the dormer window which looks directly towards the applicant's property serves the wardrobe area attached to the master bedroom. In any case, there is sufficient separation between this dormer window and the proposed first floor windows at the applicant's property to not result in a window to window conflict. Due to the orientation of the applicant's property and 6 Brown's Flats, it is not considered that the proposal will result in direct window to window overlooking.
- 7.7 There is approximately 7.5metres from the projecting element of the applicant's bungalow and the boundary of 6 Brown's Flats with the road. There is a large parking and turning area to the front of 6 Brown's Flats which has the potential to be overlooked from the proposed first floor 'snug' window. The parking and turning area is bound by a stone wall and substantial wooden gates which are more than 2metres in height. The gates were open at the time of the site visit. It is not considered that a parking and turning area should be afforded the same level of protection from overlooking/loss of privacy as a private amenity space. Parking and turning areas are often overlooked by virtue of them being at the front and visible from the public highway. It is noted in this case that Brown's Lane is a private road and therefore likely to feel more 'private' than a dwelling on a public highway. It is also noted that there is an area of lawn to the front of 6 Brown's Flat. However, this property's private amenity space is considered to be to the south-east of the dwelling. Furthermore, the area of the parking and turning area which is likely to be most overlooked by the proposal, is the area nearest to the road where vehicles activity will be the greatest and the use of the land for residential amenity purposes would be at its least (i.e. this area is likely to be permanently maintained for vehicle manoeuvring rather than being used for more garden-like activities. Indeed, on the site visit, a table and chairs were located on the further side of the parking and turning area outside the property's kitchen, which is more than 20metres from the proposed 'snug' window). It is therefore considered on balance that the

proposal will not cause an unacceptable degree or loss of privacy or amenity for the occupiers of 6 Brown's Flats.

7.8 There is more than 30 metres between the applicant's property and 22 Critch's Flats, which is not considered to result in overlooking or privacy concerns.

7.9 There are no properties to the rear which are considered to be affected by the proposal. The large two-storey building on the opposite side of Brown's Flats with a frontage to Critch's Lane is not considered to be affected by the proposal.

8 Other

8.1 It is not considered that the proposal will result in an impact on the trees on the site, given the distance between the trees and the proposed works to the property.

8.2 Neighbour concern has been raised relating to the over development of the plot. The proposal does result in built form which covers almost the entire area of authorised residential curtilage to the rear. However, this has no impact on the street scene or neighbouring properties and is therefore considered acceptable. The issue of land being unlawfully incorporated into the property's residential curtilage is a separate matter to this planning application.

8.3 The Council's Environmental Health Department note the presence of a historic landfill site and the potential for migrating ground gases to be present. Accordingly, they have requested a condition of consent.

9 Conclusion

9.1 To conclude, it is considered that the proposal is acceptable in design terms and has an acceptable impact on neighbouring amenity. The application is therefore recommended for approval subject to conditions.

Recommendation

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Proposed Floor Plans, Elevations, Site Block Plan and OS Plan, Project no. 363, drawing no. 002 Rev E received by the Local Planning Authority on 23 September 2016.**

3. The development shall not commence until details and samples of the proposed materials to be used in the external construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
4. No part of the development hereby approved shall be commenced until details of appropriate gas protection measures have been submitted to and approved in writing by the Local Planning Authority No building to be completed pursuant to this permission shall be occupied or brought into use until:
 - (i) All appropriate measures have been completed in accordance with detail approved in writing by the Local Planning Authority; and
 - (ii) It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full.

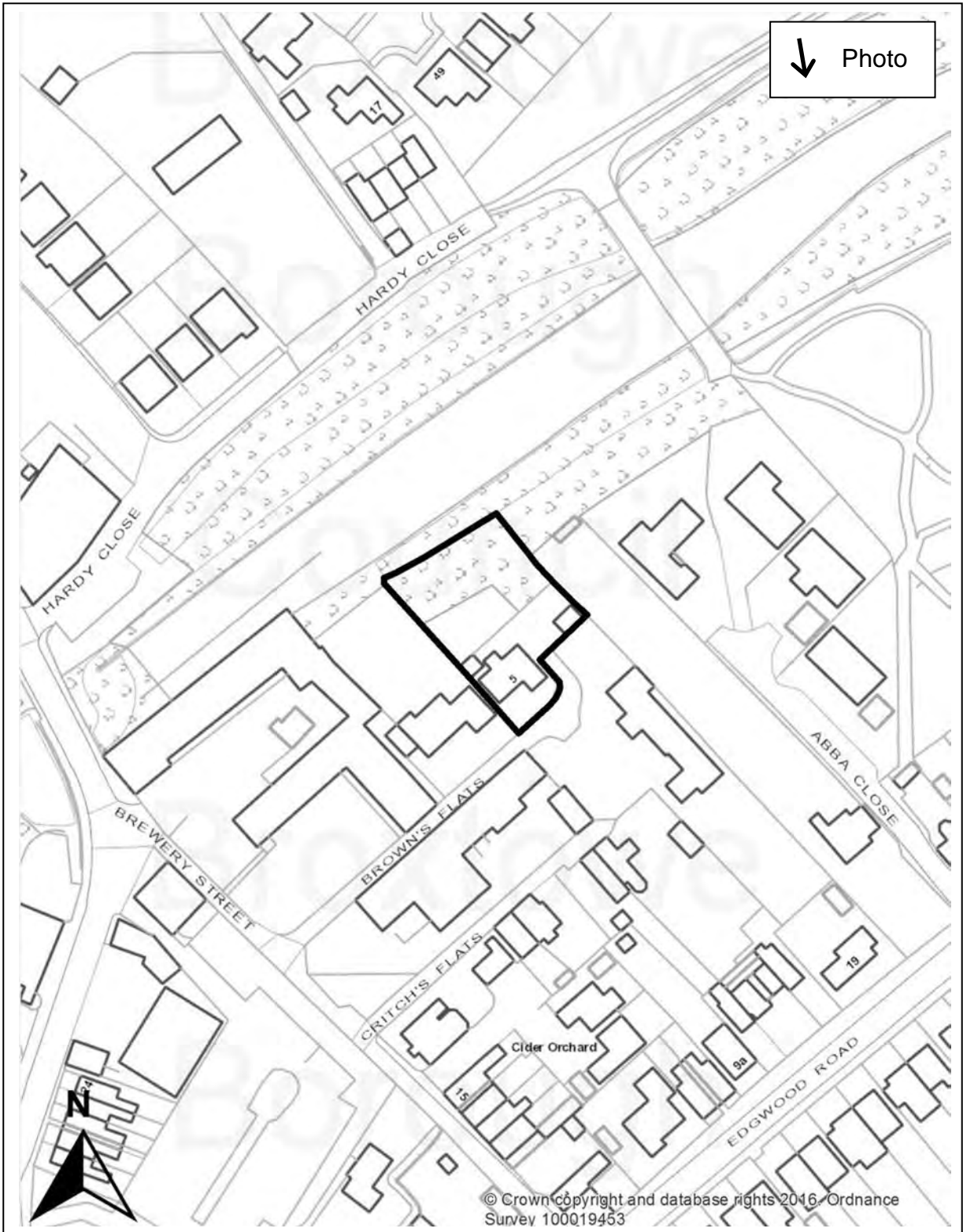
Reasons

1. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No such details were submitted, in the interests of the appearance of the development and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Draft Aligned Core Strategy. The requirement is to be satisfied before new construction begins in order that potentially abortive works is avoided, if unacceptable materials are used.
4. In the interest of public health and safety.

Notes to Applicant

1. There were no problems for which the Local Planning Authority had to seek a solution in relation to this application.
2. This permission conveys no consent for an extension of the property's residential curtilage.

Background papers
Application case file



5 Brown's Flats, Kimberley

Construct single storey side and rear extension, raise roof height, including dormers and external alterations

Planning Committee 11 January 2017

Scale: 1: 1,250

Directorate of Legal and Planning Services

Report of the Director of Legal and Planning Services

16/00777/FUL**RETAIN CHANGE OF USE FROM RESIDENTIAL (CLASS C3) TO A MIXED USE AS RESIDENTIAL AND USE OF EXISTING OUTBUILDING AS A MICRO BREWERY (INCLUDING RETENTION OF FLUE)****7 LIME GROVE, STAPLEFORD NG9 7GF**

Councillor R D MacRae requested this application be determined by the Committee.

1.0 Details of the application

The application proposes to retain a change of use at 7 Lime Grove from residential to a mixed use to incorporate the running of a microbrewery within the residential curtilage. The main brewing process is located within an existing outbuilding located at the rear of the garden and there is a flue attached to the front (western) elevation of the outbuilding. It is understood that approximately 80% of the beer produced is destined for the applicant's own real ale pub located close to the city centre. The remaining 20% is supplied to local public houses.

2.0 Site and surroundings

2.1 The outbuilding is located to the rear of the garden serving 7 Lime Grove on a raised patio area beside the shared boundaries with properties on Ash Grove and 11 Lime Grove.



Outbuilding and attached log cabin Vehicular access

2.2 Adjoined to the outbuilding is a log cabin which contains a bar and seating area which is understood is used for residential purposes and entertaining friends and neighbours. There is a refrigeration unit within this building which projects out to the north east boundary and is used in connection with the business.

2.3 The surrounding area is predominantly residential in character consisting of a mix of detached and semi detached dwellings.

3.0 Policy context

3.1 National policy

3.1.1 The National Planning Policy Framework (NPPF) March 2012, contains a general presumption in favour of sustainable development whereby planning permission should be granted for proposals that accord with the development plan without delay. It outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, a good standard of amenity for existing and future occupants should be secured and developments should be located in sustainable locations.

3.1.2 The National Planning Policy Guidance (NPPG) suggests that circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where the planning circumstances will change in a particular way at the end of that period.

3.2 Broxtowe Aligned Core Strategy

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

3.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. It states the Council will work proactively with applicants to approve proposals wherever possible and to secure development that improves the economic, social and environmental conditions in the area. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

3.2.3 'Policy 10: Design and Enhancing Local Identity' sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced.

3.3 Saved Policies of the Broxtowe Local Plan

3.3.1 As the Core Strategy contains broad policies, a Development Management Policies Document will be developed in due course. In the meantime, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

3.3.2 Policy H8: Business activities in residential properties will be permitted where residential amenity is not adversely affected, appropriate provision is made for vehicle parking and highway safety and the residential character of the area is not adversely affected.

3.3.4 Policy T11 and Appendix 4 require satisfactory provision of vehicle parking and servicing in accordance with the latest standards.

4.0 Consultations

4.1 Environmental Health have no objection to permission being granted subject to conditions restricting hours of operation and deliveries to protect nearby

neighbours from operational noise. They are satisfied that the ventilation and filtration equipment, which is already installed, can be modified in accordance with details provided by the applicant, to make it sufficient to protect immediate neighbours from excessive operational odour. The equipment proposed utilises recognised odour arrestment techniques to abate any anticipated operational odour.

4.2 Nottinghamshire County Council Highways have no objection to the proposal. They note that there is no vehicular access to the out building however, there is an existing garage and driveway to serve the dwelling and the microbrewery. The parking is sufficient to accommodate the two members of staff, particularly as one resides at the dwelling. They consider two deliveries per week does not generate any significant highway concerns.

4.3 Three neighbours have objected to the proposals. The reasons for the objections include:-

- The noise and smell generated is already an issue and is not acceptable for a residential area.
- The use is out of character with a densely populated area.
- There are road safety issues as extra traffic will lead to further congestion and the cul-de-sac is not suitable for large vehicles.
- The use is at an industrial scale.
- The use of chemicals (e.g. propane gas and carbon dioxide) could have negative impacts.
- Insufficient details have been provided regarding storage/waste management.
- High volumes of water use could have a negative impact on water pressure.
- There are dedicated industrial units in Stapleford which would be more suitable for the use.

5.0 Appraisal

5.1 The main issues relating to the determination of this application are considered to be the impact of the proposal on neighbouring amenity and highway safety.

5.2 The brewing processes take place in the outbuilding in the southern eastern section of the rear garden. The outbuilding is brick built with a pitched roof and its appearance is considered to be in keeping with the domestic character of the area. This building is over 10m from the living accommodation of 11 Lime Grove. Although the building is close to the rear boundary with the properties on Ash Grove, these dwellings have fairly sizeable gardens which could serve to reduce the potential for any noise and odour impacts arising from the proposal. The proximity to the living accommodation of 11 Lime Grove is however a concern. The applicants operate the business between 8:00 and 5:00pm Monday to Friday only (they suggest the brewing process is normally complete by 2pm) which minimises the disruption to neighbouring amenity.

- 5.3 The occupiers of neighbouring properties raise a number of concerns regarding the noise and odours which occur as a result of the microbrewery on the site. Environmental Health do not raise an objection to the application provided the hours for operation of the micro-brewery and the hours for deliveries are controlled to within day time hours. They are satisfied that the existing odour arrestment system is sufficient to ensure that the levels of noxious substances are controlled to a suitable level, provided a carbon filter is installed in accordance with information provided by the applicant. Given the proximity to neighbouring properties and the fairly dense development pattern of the area it is proposed to grant a temporary planning permission (for one year) which will allow the impact on neighbouring amenity to be assessed during different seasons. This is in line with Government guidance contained within the NPPG that suggests a temporary permission may be appropriate where a trial run is needed in order to assess the effect of development on the area. This will also allow the applicant to assess whether expansion of the business is likely and whether alternative premises may be more suitable.
- 5.4 The occupiers of neighbouring properties also have concerns relating to the use and storage of chemicals on the site and the emission of noxious gases (e.g. propane and CO²). Having requested further information from the applicant it is considered that the amount and type of chemicals are at suitable levels that are necessary for sterilisation and are stored appropriately with a maximum of 25 litres being stored at any one time. The applicant states that there is some propane stored on the site however this is mainly used for domestic barbeque purposes and only occasionally for the brewing process as electric elements for boiling the wort are more efficient.
- 5.5 The use will require the utilisation of significant amounts of water and will produce waste which will discharge into Severn Trent Water sewers (on average it is estimated 1200 litres of water are used per each brew) The applicant would be advised in a note to applicant to contact Severn Trent Water to ascertain whether there is any issue with the amount and types of waste produced.
- 5.6 Local residents raise concerns regarding highway safety. They consider congestion in the vicinity of the site is an issue and turning of large vehicles on the cul-de-sac is not suitable. It is understood that the micro-brewery produces 10 hectolitres of beer in a week which equates to approximately 6 casks (based on standard UK size) which are transported in the applicants van approximately once a week. In addition, supplies are picked up from local suppliers using the same van no more than once a week.
- 5.7 It is proposed that there will be two members of staff (one who is the current occupier of the dwelling) therefore there is only likely to be one extra vehicle at the site at any one time as a result of the business. It is considered that in terms of vehicular movements, there is not likely to be a significant increase over and above the residential use and no unacceptable highway issues. The existing dwelling has a garage and space to park two vehicles on the hard standing to the front so it is also not deemed likely that there will be a significant impact on parking provision or highway safety.

6.0 Conclusion

- 6.1 In conclusion, having considered all of the above, it is considered the proposed use will not cause significant harm to highway safety when judged against approved planning policies. However, it is concluded that the proposed development has the potential to have some negative impact on the amenity of occupiers of nearby properties. Given this uncertainty, it is considered necessary to condition the approval for a temporary period so the Council can assess the impact.

Recommendation

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the site location plan and the proposed drawings received by the Local Planning Authority on 7 November 2016 and the proposed drawings received on 11 November 2016.**
- 3. The carbon filter shall be implemented in accordance with the details sent via email on 1 December 2016 within one month of the date of this decision. The carbon filter shall thereafter be retained in good working order for the life time of the development.**
- 4. The manufacturing process shall not be operated, outside the following times: 08.00 – 17:00 Monday-Friday.**
- 5. Deliveries to and from the site shall only be made to or from the site between 08:00 – 17:00 hours Monday-Friday.**
- 6. The microbrewery hereby permitted shall be ceased and the land restored to its former condition on or before 11 January 2018 unless otherwise agreed in writing with the Local Planning Authority.**

Reasons

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3, 4 & 5 In the interests of the amenities of the nearby residents and in accordance with the aims of Policy H8 of the Broxtowe Local Plan (2004).**

- 6. To enable sufficient time for the Local Planning Authority to assess the impact of the development on neighbour amenity.**

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by communicating with the applicant throughout the course of the application.**
- 2. The process utilises chemicals and significant amounts of water. The applicant is advised to contact Severn Trent Water to seek advice and guidance on this matter.**

Background papers
Application case file



9 Lime Grove, Stapleford

Retain change of use from residential (Class C3) to a mixed use as residential and use of existing outbuilding as a brewery (including retention of flue)

Planning Committee 11 January 2017

Scale: 1: 1,250

Directorate of Legal and Planning Services

Report of the Director of Legal and Planning Services

**16/00732/ROC
 REMOVAL OF CONDITION 3 OF PLANNING PERMISSION
 15/00285/FUL TO ALLOW FOR THE RETAIL STORE TO BE OPEN
 PRIOR TO PRACTICAL COMPLETION OF ALL OF THE DWELLINGS
 ON THE SITE
 PINFOLD TRADING ESTATE AND NAGS HEAD, NOTTINGHAM ROAD,
 STAPLEFORD NG9 6AD**

1. Details of the application

1.1 The current application follows a hybrid application granted planning permission by the Planning Committee in January 2016. The hybrid application consisted of two parts. The first part sought full planning permission to construct a shop (class A1) that has 1,254sqm of retail floor space. This element of the application included 121 car parking spaces, access onto Nottingham Road and landscaping around the site. The second part of the hybrid application was for outline planning permission for housing (10 dwellings indicatively proposed) with all matters reserved apart from access. The access was proposed from Pinfold Lane.

1.2 Both parts of the hybrid application were granted permission on the condition that the retail store should not be open to customers unless the residential element had been implemented based on practical completion of all the dwellings on the site. The wording of the condition is as follows:

The retail store hereby approved shall not be open to customers unless the residential element of this permission is implemented and until the practical completion of all dwellings on the site, within the area annotated as 'Land for residential use', as shown on drawing reference V09A93-P007 Rev A, received by the Local Planning Authority on 9 June 2015.

1.3 The primary reason for the imposition of this condition was to ensure the deliverability of the housing element on the site. This application proposes the removal of this condition.

2. Site and surroundings



Site viewed from Pinfold Lane

- 2.1 The site comprises 1.09ha of land and was previously occupied by a trading estate and a public house. Demolition of the buildings on the site has been completed but no building construction has commenced. The site is located on the 'edge of the town centre' as it is 260m from the defined Stapleford town centre.
- 2.2 The trading estate was previously accessed from Nottingham Road, with a limited amount of servicing from Pinfold Lane. The public house was accessed from Pinfold Lane and also had two vehicle access points from Nottingham Road. A public right of way (PF no.11) previously linked Nottingham Road to Pinfold Lane but is currently closed. However, there is a current diversion to re-establish a public right of way, connecting Nottingham Road and Pinfold Lane.
- 2.3 There are changes in levels across the site (evidenced on the applicant's survey drawings submitted with the hybrid application). Along the Nottingham Road, frontage the land levels vary from 46.23m AOD in the east to 47.91m in the west, a difference of 1.68m. Along Pinfold Lane the levels range from 43.11m in the east to 40.86m in the west, a difference of 2.25m. Nottingham Road ranges from 3m to 7m higher than Pinfold Lane.
- 2.4 To the south of the site is Nottingham Road, which is characterised by a mix of commercial buildings varying in height. Opposite the site there is a three storey office building named Cambridge House and further to the east is Sandcliffe garage, which carries out vehicle sales and repairs. Pinfold Lane is to the north of the site, which is mainly characterised by residential properties. A local fire station is also located on Pinfold Lane. A three storey apartment block, with parking at the lower level accessed from Pinfold Lane, is located to the east of the site. To the west of the site, there are residential properties along Lower Orchard Street, Middle Orchard Street and Upper Orchard Street. At the south-west corner of the site is Church Walk, which currently provides pedestrian and vehicle access from Nottingham Road onto Upper Orchard Street.

3 Relevant planning history

- 3.1 In 2009, outline permission was granted on the site of units 12-15 Pinfold Trading Estate for residential development following partial demolition of industrial buildings (09/00246/OUT). Access and layout details were determined at that stage. The layout showed a terrace of six houses and an apartment block containing six flats at the eastern end of the site. Both forms of development would be three storeys in height. The commercial units (12-15) have been demolished.
- 3.2 In 2014 the Planning Committee resolved to grant planning permission for 50 dwellings subject to the signing of a Section 106 Agreement (13/00322/OUT). Details of access and layout were submitted as part of the application but all other matters (appearance, scale and landscaping) were reserved for future consideration. The layout submitted showed a mix of detached, semi-detached and terraced properties. The Section 106 Agreement has to date not been completed and therefore planning permission has not been granted.

3.3 In 2016, the Planning Committee resolved to grant planning permission for a hybrid planning application (15/00285/FUL) comprising of a full application to construct a shop (Class A1) including solar panels and with associated car parking, access and landscaping on 0.78 hectares of the site, in addition to outline permission to construct dwellings (Class C3) on an adjoining site of 0.29 hectares with all matters reserved apart from access. A Section 106 Agreement was completed and required a £5000 financial contribution for the installation of real time information at the nearest bus stop and a £5000 contribution towards the Community Transport Car Scheme.

4. Policy context

4.1 National policy

4.1.1 Paragraphs 203 – 206 of the NPPF advise on planning obligations and conditions and state that obligations can only be used if they are necessary to make the development acceptable in planning terms, must be directly related to the development and be fairly and reasonably related in terms of scale and kind to the development. Paragraph 205 of the NPPF advises that, where seeking obligations, local authorities need to take into account changes in market conditions over time and be flexible so as to prevent development stalling. Paragraph 206 requires that planning condition are necessary, relevant to planning and to the development to be permitted, enforceable precise and reasonable in all other respects.

4.2 Aligned Core Strategy

4.2.1 Policy 2: The Spatial Strategy sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed.

4.2.2 Policy 6: Role of Town and Local Centres outlines the hierarchy of centres, with Stapleford classed as a ‘district centre’. Stapleford is identified as being a centre in need of enhancement or to be underperforming. It states that main town centre uses should be located in centres, if no suitable suites are available in centres then edge of centre locations should be used. Proposals for edge of centre should satisfy the sequential test and show how the development will not have a severe impact on any centre.

4.2.3 Policy 8: Housing Mix and Choice sets out the approach to ensuring that new housing development includes an appropriate mix of housing types, sizes and tenures. It sets out the approach to affordable housing and establishes a 30% target for Broxtowe Borough.

4.3 Broxtowe Local Plan 2004

4.3.1 Policy H6 provides density requirements for residential development: where development is within 400m walking distance of frequent public transport services a minimum density of 40 dwellings per hectare is required (or 45 dwellings per hectare where there is a choice of public transport modes) and, if the distance is beyond 400m, 35 dwellings per hectare.

4.3.2 Policy H7 advises that housing on sites not allocated for that purpose will be permitted subject to a range of criteria which includes: ensuring a good level of amenity for future residents; an acceptable impact on the amenity of existing surrounding residents; satisfactory impact on the character of the area, acceptable access and parking arrangements and that the land is not allocated for any other purpose with the Local Plan.

4.3.3 Policy T11 and Appendix 4 require satisfactory provision of vehicle parking and servicing, in accordance with the latest standards.

5. Consultations

5.1 Highways England do not raise any objection to the application. Highways Act Section 175B is not relevant to the application.

5.2 The total number of representations from local residents is 105. The number of local residents in support/raising no objection to the application is 103 (with the remaining two being unclear whether their intention is to support or object) the main reason given in support of the application is that the closure of the Co-op Store in Stapleford, has meant there are no larger supermarkets for those without their own transport to access easily and conveniently. The other reasons for support are the improvement to the appearance of the existing site which is currently an eyesore, the new store will provide local jobs for local people and the rejuvenation and regeneration possibilities for Stapleford. One resident states that they are in favour of the retail store but they also see the benefits of the delivery of the housing on the site.

6. Appraisal

6.1 The main issue with the determination of this application is whether the removal of condition 3 will have an adverse impact on the delivery of the housing element on the site to the point where it would delay the delivery of the housing, when taking account of national and local policies and guidance and the Council's position in relation to its five year housing supply. In addition whether condition 3 impedes the delivery of the Aldi store in a timely fashion and the impact this will have on Stapleford is to be considered.

6.2 Delivery of retail store and housing on the site

6.2.1 The original officer recommendation for the hybrid application was to approve the residential element and to refuse the retail element. The refusal of the retail element was, for the most part, based on independent advice which suggested that the store would have a "significant adverse impact" on the vitality and viability of Stapleford District Centre due to the trade diversion away from the Co-op store and the potential loss of this anchor store and the detrimental impact this would have on the overall district centre.

6.2.2 The outline part of the application was for residential development with all matters reserved apart from access. The site is identified for residential development (50 dwellings) in the emerging Allocations and Development Management Policies document and planning permission was granted (subject to completion of a section 106 agreement) for this number of dwellings. The submitted layout plan for the Aldi application reference 15/00285/FUL was indicative only and showed

provision for 10 dwellings which amounted to a reduction of 40 dwellings compared to the previously proposed redevelopment of the site. The granting of planning permission to allow the retail store on the site has therefore resulted in a shortfall of 40 dwellings on a brownfield site which is a significant loss in terms of meeting the Council's Core Strategy housing targets and reducing the need to build on Green Belt and greenfield sites which is contrary to the aims of the NPPF and the Aligned Core Strategy. The officer's recommendation (for 15/00285/FUL), considered that any reduction in housing land supply in sustainable urban locations was most unfortunate, however it was not considered that this alone was sufficient to justify a refusal of planning permission.

- 6.2.3 The committee members took a different view to the officer's recommendation as regards to the retail element of the scheme and considered that the public and economic implications for Stapleford of having the store in this location would be beneficial and, would not have a significant impact on the vitality and viability of Stapleford Town Centre.
- 6.2.4 The loss of housing land and the need to ensure delivery of ten dwellings on the site were seen by members to be significant issues, and it was due to this that condition 3 was attached to the approval to ensure that the dwellings were completed prior to the opening of the store. The applicant has submitted further supporting information outlining the conclusions of their legal advisers, that transferring the freehold of the residential site to a house builder, threatens the deliverability of the store, due to timescales and phasing of development, and they are strongly advised not to sell the site. They argue that this causes a significant issue in deliverability as it has proven extremely difficult to find a house builder who will build without transferral of the freehold. The applicant therefore considers the removal of condition 3 is the most efficient route to enable both elements of the scheme to come forward in a timely matter.
- 6.2.5 The concerns of Aldi are noted and it is acknowledged that there are difficulties if Aldi put the opening of the store in the hands of a third party. However condition 3 does not require them to do this. Aldi could build the houses themselves at the same time as the store. They could also arrange for an affordable housing provider to build the 10 homes whilst Aldi retain the site in their ownership. Either of these solutions should be very achievable. They could also agree a timetable for the completion of the dwellings with a housing developer to ensure they are built prior to the store opening.
- 6.2.6 As pointed out by Aldi there is significant public support for the store to be delivered as is clearly evidenced by the volume of responses in support of the current application and the previous application. It is however considered that, condition 3 does not prevent the store opening. What it does require is that 10 homes (as indicatively proposed) are built at the same time which without the condition may well not be built at all. At the current time the number of permissions granted including those subject to a S106 include over 10 times the number of houses that are getting built on an annual basis. It is this non implementation of planning permissions that is contributing significantly to the council's lack of a five year housing land supply.

6.2.6 The opportune delivery of the store needs to be carefully weighed against the need for housing delivery, in particular the Council's position in terms of five year housing land supply, which was the primary reason for the imposition of condition 3 on the planning permission.

6.3 Five year housing land supply and housing need

6.3.1 The NPPF (2012) states that planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of five per cent to ensure choice and competition in the market for land. Where there has been a record of persistent under-delivery of housing, local planning authorities should increase the buffer to 20 per cent. At paragraph 49, it states that "Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".

6.3.2 As reported to Cabinet on 9 February 2016, the Council cannot currently demonstrate a five year supply of housing land. The reason for this is a chronic shortage of housing completions going back several years. For five years, housing completions within Broxtowe have averaged out at just above 100 per year against a Development Plan requirement (originally in the East Midlands Regional Plan and more recently in the Core Strategy) of over 300 a year (340 and 360 respectively). It was reported in several iterations of the SHLAA that the issue is not an absence of deliverable housing sites but a lack of development on these sites. In the most recent version of the SHLAA, it was reported that there is an availability of sites on which 2670 dwellings can be built over the next five years. Year on year for the previous four years, there has been an increase in residential permissions granted (692 in 2014/15) and applications currently pending for 1291 dwellings. This is significant progress but it does take between two to three years from the grant of permission to development occurring. Given the lack of a five year land supply, paragraph 49 of the NPPF is therefore engaged and the housing supply policies for Broxtowe cannot be considered up-to-date. Under these circumstances, the approach to follow is contained within paragraph 14 of the NPPF, which in respect of decision-taking is:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date (underlined for emphasis), granting planning permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework, taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

6.3.3 This evidence clearly indicates that it is not the granting of planning permission for housing developments, but the number of completions on sites which has primarily led to the inability to demonstrate a five year supply. The delivery of housing is therefore of great importance to the Borough and given this absence of a five year supply and the shortfall of housing delivery on the site, due to the Committee's decision to grant the retail element of the proposal, any

mechanism which will speed up the housing completions on the site should be supported.

6.4 Section 106 Agreement

6.4.1 A S.106 Agreement has been agreed in relation to the previous approval. If permission is granted it is proposed that the provisions of this agreement would be carried over to relate to the new permission.

6.4.2 The applicant has agreed to fund the installation of real-time information at the nearest bus stop in the southbound direction (i.e. BR0147 Cemetery Road) in line with the costs identified in the previous NCC consultation response (i.e. a £5000 financial contribution for the installation of real time information). In addition a £5,000 contribution towards the Community Transport Car Scheme was agreed.

6.4.3 The S.106 Agreement will also include the provision for 30% affordable housing if 25 dwellings or more are proposed on the outline residential site.

6.5 Conclusions

6.5.1 The proposed development is required to assist in meeting the borough's overall housing requirement as the Council cannot demonstrate a five year housing land supply. As the site is located in the main built-up area, this carries significant weight as the location is sustainable. The provision of 10 dwellings (as indicatively proposed) is considered to carry significant weight and, given the reduction from the 50 houses that would contribute to the Core Strategy target, their opportune delivery is seen as highly important. Hence, it is therefore considered that condition 3 on the planning permission should not be removed as the planning permission would be wholly unacceptable if there were no control over the delivery of the ten dwellings on the site. The condition is considered to meet all of the NPPF targets as is reasonable and necessary.

6.5.2 Having considered all of the above it is concluded that the proposed retail store in this location would not have been acceptable without the imposition of Condition 3 of the permission and this application to remove this condition should be refused.

Recommendation

The Committee is asked to RESOLVE that planning permission be refused for the removal of condition 3 for the following reason:

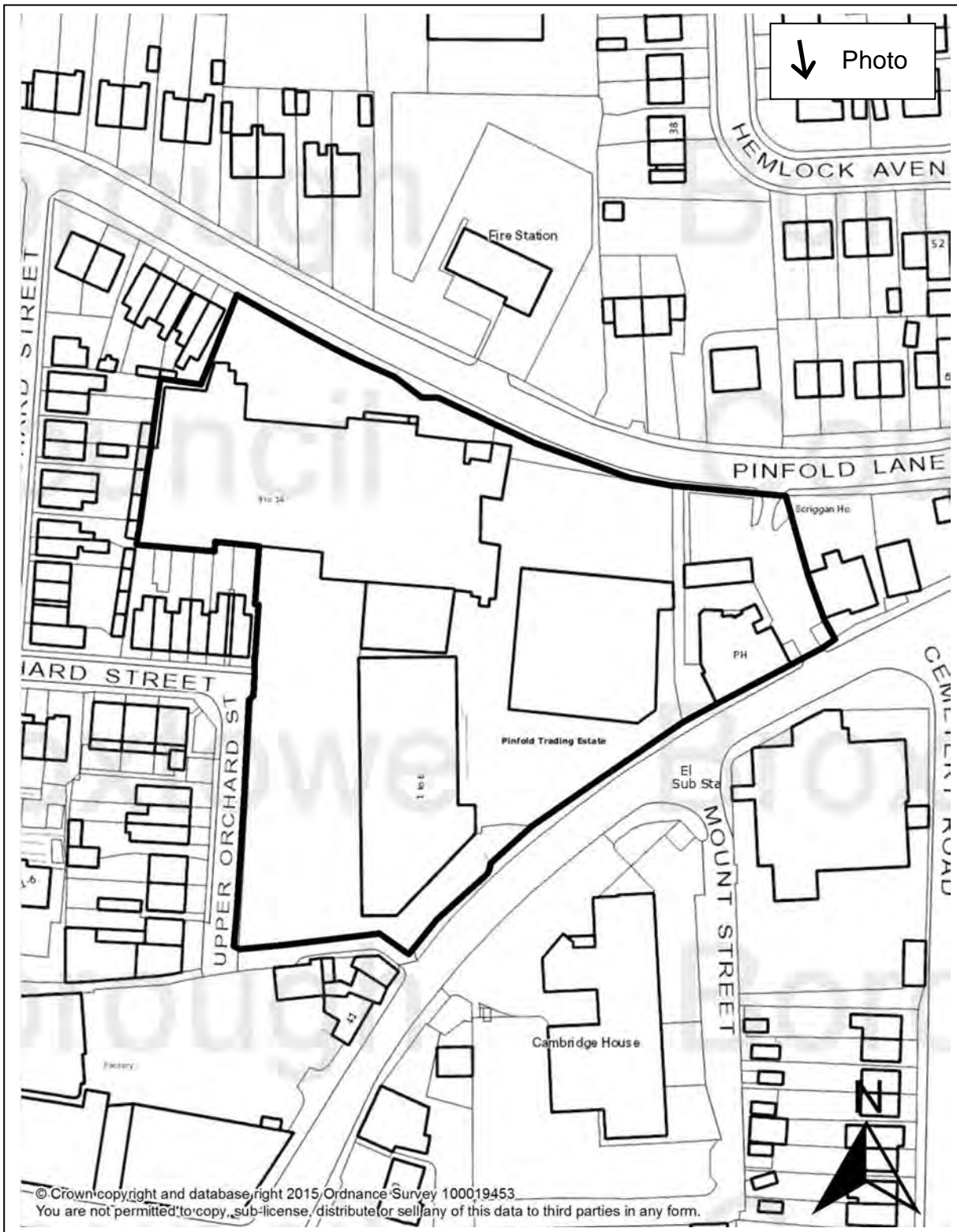
Insufficient justification has been submitted to warrant the removal of the condition. There is a need for housing in sustainable locations in the Borough and if the condition is removed, it renders uncertain the provision of the ten dwellings. Accordingly, the proposal is contrary to Policy 2 of the Aligned Core Strategy, Policy H7 of the Broxtowe Local Plan and paragraph 47 of the NPPF and there are no other considerations that outweigh this harm, such as would justify treating this proposal as an exception.

Note to Applicant

The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by allowing the application to be decided at Planning Committee to ensure that the decision is made clearly and transparently.

Background papers

Application case file



Pinfold Trading Estate & Nags Head, Nottingham Road, Stapleford

Hybrid planning application comprising: Full Application to construct shop (Class A1) including solar panels and with associated car parking, access and landscaping on a 0.78 ha site: Outline Application to construct dwellings (Class C3) on an adjoining site of 0.29 ha, with all matters reserved apart from the access.

Planning Committee 13 January 2016

Scale: 1: 1,250

Directorate of Legal and Planning Services

Report of the Director of Legal and Planning Services

REPORT ON PROPOSED GOVERNMENT CHANGES TO THE CRITERIA FOR DESIGNATION OF LOCAL PLANNING AUTHORITIES1. Background

- 1.1 For a number of years the Department of Communities and Local Government (DCLG) have published minimum requirements that are expected of Local Planning Authorities (LPA) in terms of the time it takes to issue decisions on different categories of application and the 'quality' of these decisions. Failure to meet these minimum requirements may result in the Council being 'designated as underperforming' and this has serious implications in relation to potential reduction in fee income, reputational damage and a loss of control on planning matters.
- 1.2 These designation criteria are commonly referred to as 'special measures' and from April 2017 it is proposed that there will be four categories of assessment for special measures which are:
- The speed of determining applications for major development
 - The quality of decisions made by the authority on applications for major development
 - The speed of determining applications for non-major development
 - The quality of decisions made by the authority on applications for non-major development

2. Details

- 2.1 The minimum requirements expected on LPAs are proposed to be significantly tightened as detailed below.
- The speed of determining applications for major development (60% or more in time)
 - The quality of decisions made by the authority on applications for major development (less than 10% of decisions for this category overturned at appeal)
 - The speed of determining applications for non-major development (70% or more in time)
 - The quality of decisions made by the authority on applications for non-major development (less than 10% of decisions in this category overturned at appeal)
- 2.2 Of these criteria the ones that are 'quality' of decisions are the ones that are changing significantly, both in relation to introducing separate categories for major and minor developments and in terms of the minimum standards required. The current requirements are included in appendix 1. The only category that Broxtowe is at significant risk of triggering is in relation to the quality of decisions on major applications. For all other categories, both

current and proposed, the Council is comfortably within the minimum standards required and the details are included in appendix 2. For this reason the remainder of this report relates to the quality of decisions on major applications.

2.3 The quality of decisions on major applications is assessed over a two year period, matching the quarterly returns that councils are required to provide to DCLG. The first period of assessment under the new measures is due to be April 2015 to March 2017. For this period of time (and subsequent two year periods), the Council needs to ensure that any appeal overturns do not reach 10% of the total number of decisions issued for this category of development. It is not possible to conclude on the total number of major decisions issued during this period as there are still a further three months to go but, over several reporting periods, the number of major applications decided over a two year period is somewhere around 35 with it not dropping below 30 or above 40. On this basis, an overturn of three major decisions at appeal would not put the Council in special measures, but an overturn of four would do. There has been one appeal allowed for decisions in this period already (at Roberts Yard) and two pending (at Bramcote Ridge and Field Farm). It is very much hoped that the Council will successfully defend both these pending appeals but if both appeals are allowed then one more appeal decision allowed on a major application between now and March 31 would result in the Council going into special measures, unless it would be able to convince DCLG that it was a special case. Realistically, it is not considered by officers that such a special case could be made.

2.4 The result of a special measures designation is that an applicant can bypass the Council and apply straight to government (effectively the Planning Inspectorate) for applications of the type that the Council is designated for. There are three main implications of this which are considered in more detail below.

3. Control

3.1 The Council would lose control over decisions on major planning applications. These are the applications that generate the greatest public interest and members would not be in a position to weigh up the positive and adverse effects of development. This decision would instead be taken by a Planning Inspector and, in the view of officers, it is a strong likelihood that these applications would be permitted with no five year housing land supply.

4. Reputation

4.1 There is currently no Council that has been put into special measures on the grounds of quality of decisions. If this were to happen to Broxtowe, the development industry would pursue an argument at our upcoming Local Plan examination that the reason Broxtowe has such low housebuilding rates is that it refuses too many applications. The solution (they will say) will be to allocate more land in the Green Belt and a Local Plan Inspector is more likely to agree with them if the Council is in special measures at the time.

5. Financial implications

5.1 Broxtowe would lose the fee income for applications that went straight to government. This is impossible to quantify until we know the numbers but major applications can generate fees significantly over £10,000 and for the largest schemes the fees can go upwards of £100,000.

5.2 Once a council is in special measures, there is no set timescale for this to change although the government will review the situation once a year. The Council would need to prepare an action plan to demonstrate that the reason for the initial placement in special measures had been addressed, which will be difficult to do if the Council is not processing sufficient numbers of major applications to demonstrate that this is the case.

6. Conclusion

6.1 It remains essential that Planning Officers and Councillors of Broxtowe exercise their impartial planning judgement in relation to applications for all types of planning application that are in front of them for decision. If a scheme is unacceptable on relevant planning grounds then it should be refused. There is no criticism in this or any other government publication in relation to Councillors taking a different view to their professional officers in relation to planning decisions. However, it is becoming increasingly important that the utmost care is given when refusing applications that such a decision is likely to withstand an appeal. In relation to any decision when Committee takes a different view to the officer recommendation, it is also important that sufficient reasoning is included with the decision. This will improve the case that can be made at appeal, which is important as a failure to successfully defend the Councils decision in relation to major applications on four occasions within a two year period is likely to see Broxtowe put into special measures.

Recommendation

Committee is asked to NOTE the proposed changes to the designation criteria and RESOLVE that appeal statistics are reported to the Committee.

Background papers

DCLG publication Improving Planning Performance. Criteria for Designation (revised 2016)













APPENDIX 1

CURRENT DESIGNATION THRESHOLDS

Speed of decision on Major development	50% in time
Speed of decision on non-major development	65% in time
Quality of decision (Major applications)	Less than 20% overturned at appeal

CURRENT PERFORMANCE

Business Growth Key Performance Indicators 2016/17

Status Icon	PI Code & Short Name	2015/16 Outturn	2016/17 Q1	2016/17 Q2	Current Target	Short Term Trend	Long Term Trend	Notes
	BV204 % of appeals allowed against authority decision to refuse planning permission	52.94%	14.29%		30.00%			Above target.
	NI 157a Processing of planning applications: Major applications determined within 13 weeks	77.27%	100.00%	83.33%	50.00%			Well above target which is impressive considering the multitude of factors involved in dealing with major applications.
	NI 157b Processing of planning applications: Minor applications determined within 8 weeks	92.26%	87.18%	90.74%	90.00%			Minor fluctuations probably due to staffing changes.
	NI 157c Processing of planning applications: Other applications determined within 8 weeks.	95.03%	95.14%	95.22%	95.00%			Above target.

BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

PLANNING APPLICATIONS DEALT WITH FROM
10 November 2016 TO 06 December 2016

CONTENTS

Planning applications dealt with under delegated powers

Please note: This list is now prepared in WARD order (alphabetically)

BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

P L A N N I N G A P P L I C A T I O N S D E T E R M I N E D B Y
D E V E L O P M E N T C O N T R O L

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mrs Helen Kneller 16/00643/FUL
Site Address : 2 Barratt Lane Attenborough Nottinghamshire NG9 6AF
Proposal : **Construct rear extension**
Decision : **Conditional Permission**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Nigel Birch 16/00614/CLUP
Site Address : Heritage House 5A-5D Soloman Road Cossall DE7 5UD
Proposal : **Certificate of lawful use to change the use of part of the warehouse into usable office space**
Decision : **Approval - CLU**

BEESTON CENTRAL WARD

Applicant : Mr Martin Hodge C6 SURVEYORS LTD 16/00572/FUL
Site Address : 48 Beacon Road Beeston Nottingham NG9 2EY
Proposal : **Construct two storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Fraser Williams 16/00597/FUL
Site Address : 28 Queens Road East Beeston Nottinghamshire NG9 2GS
Proposal : **Construct single storey side and rear extension**
Decision : **Conditional Permission**

Applicant : Mr Tariq Mahmood 16/00602/FUL
Site Address : 50 Salisbury Street Beeston Nottinghamshire NG9 2EQ
Proposal : **Construct single storey side extension and detached garage**
Decision : **Conditional Permission**

Applicant : Mr T Tsang 16/00766/PNH
Site Address : 18 Herald Close Beeston Nottinghamshire NG9 2DW
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3 metres, and an eaves height of 3 metres**
Decision : **Refusal**

BEESTON NORTH WARD

Applicant : Mrs Kerry Kehoe 16/00639/FUL
Site Address : 12 Cyprus Drive Beeston Nottinghamshire NG9 2PF
Proposal : **Construct two / single storey rear extension**
Decision : **Conditional Permission**

Applicant : Rebecca Thomas Beeston Free Church 16/00668/FUL
Site Address : Beeston Evangelical Free Church Salthouse Lane Beeston NG9 2FY
Proposal : **Site replacement portable building, following removal of existing portable building**
Decision : **Conditional Permission**

Applicant : Mr Jon Hawkins 16/00692/FUL
Site Address : 17 Cedar Avenue Beeston Nottingham NG9 2HA
Proposal : **Construct single storey rear extension and alterations to outbuilding**
Decision : **Conditional Permission**

Applicant : Mrs B Virgo 16/00753/PNH
Site Address : 21 Anderson Crescent Beeston Nottinghamshire NG9 2PS
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 4 metres, and an eaves height of 3 metres**
Decision : **Prior Approval Not Required**

BEESTON RYLANDS WARD

Applicant : Mr Tony Harris 16/00638/FUL
Site Address : 115 Trent Road Beeston Nottinghamshire NG9 1LP
Proposal : **Construct rear dormer extension with juliet balcony (revised scheme)**
Decision : **Conditional Permission**

Applicant : Miss Helen Sladen 16/00675/FUL
Site Address : 1 Ireland Close Beeston Nottinghamshire NG9 1JE
Proposal : **Construct fence and gates**
Decision : **Conditional Permission**

Applicant : Mr Brian Abthorpe 16/00683/PIAPA
Site Address : 54 Trafalgar Road Beeston Nottinghamshire NG9 1LB
Proposal : **Prior Notification under Class M - Change of use from a shop (Class A1) to a dwellinghouse (Class C3)**
Decision : **Withdrawn**

Applicant : Mr & Mrs Perbet 16/00695/FUL
Site Address : 2B Lavender Grove Beeston Nottinghamshire NG9 1QJ
Proposal : **Construct single storey rear extension and rear dormer**
Decision : **Conditional Permission**

BEESTON WEST WARD

Applicant : Mr Robert Witt Totally Tapped 16/00618/FUL
Site Address : 23 Chilwell Road Beeston Nottinghamshire NG9 1EH
Proposal : **Change of use from retail (Class A1) to micro pub (Class A4)**
Decision : **Conditional Permission**

Applicant : Mrs Blake 16/00625/FUL
Site Address : 17 Wilkinson Avenue Beeston Nottinghamshire NG9 2NL
Proposal : **Retain change of use to restaurant (Class A3)**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Steve Willoughby 16/00648/CLUP
Site Address : 37 Dale Lane Chilwell Nottinghamshire NG9 4EA
Proposal : **Certificate of lawful development to infill an existing drive through between the main house and double garage with roof conversion over including roof lights**
Decision : **Approval - CLU**

Applicant : Mr Barry Eyre 16/00669/FUL
Site Address : 107 Bramcote Drive West Beeston Nottingham NG9 1DU
Proposal : **Construct first floor rear extension and alterations to single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Barry Maugham 16/00673/FUL
Site Address : 34 Grove Avenue Chilwell Nottinghamshire NG9 4DZ
Proposal : **Construct rear extension**
Decision : **Conditional Permission**

Applicant	:	Miss & Mr Karen & Timothy Hodges & Clarke	16/00705/FUL
Site Address	:	177 Wollaton Road Beeston Nottinghamshire NG9 2PN	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr James Kellett	16/00707/FUL
Site Address	:	6 - 8 High Road Chilwell Nottinghamshire NG9 4AE	
Proposal	:	Change of use from retail (Class A1) to drinking establishment (Class A4)	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Place	16/00717/FUL
Site Address	:	185 Wollaton Road Beeston Nottingham NG9 2PN	
Proposal	:	Construct single storey extension and canopies to rear, two storey side extension, alterations to front elevation to form ground floor bay window and render exterior	
Decision	:	Conditional Permission	
BRAMCOTE WARD			
Applicant	:	Mr & Mrs T Sherratt	16/00621/CLUP
Site Address	:	92 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3JZ	
Proposal	:	Certificate of lawful development to replace hip with gable roof on both side elevations and construct rear dormer	
Decision	:	Approval - CLU	
Applicant	:	Mr Marc Webb	16/00652/FUL
Site Address	:	11 Sandy Lane Bramcote Nottingham NG9 3GT	
Proposal	:	Construct two storey side and single storey side and rear extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr D Strachan and Miss S Clarke	16/00661/FUL
Site Address	:	44 Arundel Drive Bramcote Nottingham NG9 3FN	
Proposal	:	Construct single storey rear extension, first floor side extension and replace flat roof with pitched roof	
Decision	:	Conditional Permission	
Applicant	:	Mr B Sandhu	16/00681/FUL
Site Address	:	20 Arundel Drive Bramcote Nottinghamshire NG9 3FX	
Proposal	:	Construct single/two storey side extension, rear extension including Juliet balcony, 2 dormer windows to front and construct porch (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Allen	16/00686/FUL
Site Address	:	29 Sandringham Drive Bramcote Nottingham NG9 3ED	
Proposal	:	Roof alterations including roof lights and rear hip to gable roof extension with Juliet balcony	
Decision	:	Conditional Permission	
Applicant	:	Mrs S Lambert	16/00703/FUL
Site Address	:	42 Burnside Drive Bramcote Nottinghamshire NG9 3EE	
Proposal	:	Construct single storey side and rear extension	
Decision	:	Conditional Permission	
Applicant	:	Shawn Donnelly & Lynne Bloomfield	16/00738/FUL
Site Address	:	64 Sandy Lane Bramcote Nottingham NG9 3GS	
Proposal	:	Construct single storey extension to rear	
Decision	:	Conditional Permission	
Applicant	:	Mr J Elder	16/00810/PNH
Site Address	:	106 Balmoral Drive Bramcote Nottinghamshire NG9 3FT	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.9 metres, and an eaves height of 2.5 metres	
Decision	:	Withdrawn	

BRINSLEY WARD

Applicant : Mr Neil Cargill 16/00546/FUL
Site Address : Manor Farm Hall Lane Brinsley NG16 5AG
Proposal : **Construct 2 dwellings, including private access driveway**
Decision : **Conditional Permission**

CHILWELL WEST WARD

Applicant : Miss V Thompson 16/00645/FUL
Site Address : 31 Belmont Close Chilwell Nottinghamshire NG9 5FY
Proposal : **Construct two storey side, single storey rear and front extensions (revised scheme)**
Decision : **Conditional Permission**

EASTWOOD HALL WARD

Applicant : Morrisons Supermarkets PLC 16/00555/ADV
Site Address : Morrisons Kelham Way Eastwood Nottinghamshire NG16 3SG
Proposal : **Retain signs**
Decision : **Conditional Permission**

EASTWOOD HILLTOP WARD

Applicant : Mr Mark Manners 16/00706/FUL
Site Address : 58 Dovecote Road Eastwood Nottinghamshire NG16 3EZ
Proposal : **Dropped kerb**
Decision : **Conditional Permission**

EASTWOOD ST MARY'S WARD

Applicant : Miss Vajanski 16/00377/CLUE
Site Address : 13 Nottingham Road Eastwood Nottinghamshire NG16 3AP
Proposal : **Certificate of Lawfulness of existing use as dwellinghouse**
Decision : **Refusal**

Applicant : Mr Martyn Cater Specsavers Opticians 16/00631/ADV
Site Address : 99 Nottingham Road Eastwood Nottinghamshire NG16 3AJ
Proposal : **Display 1 internally illuminated fascia sign and 1 internally illuminated projecting sign to the front elevation**
Decision : **Conditional Permission**

GREASLEY WARD

Applicant : Mr Shaw Reuben Shaws & Sons Ltd 16/00629/FUL
Site Address : Hollydene Nursery 121 Moorgreen Newthorpe Nottinghamshire NG16 2FF
Proposal : **Construct greenhouse extension**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Mr Oliver Keeling 16/00578/FUL
Site Address : 2 Knowle Lane Kimberley Nottinghamshire NG16 2QA
Proposal : **Proposed first floor extension over existing garage**
Decision : **Conditional Permission**

Applicant : Mrs Natalie Gaunt New Wave Installations Cardtronics UK 16/00610/FUL
Ltd
Site Address : 125 Eastwood Road Kimberley Nottinghamshire NG16 2HQ
Proposal : **Retain ATM, 3 anti ram raid bollards and 2 user protection bollards**
Decision : **Unconditional Permission**

Applicant : Mrs Natalie Gaunt New Wave Installations Cardtronics UK Ltd 16/00611/ADV
Site Address : 125 Eastwood Road Kimberley Nottinghamshire NG16 2HQ
Proposal : **Retain non-illuminated signage to ATM pod**
Decision : **Conditional Permission**

Applicant : Mr Glyn Paramor 16/00677/FUL
Site Address : 4 Lyle Close Kimberley Nottingham NG16 2NU
Proposal : **Retain fence**
Decision : **Conditional Permission**

Applicant : Mr David Marsden 16/00694/FUL
Site Address : 20 Hardy Street Kimberley Nottingham NG16 2JX
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

NUTHALL EAST & STRELLEY WARD

Applicant : Mrs Geraldine Rudham Strelley Systems 16/00600/FUL
Site Address : The Stables Strelley Hall Main Street Strelley Nottinghamshire NG8 6PE
Proposal : **Retrospective permission sought for change of use of garage to a retail unit (Class A1) with associated workshop and proposed change of use of adjoining garage to an additional retail unit (Class A1) including external alterations**
Decision : **Conditional Permission**

Applicant : Mrs Geraldine Rudham Strelley Systems 16/00601/LBC
Site Address : The Stables Strelley Hall Main Street Strelley Nottinghamshire NG8 6PE
Proposal : **Listed Building Consent sought for the retrospective change of use of garage to a retail unit (Class A1) with associated workshop and proposed change of use of adjoining garage to an additional retail unit (Class A1) including external alterations**
Decision : **Conditional Permission**

Applicant : Mr J Gubbins 16/00651/FUL
Site Address : 36 Temple Drive Nuthall Nottinghamshire NG16 1BE
Proposal : **Construct single storey side and rear extension (revised scheme)**
Decision : **Conditional Permission**

STAPLEFORD SOUTH WEST WARD

Applicant : Mr J Fadnkar-Bany 16/00623/P3JPA
Site Address : 1 Halls Road Stapleford Nottinghamshire NG9 7FP
Proposal : **Prior notification under Class O - Change of use of offices (Class B1) to residential (Class C3)**
Decision : **Prior Approval Not Required**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr & Mrs Jones 16/00699/PNH
Site Address : 106 Portland Road Toton Nottinghamshire NG9 6EW
Proposal : **Construct a conservatory, extending beyond the rear wall of the original dwelling by 3.5 metres, with a maximum height of 3.5 metres, and an eaves height of 2.1 metres**
Decision : **Prior Approval Not Required**

Applicant : Mrs T Truelove 16/00731/FUL
Site Address : 96 Portland Road Toton Nottinghamshire NG9 6EW
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**
