



2 January 2018

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 10 January 2018 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 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 - 25

The Committee is asked to confirm as a correct record the minutes of the meeting held on 6 December 2017.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

- 5.1 17/00761/FUL PAGES 26 - 32  
Construct dwelling following demolition of existing dwelling  
5 Dormy Close, Bramcote
- 5.2 17/00715/FUL PAGES 33 - 39  
Construct detached garage/workshop and fence  
14 Chapel Street, Eastwood NG16 3JL
- 5.3 17/00486/FUL PAGES 40 - 48  
Construct workshop following demolition of garages  
and workshop  
54a Carrfield Avenue, Toton NG9 6FB
- 5.4 17/00749/FUL PAGES 49 - 55  
Construct two storey side extension  
17 Wentworth Court, Kimberley NG16 2XB
- 5.5 17/00769/FUL PAGES 56 - 66  
Construct 4 retail units, car wash, tyre service area and  
retail pod  
Morrison's, Kelham Way, Eastwood NG16 3SG
- 5.6 16/00182/ENF PAGES 67 - 68  
Untidy and overgrown condition of land around  
disused building  
102 Rycroft Street, Stapleford NG9 8PN
- 5.7 16/00183/ENF PAGES 69 - 70  
Untidy condition of front and rear gardens  
14 Read Avenue, Beeston NG9 2FJ

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 71 - 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 they**

**involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.**

- |     |  |                 |
|-----|--|-----------------|
| 8.  | <u>17/00724/FUL</u><br>Construct rear extension and detached garage<br><u>56 Marshall Drive, Bramcote NG9 3LD</u>  | PAGES 79 - 87   |
| 9.  | <u>17/00598/FUL</u><br>Construct rear extension and detached garage<br><u>46 Coronation Road, Nuthall NG16 1EP</u>   | PAGES 88 - 99   |
| 10. | <u>15/00007/ENF, 15/00071/ENF and 17/00158/ENF</u><br>1. Unauthorised works to holiday let building<br>(deviations from approved plans)<br>2. Unauthorised use of land for siting of caravans<br>in residential use<br>3. Unauthorised re-roofing of building on east<br>side of gatehouse range<br><u>Beauvale Abbey, New Road, Greasley NG16 2AA</u> | PAGES 100 - 108 |

## **PLANNING COMMITTEE**

**6 DECEMBER 2017**

Present: Councillor M Handley, Chair

Councillors: D Bagshaw	W J Longdon (substitute)
J S Briggs	R D MacRae
T P Brindley	G Marshall
M Brown	J K Marsters
E Cubley (substitute)	P J Owen
R I Jackson	M Radulovic MBE

Apologies for absence were received from Councillors L A Ball BEM, A Harper and R S Robinson.

### 35. **DECLARATIONS OF INTEREST**

Councillor R D MacRae declared a non-pecuniary interest in agenda item 5.1 due to having attended a public meeting on the application, minute no. 38.1 refers. Councillor P J Owen declared a non-pecuniary interest in agenda item 5.3 due to his membership of Nuthall Parish Council, minute no. 38.3 refers. Councillor R I Jackson declared a non-pecuniary interest in agenda item 5.1 due to having attended a public meeting on the application and having discussed the Council's reasons for conditions but confirmed that he remained open minded as regards the application, minute no. 38.1 refers.

### 36. **MINUTES**

The minutes of the meeting held on 8 November 2017 were confirmed and signed.

### 37. **NOTIFICATION OF LOBBYING**

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

### 38. **DEVELOPMENT CONTROL**

#### 38.1 **17/00731/ROC**

Removal of Condition 3 of planning permission 15/00285/FUL to allow for the retail store to be open to customers prior to practical completion of all dwellings on the site

17/00732/ROC

Variation of Condition 2 (the development shall be carried out in accordance with the approved plans) of planning permission 15/00285/FUL (construct retail store and dwellings) to enable revisions to the design of the retail store, car park layout, landscaping and boundary treatments  
Pinfold trading estate & Nags Head, Nottingham Road, Stapleford NG9 8AD

Councillor R D MacRae had called the applications in to Committee and both related to the conditions attached to planning permission reference 15/00285/FUL. Application reference 17/00731/ROC proposed to remove condition 3 which required the practical completion of the residential dwellings prior to the retail store being open to customers. Application reference 17/00732/ROC proposed to vary condition 2 which required the development to be carried out in accordance with the approved drawings.

The Committee was referred to the summary of late items. In respect of application reference 17/00731/ROC, Stapleford Town Council had submitted comments regarding the closure of the Co-op supermarket, the reduction to the number 18 bus service to Beeston and concerns over the need for the ten housing units amongst other things. Eleven letters of support had been received, together with a petition with 399 signatures in support of the application to remove condition 3, together with an email from Councillor J W McGrath supporting the application. A letter from the planning agent had been received containing key points.

In respect of application 17/00732/ROC, Stapleford Town Council had no objection and supported the application and letters of support had been received.

Mrs Vanessa Bloor (supporting/objecting) and Rebecca Rutter (applicant) addressed the Committee prior to the general debate.

Members debated the item and the following comments were amongst those noted:

- When the application was first put forward it was for 45 houses on the site. There had always been concerns about a probable change of use, resulting in the permission being conditioned to ensure that the whole site was developed.
- Aldi's points related to the difficulties in securing a residential development.
- The Committee had the opportunity to demonstrate to the people of Stapleford that the Council listens to the views of local residents.
- There was a strength of public feeling that people wanted the site built out.
- There was frustration at the decline in Stapleford and Aldi's request, should it be granted, provided an opportunity for the people of Stapleford to have faith in a Planning Committee which listens to residents.
- If a relaxation of condition was granted and the store was built, the houses may not be built.

- The hybrid application for the store and ten houses had been a compromise and it was not accepted that Aldi could not find someone to build the houses.

Councillor M Radulovic MBE proposed the removal of the housing condition for a period of two years. The proposal was seconded by Councillor G Marshall and, on being put to the meeting, was lost.

A recorded vote on the amendment was requested by Councillor Radulovic and was seconded by Councillor G Marshall. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
D Bagshaw	J S Briggs	
R D MacRae	T P Brindley	
G Marshall	M Brown	
J K Marsters	E Cubley	
M Radulovic MBE	M Handley	
	R I Jackson	
	W J Longdon	
	P J Owen	

A recorded vote was requested on the second part of the recommendation by Councillor R D MacRae and seconded by Councillor J K Marsters. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
D Bagshaw		
J S Briggs		
T P Brindley		
M Brown		
E Cubley		
M Handley		
R I Jackson		
W J Longdon		
R D MacRae		
G Marshall		
J K Marsters		
P J Owen		
M Radulovic MBE		

**17/00731/ROC**

**RESOLVED that planning permission be refused for the following reasons:**

**Insufficient justification has been submitted to warrant the removal of the condition. There is a need for housing in sustainable locations in the borough and if the condition is removed, it renders uncertain the provision of the ten dwellings. Accordingly, the proposal is contrary to Policy 2 of the Aligned Core Strategy, Policy H7 of the Broxtowe Local**

Plan and paragraph 47 of the NPPF and there are no other considerations that outweigh this harm, such as would justify treating this proposal as an exception.

**Note to Applicant:**

The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by communicating with the agent throughout the course of the application.

**17/00732/ROC**

**RESOLVED that:**

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

(i) the prior completion of a Planning Obligation to secure the provision of contributions towards the installation of real-time bus information and the community bus initiative, 30% affordable housing if 25 dwellings or more are proposed on the outline residential site and a requirement for the store to only be operated by a discount retailer, and

(ii) the following conditions:

**FULL PLANNING APPLICATION**

1. The development hereby permitted shall be commenced before 26 February 2019.
2. The development hereby permitted shall be carried out in accordance with drawing numbers V09A93-P001 'Site Location Plan'; 2138-101 'Proposed GA'; 2138-103 'Proposed Site Sections', and 2138-104 'Proposed Roof' received by the Local Planning Authority on 9 October 2017; 2138-102 'Proposed Elevations' received by the Local Planning Authority on 11 October 2017; V2138 L01 Rev A 'Landscape Plan' received by the Local Planning Authority on 23 November 2017 and 2138-100 Rev B 'Proposed Site layout' received by the Local Planning Authority on 27 November 2017.
3. The retail store hereby approved shall not be open to customers unless the residential element of this permission is implemented and until the practical completion of all dwellings on the site, within the area annotated as 'residential site', as shown on drawing reference V09A93-P001, received by the Local Planning Authority on 9 October 2017.

- 4. No development shall take place until details of any retaining walls have been submitted to and agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.**
  
- 5. (a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.**  
  
**(b) No building to be erected pursuant to this permission shall be first occupied or brought into use until:**
  - (i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and**
  
  - (ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.**
  
- 6. The retail store hereby approved shall not be opened to customers until a vehicle access onto Nottingham Road, (shown for indicative purposes only on drawing number 14037-SK150914.1 - 'Proposed Road Widths' received by the Local Planning Authority on 14 September 2015) has been constructed in accordance with further details, which shall have first been submitted to and approved by the Local Planning Authority.**
  
- 7. The retail store hereby permitted shall not be brought into use until the parking, turning and servicing areas have been provided in accordance with drawing number 2138-100 'Proposed site layout', or such other drawing as may first be agreed in writing by the Local Planning Authority. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.**
  
- 8. The retail store shall not be first occupied until cycle parking facilities have been provided in accordance with details that shall have first been submitted to and agreed in writing by the Local**



**Planning Authority. The facilities shall be retained for the life of the development.**

- 9. No deliveries to or from the premises by commercial vehicles shall take place between 23.30 and 06.00 hours.**
- 10. The retail store shall not be open to customers other than between the hours of 07.30 - 23.30 on any day.**
- 11. 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 Friday, 08.30-13.00 on Saturdays and at no time on Sundays or Bank Holidays without prior agreements in writing with the Local Planning Authority.**
- 12. All plant/machinery installed pursuant to this permission shall be operated and/or attenuated in accordance with Section 6 of the NSL Noise report ref BS33713/NIA Rev 6 submitted by the applicant.**
- 13. The approved landscaping, as shown on drawing number V2138 L01 'Landscape Plan', shall be carried out not later than the first planting season following the substantial completion of the retail store 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.**

#### **OUTLINE PLANNING APPLICATION**

- 14. Application for approval of the reserved matters shall be made to the Local Planning Authority before 26 February 2019.**
- 15. 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.**
- 16. The development hereby permitted shall be carried out in accordance with the drawing numbers V09A93-P001 'Site Location Plan' and 2138-100 'Proposed Site layout' received by the Local Planning Authority on 9 October 2017.**
- 17. Before any development is commenced detailed drawings and particulars showing the following shall be submitted to and approved by the Local Planning Authority:**
  - a) the scale, layout and external appearance (including the external facing and roofing materials) of all buildings;**
  - b) the landscaping treatment of the site;**

- c) cross sections through the site showing the finished floor levels of the new dwellings in relation to adjoining land and buildings. These details shall relate to a known datum point.**

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

- 18. No development shall take place until details of the site boundary treatments and individual curtilage boundary treatments have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until its own boundary treatment and site boundary treatments have been erected in accordance with the agreed details.**
- 19. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:**
  - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**
  - (b) numbers, types, sizes and positions of proposed trees and shrubs**
  - (c) proposed hard surfacing treatment**
  - (d) planting, seeding/turfing of other soft landscape areas**
  - (e) proposed retaining walls or similar structures.**
- 20. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 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.**
- 21.(a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.**
  - (b) No building to be erected pursuant to this permission shall be first occupied or brought into use until:**
    - i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has**

**first been approved in writing by the Local Planning Authority;  
and**

- ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.**
- 22. No single dwelling shall be occupied until the access driveway or associated parking spaces have been provided.**
- 23. All access driveways/private drives/parking areas shall be surfaced in a suitably bound material (not loose gravel) for a minimum distance of 5.0m behind the highway boundary. The private drives and parking areas shall be maintained in such bound material for the life of the development.**
- 24. All access driveways/private drives/parking areas shall be constructed with provision to prevent the unregulated discharge of surface water from the private drive/parking areas to the public highway.**

**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 that the residential scheme is brought forward and to assist in meeting the housing needs of the borough in a timely fashion.**
- 4. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interest of local amenity and in accordance with Policy 10 of the Aligned Core Strategy.**
- 5. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interests of public health and safety.**
- 6. In the interests of highway safety to ensure safe access is provided in accordance with the aims of Policy T11 of the Broxtowe Local Plan.**

- 7. In the interests of highway safety and to ensure sufficient parking, turning and servicing areas are provided and retained in accordance with the aims of Policy T11 of the Broxtowe Local Plan.**
- 8. In the interests of supporting sustainable modes of transport and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).**
- 9. To protect the amenity of the occupiers of neighbouring properties in accordance with Policy 10 of the Aligned Core Strategy.**
- 10. To protect the amenity of the occupiers of neighbouring properties in accordance with Policy 10 of the Aligned Core Strategy.**
- 11. To protect local residents from excessive construction/demolition noise, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.**
- 12. To protect local residents from excessive noise, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.**
- 13. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 10 of the Aligned Core Strategy.**
- 14. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 15. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 16. For the avoidance of doubt.**
- 17. The application was submitted in outline only and no such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004).**
- 18. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interest of residential amenity and the appearance of the area and in accordance with Policy H7 of the Broxtowe Local Plan (2004).**

19. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interest of residential amenity and the appearance of the area and in accordance with Policy H7 of the Broxtowe Local Plan (2004).
20. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H7 of the Broxtowe Local Plan (2004).
21. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interests of public health and safety.
22. In the interest of highway safety.
23. To prevent deleterious material from being discharged onto the public highway.
24. To prevent surface water being discharged onto the public highway.

**Notes to Applicant:**

1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by communicating with the agent throughout the course of the application.
2. This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3. The applicant is reminded of the advice contained with the Ecology Report and to ensure where necessary updated reports are provided before works commence on site.
4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.
5. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

6. **The applicant should note that notwithstanding any planning permission, if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.**
7. **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 Highways Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highways Authority as early as possible.**
8. **In order to carry out the off-site works associated with the retail store, 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.**
9. **The applicant shall have regard for the submitted Travel Plan dated January 2015 submitted by Connect Consultants and have regard for the advice provided by Nottinghamshire County Council as the Highways Authority with regard to the monitoring and implementation of the Travel Plan.**

38.2 17/00608/FUL – Site A – Dagfa House

Convert Dagfa House and construct student accommodation (to provide 91 bed spaces) following demolition of school buildings. Construct bin store and cycle stores

17/00607/FUL – Site B – Salthouse Lane

Construct student accommodation providing 136 bed spaces, bin store and cycle stores

Dagfa House School Ltd, 57 Broadgate, Beeston NG9 2FU

Councillor S J Carr had called the applications in to Committee. The two applications related to the former Dagfa House School site and sought to redevelop the two parts of the site, at Broadgate and Salthouse Lane, for student accommodation.

The Committee was referred to the summary of late items which referred to a response from the Environmental Health Technical Officer; a correction to the report at paragraph 6.5.3; an amendment to condition 11 of 17/00607/FUL; an amendment to condition 14 of 17/00608/FUL; amendments to respective reasons 11 and 14 and comments from the Lead Local Flood Authority.

Mr Reid (objecting) and Councillor S J Carr (ward member) addressed the Committee prior to the general debate.

The Committee debated the item and the following comments were amongst those noted:

- The proposals would contribute significantly to the housing requirements of the borough.
- The proposals had the potential to provide a 'buffer' by creating accommodation which would reduce the need for multi-occupancy dwellings in a residential area.
- There was concern that the cheap and profitable parts of the development would be built out quickly with the risk that the listed building development may not happen.
- Scepticism was expressed that the development would contribute to the housing requirements in the borough, despite seductive arguments suggesting that it would.
- The development would not result in a diminishing of multiple occupancy properties in Beeston since more students would come to the university.
- Concern was expressed over lack of parking provision and subsequent loss of amenity for local residents.

Councillor R I Jackson proposed an amendment to the recommendation that a condition be included to ensure that occupation or completion of each site was dependent upon the other and that delegated authority be granted to secure the timing of the re-use of the listed building. The proposal was seconded by Councillor M Radulovic MBE and, on being put to the meeting, was carried. A recorded vote was requested and the voting was as follows:

For

D Bagshaw  
J S Briggs  
T P Brindley  
M Brown  
E Cubley  
M Handley  
R I Jackson  
W J Longdon  
G Marshall  
M Radulovic MBE

Against

R D MacRae  
J K Marsters  
P J Owen

Abstention

**RESOLVED** that permission be granted for the following applications, subject to the signing of a relevant Section 106 Agreement (defining the use and the occupiers, and requiring the establishment of a student management scheme) and subject to the following conditions including the aforementioned amendment:

**17/00607/FUL - Site B – Salthouse Lane - Construct student accommodation providing 136 bed spaces, bin store and cycle stores**

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 plans and documents:

Site Location Plan – ref: P0001; Ground floor plan- ref: P0111; First Floor plan – ref: P0112; Second Floor Plan - ref: P0113; Third floor plans – ref: P0114; Fourth floor plan – ref: P0115; Roof Plan – ref: P0116; Sections – ref: P0161; NE/SE Courtyard Elevations – ref: P0193; NE/SE Elevations – ref: P0191; NW/SW Courtyard Elevations – ref: P0194; and NW/SW Elevations – ref: P0192, received by the Local Planning Authority on 18/8/2017; Site Plan – ref: P0011 rev A, received by the Local Planning Authority on 7/9/2017 and Butterfly Window details, received by the Local Planning Authority on 10 October 2017.

3. No development above slab level shall be carried out until details of the manufacturer, type and colour of the materials to be used in the facing walls have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.
4. No development above slab level shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:
  - (a) numbers, types, sizes and positions of proposed trees and shrubs,
  - (b) proposed hard surfacing treatment,
  - (c) planting, seeding/turfing of other soft landscape areas,
  - (d) proposed retaining walls or similar structures and boundary treatments,
  - (e) a timetable for implementation.

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

5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 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.



- 6. No development hereby permitted shall commence until wheel washing facilities have been installed on the site, in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.**
- 7. No part of the development hereby permitted shall be brought into use until the cycle parking areas/stands/sheds/hoops have been provided, constructed and are available for use and those areas shall not thereafter be used for any purpose other than the parking of cycles.**
- 8. a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.**  
**b) No building to be erected pursuant to this permission shall be occupied or brought into use until:**
  - (i) All necessary remedial measures as included in the Sirius Geoenvironmental Appraisal (dated April 2017) have been completed have been completed in accordance with details approved in writing by the Local Planning Authority; and**
  - (ii) It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.**
- 9. No deliveries, demolition or construction work in connection with the permission shall be carried out except between the hours of 07.30-18.00 hours Monday to Friday, 08.30-13.30 hours Saturdays and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.**

- 10. During the construction works, no materials, equipment, machinery, temporary buildings or surplus soil shall be placed or stored beneath the branches of the trees protected by a Tree Preservation Order, and no oil, bitumen, cement or other materials likely to be injurious to a tree shall be discharged within 10 metres of the trunk. If any trenches for services are required within the canopy areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 25mm (1 inch) or more shall be left unsevered.**
- 11. The erection of fencing for the protection of the retained and preserved trees shall be undertaken in accordance with details to be submitted to and approved by the Local Planning Authority 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 written consent of the Local Planning Authority.**

**Reasons:**

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. Full details were not submitted, in the interests of the appearance of the development and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).**
- 4. No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).**
- 5. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).**
- 6. In the interests of highway safety to minimise the amount of mud/debris carried onto the highway and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).**
- 7. To ensure that cycle facilities are available for students, in the interests of supporting sustainable modes of transport and in accordance with the aims of Policy T11 of the Broxtowe Local Plan**

(2004) and in accordance with the aims of Policy 14 of the Aligned Core Strategy (2014).

8. In the interests of public health and safety and in accordance with the aims of Policy E29 of the Broxtowe Local Plan (2004).
9. To protect the local residents from excessive delivery, demolition and construction noise and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
- 10 & 11. To ensure the retained trees and those protected by a Tree Preservation Order are not adversely affected and in accordance with the aims of Policy E24 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 communicating with the agent throughout 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/development-in-former-coal-mining-areas/>
3. Many buildings still contain asbestos. In order to comply with the Control of Asbestos Regulations 2012, an assessment is required to determine whether the building has asbestos containing materials (ACMs). A 'Refurbishment / Demolition Survey' is required. Copies of reports relating to asbestos identification and management should be sent to Environmental Health, Broxtowe Borough Council.
4. The Council's Environmental Health team will need to be notified of the arrival on site of any Mobile Crushing plant, for them to carry out an inspection of the crushing equipment, in line with the operational permit issued under the Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2010 (as amended).
5. No work on any trees should take place during the bird nesting season, between March and August inclusive. If work affecting the trees on site has to be carried out during these months, then the trees should be surveyed for active bird nests by a suitably qualified ecologist before the work is carried out. If active bird nests are present, then work within the area supporting the nests would need to be delayed until nesting activity has ceased.

**17/00608/FUL - Site A – Dagfa House - Convert Dagfa House and construct student accommodation (to provide 91 bed spaces) following demolition of school buildings. Construct bin store and cycle stores**

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 plans and documents: Site Location Plan – ref: P0002; Ground floor plan - ref: P0101; First floor plan – ref: P0102; Second floor plan- ref: P0103; Third floor plan – ref: P0104; Roof Plan – ref: P0105; Sections – ref: P0151; NE/SE Elevations – ref: P0182; NW/SW Elevations – ref: P0183 and Dagfa House Elevations – ref: P0181, received by the Local Planning Authority on 18/8/2017; and Site Plan – ref: P0012 rev A, received by the Local Planning Authority on 7/9/2017.
3. No development above slab level shall be carried out until details of the manufacturer, type and colour of the materials to be used in the facing walls have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.
4. No development above slab level shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:
  - (a) numbers, types, sizes and positions of proposed trees and shrubs,
  - (b) proposed hard surfacing treatment,
  - (c) planting, seeding/turfing of other soft landscape areas,
  - (d) proposed retaining walls or similar structures and boundary treatments,
  - (e) a timetable for implementation.

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

5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 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.
6. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing, constructed in

accordance with the Highway Authority specification, is available for use.

7. No part of the development hereby permitted shall be brought into use until the redundant crossings are reinstated as footway.
8. No development hereby permitted shall commence until wheel washing facilities have been installed on the site, in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
9. No part of the development hereby permitted shall be brought into use until the cycle parking areas/stands/sheds/hoops have been provided, constructed and are available for use and those areas shall not thereafter be used for any purpose other than the parking of cycles.
10. a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.  
  
b) No building to be erected pursuant to this permission shall be occupied or brought into use until:
  - (i) All necessary remedial measures as included in the Sirius Geoenvironmental Appraisal (dated April 2017) have been completed in accordance with details approved in writing by the Local Planning Authority; and
  - (ii) It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.
11. No deliveries, demolition or construction work in connection with the permission shall be carried out except between the hours of 07.30-18.00 hours Monday to Friday, 08.30-13.30 hours Saturdays and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.

- 12. Before any conversion works commence, a scheme for limiting the transmission of noise between each residential unit of accommodation and/or any other part of the building which is not exclusively used as a unit of accommodation shall be submitted to the Local Planning Authority. Formal written approval of the scheme shall be obtained from the Local Planning Authority and all works must be completed and tested by the developer to the satisfaction of the Local Planning Authority before any of accommodation is occupied.**
- 13. During the construction works, no materials, equipment, machinery, temporary buildings or surplus soil shall be placed or stored beneath the branches of the trees protected by a Tree Preservation Order, and no oil, bitumen, cement or other materials likely to be injurious to a tree shall be discharged within 10 metres of the trunk. If any trenches for services are required within the canopy areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 25mm (1 inch) or more shall be left unsevered.**
- 14. The erection of fencing for the protection of the retained and preserved trees shall be undertaken in accordance with details to be submitted to and approved by the Local Planning Authority 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 written consent of the Local Planning Authority.**

**Reasons:**

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. Full details were not submitted, in the interests of the appearance of the development and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy.**
- 4. No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).**

5. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the 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).
7. In the interests of highway safety to ensure the footway is reinstated.
8. In the interests of highway safety to minimise the amount of mud/debris carried onto the highway and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
9. To ensure that cycle facilities are available for students, in the interests of supporting sustainable modes of transport and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004) and in accordance with the aims of Policy 14 of the Aligned Core Strategy (2014).
10. In the interests of public health and safety and in accordance with the aims of Policy E29 of the Broxtowe Local Plan (2004).
11. To protect the local residents from excessive delivery, demolition and construction noise and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
12. To protect occupiers from excessive noise transmission between properties and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
13. To ensure the retained trees protected by a Tree Preservation Order are not adversely affected and in accordance with the aims of Policy E24 of the Broxtowe Local Plan (2004).
14. The requirement is to be satisfied before any equipment etc is brought onto site to ensure the retained trees and those protected by a Tree Preservation Order are not adversely affected and in accordance with the aims of Policy E24 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 negotiating amendments with the applicant to address neighbouring amenity concerns.

- 2. The proposal makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works to be carried out, Tel: 0300 500 80 80.**
- 3. In order to carry out the off-site works required 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 Daniel Sullivan (Highways South, Nottinghamshire County Council) on 0115 9773991 for details.**
- 4. 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/development-in-former-coal-mining-areas/>**
- 5. Many buildings still contain asbestos. In order to comply with the Control of Asbestos Regulations 2012, an assessment is required to determine whether the building has asbestos containing materials (ACMs). For properties or parts of properties needing upgrading, refurbishment or demolition, then a 'Refurbishment / Demolition Survey' is required. Copies of reports relating to asbestos identification and management should be sent to Environmental Health, Broxtowe Borough Council.**
- 6. The Council's Environmental Health team will need to be notified of the arrival on site of any Mobile Crushing plant, for them to carry out an inspection of the crushing equipment, in line with the operational permit issued under the Pollution Prevention and Control Act 1999 Environmental Permitting (England and Wales) Regulations 2010 (as amended).**
- 7. No work on any trees shall take place during the bird nesting season, between March and August inclusive. If work affecting the trees on site has to be carried out during these months, then the trees should be surveyed for active bird nests by a suitably qualified ecologist before the work is carried out. If active bird nests are present, then work within the area supporting the nests would need to be delayed until nesting activity has ceased.**
- 8. Prior to any development commencing and prior to the removal of Tree 17, a pre-construction/pre-demolition protected species inspection should be carried out, in accordance with the recommendations of the submitted BSG Ecology Report.**



38.3 17/00649/FUL  
Proposed dwelling (revised scheme)  
Land to the rear of 51a and 51b Mill Road, Newthorpe

The matter had been referred to Committee by the Head of Neighbourhoods and Prosperity since there had been three previous refusals and an appeal. The current proposal contained further revisions in that it reverted to the size and position of the first application, being positioned towards the rear of the existing gardens in proximity to 11 Kirby Close.

There were no late items in respect of the application.

Mrs Bamford (on behalf of the objectors) and Ms S Stack (on behalf of the applicant) addressed the Committee prior to the general debate.

Members debated the item and the following comments were amongst those noted:

- Reference was made to the Planning Inspector's report that the development would have a detrimental impact of the neighbours' outlook, notwithstanding that the current proposed scheme was at variance with the scheme the appeal Inspector had determined.
- There did not seem to be much difference between this and previous applications.
- If approved, there should be screening to protect the neighbours' privacy.

**RESOLVED that permission be refused since the proposed development, by virtue of its massing, scale, proportions and siting would have an unacceptable impact on neighbouring amenity, through loss of privacy and an overbearing impact, contrary to Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).**

(Councillor P J Owen, having declared an interest in the item, left the chamber and did not speak or vote thereon.)

38.4 17/00658/FUL  
Construct two detached dwellings and outbuildings following demolition  
of bungalow  
9 Hope Street, Beeston NG9 1DJ

Councillor J C Patrick had called the application in to Committee which sought consent to construct two detached dwellings on the site of the existing bungalow. The proposal included the demolition of the existing bungalow and redundant outbuildings, general clearance of the site and the construction of two five-bedroom two and a half storey dwellings.

The Committee was referred to the summary of late items which referred to an email from the Council's Tree Officer; an email from a neighbour

concerned with the demolition process; an email from the applicant's agent containing Protected Species Report; information from the owner of 11 Hope Street and an email from the agent concerning plans.

Mr Steve Race (objecting), Mr Mervin Cooper (on behalf of the applicant) and Councillor J C Patrick (ward member) addressed the Committee prior to the general debate.

The Committee debated the item and the following comments were amongst those noted:

- The site was too small for two five bedroomed detached houses.
- Some aspects of the ward member's statement were supported and the good intentions of the applicant to try and mitigate some of the residents' concerns had been commended by the Civic Society.
- The report was out of date since the site had been completely cleared.
- There were concerns that the proposed workshop which would extend the whole of the width at the back of the properties was too high and would be overbearing to the rear neighbour.
- There were concerns over parking since the erection of two five-bedroom homes was likely to generate parking requirements for more than two cars.

Councillor G Marshall proposed deferral of consideration of the application pending encouragement of dialogue between the applicant and residents to further mitigate residents' concerns. The proposal was seconded by Councillor D Bagshaw and, on being put to the meeting, was carried.

**RESOLVED that consideration of the matter be deferred to allow the applicant to further address residents' various concerns and allow an acceptable solution to be reached by compromise and conciliation between the parties.**

38.5 17/00724/FUL  
Construct single storey side extension  
56 Marshall Drive, Bramcote NG9 3LD

Councillor J C Goold had called the application in to Committee which sought to construct a single storey side extension.

The Committee was referred to the confidential summary of late items.

There were no public speakers on this item.

Councillor R D MacRae proposed deferral of the item and the proposal was seconded by Councillor G Marshall which, on being put to the meeting, was carried.

39. INFORMATION ITEMS

39.1 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.

39.2 Delegated Decisions

The Committee noted the decisions determined under delegated powers between 11 October and 10 November 2017.

40. EXCLUSION OF PUBLIC AND PRESS

**RESOLVED 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.**

41. 17/00598/FUL

Construct rear extension and detached garage  
46 Coronation Road, Nuthall NG16 1EP

The application had been deferred at the 8 November 2017 Planning Committee since members were concerned with the impact of the proposal on the occupants of a neighbouring property. The reason for the deferral had been to allow the applicant to consider amending the proposal to reduce the impact on the neighbouring property.

The Committee was referred to the confidential summary of late items.

The objecting neighbour and Councillor J M Owen (ward member) addressed the Committee prior to the general debate.

Councillor P J Owen proposed that the item be deferred to give the applicant the opportunity to enter into meaningful discussions with the objector (as suggested by the Committee at its previous meeting). The proposal was seconded by Councillor R D MacRae and, on being put to the meeting, was carried.

The Head of Neighbourhoods and Prosperity confirmed that an extension of time would be requested to see if further discussions could take place between the parties. However, it was advised that if the applicant did not agree to an extension of time, the applicant could appeal against non-determination of the scheme.

**RESOLVED that the matter be deferred to allow the opportunity for discussions to take place between the applicant and objectors**

## Report of the Chief Executive

**17/00761/FUL  
CONSTRUCT DWELLING FOLLOWING DEMOLITION OF EXISTING  
DWELLING  
5 DORMY CLOSE, BRAMCOTE, NOTTINGHAMSHIRE**

Councillor M E Plackett has requested this application be determined by Planning Committee.

1 Details of the application

- 1.1 The application seeks permission to demolish a dwelling and construct a two/three storey dwelling with integral garage. The proposed dwelling will have five bedrooms, flat roof elements with varying heights and be finished with Corten Steel Cladding, smooth render and concrete.
- 1.2 Amended plans were submitted during the course of the application as the red line around the site boundary did not include the dwelling that is proposed to be demolished. The material of the front concrete cladded feature wall of the proposed dwelling was amended to Corten Steel.

2 Site and surroundings

- 2.1 The application site is positioned at the western end of the cul-de-sac of Dormy Close.
- 2.2 Dormy Close is characterised by large detached dwellings with varying styles and spacious plots. Both neighbouring properties, no. 4 Fern Close and no. 4 Dormy Close, are detached dwellings with flat roofs. The site adjoins Bramcote Conservation Area to the west. Manor House and Manor Court House, both Grade II\* Listed Buildings, are located to the west and south of the site.
- 2.3 The site is overgrown with vegetation and slopes down significantly from the north west to the south east. The application site is 53m in length and 32m wide. The boundaries are screened with vegetation.



View of east boundary with no. 4 Dormy Close

View towards north boundary



View of dwelling to be demolished

View of site from Dormy Close

3. Relevant planning history

- 3.1 An outline application (04/00162/OUT) to demolish an existing dwelling and construct two new dwellings was granted in June 2004.
- 3.2 An outline application (14/00573/OUT) to demolish an existing dwelling and construct a new dwelling was granted in November 2014.

4. Policy context

4.1 National Policy

4.1.1 The National Planning Policy Framework (NPPF) March 2012, outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, a good standard of amenity for existing and future occupants should be secured, high quality design should be demonstrated and heritage assets should be conserved in a manner appropriate to their significance.

4.2 Draft Part 2 Local Plan

4.2.1 As this Plan has only recently been subject to public consultation and is not yet adopted, it can only be afforded limited weight.

4.2.3 Policy 17 'Place-Making, Design and Amenity' states that permission will be granted for development which integrates into its surroundings, creates well defined streets and places, provides adequate amenity space, ensures a satisfactory degree of amenity and does not prejudice the satisfactory development of a wider area.

4.2.3 Policy 11 'The Historic Environment' advises that proposals that affect heritage assets will be required to demonstrate an understanding of the significance of the assets and their settings, identify the impact of the development upon them and provide a clear justification for the development in order that a decision can be

made as to whether the merits of the proposal for the site brings public benefits which decisively outweigh the harm arising from the proposal.

#### 4.3 Broxtowe Aligned Core Strategy

4.3.1 Policy 8 'Housing Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes.

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

4.3.3 Policy 11 'The Historic Environment' advises that new development should have regard to the historic environment and proposals will be supported where heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.

#### 4.4 Saved Policies of the Broxtowe Local Plan

4.4.1 Policy H7 'Land not Allocated for Housing Purposes' states small scale residential development within existing built-up areas will be permitted providing the residents of the new dwellings would have a satisfactory degree of privacy and amenity, that satisfactory arrangements can be made for access and parking and that the development would not result in an undesirable change in the character or appearance of the area. The development should not prejudice the potential for future development of a larger area and the development should not have an unacceptable effect on the privacy and amenity of the occupiers of nearby properties.

4.4.2 Policy T11 'Guidance for Parking Provision' states new development will not be permitted unless appropriate provision is made for vehicle parking and servicing.

#### 5. Consultations

5.1 The Conservation Officer provided the following comments: The proposal reflects a robust appearance due to its size and scale and the modern approach is continued and broken up with the materials which include steel cladding, smooth concrete and smooth render. The building would be visible from Bramcote Conservation Area but this is likely to be limited to views from private gardens. The site is read as part of the varied residential development of Dormy Close which faces inwards and although glimpsed from the conservation area does not play a major role in the periphery of the designation. The proposal does not therefore affect the character or appearance of the designation. The proposed dwelling would be set in close proximity to the boundary with Manor House. However, it is considered the site does not form part of the surroundings in which the listed building is experienced. Although adjacent to the boundary with Manor House, the site forms part of Dormy Close and previously accommodated a dwelling, albeit of a significantly smaller scale. The proposed dwelling would be sited a significant distance from the Manor House and the historic outbuildings with which it is historically and physically associated with and would not affect the setting of this building. It is concluded that the proposal would not be harmful to the heritage assets identified above.

- 5.3 The Tree Officer advises that there are no trees on the site and all the vegetation will require clearance as the site has been left abandoned for some time and has become overgrown.
- 5.4 Environment and Business Development Manager: awaiting comments.
- 5.4 There have been four objections from surrounding neighbours consulted. They can be summarised as follows: disproportionate layout, too large, bedrooms will overlook surrounding properties due to proximity to boundaries, clause in deeds that any building design should be submitted to the supervising architect, out of keeping with the area, negatively impacts the setting of Manor Court House and The Manor due to its height, obtrusive western elevation, loss of light and privacy to no. 4 Dormy Close due to the 9m high wall and proposal of a rear balcony, previous property was more acceptable due to its location and did not impact residents' privacy, not cut into the terrain to make it less prominent, excessive use of windows and openings cause overlooking to neighbouring properties, sense of enclosure due to the size and the basement level is dedicated to the use of energy.
6. Appraisal
- 6.1 The main issues to consider with this application are the impact on the amenity of neighbouring properties, if the development is acceptable in respect of its impact on heritage assets and if it achieves an acceptable level of design.
- 6.2 Principle
- 6.2.1 It is considered that the proposal of a new dwelling on this site would be acceptable within this residential area. Whether there is sufficient space for a dwelling of this size and the impact it could have on the surrounding neighbouring properties and conservation area will be addressed below.
- 6.3 Amenity, design and parking
- 6.3.1 No. 5 Dormy Close benefits from a substantial sized plot of land that is 53m in length and 32m wide. The majority of dwellings on Dormy Close are located on spacious plots and have a varying design.
- 6.3.2 The proposed dwelling will have a maximum height of 9m (to the rear) where it cuts into the land and forms a basement level. The front of the property will have a maximum height of 8m and presents a two storey element to Dormy Close. It is considered the proposed dwelling achieves a modernistic and good level of design due to its varying heights and interesting features that are broken up with different materials such as steel cladding, smooth concrete and smooth render.
- 6.3.3 The proposed dwelling will have large amounts of glazing in all elevations except the west elevation. The west elevation will have three first floor windows serving an en-suite and bathroom and it is considered these windows will not cause any significant overlooking issues to Manor House. The east elevation will be positioned at an angle so the corner of the proposed dwelling faces the boundary



with no. 4 Dormy Close and this means that the windows will predominantly face the front garden of no. 4. No. 4 is 8m from the east boundary and their primary amenity space is to the rear of their property meaning the windows in the east elevation will not afford views over their garden and the east side first floor window serving bedroom 5 will not overlook their rear garden. It is considered the rear balcony is acceptable due to the separation distance to no. 4 and Manor Court House (25m) so it will not cause an unacceptable amount of overlooking.

6.3.4 No. 4 Fern Close is positioned at a higher level than the proposed dwelling with its rear garden angled away from the proposed dwelling. There will be a separation distance of 10m; therefore it is considered this is sufficient to ensure it will not cause an unacceptable amount of overlooking or loss of amenity to these occupants.

6.3.5 Sufficient space for parking has been provided with two spaces in the garage and two spaces in front of it.

6.4 Impact on heritage assets

6.4.1 The proposed dwelling is significantly large but due to the extensive size of the site, it is considered it is in proportion and will not be overdevelopment or appear overbearing in nature. It is acknowledged that due to the size and positioning of the dwelling, it will be visible from Bramcote Conservation Area. However, due to the separation distance and its positioning facing towards Dormy Close, it is considered it is read as part of the residential development on Dormy Close and so it will not detract from the character or appearance of the nearby Listed Buildings or the Bramcote Conservation Area.

7. Conclusion

7.1 It is concluded the proposal of dwelling of this size and design on this site is acceptable and it will not have an adverse effect on neighbouring amenity or negatively impact on Bramcote Conservation Area. The proposal therefore accords with Policies H7 and T11 of the Broxtowe Local Plan, with Policies 8 and 10 of the Broxtowe Aligned Core Strategy, Policy 17 of the Draft Part 2 Local Plan and with the National Planning Policy Framework.

**Recommendation**

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of the permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawing numbers: 001 Rev D, 002 Rev A and 003 received by the Local Planning Authority on 24 October 2017.**

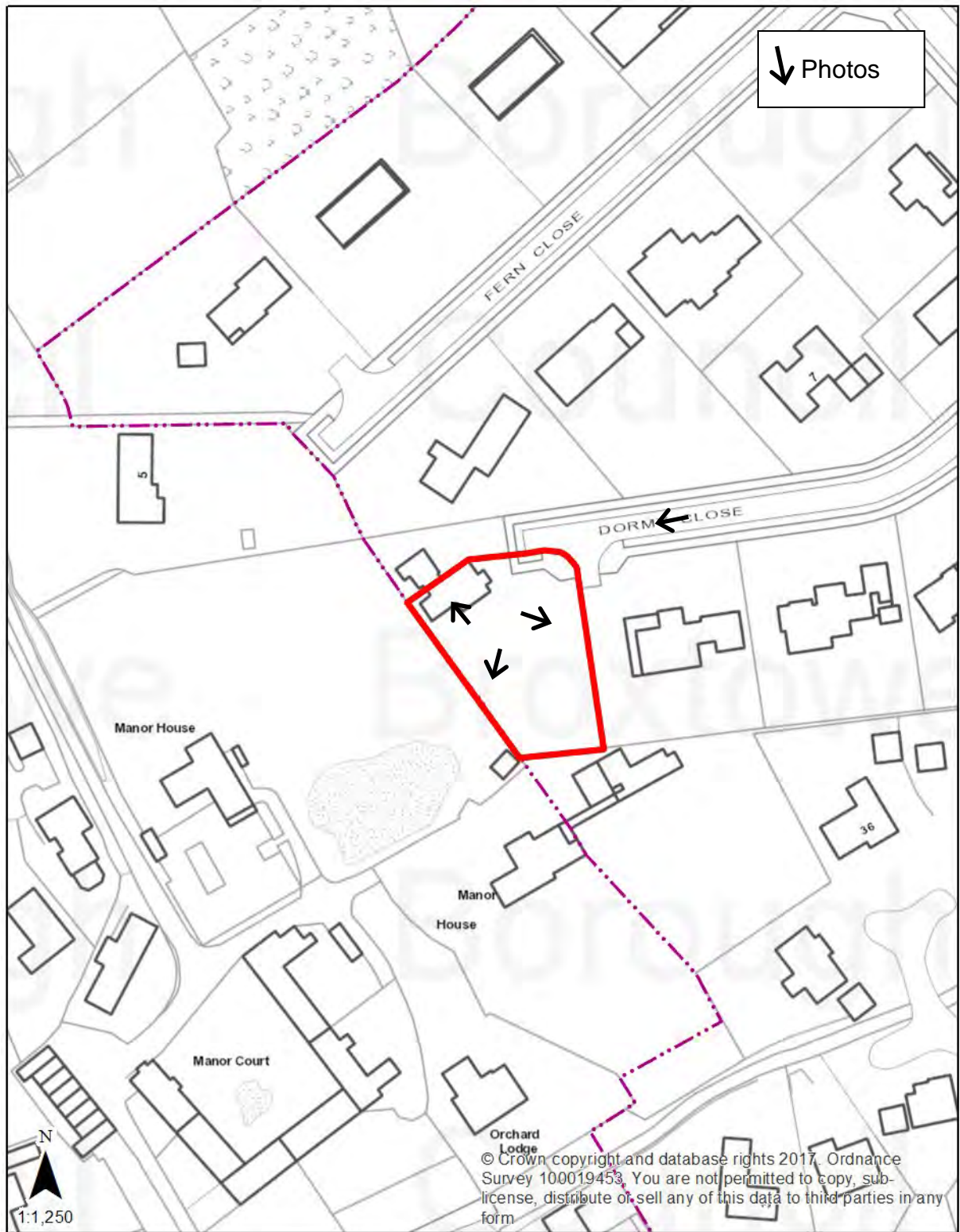
**Reasons:**

- 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 agreed 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: <https://www.broxtowe.gov.uk/for-you/planning-building/development-in-former-coal-mining-areas/>**

Background papers  
Application Case File



**Legend**

-  Site
-  Conservation Areas (Local Plan)

Report of the Chief Executive

**17/00715/FUL**  
**CONSTRUCT DETACHED GARAGE/WORKSHOP AND FENCE**  
**14 CHAPEL STREET, EASTWOOD, NOTTINGHAMSHIRE NG16 3JL**

The Head of Neighbourhoods and Prosperity has requested this application be determined by Committee as one of the objectors is an elected councillor.

1. Details of the application

- 1.1 The application seeks permission to construct a detached garage/workshop and fence.
- 1.2 The original proposal was for a detached garage/workshop that extended 7.5275m and was 7.5275m wide. It would have a gable roof with an eaves height of 2.575m and a ridge height of 4.827m. There would be two garage doors on the south west (front) elevation and all other elevations would be blank. It was considered that the original proposal had a large footprint and ridge height, and could be considered out of character in the area.
- 1.3 The amended proposal reduced the footprint of the proposed detached garage/workshop. The current proposal extends 6.965m and will have a width of 7.0775m. The height of the gable roof has been reduced. The eaves height is 2.475m and the ridge height is 3.9846m. There will be two garage doors on the south west (front) elevation and all other elevations will be blank.
- 1.4 The plans have also been amended to include a fence. The existing (approximately 2m high) boundary fence to Chapel Street is proposed to be retained. A 1.8m high fence between the house and the proposed extension on the south east (side) elevation shall be constructed, although this section of the fence is permitted development. The fence and the gates on the front boundary are proposed to be reduced to 1.2m high.

2. Site and surroundings



Looking north east towards front of the property.



Looking south east towards side boundary of the property.



Looking north east towards side garden of the property.

- 2.1 The application property is an end of terrace two storey dwelling with fenced-off side garden and a rear 'L' shaped garden. The house is white painted render with brown pan tiles. The side garden has a wooden fence and is partially hard surfaced for vehicle parking.
- 2.2 The north west boundary with the pavement is an approximately 2m high painted brown wooden fence. The other boundaries, including the front boundary, are a 2m high unpainted wooden fence. Planning permission has not been sought for the fence that is adjacent to the highway and is currently unauthorised.
- 2.3 There is a slight elevation from the road with a small decrease to the rear boundary. There is space to park three cars at the side of the property within the fenced area. Chapel Street is a residential area with no through road and a mixture of terrace houses and maisonette flats.
- 2.4 Similar development is visible opposite the application property at no. 33 Chapel Street. Conditional permission was granted for no. 33 Chapel Street on 19 September 2002 to erect a detached wooden garage (02/00688/FUL).

3. Relevant Planning History

- 3.1 An application was approved to construct two semi-detached dwellings on land to the rear of the property (15/00422/FUL), along with a later revised scheme (16/00003/FUL). These properties have been constructed to the rear of the application property and were unoccupied at the time of site visit on 25 October 2017.

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. It outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, a good standard of amenity for



existing and future occupants should be secured, and developments should be located in sustainable locations.

4.2 Broxtowe Aligned Core Strategy

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

4.3 Saved Policy of the Broxtowe Local Plan

4.3.1 Policy H11: ‘Minor Development’ states that planning permission will be granted for minor developments, such as garages and fencing, provided that the siting, design and materials do not substantially harm the appearance of the property or the street scene, or the amenity of neighbouring occupiers.

4.4 Draft Part 2 Local Plan

4.4.1 The Part 2 Local Plan has recently been subject to consultation and has not yet been examined so only limited weight can be attached to the emerging policies.

4.4.2 Policy 17 ‘Place-Making, Design and Amenity’ states that householder developments should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene. Any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

5. Consultations

5.1 No. 33 Chapel Street (Councillor E Cubley) objects to the development. He does not have a problem with the principle of the garage. However, he is concerned that the land the garage will be built on has been sold and is therefore separate from 14 Chapel Street. He is worried that the garage would be used for commercial use as the land is already used to store old roof tiles and a skip. He also raises concern over no. 12 Chapel Street losing their right of access from the proposed fence.

5.2 No. 12 Chapel Street has submitted three responses and objects. They state that the land is not currently part of no. 14 Chapel Street, the land has been fenced off, and the land is being used as a builder’s compound. They are concerned that the garage would be used to operate a business. They also raise concerns over the impact of reduced on-street parking and the fence creating a boundary that will prevent access to the rear of their property.

5.3 No. 29 Chapel Street has submitted two responses and objects. They state that the land is not currently part of no. 14 Chapel Street and are concerned that the land is being used as a builder’s yard. They also state that a fence has been constructed on the site. They are worried about the impact of reduced on-street parking and on the quality of the road when vans and lorries start unloading. They

are also concerned about the access location for the garage and that a planning application notice has not been put up in the street.

- 5.4 A neighbour (address unknown) objects due to the reduction of on-street parking.
- 5.5 Environmental Health do not object, subject to a condition requiring details of appropriate gas prevention measures to be submitted to the Local Planning Authority before the development commences.
6. Appraisal
- 6.1 The main issues to consider with this application are the design of the proposed garage/workshop, the impact on neighbour amenity and the use of the site.
- 6.2 The garage will be brick and will have a gable roof. The use of matching materials can be conditioned. The design is simple and is considered appropriate and in keeping with the existing design of the property. The garage/workshop will be set back from the front pavement by 14.1m and will be on the north west boundary. It is considered that the 1.2m high fence will reduce the impact on the street scene.
- 6.3 Amended plans have been submitted to reduce the footprint of the garage and reduce the ridge height. The reduced size of the garage is considered to be in-keeping with the surrounding area and to be an acceptable size.
- 6.4 No. 12 Chapel Street has a garden of approximately 30m long. No. 12 will therefore have a view of the proposed development from their garden. However, as the development is not directly adjacent to no. 12 it is considered there will be no significant impact on the amenity of the occupants of no. 12.
- 6.5 There are two properties to the rear of the site that currently do not have a postal address and were not occupied on the date of the site visit. The rear boundary of these new properties is approximately 10m from the rear elevation of the proposed development. It is considered that this is a suitable distance and will not have a significant impact on the amenity of future occupants.
- 6.6 The properties at no. 24, 26, 28, 30, 32 and 34 have an intervening road between the properties and the proposed development. The closest neighbour at no. 28 and no. 30 are approximately 16m from the north west (side) elevation of the proposed development. It is considered that this is a suitable distance, and that the existing boundary fence will help to further obscure the view of the development.
- 6.7 No. 33 will have a view of the proposed garage/workshop. However, due to the intervening road and the considerable distance between the property and the garage/workshop of approximately 23m, it is considered that there will be no significant impact on the occupants of no. 33.
- 6.8 No. 12 and no. 29 Chapel Street have objected to the development and have raised concerns regarding the land being used as a building yard that is separate from the dwelling at no. 14. Councillor Cubley (also neighbour no. 33) has objected and has raised concerns that the land has been sold off and is separate

to no. 14. He is also concerned that the land will be used for commercial purposes due to roof tiles and a skip currently being stored on the site.

- 6.9 Written confirmation has been received from the applicant confirming that the garage will not be separate from the application property. He states that it will not be used as a builder's yard and will be subservient to the main dwelling. The applicant has served notice on the occupant of no. 14 Chapel Street. The building material currently present on the site will be used in the construction of the proposed garage/workshop. The existing fence is there for security purposes to protect the caravan currently situated on the site. The application has been amended to include the unauthorised fence. Given the written information submitted, it is considered that the proposed garage will be subservient in use to the main dwelling of no. 14 and will not be used for commercial purposes. If it is subsequently used for commercial business purposes to result in a material change of use, then enforcement action could be taken.
- 6.10 Concerns have also been raised from no. 12 and no. 29 Chapel Street and a further neighbour (address unknown) regarding the impact of the proposed development on the availability of on-street parking. The proposed garage/workshop shall have space for two cars, and a further two cars can be located on the land in front of the proposed development. It is therefore considered that the proposed development will not have a significant impact on the availability of on-street parking.
- 6.11 No. 29 also raises concern over the impact on the road surface of vans and lorries parking and driving on the road. The quality of the road surface is maintained by the Highways Authority at Nottinghamshire County Council. It is therefore advised that if any damage was caused to the road surface that it should be reported to Nottinghamshire County Council Highways Authority.
- 6.12 A further concern of no. 29 is access for the garage doors. This will be on the front boundary of the property where a dropped kerb currently exists. They also raise concern that a site notice has not been put up. All surrounding neighbours have been consulted on the application and have received letters through the post notifying them of the application and inviting them to comment which is in accordance with the council's publicity procedures. No. 29 also highlights the condition the site has currently been left in. The applicant has confirmed that the building materials on the site are for the construction of the garage. It is considered that when the proposed development is completed, the appearance of the site will be acceptable.
- 6.13 No. 12 Chapel Street also raise concerns that the section of proposed fence up against the application property will prevent access to the rear of their property. Councillor Cubley has also raised this issue in his objection and wants to ensure that the right of access for no. 12 is maintained. Issues regarding boundaries and rights of access are a civil matter and are not considered a reason of sufficient weight to warrant refusal.
- 6.14 No other objections have been received from surrounding neighbours.



**7 Conclusion**

- 7.1 In conclusion, it is considered that the development is not harmful to neighbour amenity and is an appropriate design that will be subservient to the main dwelling. The proposal therefore accords with Broxtowe Local Plan Policy H11, with Policy 10 of the Broxtowe Aligned Core Strategy, Policy 17 of the Draft Part 2 Local Plan and with the National Planning Policy Framework.

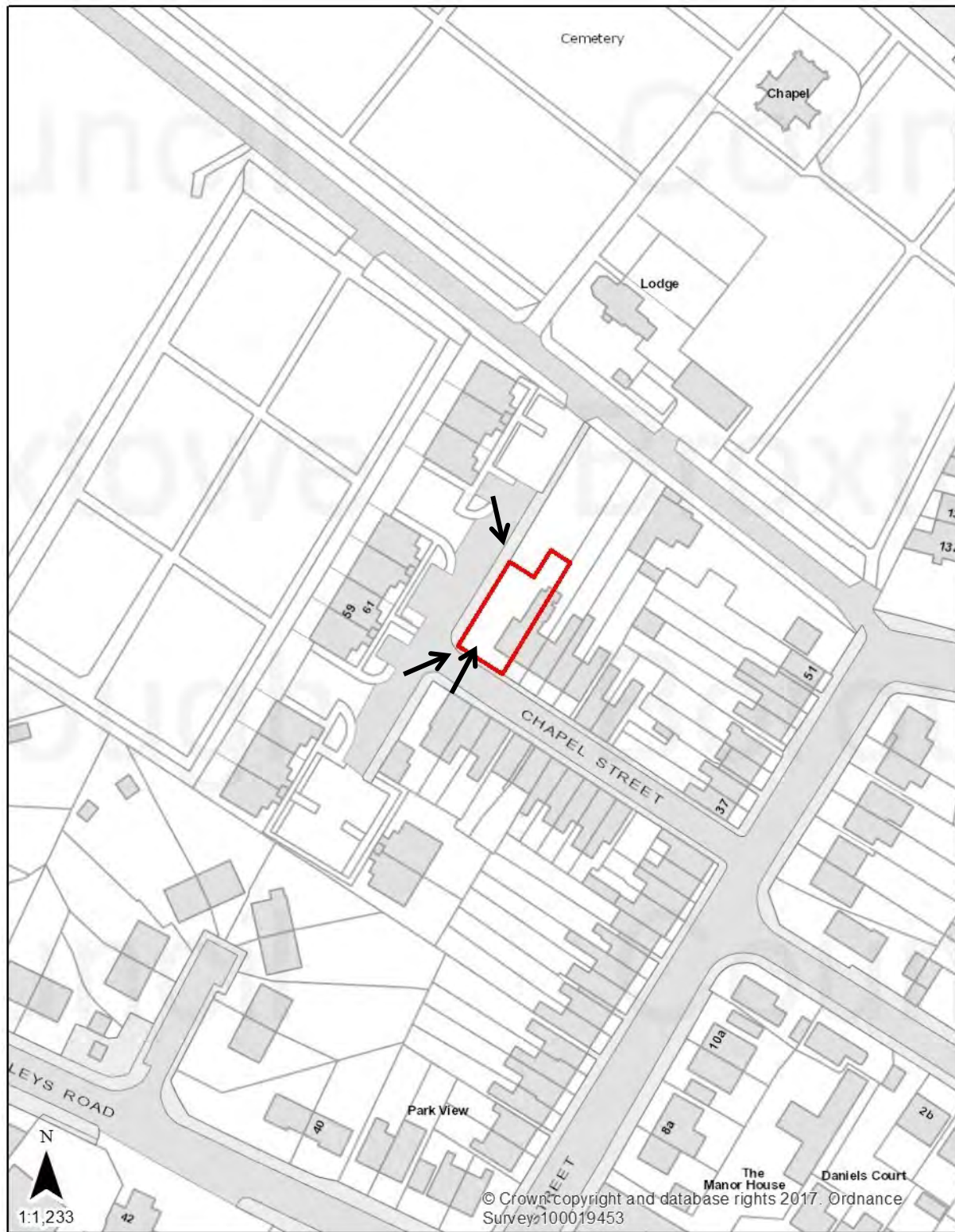
**Recommendation**

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Proposed Layouts, Elevations, Block & Location Plans (001B) received by the Local Planning Authority on 27 November 2017.**
- 3. The garage shall be constructed using materials of a type, texture and colour so as to match those of the existing building.**
- 4. No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local planning authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:
  - a. All appropriate measures have been completed in accordance with details approved in writing by the Local Planning Authority; and**
  - b. It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full.****

**Reasons:**

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan.**
- 4. In the interest of public health and safety.**



**Legend**

-  Site 14 Chapel Street
-  Photos

## Report of the Chief Executive

**17/00486/FUL  
CONSTRUCT WORKSHOP FOLLOWING DEMOLITION OF GARAGES  
AND WORKSHOP  
54A CARRFIELD AVENUE, TOTON NG9 6FB**

Councillor L Fletcher has requested this application be determined by Committee.

1 Details of the application

- 1.1 The application seeks permission to construct a workshop. The workshop will be used for car repairs and MOT testing and would be a metal pre-fabricated building. The site is already used for car repairs. An existing workshop and garage will be demolished.
- 1.2 The main part of the proposed workshop will have a height of 4.4m, an eaves height of 3.9m and would be 10m in width and 13.5m in length. A smaller section would be attached to the side of the main workshop which would have a lean-to roof with a height of 2.7m. The smaller section would be set 0.75m from the rear boundaries of properties on Carrfield Avenue. The main part of the workshop would be 2.25m from this boundary and 3.75m from the boundary with properties on Erewash Grove.
- 1.3 During the course of the application two sets of amended plans have been submitted. The original plans proposed a workshop building with a height of 5.3m, an eaves height of 4m and a buffer from the boundary of 0.8m (to the main workshop building). The first set of amended plans increased the buffer and amended the height of the workshop. Further amendments were subsequently requested.

2 Site and surroundings

- 2.1 The site is currently in use for car vehicle repairs. There are a number of existing workshops and garages within the site. The largest is a brick building situated in the north west corner of the site. The other buildings, which fill the north east corner of the site, are small, single storey metal garages or workshop buildings with metal corrugated roofs. The southern part of the site is currently predominantly open and used for vehicle parking.
- 2.2 The site is accessed from a narrow drive between 54 and 56 Carrfield Avenue. It is surrounded by residential properties to all sides. There is a line of conifers along the west boundary with the residential gardens of properties on Erewash Grove beyond. The existing buildings are built up to the east boundary with a fence providing the boundary with the residential properties on Carrfield Avenue. There is an electricity substation in the south west corner of the site.
- 2.3 Part of the site lies in Flood Zone 2 (medium probability of flooding). However, the part of the site where the building is proposed lies in Flood Zone 1 (low probability of flooding).



### 3 Relevant planning history

- 3.1 Planning permission was granted in 1963 for eighteen timber garages (63/00445/FUL). An additional two garages were granted planning permission in 1964 (63/00861/FUL).
- 3.2 In 1987 planning permission was granted to construct a bungalow and garage (87/00414/FUL). A garage was subsequently constructed in the north west corner of the site but this did not form part of this planning permission. The bungalow was not built.
- 3.3 An enforcement notice was issued on 22 November 1994 stating that there was a breach of planning control in respect of a change of use of the land and garage buildings from residential use to use for vehicle repair and servicing business. The enforcement notice was appealed and, following an Inquiry, was successfully quashed. The decision allowed for the site, including the brick garage and other garage buildings, to be used for a vehicle repair and servicing business subject to conditions which included restricting the hours of use to between 08:00 to 18:00 Mondays to Fridays, 08:00 to 13:00 Saturdays and at no times on Sundays or Bank Holidays; restricting the open areas from being used as storage; and stating that no body work, repairs or paint spraying should be undertaken at the appeal site whether outside or inside the buildings. It should be noted that this condition specifically relates to preventing body repair works rather than general vehicle repair works.

### 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 9 states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment including (but not limited to): making it easier for jobs to be created in cities, towns and villages; and replacing poor design with better design. Paragraph 20 states that to help achieve economic growth, local planning

authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

4.1.2 Section 7 of the National Planning Policy Framework (NPPF) outlines the importance of good design. Paragraph 57 highlights the importance of planning positively to achieve high quality and inclusive design for all development.

#### 4.2 Broxtowe Aligned Core Strategy (2014)

4.2.1 Policy 10 'Design and Enhancing Local Identity' states that development should be designed to make a positive contribution to the public realm and sense of place and reinforce valued local characteristics. The policy states that development will be assessed in terms of its treatment of various elements including: massing, scale and proportion; materials, architectural style and detailing; and impact on the amenity of nearby residents.

#### 4.3 Broxtowe Local Plan (2004)

4.3.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.4.1). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved. Relevant saved policies are as follows:

4.3.2 Policy E34 'Control of Noise Nuisance' states that planning permission will not be granted for development if the noise created would expose occupants of housing or other noise sensitive uses to significant noise disturbance.

4.3.3 Policy H8 'Businesses in Residential Areas and Properties' states that business activities in residential properties will be permitted where the residential amenity of neighbouring properties is not adversely affected; appropriate provision is made for vehicle parking and highway safety; and the residential character of the area is not adversely affected.

4.3.4 Policy T11 'Guidance for Parking Provision' requires satisfactory provision of vehicle parking and servicing in accordance with the latest standards.

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

4.4.1 The Part 2 Local Plan includes site allocations and specific development management policies. Consultation on the draft plan occurred between 18 September and 3 November 2017. The consultation comments are currently being considered and only limited weight can be attached to the policy outlined below.

4.4.2 Policy 17: 'Place-making, design and amenity' sets out the best practice guidance and standards for design, sustainability and place making. This includes assessing if the development integrates into its surroundings and ensuring a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

5 Consultations

- 5.1 Nottinghamshire County Council as Highways Authority states no objection.
- 5.2 The Council’s Environmental Health Department states no objection subject to the premises only being used 08:00 – 18:00 Monday to Friday, 08:00 – 12:30 Saturday, and at no time on Sundays, Bank Holidays and other public holidays.
- 5.3 As outlined in paragraph 1.3, two sets of amended plans have been submitted during the course of the application. Neighbouring properties have been consulted following the submission of each set of amended plans. In respect of the original plans three letters of support and four letters of objection were received. In respect of the first set of amended plans, one letter of support and six objections were received. In respect of the second set of amended plans, two letters in support and three letters of objection were received.
- 5.4 The objections can be summarised as follows:

**Design and Amenity**

- The design is not in keeping with surrounding residential properties.
- The building is too high.
- Increased sense of enclosure.
- There will be a loss of light and loss of view to existing residential properties.
- The amendments have not overcome the design and amenity issues previously expressed.

**Proposed Use**

- No works should take place in external areas.
- Increased commercial activity within a residential area.
- It will result in increased noise, pollution and waste.
- There will be increased fire risk which should be assessed by the fire service.
- This is not a suitable location for this use (particularly MOT testing).
- Queries regarding the number of MOTs which would be undertaken.

**Parking**

- It will create more traffic and parking on residential streets.

**Other Issues**

- There will be an impact on the drains.
- There are inaccuracies within the planning application form and on the submitted plans (particularly in respect of the distance to boundaries).
- A Health and Safety Assessment should be conducted.
- The boundary treatment with properties on Erewash Grove should be replaced by a brick wall.
- The trees need to be regularly maintained.

- The development would potentially breach the Humans Rights Act.
- The distance to the boundaries needs to be checked.

## 6 Appraisal

6.1 The main issues relate to whether the proposed workshop is acceptable in terms of design, if there would be an unacceptable impact to the occupiers of neighbouring properties and if it would give rise to increased environmental impacts.

### 6.2 **Principle**

6.2.1 Motor vehicle repairs (Use Class B2 'General Industry') is the existing use of the site. MOT testing can take place as part of this use. Whilst an enlarged building may allow for an intensification of the use on the site, vehicle repairs (provided they do not relate to body works) could already take place in external areas of the site. The proposed building would provide a contained space in which vehicle repairs and MOT testing could take place. Due to the existing use, provided the conditions regarding hours of operation and the prevention of vehicle body repair work being carried out are repeated, it is considered that the principle of an additional building associated with the use would be acceptable. The hour restrictions would be in accordance with those currently in place and are required to prevent nuisance and noise occurring outside of normal working hours and for only a limited period on Saturdays. The only difference from the hours recommended by the Council's Environmental Health team is that the use could operate until 13:00 hours on Saturdays rather than the 12:30 hours recommended by Environmental Health. There is an existing condition which prevents the use of open areas of the site from being used for storage. From the site visit, it was noted that some parts of the site are being used for storage of materials. It is considered reasonable to repeat the condition to ensure that materials are not stored in the open areas, particularly as a new workshop would provide additional space. This will improve the appearance of the site and also reduce potential noise, disturbance or loss of outlook for neighbours.

### 6.3 **Design**

6.3.1 An existing workshop and garage would be replaced and there is no objection to the removal of these buildings. The site is screened from the surrounding streets by the residential properties but is commercial in character. The site has been used for car repairs since at least the 1980s (as identified within the Inspector's decision referred to in paragraph 3.3). It is considered that the proposed building would not change the character of the site and would be in keeping with the other workshop buildings on the site. The size of the building has been reduced during the course of the application to reduce the visual prominence when viewed within the site and alongside the existing buildings. It is considered that, as the site is not prominent from public viewpoints and due to the existing character of the site, the proposed workshop would be acceptable in terms of design and would accord with Policy 10 of the Broxtowe Aligned Core Strategy. Due to the location, it is considered a condition in respect of materials is not required.



## 6.4 Amenity

- 6.4.1 The site is surrounded by residential properties. To the north there are properties on Whiting Avenue, to the west properties on Erewash Grove and to the east and south properties on Carrfield Avenue. The existing outlook from properties on Carrfield Avenue is towards a commercial site which contains various garages. The proposed workshop would be higher and would have a larger footprint than the buildings to be replaced. It is accepted that there would be a change of outlook, particularly from 50 Carrfield Avenue and also, but to a lesser extent, from 48 and 52 Carrfield Avenue. However, following the incorporation of the buffer to the largest part of the proposed workshop, following the reduction in the height of the roof and as the roof would slope away from the boundary, it is considered that the proposed development would not be of a scale which would be overbearing, result in a sense of enclosure or cause unacceptable overshadowing to the neighbouring properties. There is a query regarding the distance stated on the plans. The new building would have to be constructed in accordance with the proposed plans which will include the 0.75m buffer to the smaller section of the building and a 2.25m distance to the main workshop.
- 6.4.2 There would be a distance of 3.75m from the side of the workshop to the boundary with 18 and 20 Erewash Grove. There is a line of conifers alongside this boundary which currently provides some level of screening but it is noted that these could be removed in the future. 20 Erewash Grove has a garden length of approximately 14m. 18 Erewash Grove has a smaller garden due to the construction of a rear extension. It is considered though that there is a sufficient buffer between the new workshop and the rear of these properties to prevent a loss of amenity occurring, either through overshadowing or from the building being overbearing. The occupier of number 20 has requested that a brick wall is constructed alongside the boundary but it is considered that this would not be necessary to make the development acceptable and therefore could not be conditioned as part of this permission. It is considered that other properties will be a sufficient distance from the workshop to not be unacceptably affected.

## 6.5 Other Issues

- 6.5.1 A number of other issues not discussed above have been raised by neighbours. With regards to fire risk, this is an existing use which will have to adhere to the relevant fire safety regulations. The fire safety of the proposed building would be assessed under Building Regulations. Drainage for a development of this scale would also be an issue assessed at Building Regulations stage. Due to the existing lawful planning use of the site, which would allow for MOT testing, it is considered that it would not be reasonable or enforceable to restrict the number of MOT tests conducted at the site. Health and Safety is not a planning issue in respect of this application and is controlled by separate legislation. The maintenance of the conifers would also not be an issue for this application. It is considered that sufficient information is contained within the application to allow it to be accurately assessed.



6.5.2 Due regard has been given to the Human Right Act and a careful assessment has been undertaken in respect of the impact of the development on the amenity of neighbouring properties.

6.5.3 Concerns have been raised regarding parking and that the potential intensification of the use may result in additional parking on residential streets. However, the Highways Authority has raised no objection and it is noted that there is space within the site for parking vehicles associated with the use. This is an existing use and the application relates to an additional building. Therefore, it would not be reasonable to restrict or control parking associated with the use.

**7 Summary**

7.1 It is considered that, following the submission of revised plans, the proposed workshop would be acceptable. Conditions included within the Planning Inspector’s decision should be repeated to ensure the hours are restricted, car body repairs do not take place and the external areas are not used for storage. Based on the above, it is considered that the application does not conflict with policies contained within the Broxtowe Local Plan or the Broxtowe Aligned Core Strategy and would be in accordance with the National Planning Policy Framework.

**Recommendation**

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 6 July 2017 and the amended drawings: Front Elevation; Front, Rear, East side, and West side Elevation; and Block Plan of Area; received by the Local Planning Authority on 1 December 2017.**
- 3. No commercial activities, including car repairs and MOT testing, shall take place except between 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and at no time on Sundays, Bank Holidays and public holidays.**
- 4. No body repairs work or paint spraying shall take place on the site.**
- 5. The open areas of the site shall not be used for the storage of goods, equipment or materials.**

**Reasons:**

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**

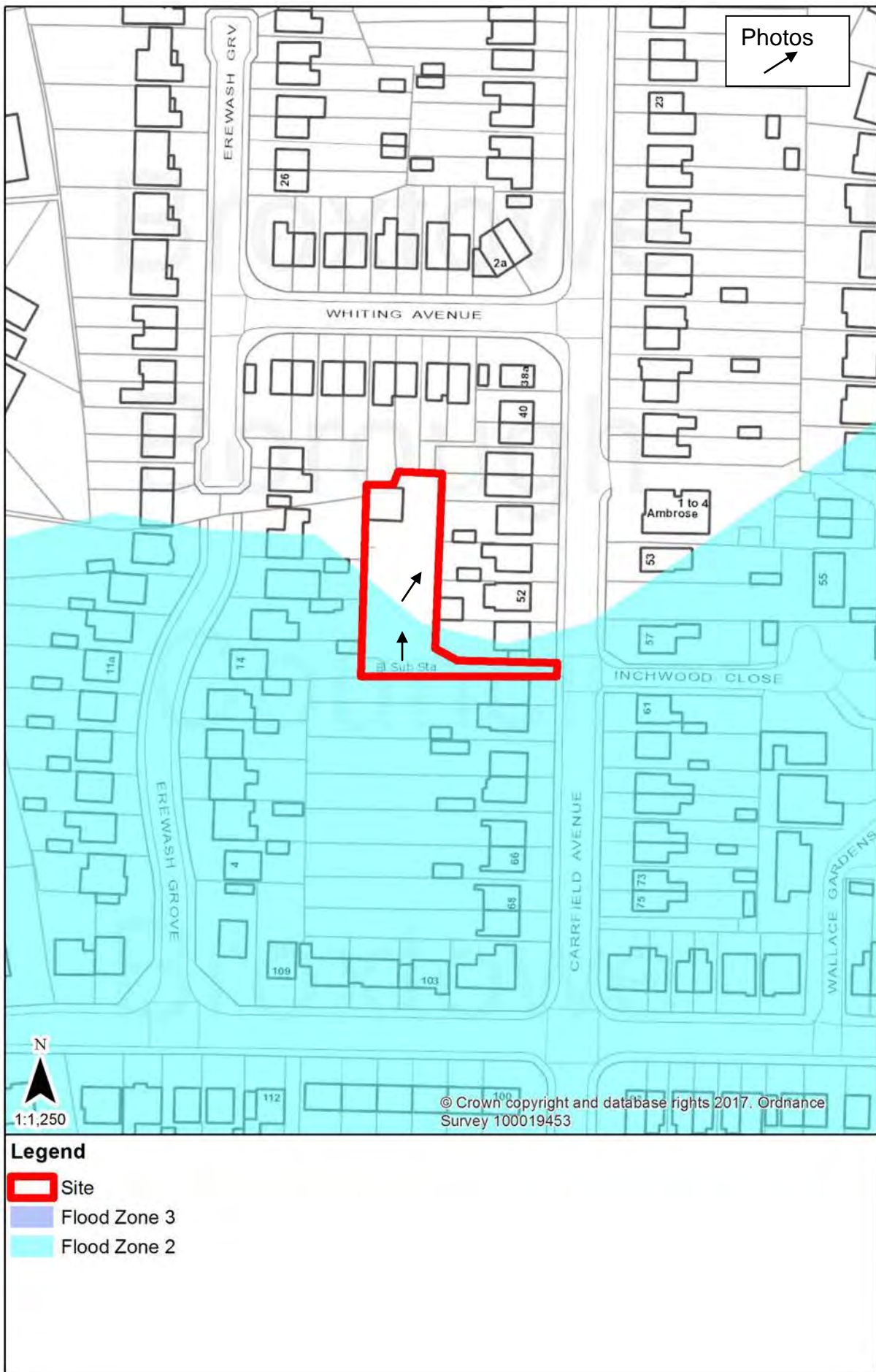
**3, 4, & 5. In the interests of neighbouring residential amenity and in accordance with the aims of Policy H8 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

**Note to Applicant:**

**The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework through seeking amendments to make the proposed development acceptable.**

Background papers

Application case file



**Report of the Chief Executive**

**17/00749/FUL  
CONSTRUCT TWO STOREY SIDE EXTENSION  
17 WENTWORTH COURT, KIMBERLEY, NOTTINGHAMSHIRE NG16  
2XB**

Councillor R S Robinson requested this application be determined by the Committee.

1. Details of the application

1.1 The application proposes to construct a two storey extension to the side of the property. The proposal seeks to extend the width of the existing single storey, attached garage, W.C and utility room by 2.3 metres at ground floor level, and create a first floor above this of the full width. Materials to match the existing external walls and roof are proposed.

2. Site and surroundings



Front view



Rear view





View from rear of 17 Wentworth Court showing relationship with 26 Eastwood Road.



View from 17 Wentworth Court showing relationship with Broxtowe land.



View of 17 Wentworth Court from rear of 26 Eastwood Road.



View of 17 Wentworth Court from garden of 24 Eastwood Road.

- 2.1 17 Wentworth Court is a detached, two storey house with an attached garage to the south west side. The property has a driveway in front of the garage accessed directly off the road and a garden to the rear with decking to the side behind the garage.
- 2.2 17 Wentworth Court is set within a cul-de-sac with the other properties on the road being of a similar style and built at a similar time. To the south of the property adjoining the side boundary of number 17 are four traditional style Victorian cottages (24, 26, 28, and 30 Eastwood Road), all of which are accessed off Eastwood Road. There is council owned public open space to the rear of 17 Wentworth Court.
- 2.3 In 1999 5 Wentworth Court was granted planning permission for a single storey side extension to form a study (Ref 99/00408/FUL). There are no first floor extensions in close proximity to the site.

### 3. Relevant Planning History

- 3.1 Planning permission 07/00342/FUL was granted in 2007 to construct a 2 storey side extension and single storey rear extension. The increase in width allowed under this permission was a further 1.035m to 3.735m, with a first floor added above to the same width. The extension to the rear was implemented and the extension to the side was not implemented. There were no objections from local residents to this planning application.

### 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. It outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, a good standard of amenity for existing and future occupants should be secured, and developments should be located in sustainable locations.

#### 4.2 Broxtowe Aligned Core Strategy 2014

- 4.2.1 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 Saved Policy of the Broxtowe Local Plan 2004

- 4.3.1 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 create a terraced or cramped effect which would be out of character; and do not cause an unacceptable degree of loss of privacy or amenity for the occupiers of neighbouring properties.

#### 4.4 Draft Part 2 Local Plan

- 4.4.1 As this plan has only recently been subject to public consultation and is not yet adopted, it can only be afforded limited weight.
- 4.4.2 Policy 17 'Place-making, Design and Amenity' states that development should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene; two-storey extensions should avoid a terraced or cramped effect; dormers should not dominate the roof; development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.

## 5. Consultations

- 5.1 The Council's Environmental Health Officer states no objection. It is stated that the proposed development is within 250m of an historic landfill site and that the development may be subject to migrating ground gases. Therefore, it is suggested that no part of the development shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local authority.
- 5.2 The Council's Tree Officer states no objection. It is stated that they have had complaints from the property with regards to leaf fall and overhanging branches in the past. They subsequently removed most of the overhanging branches from all trees along the boundary earlier in 2017.
- 5.3 Two letters of objection and one letter stating that no objections have been raised have been received. The main issues raised in the letters of objection are summarised below:
- The extension will result in a loss of privacy for the neighbouring properties on Eastwood Road.
  - The extension will result in a loss of light for the neighbouring properties on Eastwood Road.
  - The extension will result in a sense of enclosure for 26 Eastwood Road.
  - The design and appearance of the extension will spoil the rear outlook for the four Victorian terraces on Eastwood Road.

## 6. Appraisal

- 6.1 The main issues to be considered with this application are the design/visual amenity and the loss of privacy or amenity for the neighbouring properties, notably those on Eastwood Road that adjoin the south boundary of the site.
- 6.2 Neighbouring Amenity
- 6.2.1 A concern of the residents at 24 and 26 Eastwood Road is that the scale of development will negatively impact on privacy and light as well as give the feeling of being enclosed. A significant reason for this is the level difference between the properties on Eastwood Road and 17 Wentworth Court, which is approximately 2.0 metres higher at ground floor level. The minimum distance from the extension to the adjoining boundary with 24 and 26 Eastwood Road is 4.0 metres (13.5 metres from the extension to the rear elevation of the closest property) which is considered to be a significant enough distance considering the proposed scale of development. Therefore it is not considered that the proposed development would result in an unacceptable loss of privacy or sense of enclosure.
- 6.2.2 The owners of 24 Eastwood Road highlight that a specific section of their garden will become more overlooked should the proposed extension go ahead. The concern is that the position of the windows on the rear elevation will now overlook the north east corner of the garden for 24 Eastwood Road. Although some privacy may be lost on this section of the garden it is not considered to be to an unacceptable level, given the oblique angle of view to this neighbour.

6.2.3 The owners of 26 Eastwood Road have also objected to the proposal on the grounds of a loss of privacy. There are no windows proposed on the side elevation of the extension and an existing opening on the side elevation of 17 Wentworth Court will be removed which will arguably improve privacy. The proposal is therefore not considered to result in an unacceptable loss of privacy for 26 Eastwood Road.

### 6.3 Design

6.3.1 Due to the position of the property on Wentworth Court there is no risk of creating a terraced effect by extending to the side. The roof ridge has been lowered on the proposed extension making it 0.3m lower than that of the host dwelling. The front elevation has been set back 0.75 metres from the front elevation. The lowering of the ridge height and setting back of the front elevation of the proposed extension are both seen as acceptable and result in an extension which is subservient to the host dwelling and in keeping with the street scene.

6.3.2 The original design proposals included a single dormer to the front elevation which was considered to be a bulky addition which was out of keeping with the existing fenestration and highlighted the increased width of the dwelling by becoming the dominant front feature. A revised design was received and the dormer was replaced with two windows set into the front elevation and in keeping with the size and style of the existing windows on the front elevation. The revised design is considered to be in keeping with the host dwelling and the character of the surrounding area.

### 7 Conclusion

7.1 It is considered that proposed development is not harmful to neighbouring amenity and that the design is in keeping with the original building and is not out of character of the surrounding area.

### Recommendation

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Proposed Block & Site Plans (Drawing No. Rob 007 Site and Block Plan, 1:1250 and 1:500), the Proposed Roof Plan (Drawing No. Rob 003b Roof Layout V3, 1:100) and the Proposed Floor Plan (Drawing No. Rob 003a Floor Plans V3, 1:100) and the Proposed Elevation Plans (Drawing No. Rob 004b Elevations V3 and Rob 004a Elevations V3, 1:100) received by the Local Planning Authority on 28 November 2017.**
- 3. The extension shall be constructed using materials of a type, texture and colour so as to match those of the existing building.**



**Reasons:**

- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan.**

**Note to applicant:**

**The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by communicating with the agent throughout the course of the application.**

Background papers  
Application Case File



## Report of the Chief Executive

**17/00769/FUL  
CONSTRUCT 4 RETAIL UNITS, CAR WASH, TYRE SERVICE  
AREA AND RETAIL POD  
MORRISONS, KELHAM WAY, EASTWOOD,  
NOTTINGHAMSHIRE NG16 3SG**

1. Details of the application
  - 1.1 The application seeks planning permission to construct a terrace of 4 retail units with consent for any Class A (shops, banks, cafes, bars, take aways etc), or mix of Class A retail uses. The units would be of equal size measuring 92.9 m<sup>2</sup> and each have a shop frontage and rear access door to their own bin storage area.
  - 1.2 A hand car wash containing a cabin measuring 12.5 m<sup>2</sup>, a canopy measuring 3.16 metres in height to support a 'dry area' and a 'wet area' 11.5 metres in length is also proposed towards the eastern boundary of the wider Morrisons site. The wet and dry areas will be screened to the east by a 1.7 metre high screen.
  - 1.3 A unit offering a tyre fitting service is also proposed. This will measure 16.2m in length by 4.4m in width and will consist of an enclosed store area at each end, with a canopy between the two with a maximum height of 3.26m. The area will again be enclosed to the east with a low (1.2 metre high) fence.
  - 1.4 Adjacent to this a retail 'pod' is proposed with a total area of 14.8 m<sup>2</sup> (6.5 metres in length x 2.65 metres in width). The shop frontage of the unit will face into the car park.
  - 1.5 The proposals will result in the relocation of the recycling facility at the site and the loss of 63 car parking spaces with 372 spaces to remain.
  - 1.6 A Design and Access Statement, Transport Statement and Coal Mining Risk Assessment have been submitted in support of the application.
2. Site and surroundings
  - 2.1 The site lies to the north west of Nottingham Road the main arterial route through Eastwood. It measures 0.29 hectares and currently forms part of the surface level car park and a recycling facility at Morrisons Superstore. The site is located within Eastwood town centre, as defined within the Broxtowe Local Plan 2004, with the remainder of the centre and the prime shopping frontage being to the south east of the site.



View north-west towards car park Entrance from Kelham Way



View north showing existing recycling facility where retail units are proposed



View towards the east where hand car wash and tyre unit are proposed



View in a north-westerly direction from Kelham Way

2.2 Immediately to the east is the petrol filling station and existing car wash, within the ownership of Morrisons. Beyond this are the retail premises on Mansfield Road and a number of residential properties to the north east.

2.3 To the north is Hall Park and the access road to Hall Park Academy, which is located beyond the Morrisons building to the west. To the south east is the Council's public car park and the Sun Inn and to the south and south west there is the youth centre and residential properties on the edge of the town centre.

2.4 The character of the area is largely mixed, due to its location towards the boundary of the town centre, with buildings in retail, residential, community and educational uses being located in close proximity.

3. Relevant planning history

3.1 Planning permission was granted in November 1991 for a 49,500 sq.ft. retail unit with car parking (91/00655/FUL).

3.2 Since the store was built there have been numerous applications for extensions to both the retail and warehousing areas of the store under

the following reference numbers; 96/00551/FUL, 97/00032/FUL, 03/00189/FUL, 06/00221/FUL and 07/00431/FUL.

#### 4. Policy context

##### 4.1 Broxtowe Aligned Core Strategy:

4.1.1 The Broxtowe Aligned Core Strategy was adopted in September 2014 and forms Part 1 of the Local Plan to replace the 2004 Local Plan.

4.1.2 Policy 6 'Role of Town and Local Centres' states that main town centre uses should be located in centres. Proposals for edge of centre and out of centre sites should satisfy the sequential test and show how the development will not have a severe adverse impact on any centre.

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

4.1.4 Policy 14 'Managing Travel Demand' states that the need to travel by private car should be reduced by locating developments in the most accessible locations.

##### 4.2 Broxtowe Local Plan (2004)

4.2.1 Saved Policy K4 'Town Centres' states that the role of Eastwood town centre as the focus for shopping, employment, social, community and leisure facilities will be enhanced through provision of appropriate new development, protection of character and townscape, improvements to accessibility and safeguarding the function of the prime shopping frontage.

4.2.2 Saved Policy E34 'Control of Noise Nuisance' states that planning permission will not be granted for development if it would create significant noise disturbance even with mitigation measures.

4.2.3 Saved Policy T11 'Guidance for Parking Provision' states that planning permission will not be granted for new development unless appropriate provision is made for vehicle parking.

4.2.4 Saved Policy S1 'Shopping and Associated Uses within Town Centres' states that within the four defined town centres permission will be granted for the creation, redevelopment or expansions of shops, financial and professional services and food and drink uses providing they do not have an unacceptable impact on neighbouring uses or the vitality and viability of the town centre.

4.2.5 Saved Policy S8 'Shopfront Design' states that new shopfronts will be permitted provided that they relate well to the design of the building, are in keeping with the frontage as a whole and contribute towards the maintenance or enhancement of the appearance of the area.

#### 4.3 National Policy:

- 4.3.1 The National Planning Policy Framework (NPPF) March 2012 contains a general presumption in favour of sustainable development whereby planning permission should be granted for development proposals that accord with the development plan without delay. 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. It outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, sustainable economic development should be proactively driven and supported, high quality design and a good standard of amenity for existing and future occupants should be secured, the natural environment should be conserved and enhanced, developments should be located in sustainable locations, effective use of brownfield land should be made and sufficient community and cultural facilities and services should be delivered to meet local needs.
- 4.3.2 In relation to assessing the highway impacts of a proposal, paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe.
- 4.3.3 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people.

#### 4.4 Part 2 Local Plan

- 4.4.1 The Part 2 Local Plan is still in its draft form. The period of public consultation on the document has now finished; however it is yet to be submitted to the Inspector in its final format. In light of this, only limited weight can be attached to the emerging policies.
- 4.4.2 Policy 10 'Town Centre and District Centre Uses' redefines the town centre boundaries and removes the Morrisons site from the town centre. The policy promotes Class A1 uses and sets percentages for the acceptability of other town centre uses.
- 4.4.3 Policy 12 'Edge-of-Centre A1 Retail' in Eastwood states permission will be granted for limited alterations and extensions to the retail area currently in use as Morrisons, provided it enhances links to the main district centre and does not result in adverse impact on the vitality and viability of this area.
- 4.4.4 Policy 17: 'Place-making, design and amenity' states that permission will be granted for development which integrates into its surroundings, has good access to public transport, provides sufficient parking,

enables convenient use by people with limited mobility and does not prejudice the satisfactory development of a wider area.

4.4.5 Policy 18 ‘Shopfronts, signage and security measures’ states that permission will be granted for new shopfronts where they relate well to the building concerned and are in character with the surrounding area.

4.4.6 Policy 21 ‘Unstable Land’ states that permission will only be granted in ‘Development High Risk Areas’ where it is demonstrated that the site is, or can be made safe and stable.

## 5. Consultations

5.1 The Coal Authority raised a ‘substantive concern’ to the proposals as originally submitted as whilst the Coal Mining Risk Assessment Report has been informed by appropriate information and makes recommendations for investigations of mine entries and shallow mine workings, the report fails to identify surface mining operations which took place which may inform the proposed recommendations further.

5.2 The applicants are in discussions with the Coal Authority to remove their objections and an update on this will be provided at the meeting.

5.3 Nottinghamshire County Council as Highways Authority comment that taking into consideration the information provided in the Transport Statement, which shows that the remaining car parking will be able to operate successfully, they have no objections.

5.4 Eastwood Town Council object to the proposals on the following grounds:

- Over intensification of car washes and tyre fitting premises in the area already 3 (4 including Morrisons) within a ½ mile radius and 7 tyre places within a mile radius.
- Queuing/waiting time to have the cars washed could be an issue.
- Depending on what types of retail units are going to be situated at Morrisons this could have a detrimental effect on the Eastwood high street (Nottingham Road).

5.5 A site notice was posted on Kelham Way and the owners of seven adjoining properties were consulted on the application. One letter of objection has been received. This comments that:

- There is an existing car wash facility on the site.
- Through traffic would be problematic and difficult to manage.
- Pedestrians would be at risk.
- The car park struggles to cope with demand already.
- The proposal would deter people from shopping at Morrisons.
- Better located at Mushroom Farm/Giltbrook retail park.

## 6. Appraisal

6.1 The main issues to consider as part of this planning application relate to whether the proposed uses are acceptable in this location, if the proposed structures achieve an acceptable standard of design, if there will be any loss of amenity to existing neighbouring properties and whether satisfactory car parking provision is maintained for Morrison's and provided for the new proposals.

### 6.2 Principle of use

6.2.1 The current local plan policies identify the site as falling within Eastwood town centre. The proposal relates to both retail (the retail units, 'pod' and tyre fitting service) and a sui generis use (car wash).

6.2.2 National policy states that Local Plan Policy should promote competitive town centres that provide customer choice and a diverse retail offer.

6.2.3 Local retail policies state that main town centre uses should be located in town centres. Development should be appropriate in scale and nature to the role and function of the centre and should not have an unacceptable impact on neighbouring uses or the vitality and viability of the town centre.

6.2.4 Eastwood town centre is identified as a district centre in the Aligned Core Strategy. It serves a local retail need and therefore the scale of retail development in the area is largely small scale convenience provision, which the development proposes.

6.2.5 The car wash, whilst classed as a sui generis use, has many similar characteristics of retail provision, being a service which visiting members of the public can reasonably expect to gain access to without the need for an appointment. A car wash is not uncommon in town centres and this location within an existing car park seems an acceptable location for them.

6.2.6 Existing premises which offer the same service has been raised as an objection to the proposal. Competition is not a material planning consideration. Lots of similar uses co-exist in town centres and it is not the role of the planning system to become involved in market factors and protect existing businesses by limiting competition.

6.2.7 Whilst the Draft Local Plan Part 2 seeks to 'contract' Eastwood town centre at Policy 10, removing the Morrison site this is not at a sufficiently advanced stage to have any significant weight on the bearing of this application. In any event Policy 12 of the same document allows limited alterations and extensions to the retail area of this site provided it enhances links to the main district centre and does not result in adverse impact on its vitality and viability.



- 6.2.8 It is acknowledged that the units are located a significant distance away from the pedestrian link into Eastwood town centre. The applicant has provided an amended plan which shows a new crossing facility towards the west of the proposed retail terrace to aid safe crossing of the car park. The location of the proposal within the car park was raised with the applicant's agent who has advised that the development is proposed in this location to ensure that the primary parking area, access and pedestrian link to the store and town centre is retained and so that the units create a visible active frontage from Kelham Way.
- 6.2.9 Whilst limited crossing points through the car park are not ideal, it is considered that pedestrian movements through the car park are not uncommon and occur frequently without any significant issues; moving vehicles should be doing so at slow speeds with caution and pedestrians should be aware that there will be vehicles manoeuvring. From officer observations this area of the car park is also used much less frequently by shoppers parking their cars.
- 6.2.10 Having regard to the above it would therefore appear that the principle of the development is acceptable in this location.

### 6.3 Design

- 6.3.1 Policy 10 'Design and Enhancing Local Identity' of the Broxtowe Aligned Core Strategy sets design and layout principles to be applied to new development and looks to ensure that valued local characteristics are reinforced.
- 6.3.2 The retail terrace is a relatively modest structure of a simple design and massing. The frontages are proposed to be largely glazed at the lower street level, which will provide an active frontage and the upper area of the building will be brick clad, with aluminium panels defining each unit and panelling will be used on the side of the structure.
- 6.3.3 It has a more contemporary appearance than the Morrisons store, with a slightly angled flat roof design and an oversailing roof canopy to the front. However their scale and use of brick cladding will ensure that they are acceptable additions within the site and wider town centre.
- 6.3.4 Their rear elevation will be visible at the entrance to the site and whilst they offer a more functional elevation it is considered that the design is appropriate to its surroundings.
- 6.3.5 Similarly the scale and design of the car wash, tyre centre and retail pods are typical of this form of development. They are low level, simple structures using panels and polyester colour coating. Their design and layout are considered to be acceptable, grouped together in a cluster.

6.3.6 Details of the finish and exact materials of the structures were not provided with the application. However it is considered that these can be controlled by condition.

#### 6.4 Amenity

6.4.1 The existing use of the land is as a car park in association with a large supermarket within a town centre location. Whilst the proposal may marginally increase vehicle movements and servicing it is not considered that these changes would be significant.

6.4.2 The closest 'sensitive' neighbours to the site are over 25 metres away to the north-west and share a boundary with the entrance road into the site, petrol filling station and existing car wash. Having regard to this it is not considered that the proposal will have any significant impact on the occupants of these residential properties, through increased noise or disruption.

#### 6.5 Parking and servicing

6.5.1 Policy T11 of the Broxtowe Local Plan (2004) advises that appropriate provision should be made for parking. The proposal will result in the loss of 58 car parking spaces for the existing retail store, the remaining spaces will also need to serve the proposed units.

6.5.2 The Transport Statement submitted with the application states that the car park is rarely full and looked at peak times for capacity which were at 55% occupancy. The loss of 63 parking spaces equates to approximately 14% of the original total. This demonstrates additional capacity within the car park even with the removal of the spaces which could be used by the customers of the new units.

6.5.3 It is likely that customers of the new shops will not solely visit these premises, but make link journeys to Morrisons and other units in the town centre. Whilst dwell time may therefore be longer, which could affect car parking levels slightly, it is not believed that all the customers of the units will be 'new' and therefore they would have a significant affect on parking levels.

6.5.4 On reviewing this information the Highways Authority raise no objections. To this end it would be difficult to object to the scheme on the ground of inadequate parking provision.

#### 6.6 Other issues

6.6.1 The site is located in a 'Development High Risk Area' as identified by the Coal Authority and caution should therefore be exercised.

6.6.2 The Coal Authority have raised objections to the development as they do not consider that the information submitted by the applicant appropriately addresses the surface mining operations which took

place within the site which may inform the proposed recommendations further.

6.6.3 It is understood that the applicant has been in discussions further with the Coal Authority regarding these comments. A full update will be reported verbally at the meeting.

7. Conclusion

7.1 The proposals largely consist of main town centre uses within a town centre location. The car wash is a use you would generally find in and wish to locate within a sustainable town centre. Whilst there are other similar services in the locality, competition is not a material planning consideration.

7.2 It is considered that the proposal will be adequately served by the remaining car parking spaces on site and can be appropriately controlled by condition to ensure land stability issues are resolved and that appropriate materials are used to ensure that the design and appearance of the buildings are satisfactory. It is therefore considered that the application accords with national and local planning policy and consequently the application is recommended for approval.

**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 PL\_01 Rev B, received by the Local Planning Authority on 31 October and drawings numbered PL\_06 Rev A, PL\_05 Rev A, PL\_04 Rev A, PL\_07 Rev A and PL\_03 Rev E, received by the Local Planning Authority on 3 November 2017.**
- 3. No above ground construction works on the structures hereby approved shall commence until samples and full details of all external facing materials have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.**

4. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas have been surfaced in a hard bound material and individual parking spaces have been clearly marked out in accordance with the drawing numbered PL\_03 Rev E. The parking, turning and servicing areas shall be maintained in the hard bound material for the life of the development and shall not be used for any purpose other than for parking, turning and loading and unloading of vehicles.

**Reasons:**

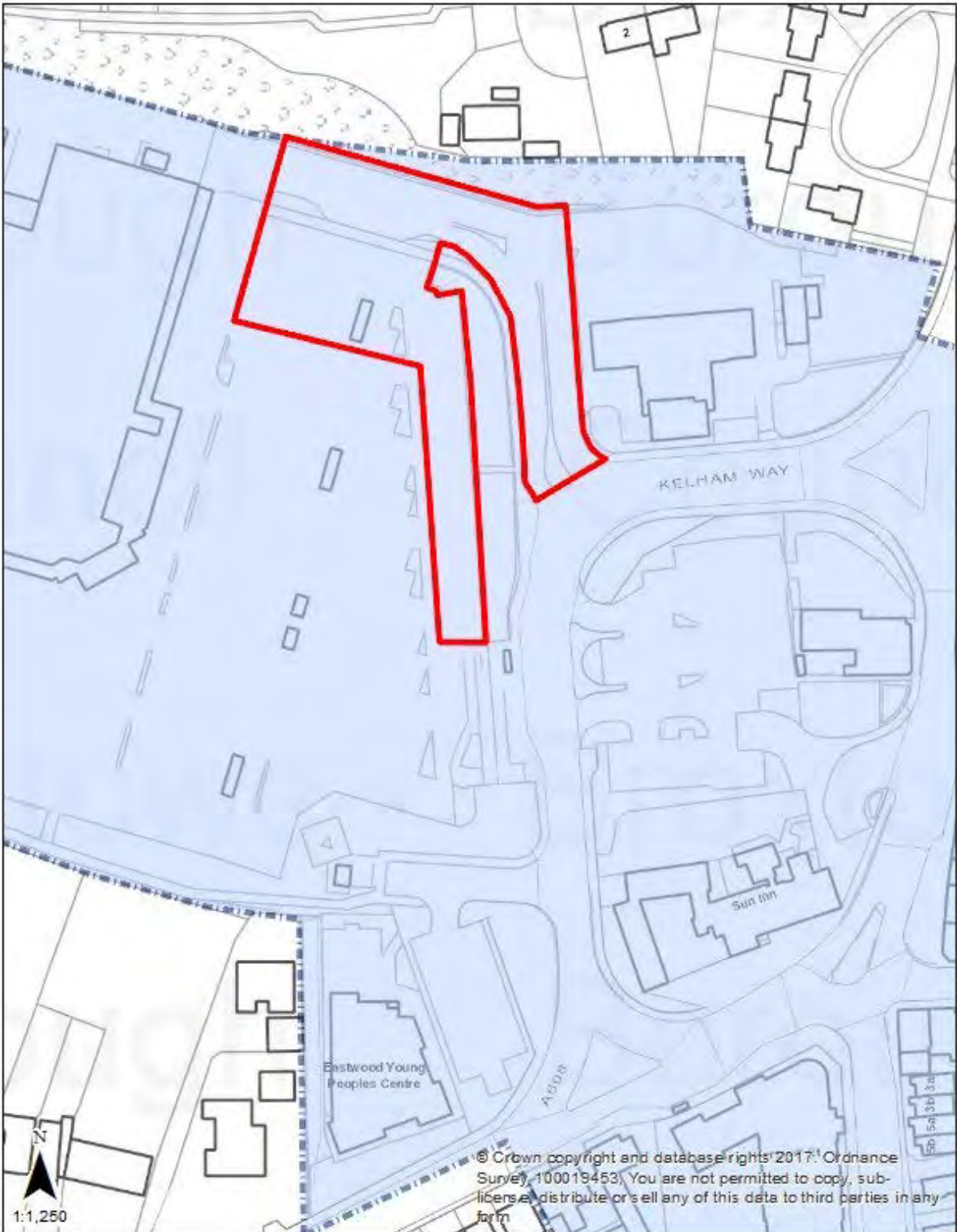
1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No such details were submitted, in the interests of the appearance of the development and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Draft Aligned Core Strategy. The requirement is to be satisfied before new construction begins in order that potentially abortive work is avoided, if unacceptable materials are used.
4. In the interests of highway safety.

**Notes to Applicant:**

1. The decision has been reached taking into account the guidance in paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) 2012. The Council has worked proactively to engage directly with the developer at the earliest opportunity to request further information to help understand the design rationale and layout of the scheme.
2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

Background papers

Application case file



- Legend**
-  Site
  -  Town centre

## Report of the Chief Executive

**16/00182/ENF**  
**UNTIDY AND OVERGROWN CONDITION OF LAND AROUND**  
**DISUSED BUILDING**  
**102 RYECROFT STREET, STAPLEFORD, NOTTINGHAM NG9 8PN**

1. Background

- 1.1 This matter was initially brought to the attention of the Council in July 2016. There had been a previous enforcement complaint of a similar nature in respect of this land in 2014 which was resolved in March 2015.
- 1.2 However, in respect of the current enforcement case, the land owner has failed to engage with the Council to resolve the issue despite several attempts to make contact.
- 1.3 A notice was served under Section 215 of the Town and Country Planning Act 1990 on 30 January 2017. The notice required that all vegetation be cleared from the sides and rear of the property, ensuring that no vegetation overhangs the property boundaries.
- 1.4 The notice was not complied with and a successful prosecution took place in the Magistrates' Court on 23 August 2017. The case was proved in the defendant's absence and a fine of £440.00 plus £200.00 costs and £44.00 victim surcharge were imposed.
- 1.5 To date the Council has received no further contact from the property owner, nor have any steps been taken to improve the condition of the land.

2. Appraisal

- 2.1 The property is a former newsagent's shop which has been disused for a number of years. To the rear of the building is a block of private garages serving neighbouring properties. To the side of the building is an access driveway for the garages. The area is mainly residential. There is a small garden area to the immediate rear (north east) of the building, immediately adjacent to the garages. This has not been maintained and vegetation is growing over the garages to the rear.
- 2.2 To the west of the building is the boundary with a doctors' surgery which is overgrown and visible from the street. There have been intermittent enforcement issues regarding the condition of the land and property since 2002.
- 2.3 The Section 215 Notice required the cut back and removal of overgrown vegetation from the land at the sides and rear of the property ensuring that the vegetation ceases to overhang the highway or any neighbouring boundary and that any resultant debris be removed from the land and suitably disposed

of and it is considered that this would ensure that the overall appearance of the site would be significantly improved.

3. Cost implications

3.1 A quotation for the works has been obtained from the Council's Parks and Environment Team to cut back the overgrown shrubs and weed kill the land around the property. The cost of the works will be £469.00. This sum does not include any future maintenance.

3.2 It is probable that there is no realistic prospect of the cost of the works being recovered by the Council in the short term. In the longer term it may be possible for the cost to be placed as a charge against the property so that in the future if the property is sold, the monies could then be recovered. Alternatively the Council could consider the enforced sale procedure to recover the monies

3.3 Members are therefore respectfully asked to consider whether it is expedient for the remedial works to be carried out at the Council's expense.

**Recommendation**

**The Committee is asked to RESOLVE that direct action be taken by the Council to cut back all overgrown vegetation and weed kill the land surrounding the property and to generally improve the condition of the land.**

Background papers

Application case file

## Report of the Chief Executive

**REF NO. 16/00183/ENF  
UNTIDY CONDITION OF FRONT AND REAR GARDENS  
14 READ AVENUE, BEESTON, NOTTINGHAM NG9 2FJ****1. Background**

- 1.1 This matter was initially brought to the Council's attention in July 2016. The property is at the end of a terrace of properties and is adjacent to Harry Peel Court (Retirement Living Scheme). The front garden of the property is in an untidy and overgrown condition. There is debris in the front garden and a tree which also overhangs the highway. Vegetation also overhangs the boundary fence between the property and Harry Peel Court.
- 1.2 The property is unoccupied and enquiries suggest that this has been the case for some considerable time. A Land Registry search has been carried out. The property owners are understood to be overseas and the Council has been unable to establish any contact with them to date.
- 1.3 A notice under Section 215 of the Town and Country Planning Act 1990 was served on the property owners and mortgage lender on 25 January 2017. The notice required the improvement of the condition of the front garden including the cutting back of any vegetation overhanging the boundary and the clearance of debris from the garden.
- 1.4 The required works were not undertaken and a successful prosecution took place in the Magistrates' Court on 23 August 2017. The case was proved in the owners' absence and they were fined £440.00 plus £44.00 victim surcharge and 6 months conditional discharge, £200.00 costs and £20.00 victim surcharge respectively.
- 1.5 To date the Council has received no further contact from the property owners, nor have any steps been taken to improve the condition of the garden.

**2 Appraisal**

- 2.1 The property is an end of terrace house within a residential area. The front gardens of the properties are highly visible in the street scene. The tree in the front garden is mature and overhangs the pavement immediately in front of the property. The shrubs at the front/side of the property overhang a side access to properties on Harry Peel Court. The shrubs along the front boundary also overhang onto the pavement which could affect the use of the pavement. It is also considered that the condition of the garden detrimentally affects the immediate neighbour at number 12 Read Avenue due to the size and overhang of the tree and shrubs and the generally untidy condition of the land.
- 2.2 The front garden is poorly maintained and has been for some considerable time. There is also some debris on the garden requiring suitable disposal such as wood and furniture.



### 3 Cost implications

- 3.1 A quotation for works has been obtained from the Council's Parks and Environment Team to clear and dispose of the rubbish and prune back of the tree and shrubs. The cost to undertake the works will be £660.00. This sum does not include any future maintenance.
- 3.2 It is probable that there is no realistic prospect of the cost of the works being recovered by the Council in the short term. In the longer term it may be possible for the cost to be placed as a second charge against the property so that if in the future the property is sold, the monies could then be recovered. Alternatively the Council could consider the enforced sale procedure to recover the monies.
- 3.3 Members are therefore asked to consider whether it is expedient for the remedial works to be carried out at the Council's expense.

#### **Recommendation**

**The Committee is asked to RESOLVE that direct action be taken by the Council to prune back the tree and shrubs at the front and side of the property, to remove and suitably dispose of any debris at the front and side of the property and to generally improve the condition of the front garden.**

Background papers  
Application case file

**BROXTOWE BOROUGH COUNCIL**  
**DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY**

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**PLANNING APPLICATIONS DEALT WITH FROM**  
**11 NOVEMBER 2017 TO 08 DECEMBER 2017**

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**CONTENTS**

Planning applications dealt with under Delegated Powers

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

**BROXTOWE BOROUGH COUNCIL**  
**DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY**

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

**ATTENBOROUGH & CHILWELL EAST WARD**

Applicant : Mrs L Riddell Chilwell School 17/00323/FUL  
 Site Address : Caretakers House Chilwell Comp 4 Ladybridge Close Attenborough Nottinghamshire NG9 6BS  
 Proposal : **Change of use from learning centre (Class D1) to dwelling (Class C3) and extend property curtilage**  
 Decision : **Conditional Permission**

Applicant : Mr & Mrs Andrew Jarratt 17/00637/FUL  
 Site Address : Thatched Cottage 11 Church Lane Attenborough Nottinghamshire NG9 6AS  
 Proposal : **Construct annex**  
 Decision : **Conditional Permission**

Applicant : Mr & Mrs Bethel 17/00656/FUL  
 Site Address : 5 Ferndale Close Attenborough Nottinghamshire NG9 6AQ  
 Proposal : **Construct two storey and single storey extensions, including roof alterations, insert first floor side window and render existing elevations**  
 Decision : **Conditional Permission**

Applicant : Mrs J Dickens 17/00707/FUL  
 Site Address : 37 Charles Avenue Chilwell Nottingham NG9 5ED  
 Proposal : **Construct single/two storey extension**  
 Decision : **Conditional Permission**

Applicant : Ms & Mr Birtles and Blagg 17/00710/FUL  
 Site Address : 56 Charles Avenue Chilwell Nottinghamshire NG9 5ED  
 Proposal : **Construct single storey side and front extension**  
 Decision : **Conditional Permission**

Applicant : Mrs Jemma Whetton 17/00711/FUL  
 Site Address : 73 Perkins Way Chilwell Nottinghamshire NG9 5JD  
 Proposal : **Construct single storey rear extension**  
 Decision : **Conditional Permission**

Applicant : Mr C Wright 17/00712/PNH  
 Site Address : 2 Central Avenue Chilwell Nottinghamshire NG9 4DU  
 Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.60 metres, and an eaves height of 2.75 metres**  
 Decision : **Prior Approval Not Required**

Applicant : Mr Alan Smedley 17/00744/CLUE  
 Site Address : 9 Clumber Avenue Chilwell Nottinghamshire NG9 4BH  
 Proposal : **Application for Certificate of lawful development for existing single storey extension**  
 Decision : **Approval - CLU**

**AWSWORTH, COSSALL & TROWELL WARD**

Applicant : Mr B Roberts 17/00586/FUL  
 Site Address : 4 Islay Close Trowell Nottingham NG9 3RE  
 Proposal : **Construct two storey side extension, new entrance porch, rear single storey extension and demolish existing garage**  
 Decision : **Conditional Permission**

Applicant : Mr D Burke 17/00624/FUL  
 Site Address : The Manor House 29 Church Lane Cossall Nottinghamshire NG16 2RW  
 Proposal : **Construct single storey rear flat roofed extension with roof lanterns**  
 Decision : **Conditional Permission**

Applicant	:	Mr David Burke	17/00705/LBC
Site Address	:	Glebe Farm Cottage Church Lane Cossall Nottinghamshire NG16 2RW	
Proposal	:	<b>Listed Building Consent to carry out investigation works to ascertain the structural stability of building elements</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr D Coy	17/00792/PNH
Site Address	:	34 Newtons Lane Cossall Nottinghamshire NG16 2SF	
Proposal	:	<b>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</b>	
Decision	:	<b>Prior Approval Not Required</b>	
<b>BEESTON CENTRAL WARD</b>			
Applicant	:	Mr Adrian Swan Swan Homes Nottingham Ltd	17/00648/FUL
Site Address	:	1 To 4 Neville Sadler Court Beeston Nottinghamshire NG9 2EW	
Proposal	:	<b>Construct two storey building containing four dwellings</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr & Mrs Millington	17/00666/CLUP
Site Address	:	22 Queens Drive Beeston Nottinghamshire NG9 2ES	
Proposal	:	<b>Certificate of Lawful Development to construct loft conversion including new site gable and rear dormer</b>	
Decision	:	<b>Approval - CLU</b>	
Applicant	:	Mr King Tang	17/00685/FUL
Site Address	:	Land To The Rear Of 1 Fletcher Road Beeston Nottinghamshire NG9 2EL	
Proposal	:	<b>Demolish existing building and construct two dwellings (revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr & Mrs Matthew Roberts	17/00703/FUL
Site Address	:	1 Mona Street Beeston Nottingham NG9 2BY	
Proposal	:	<b>Construct two storey rear extension with dormer and new first floor side window</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr A Andricopoulos	17/00725/PNH
Site Address	:	56 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	<b>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</b>	
Decision	:	<b>Prior Approval Granted</b>	
Applicant	:	Mr A Andricopoulos	17/00735/PNH
Site Address	:	24 Lower Road Beeston Nottinghamshire NG9 2GL	
Proposal	:	<b>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</b>	
Decision	:	<b>Prior Approval Not Required</b>	
<b>BEESTON NORTH WARD</b>			
Applicant	:	Mr Javed Iqbal	17/00500/FUL
Site Address	:	7 Crowborough Avenue Beeston Nottinghamshire NG8 2RN	
Proposal	:	<b>Construct two storey and single storey front / side and rear extensions, including attached single garage (revised scheme)</b>	
Decision	:	<b>Conditional Permission</b>	
Applicant	:	Mr Danby	17/00698/FUL
Site Address	:	Edwards 142 Wollaton Road Beeston Nottinghamshire NG9 2PE	
Proposal	:	<b>Retain change of use from A1 (retail) to A3 (cafe)</b>	
Decision	:	<b>Conditional Permission</b>	
<b>BEESTON RYLANDS WARD</b>			
Applicant	:	Ms Cheryl Lucas MediCity	17/00487/LBC
Site Address	:	Boots Healthcare International Headquarters D6 Main Road Boots Campus Beeston Nottinghamshire	
Proposal	:	<b>Listed Building Consent to install fire rated screen to reception area</b>	
Decision	:	<b>Conditional Permission</b>	

Applicant : Mr G Smith 17/00638/LBC  
Site Address : MediCity D6 Building Main Road Boots Campus Beeston Nottinghamshire NG90 6BH  
Proposal : **Listed Building Consent to install emergency lighting**  
Decision : **Conditional Permission**

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#### BEESTON WEST WARD

Applicant : Mr Suraj Pathak 17/00535/FUL  
Site Address : 6A Chilwell Road Beeston Nottinghamshire NG9 1AA  
Proposal : **Change of use from retail (Class A1) to restaurant (Class A3) and install flue and front awning**  
Decision : **Conditional Permission**

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Applicant : Mr Dino Labbate Swish Architecture Ltd 17/00629/FUL  
Site Address : 4 Devonshire Avenue Beeston Nottinghamshire NG9 1BS  
Proposal : **Construct two storey side and rear extensions, detached garage / annexe, new driveway, external alterations and erect gates following partial demolition of front boundary wall**  
Decision : **Conditional Permission**

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Applicant : Mrs Linda Jennings 17/00661/FUL  
Site Address : 25 Elm Avenue Beeston Nottinghamshire NG9 1BU  
Proposal : **Construct single storey side and rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr & Mrs Geoff & Fran Kershaw 17/00676/FUL  
Site Address : 106 Bramcote Drive West Beeston Nottinghamshire NG9 1DU  
Proposal : **Construct single storey rear extension and first floor side extension**  
Decision : **Conditional Permission**

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Applicant : Mr G Atwal 17/00684/FUL  
Site Address : 1 Vernon Avenue Beeston Nottinghamshire NG9 2NS  
Proposal : **Construct single storey rear extension (revised scheme)**  
Decision : **Conditional Permission**

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Applicant : Mrs Rebekah Smith-McGloin 17/00692/FUL  
Site Address : 96 Denison Street Beeston Nottinghamshire NG9 1DQ  
Proposal : **Construct single storey front extension**  
Decision : **Conditional Permission**

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Applicant : Mr G Wood 17/00726/PNH  
Site Address : 54 Imperial Road Beeston Nottinghamshire NG9 1FN  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.4 metres, with a maximum height of 4 metres, and an eaves height of 2.5 metres**  
Decision : **Prior Approval Not Required**

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#### BRAMCOTE WARD

Applicant : Mr Ahmed Zidouri 17/00402/FUL  
Site Address : 9 Sandringham Drive Bramcote Nottinghamshire NG9 3EA  
Proposal : **Construct single storey and two storey rear extensions and single storey side extension**  
Decision : **Conditional Permission**

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Applicant : Mr & Mrs Ward 17/00620/FUL  
Site Address : 34 Sandy Lane Bramcote Nottinghamshire NG9 3GS  
Proposal : **Construct single/two storey side and rear extensions, following demolition of existing garage (revised scheme)**  
Decision : **Conditional Permission**

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Applicant : Mr & Mrs Goodall 17/00681/FUL  
Site Address : 4 Manor Court Peache Way Bramcote Nottinghamshire NG9 3DR  
Proposal : **Construct single storey rear glass canopy**  
Decision : **Conditional Permission**

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Applicant : Mr Michael Powell The White Hills Park Federation Trust 17/00689/FUL  
Site Address : Caretakers Bungalow Alderman White Comprehensive School Chilwell Lane Bramcote Nottinghamshire NG9 3DU

Proposal : **Change of use from dwelling (Class C3) to student support centre (Class D1)**  
Decision : **Conditional Permission**

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Applicant : Mr & Mrs Stephen & Helen Pickering 17/00718/FUL  
Site Address : 56 Balmoral Drive Bramcote Nottinghamshire NG9 3FU  
Proposal : **Construct ground floor extension and external rendered insulation (revised scheme)**  
Decision : **Conditional Permission**

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#### **BRINSLEY WARD**

Applicant : Mr Paul Bailey 17/00424/FUL  
Site Address : 99 Broad Lane Brinsley Nottinghamshire NG16 5BX  
Proposal : **Construct single storey rear and two storey side extensions**  
Decision : **Conditional Permission**

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Applicant : Paul Webb 17/00657/FUL  
Site Address : 15 Stoney Lane Brinsley Nottinghamshire NG16 5AJ  
Proposal : **Construct single storey rear extension with roof lantern (revised scheme)**  
Decision : **Conditional Permission**

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Applicant : Mr Dan Walker 17/00671/FUL  
Site Address : 56 Church Lane Brinsley Nottinghamshire NG16 5AB  
Proposal : **Construct dropped kerb**  
Decision : **Conditional Permission**

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#### **CHILWELL WEST WARD**

Applicant : Ms Mel Wraight 17/00651/OUT  
Site Address : 5 Pearson Avenue Chilwell Nottingham NG9 4GQ  
Proposal : **Outline application to construct dwelling with all matters reserved**  
Decision : **Conditional Permission**

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Applicant : Mrs J Bunyan 17/00693/FUL  
Site Address : 59 Field Lane Chilwell Nottinghamshire NG9 5FF  
Proposal : **Retain change of use of outbuilding from residential (Class C3) to mixed use residential (Class C3) and yoga studio (Class D1)**  
Decision : **Conditional Permission**

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Applicant : Mr Yates 17/00758/FUL  
Site Address : 26 Holkham Avenue Chilwell Nottinghamshire NG9 5EQ  
Proposal : **Construct side / front single storey extension**  
Decision : **Conditional Permission**

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#### **EASTWOOD HALL WARD**

Applicant : Mr Richard Broughton 17/00617/FUL  
Site Address : 31 Lower Beauvale Newthorpe Nottinghamshire NG16 3PY  
Proposal : **Construct two detached dwellings (revised scheme)**  
Decision : **Conditional Permission**

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Applicant : Mr Tony Byrne 17/00652/FUL  
Site Address : 5 Meadow Close Eastwood Nottingham NG16 3DQ  
Proposal : **Construct porch and single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Ms Julie Salt 17/00786/TMPCOU  
Site Address : 18 Mansfield Road Eastwood Nottinghamshire NG16 3AQ  
Proposal : **Temporary Change of use from retail (Class A1) to cafe (Class A3)**  
Decision : **Acceptance of Change of Use**

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#### **EASTWOOD ST MARY'S WARD**

Applicant : C/O PADD JT Consultancy - C/O PADD 17/00670/FUL  
Site Address : Stepping Stones 41-43 Church Street Eastwood NG16 3HP  
Proposal : **Change of use from Hostel (Class C2) to 7 apartments (Class C3)**  
Decision : **Conditional Permission**

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## GREASLEY WARD

Applicant : Dr Chicktay 17/00525/FUL  
Site Address : 8 Scargill Avenue Newthorpe Nottinghamshire NG16 2DZ  
Proposal : **Construct single storey side extension**  
Decision : **Conditional Permission**

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Applicant : Mr Robert Berry Caunton Engineering 17/00643/FUL  
Site Address : Caunton Engineering Engine Lane Moorgreen Industrial Park Newthorpe NG16 3QU  
Proposal : **Change of use of ground floor workshop (Class B2) to office (Class B1), installation of first floor for office (Class B1) and construct single storey plant room**  
Decision : **Conditional Permission**

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## KIMBERLEY WARD

Applicant : Mr Tony Sanderson 17/00621/FUL  
Site Address : Babbington Hall Westby Lane Babbington Village Nottingham NG16 2SS  
Proposal : **Construct two storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Ms H Sparkes 17/00679/FUL  
Site Address : 40A Norman Street Kimberley Nottinghamshire NG16 2LA  
Proposal : **Construct single storey side extension and conversion of garage to study/office**  
Decision : **Conditional Permission**

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Applicant : Mr Sean Watkinson 17/00694/FUL  
Site Address : 18 Hardy Close Kimberley Nottinghamshire NG16 2JW  
Proposal : **Construct single storey rear extension, link to existing annex and external alterations to include changes to garage roof**  
Decision : **Conditional Permission**

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## NUTHALL EAST & STRELLEY WARD

Applicant : Mr Tim Carroll 17/00709/FUL  
Site Address : 1A Roland Avenue Nuthall Nottinghamshire NG16 1BB  
Proposal : **Construct first floor extension**  
Decision : **Conditional Permission**

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## STAPLEFORD NORTH WARD

Applicant : Mr Aran Higgs 17/00722/FUL  
Site Address : 236 Pasture Road Stapleford Nottinghamshire NG9 8HA  
Proposal : **Construct two storey rear extension, front porch and garage. Insert first floor side window.**  
Decision : **Conditional Permission**

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Applicant : Mr Michael Knighton 17/00739/FUL  
Site Address : 5 Trowell Road Stapleford Nottingham NG9 8HB  
Proposal : **Construct first floor extension over the existing garage**  
Decision : **Conditional Permission**

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Applicant : Mr A Barker 17/00764/PNH  
Site Address : 54 Moorbridge Lane Stapleford Nottinghamshire NG9 8GU  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.2 metres, with a maximum height of 3.95 metres, and an eaves height of 2.45 metres**  
Decision : **Prior Approval Granted**

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## STAPLEFORD SOUTH EAST WARD

Applicant : Mr Scott McMahon 17/00632/FUL  
Site Address : 9 Central Avenue Stapleford Nottingham NG9 8DZ  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr G Shepherd 17/00680/FUL  
Site Address : 164 Toton Lane Stapleford Nottinghamshire NG9 7HY  
Proposal : **Construct two detached dwellings following the demolition of existing dwelling and construct dropped kerb**  
Decision : **Conditional Permission**

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Applicant : Rontec Service Stations 1A Ltd 17/00747/FUL  
Site Address : Toton Lane Service Station 181 Toton Lane Stapleford Nottinghamshire NG9 7JD  
Proposal : **Construct single storey extension, new shop front and external alterations, formation of additional car parking and relocation of ATM (revised scheme)**  
Decision : **Conditional Permission**

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Applicant : Mrs J Hutchinson 17/00781/PNH  
Site Address : 37 Pritchard Drive Stapleford Nottinghamshire NG9 7GW  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.795 metres, with a maximum height of 3.610 metres, and an eaves height of 2.25 metres**  
Decision : **Prior Approval Not Required**

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#### **STAPLEFORD SOUTH WEST WARD**

Applicant : Mr Patrick Curran 17/00571/FUL  
Site Address : 1A Sandiacre Road Stapleford Nottinghamshire NG9 8EX  
Proposal : **Construct extensions to MOT garage**  
Decision : **Conditional Permission**

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Applicant : Mr Craig Halls Stapleford Boarding Kennels 17/00660/FUL  
Site Address : 101 Bessell Lane Stapleford Nottinghamshire NG9 7BX  
Proposal : **Retain two dome security cameras on pole and erect one dome security camera on pole**  
Decision : **Conditional Permission**

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Applicant : Mr K Clarke 17/00697/FUL  
Site Address : 55 Midland Avenue Stapleford Nottinghamshire NG9 7BT  
Proposal : **Construct first floor rear extension**  
Decision : **Conditional Permission**

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#### **TOTON & CHILWELL MEADOWS WARD**

Applicant : Miss Christine Day 17/00564/ROC  
Site Address : 4 Sandfield Road Toton Nottinghamshire NG9 6LT  
Proposal : **Variation of condition of planning ref: 89/00189/FUL (the garages shall be used for the accommodation of private vehicles and no trade or business) to allow for the conversion of the garage to habitable room/workspace**  
Decision : **Conditional Permission**

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Applicant : Mr David George 17/00575/FUL  
Site Address : 18 Spicer Close Chilwell Nottinghamshire NG9 6NW  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

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Applicant : Mr Tom Dean 17/00646/FUL  
Site Address : 7 Erdington Way Toton Nottingham NG9 6JY  
Proposal : **Construct two storey extension**  
Decision : **Conditional Permission**

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Applicant : Ms Victoria Ganderson 17/00713/ROC  
Site Address : 44 Topliff Road Chilwell Nottinghamshire NG9 5AS  
Proposal : **Variation of condition number 7 (The garages shall not be converted to living accommodation) of planning ref: 01/00440/REM**  
Decision : **Conditional Permission**

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Applicant : Mr & Mrs Eastwood 17/00743/FUL  
Site Address : 26 Spinney Rise Toton Nottingham NG9 6JN  
Proposal : **Construct single storey side extension (revised scheme)**  
Decision : **Conditional Permission**

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Applicant : Mrs T Bradley 17/00765/PNH  
Site Address : 12 Whitburn Road Toton Nottinghamshire NG9 6HP  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.6 metres, with a maximum height of 3.5 metres, and an eaves height of 2.5 metres**  
Decision : **Prior Approval Not Required**

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## WATNALL & NUTHALL WEST WARD

Applicant : Mrs Judith Robinson 17/00579/LBC  
Site Address : The Cottage 8 Kimberley Road Nuthall Nottinghamshire NG16 1DG  
Proposal : **Listed Building Consent sought for ground floor 3:6 sash window**  
Decision : **Conditional Permission**

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Applicant : Mr A Ventura 17/00704/PNH  
Site Address : 29 Holden Crescent Nuthall Nottinghamshire NG16 1BW  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6 metres, with a maximum height of 3.250 metres, and an eaves height of 2.350 metres**  
Decision : **Prior Approval Not Required**

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