



16 May 2017

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 24 May 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 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 19 April 2017.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

- 5.1 16/00859/FUL PAGES 7 - 38
Hybrid planning application comprising: full application to construct 29 dwellings, including access, associated road infrastructure, car parking and landscaping. Outline application (including access) with some matters reserved to construct up to 221 dwellings and units with flexible uses (Classes D1, D2, A1, A2, A3, A4 and A5) following demolition of buildings
Bartons – Land between High Road and Queens Road West, High Road, Chilwell NG9 4AJ
- 5.2 17/00206/REG4 and 17/00284/LBC PAGES 39 - 44
Proposed toilet building
Kimberley Cemetery, Knowle Hill, Kimberley
- 5.3 17/00256/REG3 PAGES 45 - 49
Construct single storey side and rear extension and ramp
66 Central Avenue, Beeston NG9 2QP
- 5.4 17/00166/FUL PAGES 50 - 54
Proposed detached double garage
3 Broad Lane, Brinsley NG16 5BX
- 5.5 17/00078/FUL PAGES 55 - 63
Change of use from dwellinghouse (Class C3) to house in multiple occupation and construct two storey side and single storey rear extension
34 Sidney Road, Beeston NG9 1AN
- 5.6 16/00061/ENF PAGES 64 - 66
Untidy condition of land
Land adjacent 2 Little Lane, Kimberley, Nottingham
- 5.7 14/00189/ENF PAGES 67 - 69
Untidy condition of front and side gardens
1 Crowborough Avenue, Beeston, Nottingham NG8 2RN

6. INFORMATION ITEMS

6.1 Appeal statistics

The Committee is asked to NOTE that the position remains unchanged from that reported at its meeting on 22 March 2017. The Council is not therefore currently at risk of special measures based on the figures reported to Committee on the aforementioned date.

- 6.2 Delegated decisions PAGES 70 - 78

7. EXCLUSION OF PUBLIC AND PRESS

The Committee is asked to RESOLVE that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

8. 17/00080/FUL

PAGES 79 - 89

Construct single storey side extension
Highlands, Robinettes Lane, Cossall NG16 2RX

PLANNING COMMITTEE

19 APRIL 2017

Present: Councillor M Handley, Chair

Councillors: D Bagshaw	L A Ball BEM
J S Briggs	T P Brindley
M Brown	M J Crow
A Harper	R D MacRae
G Marshall	J K Marsters
P J Owen	M Radulovic MBE

An apology for absence was received from Councillor R S Robinson.

56. DECLARATIONS OF INTEREST

Councillor R D MacRae declared a non-pecuniary interest in item number 5.2 due to his membership of the Stapleford Community Group, minute no. 59.2 refers. Councillor M Brown declared a non-pecuniary interest in item number 5.5 due to having been lobbied by the applicant, minute no. 59.5 refers.

57. MINUTES

The minutes of the meeting held on 22 March 2017 were confirmed and signed.

58. NOTIFICATION OF LOBBYING

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

59. DEVELOPMENT CONTROL

59.1 17/00066/FUL

Construct two storey side extension, single storey rear extension, rear dormer and change use from dwellinghouse (Class C3) to house in multiple occupation
78 Lower Road, Beeston NG9 2GT

The application, as detailed above, had been called in to Committee by Councillor L A Lally.

There were no late items in respect of the application.

Councillor L A Lally (ward member) addressed the Committee prior to the general debate.

Members debated the application and expressed sympathy with the ward member's comments relating to the effect the proposals would have on local residents. The Committee considered that members should have greater involvement in applications relating to houses in multiple occupation (HMOs) and commented that there would be merit in the Housing Committee considering the matter by way of the introduction of a policy which promoted the return of residential areas to the purpose for which they were originally intended as family accommodation. The face of town centres was changing, particularly in the south of the Borough, although multi-occupancy was not specifically confined to town centres.

Whilst it was acknowledged that a student population helped the economy of an area, members stated that HMOs attracted mess, untidiness and anti-social behaviour, together with parking issues since many students had cars and street parking was limited in the vicinity of the application site. There would be a serious impact and loss of amenity to local residents should the application be granted.

RESOLVED that the application be refused as it was contrary to Local Plan Policy H9 and Policies 8 and 10 of the Core Strategy, the precise wording to be agreed by the Head of Neighbourhoods and Prosperity and the Director of Legal and Planning Services in consultation with the Chair of the Committee.

Reason

The proposed eight bedroom house in multiple occupation, in conjunction with the proposed extensions, is considered to be an over intensive use which would cause detriment to residential amenity and the character of the area by virtue of noise and disturbance. In addition, insufficient parking provision is proposed for the property and the development would result in a concentration of houses in multiple occupation on Lower Road. Accordingly, the proposal is contrary to Policy H9 of the Broxtowe Local Plan (2004) and Policies 8 and 10 of the Broxtowe Aligned Core Strategy (2014).

59.2 17/00113/FUL

Change use from hairdressers (Class A1) to church and community Room (Class D1)
Montrose Court Post Office, 4 Montrose Court, Stapleford NG9 8LG

The application, as detailed above, had been called in to Committee by Councillor R D MacRae.

There were no late items in respect of the application.

Lydia Cartwright (applicant) addressed the Committee prior to the general debate.

The Committee debated the application and commented that the proposed use would give more vibrancy to the area and would bring a unit back into use for the benefit of the community.

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 Ordnance Survey site plan and the proposed drawings received by the Local Planning Authority on 8 March 2017.**
- 3. The premises shall not be used except between 08:00 to 22:00 hours.**

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. In the interests of the amenities of the nearby residents and in accordance with the aims of Policy RC2 of the Broxtowe Local Plan (2004).**

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 ensuring an early visit to the site to allow the application to be decided at the next available committee.**
- 2. The proposed use of the premises will necessitate the provision of toilets in line with Table 8 Section 6.9 BS6465-1:2006. The applicant is recommended to contact the Council's Environmental Health Team on 0115 9177777 for advice and guidance prior to the commencement of works.**

(Councillor R D MacRae, having declared a non-pecuniary interest in the item, spoke as ward member but did not vote thereon.)

59.3 17/00080/FUL
Construct single storey side extension
Highlands, Robinettes Lane, Cossall NG16 2RX

The application, as detailed above, had been brought before the Committee as the proposed development represented a potential departure from the development plan.

The Committee was referred to the summary of late items which advised of a correction to paragraph 5.1 of the report.

Members debated the application and expressed concern that the application, which recommended that permission be granted, did not appear to significantly differ from a later application on the agenda which carried an officer recommendation for refusal. The fundamental difference related to the argument regarding Very Special Circumstances for the application under discussion.

It was stated that the occupant of the premises with the disability may benefit from an internal realignment of the property to allow for the introduction of effective aids and adaptations in addition possibly to external ramps, rather than an additional increase in capacity of the building. The Committee was not persuaded that Very Special Circumstances were necessarily appropriate and suggested that further clarification be sought on what internal modifications could be made to accommodate the needs of the occupant rather than permit an exception to the Green Belt policy.

Councillor P J Owen proposed that the matter be deferred to the next meeting to allow for members to consider confidential circumstances to inform its decision. The proposal was seconded by Councillor L A Ball BEM and, on being put to the meeting, the proposal was carried.

RESOLVED that consideration of the application be deferred to the 24 May 2017 meeting of the Committee. The report would be an exempt item and would include reference to Section 149 of the Equalities Act 2010 and guidance for members pertaining to that.

59.4 17/00123/FUL
Positioning of site container (retrospective)
Colliers Wood Open Space, Engine Lane, Newthorpe

The above application had been brought to Committee as the site is within the Council's ownership.

There were no late items in respect of the application.

RESOLVED that planning permission is granted, subject to the following conditions:

1. The development hereby approved shall be carried out only in accordance with the following documents: Location Plan (drawing ref: 2017-1), Block Plan (2017-2), View details (2017-3), Elevations and plans (2017-4) and Image Photograph, received by the local planning authority on 2 March 2017.
2. This permission is limited to the period expiring on 19 April 2022, after which date the storage container hereby permitted, shall be removed, and the site restored to woodland, unless consent for a further period of time has been granted before that date.

Reasons

1. For the avoidance of doubt.
2. The structure is of a temporary nature and its appearance is likely to deteriorate with time, to the detriment of the visual amenities of the area, and in accordance with Policy 10 of the Aligned Core Strategy (2014).

Note to applicant

The Council has tried to act 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, through an early visit to the site, which has enabled the application to be reported to the earliest possible Planning Committee.

59.5 17/00109/FUL

Construct single storey rear extension (revised application)
Wren Cottage, 39 Moorgreen, Newthorpe NG16 2FD

The application, as detailed above, had been called in to Committee by Councillor M Brown.

There were no late items in respect of the application.

Mr Robert Schofield (applicant) addressed the Committee prior to the general debate.

The Committee debated the application and, whilst it had sympathy with the applicant, considered that the applicant should be more realistic in his expectations. Although the property needed modernising, members considered that the size of the proposed extension was disproportionate and the applicant's reasons did not merit the Committee circumventing policy. Officers had negotiated with the applicant to try and secure a reduction in the size of the proposed extension to bring the volume in line with current policy.

RESOLVED that planning permission be refused for the following reason:

In the opinion of the Local Planning Authority, there are no very special circumstances which would justify the granting of planning permission within the Green Belt where there is a presumption against inappropriate development. In conjunction with the previous extensions, the proposal would represent a disproportionate addition over the original building and the continued acceptance of smaller, incremental additions would run contrary to the fundamental aim of preserving openness. Accordingly, the proposal is contrary to the aims of Saved Policy E8 of the Broxtowe Local Plan 2004 and Section 9: Protecting Green Belt Land of the National Planning Policy Framework (NPPF) 2012 and there are no other material considerations that justify treating this proposal as an exception.

Note to Applicant

The decision has been reached taking into account the guidance in paragraphs 186-187 of the National Planning Policy Framework (NPPF) 2012. The Council has worked proactively to ensure the agent and applicant were aware of the concerns prior to the application being submitted. This application has not taken account of the advice previously given and the fundamental concerns set out above cannot be overcome.

(Councillor M Brown, having declared a non-pecuniary interest in the item, spoke as ward member but did not vote thereon.)

60. INFORMATION ITEMS

60.1 Appeal decision

16/00464/FUL

Land to the rear of 51A & 51B Mill Road, Newthorpe NG16 3QG

The Committee noted the Inspector's decision to dismiss the appeal in respect of the above application. Councillor M Radulovic MBE gave a vote of thanks to officers for their work in securing a successful rebuttal of the applicant's appeal. Disappointment was expressed that the Council was not awarded costs in the matter.

60.2 Appeal Statistics

The Committee noted that the position remained unchanged from that reported to it on 22 March 2017 and that the Council was not therefore at risk of special measures based on the figures reported to it on that date.

60.3 Delegated decisions

The Committee noted the decisions determined under delegated powers between 18 February and 24 March 2017.

Report of the Director of Legal and Planning Services

16/00859/FUL

HYBRID PLANNING APPLICATION COMPRISING: FULL APPLICATION TO CONSTRUCT 29 DWELLINGS, INCLUDING ACCESS, ASSOCIATED ROAD INFRASTRUCTURE, CAR PARKING AND LANDSCAPING. OUTLINE APPLICATION (INCLUDING ACCESS) WITH SOME MATTERS RESERVED TO CONSTRUCT UP TO 221 DWELLINGS AND UNITS WITH FLEXIBLE USES (CLASSES D1, D2, A1, A2, A3, A4 AND A5) FOLLOWING DEMOLITION OF BUILDINGS

**BARTONS - LAND BETWEEN HIGH ROAD AND QUEENS ROAD WEST
HIGH ROAD, CHILWELL NG9 4AJ**

1 Details of the application

1.1 The proposal is a hybrid application. This is a type of application which seeks full planning permission for one part and outline planning permission for another part of the same site. **Full permission** is sought for the construction of 29 dwellings in the south west corner of the site. This part of the development is referred to within the planning application as Phase 1. The following housing mix is proposed:

- Four x 2 bedroom maisonettes/ coach houses
- 18 x 3 bedroom houses
- Seven x 4 bedroom houses

1.2 The house types include rows of terraced housing, 'paired villas' which are terraced but have the appearance of semi-detached houses, detached houses and coach houses. The buildings will be two storey or three storey (rooms in the roof space forming the upper floor). The buildings have been designed with 'Regency-style' architectural features and will be constructed using a mixture of brick and render. The roofs will be slate with clay ridge tiles or a lead flashed ridge. Doors and windows are proposed to be timber and rainwater goods will primarily be painted aluminium or zinc. With the exception of the coach houses, all of the houses will have private gardens.

1.3 Full permission is also sought for the access into the site, including a new access from Queens Road West and utilising an existing access from Bridge Avenue. The road infrastructure will provide a link between High Road to the north and Queens Road West to the south. Car parking will be provided for the occupiers of the dwellings through a combination of garages, curtilage spaces, off-street spaces and on-street spaces. A total of 60 parking spaces are proposed as part of Phase 1. Landscaping is proposed throughout the development which includes tree lined streets and new trees planted along the site boundaries, various shrubs and planting a grassed area alongside the south west boundary. There are no existing buildings on this part of the site and therefore no demolition is required.

- 1.4 **Outline permission** is sought on the remainder of the site for a mixed use development. This includes permission to construct up to 221 dwellings which will be a mixture of houses, apartments and maisonettes. This will include affordable housing provision. A central area of public open space is proposed. In the north east corner of the site it is proposed that the ground floor of the buildings will be used for a commercial use and/or an 'events space'. A flexible permission is sought for a mixture of Class A1 'Retail'; Class A2 'Professional services'; Class A3 'Food and drink'; Class A4 'Drinking establishments'; 'Class A5 'Hot food and takeaway'; Class D1 'Non-residential institutions' (can include day nurseries, art galleries and museums); and Class D2 'Assembly and Leisure'. Above the commercial and events space, residential accommodation, in the form of apartments, would be provided. The planning application form indicates the indicative floorspaces of the various uses. This indicates 554m² of Class A uses and 338m² of Class D uses.
- 1.5 The masterplan is designed around a principal street network which links High Road to the north, Queens Road West to the south and Holly Lane to the east. A garden square is proposed in the centre of the site. It is proposed that the majority of new buildings within the site will be between two and three storeys high. However, it is proposed that buildings in the north eastern corner (Phase 3), which will include the apartment buildings, will be between three to six storeys high. The architectural style of the buildings will be a mixture of the 'Regency style' evident in Phase 1, using a similar material palette and design principle, and a more 'industrial' architectural style in the north east corner of the site which will reflect Beeston and Nottingham's industrial heritage. It should be noted that specific details, including building heights, within the outline part of the scheme could be subject to change as part of any future reserved matters application.
- 1.6 Barton House, which would continue to operate as an office building, would be retained, with the indicative plans indicating the potential for providing an additional floor. All other buildings within the site, including the former bus garages and the van hire premises, would be demolished. The public right of way, which is along the western boundary of the site, would not be altered.
- 1.7 The application includes a phasing plan and Design and Access Statement which proposes the following phases of development:
- Phase 1 – South west corner of the site. 29 dwellings (subject to the full planning application)
 - Phase 2 – Central area of the site. Residential units delivered in three storey town houses and apartments and provision of the central area of open space.
 - Phase 3 – Development in the north east corner of the site including apartments, commercial uses, and a community use. Affordable housing would be provided during this phase of development. The indicative plans indicate the buildings could range between two storey and six storey in height.
 - Phase 4 – Development in the south east corner of the site which would include dwellings comprising a mix of three and four bedroom properties and two bedroom maisonettes.

- 1.8 During the course of the application, additional information was submitted to show proposed street scenes and landscape treatment, amendments were made to the red line plan to correct discrepancies and minor amendments were made to the road layout.
- 1.9 The following supporting documents were submitted with the application:
- Detailed Scheme Plans for the detailed element of the application (Phase 1)
 - Parameter Plans for the outline element
 - Design & Access Statement
 - Beauty-In-My-Back-Yard (BIMBY) Housing Manual
 - Planning Statement
 - Phase One Habitat Survey Report
 - Arboricultural Impact Assessment
 - Landscape Strategy
 - Phase One Geo-Environmental Desk Top Study
 - Flood Risk Assessment and Drainage Design Scheme
 - Sustainability Assessment
 - Transport Assessment
 - Acoustic Assessment
 - Statement of Community Engagement.
- 1.10 Extensive pre-application discussions took place between the applicant, the Council and consultees in advance of the planning application being submitted. This included an Enquiry by Design workshop to discuss key issues and design principles for the development and the applicant holding a public exhibition in February 2016 which was attended by over 400 people.

2 Site and surroundings

- 2.1 The application site is the former bus depot and headquarters for the Barton Transport Company. The site area is 4.37 hectares. Bartons was a prominent and established independent coach and bus operator within Nottinghamshire but its transport activities were sold in 1989. Many of the buildings on the site have since been cleared.
- 2.2 Barton House, an art-deco style building which fronts High Road, has been retained and is used for offices. 55, 57 and 59 High Road have been used for a mixture of office and residential accommodation. The ground floor of 53 High Road and 43-45 High Road (The Gallery Building), which is positioned on the corner between High Road and Holly Lane, is used to hold a variety of events including comedy shows, art exhibitions, concerts, and markets. Events have also been held within the remaining bus garages which are to the rear of Barton House. There is a car park within the site which is accessed from Holly Lane and, to the south of the car park, there are industrial units. In the southern section of the site there, is a van hire company which is accessed from Queens Road West. There are also two dwellings located to the south fronting Queens Road West and two dwellings to the east fronting Holly Lane. The remainder of the site remains largely open and is a mixture of hardstanding and vegetation.

- 2.3 The site lies to the west of Beeston and is bounded by High Road to the north. There is also a knitwear manufacturer, a car showroom and houses accessed from Bridge Avenue immediately to the north west of the site. Central College is located on the opposite side of High Road. Cottage Grove Conservation Area lies to the north east of the site but no part of the site is within the Conservation Area. Holly Lane is to the east of the site and there are a number of industrial and manufacturing units, including units on Foundry Close, which are adjacent to the site boundary. The southern boundary of the site is bounded by Queens Road West. There are houses and Chilwell Manor Golf Course beyond the southern boundary. A public footpath (Beeston Footpath Number 54) is positioned beside the western boundary of the site. The majority of the footpath, with the exception of a short section in the north west corner, lies outside of the application site. Beyond the public footpath to the west are the rear gardens of properties on Audon Avenue and 428 Queens Road West (a bungalow).
- 2.4 There is a fall in level across the site from north to south. The south west corner of the site is at the lowest level.
- 2.5 There are lines of trees alongside the western and southern boundaries of the site. There are two group Tree Preservation Orders (TPO) covering the majority of these trees. There is also a single tree protected by a TPO within the site to the south east of Bridge Avenue.
- 2.6 A culvert runs through the site from north to south. The Environment Agency flood maps indicated that the majority of the site lies in Flood Zone 1 (low probability of river flooding). The flood maps indicated that part of the west section of the site lies within Flood Zone 3 (high probability of river flooding) but it should be noted additional modelling has since been carried out. This will be discussed within Section 6 of this report.
- 2.7 Part of the south west section of the site is allocated as an employment site within the Broxtowe Local Plan (2004). This will be discussed in further detail in sections 4 and 6 of this report.

Barton House



43-45 and 53-55 High Road



View towards van hire business



View towards the rear of the remaining bus garages



Western boundary of the site



View from Queens Road West



3 Relevant planning history

- 3.1 An application was submitted to fell 9 lime trees from the frontage of land adjacent to Queens Road West. The trees are protected by a Tree Preservation Order (TPO/CHI/TPO080). The Planning Committee granted consent for the removal of the trees but included a condition which prevented the removal of the trees until planning permission had been granted and a detailed landscape scheme had been submitted. It should be noted that it is now proposed to retain the lime trees as part of this planning application.
- 3.2 There have been various planning applications relating to buildings within the site. These include planning permission to change the use of buildings to a B1/ B2 use (97/00716/FUL), planning permission for the van hire site (99/00048/FUL) and the change of use of 43-47 High Road (The Gallery) from a retail and car sales use to a 'flexible' use allowing for uses including retail, a restaurant, a drinking establishment, an events venue, and an art gallery (14/00556/FUL).
- 3.3 An outline planning application was submitted in 2007 for a mixed use development (07/00816/OUT). The application proposed 11,000m² of employment space, 107 dwellings, 830m² of retail space and 900m² of leisure/assembly space. Access was proposed from Queens Road West for the business development and from Chilwell Road/High Road and Holly Lane for the mixed uses and residential development. This application was refused on 20

December 2007 for seven reasons. The reasons included the relationship between the proposed uses and the existing industrial uses which surround the site, concerns regarding the proposed layout and how the uses could be accommodated within the site and due to insufficient information to allow a satisfactory assessment of potential flood risk and contamination. It should be noted that the loss of an employment site was not included as a reason for refusal.

4 Policy context

4.1 National policy

- 4.1.1 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. Paragraph 14 states that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of permitting the development significantly and demonstrably outweigh the benefits, or specific policies in the framework indicate development should be restricted.
- 4.1.2 The NPPF outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, 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, the natural environment should be conserved and enhanced and developments should be located in sustainable locations and on brownfield sites. The document outlines that the government's key housing objective is to increase significantly the delivery of new homes and states that there should be a wide choice of high quality homes within safe and accessible environments. Applicants are encouraged to work with the local community to achieve this aim.
- 4.1.3 To facilitate the aim of building a strong, competitive economy, the NPPF confirms that significant weight should be placed on supporting economic growth. It advises that planning policies should avoid the long term protection of employment sites where there is no reasonable prospect of such a use.
- 4.1.4 Paragraph 49 states if a local planning authority cannot demonstrate a five year supply of deliverable housing sites, relevant policies for the supply of housing will not be considered to be up-to-date.
- 4.1.5 In relation to assessing the highway impacts of a proposal, paragraph 32 states that development should only be refused on transport grounds where the residual cumulative impacts are severe.
- 4.1.6 Section 7 states that good design is a key aspect of sustainable development. Paragraph 58 states that planning decisions should aim to ensure that developments create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments); respond to local character and history while not preventing or discouraging appropriate

innovation; and are visually attractive as a result of good architecture and appropriate landscaping.

- 4.1.7 Paragraph 109 advises that impacts on biodiversity should be minimised and that, if significant harm cannot be avoided, adequately mitigated or, as a last resort, compensated for, planning permission should be refused.
- 4.1.8 Paragraph 100 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere.
- 4.1.9 Paragraphs 203 – 206 advise on planning obligations and state that obligations should only be required when they are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development. In addition, 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 on such matters.
- 4.1.10 The National Planning Policy Guidance (NPPG) is also of relevance. The NPPG states “development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.”

4.2 Broxtowe Aligned Core Strategy

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014 and the overall strategy of this document is “urban concentration with regeneration”.
- 4.2.2 ‘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.
- 4.2.3 ‘Policy 1: Climate Change’ sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings. The policy sets out the approach to renewable energy, flood risk and sustainable drainage. It replicates the approach to development in flood zones outlined in the NPPF and states that development will be supported which adopts the precautionary principle, that avoids areas of current or future risk, does not increase flooding elsewhere and where possible reduces flood risk. The policy seeks the inclusion of Sustainable Urban Drainage systems within new development where viable and technically feasible.
- 4.2.4 ‘Policy 2: The Spatial Strategy’ sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6,150 in

the Broxtowe Borough part of GN, of which 3,800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

- 4.2.5 'Policy 4: Employment Provision and Economic Development' identifies how much floor space and land is needed to provide for economic growth across a range of sectors in Greater Nottingham and how it will be ensured that a supply of suitable sites is provided. It states economic development within major development schemes will be promoted to ensure a sustainable mix of uses.
- 4.2.6 '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.
- 4.2.7 '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.
- 4.2.8 'Policy 16: Green Infrastructure, Parks and Open Spaces' sets out a strategic approach to the provision of new Green Infrastructure. It states that existing Green Infrastructure corridors will be protected and enhanced. Criteria for development impacting on existing open space are provided. Landscape character should be protected, conserved or enhanced where appropriate in line with the recommendations of the Greater Nottingham Landscape Character Assessment.
- 4.2.9 'Policy 14: Managing Travel Demand' aims to reduce the need to travel by private car. It states that the priority should be to select sites which are already accessible by walking, cycling and public transport.
- 4.2.10 'Policy 17: Biodiversity' sets out the approach to biodiversity and how development affecting biodiversity assets should be considered. It states that designated sites will be protected in line with the hierarchy of designations.
- 4.2.11 'Policy 18: Infrastructure' seeks to ensure new development is provided with the necessary infrastructure.
- 4.2.12 'Policy 19: Developer Contributions' confirms the current use of Section 106 Agreements.

4.3 Saved policies of the Broxtowe Local Plan

- 4.3.1 As the Core Strategy contains broad policies, the Part 2 Local Plan is currently being prepared which will include specific development management policies and site allocations. As public consultation has yet to be carried out on the draft Part 2 Local Plan, limited weight can be attached to the emerging policies.
- 4.3.2 In the meantime, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

- 4.3.3 Policy E24: Development which would adversely affect important trees and hedgerows will not be permitted.
- 4.3.4 Policy E26: Planning permission will not be granted for development which would result in a significant deterioration in air quality, significant loss of health or amenity to nearby occupants or surface water contamination.
- 4.3.5 Policy E27: Planning permission will not be granted for development which would be liable to result in the infiltration of contaminants into groundwater resources unless mitigation measures are proposed.
- 4.3.6 Policy E29: Development of land which may be contaminated will not be permitted unless a site investigation (using a method agreed in writing with the Council) has been carried out; details of remedial measures have been approved by the local planning authority and the relevant consultation bodies; there will be no significant risk to the health and safety of occupants of the development and there will be no contamination of any surface water, ground water or adjacent land.
- 4.3.7 Policy E34: Permission will not be granted for housing development if the occupants, even with appropriate mitigation measures, would experience significant noise disturbance.
- 4.3.8 Policy H5: On housing sites of over 1 hectare or over 25 dwellings, the Council will seek to ensure that at least 25% of dwellings built will be affordable or, exceptionally, that a financial contribution will be made to enable the provision of an equivalent amount of affordable housing off site.
- 4.3.9 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 and if the distance is beyond 400m, 35 dwellings per hectare.
- 4.3.10 Policy H7: Residential development in built up areas will be permitted providing there is no significant impact on the amenity of nearby residents and that the occupiers of the new dwellings would have a satisfactory degree of privacy and amenity. The development should not have an adverse impact on the character or appearance of the area and satisfactory arrangements for parking and access need to be made.
- 4.3.11 Policy EM1f: Identifies part of the south west section of the application site (2.2ha) for employment development comprising a mix of Class B1, B2 and B8 uses.
- 4.3.12 Policy EM3: Permission will be granted for employment uses to redevelop or extend within existing sites provided that the environmental and traffic effects are acceptable.
- 4.3.13 Policy T1: Planning permission for developments which generate a demand for travel will not be granted until a contribution towards transport infrastructure has been negotiated.

- 4.3.14 Policy T11 and appendix 4 require satisfactory provision of vehicle parking and servicing in accordance with the latest standards.
- 4.3.15 Policy S5: proposals for retail development outside town centres of between 100 and 1000 square metres gross floorspace will be permitted only if: the proposal is grouped with other local shopping facilities; the proposal would not be likely to harm the vitality and viability of any other local shopping facilities or town centres and the proposal includes appropriate provision for access, servicing and car parking and the traffic generated by the proposal could be safely accommodated on the highway network.
- 4.3.16 Policy RC1: proposals for leisure facilities will be permitted provided seven criteria are met including that the proposal would be well related to the community it serves, the amenity of neighbouring properties and the character of the area would not be adversely affected and appropriate provision is made for vehicle parking and servicing.
- 4.3.17 Policy RC6: Provision should be made for public open space and children’s play areas on residential development sites which exceed 0.5 hectares. The design of any open space provision should take into account the possible provision of features beneficial to wildlife.
- 4.3.18 Policy RC14: The Council will protect, maintain and where appropriate seek to extend the network of footpaths, bridleways and cycle routes in the Borough.

4.4 Strategic Housing Land Availability Assessment

- 4.4.1 The site is listed within the Council’s Strategic Housing Land Availability Assessment (SHLAA) 2015/16 as ‘Deliverable and Developable’. The SHLAA identifies the application site as having capacity to deliver up to 320 dwellings. It states that “the site is under discussion as a component of a redevelopment (including residential) and, as such, previous employment option is unlikely to proceed. The site is available and suitable, with no major barriers to achievability.”
- 4.4.2 The site is also listed within the Council’s Employment Land Availability Assessment (ELAA). The assessment accepts that parts of the site are likely to come forward for residential development. It acknowledges that the current lease for the Beeston Van hire area does not end until 2021 but recommends that the entire site is ‘released’ from the employment allocation.

4.5 Beeston Town Centre Plan (adopted June 2008)

- 4.5.1 The site is included within the Beeston Town Centre Plan. The Town Centre Plan states that the redevelopment of the site could incorporate a range of uses including business, leisure, residential, open space and retail. It sets out the key principles which should be applied to the redevelopment of the site which include: according with the policies of the Local Plan; consideration of vehicle access and prevention of through traffic from Queens Road West to High Road; integration between the site and the tram; and for community green space to be provided within site.

5 Consultations

- 5.1 Nottinghamshire County Council as Highways Authority raises no objection. In respect of the original plans, the Highways Authority requested further information regarding potential traffic using the proposed link road between High Road and Queens Road West and further information regarding junction capacity at proposed junctions with High Road/ Bridge Avenue and Queens Road West. Following the provision of further information, the access points to the development are considered to be acceptable. Conditions will be required to secure junction improvement works at the accesses from Bridge Avenue and Queens Road West. Further information regarding the access from Holly Lane will be required as part of a future reserved matters application. Whilst at peak times the network is 'busy' in the surrounding area, the additional traffic generated from this development is not considered as 'severe' or having a detrimental impact. Existing sustainable transport links are identified through the site and it is recommended that submission of a Travel Plan is conditioned. The Highways Authority states that due to the large 'private' culvert which runs North/South through the site, together with water mains and sewers which require easements, an acceptable layout that complies with their highway design criteria cannot be achieved. Therefore, they would not be able to recommend that the highways on site are adopted. Following discussions with the applicants, it has been agreed that the roads will remain private and not adopted. Car parking of vehicles on the development site will need to be controlled by the developer/ landowner. Refuse and recycling collections will need to be agreed with the Borough Council.
- 5.2 Nottinghamshire County Council as Lead Local Flood Authority states no objection provided the surface water system is provided in accordance with the submitted Flood Risk Assessment and Drainage Strategy.
- 5.3 Nottinghamshire County Council's Developer Contributions Practitioner has stated that the proposed development would yield an additional 53 primary school places which would require a contribution of £607,115. Secondary school places can be accommodated in existing secondary schools. It is stated that land may be required for a new primary school and that this will require further consideration as part of the wider infrastructure considerations which are taking place as part of the production of Part 2 of the Local Plan. A contribution of £11,800 is requested towards library provision. It is stated that if these obligations are not secured, the development should be considered as unsustainable and the County Council will therefore object to the application.
- 5.4 Nottinghamshire County Council Planning Policy state that consideration should be given to whether there will be any additional healthcare requirements arising from the development and that the development should be designed to provide good access to health and social care facilities. It is stated that it would be useful for the application to be supported by a waste audit due to the levels of waste which may be generated by the development. A financial contribution towards enhancements of two existing bus stops on Queens Road West, or the provision of two new bus stops on Queens Road West, is sought.
- 5.5 Nottinghamshire County Council's Area Rights of Way Officer notes that the public footpath along the western boundary will not be altered and considers that

- this is a missed opportunity to improve the public right of way route. A path along the green corridor along the western side of the application site would provide a more attractive route for the benefit of new residents in the development and the public as a whole.
- 5.6 The Council's Environmental Health Department states no objection. With regards to noise, a scheme for protecting the occupants of the proposed dwellings from noise from road traffic and industrial noise sources adjacent to the proposed development is requested. Any works which form part of the scheme should then be completed prior to any dwelling being occupied. With regards to contaminated land, the reports which accompanied the application identified potential contamination of the ground and groundwater and issues relating to ground gas. Therefore, there is a need for further investigations and an investigative survey, which will include a remediation strategy, to be submitted prior to any works commencing.
- 5.7 The Council's Business and Projects Manager (Environment) is supportive of the scheme which will enhance a neglected area. Recommendations are made in respect of litter bins, bollards, boundary treatments and proposed trees. It is recommended that the size of the central green space area is increased to meet the size required for a development of this scale, although it is acknowledged the shortfall may also be met through the provision of other open space areas throughout the site. It is also questioned who would be responsible for the areas of green space.
- 5.8 The Council's Tree Officer raises no objection provided the tree protection measures are put in place during the construction works.
- 5.9 The Council's Refuse and Cleansing Manager states that the roads need to be made to a standard which can accommodate a 32 tonne refuse vehicle and that the developer will have to ensure that the Council will not be liable to any damage caused to the road or anything below the road as a result of a refuse vehicle entering the site.
- 5.10 The Council's Housing Department states no objection. It is recommended that affordable housing on the site is shared ownership and a minimum of 20% should be rented accommodation. The rented units should ideally be one bedroom properties and the remaining properties should be two bedroom shared ownership units. However, the type of properties for shared ownership can be negotiated if there is evidence of demand for other property types.
- 5.11 The Environment Agency has made no objection subject to the development being carried out in accordance with the measures detailed within the Flood Risk Assessment. This includes measures relating to: setting the finished floor level of buildings; the requirement for a remediation strategy to be submitted; a verification report to be submitted demonstrating that the remediation measures have been carried out; a condition preventing any further work if further contamination is found; the prevention of piling or other foundation designs using penetrative measures without approval from the Council; and the submission of a scheme to treat and remove suspended solids from surface water run-off during construction works.

- 5.12 Nottinghamshire Wildlife Trust state that they are generally satisfied with the assessment of the ecological value of the site and with the recommendations for habitat retention, the production of a Biodiversity Management Plan, the protection of nesting birds and the creation of replacement habitat. However, they state that further survey work is required to provide detailed mitigation measures. This includes additional bat, reptile and badger surveys and these are recommended prior to the application being determined. Conditions are recommended to prevent the removal of hedgerows and trees or the demolition of buildings during bird breeding season, the installation of bird boxes and the production of a Construction Environmental Management Plan (CEMP).
- 5.13 Nottingham Express Transport (NET) states no objection but requests that they are consulted on any further planning applications on the site.
- 5.14 Public Representations
- 5.15 To publicise the planning application, four site notices were displayed. 68 properties and premises surrounding the site were consulted. The application was also publicised by a press notice.
- 5.16 A total of 23 responses were received. Six responses were in support of the application, four responses raised objections and 13 responses stated observations. The letters stating observations contained statements in support of elements of the scheme and raised concerns regarding some specific issues which will be stated below. Comments made can be summarised as follows:

Support

- The development will provide a mix of housing on a brownfield site.
- High quality architecture which will create a sense of place and reflects the Georgian and Regency styles of architecture evident in parts of Beeston and Nottingham.
- The development will achieve high environmental/ energy standards.
- There will be significant improvements to cycle infrastructure through providing a through route which will avoid High Road and Chilwell Road.

Objections

- Increased traffic and congestion, particularly to High Road and Queens Road West.
- There will be a loss of privacy to houses on Audon Avenue.
- There will be an increased likelihood of flooding.
- Increased demand on local infrastructure and services which are already at capacity.
- Increased risk of crime.
- Some of the building heights, particularly the six storey building, are too high and out of keeping with the surroundings.

Observations

- There is a lack of landscaping along the western boundary. Would prefer low maintenance shrubs rather than grass which will require regular maintenance and offers little ecological value.
- Need clarification regarding maintenance and responsibility of the trees and vegetation alongside the boundaries.
- Screening to properties on Audon Avenue needs to be maintained or improved.
- The red line on the initial plans was incorrect. The site included the entirety of the public footpath. If the public footpath was diverted, there would be a loss of access to the rear of properties on Audon Avenue.
- Bridge Avenue is narrow with limited visibility for vehicles entering and exiting the site.
- Appears to be a lack of pavements through the development.
- Consideration should be given as to whether there will be an increased flood risk to surrounding properties.
- The Japanese knotweed needs to be safely removed.
- Noise and disturbance during the construction work needs to be minimised and controlled.
- Access needs to be retained to adjacent businesses.
- There may be a loss of light to adjacent businesses from the higher storey buildings.
- Concerns regarding the impact on prospective occupiers of the development due to existing noise and light pollution from the surrounding industrial units and van hire business.
- Query whether the architectural style matches the local character.
- Concerns that anti-social behaviour problems will continue along the public footpath if this is not diverted.

6 Appraisal

6.1 The main issues relate to the principle of the proposed development, the layout and design of the scheme, the relationship with surrounding properties and uses, and whether the development is acceptable in terms of highways and flood risk.

6.2 Principle

6.2.1 This is a hybrid planning application. The part which seeks full planning permission relates to a residential development. The outline element is predominantly residential but includes a mixed use element which may include retail, leisure and entertainment uses.

6.2.2 Part of the site is allocated within the Broxtowe Local Plan (2004) for employment. However, as part of housing and employment availability assessments, the Council has identified the site as being appropriate for residential development of up to 320 units and has recommended that the site is released from an employment allocation. Furthermore, the Beeston Town Centre Plan (2008) acknowledges that the redevelopment of the site should contain a range of uses including residential, business, leisure and retail.

- 6.2.3 The Council currently does not have a five year housing land supply. As reported to the Council's Jobs and Economy Committee on 26 January 2017, the Council can currently only demonstrate a 3.6 year supply of housing land which can only be fully addressed with new allocation in the Council's Part 2 Local Plan. The development of previously developed sites (brownfield) within existing urban areas is vital to meeting the outstanding housing need. The NPPF also encourages the effective use of land by reusing land that has been previously developed and the Government's key housing objective is to increase significantly the delivery of new homes. The NPPF also advises that planning policies should avoid the long term protection of employment sites where there is no reasonable prospect of such a use.
- 6.2.4 The NPPF establishes a presumption in favour of sustainable development and states that there are three dimensions to sustainable development: economic, social and environmental. Economic benefits from the development include the provision of jobs during the construction period, new residents will provide an additional labour supply for local employers and there will be financial benefits through increased council tax revenue and through the New Homes Bonus. Environmental benefits include reusing brownfield land and within the application it is stated that consideration will be given to using reclaimed and renewable sources of materials. Social benefits include the provision of a mix of house types within an urban area, including affordable housing.
- 6.2.5 The site is in a sustainable location, within close proximity to Beeston town centre, to the tram and bus routes and to schools and the college. The NPPF states that there should be a wide choice of high quality homes within safe and accessible environments. Taking into consideration the Council's housing need, national planning policies emphasis on delivering housing and the sustainable location of the site, it is considered that a predominantly residential scheme would be appropriate and acceptable. The positives of redeveloping the site also significantly outweigh any policy provision for retaining the site for employment uses.
- 6.2.6 A limited amount of other uses are also proposed which may include retail, food and drink establishments, entertainment space and leisure space. The indicative floor area information indicates that the total area for these uses would not exceed 900m². It is considered that the other uses would be only small in scale, ancillary to the residential part of the scheme and would not be seeking to compete with existing retail and leisure provision within Beeston town centre. Therefore, the development would not be contrary to Local Plan Policy S5 which seeks to protect the vitality and viability of town centres. These uses will also complement the existing mixed use character of High Road and Chilwell Road and provide an important opportunity to deliver an active frontage to the corner with Holly Lane, which will be a key focal point of the development. It is also noted that the existing site, namely The Gallery building, has permission to be used for a range of uses and has been used for a variety of events. The development will allow for the range of uses to be continued. The continued use of Barton House for office use is also considered to be acceptable and will complement the other uses within the site.

6.2.7 As this forms part of the outline element of the scheme, specific details regarding the specific uses and their size are not known. The application is seeking flexibility to reflect changing market conditions and it is considered that an appropriate scale and mix of these uses can be adequately dealt with as part of a future reserved matters application.

6.2.8 Overall, it is considered that, in accordance with the NPPF, in principle the proposal does constitute sustainable development.

6.3 Design and Layout

6.3.1 The Beeston Town Centre Plan identifies key principles which should be applied to the redevelopment of the site which includes consideration of vehicle access and prevention of through traffic from Queens Road West to High Road/ Chilwell Road, integration between the site and the tram and for community green space to be provided within site. Whilst the application has been divided into phases, consideration has been given to how the development will be delivered in its entirety. This is evident through the Masterplan, the Phasing Plan, within the Design and Access Statement and within the Housing Manual which accompany the planning application.

6.3.2 As part of Phase 1, a north to south link road would be provided. This will link High Road to the north and Queens Road West to the south. Whilst this would introduce an element of through traffic, it is considered that it would significantly improve permeability through the site by offering new cycling and pedestrian routes and the Highways Authority has not raised any objection regarding the accesses or traffic movements through the site. The principle of including this through route is therefore considered to be acceptable.

6.3.3 Phase 1 would provide 29 dwellings which would be a mixture of detached and terraced houses and coach houses/ maisonettes. The terraced houses contribute to forming a clear street pattern, particularly those facing the main link road through the development. This will create an urban character, appropriate for this site due to the location and historic use.

6.3.4 Lower density housing, including the detached houses and coach houses, are positioned within the south west corner of the site. It is noted that the layout of this section of the site is partly dictated by the position of a water main which is a key constraint. Whilst lower density, it is considered that this part of the site is still in keeping with the wider character of the development. A landscape buffer would be provided along the southern site boundary with Queens Road West. The layout of this part of the site has been dictated by the need to avoid building above a water main and in order to create a buffer from the traffic noise. It is noted that this would also allow the greenery alongside this boundary, including the lime trees, to be retained. A landscaped area is also proposed alongside the boundary with the public footpath to the west of the site boundary, providing an additional buffer to properties on Audon Avenue and an amenity area for residents within Phase 1.

6.3.5 The buildings within Phase 1 will use a mixture of brick and render and will have slate roofs. Timber window and doors are proposed throughout and the majority

of buildings will have cast iron rainwater goods. Detailing, including the chimneys, the proportions of the windows and the integration of brick walls and railings along the curtilage boundaries, contribute to creating a high quality development which will also form a distinctive character. Whilst the design does not try to replicate existing buildings within the locality, there are clear references to the local architectural styles and it is evident within the documents submitted in support of the planning application that careful thought has been given to achieved an appropriate design for the site. Details regarding the road surfacing, the street tree planting and landscape detail have also been provided and will contribute to achieving a high quality finish within Phase 1. It is recommended that the specific finishes of the landscaping and materials are conditioned. It is considered that parking areas and landscaped areas within Phase 1 will be sufficiently overlooked by the proposed dwellings to reduce the risk of anti-social behaviour and crime occurring.

- 6.3.6 Indicative layout, phasing and building height plans have been provided with the planning application. These provide an indication of how the site can be developed in its entirety, including the position of the central area of open space and the position and height of buildings which will front High Road. This demonstrates that the development can integrate with the tram line to the north and will include the provision of community green space, two key principles included within the Beeston Town Centre Plan. The central area of open space will be a key focal point of the development and will be accessible for occupiers of the proposed development. The indicative plans demonstrate that an appropriate building density can be achieved, that consideration has been given to the change in levels through the site and that a holistic approach has been taken to achieving a good quality overall layout. The information also demonstrates that, whilst the development will be constructed in phases, the overall development will not appear 'piecemeal' in character. A condition can be included which requires all subsequent reserved matters applications for the remainder of the site to be submitted within the parameters set by the Parameter Plans. The 'classical' architecture, evident in Phase 1, would also be continued on the later phases of the development, creating a distinctive character through the site.
- 6.3.7 Within neighbour consultation responses there is some concern expressed regarding the impact of a six storey building on the corner between High Road and Holly Lane. However, it is considered appropriate to have a focal building at this point and it should be noted that the final design of the building would be subject to a reserved matters application. The indicative information does demonstrate that a high quality building could be achieved which would be both in keeping with the character of the development and would enhance the overall street scene. Consideration is also given to the relationship with the college building and that this section of High Road is more commercial in character than the more residential character evident to the west of the site.
- 6.3.8 Overall, it is considered that there is a clear design philosophy which will deliver a high quality development which is appropriate for this location, both in terms of design, density and layout.

6.4 Amenity and Surrounding Uses

- 6.4.1 Within Phase 1, with the exception of the coach houses, the proposed dwellings would all have gardens providing outdoor amenity space. Whilst some of the gardens are compact, taking into consideration the 'urban' layout and the character of the development, the garden sizes are considered to be appropriate. Where dwellings will be in close proximity to each other, for example plots 24 and 28, information has been submitted to state how light levels, boundary treatment and property positions have been considered to ensure that prospective residents have a good standard of amenity. Some sense of enclosure will be created due to the proximity of houses but this also is considered acceptable due to the urban character of the development. Following the delivery of Phase 2, residents will also have access to the central area of open space. In the interim, the grassed landscaped area alongside the western boundary will provide some outdoor amenity space for residents within Phase 1.
- 6.4.2 There is a car showroom and garage located 26m to the north of the closest house within Phase 1 (plot 27). Due to this distance, it is considered the prospective residents will not be adversely affected by this existing business. The van hire business to the east of Phase 1 may still be in operation once dwellings are occupied. It is considered that there would not be unacceptable levels of noise from this business and it is noted that all of the land is within the same ownership. Concern has been expressed regarding light pollution from the van hire business but if this is an issue once the properties are occupied, Environmental Health would be able to take action to prevent this being a nuisance. There will also be traffic noise from Queens Road West. To mitigate potential adverse impacts on residents living in the southern section of the site, in addition to the landscape buffer, mitigation measures will need to be included to achieve sufficient sound insulation. The mitigation measures can be secured through a planning condition.
- 6.4.3 Beyond the western boundary, there is a public footpath and the gardens of properties on Audon Avenue. Some concern has been expressed regarding whether there will be some overlooking to the existing houses on Audon Avenue. However, there are distances of between 14.7m and 16m, from the closest houses and the rear boundaries of properties on Audon Avenue. There are distances in excess of 49m between the front of the proposed dwellings and the rear elevations of properties on Audon Avenue. There is also extensive vegetation alongside the boundary which will either be retained or enhanced as part of the landscape works. Based on the above, it is considered that an unacceptable loss of amenity will not occur to the properties on Audon Avenue. There will be some increased traffic noise to properties on Bridge Avenue due to the access road but this is an existing access into the site and the level of disturbance will be significantly less than the previous use as a bus depot. The proposed houses within Phase 1 are also considered to be a sufficient distance from the properties on Bridge Avenue to prevent an unacceptable loss of amenity occurring. It is considered that the layout for Phase 1 has achieved an acceptable relationship to other existing residential properties, including from 428 Queens Road West which will be adjacent to the landscaped area, to ensure that both existing and prospective residents have an acceptable standard of amenity.
- 6.4.4 With regards to outline element of the application, which includes Phases 2, 3 and 4, these will be located within close proximity to existing businesses which

include industrial uses. There will be different levels of noise resulting from these uses. An Acoustic Assessment was submitted with the planning application and this has been reviewed by the Council's Environmental Health Officer. The noise associated with the industrial premises on Holly Lane has been measured at a similar noise level to the traffic noise of Queens Road West. No objections have been raised regarding the methodology of the Acoustic Assessment but specific mitigation measures will be required to be submitted for each phase of the development to achieve acceptable levels. Whilst there will be dwellings within close proximity to the industrial premises, it is considered that as part of a reserved matters application, an acceptable layout can be achieved to ensure that the prospective residents are not unacceptably affected by either the noise or operations of the existing uses. Concern has been raised regarding a loss of light to an existing commercial building from the proposed buildings in phase 3. Notwithstanding that this is an industrial building, it is considered that an assessment can be made at reserved matters stage to ensure that a satisfactory relationship is achieved between existing and proposed uses.

6.4.5 Concern has been raised regarding noise during the construction works and the impact of this on existing residents. Due to the proximity of existing residential properties, including on Queens Road West, Bridge Avenue and Audon Avenue, it is considered reasonable to include a condition which restricts the hours of construction.

6.4.6 Overall, it is considered that it has been demonstrated within the indicative drawings that an acceptable layout can be achieved which will provide an acceptable standard of amenity to prospective residents whilst also preventing a loss of amenity to any neighbouring properties.

6.5 Highways

6.5.1 The site is within an accessible location within close proximity to the tram line, frequent bus routes on High Road and Queens Road West and within walking distance of Beeston town centre. Nottingham Express Transit (NET) has stated no objection as the development traffic will only have a negligible impact on the operation of the tram. The development will provide improved cycle and pedestrian routes which will provide linkages between High Road and Queens Road West. A total of 280 car parking spaces will be provided, including 60 parking spaces for Phase 1 (up to 250 dwellings are proposed). The Highways Authority has not objected to this level of provision and it is considered that this level of parking is acceptable due to the sustainable location and as the development includes apartments for which a lower level of parking provision would generally be required.

6.5.2 Phase 1 would be accessed from Bridge Avenue and Queens Road West. Whilst junction improvement works will be required, the Highways Authority considers that these would be acceptable access points. A further access point from Holly Lane would also be provided as part of later phases of the development which would further improve integration with surrounding streets.

6.5.3 Paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe. The

Highways Authority considers that, whilst at peak times the network is 'busy' in the surrounding area, the additional traffic generated from this development is not considered as 'severe' or having a detrimental impact.

- 6.5.4 There are significant constraints which have influenced the layout of the site, including the large 'private' culvert which runs North/South through the site, together with water mains and sewers which require easements. Due to these constraints, a layout which complies with the County Council's highway design criteria cannot be achieved. There are also issues regarding the management of the surface water and the proposed surface treatment (standard black tarmac is not proposed). Following extensive discussions between the applicant and the County Council it has been concluded that the streets within the development will remain private and will be managed by a separate management company. The management company will be responsible for the maintenance of all estate roads, paths, drains, lighting and any other part of the site not in private ownership. Whilst it is preferable that streets within a development are adopted, it is clear that this would not be possible for this development and achieving an adoptable road layout would have significant implications for the design and deliverability of the development. Furthermore, there would not be a highway safety issue associated with the un-adopted streets, and the Highways Authority has raised no objection. Therefore, it is considered preferable to maintain the layout proposed and for the streets not to be adopted.
- 6.5.5 Within the neighbour consultation responses, a lack of footpaths within the development has been raised as a concern. There are footpaths alongside the primary road through the site with secondary roads primarily being 'shared surfaces'. It is considered that careful thought has been given to both the overall layout and the treatment of the secondary roads to ensure that the development is safe and attractive for pedestrians.
- 6.5.6 It is considered that managing street parking within the site will be a key element to maintaining a desirable and high quality development. The management company can manage and enforce parking within the site.
- 6.5.7 Within the neighbour consultation responses, it was stated that existing accesses to businesses should be maintained. It is considered that the development will not prevent access to the existing businesses and any private access arrangements would be a separate legal matter.

6.6 Flood Risk

- 6.6.1 Paragraph 100 of the NPPF states that inappropriate development in areas of high risk of flooding should be avoided but where it is necessary, should be undertaken without increasing flood risk elsewhere. The Environment Agency Flood Maps shows that the western part of the site lies within Flood Zone 3 (high probability of flooding). This was as the maps showed flooding from the culverted watercourse known as Inham Nook Brook. Part of the southern part of the site is shown as lying within Flood Zone 2 (medium probability of flooding). As part of this application, detailed flood modelling has been carried out which demonstrates that the majority of the site would be at a low risk of flooding from both the River Trent and from the Inham Nook Brook. Therefore, it should be considered to be

within Flood Zone 1. Only a small section of the site would be flooded if the culvert was blocked and this would be an area used for open space.

6.6.2 Following an assessment of this modelling and of the Flood Risk Assessment, the Environment Agency has raised no objection. This assessment will have included considering whether there would be any increased risk of flooding to land outside of the application site. The Environment Agency states that conditions will be required to ensure the flood risk mitigation measures are implemented and to prevent contamination of groundwater. This includes setting the floor levels of the properties, requiring a site investigation scheme to be submitted and measures to prevent contamination during the construction works. It is considered reasonable and necessary to include conditions to ensure the development is acceptable with regards to flood risk and water pollution and to prevent the development from increasing flood risk elsewhere. With the inclusion of these conditions, the proposed development would be in accordance with the NPPF.

6.6.3 With regards to drainage, the majority of the site is currently hardstanding and drains into public combined and surface water sewers. The existing connection points will be reused but the discharge rates will be limited through creating additional storage capacity. This will achieve betterment compared to the existing drainage arrangements and will prevent there being an increased risk of flooding to properties beyond the application site. The Lead Local Flood Authority has no objection provided the surface water system is provided in accordance with the details contained within the Flood Risk Assessment. It is noted that the applicants have also sought advice from Severn Trent Water, prior to submission of the application, and this is included as part of the Flood Risk Assessment.

6.7 Contamination

6.7.1 A desk top survey has been conducted for the entire site to assess potential contamination risks. An investigation report has also been conducted in respect of Phase 1. Due to the previous uses of the site, there are various sources of contamination which may include contamination of the ground, groundwater and issues relating to ground gas. Intrusive site investigations including gas and groundwater monitoring are therefore required prior to the commencement of development of the respective phase. For Phase 1, a remediation strategy will be required which will include soil and groundwater clean-up and gas protection measures. Provided a condition secures the investigation and any required remediation measures, the Council's Environmental Health Department has no objection to the development.

6.7.2 Concern has been raised regarding Japanese Knotweed within the site. The survey submitted in support of the application confirms that as part of the remediation works, treatment of the Japanese Knotweed will continue and follow up surveys will confirm eradication prior to commencement of earthworks.

6.8 Ecology

6.8.1 The NPPF advises that impacts on biodiversity should be minimised and net gains in biodiversity should be provided where possible. An Extended Phase 1 Habitat Survey was carried out in July 2016, which identified habitats typical of

brownfield sites including a mix of industrial and residential buildings and extensive hardstanding. The mix of habitats found on site and in the surrounding areas was considered to have the potential to support a range of protected species, including: bats, nesting birds, reptiles and badgers. The survey recommends that a Biodiversity Management Plan is developed to safeguard protected wildlife during the site clearance, construction and post-completion operation phases of the new development, as well as to identify opportunities to deliver longer term biodiversity gains through the scheme. As the site is within the 'Impact Risk Zone' of Attenborough Gravel Pits Site of Special Scientific Interest (SSSI), it is considered important that the Biodiversity Management Plan is developed to minimise any risk to existing biodiversity. Bat, badger and reptile surveys will also be required prior to works commencing on the respective phase. As this is a phased development, it is considered reasonable for the surveys only to be carried out prior to each phase to ensure that the surveys are up-to-date. To avoid killing or injury of nesting birds and destruction of their nests, demolition and vegetation clearance works should take place outside of the bird nesting season. This will be included as an informative on the permission.

6.9 Open Space and Maintenance

6.9.1 The primary area of open space would be within the central area of the site and would be delivered as part of Phase 2 of the development. A smaller landscaped area would also be provided alongside the western boundary as part of Phase 1. Within the neighbour consultation responses, some concern has been expressed regarding this area being predominately grass but this is considered appropriate to provide a useable outdoor amenity space. It is considered that sufficiently sized areas open space would be provided for the development in its entirety which would provide good quality outdoor amenity space. The S106 agreement will secure the delivery of the central area of open space. A management company would be responsible for maintaining the open space and other landscaped areas within the site. This would include the maintenance of trees within the site but not those which lie outside of the site boundary.

6.10 Other Issues

6.10.1 The public right of way, which is positioned alongside the west boundary of the site, would not be changed. Initial plans proposed to divert the footpath. However, the majority of the footpath is not within the ownership of the applicant and therefore the footpath is now being retained in the existing position. The Area Rights of Way Officer considered that this is a missed opportunity to improve the public right of way route and neighbouring properties have highlighted that there are some instances of anti-social behaviour which occurs along the footpath. However, as the footpath lies outside of the applicant's ownership it is considered that the improvement of the existing footpath cannot be secured as part of this application. Notwithstanding this, routes through the site will provide an attractive alternative route to the footpath.

6.10.2 A drawing demonstrating a route for refuse vehicles through the site and bin collection points has been provided with the application. The Council's Refuse and Cleansing Manager has raised no objection provided the Council will not be

liable for any damage caused to the road or anything below the road as a result of a refuse vehicle entering the site.

6.10.3 The capacity of local infrastructure/community facilities to accommodate the proposed residents/development is not reason enough to warrant refusal of this application given the site is located in the main built-up area.

6.10.4 There are lines of trees alongside the western and southern boundaries of the site. There are two group Tree Preservation Orders (TPO) covering the majority of these trees. There is also a single tree protected by a TPO within the site to the south east of Bridge Avenue. The majority of trees, particularly the higher quality specimens, alongside the boundaries will be retained and additional planting is proposed. The greenery alongside the southern and western boundaries will be retained and no important trees will be lost. A condition will be required to ensure that tree protection measures are in place during the construction period. Tree planting is also proposed within the development which includes street trees and new trees along the west boundary of the site. This will add further greenery to the site, enhancing the appearance of the area compared to the large amounts of hardstanding currently evident. Biodiversity will also be improved as a result.

6.11 Section 106

6.11.1 A residential development generates the need for the provision of affordable housing and open space, and financial contributions towards education and integrated transport measures.

6.11.2 In accordance with the Community Infrastructure Levy (CIL) Regulations 2010, planning obligations can only be used if they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

6.11.3 Open space will be provided within the site and maintained by a management company. The delivery of the open space and the management company will form part of the S106.

6.11.4 The sustainability of the site, including the proximity to public transport, has been discussed extensively above. Due to the existing public transport links, it is considered that a financial contribution towards integrated transport measures would not be necessary to make the development acceptable and therefore could not be requested.

6.11.5 Nottinghamshire County Council has requested a contribution of £11,800 towards library provision. It is considered that such a contribution would not be necessary to make this development acceptable in planning terms with the refurbishment of Beeston Library already underway.

6.11.6 Policy 8 of the Core Strategy requires the development to provide 30% affordable housing. Following discussions between the applicant and the Council's Director of Housing, Leisure and Property Services, it is proposed that 20% affordable housing will be provided within Phase 3 of the development.

6.11.7 Nottinghamshire County Council has stated that the proposed development would yield an additional 53 primary school places which would require a contribution of £607,115. Secondary school places can be accommodated in existing secondary schools. However, the applicants consider that the number of primary school spaces the development would generate would be 25 due to the number of apartments proposed within the scheme. This would result in a contribution of £297,830. The County Council states that their formula takes into account that apartments would be part of the development and therefore still requests the higher figure.

6.11.8 There will be costs associated with de-contamination of a brownfield site and higher build costs due to the type and quality of the buildings proposed. However, no viability report has been submitted with the planning application. Therefore, members must consider whether to accept the proposed level of affordable housing and the reduced education contribution.

7 Conclusion

7.1 The proposed development will secure the regeneration of a prominent brownfield site. It will provide a significant number of houses in an urban location within close proximity to public transport links and Beeston town centre. It will also provide an element of retail and leisure, complementing the existing shops and businesses along High Road. It is considered that the detailed and indicative plans demonstrate that a high quality development will be delivered which will be distinctive in character and enhance the locality. In terms of flood risk and highway matters, the development is considered to comply with the policies contained in the Core Strategy and the NPPF. Members must consider whether to accept the proposed reduced level of affordable housing and the reduced education contribution.

Recommendation

The Committee is asked to RESOLVE that the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to:

- (i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and the conditions set out below.**
- (ii) the following conditions:**

CONDITIONS IN RESPECT OF THE DETAILED (FULL) ELEMENT (PHASE 1)

- 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 (dates received by the Local Planning Authority are in brackets):**
 - L-100 Rev B ‘Location Plan’ (28.3.2017)**
 - L-101 Rev C ‘Site Plan’ (28.3.2017)**
 - A-100 Rev D ‘Proposed Masterplan’ (28.3.2017)**
 - A-105 Rev B ‘Proposed Masterplan Boundary/ Surrounding Buildings Offset Dimensions’ (31.3.2017)**
 - A-107 Rev B ‘Parking Plan’ (28.3.2017)**

- 987.2 100 'Site Wide Masterplan' (28.3.2017)
- 987.2 101 Rev A 'General Arrangement Plan' (28.3.2017)
- 987.2 200 Rev A 'Detailed Planting Plan' (28.3.2017)
- A-219.1 'Block 1 – Street Elevat. A & B Garage 9-10' (28.3.2017)
- A-210 Rev A 'Houses 1-6, Block 1 Elevations' (22.12.2016)
- A-211 'Houses 1-6, Block 1 Plans' (22.12.2016)
- A-212 Rev A 'Houses 7-12, Block 1 Elevations' (22.12.2016)
- A-213 Rev A 'Houses 7-12, Block 1 Plans' (22.12.2016)
- A-214 Rev A 'Coach House 13, Block 1 Elevations & Plans' (22.12.2016)
- A-215 Rev A 'Coach House 14, Block 1 Elevations & Plans' (22.12.2016)
- A-216 Rev A 'House 15, Block 1 Elevations & Plans' (22.12.2016)
- A-217 Rev A 'House 16, Block 1 Elevations & Plans' (22.12.2016)
- A-218 Rev A 'House 17, Block 1 Elevations & Plans' (22.12.2016)
- A-219 Rev A 'Coach House 18, Block 1 Elevations & Plans' (22.12.2016)
- A-220 Rev A 'Houses 19-23, Block 2 Elevations' (22.12.2016)
- A-221 Rev A 'Houses 19-23, Block 2 Plans' (22.12.2016)
- A-222 Rev A 'Houses 24-27, Block 2 Elevations' (22.12.2016)
- A-223 Rev A 'Houses 24-27, Block 2 Plans' (22.12.2016)
- A-224 Rev A 'Coach House 28, Block 2 Elevations and Plans' (22.12.2016)
- A-225 Rev A 'Coach House 29, Block 2 Elevations and Plans' (22.12.2016)

3. The landscaping scheme, as shown on drawings 987.2 100 'Site Wide Masterplan'; 987.2 101 Rev A 'General Arrangement Plan'; and 987.2 200 Rev A 'Detailed Planting Plan', shall be carried out not later than the first planting season following the substantial completion of Phase 1 or first occupation of the building(s) within Phase 1, 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.
4. No development shall be commenced, including site clearance works, until existing trees are protected in accordance with the measures as detailed within the Arboricultural Impact Assessment (March 2017) and as shown on drawing P.628.15.02 REV: A. The fencing shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.
5. No above ground works shall commence until details (including the manufacturer, type and colour) of all materials to be used on any exterior

surface of the dwellings hereby approved, including render, brickwork, roof materials, rainwater goods and external windows and doors, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

6. No dwelling shall be occupied until the junction improvement works, crossing facilities and provision of footways (as stated in the Transport Assessment dated December 2016) have been completed at the junction of Queens Road West and Barton Way (drawing 16168.topo.108.03) and at the junction of High Road and Bridge Avenue (drawing 16168.topo.108.01 and 16168.topo.108.02).

CONDITIONS IN RESPECT OF THE OUTLINE ELEMENT (PHASES 2,3 AND 4)

7. 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.
8. 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.
9. The development hereby permitted shall be carried out in accordance with drawings: L-100 Rev B 'Location Plan' and A-104 Rev B 'Proposed Phasing Plan' received by the Local Planning Authority on 28 March 2017.
10. No development shall be commenced in respect of Phases 2, 3 and 4 until detailed drawings and particulars for that respective phase, showing the following, 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;

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

11. No development shall be commenced in respect of Phases 2, 3 or 4 until a landscaping scheme for that respective phase has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:
- (a) numbers, types, sizes and positions of proposed trees and shrubs;
 - (b) details of any street lighting and street furniture;
 - (c) proposed hard surfacing treatment;
 - (d) planting, seeding/ turfing of other soft landscape areas;
 - (e) details of the site boundary treatments and curtilage boundary treatments; and

- (f) a timetable for implementation of the scheme.

The landscaping schemes shall be carried out in accordance with the approved timetables. If 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.

12. No development shall be commenced in respect of Phases 2, 3 or 4 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. For Phases 3 and 4, this will include detailed drawings of the proposed access onto Holly Lane. 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. No dwelling within Phases 3 and 4 shall be occupied until the access onto Holly Lane has been provided in accordance with the approved details.
13. No development shall be commenced in respect of Phases 2, 3 or 4 until details of measures for the protection of the existing trees within the respective phase have been submitted to and agreed in writing by the Local Planning Authority. The agreed fencing shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

CONDITIONS IN RESPECT OF THE ENTIRE SCHEME (DETAILED (FULL) ELEMENT AND OUTLINE ELEMENT)

14. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy 'Barton Quarter Nottingham Flood Risk Assessment and Drainage Strategy, Version 4' (WYG, December 2016). The finished floor level of each dwelling shall be set no lower than 27.4m AOD.
15. (a) No phase of development shall be commenced, including site clearance works, until a further investigative survey for that respective phase, as recommended within the Desk Study Report and Factual and Interpretative Report (WYG, June 2016) 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 and shall include a verification plan to state how it will be demonstrated that the remediation works have been carried out.

- (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, through the submission of a verification report which accords with the verification plan, that the necessary remedial measures for that respective building have been implemented in full.
16. No phase of development shall be commenced, including site clearance works, until a Biodiversity Management Plan for that respective phase, which includes updated bat, reptile and badger surveys, appropriate mitigation measures and a timetable for implementation of any mitigation (as recommended in the Extended Phase 1 Habitat Survey Report dated August 2016), has been submitted to and agreed in writing by the Local Planning Authority. Any necessary mitigation shall be undertaken in accordance with the agreed details and timescale.
17. No phase of development shall be commenced, including site clearance works, 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. The development shall be carried out in accordance with the agreed details.
18. No phase of development shall be commenced until a scheme which incorporates noise mitigation measures for that respective phase and a timescale for their completion (as recommended in the Peter Lloyd & Associates Environmental Noise Impact Assessment) has been submitted to and agreed in writing by the Local Planning Authority. Any necessary mitigation shall be undertaken in accordance with the agreed details and timescale.
19. If contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Once the Local Planning Authority has identified the part of the site affected by the contamination, works must be halted on that part of the site until an assessment and remediation scheme, including a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority. Any remediation shall be carried out in accordance with the agreed details prior to first occupation of any affected house plot.
20. 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.

21. 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.

REASONS IN RESPECT OF THE DETAILED (FULL) ELEMENT (PHASE 1)

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 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).
4. To ensure the existing trees are not adversely affected and in accordance with the aims of Policy E24 of the Broxtowe Local Plan (2004).
5. 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).
6. In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).

REASONS IN RESPECT OF THE OUTLINE ELEMENT (PHASES 2, 3 AND 4)

- 7 & 8. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
9. To secure an orderly form of development.
10. 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).
11. To ensure the development presents a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
12. 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).

13. To ensure the existing trees are not adversely affected and in accordance with the aims of Policy E24 of the Broxtowe Local Plan (2004).

REASONS IN RESPECT OF THE ENTIRE SCHEME (DETAILED (FULL) ELEMENT AND OUTLINE ELEMENT)

14. To prevent an increase in flood risk and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Section 10 of the NPPF.

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, in the interests of public health and safety, to improve and protect water quality and in accordance with the aims of the NPPF, Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy E29 of the Broxtowe Local Plan (2004).

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, to safeguard protected species and valued habitat, including 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).

17. 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 reduce the risk of surface water pollution and in accordance with the aims of Policy E26 of the Broxtowe Local Plan (2004).

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

19. In the interests of public health and safety and in accordance with Policy E29 of the Broxtowe Local Plan (2004).

20. 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).

21. 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).

NOTES TO APPLICANT

1. Existing Traffic Regulations will require to be amended as a result of the development and prior to commencement of any works, the developer will need to contact Via East Midlands Ltd, Traffic Management section to allow

for any orders and works to be processed and implemented. All costs associated with order changes and installation of lining and signing is at the developers cost. Contact details are: tmconsultation@viaem.co.uk

2. 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. Please contact the Nottinghamshire County Council Highways team for details on Tel: 0115 9772210 or hdc.south@nottscc.gov.uk
3. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act, payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority hdc.south@nottscc.gov.uk with regard to compliance with the Code. The applicant should note that notwithstanding any planning permission, a Maintenance and Management Plan is required as the internal roads within the development are to remain private, therefore the Highway Authority will require the assurance that they are maintained and managed satisfactorily.
4. It is not permitted for any vehicles to obstruct the tramway at any time. Please contact the Nottingham Express Transit (NET) Project Office for further information (0115 876 4095).
5. This permission has been granted contemporaneously with a planning obligation(s), and reference should be made thereto.
6. Beeston public footpath No. 54 runs adjacent and through the site and it should remain open and free from obstruction at all times.
7. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
8. In respect of condition 10, the Parameter Plans, the Design & Access Statement and the Beauty-In-My-Back-Yard (BIMBY) Housing Manual will be taken into account.
9. In respect of conditions 15, 16 and 18, the reports previously submitted will be taken into account.
10. 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.

Background papers
Application case file



Report of the Director of Legal and Planning Services

**17/00206/REG4 and 17/00284/LBC
PROPOSED TOILET BUILDING
KIMBERLEY CEMETERY, KNOWLE HILL, KIMBERLEY**

These applications have been brought to Committee as they involve a proposal on Council-owned land.

1. Details of the applications

- 1.1 The applications relate to a proposed unisex toilet/baby-changing building. The building would comprise a simple, small (3m x 2.4m), flat-roofed (maximum height 2.5m) structure. It would be constructed of cedar wood panelling with a black, rubber-sheeted roof. The structure would have a single door and window with external down-lighting provided.
- 1.2 The applicants, Kimberley Town Council, has confirmed that a toilet facility is needed as frequently there are people attending ceremonies at the site who have travelled some distance and require toilet facilities. The previous cemetery toilet was disposed of when Broomhill Lodge was sold off. Kimberley Town Council has also submitted a heritage statement which confirms that the building will be of a high quality design, materials and workmanship.

2. Site and surroundings

- 2.1 The proposed site is at the north east side of Kimberley Cemetery, adjacent to the site boundary hedge. Access would be via the cemetery's internal access roads from Knowle Hill and Broomhill Road. Immediately to the north east are allotment gardens and further to the north are residential properties which front Nottingham Road. The surrounding cemetery land is sloping, with the Listed cemetery chapel set at the top of the hill. The proposed building would be approximately 50m from the chapel. Photographs of the cemetery and the surrounding area are shown below. The proposed building would be located adjacent to the existing seat (shown in the bottom left photograph).





3. Relevant planning history

There is no history of any previous applications on this part of the cemetery. Consent has been granted previously (ref: 15/00694/LBC) for works to the Listed chapel, involving replacement windows and external floodlighting. There have also been previous consents for extensions to the burial grounds adjacent to Knowle Hill.

4. Policy context

4.1 The following policies are relevant:

4.2 Broxtowe Local Plan (2004)

4.2.1 Saved Policy RC2 – Community and Education Facilities: Such facilities are permitted, subject to being well located in respect of the community, having appropriate parking provision and having no adverse impact on residential amenities or area character.

4.2.2 Saved Policy E16 – Sites of Importance for Nature Conservation (SINC): Permission not granted which would damage or devalue the SINC interest. Kimberley Cemetery is identified as containing species-rich calcareous grassland.

4.2.3 Saved Policy RC10 – Allotments: Development on existing sites will not be permitted, unless in exceptional circumstances. The adjoining land is identified as allotments.

4.3 Aligned Core Strategy (2014)

4.3.1 Policy 10 – Design and Enhancing Local Identity: All new development should make a positive contribution to the public realm and reinforce valued local characteristics.

4.3.2 Policy 11 – The Historic Environment: Heritage assets and their settings should be conserved and/or enhanced. The Cemetery Chapel is a Grade II Listed Building. Dating from 1883, this small, stone-built chapel, in the free Gothic style, is sited at the top of the hill which forms the cemetery landscape, giving the building visual prominence as the centrepiece of the cemetery.

4.3.3 Policy 12 - Local Services and Healthy Lifestyles: New community facilities will be supported where they meet a local need.

5. Consultations

5.1 The Conservation Officer has been involved in the pre-application discussions with the applicant. The proposed location and the flat roof contemporary design are considered to not adversely affect the character or views of the Grade II Listed chapel. The Conservation Officer therefore does not object to the proposal. However, she considers that quality in its implementation is crucial.

5.2 The Council's Business and Projects Manager (Environment) has been liaising with the applicant and is supportive of the proposal. He confirms that there is a small tree and a section of hedge to be removed, which are of no significant value. A short section of slab path will be needed to link the door to the toilet to the existing tarmac roadway.

5.3 Broxtowe Borough Council's Environmental Health Section and Tree Officer have also been consulted. Committee will be updated with any responses.

5.4 The Council's Tree Officer has no objection to the proposal. There has been pre-application liaison with Kimberley Town Council with regards to the position of the toilet building and this is the favoured location.

5.5 A site notice has been displayed and the proposal has been advertised in the press, as it affects the setting of the listed building. Notification letters were sent to six nearby residents. No responses have been received.

6. Appraisal

6.1 The main planning considerations to be taken into account in the determination of this application relate to the principle of the development, its design and visual impact, particularly on the nearby heritage asset, and any impact on other concerns such as adjoining trees, nearby residents, the functioning of the adjacent allotments and on highway safety.

6.2 The principle of the development

6.2.1 The proposal involves the construction of a small community facility to serve the needs of visitors to the cemetery. There are no planning policy constraints such that the proposal is considered to be acceptable in principle.

6.3 Design and visual impact

6.3.1 The proposed structure is a small, simple design. It would be sited adjacent to a substantial hedgerow and other trees on the site boundary and would be constructed of cedar cladding, such that it would be visually assimilated as much as possible with its surroundings. It would be located approximately 50m from the Listed chapel and there are a number of mature trees in the

cemetery grounds. The chapel - located on the hill top - is at the prominent, focal point of the cemetery. It is considered that the degree of separation and the intervening and surrounding landscaping would result in there being no adverse harm to the heritage asset. The Conservation Officer does not object to the proposal.

6.4 Other material planning considerations

6.4.1 The nearest residential properties would be over 70m from the proposed building. Those in Nottingham Road are well screened by the adjacent hedgerow. The nearest property in Broomhill Road would only have oblique views towards the proposal. It is not considered that there would be any adverse impact on residential amenities.

6.4.2 Similarly, the adjacent allotments - which are set at a lower level - are well screened by the hedgerow and other vegetation. It is not considered that there would be any adverse impact on the functioning of the allotments.

6.4.3 It is considered that the proposal would have no impact on the internal circulation routes within the cemetery, which are used by funeral corteges. There would be no adverse impact on highway safety.

6.4.4 The proposed building would be located between two mature trees, in an area where the grass is worn, due to the proximity to a seat. It is considered that there would be a minimal impact on the species-rich calcareous grassland of the Kimberley Cemetery SINC.

7 Conclusion

7.1 It is considered that the proposals are acceptable and comply with Saved Policies RC2, RC10 and E16 of the Local Plan and Policies 10, 11 and 12 of the Core Strategy. No objections have been received. The applications are therefore recommended for approval.

Recommendation

The Committee is asked to RESOLVE that Regulation 4 Planning Permission and Listed Building Consent are 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 approved shall be carried out only in accordance with the following documents: Location Plan, Block Plan, Proposed Floorplans, Proposed Elevations, 3D image and photographs, and details of materials, received by the local planning authority on 27 March 2017.**
- 3. The extension shall be constructed using cedar cladding with a black rubber-finish roof, as set out in the submitted documents.**

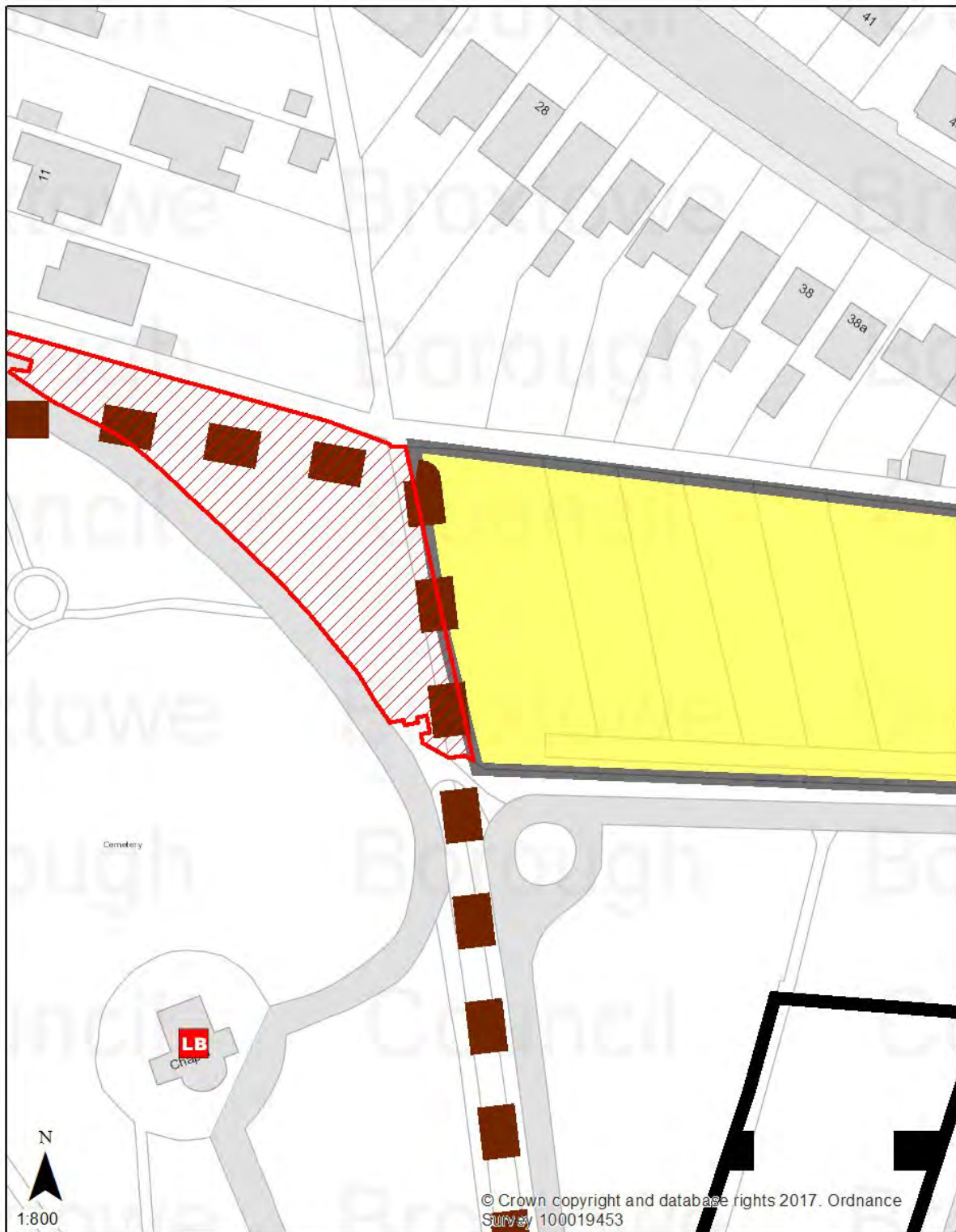
Reasons:

- 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 the development presents a satisfactory standard of external appearance, in accordance with the aims of Policies 10 and 11 of the Aligned Core Strategy (2014).**






Notes to applicant:

- 1. The Council has tried to act 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, through an early visit to the site, which has enabled the application to be reported to the earliest possible Planning Committee.**
- 2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning-building/coal-authority/>**

Background papers
Application case file



Legend

-  PUBLIC: Planning Applications
-  Listed Building
-  Sites of Importance for Nature Conservation E16
-  Proposed cemetery extensions RC11 a-c
-  Allotments RC10

Report of the Director of Legal and Planning Services

**17/00256/REG3
CONSTRUCT SINGLE STOREY SIDE AND REAR EXTENSION AND
RAMP
66 CENTRAL AVENUE, BEESTON NG9 2QP**

This application is brought before the Committee as it is an application for development by Broxtowe Borough Council.

1 Details of the application

- 1.1 The application seeks permission to construct a single storey side and rear extension and ramp.
- 1.2 The proposed red brick extension will have a 3m high flat roof and adjoin the south and east elevation of the house. It will project 3.56m from the rear (east) elevation of the house and extend a maximum of 3.58m to the south. A ramp with a handrail will adjoin the south elevation of the extension.
- 1.3 An obscurely glazed window is proposed in the north elevation, two windows are proposed in the south elevation, a window is proposed in the east elevation and a door is proposed in the west elevation. The extension will create a wet room, bedroom and porch. The ramp will provide wheelchair access via the porch.

2 Site and surroundings

- 2.1 The application property is an end terrace dwelling with pebbledash rendered walls and a plain tiled roof. A 2m high fence extends across the north, east and south boundaries of the rear garden. There are two outbuildings, both 2m high, in each rear corner of the garden, hardstanding forming a rear patio and low level deciduous vegetation. The site slopes down gradually 0.5m from west to east (in the rear garden).
- 2.2 Central Avenue is a cul-de-sac formed by terrace houses of the same style and design as the application property. Allotments are to the south and a health centre to the south west.





3 Policy context

3.1 National Policy

3.1.1 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.

3.2 Broxtowe Aligned Core Strategy

3.2.1 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.

3.3 Saved Policies of the Broxtowe Local Plan

3.3.1 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.

3.3.2 Policy H10 'Extensions for Dependent Relatives' states that extensions to dwellings to provide accommodation or adaption to meet the needs of disabled or dependent occupiers should be designed to be used as part of the main dwelling when no longer required. Therefore, the extension should be physically linked to the dwelling with direct internal access and the extension should not contain all facilities required for independent occupation.

4 Consultations

4.1 No responses have been received from any neighbours. Broxtowe Borough Council's Estates Manager raises no objection.

- 5 Appraisal
- 5.1 The main issues to consider with this application are the design of the extension and the impact on neighbour amenity.
- 5.2 The properties on Central Avenue are characterised by terrace houses, all of the same style. A number of the houses in the vicinity have had permission for single storey rear and side extensions.
- 5.3 The extension will be 7.24m from the rear boundary. No. 33 Clifford Avenue is positioned to the north east of the application property and has a 23m long rear garden. Due to the orientation, separation distance and intervening alleyway between the two properties, it is considered the proposed development will have minimal impact on the amenity of these occupants.
- 5.4 No. 38 is the adjoining semi-detached property. The extension will be 3.54m from the boundary with no. 38. The proposed window in the north elevation will be obscurely glazed and partially obscured by the 2m high boundary fence. Accordingly, it is considered the extension will have minimal impact on the amenity of these occupants. As the ramp will be partially obscured from view and projects forward of the application property, it is considered it will have minimal impact on the amenity of the occupants of no. 38.
- 5.5 Broxtowe Borough Council allotments are positioned to the south of the application property. It is considered the proposed development will have minimal impact on the allotments.
- 5.6 The design of the extension is considered to be appropriate for this domestic property and in keeping with other extensions in the area. As the extension is single storey and will be setback 10.3m from the pavement, it is considered it will have minimal impact on the street scene of Central Avenue. Although the property has pebbledash render, the proposal of a red brick is considered acceptable due to the set back of the extension. There are red brick houses in the immediate area.
- 5.7 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 it will still provide sufficient outdoor amenity for the occupants. It is considered the proposed extension is a proportionate addition to the house. The proposed ramp is considered to be relatively modest in scale, with the majority positioned to the side of the property. It is considered the ramp is an acceptable addition to the house.
- 5.8 The proposed extension and ramp will provide a downstairs bedroom, wet room, porch and wheelchair access for the applicant who has a medical condition. This is a material planning consideration which carries significant weight.

6 Conclusion

- 6.1 In conclusion, it is considered that the extension would be in keeping with the original building in terms of style and proportion and as it is single storey, will have minimal impact on the street scene of Central Avenue. It is considered 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 Policies H9 and H10, Policy 10 of the Broxtowe Aligned Core Strategy and 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 Site Location Plan (1:1250), Site Plan, Detail Plan (1:50) and Proposed Ground Floor Plan (1:100) received by the Local Planning Authority on 7 April 2017 and Proposed Elevations received by the Local Planning Authority on 10 April 2017.**

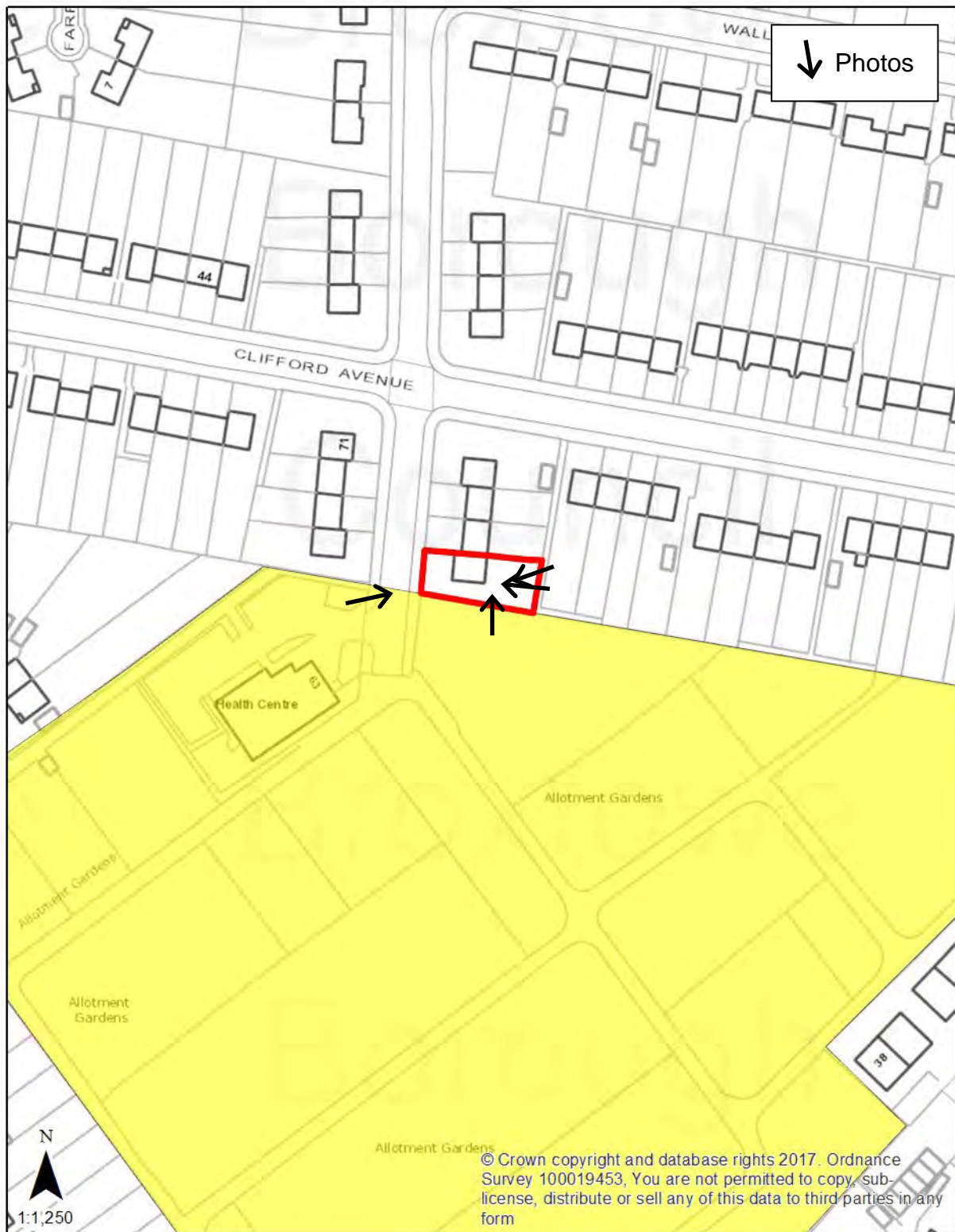
Reasons:

- 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.**


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 an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <http://www.broxtowe.gov.uk/index.aspx?articleid=16928>**

Background Papers
Application case file



Legend

-  Site
-  Allotments (Local Plan)

Report of the Director of Legal and Planning

**17/00166/FUL
PROPOSED DETACHED DOUBLE GARAGE
3 BROAD LANE, BRINSLEY NG16 5BX**

Councillor J W Handley has requested that this application be determined by the Planning Committee.

1. Details of the application

- 1.1 This application seeks consent to construct a double garage with a dual-hipped roof within the property frontage. The garage would measure 5.5m x 5.2m, would be 4m high to the ridge and 2.45m to the eaves. The application has been amended such that the garage would be positioned immediately in front of the existing house, and close to the boundary with the adjoining property (5 Broad Lane).
- 1.2 The applicant has submitted supporting information, emphasising the need for additional storage space, and including two letters of support from the adjoining neighbours, at nos. 1 and 5 Broad Lane.

2. Site and surroundings

- 2.1 The surrounding area is largely residential. The application site, comprising an extended semi-detached dwelling, fronts the corner of Broad Lane and Cordy Lane (A308), with a wide grass verge, opposite the playing fields. The property has a large curtilage but, due to its corner position, has a small rear garden and a large front area, with vehicular access onto Broad Lane. The neighbouring property (5 Broad Lane) has a substantial hedge and trees along the shared boundary. The photographs below show the appearance of the property in the streetscene.



- 2.2 The following photographs show a close-up of the property and the view from the adjoining neighbour, with trees and hedge obscuring the view



3. Relevant planning history

3.1 The dwelling has already been extended on its northwest side, with a 2-storey extension approved in 2004 under Permission ref: 04/00922/FUL. This now gives a double-fronted appearance to the property. In 2008, permission was granted (ref: 08/00636/FUL) for a vehicular access to the site.

4. Policy context

4.1 Broxtowe Aligned Core Strategy 2014

4.1.1 Policy 10 – Design and Enhancing Local Identity: Seeks to reinforce valued local characteristics and make a positive contribution to the public realm and a sense of place. Sets out the criteria for assessing development proposals.

4.2 Broxtowe Local Plan 2004

4.2.1 Saved Policy H10 – Minor Development: Permission will be granted provided that the siting, design and materials do not harm the appearance of the property, the street scene or the amenities of neighbours.

5. Consultations

5.1 Letters advising of the application were sent to the occupiers of three neighbouring properties. A further notification exercise was carried out regarding the amended position of the garage. Comments were received from the occupiers of 1 Broad Lane who support the proposal.

6. Appraisal

6.1 The determining factors in assessing this application include the principle of the development, design and visual appearance and the impact on residential amenities.

6.2 Principle of the development

6.2.1 The proposal comprises the erection of a modest garage structure within the curtilage of an existing dwelling within a residential area. There are no planning policy constraints, and as such, it is considered that it is acceptable in principle.

6.3 Design/Visual amenity

- 6.3.1 The proposal comprises a traditional double garage in the front garden of the site. The position of the garage has been amended and set back from its original position on the road frontage, to avoid concerns regarding impact on the open frontage of this prominent corner site.
- 6.3.2 The proposed garage would now not impede on the open views across this prominent corner site. From outside the site, the garage would be viewed against the backcloth of the dwelling and the neighbouring planting. The open nature of the frontage, created by the wide grass verge and large front garden would now be largely maintained.
- 6.3.3 The traditional design, using matching bricks and tiles and a double-hipped roof would be consistent with the character of the surrounding area. The proposal would consolidate parking and storage within the site and would have no negligible impact on garden space, as the front area is already largely hard surfaced. The proposal is considered to be in accordance with with Local Plan Policy H10.

6.4 Residential Amenity

- 6.4.1 The proposed garage would be set away from the shared boundary with the other half of the semi-detached dwelling (1 Broad Lane) and therefore have limited impact on their amenities.
- 6.4.2 Although the proposed garage would be positioned in close proximity to the boundary with 5 Broad Lane, there is substantial planting on the boundary, such that the garage would be largely screened. Additionally, the neighbour's property faces away from the proposal, which would only be visible from oblique views.
- 6.4.3 It is considered that the proposal will not result in any adverse loss of residential amenity, with regard to overbearing or overlooking.

7. Conclusion

- 7.1 It is considered that the proposed garage is a satisfactory addition to the streetscene, with minimal impact on the occupants of neighbouring properties and is therefore in accordance with saved Policy H9 of the Local Plan and Core Strategy Policy 10.

Recommendation

The Committee is asked to RESOLVE that planning permission is approved, 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 following drawings: Site Location Plan received by the Local Planning Authority on 13 March 2017; Amended Block Plan and Proposed Layout and Elevations received by the Local Planning Authority on 12 April 2017.
3. No above ground construction works shall be carried out until details and samples of the manufacturer, type and colour of the external materials to be used in the facing walls and roofs have been submitted to and approved in writing by the LPA. The development shall be constructed only in accordance with these details.

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. No such details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004).

Notes to Applicant:

1. The Council has tried to act 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, through an early visit to the site and negotiations to achieve satisfactory amendments.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning-building/coal-authority/>

[Background papers](#)
Application case file



Legend

 Site

Report of the Director of Legal and Planning Services

17/00078/FUL**CHANGE OF USE FROM DWELLINGHOUSE (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION AND CONSTRUCT TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION****34 SIDNEY ROAD, BEESTON NG9 1AN**

Councillor J C Patrick has requested this application be determined by the Committee.

1 Details of the application

- 1.1 The application seeks planning permission to change the use of the property from a dwellinghouse to a house in multiple occupation (HMO) and to construct a two storey side and a single storey rear extension. Planning permission is required to change the use to a HMO when more than six residents will be living in a house which does not form a single household but share facilities like the bathroom and kitchen. This application proposes seven bedrooms with each bedroom having an en-suite. An open plan sitting area and kitchen is proposed on the ground floor.
- 1.2 The two storey side extension would have a width of 2.5m and would have a hipped roof. The first floor part of the side extension would not project beyond the existing rear elevation. The ground floor part of the extension would extend a further 4m beyond the original rear wall and would 'wrap around' to extend the full width of the house. The extensions would have a rendered finish. Three parking spaces are proposed to the front of the house. It should be noted a fourth space was removed from the plan during the course of the application as the Highways Officer stated that this space would be a substandard length.
- 1.3 It is noted that extensions are already under construction at the property. Planning permission has previously been granted for a two storey side and rear extension. Further details are provided in section 3.

2 Site and surroundings

- 2.1 34 Sidney Road is a detached, three bedroom house. The main roof is hipped but there is a prominent gable element to the front. There is also a bay window and a porch and the house is a mixture of cream painted render and brick. Prior to works commencing on the extensions, there was a single storey garage to the side. The property has a rear garden 16m in length and a driveway providing parking to the front. Along Sidney Road there are a range of house types, including detached and semi-detached houses, with various roof styles, detailing and materials evident. A number of houses have been extended. Sidney Road lies to the north west of Beeston town centre, within a predominantly residential area.



3 Relevant planning history

3.1 Planning permission (reference 14/00707/FUL) was granted to construct a two storey side and a single storey rear extension. The plans indicated that five bedrooms would be provided. The single storey extension had a hipped roof and projected 2.9m from the original rear wall (compared to the 4m projection now proposed). To the front of the two storey extension a porch was proposed. With the exception of render on the first floor front elevation, matching brickwork was proposed to all other elevations.

3.2 The most significant differences between the previous planning permission and this application relate to the size of the rear extension, the use of only render rather than a mixture of brick and render, the removal of the porch element and the proposed use of the house as a HMO.

4 Policy Context

4.1 **Broxtowe Local Plan (2004):**

4.1.1 As the Core Strategy contains broad policies, the Part 2 Local Plan is currently being prepared which will include site specific development management policies and site allocations. As public consultation has yet to be carried out on the draft Part 2 Local Plan, limited weight can be attached to the energy policies.

4.1.2 In the meantime, Appendix E of the Core Strategy confirms which Local Plan policies are saved. The relevant saved policy is as follows:

4.1.3 Local Plan Policy H9 ‘Domestic Extensions’ states that extensions will be permitted provided they are in keeping with the original building in terms of style, proportion and materials; are in keeping with the street scene; and do not cause an unacceptable degree of loss of privacy or amenity for the occupiers of neighbouring properties.

4.2 **Broxtowe Aligned Core Strategy (2014):**

4.2.1 Policy 8 ‘Housing Size, Mix and Choice’ states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. The policy also states that all residential developments should contain adequate internal

living space. The appropriate mix of house size, type, tenure and density within housing development will be informed by the need to redress the housing mix within areas of concentration of student households and HMOs, the area character, site specific issues and design considerations and the existing or proposed accessibility of a location by walking, cycling and public transport. The supporting text makes specific reference to issues resulting from concentrations of HMOs within Nottingham City and states that a policy approach for considering planning applications for student accommodation and HMOs would be set out in part 2 of Nottingham City's Local Plan.

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

4.3 **National policy:**

4.3.1 Section 7 of the National Planning Policy Framework (NPPF) outlines the importance of good design. Paragraph 58 states that planning decisions should aim to ensure that developments respond to local character and reflect the identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping.

5 Consultations

5.1 The Council's Senior Environmental Health Officer states no objection. It is recommended that a note to applicant is included to state that, once occupied, there will be a need to comply with the relevant licensing, fire safety and fitness for occupation standards under current legislation.

5.2 Nottinghamshire County Council, as Highways Authority, state that the proposed development is acceptable subject to the dropped vehicular crossing being widened and the parking area being constructed using a hard bound material, with adequate drainage to prevent surface water from discharging onto the public highway, prior to the building being occupied.

5.3 17 letters of objection and one letter stating observations have been received. The main issues raised in the letters are summarised below:

- The extensions will be overbearing on neighbouring properties.
- The extensions constitute overdevelopment of the site.
- There will be a loss of privacy.
- The extensions, the loss of the front garden and proposed parking area are not in keeping with the character of the street.
- There will be overcrowding within the property.
- There will be a loss of a family home.
- Sidney Road is characterised by family housing and a HMO is not an appropriate form of development.
- There will be an increase in litter, anti-social behaviour, noise and disturbance.
- There is insufficient parking and there will be added traffic and congestion.

- There will be a highway safety issue from vehicles reversing from the driveway.
- House prices will decrease.
- The planning application has tactically been submitted at a late stage during construction work.

6 Appraisal

6.1 The main issues relate to whether the change of use to a HMO is acceptable, whether an acceptable standard of design has been achieved, if there will be an unacceptable loss of amenity to any neighbours and if there will be sufficient parking provision.

6.2 **Principle**

6.2.1 Objections received in respect of the application have raised specific concerns regarding the appropriateness of a HMO within this location. The objections state that this area is characterised by family housing and a HMO would change the character of the street. Aligned Core Strategy Policy 8 'Housing Size, Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. It also states that the appropriate mix of house size, type, tenure and density within housing development will be informed by the need to redress the housing mix within areas of concentration of student households and HMOs. With regards to a concentration of student households forming, there are currently no large HMOs along Sidney Road. There are also no other licenced HMOs along Sidney Road although there may be other HMOs in use which do not require either planning permission or a licence. Based on the above, it is considered that there would not be a concentration of HMOs along Sidney Road as a result of the proposed development.

6.2.2 Policy 8 encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the street. The development would add to the housing mix and it is considered that, provided the design of the extensions is judged to be acceptable, the character of the street would not be harmed to an extent which would justify refusing planning permission. It is also noted that the property is within close proximity to Beeston town centre and therefore benefits from good transport connections. Whilst it is considered that there would not be justification to prevent a HMO in this particular location based on an unacceptable concentration of HMOs, consideration must also be given to the potential impact of the HMO use on the occupiers of surrounding properties and whether the number of bedrooms would be considered to be an over intensive use of the property.

6.3 **Amenity**

6.3.1 Seven bedrooms would be provided within the HMO, with each bedroom having an en-suite. An open plan sitting room and kitchen area would also be provided on the ground floor and there would be a garden area to the rear. It is considered

that the bedrooms and living space are of an acceptable size to provide a good standard of amenity for prospective occupiers and overcrowding would not occur. It should be noted that if overcrowding did occur, this could be dealt with under provisions contained within The Housing Act (1985).

- 6.3.2 Concerns have been raised within the consultation responses that the proposed use would result in increased litter, anti-social behaviour, noise and disturbance. There may be an increase in activity from a building in a HMO use rather than a traditional family home. This is likely to largely be a result of residents arriving or leaving the property. However, it is noted that a dwelling could be used by up to six residents without requiring planning permission and planning permission has previously been granted for the creation of five bedrooms. It is considered that there would not be sufficient evidence to justify refusing the application based on an unacceptable intensification of use compared to a family home. There is no evidence that residents would be more likely to cause increased noise or disturbance by other means, such as from televisions or music and if an unacceptable level of disturbance did arise, this would be a matter which could be dealt with by the Council's Environmental Health Department.
- 6.3.3 The two storey side extension is positioned alongside the boundary with 32 Sidney Road. It is similar in form and scale to the extension previously granted planning permission. Number 32 has two windows in a recessed wall which forms part of the front elevation (similar to the application property). Due to the position of this wall, the two storey extension will cause some overshadowing to these windows. However, these windows are secondary windows with the main windows for these rooms being positioned on the rear elevation. The two storey extension does not project beyond the original rear wall and it is considered that this will prevent the two storey element from appearing overbearing or causing unacceptable overshadowing to number 32. There will be first floor windows in the front and rear elevations of the side extension. The front window will provide a similar outlook as existing windows towards the street. Whilst there will be some views from the rear window towards number 32, it is noted the window has been set in from the boundary and the outlook from the window would be similar to existing windows, providing an oblique view towards neighbouring gardens. Based on the above, it is considered an unacceptable loss of privacy would not occur.
- 6.3.4 The single storey rear extension would be built along the width of the original house and the side extension. The extension would therefore be positioned alongside the boundaries with both number 32 and number 36. The single storey extension is larger than the extension previously granted planning permission, projecting 4m beyond the rear wall rather than the 2.9m previously approved. The increased projection will have an increased impact on the neighbouring properties. However, it is considered that a single storey extension with a projection from the rear wall of 4m on a detached house would still not be of a scale which would cause unacceptable overshadowing or be overbearing to the neighbouring properties. A new ground floor window is proposed in the existing side elevation of the house facing towards number 36. This window could be installed without requiring planning permission and the primary view from the window would be towards the boundary fence which would prevent unacceptable overlooking occurring.

6.3.5 Due to the position of the two storey extension, it is considered that number 36 will not be adversely affected. Windows in the front elevation of the extension will look towards the street, providing a similar outlook to existing windows. First floor windows in the rear elevation will face towards the rear garden, with a sufficient distance (18m) to the rear boundary to prevent overlooking to the rear garden of properties on Fellows Road.

6.4 Design

6.4.1 Sidney Road is characterised by a mix of house types with no dominant house style. The application property is a detached house with a front gable and large bay window. A dark red brick is used on the ground floor with render at first floor level. The neighbouring house (number 32) is in the same style. However, to the other side (numbers 36 and 38), there are semi-detached houses which differ in terms of materials and design. The two storey side extension would be similar in terms of size and style to the extension previously granted planning permission. It is considered that it will form a proportionate addition to the original dwelling and a terracing effect will not occur due to the recessed element at number 32. The existing porch will be removed as part of the works and, unlike the previous planning permission, a replacement porch is not proposed. It is considered that render would be an acceptable material but this should be conditioned to match the existing render on the house. Roof tiles should also be conditioned to match those on the original house.

6.4.2 The single storey rear extension is a proportionate addition to the house and has been designed in a style which is in keeping with other changes being made to the property.

6.4.3 The consultation responses have raised concerns regarding the frontage being dominated by parking. However, it is noted that a number of houses along Sidney Road have similar hardstanding covering the entire frontage to provide off street parking spaces. Therefore, it is considered that the provision of parking to the front will not be harmful to the character of the street.

6.5 Parking

6.5.1 Three off street parking spaces are proposed. Whilst four spaces were originally proposed, as one space was of a substandard length and would result in a car overhanging the path, the Highways Officer requested that this space was removed. Following the submission of an amended parking layout, the Highways Officer has stated no objection to the proposal. It is evident that there are significant concerns from local residents regarding the additional parking spaces which may be required for a seven bedroom HMO. It is also noted that the provision of the three off street spaces will also remove some on street provision. It is considered likely that there will be additional cars for a HMO compared to a dwellinghouse. However, based on the Highways Officer's comments, it is considered that any increase in the number of vehicles would not be to an extent which would result in highway safety issues and that any additional vehicles would be able to find on street parking without causing unacceptable disturbance to surrounding properties. Dangerous parking would be a police matter. Some consideration should also be given to the proximity to Beeston town centre and

various frequent public transport links to Nottingham and the universities. It is considered that a condition restricting the number of vehicles at the property would not be enforceable and therefore should not be included. However, a condition requiring the driveway to be surfaced and drained to an acceptable standard and for the dropped kerb and parking spaces to be in place prior to the HMO being occupied is reasonable in the interests of highway safety.

6.6 Other Issues

6.6.1 The impact of the development on house prices is not a material planning consideration. With regards to the timing of the planning application, it is noted that works have commenced on the extensions but the application should be judged on its merits based on planning policies and any other material planning considerations.

6.7 Summary

6.7.1 It is considered that there would be no policy justification or other planning consideration which would justify preventing the change of use of the dwellinghouse to a HMO. The design of the extensions is considered to be acceptable and there would not be an unacceptable loss of amenity to any neighbouring occupiers. Whilst there may be additional parking demand resulting from the development, it is considered that there would not be sufficient evidence for refusing the application based on inadequate parking provision.

Recommendation

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

- 1. The development hereby permitted shall be carried out in accordance with drawings: 225-16-10 Revision P2 and Proposed Elevations (Rev P2) received by the Local Planning Authority on 6 March 2017; Proposed Ground Floor Plan and Proposed First Floor Plan received by the Local Planning Authority on 14 February 2017; and Proposed Parking and Roof Layout (Rev P4) received by the Local Planning Authority on 4 April 2017.**
- 2. The extensions shall be constructed using render and roof tiles of a type, texture and colour so as to match those of the existing building.**
- 3. The building shall not be occupied as a House in Multiple Occupation (HMO) until:**
 - (i) The dropped vehicular footway crossing has been widened to provide three parking spaces in accordance with drawing Proposed Parking and Roof Layout (Rev P4) received by the Local Planning Authority on 4 April 2017.**
 - (ii) The three parking spaces are available for use, surfaced in a suitable hard bound material (not loose aggregate) and are appropriately drained within the site such that surface water does**

not drain onto the public highway. These areas shall be maintained accordingly for the life of the development.

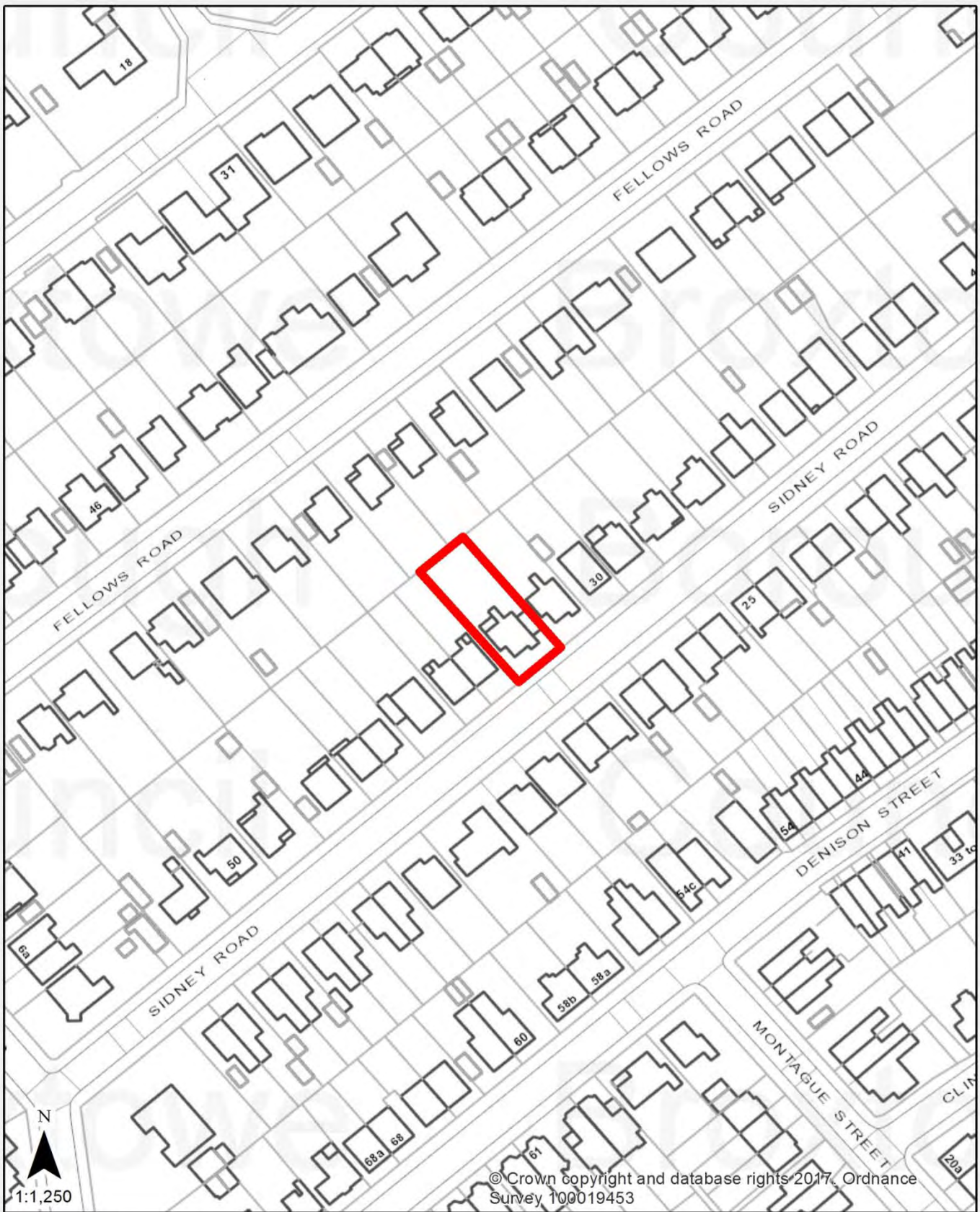
Reasons:

1. For the avoidance of doubt.
2. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
3. In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).

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 through requesting additional information during the course of the application.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning-building/coal-authority/>
3. A House in Multiple Occupation must comply with the relevant licensing, fire safety and fitness for occupation standards under current legislation. The applicant is advised to contact the Council's Private Sector Housing Team for further information (0115 917 7777).
4. The development makes it necessary to widen the dropped vehicular footway which is land subject to the provisions of the Highway Act 1980 (as amended) and therefore land over which you have no control. Any works within the public highway need to be carried out by the Highways Authority (Nottinghamshire County Council), or persons appointed, and by entering into an agreement under Section 278 of the Highways Act. The County Council's Highways Area Officer can be contacted on 0300 500 80 80.

Background papers
Application case file



Legend

 Site

Report of the Director of Legal and Planning Services

**16/00061/ENF
UNTIDY CONDITION OF LAND
LAND ADJACENT 2 LITTLE LANE, KIMBERLEY, NOTTINGHAM**1 Background

This matter was initially brought to the Council's attention in March 2016. The small parcel of land in question is situated adjacent to number 2 Little Lane at the end of a row of residential properties. To the north of the land is a footpath controlled by the County Council (Kimberley Public Footpath 36) which leads from Kimberley Close to Little Lane. The land is separated from the adjacent property to the south by a brick boundary wall and is not registered with the Land Registry.

Reasonable enquiries have been made with the adjacent property owner in an attempt to ascertain legal ownership of the land, although the ownership remains unconfirmed.

The land was separated from the footpath by a close boarded fence, much of which has been vandalised and destroyed leaving the land open, with access from the footpath. The site has become untidy and overgrown with shrubs and small trees. Additionally, fly tipping has taken place and rubbish has been deposited on the land over a period of time.

2 Appraisal

The land in question is approximately 116.9m² in area. There is no access point onto the land either from Little Lane or Kimberley Close.

As the ownership of the land is not known, it is not an option to serve a Notice under Section 215 of the Town and Country Planning Act 1990.

Having sought advice from the Council's Planning Development and Regeneration Manager, the site is not considered to be a viable option for redevelopment for the following reasons;

- a) The site is small in size and would not appeal to developers in isolation.
- b) There is no suitable access to the site from either side.
- c) There is no obvious additional land that could be included without involving third parties.
- d) Redevelopment is not critical to enable another scheme to progress.

3 Cost implications

A quote for works has been obtained from the Council's Parks and Environment Team to clear and dispose of the rubbish, fell some small trees, clearance of the site and replacement of 16 fence panels to secure the site. The cost to undertake the work will be £1,550.00. This sum does not include any future maintenance.

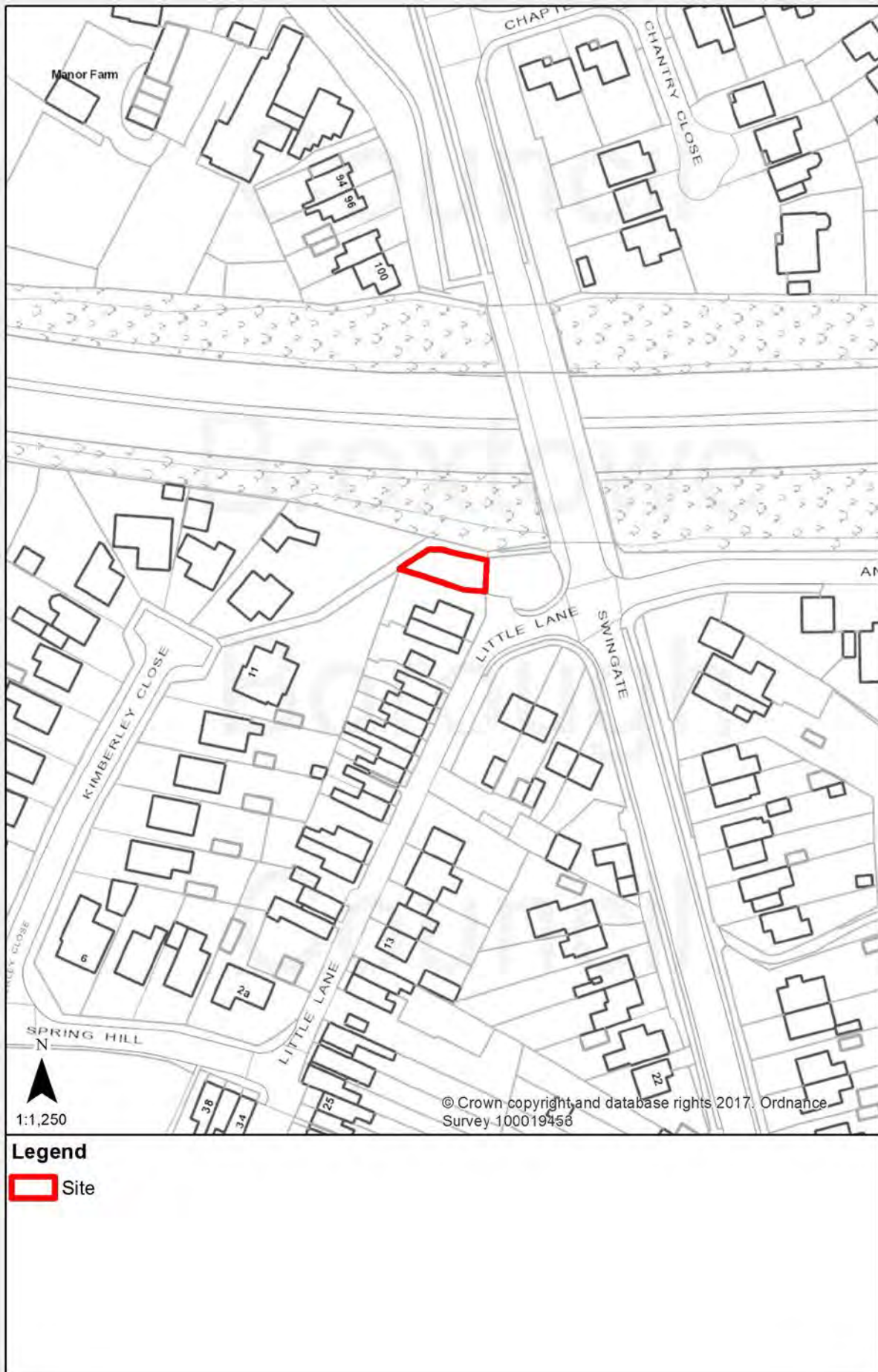
It is probable that there is no realistic prospect of the cost of the works being recovered by the Council given that the land currently has no legal recorded owner. The Council's legal officers advise that it may be possible to place a charge on the land with the Land Registry, following completion of the works, against first registration so that if the land is registered or purchased at any point in the future, the monies will become payable to the Council.

Members are therefore asked to consider whether it is expedient for the remedial works to be carried out at the Council's expense, bearing in mind that the location is not prominent in the street scene and can only be readily seen by users of the adjacent footpath.

Recommendation

The Committee is asked to RESOLVE that direct action be taken by the Council to remove debris, tidy and fence the land and all reasonable steps be made to recoup the costs in consultation with legal services.

Background papers
Application case file



Report of the Director of Legal and Planning Services

**14/00189/ENF
UNTIDY CONDITION OF FRONT AND SIDE GARDENS
1 CROWBOROUGH AVENUE, BEESTON, NOTTINGHAM NG8 2RN****1** Background

This matter was initially brought to the Council's attention in July 2014. A Notice under Section 215 of the Town and Country Planning Act 1990 was subsequently served on the absent property owner on 3 March 2015 which required remedial works to improve the condition of the gardens on this prominent corner plot.

The requirements of the Notice were not complied with and the property owner pleaded guilty and was successfully prosecuted in the Magistrates' Court on 19 October 2016 in the sum of £100.00 plus £505.00 costs and a victim surcharge of £30.00.

Since that time, the Council has written to the property owner on 20 October 2016 to advise the need to comply with the requirements of the Notice following the prosecution. Recent compliance visits have been carried out where it was apparent that the required works have not taken place.

2 Appraisal

The property is a large end terraced property on a prominent corner plot at the junction of Crowborough Avenue and Appledore Avenue. The property has front and side gardens which are immediately adjacent the highway. The side garden includes a large tree and a poorly maintained grassed area and the front garden contains a number of overgrown shrubs and brambles.

The property has been unoccupied for some considerable time and it is understood that the matter has been with the Private Sector Housing team who have attempted to get the property back into use. Unfortunately the owner has declined to engage with the Council. The condition of the property and the gardens in particular have a continuing negative impact on neighbouring properties and the street scene in general. It is therefore considered expedient for direct action to be undertaken and works to be carried out in default.

3 Cost implications

A quotation for the works has been obtained from the Council's Parks and Environment Team for removal of shrubs, cutting of grass and disposal at a cost of £280.00 plus VAT (£336.00 in total).

Once the works are complete, the property owner would be invoiced for the costs. If the sum remains unpaid then ultimately the option is to apply to the

court for a charge to be placed on the property in respect of that sum which could be recovered at the point of sale of the property.

Recommendation

The Committee is asked to RESOLVE that direct action be taken to undertake the works required by the Section 215 Notice issued by the Council on 3 March 2015 and delegated authority be given to the Head of Planning and Legal Services to consider placing a charging order on the property if such action is required.



BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

PLANNING APPLICATIONS DEALT WITH FROM
25 March 2017 TO 28 April 2017

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 : Mr W Smith AJW Motors 16/00812/ADV
Site Address : AJW Motors Nottingham Road Attenborough Nottinghamshire NG9 6DP
Proposal : **Retain 4 flags**
Decision : **Refusal**

Applicant : Mr D Hillier 17/00024/FUL
Site Address : 2 Meadow Lane Chilwell Nottingham NG9 5AA
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mrs P Wallace Church Warden 17/00056/FUL
Site Address : Church Hall Lime Grove Avenue Chilwell Nottinghamshire
Proposal : **Construct infill extension to north east elevation**
Decision : **Conditional Permission**

Applicant : Mr S Taylor Taylor Roofing Ltd 17/00059/FUL
Site Address : 4 Chapel House Clarkes Lane Chilwell Nottinghamshire NG9 5BG
Proposal : **Retain change of use from church (Class D1) to office (Class B1)**
Decision : **Conditional Permission**

Applicant : Mr David Fox 17/00138/FUL
Site Address : 54 Harris Road Chilwell Nottingham NG9 4FB
Proposal : **Construct single storey rear extension and adjoining garage**
Decision : **Conditional Permission**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mr C Attewell 17/00016/FUL
Site Address : 6 Iona Drive Trowell Nottinghamshire NG9 3RF
Proposal : **Construct first floor side extension**
Decision : **Conditional Permission**

Applicant : Mr A Bates 17/00151/PNH
Site Address : 36 Newtons Lane Cossall Nottinghamshire NG16 2SF
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.75 metres, with a maximum height of 3.625 metres, and an eaves height of 2.25 metres**
Decision : **Prior Approval Not Required**

Applicant : Mr Paul Singh 17/00177/FUL
Site Address : Half Moon House Bilborough Road Trowell Nottinghamshire NG8 4DR
Proposal : **Construct two storey extension**
Decision : **Conditional Permission**

BEESTON CENTRAL WARD

Applicant : Mr Mark Vincent and Russell Bowen Warm for Life Ltd. 16/00525/FUL
Site Address : Food For Thought 184 Queens Road Beeston Nottinghamshire NG9 2FF
Proposal : **Construct two storey extension comprising ground floor extension to retail unit and first floor extension to residential dwelling and a new shop front**
Decision : **Conditional Permission**

Applicant	:	Mr Radwan	16/00736/FUL
Site Address	:	192 Station Road Beeston Nottinghamshire NG9 2AY	
Proposal	:	Change of use of ground floor from retail (Class A1) to residential (Class C3), two storey rear extension, external alterations and subdivision of dwelling to create two flats	
Decision	:	Conditional Permission	
Applicant	:	Top 365 Ltd	16/00877/FUL
Site Address	:	72 Queens Road East Beeston Nottinghamshire NG9 2GS	
Proposal	:	Construct two storey side extension, single storey rear extension, rear dormer and change use from dwellinghouse (Class C3) to house in multiple occupation	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Rogers	17/00140/FUL
Site Address	:	6 Dovecote Lane Beeston Nottinghamshire NG9 1HR	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mrs J Andrews	17/00158/PNH
Site Address	:	21 Henry Road Beeston Nottinghamshire NG9 2BE	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.25 metres, with a maximum height of 3.10 metres, and an eaves height of 3.10 metres	
Decision	:	Refusal	
Applicant	:	Mr Barry Duffin	17/00169/PNH
Site Address	:	8 Lower Road Beeston Nottinghamshire NG9 2GL	
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	:	Withdrawn	
BEESTON RYLANDS WARD			
Applicant	:	Mrs Emma Knowles	17/00125/FUL
Site Address	:	21 Beech Avenue Beeston Nottinghamshire NG9 1QH	
Proposal	:	Construct single storey side/rear extension	
Decision	:	Conditional Permission	
BEESTON WEST WARD			
Applicant	:	Hyeyoung Lee	17/00023/FUL
Site Address	:	130 Chilwell Road Beeston Nottinghamshire NG9 1ES	
Proposal	:	Change of use from shop (Class A1) to cafe (Class A3) and erect external flue	
Decision	:	Conditional Permission	
Applicant	:	Mr John Counsell	17/00049/MMA
Site Address	:	5 Cavendish Place Beeston Nottinghamshire NG9 1BY	
Proposal	:	Minor Material Amendment to planning permission reference 15/00803/FUL (construct one dwelling house and detached garage, including demolition of existing bungalow) to construct extension between house and garage and construct front boundary wall, add roof lights and ground floor window, add hipped roof above bay windows, brick detailing, revise chimney design and second floor roof lights	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Willott	17/00083/FUL
Site Address	:	9 Cumberland Avenue Chilwell Nottinghamshire NG9 4DH	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Ross	17/00091/FUL
Site Address	:	16 Cromwell Road Beeston Nottinghamshire NG9 1DE	
Proposal	:	Construct single storey rear extensions	
Decision	:	Conditional Permission	
Applicant	:	Mr Simon Jude	17/00095/FUL
Site Address	:	49 Park Road Chilwell Nottinghamshire NG9 4DD	
Proposal	:	Construct extension to existing garage including raising the roof height and convert into annexe	
Decision	:	Refusal	
Applicant	:	Mr Herbert	17/00126/FUL
Site Address	:	18 Grove Avenue Chilwell Nottinghamshire NG9 4ED	
Proposal	:	Construct single and two storey rear extension with brise soleil, replacement garage (attached), retractable cassette awning to side and timber log store	
Decision	:	Conditional Permission	
Applicant	:	Mr Kevin Dickinson	17/00127/FUL
Site Address	:	56C Imperial Road Beeston Nottinghamshire NG9 1FN	
Proposal	:	Construct rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Pat De Souza Frustrated Chef Ltd	17/00173/FUL
Site Address	:	The Frustrated Chef 90 - 94 Chilwell Road Beeston Nottinghamshire NG9 1ES	
Proposal	:	Retain 3 air conditioning units and install extraction system including flue	
Decision	:	Conditional Permission	
BRAMCOTE WARD			
Applicant	:	Mrs Anusia Vadgama	17/00036/FUL
Site Address	:	68 Russley Road Bramcote Nottinghamshire NG9 3JE	
Proposal	:	Construct porch	
Decision	:	Conditional Permission	
Applicant	:	Mr James Elder	17/00076/FUL
Site Address	:	106 Balmoral Drive Bramcote Nottinghamshire NG9 3FT	
Proposal	:	Construct single storey rear extension (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mrs B Payne	17/00110/FUL
Site Address	:	9 Ranmore Close Bramcote Nottinghamshire NG9 3FR	
Proposal	:	Construct single storey side/rear extension	
Decision	:	Conditional Permission	
BRINSLEY WARD			
Applicant	:	Mr Paul Webb	17/00128/FUL
Site Address	:	15 Stoney Lane Brinsley Nottinghamshire NG16 5AJ	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Deb Leatherland	17/00144/OUT
Site Address	:	35 Hobsic Close Brinsley Nottinghamshire NG16 5AX	
Proposal	:	Outline application to construct one dwelling with all matters reserved	
Decision	:	Refusal	
CHILWELL WEST WARD			
Applicant	:	Mr P Barnett	16/00835/FUL
Site Address	:	Land Adjacent 5 Leamington Drive Chilwell Nottinghamshire NG9 5LJ	
Proposal	:	Construct dwelling (revised scheme)	
Decision	:	Refusal	

Applicant	:	Mrs Sonia Imran	17/00031/MMA
Site Address	:	4 Inham Road Chilwell Nottinghamshire NG9 4FL	
Proposal	:	Minor Material Amendment to planning permission reference 16/00229/FUL (Raise ridge height, construct front and side extensions to include dormers and front boundary wall, railings and gates) to construct single storey front extension	
Decision	:	Conditional Permission	

Applicant	:	Mr Ryan Cowlshaw	17/00071/FUL
Site Address	:	40 Chetwynd Road Chilwell Nottingham NG9 5GD	
Proposal	:	Construct two storey side and single storey front extension	
Decision	:	Conditional Permission	

Applicant	:	Mrs Diane McAree	17/00187/PNH
Site Address	:	71 Greenland Crescent Chilwell Nottinghamshire NG9 5LD	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.2 metres, with a maximum height of 4 metres, and an eaves height of 2.4 metres	
Decision	:	Prior Approval Not Required	

EASTWOOD HALL WARD

Applicant	:	Mr Robert Young	17/00088/FUL
Site Address	:	55 Park Crescent Eastwood Nottinghamshire NG16 3DS	
Proposal	:	Construct bay window	
Decision	:	Conditional Permission	

Applicant	:	Mr Snarey	17/00100/FUL
Site Address	:	93 Greenhills Road Eastwood Nottingham NG16 3FT	
Proposal	:	Demolish existing free standing garage, construct side extension with rear Juliet balcony and front porch with gable above.	
Decision	:	Conditional Permission	

Applicant	:	Mr John Drabble	17/00117/FUL
Site Address	:	9 Lower Beauvale Newthorpe Nottingham NG16 3PY	
Proposal	:	Construct 2 storey rear extension	
Decision	:	Conditional Permission	

Applicant	:	Mr A Calladine	17/00198/PNH
Site Address	:	18 Nether Green Eastwood Nottinghamshire NG16 3DW	
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	

EASTWOOD HILLTOP WARD

Applicant	:	Mr Luke Charlton	17/00002/FUL
Site Address	:	Hand Car Wash 151-155 Nottingham Road Eastwood NG16 3GJ	
Proposal	:	Change of use of part car wash area/part office area to car sales and installation of 3m high rear boundary fence (retrospective)	
Decision	:	Conditional Permission	

EASTWOOD ST MARY'S WARD

Applicant	:	Mr J Whyte	17/00112/FUL
Site Address	:	136 Nottingham Road Eastwood Nottinghamshire NG16 3GD	
Proposal	:	Change of use of ground floor from retail (Class A1) to micro pub (Class A4) to include external staircase and alterations to shopfront	
Decision	:	Conditional Permission	

GREASLEY WARD

Applicant	:	Swallow Hill Homes Ltd	16/00767/FUL
Site Address	:	Land Adjacent To 66 Dovecote Road Eastwood Nottinghamshire NG16 3EZ	
Proposal	:	Construct 9 dwellings including associated access and parking arrangements	
Decision	:	Conditional Permission	
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Applicant	:	Cardtronics UK Ltd, Trading As CASHZONE	17/00069/FUL
Site Address	:	The Co-operative Food Unit 1 519 Nottingham Road Giltbrook Nottinghamshire NG16 2GS	
Proposal	:	Retain automated teller machine	
Decision	:	Conditional Permission	
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Applicant	:	Cardtronics UK Ltd, Trading As CASHZONE	17/00070/ADV
Site Address	:	The Co-operative Food Unit 1 519 Nottingham Road Giltbrook Nottinghamshire NG16 2GS	
Proposal	:	Retain non-illuminated logo panel	
Decision	:	Conditional Permission	
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Applicant	:	Mr Barry Dennis Fabb Sofa	17/00087/ADV
Site Address	:	5 Giltbrook Retail Park Ikea Way Giltbrook Nottinghamshire NG16 2RP	
Proposal	:	Display 2 illuminated signs	
Decision	:	Conditional Permission	
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Applicant	:	Mr & Mrs Anthony Whyte	17/00099/CLUE
Site Address	:	Beauvale Abbey Farm New Road Greasley Nottinghamshire NG16 2AA	
Proposal	:	Certificate of Lawful Existing Use or Development of land for mixed agricultural and residential purposes, including the stationing of up to two mobile homes (each of 11.25m. x 3.65m floorspace), one for residential use and one for ancillary agricultural purposes, as an amenity/staff facility for farm employees only	
Decision	:	Refusal	
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Applicant	:	Mr Christopher Bampton	17/00102/FUL
Site Address	:	39 Beauvale Newthorpe Nottinghamshire NG16 2EZ	
Proposal	:	Construct first floor and single storey rear extensions and dormer window	
Decision	:	Conditional Permission	
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Applicant	:	Mr Tony Durrant	17/00124/ROC
Site Address	:	9 Juniper Court Giltbrook Nottinghamshire NG16 2UY	
Proposal	:	Variation of condition 2 (garage shall be kept for the accommodation of private vehicles) of planning ref: 97/00181/FUL to retain the use of the garage as a habitable room	
Decision	:	Unconditional Permission	
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Applicant	:	Mr G Richards	17/00122/PNH
Site Address	:	21 Turner Drive Giltbrook Nottinghamshire NG16 2UJ	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.050 metres, with a maximum height of 3.735 metres, and an eaves height of 2.330 metres	
Decision	:	Prior Approval Granted	
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Applicant	:	Leigh Parkin	17/00133/FUL
Site Address	:	25 Swindon Close Giltbrook Nottinghamshire NG16 2WD	
Proposal	:	Construct single storey front extension	
Decision	:	Conditional Permission	
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Applicant	:	Mr & Mrs C Bostock	17/00172/FUL
Site Address	:	8 Mill Road Newthorpe Nottinghamshire NG16 3PR	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	

Applicant : Ms Charlotte Sale 17/00182/FUL
Site Address : 12A Turner Drive Giltbrook Nottinghamshire NG16 2UJ
Proposal : **Construct two storey extension**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Mr S Blacow 17/00101/FUL
Site Address : 2 Truman Street Kimberley Nottinghamshire NG16 2HA
Proposal : **Construct extension and boundary wall**
Decision : **Conditional Permission**

Applicant : Mr M Winwood 17/00111/FUL
Site Address : 64 Alma Hill Kimberley Nottinghamshire NG16 2JF
Proposal : **Construct first floor side extension, dormers in front elevation and single storey rear extension (revised application)**
Decision : **Conditional Permission**

Applicant : C/O Agent Sainsbury's Supermarket 17/00115/ADV
Site Address : Sainsbury's Greens Lane Kimberley Nottinghamshire NG16 2LY
Proposal : **Erect 1 replacement panel on existing illuminated totem, 1 replacement panel on existing wall mounted sign, 2 non-illuminated vinyls, and 2 non-illuminated panels with poster frames.**
Decision : **Conditional Permission**

Applicant : Mr Colin Sisman 17/00143/FUL
Site Address : 32 Dale Road Kimberley Nottinghamshire NG16 2LU
Proposal : **Erect front fence and gates and construct dropped kerb**
Decision : **Conditional Permission**

Applicant : Mr James Quested 17/00149/FUL
Site Address : 80 High Street Kimberley Nottinghamshire NG16 2PD
Proposal : **Construct two storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Renolds 17/00153/FUL
Site Address : 2 Stocks Road Kimberley Nottinghamshire NG16 2QF
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Nick Cobb 17/00156/FUL
Site Address : 30 Chapter Drive Kimberley Nottinghamshire NG16 2QD
Proposal : **Construct first floor side extension**
Decision : **Conditional Permission**

Applicant : Mr J Heap 17/00197/PNH
Site Address : 45 Little Lane Kimberley Nottinghamshire NG16 2PE
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5 metres, with a maximum height of 3.320 metres, and an eaves height of 3.020 metres**
Decision : **Refusal**

NUTHALL EAST & STRELLEY WARD

Applicant : Mr A SINGH 17/00035/FUL
Site Address : 41 Gunnersbury Way Nuthall Nottingham NG16 1QD
Proposal : **Construct two storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Sohal Sherwood Forest 17/00043/FUL
Site Address : 47 Mornington Crescent Nuthall Nottinghamshire NG16 1QQ
Proposal : **Change of use from dwelling (Class C3) to office (Class B1)**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Ged and Jo Costello 17/00085/FUL
Site Address : 187A Nottingham Road Nuthall Nottinghamshire NG16 1AE
Proposal : **Construct single storey and two storey extensions with rear raised patio**
Decision : **Conditional Permission**

Applicant : Mr Jim Langham 17/00164/FUL
Site Address : 20 Cedar Avenue Nuthall Nottinghamshire NG16 1AF
Proposal : **Construct two storey side & rear extension (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mrs Rosemary Lockwood 17/00176/FUL
Site Address : 10 Arnos Grove Nuthall Nottinghamshire NG16 1QA
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Iqbal Singh 17/00179/FUL
Site Address : 7 Greenford Close Nuthall Nottinghamshire NG16 1RH
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr & Ms Richard & Jane England & Robinson 17/00228/FUL
Site Address : 87 Nottingham Road Nuthall Nottingham NG16 1DN
Proposal : **Erection of rear stepped garden terrace and patio**
Decision : **Conditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Mrs H Higginbotham 17/00130/PNH
Site Address : 17 Judson Avenue Stapleford Nottinghamshire NG9 7FH
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.3 metres, with a maximum height of 3.2 metres, and an eaves height of 3.2 metres**
Decision : **Withdrawn**

TOTON & CHILWELL MEADOWS WARD

Applicant : Mr & Mrs Dell 17/00053/FUL
Site Address : 6 Fyldes Close Toton Nottinghamshire NG9 6HH
Proposal : **Construct two storey side extension, single storey rear extension and relocation of existing garage**
Decision : **Conditional Permission**

Applicant : Mr Sam Mullins 17/00079/FUL
Site Address : 2 Rutland Avenue Toton Nottinghamshire NG9 6EP
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs N Bowler 17/00094/FUL
Site Address : 28 Bispham Drive Toton Nottinghamshire NG9 6GH
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr And Mrs D Perczynski 17/00132/ROC
Site Address : 19 Firth Drive Chilwell Nottinghamshire NG9 6NL
Proposal : **Variation of condition 4 (garage shall be kept for the accommodation of private vehicles) of planning ref: 92/00511/REM to enable use of garage as habitable room**
Decision : **Conditional Permission**

Applicant : Mr D Cullen 17/00142/PNH
Site Address : 9 Kirkland Drive Chilwell Nottinghamshire NG9 6LX
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.0 metres, with a maximum height of 3.5 metres, and an eaves height of 2.6 metres**
Decision : **Prior Approval Not Required**

Applicant : Mrs Sam Marshall 17/00146/FUL
Site Address : 103 Seaburn Road Toton Nottinghamshire NG9 6HJ
Proposal : **Construct front porch canopy, single / two storey side/ rear extension and pitched roof over existing rear extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Perrin 17/00171/PNH
Site Address : 79 Woodstock Road Toton Nottinghamshire NG9 6HW
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.3 metres, with a maximum height of 3.7 metres, and an eaves height of 2.3 metres**
Decision : **Prior Approval Not Required**

Applicant : Mr T Milner 17/00175/PNH
Site Address : 149 Spinney Crescent Toton Nottinghamshire NG9 6GE
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.5 metres, with a maximum height of 4 metres, and an eaves height of 2.7 metres**
Decision : **Withdrawn**

WATNALL & NUTHALL WEST WARD

Applicant : Mr Andrew Brown 17/00103/FUL
Site Address : 10 Nightingale Close Nuthall Nottingham NG16 1DW
Proposal : **Construct side extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Karin 17/00148/FUL
Site Address : 80 Watnall Road Nuthall Nottinghamshire NG16 1DX
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr M Watkinson 17/00155/FUL
Site Address : Land To The Rear Of 9 Edward Road Nuthall Nottinghamshire NG16 1DB
Proposal : **Construct one dwelling**
Decision : **Refusal**
