



17 July 2018

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 25 July 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 R D MacRae  
L A Ball BEM (Vice Chair) G Marshall  
J S Briggs J K Marsters  
T P Brindley P J Owen  
M Brown R S Robinson  
M Handley (Chair) P D Simpson

## 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 - 12

The Committee is asked to confirm as a correct record the minutes of the meeting held on 20 June 2018.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL
- 5.1 17/00847/FUL PAGES 13 - 23  
Change of use from warehouse (Class B8) to 9 bedroomed House in Multiple Occupation, external alterations, raise ridge height and install roof lantern  
29A Imperial Road, Beeston, Nottinghamshire, NG9 1FN
- 5.2 18/00328/FUL PAGES 24 - 36  
Change of use from agricultural land to recreational use, including the siting of six glamping pods  
Mill Farm, 62 Mill Road, Stapleford, Nottinghamshire
- 5.3 18/00262/FUL PAGES 37 - 43  
Retain portacabin and erect fence  
Top Class Car Wash, Petrol Filling Station, Woodhouse Way, Nuthall
- 5.4 18/00261/ADV PAGES 44 - 50  
Retain 14 advertisements signs  
Top Class Car, Wash Petrol Filling Station, Woodhouse Way, Nuthall
- 5.5 18/00295/FUL PAGES 51 - 61  
Construct first floor side extension, single and two storey rear extension and lean-to garage roof  
5 Humber Road, Beeston, Nottingham, NG9 2EF
- 5.6 18/00237/FUL PAGES 62 - 68  
Construct first floor side and single storey rear extensions  
4 Whitton Close, Chilwell, Nottinghamshire, NG9 6PB
- 5.7 18/00332/ADV PAGES 69 - 74  
Erect flag pole  
Brinsley Picnic Site, Mansfield Road, Brinsley, Nottinghamshire
- 5.8 18/00409/FUL PAGES 75 - 80  
Change of use from residential (Class C3) to offices (Class A2)  
2A, 3A and 4A The Square, Beeston, Nottinghamshire, NG9 2JG
6. LAND OFF CARRFIELD AVENUE TOTON PAGES 81 - 100
7. INFORMATION ITEMS
- 7.1 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.**

- 7.2 Appeal Decisions PAGES 101 - 103
- 7.3 Delegated Decisions PAGES 104 - 110

## **PLANNING COMMITTEE**

**20 JUNE 2018**

Present: Councillor L A Ball BEM, Vice Chair in the Chair

Councillors:	D Bagshaw	G Marshall
	J S Briggs	J K Marshall
	T P Brindley	P Owen
	M Brown	M Radulovic MBE
	E Cubley	R S Robinson
	R I Jackson	P D Simpson

An apology for absence was received from Councillor M Handley.

### 6. **DECLARATIONS OF INTEREST**

Councillor M Radulovic MBE declared a non-pecuniary interest in agenda item 5.2 as he had attended a number of public meetings on this matter, minute number 9.2 refers.

Councillor R D MacRae declared a non-pecuniary interest in agenda item 5.4 as he had attended a number of public meetings on this matter, minute number 9.4 refers.

### 7. **MINUTES**

The minutes of the meeting held on 23 May 2018 were confirmed and signed.

### 8. **NOTIFICATION OF LOBBYING**

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

### 9. **DEVELOPMENT CONTROL**

#### 9.1 **18/00176/FUL**

Hybrid planning application comprising a full application to construct industrial/office units (Class B1 and B2) including a link building, attenuation pond, site access, car park and landscaping (Phase 1). Outline application to construct industrial unit (Class B1 and B2) Phase 2.

**Land North of Common Lane and West of Common Farm  
Common Lane, Watnall**

The application had been brought to Committee at the request of Councillor J M Owen.

The Committee was referred to the summary of late items which noted that there had been a number of emails from local residents, the applicant confirming the number of people employed by Aero Fabrications and an email from the Acting Chairman of Greasley and District Civic Society objecting to the development due to the loss of Green Belt agricultural land. There was also a confidential late item which was brought before the Committee to inform them about sensitive commercial matters concerning the business.

Mr Neil Gouldby, the applicant, Mr Martin Perry, objecting, and Councillor J M Owen (Ward Member) addressed the Committee prior to the general debate.

The Committee debated the application and the following comments were amongst those made:

- The objection to building on the Green Belt was being made on relevant grounds.
- The expansion of the business would create at least 30 jobs and opportunities for training. If the business was not allowed to expand then there was concern that 90 of the 183 jobs currently provided at the site could be lost.
- The very special circumstances of the company being unable to relocate due to site specific approvals and accreditations were discussed.
- The site was described as enclosed Green Belt in the sense that it was largely enclosed by other industrial developments and allotments.
- The site had been included in a Green Belt review to support the Broxtowe Part 2 Local Plan and was rated as one of the lowest performing areas of Green Belt around the Kimberley area.
- There was concern that, should the venture fail and the site be left to fall into a state of dereliction, there would be the potential for it to be redeveloped. It was considered that condition 14 of the planning permission dealt with the occupancy of the site in a proportionate manner.

Councillor L A Ball BEM proposed that the recommendation be approved and Councillor T P Brindley seconded the motion. On being put to the meeting the motion was passed.

**RESOLVED that:**

- 1) **In accordance with the Town and Country Planning (Consultation)(England) Direction 2009, the application be referred to the Secretary of State for Housing, Communities and Local Government, advising him that the Local Planning Authority is minded to approve the application and that;**

- 2) Subject to the application not being called in for determination by the Secretary of State, the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission 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. Application for approval of reserved matters in respect of Phase 2 must be made no later than the expiration of five years beginning with the date on which this permission is granted, and the development of Phase 2 must not begin later than five years from the final approval of the reserved matters for Phase 2 or, in the case of approval on different dates, five years from the final approval of the last such matters to be approved.
  3. Phase 2 of the development hereby permitted shall not be commenced until approval of the details for appearance, layout, landscaping and scale for Phase 2 (the reserved matters) has been obtained from the Local Planning Authority.
  4. The development hereby permitted shall be carried out in accordance with drawing numbers:  
  
**Location Plan**  
**170926-031-08 Site Layout**  
**170926-034-02 Layout**  
**170926-035-01 Roof**  
**170926-036.03 Elevations 1 of 2**  
**170926-037-02 Elevations 2 of 2**  
**170926-040.01 Block Plan**  
**8232-L-01E Landscaping**  
**8232-L-02E Landscaping**  
**8232-L-03E Landscaping**  
**ADC1655/001C Access Junction Layout.**
  5. The development shall be carried out in accordance with the materials detailed at page 8 of the Design and Access Statement January 2018.
  6. The approved landscaping scheme shall be carried out no later than the first planting season following the substantial completion of Phase 1 or occupation of the building, whichever is the sooner and any trees or plants which within a 5 year period, 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.

- 7. Details of the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the unit, the boundary treatment shall be erected in compliance with these details and shall be retained in this form for the life of the development.**
- 8. Before commencement of development, details of soakaway testing, in accordance with BRE365, and a full drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details and scheme and shall thereafter be so maintained.**
- 9. Before development commences, details of the protection measures to be implemented for the retained hedges, in accordance with BS5837(2012) shall be submitted to and approved in writing by the Local Planning Authority. These approved measures shall be implemented prior to work commencing on the site and shall be maintained throughout the construction phase.**
- 10. Before the development is occupied, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first use of the building hereby approved.**
- 11. Deliveries by commercial vehicles shall only be made to or from the site between 0700 and 2100 hours Monday to Saturday and 0900 and 1800 hours on Sundays, Bank Holidays and other public holidays, unless the prior agreement in writing from the Local Planning Authority has been obtained.**
- 12. The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant to this permission, shall not exceed the existing day time or night time background sound levels when measured according to British Standard BS4142:2014 at a point one metre external to the nearest noise sensitive premises.**
- 13. Before development commences, a waste audit for the construction phase shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
- 14. The building hereby approved shall be first occupied by Aero Fabrications.**

15. No part of the development shall be brought in use until the new right turn facility and zebra crossing have been provided on Main Road, as shown for indicative purposes only on drawing referenced ADC1655/001 Rev C, to the satisfaction of the Local Planning Authority.
16. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan 170926-031.08. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.
17. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are constructed with provision to prevent the unregulated discharge of surface water from the parking/turning/servicing areas to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
18. No development shall take place until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a travel plan coordinator, who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Interim Travel Plan to be approved prior to development taking place and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority.
19. The travel plan coordinator shall within 6 months of occupation, produce or procure a Detailed Travel Plan that sets out final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Interim Travel Plan to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives, including implementation dates, to the satisfaction of the Local Planning Authority.
20. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates, to be approved in writing by the Local Planning Authority.



21. Before the development commences, the routing of construction traffic, including proposed construction site access arrangements, shall be submitted to and approved in writing by the Local Planning Authority and no other access points for construction traffic shall be used unless otherwise agreed in writing by the Local Planning Authority.
22. No development shall take place until details of wheel-washing facilities to be provided on site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to development commencing and shall be maintained on site during the period of construction. All commercial vehicles shall have their wheels washed before entering 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. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
3. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
4. For the avoidance of doubt.
5. To ensure a satisfactory external appearance in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
6. To ensure a satisfactory external appearance and to integrate the development into the surroundings in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
7. No such details were submitted with the application and to ensure a satisfactory form of boundary treatment in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
8. To ensure adequate justification is provided not to use infiltration as the primary form of drainage in accordance with the aims and objectives of Policy 1 of the Aligned Core Strategy (2014).
9. To ensure adequate protection for retained hedges.

10. In order to ensure a satisfactory external appearance and to protect residential amenity in accordance with Policy 10 of the Aligned Core Strategy (2014).
11. To protect the residential amenities of nearby residents from excessive delivery noise.
12. To protect existing residents from excessive plant noise.
13. In order to reduce waste during the operational phase in accordance with Policy 1 of the Aligned Core Strategy (2014).
14. Permission is granted only due to the very special circumstances of the applicant in accordance with Policy E8 of the Local Plan (2004) and Policy 3 of the Aligned Core Strategy (2014).
15. In the interest of highway safety, to ensure adequate pedestrian and vehicular access is provided to serve the development in accordance with Policy 14 of the Aligned Core Strategy (2014).
16. In the interest of highway safety, to ensure adequate parking and turning provision is provided to the proposed development.
17. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
18. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).
19. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).
20. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).
21. In the interest of highway safety and to protect the amenity of residential areas.
22. To reduce the possibility of deleterious material (loose stones etc) being deposited on 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 and securing revised plans where required.

2. **Greasley Footpath 18 abuts the site. This footpath shall not be encroached upon and shall remain open, unobstructed and be kept on its legal alignment at all times. Vehicles shall not be parked on the public right of way or materials unloaded or stored on the public right of way so as to obstruct the path. The safety of the public using the path shall be observed at all times. Structures cannot be constructed on the line of the right of way without the prior authorisation of the Nottinghamshire County Council Rights of Way Team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.**
3. **No clearance of vegetation shall be conducted during the bird breeding season (March to August inclusive), except under the guidance of a suitably qualified and experienced ecologist.**
4. **The lighting scheme shall take account of Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting in order to ensure the lighting scheme is bat sensitive.**
5. **Where possible consideration should be given to the provision of a range of birds and bat boxes across the site. These may be positioned on suitable retained trees or on new buildings.**
6. **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 the County Highway Authority for details.**

9.2 18/00197/FUL

Retain summerhouse and outbuilding extension  
65 Newdigate Road, Watnall, Nottingham, NG16 1HN

Councillor J M Owen had requested that this application be determined by the Committee.

There were no late items for the consideration of the Committee.

Mr Ray Caulder, on behalf of the applicant, Mrs Debra Lee, objecting, and Councillor J M Owen (Ward Member) addressed the Committee prior to the general debate.

The debate centred on the following issues:

- Planning permission for the structure had been sought retrospectively.
- Permitted development rights would allow the applicant to build a structure with a larger footprint, but a lower eaves height.

- The proposal was for a domestic outbuilding and not a dwelling, as previous refused applications had been.
- The impact on neighbour amenity was discussed and the building was considered to be harmful to the residential area.

**RESOLVED that permission be refused, the precise wording to be delegated to the Head of Neighbourhoods and Prosperity in conjunction with the Vice Chair and that enforcement action be authorised.**

#### Reason

The proposed development by virtue of its massing, scale and siting close to the northeast boundary would have an overbearing and oppressive impact on the neighbouring property at No.67 Newdigate Road resulting in an unacceptable loss of amenity for the occupiers of this neighbouring property, contrary to Policy H11 of the Broxtowe Local plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

(Councillor M Radulovic MBE, having declared a non-pecuniary interest, left the meeting before debate or voting.)

- 9.3 18/00070/FUL  
Change of use from domestic garage to dog grooming salon  
21 Oakland Way, Strelley, Nottinghamshire NG8 4JS

There had been a request from Councillor P J Owen that this application be determined by Committee.

There were no late items for the Committee to consider with regards to this proposal and no public speakers.

The item was debated and the following issues were raised:

- Concern that allowing this business to start in a garage would set a precedent in an area where there is limited parking available.
- The business should be by appointment only to ensure that the impact on neighbours was limited.

It was proposed by Councillor R I Jackson and seconded by Councillor T P Brindley that an amendment be made to restrict signage at the property. On being put to the meeting the amendment was carried.

**RESOLVED that planning permission be granted subject to the following conditions, together with a condition restricting signage at the property:**

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250), Block Plan (1:500) and Proposed Elevations/Floor Plans received by the Local Planning Authority on 12 February 2018.
3. The dog grooming business hereby approved shall be carried out only during the following times: 09.00 – 17.00 Monday – Friday, 09.00 - 13.00 Saturdays and at no time on Sundays, Bank Holidays or other Public Holidays.
4. Other than the applicant, no members of staff shall be employed to work at the premises.
5. Dog grooming shall be undertaken by an appointment system only. Appointment diaries shall be kept and made available to the local planning authority on request. A maximum of 3 dogs per day shall be groomed. Only 1 dog shall be groomed at the premises at any one time.
6. All dog grooming shall be carried out with all external windows and doors closed.
7. Prior to commencement of the use hereby permitted, a scheme of sound insulation shall be submitted to and approved by the Local Planning Authority, and the works shall be completed in accordance with the approved details, and retained for the duration of the use.
8. No signage shall be displayed at the application site.

#### **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 protect nearby residents from excessive operational noise.
4. To ensure that the use operates in accordance with the interests of the amenities of nearby residents.
5. In the interests of the amenities of nearby residents and in accordance with the aims of Policy H8 of the Broxtowe Local Plan (2004).

6. In accordance with the applicant's stated intentions, in the interests of the amenities of nearby residents and in accordance with the aims of Policy H8 of the Broxtowe Local Plan (2004).
7. To protect nearby residents from excessive operational noise.
8. In the interests of visual amenity and the character of the area to ensure visual clutter is avoided and the residential character of the area is maintained.

### **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.

#### 9.4 18/00295/FUL

Construct first floor side extension, single and two storey rear extension and lean-to garage roof

5 Humber Road, Beeston, Nottingham, NG9 2EF

The application had been brought to Committee by Councillor P Lally.

There were a number of late items for the consideration of the Committee, including a correction to the description of the proposal in the agenda, comments from the ward members, two emails from a neighbour and an additional condition regarding guttering height.

Mr Richard Jones, objecting, addressed the Committee prior to the general debate.

The application was discussed with reference to the loss of light to the stairs and kitchen of the neighbouring property that would be caused by the proposed side extension.

It was proposed by Councillor P J Owen and seconded by Councillor R I Jackson that the application be deferred to allow for discussion with the applicant to consider revisions to the application that would lessen the impact on neighbour amenity. On being put to the meeting the motion was carried.

**RESOLVED that the application be deferred.**

### **Reason**

To allow for discussion with the applicant about the potential for omitting the first floor side extension due to concerns regarding the impact on the amenity of the occupants of number 7 Humber Road.

## 10. INFORMATION ITEMS

### 10.1 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.

### 10.2 Appeal Decisions

The Committee noted the appeal decisions made by the Planning Inspector. Discussion centred on the appeal that had been allowed regarding an application at 24 Church Street, Eastwood. It was considered that in allowing the application to go ahead the Inspector had ignored concerns about the lack of car parking provision.

A motion was proposed by Councillor R I Jackson and seconded by Councillor M Radulovic MBE that a letter be composed and sent to the Secretary of State, the two local Members of Parliament and the Planning Inspectorate to convey the disappointment of the Committee regarding the decision. On being put to the meeting, the motion was carried.

**RESOLVED unanimously that a letter, signed by the Leaders of the three main parties be sent to the Secretary of State for Housing, Communities and Local Government, the Member of Parliament for Broxtowe, the Member of Parliament for Ashfield and the Planning Inspectorate.**

### 10.3 Delegated Decisions

The Committee noted the decisions determined under delegated powers between 5 May and 8 June 2018.

Report of the Chief Executive

**17/00847/FUL  
 CHANGE OF USE FROM WAREHOUSE (CLASS B8) TO 9  
 BEDROOMED HOUSE IN MULTIPLE OCCUPATION, EXTERNAL  
 ALTERATIONS, RAISE RIDGE HEIGHT AND INSTALL ROOF LANTERN  
 29A IMPERIAL ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 1FN**

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

1 Details of the Application

1.1 The application seeks planning permission to change the use of a warehouse to a House in Multiple Occupation (HMO). As part of the works it is proposed to raise the height of the roof from 5.9m to 6.5m and to install a roof lantern (to take the total height to 7.2m). The existing single storey lean-to to the side would be removed. Various alterations are also proposed to the existing window and door openings and it is proposed to install new windows within the side and rear elevations. The first floor windows in the side elevations will be obscurely glazed and non-opening. Solar panels are proposed on the roof. Internally there would be nine bedrooms and an open plan kitchen/ living room area. Two parking spaces are proposed to the front. During the course of the application amended plans were submitted providing further details of the parking spaces, increasing the number of non-opening windows and changing the external finish from render to brick.

2 Site and Surroundings

2.1 The existing building is primarily two storey with a small single storey lean-to element to the side. The building can be used as a warehouse or for storage (Class B8) although it is currently vacant. There are a number of windows and openings within the front (north east) elevation. There is also a disused doorway at first floor level in the side (north west) elevation. There are no other existing openings or windows. There is a small area of hardstanding to the front which provides space for parking. There is a 1.8m timber fence along the north west boundary and enclosing the rear of 31 and 31a Imperial Road and a brick wall, ranging in height from 1.5m to 2.4m, along the north west, south west and south east boundaries. The site is surrounded on all sides by residential development on Imperial Road, Newton Street and Collington Street.

Image 1: View from Imperial Road



Image 2: Front elevation





Image 3: Rear elevation



Image 4: Side (north west) elevation



### 3 Relevant planning history

- 3.1 An application (reference 16/00763/P3PPA) was submitted under Part 3 Class P of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Class P allows for the change of use of a building and any land within its curtilage from a use falling within Class B8 (storage or distribution centre) to a use falling within Class C3 (dwellinghouses). However, as the application also proposed external changes, which are not allowed under this process, the application was refused and it was stated that a full planning application would be required.
- 3.2 Planning permission was granted for the existing building in 1970 (reference 70/00128/FUL) which could be used as 'light industrial'. Planning permission was then granted in 1989 to use the building for storage and as a trade counter (89/00350/FUL). A condition was included which restricted business activity to between 8:00 and 18:00 Mondays to Fridays, 8:00 to 13:00 on Saturdays and at no times on Sundays or Bank Holidays.

### 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. The document outlines that the government's key housing objective is to increase significantly the delivery of new homes and states that there should be a wide choice of high quality homes within safe and accessible environments.
- 4.1.2 In relation to assessing the highway impacts of a proposal, paragraph 32 states that development should only be refused on transport grounds where the residual cumulative impacts are severe.
- 4.1.3 Section 7 of the National Planning Policy Framework (NPPF) outlines the importance of good design. Paragraph 58 states that planning decisions should aim to ensure that developments respond to local character and reflect the

identity of local surroundings and materials and are visually attractive as a result of good architecture and appropriate landscaping.

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

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

4.2.2 Policy A 'Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 Policy 4 'Employment Provision and Economic Development' aims to manage existing employment sites for the full range of employment uses by: i) ensuring the allocations most attractive to the employment market remain available for employment uses; and ii) retaining good quality existing employment sites.

4.2.4 Policy 8 'Housing Size, Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. The policy also states that all residential developments should contain adequate internal living space. The appropriate mix of house size, type, tenure and density within housing development will be informed by the need to redress the housing mix within areas of concentration of student households and HMOs, the area character, site specific issues and design considerations and the existing or proposed accessibility of a location by walking, cycling and public transport. The supporting text makes specific reference to issues resulting from concentrations of HMOs within Nottingham City and states that a policy approach for considering planning applications for student accommodation and HMOs would be set out in part 2 of Nottingham City's Local Plan.

4.2.5 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.

4.2.6 'Policy 14: Managing Travel Demand' aims to reduce the need to travel by private car. It states that the priority should be to select sites which are already accessible by walking, cycling and public transport.

#### 4.3 **Saved Policies of the Broxtowe Local Plan (2004)**

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

4.3.2 Policy E29 'Contaminated Land' states development of land which may be contaminated will not be permitted unless a site investigation (using a method agreed in writing with the Council) has been carried out; details of remedial measures have been approved by the local planning authority and the relevant consultation bodies; there will be no significant risk to the health and safety of

occupants of the development and there will be no contamination of any surface water, ground water or adjacent land.

- 4.3.3 Policy H7 'Land Not Allocated for Housing Purposes' states that residential development on sites within the existing built-up area will be permitted provided the amenity of existing and proposed occupiers is not adversely affected; the development would not result in an undesirable change in the character or appearance of the area; the development of a larger area is not prejudiced; satisfactory provision is made for access and parking; the site is not of significant nature conservation value and the site is not required to be retained for another purpose in the local plan.
- 4.3.4 Policy T11 'Guidance for Parking Provision' and appendix 4 to the Local Plan require 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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.
- 4.4.2 Policy 9 'Retention of good quality existing employment sites' seeks to retain good quality employment premises.
- 4.4.3 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which meets a number of criteria (where relevant) including that it integrates into its surroundings; provides, or is close to, community facilities; has good access to public transport; creates a place with a locally inspired or otherwise distinctive character; takes advantage of existing topography and buildings; provides sufficient, well-integrated parking; and ensures satisfactory standards of amenity for existing and proposed residents.

#### 5 Consultations

- 5.1 Nottinghamshire County Council as Highways Authority requested two parking spaces to meet the requirement of one parking space per six bedroom spaces. Following the submission of an amended plan showing two parking spaces, the Highways Authority has no objection subject to a condition preventing gates being erected at the entrance to allow the cars to reverse into the car parking spaces and to not have to wait on the public highway.
- 5.2 The Council's Environmental Health Department states no objection but highlights that the site has had a long history of industrial uses. As the site has the potential to be contaminated, a condition is recommended requiring the submission of an investigative survey and for any remedial measures to be implemented prior to the building being occupied. It is also advised that the applicant contacts the

Council's Private Sector Housing Officer in relation to complying with HMO standards.

5.3 The Council's Waste and Recycling Department has recommended that the developer will need to purchase their own bins which would need to be put at the curtilage of the property for emptying.

5.4 19 properties either adjoining or directly opposite the site were consulted on the application and a site notice was displayed. All properties were subsequently re-consulted once amended plans were submitted. In respect of the original plans, 18 objections were received, two letters stating observations and one letter stating no objection. In respect of the amended plans, six objections were received.

5.5 The letters of objection raise the following issues and concerns:

**Loss of Amenity**

- The additional height will result in a loss of light. The development would be overbearing.
- There will be a loss of privacy from the additional windows.
- The roof lantern will emit light every night resulting in light pollution.
- There would be an increased sense of enclosure.
- There will be an increase in noise due to the number of residents.

**Parking and Access**

- There would be insufficient off-street parking and there are existing parking issues on Imperial Road. If the application is approved, residents should be required to only use the off-street parking spaces.
- There will be increased traffic.

**Other Issues**

- The building was previously given illegal planning permission to be two storeys high.
- There will be a negative impact on house prices.
- The transient nature of HMO residents has an impact on the appearance of properties and the character of the area.
- The building should be kept in employment use. There is demand from businesses to use the building but the value for residential is far greater.
- The development is too cramped.
- The amended plans fail to overcome previous objections.

5.6 The letters stating observations raise the following points:

- The proposal would be over-intensive development.
- There could be substantial noise and disturbance due to the proximity to neighbouring properties and the inclusion of bi-fold doors.
- There is limited space to the front of the building for parking and the existing parking issues will be made worse.

## 6 Appraisal

6.1 The main considerations relate to whether the principle of the change of use to a HMO would be acceptable, whether the change of use and external alterations would result in an unacceptable loss of amenity to neighbouring properties and whether there is sufficient parking provision to serve the development.

## 6.2 **Principle**

6.2.1 Objections received in respect of the application have raised specific concerns regarding the appropriateness of a HMO within this location and the impact that this use can have on the character of the area. One response also states that the building should be retained for employment use.

6.2.2 Whilst currently vacant, the building can be used for a storage and warehouse use (Use Class B8). Although it is noted that there does not appear to have been any issues related to the site when it was last in use, deliveries to and from the building and activities within the building could cause significant disturbance to surrounding residents, particularly due to the constrained nature of the site and the narrow access.

6.2.3 Policy 4 of the Aligned Core Strategy seeks to retain good quality existing employment sites. However, due to the constrained nature of the site and proximity to residential properties, it is considered that it would not be desirable to seek to retain the building for storage and warehouse use and a residential use would be a more appropriate use within this location. Weight is also given to the need to provide additional residential development within existing settlements.

6.2.4 Aligned Core Strategy Policy 8 'Housing Size, Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. It also states that the appropriate mix of house size, type, tenure and density within housing development will be informed by the need to redress the housing mix within areas of concentration of student households and HMOs. There are currently no licenced HMOs along Imperial Road although the Council has records of seven 'small' HMOs which do not require a licence or planning permission. It is considered that, based on this information, there is not an existing concentration of HMOs in this location and that the development would add to the housing mix in accordance with Policy 8. However, consideration must also be given to the potential impact the conversion to a HMO use would have on the occupiers of surrounding properties and whether the number of bedrooms would be considered to be an over intensive use of the building.

## 6.3 **Amenity**

6.3.1 Nine bedrooms would be provided within the HMO. A large open plan living room and kitchen area would also be provided on the ground floor and there would be a large atrium providing light to these areas and to the bedrooms. The bedrooms would have obscurely glazed external windows but would have an internal outlook towards the central atrium and would all have an en-suite bathroom. It is

considered that the bedrooms and living space are of an acceptable size and, due to the size of the building, the use would not be considered to be over intensive.

- 6.3.2 The potential for disturbance from a storage or warehouse use could be significant from vehicles arriving and leaving the building and activities within the building. This should be given consideration when considering if the proposed HMO use would result in an additional impact. The noise and activity generated from a HMO would differ from a storage or warehouse use, with noise primarily resulting from residents arriving and leaving the property and from internal noise emanating from open windows. However, noise and disturbance from a residential use is usually limited and would be similar to existing residential properties within the area. If an unacceptable level of disturbance did arise, for example from music played too loudly, this would be a matter which could be dealt with by the Council's Environmental Health Department. Therefore, taking into consideration the existing use, it is considered that noise and disturbance would not be to an extent which would justify refusing planning permission.
- 6.3.3 Objections have been raised that the additional windows will result in overlooking and a loss of privacy. The applicant has attempted to overcome these concerns by blocking up two windows in the front elevation which would face directly towards 31 and 31a Imperial Road and by obscurely glazing and fixing shut all windows in the side elevations at first floor level. In the rear elevation, two windows would be obscurely glazed and the central window would not provide direct views towards gardens due to the internal layout. There will still be a perception of being overlooked by neighbouring properties on Imperial Road, Collington Street and Newton Street due to the proximity of the building to the boundaries and as the windows would be inserted within elevations where there are currently no openings. However, the obscurely glazed windows would provide no views directly towards the neighbouring properties and conditions can ensure that they remain obscurely glazed and fixed shut for the lifetime of the development. Windows in the front elevation, which would be clearly glazed, will provide similar views to the existing windows and primarily face towards the parking area to the front. Based on the above, it is considered that the application would not be refusible due to an unacceptable loss of privacy occurring.
- 6.3.4 The height of the building would be raised as part of the proposed development from 5.9m to 6.5m. The lantern would also project above the top of the roof. The building is already in close proximity to neighbouring properties which results in some sense of enclosure. However, it is considered that an additional 60cm in the height of the main roof would not result in additional overshadowing or be overbearing to an extent which would result in an unacceptable loss of amenity occurring.
- 6.3.5 It is considered that light from the building and from the roof lantern would be similar to other residential properties and would be unlikely to give rise to unacceptable levels of light pollution.

## 6.4 **Parking**

- 6.4.1 Two off street parking spaces are shown on the plans. The Highways Authority has stated that this accords with their recommended parking provision of one

parking space per six bedroom spaces. The proximity to Beeston town centre and the tram is also noted. Letters of objection have raised concerns regarding the existing on-street parking problems and that the development will make this worse. However, consideration should also be given to the potential impact of employee parking if the building was brought back into a storage or warehouse use. Based on the comments of the Highways Authority and the aims of Policy 14 of the Core Strategy to reduce the need to travel by private car, it is considered that the parking arrangements would be acceptable and the development would not have an impact on highway safety. The Highways Authority recommends a condition stating that the gates at the entrance should be removed. However, many residential properties have gates at the entrance without causing highway safety issues and therefore it is considered that this condition would not be necessary. A neighbour response also requested that prospective residents should only be able to park off-street but this would not be enforceable with a planning condition.

## 6.5 Design

6.5.1 The proposed alterations would not result in a significant visual change to the building, although the new windows in the front elevation would provide a more modern appearance. The installation of solar panels will also provide sustainability benefits. It is considered that the proposed alterations accord with Policy 10 of the Core Strategy in respect of design.

## 6.6 Other Issues

6.6.1 The Council's Environmental Health Officer has recommended a condition requiring the submission of an investigative survey and for any remedial measures to be implemented prior to the building being occupied. Due to the historic industrial use of the site and as it would be used for residential purposes, it is considered that a condition would be necessary.

6.6.2 A note to applicant will highlight the need for the applicant to contact the Council's Waste and Recycling section to purchase bins.

6.6.3 The impact on house prices is not a material planning consideration.

6.6.4 Reference is made to an illegal planning permission for the original building. However, records from 1970 and referred to within the Planning History section show that planning permission was granted for the two storey building.

## 7 Conclusion

7.1 It is considered that there would be no policy justification or other planning consideration which would justify preventing the change of use to a HMO. There will be an increased perception of overlooking from the additional windows and it is clear that residents are concerned regarding the impact of the change of use and the other external changes. However, due to the existing relationship, it is considered that the development will not result in an additional impact which would constitute an unacceptable loss of amenity and would justify refusing planning permission. The parking provision accords with the required parking

standards and it is considered there would not be an unacceptable impact on highway safety.

**Recommendation**

**The Committee is asked to RESOLVE that consent 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<sup>th</sup> December 2017 and drawing numbered CD17/12/02 c received by the Local Planning Authority on 20 April 2018.**
- 3. (a) No development shall commence until a site investigation scheme has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The scheme 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 scheme shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.**

**The building shall not be first occupied until:**

- i. All the necessary remedial measures for the building have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and**
- ii. It has been certified to the satisfaction of the Local Planning Authority, through the submission of a verification report that the necessary remedial measures for the building have been implemented in full.**
- 4. The building shall not be first occupied until the parking spaces are provided and available for use in accordance with the drawing numbered CD17/12/02 c.**
- 5. The first floor windows indicated as ‘Obscure Glazed’ on the drawing numbered CD17/12/02 c shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) before the respective bedrooms are first occupied and thereafter retained in this form for the lifetime of the development.**
- 6. The first floor windows indicated as ‘Non Openable Window’ on the drawing numbered CD17/12/02 c shall remain non-opening for the lifetime of the development.**



7. The windows in the front (north east) elevation for bedroom 4 shall be blocked up prior to the respective bedroom being first occupied and shall be retained in this form for the lifetime of the development.

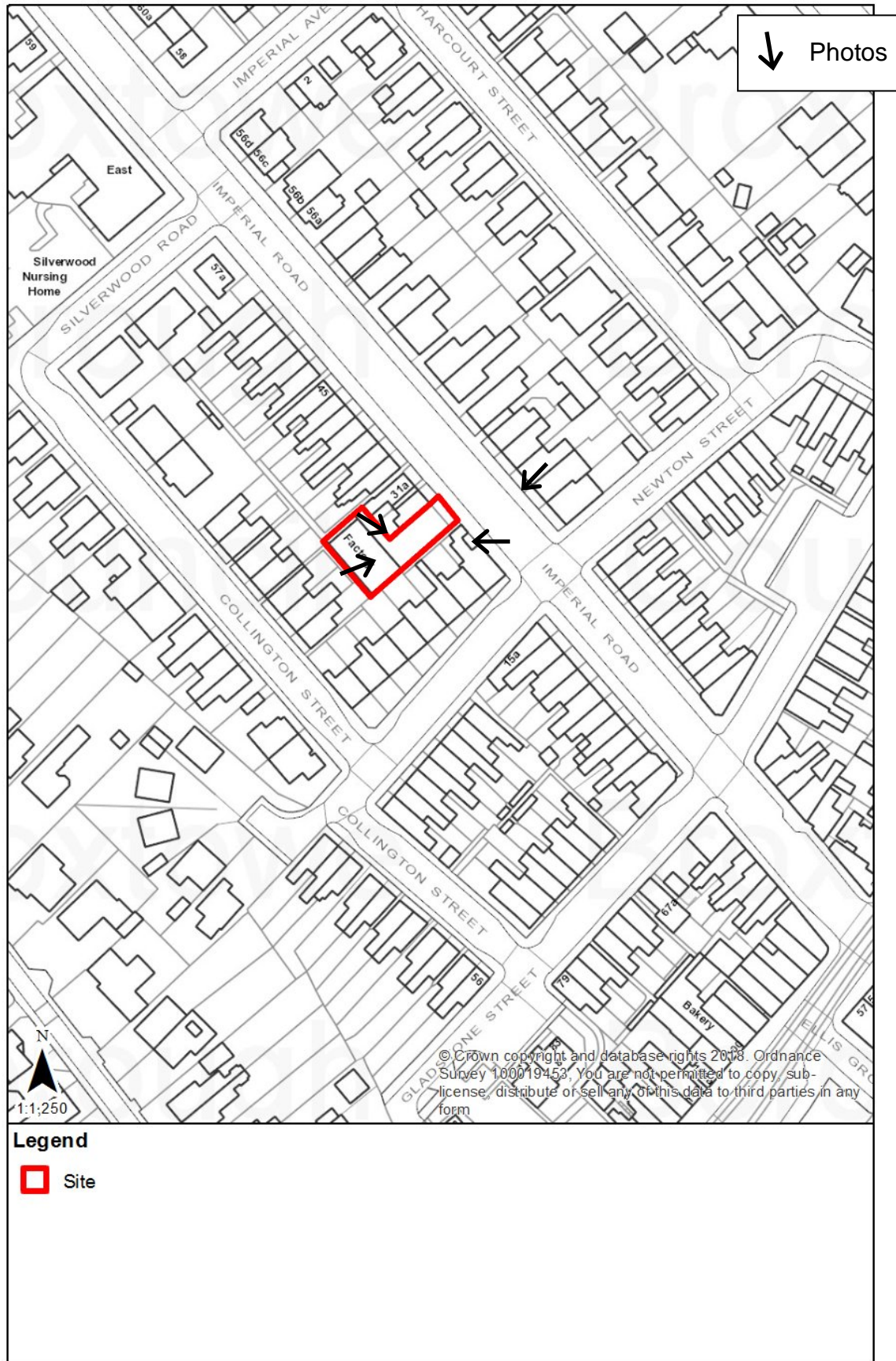
#### Reasons

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. The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of public health and safety and in accordance with the aims of the Policy E29 of the Broxtowe Local Plan (2004).
4. In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
- 5, 6 & 7. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).

#### Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by seeking amendments during the course of the application.
2. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
3. The applicant shall ensure that any works of conversion comply with the current building regulations and the British standards for fire safety, fire separation and noise insulation.
4. A House in Multiple Occupation must comply with the relevant licensing, fire safety and fitness for occupation standards under current legislation. The applicant is advised to contact the Council's Private Sector Housing Team for further information (0115 917 7777).
5. Best practicable means should be used during construction to ensure that disturbance is kept to a minimum. It is advised that contractors limit noisy works to between 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and no noisy works on Sundays and bank holidays.

Background papers  
Application case file



## Report of the Chief Executive

**18/00328/FUL  
CHANGE OF USE FROM AGRICULTURAL LAND TO RECREATIONAL  
USE, INCLUDING THE SITING OF SIX GLAMPING PODS  
MILL FARM, 62 MILL ROAD, STAPLEFORD, NOTTINGHAMSHIRE**

Councillor Longdon has requested this application be determined by Planning Committee and if approved, the development would constitute a material departure from policy.

1 Details of the application

1.1 The application seeks permission to change the use of a parcel of land from agriculture to recreational use including the siting of six glamping pods. Each pod will be 6m by 3.2m, have a maximum height of 3m and be raised 0.6m above ground level. A raised decking area will extend to the rear of each pod with associated ramps to the side. There will be six parking spaces and 14 cycle spaces. Each pod will be constructed with timber and will have a kitchen/dining area, a living/sleeping area and a bathroom. The proposed use of the pods is intended for tourism.

2 Site and surroundings

2.1 Mill Farm is located on the edge of an urban location, north of Meadow View. The site is within the Nottinghamshire Green Belt and Flood Zones 2 and 3. The land is used for general storage and farming equipment. The farm is mostly surrounded by a 2m high metal fence.

2.2 Residential properties are positioned directly to the south of the farm and beyond a field to the east. Agricultural land mainly surrounds the site and the River Erewash runs adjacent to the west of the site.

2.3 The site is served by two footpaths, one leading north towards Stanton Gate and the other leading west over the River Erewash towards Stanton by Dale.

2.4 The site is within walking distance to regular bus services which provide access to Stapleford, Beeston and Long Eaton and is approximately 1.5m miles from junction 25 of the M1.



Fig 1. Northern boundary of Mill Farm



Fig 2. Southern boundary to Mill Farm and entrance



Fig 3. Entrance to Mill Farm



Fig 4. Northern boundary of Mill Farm



Fig 5. Proposed western boundary



Fig 6. Proposed northern boundary

### 3. Relevant planning history

3.1 There is no relevant planning history in association with this site.

### 4. Policy context

#### 4.1 National Policy

4.1.1 The National Planning Policy Framework (NPPF) March 2012, outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, a good standard of amenity for existing and future occupants should be secured and high quality design should be demonstrated. The document outlines that full account should be taken of flood risk, the natural environment should be conserved and enhanced and development should be located in sustainable locations.

4.1.2 Section 7 of the NPPF relates to achieving good design. Paragraph 60 outlines how it is appropriate to seek to promote or reinforce local distinctiveness. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

4.1.3 Section 9 of the NPPF relates to protecting Green Belt land. It states that the Green Belt serves five purposes which includes to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment. Inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations. Whilst the construction of new buildings should be regarded as inappropriate, there are certain exceptions including the provision of appropriate facilities for outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. However, changes of use are not listed as exceptions.

4.1.4 Paragraph 81 of the NPPF describes that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access and to provide opportunities for outdoor sport and recreation.

4.1.5 Paragraph 145e of the draft revised National Planning Policy Framework (NPPF) states that the forms of development which are “not inappropriate” in the Green Belt will include “material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it”. The draft NPPF gives an example of “outdoor sport or recreation” and, subject to the details of the proposals, this could include camping/glamping.” This appears to be a ‘common sense’ improvement to the current NPPF and it seems very likely to be included in the final version, which is expected to be published in July this year. However, it should be noted that as this is a draft version, it can only be afforded limited weight.

#### 4.2 Broxtowe Aligned Core Strategy

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

4.2.2 Policy A 'Presumption in Favour of Sustainable Development' - reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 Policy 1 'Climate Change' - development will be supported that avoids areas of current and future flood risk, which, individually or cumulatively does not increase the risk of flooding elsewhere and, where possible, reduces flood risk.

4.2.4 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 Policies of the Broxtowe Local Plan

4.3.1 The Part 2 Local Plan is currently under preparation. 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 E8 'Development in the Green Belt' - states that permission will not be granted for development except where it constitutes appropriate development. Appropriate development includes essential facilities for outdoor recreation.

4.3.3 Policy E29 'Contaminated Land' - explains that development of land which may be contaminated may not take place unless a site investigation to assess the degree and nature has taken place, details of remedial measures have been approved, there is no significant risk to health and safety to occupants of the land and there is no contamination to any surface water, groundwater or adjacent land.

4.3.4 Policy RC17 'Outdoor Recreation Pursuits' - states that planning permission will be granted for outdoor recreation facilities provided that there would be a satisfactory access and appropriate parking facilities, the development would not detract from the open character, environmental and landscape value of the area and there would be no unacceptable harm to local amenity.

4.3.5 Policy T11 Guidance for parking provision - new development will not be permitted unless appropriate provision is made for vehicle parking and servicing.

#### 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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

- 4.4.2 Draft Policy 1 'Flood Risk' - development will not be permitted in any areas at risk from flooding unless there are no suitable and reasonably available alternative locations in a lower-risk area outside the Green Belt.
- 4.4.3 Draft Policy 8 'Development in the Green Belt' - the health and well-being benefits of changes of use of open land to outdoor sport and outdoor recreation will constitute 'very special circumstances' which clearly outweigh the 'by definition' harm to the Green Belt, subject to assessment of their effect on the openness of the Green Belt, and on the purposes of including land in the Green Belt.
- 4.4.4 Draft 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, integrates well into its surroundings, provides, or is close to community facilities, has sufficient, well-integrated parking and incorporates ecologically sensitive design, with a high standard of planting and features for biodiversity.
- 4.4.5 Draft Policy 19 'Pollution, Hazardous Substances and Ground Conditions' - development of land which may be contaminated will not be permitted until a site investigation has been undertaken and any necessary remedial measures have been agreed.

## 5. Consultations

- 5.1 The Environmental Health Officer raises no objections to the proposal but suggests conditions relating to the accompanying contamination report and an advisory note to applicant regarding noise.
- 5.2 The Coal Authority advises if the application were to be granted permission, standing advice should be applied in the interests of public health and safety.
- 5.3 Nottinghamshire County Council Highways Authority advise they have no objection in principle to the development subject to a standard condition relating to surfacing of parking areas.
- 5.4 Nottinghamshire Wildlife Trust (NWT) have raised no objection subject to the site being both previously developed land and the development proposal not covering any of the Local Wildlife Site (LWS). Nottingham Biological Record Centre was consulted in regards to the site boundary with the LWS. They have stated that the LWS boundary will be redrawn to account for this.
- 5.5. The Environment Agency has raised no objections to the proposal, but has suggested that the development must be constructed in line with the measures recommended within the accompanying Flood Risk Assessment. They have advised conditions accordingly.
- 5.6 The Town Centre and Regeneration Officer supports the proposal stating it would have a positive impact on the locality and in particular the Town Centre of Stapleford. The development would also align with the main aims of both the Council's Economic Regeneration Strategy and the Strategic Enterprise Plan for the D2N2 Local Enterprise Partnership. However, it has been advised that a development of this small scale would not have a significant impact on local trade.

5.7 Four consultation responses have been received. Two state they have no objection and support the proposal. Two objections suggest this development would result in a loss of privacy, increase in traffic, cause noise and disturbance and impact on personal safety and children.

6. Appraisal

6.1 The main issues to consider as part of this application relate to whether the change of use for recreational purposes is an acceptable use in principle and constitutes appropriate development in the Green Belt, whether it would preserve the openness of the Green Belt and the potential very special circumstances relative to development in the Green Belt. Also relevant are amenity, design, parking and flood risk issues.

6.2 Principle and Green Belt

6.2.1 Section 9 of the NPPF states that inappropriate development is harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSC). Whilst the construction of new buildings should be regarded as inappropriate, there are certain exceptions including the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Policy E8 also states that essential facilities for outdoor sport and outdoor recreation are appropriate uses in the Green Belt. However, the NPPF does not list changes of use as a type of development which may be considered as not inappropriate.

6.2.2 The proposed glamping pods are considered to be an appropriate facility for outdoor recreation use which could be seen as an exception and appropriate development in the Green Belt. However, the change of use of the land is considered to be inappropriate development (as it is not included as an appropriate form of development in the NPPF). Case law has established that even if an application contains elements that on their own would be appropriate development, for example the facilities for outdoor recreation, the Courts have held that that the whole of the development is still to be regarded as inappropriate. This means that the Green Belt test must be applied against the proposals as a whole and whether there are any very special circumstances that outweigh harm by inappropriateness and any other harm.

6.2.3 The draft revised National Planning Policy Framework (NPPF) states that the forms of development which are “not inappropriate” in the Green Belt will include “material changes in the use of land that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it”. Within this draft document, examples are given which include outdoor sport and recreation, of which this development would be a form. If this document is formally published and updated in its current form, this development could be considered a form of ‘appropriate’ development within the Green Belt. However, as this document is only in draft form, it can only be afforded limited weight.

6.2.4 Based on the current NPPF, the proposed change of use for recreational purposes would be regarded as inappropriate development in the Green Belt.



The potential harm to the Green Belt must be assessed alongside any other harm which may occur from the development. Following this assessment, it will then be considered if any Very Special Circumstances exist and if the harm is clearly outweighed by other considerations.

6.2.5 Openness is the essential characteristic of Green Belt and relates to an absence of development. The lawful use of this parcel of land where the glamping pods are proposed to be situated is currently agricultural. The site is surrounded by a 2m high wire fence but otherwise the site is open. The six proposed glamping pods would be approximately 3.6m in height (including the raised decking area), 6m in length and are grouped together around a central car park area. Whilst it could be argued the buildings may be appropriately designed (see later section), there would be some impact on the openness of the Green Belt through the construction of these buildings. To lessen the impact on the openness of the Green Belt, it would have been favourable to position these further south, closer to the existing agricultural building. However, to reposition these closer to the farm would mean a more unattractive outlook from the pods and as the structures are rather unobtrusive and not of any significant scale, they would not look out of keeping within a Green Belt setting and do not have a significant impact on the openness of it. The pods are also grouped relatively close together, further reducing their impact. Therefore, it is considered this development would not have a significant impact on the openness of the Green Belt, and it is also considered that the general character of open countryside would remain unaffected.

### 6.3 Very Special Circumstances

6.3.1 The change of use of the land is not considered a form of appropriate development as outlined within the NPPF meaning Very Special Circumstances (VSC) must be demonstrated. The applicant has suggested this development would generate extra income from tourism and associated uses that would be beneficial to the local area. Whilst this is likely, it has not been quantified with any facts or statistical information, and it is therefore difficult to conclude on how much extra income would be generated. Nevertheless, it is considered that the addition of six glamping pods would result in some benefit to the local economy, including Stapleford town centre due to tourists staying in the pods and spending their money in the area. Given the number of pods, it is not considered that this would be significant. Additionally, this is a form of farm diversification which should be encouraged in line with the NPPF. Albeit on a small scale, this also supports the Council's Economic Regeneration Strategy and the aims of the D2N2 Strategic Economic Plan. This is in line with promoting the aims of inward investment. This development would then have a positive impact on the locality, from a tourism perspective, but only some planning weight can be attached based on the lack of information submitted and the small scale of the development.

6.3.2 As part of the VSC case, the applicants state that this development would not significantly impact on openness and that a suitably tailored landscaping scheme to screen the development would reduce its impact. With regard to landscaping, it is considered that a suitable landscaping scheme would reduce the visual impact of this development within its wider Green Belt setting. However, this would only serve to lessen the impact of the development, it would not be considered VSC in support of it. This is a limited beneficial impact.

- 6.3.3 Within the VSC case argued by the applicant, reference is also made to changing the use of a 'Brownfield site'. Paragraph 89 of the NPPF states that development of brownfield sites, which would not have a greater impact on the openness of the Green Belt, should not be viewed as inappropriate development. However, the glossary of the NPPF defines 'Previously Developed Land' (PDL) and specifically excludes land that is or has been occupied by agricultural buildings. There would be some visual benefit to the local landscape in securing an appropriately designed development with landscaping, but in line with the NPPF definition, this does not amount to the redevelopment of a previously developed site.
- 6.3.4 The current emerging changes to the NPPF suggest that changes of use in the Green Belt for forms of appropriate development that maintain openness, should be approved, if all other factors are acceptable. This approach would clarify the current arguably contradictory view of the NPPF where 'appropriate' buildings can be appropriate development, but any associated change of use is considered inappropriate. Whilst only in draft, the potential changes in the NPPF can be used in conjunction with the VSC case.
- 6.3.5 When assessing all of the factors above, it can be argued that due to the developments positive impact on the local area, the visual improvement to the site, the limited impact on the openness of the Green Belt, and the current and emerging planning policy position, VSC do exist that would justify this form of inappropriate development within the Green Belt.

#### 6.4 Amenity, Design and Parking

- 6.4.1 The pods would be positioned beyond the existing agricultural building and residential properties on Mill Road. Due to the positioning of the pods, the single storey height and the significant separation distance to nearby dwellings, it is considered that they would not have a detrimental impact on the amenity of the nearby neighbours. An objection has suggested that this development would have a detrimental impact on privacy. However, considering the distance from the neighbour's rear boundary/elevation is in excess of 70m, and the view of the development would be partially obscured by an existing farm building, the impact this development would have on privacy is considered to be minimal.
- 6.4.2 It is acknowledged that the development would increase the amount of traffic via Mill Road. However, as the development is considered to be of a modest scale and there are only six pods, it is considered highly unlikely the traffic generation would have a significant impact on parking or highway safety issues.
- 6.4.3 It is considered there will not be a risk to personal safety of residents or children as a result of this proposal.
- 6.4.4 There is a substantial amount of hardstanding proposed as a parking area but it is noted that there is already a hard, bound material where the proposed parking would be located. The hardstanding will be a porous material to allow for surface water drainage and is considered to be an improved situation to the current hardstanding.

6.4.5 Six parking spaces and 14 cycle spaces are proposed which is considered sufficient for the number of pods. The County Council highways officer raises no objection to this proposal.

## 6.5 Flooding

6.5.1 The applicant has engaged with the Environment Agency to ensure the development is in line with flooding guidance. The development has been designed with flood mitigation measures in mind which include locating the pods on stilts and having an eight metre wide exclusion zone around the development which is clearly denoted on the plans. The Environment Agency has not raised any objections to it. They have suggested conditions to ensure this development is appropriately mitigated against potential future flood risk.

6.5.2 As the site is located within Flood Zones 2 and 3 and is classed as a more vulnerable development type, a sequential test is necessary. The proposed pods are deliberately located within an attractive setting within close proximity to Erewash Valley Trail. It is considered that there are no other reasonable available alternative sites that could benefit from the Erewash Valley Trail that are outside Flood Zones 2 and 3, therefore sequentially, there are no other favourable sites and the development is considered acceptable in this location.

## 6.6 Nottinghamshire Wildlife Trust

6.6.1 Nottinghamshire Wildlife Trust (NWT) have raised no objection subject to the site being previously developed and the development proposal not covering any of the Local Wildlife Site (LWS). Notwithstanding the definition in the NPPF, there are significant areas of hardstanding and the LWS boundary will be redrawn to reflect this. Therefore, it is considered unnecessary to impose a condition to carry out an Ecological Appraisal report as initially advised by the NWT.

## 7. Conclusion

7.1 The change of use of the land from agricultural to recreational use and the associated construction of six pods would constitute inappropriate development within the Green Belt. This application should therefore only be approved in very special circumstances and very special circumstances will not exist unless any potential harm to the Green Belt or any other harm is clearly outweighed by other considerations. Harm would result from the inappropriate change of use and from some loss of openness from the proposed buildings.

7.2 It is considered that in this case very special circumstances exist. The NPPF advises local planning authorities to plan positively to enhance the beneficial use of the Green Belt. Recreational buildings are considered acceptable uses within the Green Belt and this development would enhance the local economy. Furthermore, it is considered that the impact on openness is not significant and there are no other factors that would warrant refusing this application. Very special circumstances can be demonstrated as the potential harm to the Green Belt, by reason of inappropriateness, is outweighed by the economic benefits, the visual improvements to the site and the lack of any other significant harm. The proposal therefore is in general accordance with Policies E8, E29 and RC17 of the Broxtowe Local Plan, with Policies 1 and 10 of the Broxtowe Aligned Core

Strategy, Policies 1, 8, 17 and 19 of the Draft Part 2 Local Plan and with Sections 7 and 9 of National Planning Policy Framework.

**Recommendations**

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: 3384/01B received by the Local Planning Authority on 10 May 2018 and 3384/02 received by the Local Planning Authority on the 18 May 2018.
3. No building works, including site clearance, shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:
  - (a) numbers, types, sizes and positions of proposed trees and shrubs;
  - (b) proposed hard surfacing treatment;
  - (c) planting, seeding/ turfing of other soft landscape areas;
  - (d) details of the site boundary treatments and any pod curtilage boundary treatments;
  - (e) details of any external lighting; and
  - (f) a timetable for implementation of the scheme.

The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 10 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.

4. No building erected pursuant to this permission shall be occupied or brought into use until:
  - i) All necessary remedial measures identified within the Phase 1 Desktop Study and Contamination Assessment Report (ref IV.84.18) dated April 2018 have been completed in accordance with details approved in writing by the Local Planning Authority; and
  - (ii) It has been certified to 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.
5. The glamping pods hereby approved shall not be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number: 3384/01B. This area shall be maintained in the bound material for the life of

the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

6. Notwithstanding the details on the submitted plans, the glamping pods hereby approved shall have a finished floor level set no lower than 38.78m above Ordnance Datum (AOD). This is in accordance with section 5.5.1 of the accompanying flood risk assessment.

#### 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 with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing and to ensure the development presents a more pleasant appearance in the locality, does not adversely impact on the Nottinghamshire Green Belt, and in accordance with the aims of Policy 10 Broxtowe Aligned Core Strategy (2014) and Policy 8 of the Draft Part 2 Local Plan.
4. In the interest of public health and safety.
5. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
6. To reduce the risk of flooding to the proposed development and future occupants.

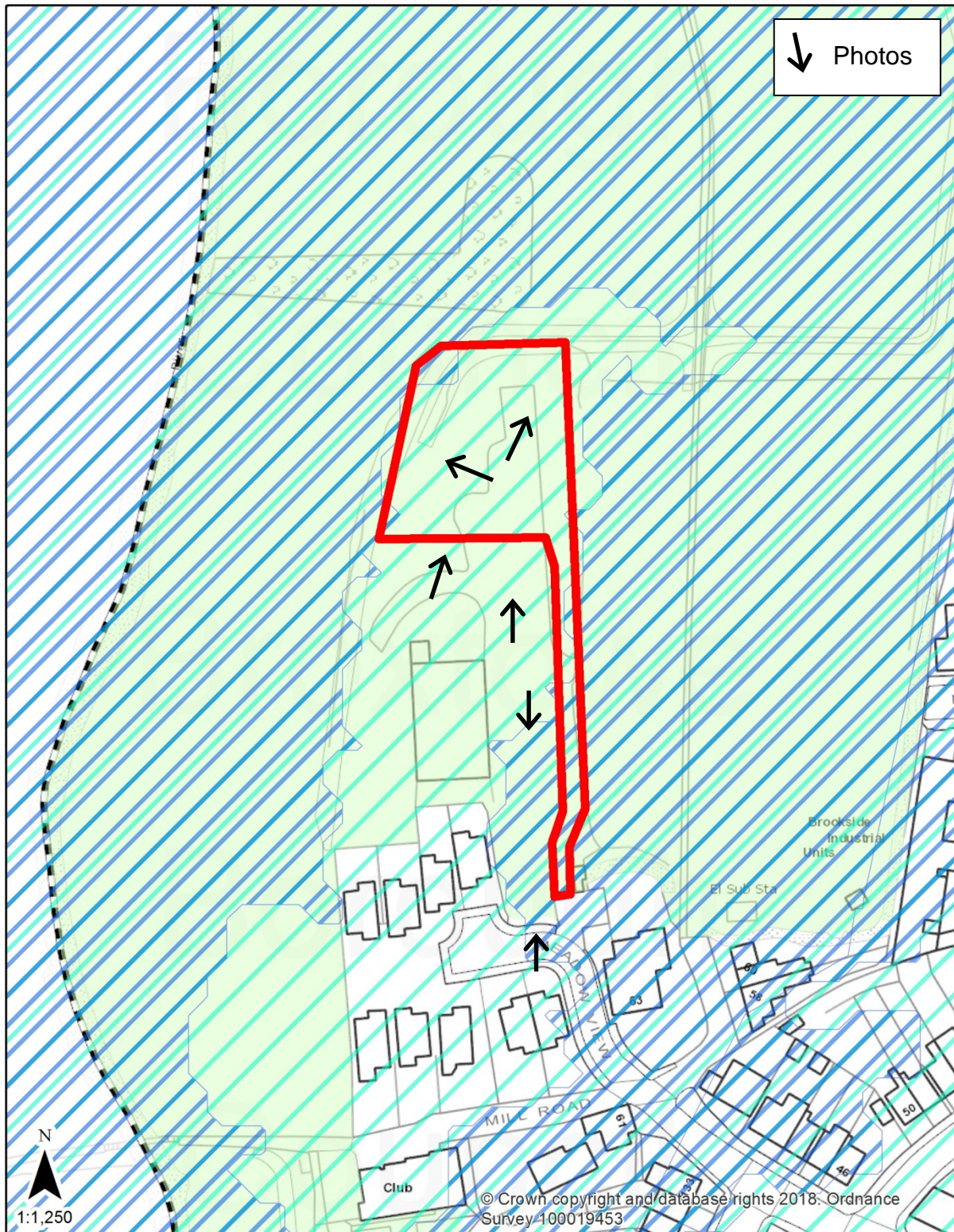
#### Notes to Applicant:

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/development-in-former-coal-mining-areas/>
3. The applicant should be aware that on advice received from the Nottinghamshire Wildlife Trust, any building materials and machinery are kept as far away from the Local Wildlife Site (LWS) boundary as possible at any time prior to or during works.
4. Noise from the premises should be controlled such that nearby dwellings are not adversely impacted. Failure to adequately control noise on site may

result in legal action being taken by the Council to address nuisance. Further information and advice can be obtained by contacting the Council's Environmental Health Team at [health@broxtowe.gov.uk](mailto:health@broxtowe.gov.uk)

5. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the toe of the flood defence or top of the bank of any watercourse designated a 'main river'. This includes storing any materials or machinery that will be used during the construction of the development. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

Background papers  
Application case file



**Legend**

-  Site
-  Flood Zone 3
-  Flood Zone 2
-  Green Belt

Report of the Chief Executive

**18/00262/FUL  
RETAIN PORTACABIN  
TOP CLASS CAR WASH PETROL FILLING STATION WOODHOUSE  
WAY NUTHALL**

Councillor Philip Owen requested this application be determined by the Committee.

1 Details of the Application

1.1 This is an application to retain the portacabin associated with Top Class Car Wash. The portacabin adjoins the south border of the application site and has a height of 3.1m, width of 6.3m and depth of 2.7m.

2 Site and Surroundings

2.1 The application site is a hand car wash that adjoins the petrol station off Woodhouse Way. The borders to the north, east and south of the site are made up of woodland, beyond which are residential dwellings in the Mornington Estate. To the west of the site is the public highway and the Nottinghamshire Green Belt.



Existing portacabin



Signs to be altered and any remaining hoarding to be removed, in accordance with application 18/00261/ADV.





View of the site from the south.



View of the site from the north.  
Sign in grass verge to be removed.

### 3 Relevant Planning History

- 3.1 Planning permission (ref: 90/00537/FUL) was granted in 1990 for the construction of a petrol filling station with ancillary facilities, including the car wash. Following this, advertisement consent (ref: 90/09048/ADV) was granted to display illuminated canopy fascia, gantry, and 2 no. poster signs.
- 3.2 In 1992 planning permission (ref: 92/09039/FUL) was refused to display an illuminated sign on the grass verge between the petrol station and Woodhouse Way. The reason for refusal was that the sign would be intrusive and detrimental to visual amenity on a prominent main road site between open countryside in the Green Belt and future residential development.
- 3.3 In 1996, advertisement consent (ref: 96/00426/ADV) was granted to display illuminated signage on the garage forecourt.
- 3.4 In 2002, planning permission (ref: 02/00784/FUL) and advertisement consent (ref: 02/00785/ADV) were granted for the installation of an ATM and associated signage on the kiosk of the petrol station.
- 3.5 In 2003, advertisement consent (ref: 03/00384/ADV) was refused permission for the erection of a single sided free standing advertisement display unit on the grass verge between the petrol station and Woodhouse Way. The reason cited was that it would be unduly prominent when viewed from Woodhouse Way, in the Green Belt, and would therefore be harmful to the visual amenity of the locality. The applicant appealed this decision and the appeal was dismissed, stating that the sign would reinforce the commercial dominance of the petrol filling station to an unacceptable degree.
- 3.6 Advertisement consent (ref 18/00261/ADV) to retain 10 signs within the site has been applied for and will be determined by Planning Committee.

#### 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.

##### 4.2 **Broxtowe Aligned Core Strategy**

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

4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 Policy 10 aims to ensure that development has regard to the local context and is assessed in terms of its impact on the amenity of neighbouring residents.

##### 4.3 **Saved Policies of the Broxtowe Local Plan**

4.3.1 The Part 2 Local Plan is currently under preparation. 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 EM3 states that permission will be granted for employment uses to redevelop or extend within existing sites provided that environmental and traffic effects are acceptable.

##### 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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 17: Place-making, Design and Amenity sets out design criteria that all new development must adhere to where relevant.

##### 4.5 Neighbourhood Plan

4.5.1 The submission version of the Nuthall Neighbourhood Plan was published on Monday 26 February, with the consultation period to run until Friday 20 April 2018. Policy 5 'Design and the Historic Environment' states that design of all new development should enhance and positively contribute to the character of the area in which it is located. Due to the current stage of the plan preparation, only

limited weight can be attached to the policies of the Draft Part 2 Local Plan and the Nuthall Neighbourhood Plan.

## 5 Consultations

- 5.1 The Environmental Health Officer has not raised any objections to the proposal.
- 5.2 Nuthall Parish Council object to the proposal on the grounds that it is unsightly, not in keeping, and of poor appearance.
- 5.3 Letters of consultation were sent out to eight neighbouring properties and a site notice was posted at the site on 17 April 2018. A further site notice was posted at the site on 27 June 2018 following the submission of amended plans. No responses from members of the public in relation to this application have been received.

## 6 Appraisal

### 6.1 Amenity

- 6.1.2 The application site is bordered to the north, east and south by woodland. Beyond the woodland to the east are the residential dwellings within the Mornington Estate. The nearest residential dwelling to the east is approximately 33m away from the portacabin and occupies an elevated position. The woodland that separates the application site from the residential dwellings acts as a substantial screen to the portacabin and therefore it is not considered that it will have any impact on the amenity of these residential dwellings.

### 6.2 Design and Appearance

- 6.2.1 The portacabin is positioned to the south of the existing petrol station and is set back from the public highway by approximately 29m, towards the corner of the site. Whilst it is visible from the public realm, its position within the site means it is not considered to have a significant impact on the street scene or the character of the area.
- 6.2.2 The petrol station is the main feature that characterises the area surrounding the portacabin giving the application site a commercial character. Whilst the land to the west has a largely rural character and is Green Belt land, the portacabin is relatively small in scale and is positioned away from the highway, to the south of the site and within approximately 13m of the petrol station. Therefore, whilst the portacabin does represent a commercial form of development, this is considered to be in keeping with the existing use and appearance of the site within which it is positioned.
- 6.2.3 The portacabin as it currently stands is in a relatively poor condition externally. However, considering its surroundings and position within the site it is not considered that this alone would be reason for refusal. Some relatively minor maintenance would greatly improve the external appearance of the portacabin and therefore it is considered acceptable to condition that the portacabin is painted within a period of 3 months of a decision to grant permission.

7 Conclusion

- 7.1 Overall, it is considered that the existing portacabin represents an acceptable form of development that is not out of keeping with the character of the area and does not have an unacceptable impact on neighbouring amenity.

**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 drawing numbers WCW-01 Rev A (1:500, 1:1250); received by the Local Planning Authority on 21 June 2018, and WCW-06 Rev B (1:100); received by the Local Planning Authority on 13 July 2018.**
- 3. The portacabin hereby permitted shall be painted dark green within 3 months of the date of this decision.**

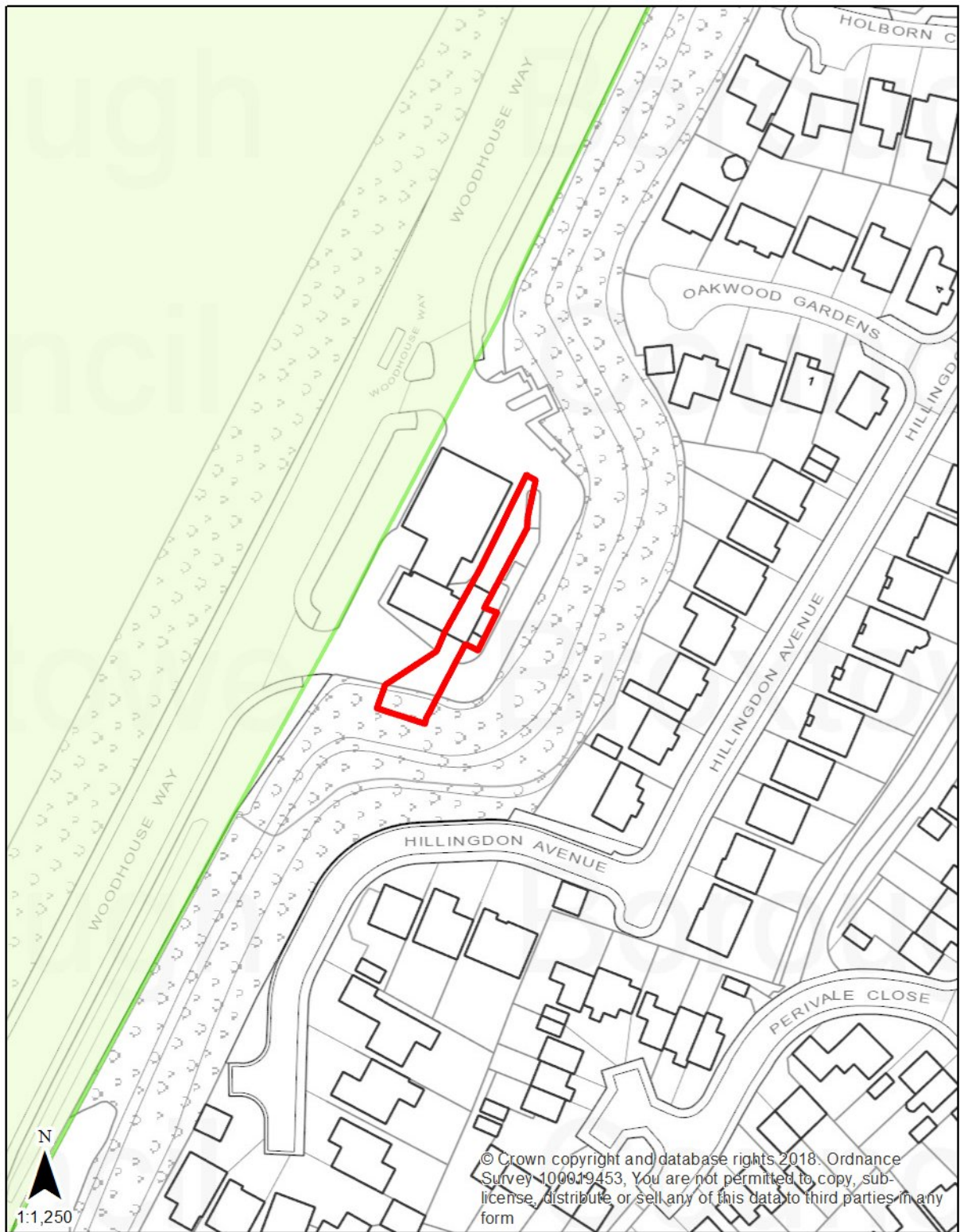
**Reasons**

- 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 10 of the Aligned Core Strategy (2014).**

**Note to Applicant**

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

Background papers  
Application case file



**Legend**

 Site

 Green Belt (Local Plan)

Report of the Chief Executive

**18/00261/ADV  
 RETAIN 10 ADVERTISEMENTS SIGNS  
 TOP CLASS CAR WASH PETROL FILLING STATION WOODHOUSE  
 WAY NUTHALL**

Councillor Philip Owen requested this application be determined by the Committee.

1 Details of the Application

- 1.1 This is an application for advertisement consent to retain 10 signs at Top Class Car Wash. The signs are currently positioned at various locations throughout the site. A majority of the signs (signs 1-10) are positioned to the south and south west of the petrol station and are attached to wooden hoardings, facing north. There is a further sign (Sign 11) on the grass verge to the west of the petrol station and to the east of Woodhouse Way. There are four further signs (signs 12-15) to the east of the petrol station, where vehicles enter the car wash section of the site.
- 1.2 The signs are of varying sizes and styles, with some being free standing, while a majority are affixed to the hoarding to the south and south west of the site. The signs are all of a similar design and are used to advertise the existing car wash business.
- 1.3 The original application proposed to retain the signs in their existing positions, however, following discussions with the applicant a revised scheme has been proposed. The scheme as now proposed will result in the removal of signs 6, 7, 8 and 10 from the south/south west, with signs 1-5 and 9 being retained and moved closer to the portacabin. The excess hoarding will be removed, as will sign 11, which was originally positioned on the grass verge between the petrol station and Woodhouse Way. Signs 12-15 will remain in position as originally proposed.

2 Site and Surroundings

- 2.1 The application site is a hand car wash that adjoins the petrol station off Woodhouse Way. The borders to the north, east and south of the site are made up of woodland, beyond which are residential dwellings in the Mornington Estate. To the west of the site is the public highway.



Signs 1 - 10



Signs 12 - 14

3 Relevant Planning History

- 3.1 Planning permission (ref: 90/00537/FUL) was granted in 1990 for the construction of a petrol filling station with ancillary facilities, including the car wash. Following this, advertisement consent (ref: 90/09048/ADV) was granted to display illuminated canopy fascia, gantry, and 2 no. poster signs.
- 3.2 In 1992 advertisement consent (ref: 92/09039/FUL) was refused to display an illuminated sign on the grass verge between the petrol station and Woodhouse Way. The reason for refusal was that the sign would be intrusive and detrimental to visual amenity on a prominent main road site between open countryside in the Green Belt and future residential development.
- 3.3 In 1996, advertisement consent (ref: 96/00426/ADV) was granted to display illuminated signage on the garage forecourt.



- 3.4 In 2002, planning permission (ref: 02/00784/FUL) and advertisement consent (ref: 02/00785/ADV) were granted for the installation of an ATM and associated signage on the kiosk of the petrol station.
- 3.5 In 2003, advertisement consent (ref: 03/00384/ADV) was refused permission for the erection of a single sided free standing advertisement display unit on the grass verge between the petrol station and Woodhouse Way. The reason cited was that it would be unduly prominent when viewed from Woodhouse Way, in the Green Belt, and would therefore be harmful to the visual amenity of the locality. The applicant appealed this decision and the appeal was dismissed, stating that the sign would reinforce the commercial dominance of the petrol filling station to an unacceptable degree.
- 3.6 Planning permission (ref: 18/00262/FUL) to retain the portacabin has been applied for and will be determined by Planning Committee.

#### 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.
- 4.1.2 Paragraph 67 of the NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

##### 4.2 **Broxtowe Aligned Core Strategy**

- 4.2.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

##### 4.3 **Saved Policies of the Broxtowe Local Plan**

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

##### 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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 18 'Shopfronts, signage and security measures' states that proposals for signage will be granted consent provided that they relate well to the design of the building concerned; are in keeping with the frontage as a whole; and respect the character of the area.

#### 4.5 Neighbourhood Plan

4.5.1 The submission version of the Nuthall Neighbourhood Plan was published on Monday 26 February, with the consultation period to run until Friday 20 April 2018. Policy 5 'Design and the Historic Environment' states that design of all new development should enhance and positively contribute to the character of the area in which it is located. Due to the current stage of the plan preparation, only limited weight can be attached to the policies of the Draft Part 2 Local Plan and the Nuthall Neighbourhood Plan.

#### 5 Consultations

5.1 The Highways Authority has no objections to the proposal, stating that there does not appear to be any signs erected on the public highway, and none of the signage causes any visibility issues.

5.2 Letters of consultation were sent out to eight neighbouring properties and a site notice was posted at the site on 17 April 2018. A further site notice was posted at the site on 27 June 2018 following the submission of amended plans. No responses from members of the public in relation to this application have been received.

#### 6 Appraisal

6.1 In accordance with the National Planning Policy Framework, the advertisements should only be assessed in the interests of public safety and amenity.

6.2 In respect of public safety, the signs to the south/south west of the portacabin will be reduced in number and moved further into the site and will therefore be set back from the public highway. Sign 11 will be removed and therefore no signs will extend beyond the curtilage of the petrol station. The re-positioning of the signs further into the site significantly reduces their prominence from the highway and therefore it is considered that they will not cause a distraction to drivers and will not cause an obstruction.

6.3 In respect of amenity, the signs to the south/south west of the site have been significantly reduced in number and have been moved further into the site, with

the combination of these actions significantly reducing the impact on the public realm. The signs that have been retained provide information to customers regarding prices and services available. It is considered that the number of signs in this location have been reduced to such an extent that they would no longer be regarded as visual clutter.

6.4 Signs 12-15 are situated to the east/south east of the petrol station and therefore away from the public realm. Whilst a number of the signs are relatively large, they are considered to be in keeping with the commercial nature of the site in which they sit which is occupied by the petrol station.

6.5 The application site and signage and the location proposed is not clearly visible from the residential dwellings on the Mornington Estate. The site is bordered by woodland to the north, east and south has a lower lying position at ground floor level. None of the signs are illuminated. Therefore it is not considered that the signs will have an unacceptable impact on the amenity of the neighbouring dwellings.

7 Conclusion

7.1 Overall, it is considered that the signs as proposed would not be harmful to the amenity of the area and would not cause a public safety danger, and are therefore in accordance with the relevant national policy guidance and there are no material considerations which would warrant a decision being taken at variance to this.

**Recommendation**

**The Committee is asked to RESOLVE that advertisement consent be granted subject to the following conditions:**

- 1. The development hereby permitted shall be carried out in accordance with drawing numbers WCW-01 Rev A (1:500, 1:1250) and WCW-05 Rev D (1:200); received by the Local Planning Authority on 13 July 2018, and WCW-04 Rev A (1:200); received by the Local Planning Authority on 17 April 2018.**
- 2.**
  - (a) Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**
  - (b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**

- (c) Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- (d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

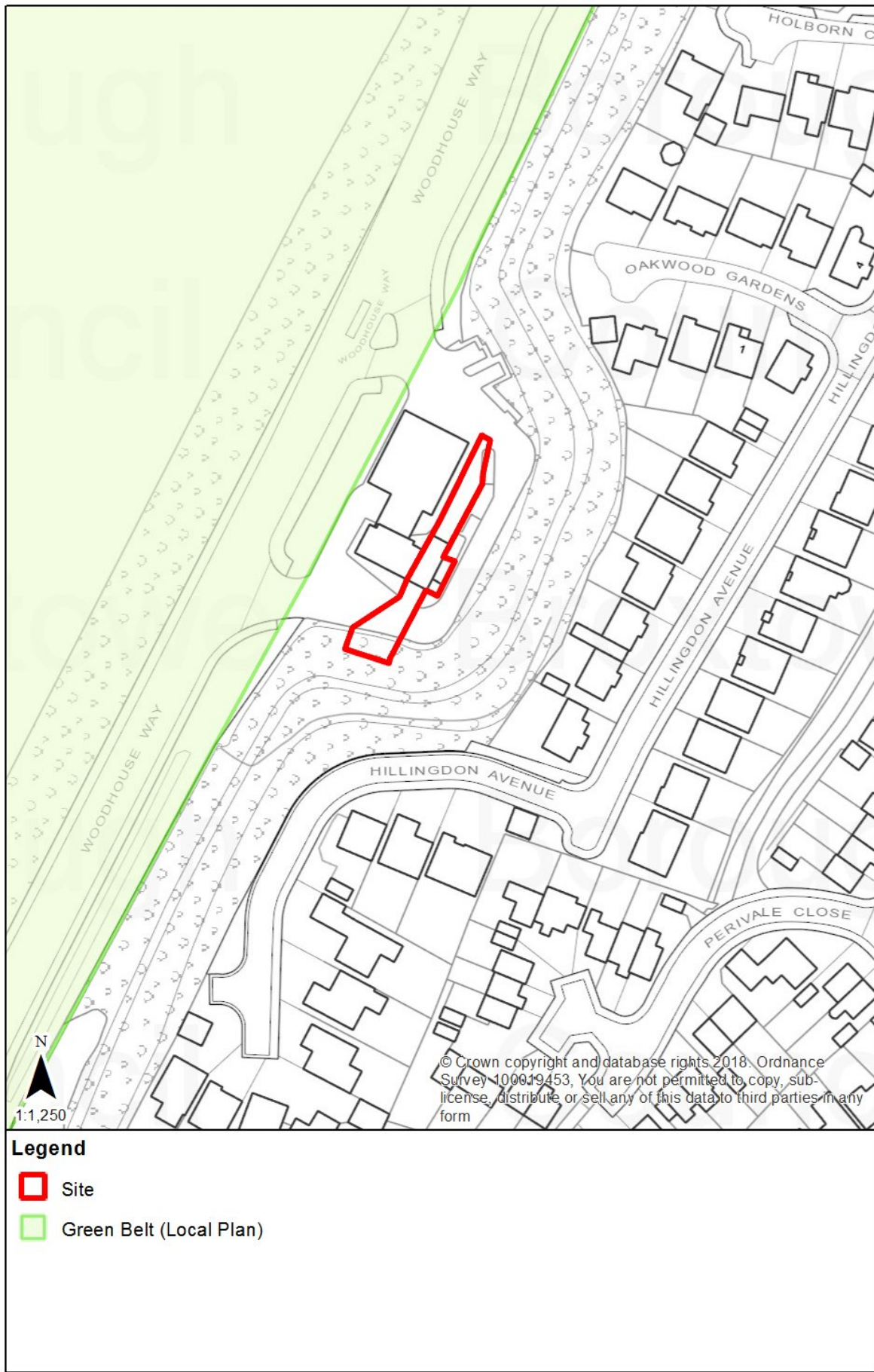
### **Reasons**

1. For the avoidance of doubt.
2. In the interests of amenity and public safety.

### **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

**18/00295/FUL  
 CONSTRUCT FIRST FLOOR SIDE EXTENSION, SINGLE AND TWO  
 STOREY REAR EXTENSION AND LEAN-TO GARAGE ROOF  
 5 HUMBER ROAD BEESTON NOTTINGHAM NG9 2EF**

1. Reason for report

- 1.1 This report relates to a planning application which was deferred at the Planning Committee on 20 June 2018. Members deferred determination of the application to allow for discussion about omitting the first floor side extension due to detrimental impact on the amenity of the occupants of number 7 Humber Road.
- 1.2 The original report to the Planning Committee on 20 June 2018 is attached as an appendix to this report.

2. Responses

- 2.1 There have been no responses received from the agent, applicant or neighbours since the previous Planning Committee meeting on 20 June 2018.

3. Conclusions

- 3.1 There have been no changes to the application since the Planning Committee on 20 June 2018. For the reasons set out in the previous committee report, it is considered the development is not harmful to neighbour amenity and is an acceptable design. Consequently, the recommendation to Committee remains unchanged.

**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 Location Plan at scale 1:1250 received by the Local Planning Authority on 25 April 2018, the 'Existing and Proposed Block Plan' (SG/18/03/16/03 Rev A) received by the Local Planning Authority on 30 May 2018 and the 'Proposed Plans and Elevations' (SG/18/03/16/02 Rev A) received by the Local Planning Authority on 7 June 2018.**
- 3. The extension shall be constructed using materials of a type, texture and colour so as to match those of the original building.**

**Reasons**

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

**Notes to Applicant**

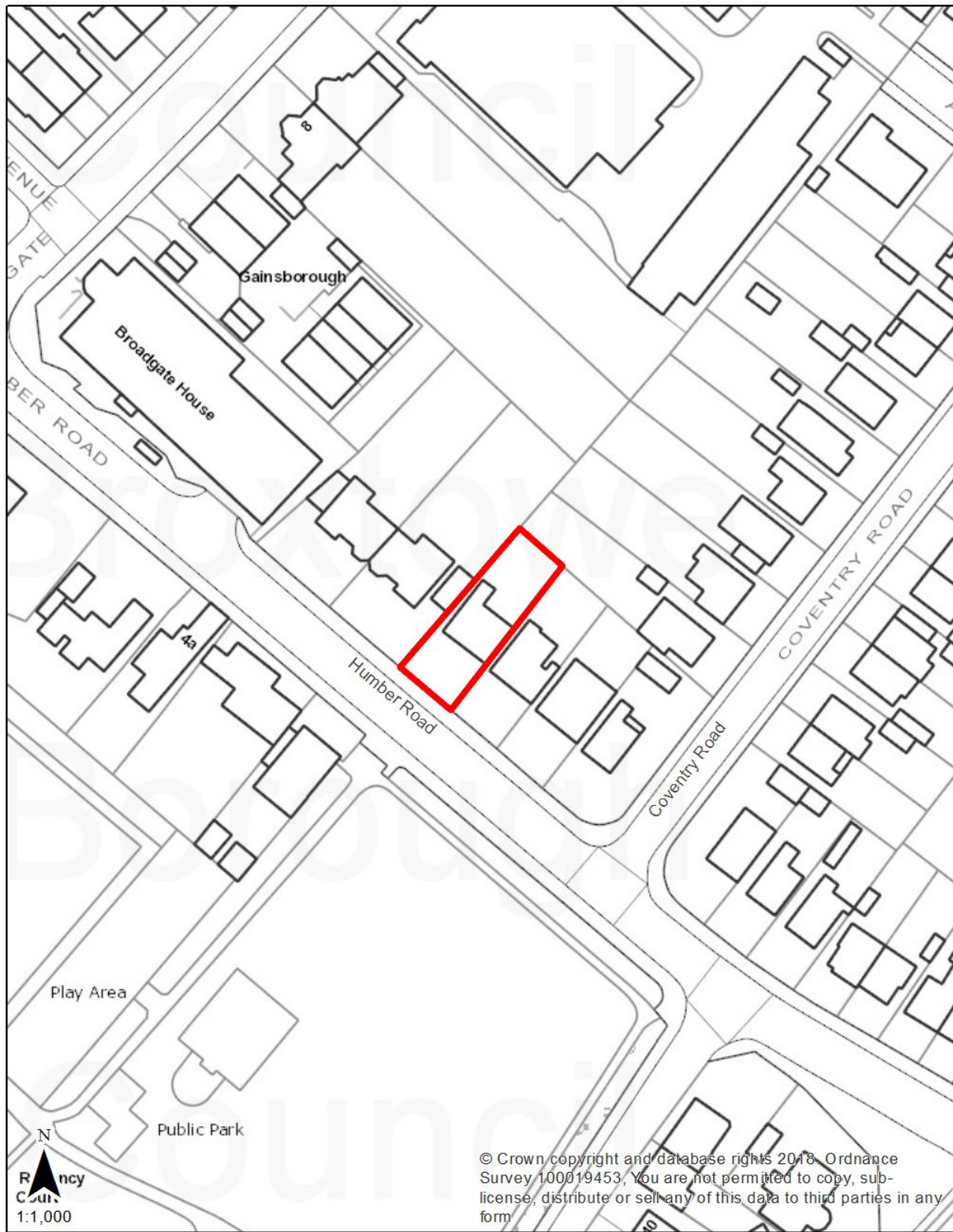
1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by working to determine this application within the eight week determination timescale.
2. The proposed development lies within 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/development-in-former-coal-mining-areas/>

**Appendix**

Report to Planning Committee 20 June 2018.

**Background papers**

Application case file



**Legend**

- Road Names
-  Site
-  Photos



## Report of the Chief Executive

**18/00295/FUL****CONSTRUCT FIRST FLOOR SIDE EXTENSION, SINGLE AND TWO STOREY REAR EXTENSION AND LEAN-TO GARAGE ROOF  
5 HUMBER ROAD BEESTON NOTTINGHAM NG9 2EF**

Councillor P Lally has requested this application be determined by the Committee.

1 Details of the Application

- 1.1 The application seeks permission to construct a first floor side extension and a single/two storey rear extension.
- 1.2 The first floor side extension would be set back 0.5m from the front elevation. It would have a width of 2.6m and extend back by 4.5m. A lean-to roof would be placed on the front and rear section of the existing garage, and the roof of the first floor extension would be hipped and set down 0.7m from the original ridge. The side extension would be on the boundary with no. 7.
- 1.3 The rear extension would have a ground floor that extends from the rear of the existing side garage by 3.1m and would extend for the entire width of the dwelling (9.1m) and would encompass the existing single storey rear kitchen element. The first floor of the rear extension would extend 3.1m from the rear elevation and would extend for a width of 6.4m. The single storey extension, and the rear of the existing garage, would have a lean-to roof with an eaves height of 2.6m and a ridge height of 3.8m. The first floor rear extension would have a hipped roof with the same eaves and ridge heights as the existing house. The north west (side) elevation of the proposed two storey rear extension would be 1m from the boundary with no. 3.
- 1.4 The front elevation of the first floor side extension would have a window. The rear extension would have two ground floor windows and glazed doors with side lights and the first floor would have two windows. The side elevations of the extensions would be blank. The new first floor windows in both side elevations of the original dwelling are considered to be permitted development as they are proposed to be obscurely glazed with opening elements 1.7m above floor level.
- 1.5 The first floor side extension would be used as a new bedroom. The rear extensions would be used as a prayer room, an extended kitchen and living room, a bedroom and bathroom.
- 1.6 The plans have been amended to reduce the scale of the first floor side extension. The depth of the extension has been reduced by 2.9m, the ridge height reduced by 0.7m and the rear window omitted. In addition, a lean to roof is now proposed on the section of garage which is to the rear of the proposed side extension.

2 Site and Surroundings



Front elevation.



Rear elevation.



Looking west towards no. 3.



Looking south towards no. 7.



Looking south west towards boundary with no. 7.



Looking north west from no. 7's kitchen window towards existing side garage of application property.



Looking south west from garden of no. 1 Coventry Road towards rear of application property.

- 2.1 The application property is a detached hipped roof two storey house with an original single storey rear element with a gable roof which projects 3.1m. There is a flat roofed single storey side extension which is used as a garage. The front elevation is red brick with a double height bay window and a mock Tudor gable. The side elevations are red brick and the rear is red brick with cream painted brick on the ground floor. The roof tiles are red/brown plain tiles. There is space for three cars to park on the frontage.
- 2.2 The boundary with 3 Humber Road is a 2.2m high wall which becomes a 1.3m high wall towards the rear of the boundary. There is some vegetation on the boundary with no. 3. No. 3 is taller than the application property and has a ground and a first floor south east side window towards the front of the property. No. 3 has a side garage beside the boundary with the application property. The rear boundary is a 1.7m high fence that adjoins the rear garden of no.1 Coventry Road.
- 2.3 The boundary with 7 Humber Road is a 1.8m high fence and the application property's garage. No. 7 has a rear conservatory and an obscurely glazed door in the rear elevation of the single storey element beside the boundary with the application property. It has two rear first floor windows, one of which is obscurely glazed. The north west (side) elevation has two ground floor windows; one obscurely glazed window serves a store cupboard and the other serves the kitchen. The first floor side elevation has two obscurely glazed windows, one for the stairway and the other for a bathroom.
- 2.4 The site is relatively flat, with two steps down from the rear paved patio to the rear lawn. Humber Road is a one-way street with residential dwellings of different designs. No. 3 is a Victorian semi-detached property and nos. 7, 9 and 11 are of a similar design to the application property. No. 9 has a single storey side and rear extension (11/00702/FUL) and no. 1 Coventry Road has a single storey rear extension (97/00286/FUL).

### 3 Relevant Planning History

- 3.1 The application site has no planning history.

#### 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.

##### 4.3 Saved Policy of the Broxtowe Local Plan (2004)

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

##### 4.4 Draft Part 2 Local Plan (2017)

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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the 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 Two objections have been received. The objections are that the proposed extensions would overlook neighbouring properties and cause loss of sunlight.

6 Appraisal

- 6.1 The main issues to consider with this application are the design of the extension and the impact on neighbour amenity.
- 6.2 The first floor side extension would have a hipped roof, with a front lean-to roof. The 0.5m first floor setback and the ridge set down would prevent a terracing effect and will be in keeping with the design of the existing property. Matching brickwork and roof tiles are proposed. The use of matching materials will be conditioned. Accordingly, it is considered that the extension will not have a significant impact on the street scene.
- 6.3 The single storey rear extension would have a lean-to roof and the two storey extension would have a hipped roof which would match the original hipped roof. Having a single storey section with a lean-to roof on the rear extension reduces the scale of the development and ensures it remains subservient to the main dwelling. It is considered that the design of the rear extensions is acceptable.
- 6.4 The front elevation of no. 8 Humber Road is 26m from the proposed first floor side extension. It is considered that due to this distance, and the intervening road, there will not be a significant impact on the amenity of the occupants of no. 8.
- 6.5 The rear extensions would be 10.5m from the rear boundary with no. 1 Coventry Road. The two storey rear extension would bring a bedroom and bathroom window 3.2m closer to the rear boundary with no. 1. No. 1 is located to the east of the application site and has a 26m long rear garden which is overlooked by the first floor windows of nos. 5, 7 and 9 Humber Road. It is considered that although the rear extension would bring two first floor windows closer to the rear boundary, because there would be a 10.5m separation distance, and the windows would not look directly into the house, there would be no significant negative impact on the amenity of the occupants of no. 1 Coventry Road.
- 6.6 The rear extensions would be 1m from the boundary with no. 3 Humber Road. The proposed two storey rear extension would have a blank north west side elevation and would result in the first floor of the application property being in line with the rear elevation of no. 3. It is considered that given this alignment, and as the closest window would serve a bathroom, there would not be a significant negative impact on the amenity of the occupants of no. 3.
- 6.7 No. 7 Humber Road is a detached property located to the south east of the application site. The first floor side extension and ground floor rear extension would be on the boundary with no. 7. The two storey rear extension would be 2.6m from the boundary with no. 7. It is considered that because the first floor rear elevation already has two windows, the two storey rear extension has a projection of only 3.2m and the single storey rear extension and new garage roof have an eaves height of 2.6m beside the boundary, with the roof sloping away from the boundary up to a ridge height of 3.8m, there would be no significant impact on no. 7's amenity from the rear extensions and new garage roof. No. 7's north west (side) elevation has two ground floor windows, one of which is obscurely glazed, and two first floor windows, both obscurely glazed. The non-obscurely glazed ground floor window is the only kitchen window. The kitchen

window is already largely obscured by the existing garage at the application property. This garage was built under permitted development rights (did not require planning permission). The plans have been amended to reduce the depth of the first floor side extension, which means the first floor side extension would not be adjacent to no. 7's kitchen window. It is considered that the first floor side extension and new garage roof would cause some loss of light to no. 7's side windows. However, given the side windows are solely reliant on light from across the application site, as the plans have been amended to reduce the scale of the first floor side extension, and as the kitchen window is already largely obscured by the garage, it is considered this impact is not significant enough to warrant a refusal.

**7 Conclusion**

7.1 In conclusion, it is considered that the development is not harmful to neighbour amenity and is an acceptable design. The proposal therefore accords with Broxtowe Local Plan Policy H9, 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 Location Plan at scale 1:1250 received by the Local Planning Authority on 25 April 2018, the 'Existing and Proposed Block Plan' (SG/18/03/16/03 Rev A) received by the Local Planning Authority on 30 May 2018 and the 'Proposed Plans and Elevations' (SG/18/03/16/02 Rev A) received by the Local Planning Authority on 7 June 2018.**
- 3. The extensions shall be constructed using materials of a type, texture and colour so as to match those of the original building.**

**Reasons**

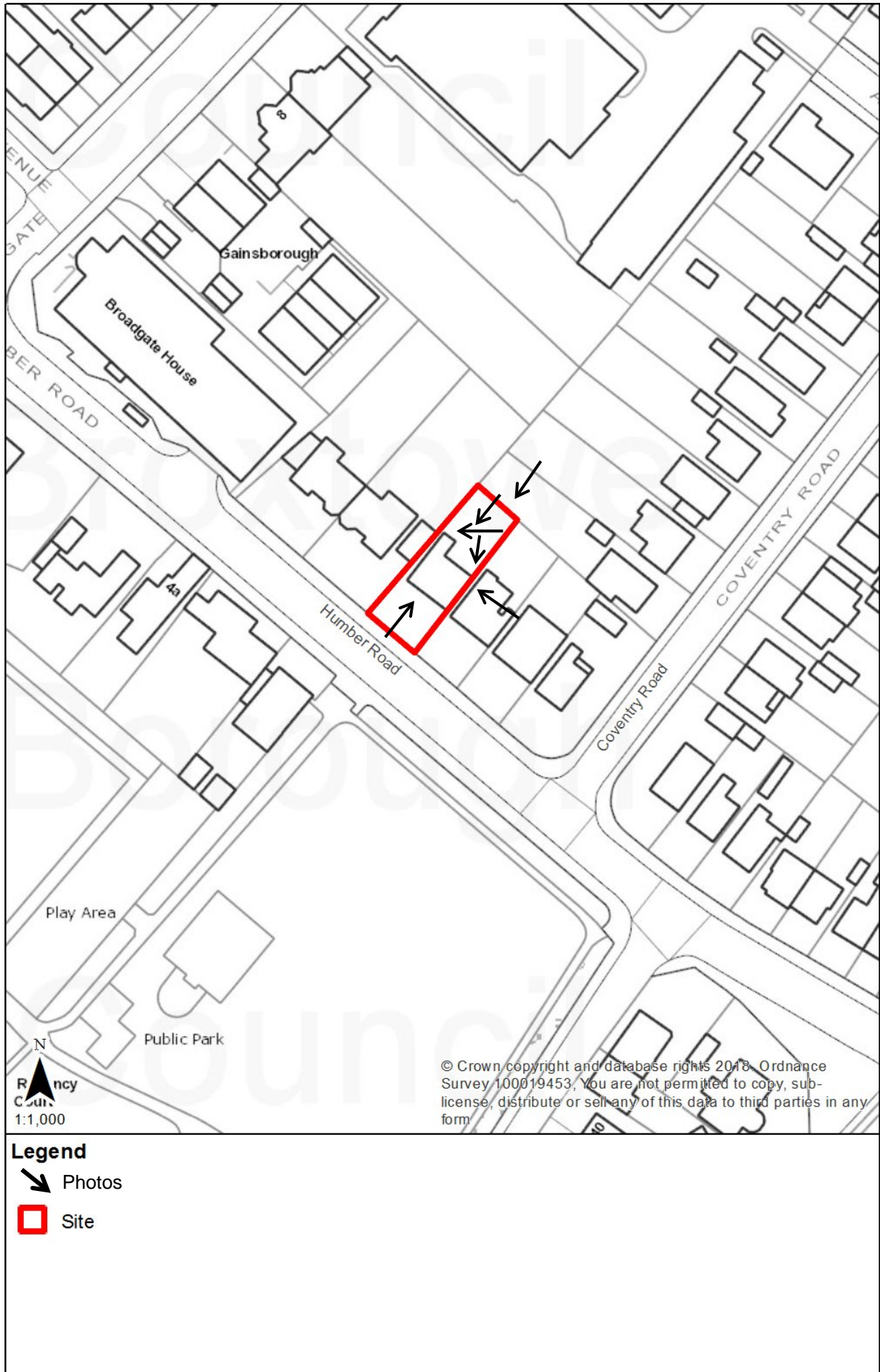
- 1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 2. For the avoidance of doubt.**
- 3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan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

**Note to applicant**

- 1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by working to determine this application within the eight week determination timescale.**
- 2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>**

Background papers

Application case file





## Report of the Chief Executive

**18/00237/FUL  
CONSTRUCT FIRST FLOOR SIDE & SINGLE STOREY REAR  
EXTENSIONS  
4 WHITTON CLOSE, CHILWELL, NOTTINGHAMSHIRE, NG9 6PB**

Councillor Harvey has requested this application be determined by Planning Committee.

1 Details of the application

- 1.1 The application seeks permission to construct a first floor side extension and single storey rear extension.
- 1.2 The first floor side extension will have a gable roof, a height to eaves of 5m and height to ridge of 7.1m. It will be set down 0.2m from the main ridge and set back 0.7m from the south (front) elevation. The extension will have a first floor window in the south (front) elevation and north (rear) elevation and will have a blank east (side) elevation.
- 1.3 The single storey rear extension will have a gable roof, a height to eaves of 2.3m and height to ridge of 3.7m. It will project 3.9m and have a width of 2.8m. It will be 1.1m from the boundary with no. 107 Haddon Crescent, 8m from the rear boundary and 6.2m from the boundary with no. 3. The extension will have a roof light in each roof slope, a window in the north (rear) elevation, bifolding doors in the west (side) elevation and a blank east (side) elevation.

2 Site and surroundings

- 2.1 The application property is a detached dwelling positioned at the end of a cul-de-sac. A 1.8m high fence extends across the boundaries with the neighbouring properties. Deciduous trees and deciduous and coniferous vegetation (in the rear garden of no. 107 Haddon Crescent) is positioned along the eastern boundary. No. 105 Haddon Crescent has an outbuilding next to the rear boundary adjoining the application property.
- 2.2 Whitton Close is a cul-de-sac formed of detached dwellings and there is no significant change in level. No. 5 has a first floor side extension.



South (front) elevation



North (rear) elevation



View from rear garden of no. 105  
Haddon Crescent



View from rear garden of no. 107  
Haddon Crescent

3. Relevant planning history

- 3.1.1 An outline application (92/00074/OUT) for residential development received permission in March 1992.
- 3.1.2 A reserved matters application (92/00484/REM) for an internal road network including location of open space received permission in October 1992.
- 3.1.3 A reserved matters application (92/00651/REM) for 89 dwellings with associated roads and sewers received permission in April 1993.

4. Policy context

4.1 National Policy

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

4.2 Broxtowe Aligned Core Strategy

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

4.2.2 'Policy A: Presumption in Favour of Sustainable Development' - reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

4.2.3 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 Policies of the Broxtowe Local Plan

4.3.1 The Part 2 Local Plan is currently under preparation. 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 H9 'Domestic Extensions' - states that extensions will be permitted provided that they are in keeping with the original building in terms of style, proportion and materials, are in keeping with the appearance of the street scene and do not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties.

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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 17 'Place-Making, Design and Amenity' - states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

5. Consultations

5.1 There have been three objections received and these can be summarised as follows:

- Loss of daylight/ sunlight.
- West facing garden would mean extension compromises evening sun.
- Garden feels smaller and extensions dominate rear gardens of Haddon Crescent.
- Unsightly, imposing and create a sense of enclosure.
- Originally objected to properties on Whitton Close as overlooked playing fields before they were built.
- Original plans for application property showed garage on the opposite side but were changed due to being too imposing for residents on Haddon Crescent.

6. Appraisal

6.1 The main issues to consider with this application are the design of the extension and the impact on neighbour amenity.

6.2 Amenity, design and parking

6.2.1 Amended plans were received during the course of the application which include minor changes to the single storey rear extension. These include changing the positioning of the roof lights, enlarging the window in the north (rear) elevation and changing the window and door to bifolding doors in the west (side) elevation. It was considered unnecessary to reconsult on these plans as the changes were minor.

6.2.2 Whitton Close is a street formed of detached dwellings with relatively the same character. A number of properties in the area have had permission for single/two storey extensions in the area. These include no. 5 which has had permission for a first floor side extension, no. 41 Newall Drive has had permission for a two storey side and rear extension and no. 103 Haddon Crescent has had permission for a single storey front and side extension.

6.2.3 The proposed single storey rear extension will be 1.1m from the eastern boundary with Haddon Crescent and will have a blank east (side) elevation. It will not exceed a height of 3.7m and is considered to be a relatively modest size. The proposed roof lights are high level and therefore are considered to be acceptable that they will not cause any adverse overlooking. It is considered the single storey extension would not have a significant impact on the amenity of the adjoining neighbours due to its size and proximity to the adjoining boundaries. It should be noted that a single storey extension of this size could be constructed under permitted development rights.

6.3.4 The proposed two storey side extension will not increase the footprint of the property. It is considered to be a reasonable size in regards to its width and height in relation to the main property. It is acknowledged that the extension will mean the property is closer to the properties adjoining the eastern boundary on Haddon Crescent. However, the view currently from these properties is the blank east (side) elevation of the application property. Therefore, it is considered the change to outlook from the Haddon Crescent properties is minimal and it would not appear imposing or cause a sense of enclosure. The application property is positioned to the west of the properties on Haddon Crescent and therefore will already cause a loss of evening sunlight. Therefore, an extension positioned to the east of the property is considered to be acceptable that the difference in impact on sunlight to these gardens would be minimal.

6.3.5 Specific concerns raised in the consultation process relate to historic plans which sited the garage projecting from the west elevation of the application property and being changed to the east elevation to reduce the impact on the adjoining neighbours of Haddon Crescent. Whilst it is understood this may have been considered with a previous planning application, this planning application will be assessed independently, and the impact on the amenity judged against current guidelines and planning policy. The extension proposed, is considered to not

adversely impact on the amenity of neighbouring properties, due to its massing and location (as detailed above).

- 6.3.6 It is considered the proposed extensions are a sufficient distance from the boundaries with nos. 3, 5 and 6 and no. 60 Newall Drive that they will not have a detrimental impact on their amenity.
- 6.3.7 The design of the extensions are considered to be appropriate for this domestic property and relatively in keeping with other extensions in the area. As the plans do not state the materials proposed, they will be conditioned to ensure they match the main property. The first floor side extension will be set down 0.2m from the main ridge and 0.7m from the front elevation, which creates a subservient appearance and ensures a shadowing effect is created between the extension and main property. The roof and window style of both extensions will match the main property. Overall, it is considered the extensions achieve an acceptable level of design and are in keeping with the main property and surrounding properties on Whitton Close.
- 6.3.8 As the first floor side extension will not increase the footprint of the property, three car parking spaces (two spaces on the driveway and one in the garage) will be retained. This is considered sufficient for this sized property, including the extensions.

7. Conclusion

- 7.1 In conclusion, it is considered that the extensions would be in keeping with the original property in terms of style and proportion, and will not have a detrimental impact on the street scene of Whitton Close. It is considered the extension would not cause an unacceptable loss of privacy or amenity for the occupiers of neighbouring properties. The proposal therefore accords with Policy H9 of the Broxtowe Local Plan, 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 Site Location Plan (1:1250) received by the Local Planning Authority on 4 April 2018, Proposed Block Plan (1:200) received by the Local Planning Authority on 5 April 2018 and drawing number: M0318.02 received by the Local Planning Authority on 15 May 2018.**
- 3. The extensions shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing house.**

**Reasons**

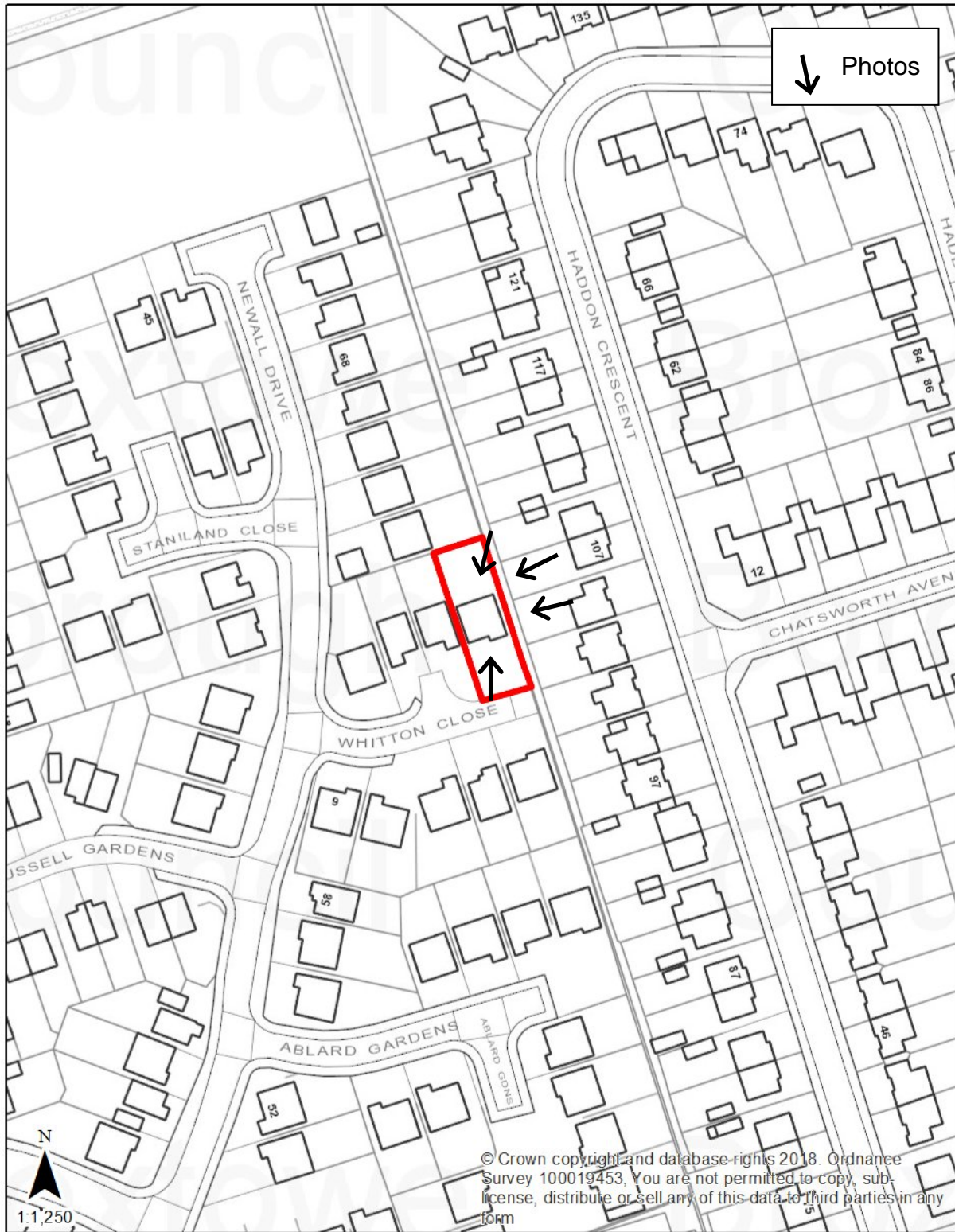
1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004)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

**Note to Applicant:**

The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by working to determine this application within the agreed determination timescale.

**Background papers**

Application Case File



**Legend**

 Site

Report of the Chief Executive

**18/00332/ADV  
 ERECT FLAG POLE  
 BRINSLEY PICNIC SITE MANSFIELD ROAD BRINSLEY  
 NOTTINGHAMSHIRE**

This application must be determined by Planning Committee as it is a Broxtowe Borough Council application.

1 Details of the application

1.1 This is an application for consent to display a flag pole at Brinsley Picnic Site. The flag pole will have a height of 6m with the flag projecting out of the top by approximately 1.5m displaying the green flag award.

2 Site and surroundings

2.1 The application site is within an existing open space and picnic site with a car park. The proposed flag pole will be positioned to the north of the car park, approximately 15m from the public highway.

2.2 The application site is bordered by existing woodland to the north and east, with the car park to the south, which is accessed directly off Mansfield Road. There are residential dwellings to the west (No. 55 Mansfield Road) and south east (No. 52A Mansfield Road), although these are approximately 41m and 35m away respectively. There is also a public house to the north west which is approximately 62m away.

2.3 The application site is located within the Nottinghamshire Green Belt.



Access to application site from Mansfield Road.



Approximate position of proposed flag pole.



### 3 Relevant Planning History

- 3.1 In 1989, planning permission (ref: 89/00872/CCR) was granted for the relocation of original Colliery Headstocks from Lord Hall Mining Museum to Brinsley Picnic Site.

### 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.

- 4.1.2 Paragraph 67 of the NPPF states that Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

- 4.1.3 Paragraph 87 of the NPPF states that 'As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, although it does list a number of exceptions to this. One such exception is the provision of appropriate facilities for outdoor sport and outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.

#### 4.2 **Broxtowe Aligned Core Strategy**

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

- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

#### 4.3 **Saved Policies of the Broxtowe Local Plan**

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

#### 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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 18: 'Shopfronts, signage and security measures' states that proposals for signage will be granted consent provided that they relate well to the design of the building concerned; are in keeping with the frontage as a whole ; and respect the character of the area.

#### 5 Consultations

5.1 Letters of consultation were sent out to four neighbouring properties and a site notice was posted at the site on 31 May 2018. No responses from members of the public in relation to this application have been received.

#### 6 Appraisal

6.1 In accordance with the National Planning Policy Framework, the advertisements should only be assessed in the interests of public safety and amenity.

6.2 In respect of public safety, the flag pole is set in from the highway boundary. The flag pole will not cause an obstruction to either vehicles or pedestrians, will be clearly different in form to any road signs and will not be illuminated. Therefore, it is considered that it will not cause a distraction to drivers and will not cause an obstruction.

6.3 In respect of amenity the flag pole will be erected in an area of public open space. Whilst there are some residential dwellings in the surrounding area the development is low density and set away from the application site. The nearest dwelling is No. 54B Mansfield Road, a derelict property which is approximately 33m from the proposed flag pole. The nearest occupied dwelling is No. 52A Mansfield Road, which is approximately 35m from the proposed flag pole. Whilst the flag pole will be 6m high, the scale of the development is not considered to have any unacceptable impact on the amenity of nearby properties considering the significant distance it will be from the dwellings.

6.4 The erection of the flag pole is considered to have a very minor impact on the openness that characterises the Green Belt, due to its slimline nature and siting.

6.5 The proposed flag pole is set within the Green Belt where development should not be granted unless it constitutes appropriate development. Whilst the proposal is for an advertisement not a 'development' its impact on the 'visual amenity' of the area should be considered. The proposed flag pole will be used to raise the Green Flag Award. The Green Flag Award Scheme recognises and rewards well managed parks and green spaces and it is considered that the erection of the flag pole to highlight this award will improve the recreational potential of the land.

6.6 The proposed flag pole is set to the south of Vine Cottage and within the Brinsley Headstocks site, both of which are non-designated heritage assets. The proposed flag pole is approximately 30m from Vine Cottage and on the outer edge of the Brinsley Headstocks Site. Taking into account the position and minor nature of the development it is considered that the proposal will not have an undue impact on either of these non-designated heritage assets.

## 7 Conclusion

7.1 In conclusion, it is considered that the flagpole is acceptable in the interests of public safety and amenity and is therefore consistent with national and local policy in this respect.

### Recommendation

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

- 1. The development hereby permitted shall be carried out in accordance with drawings Plan 1 (1:1250), Plan 2 (1:750), Drawing 1 (1:100); received by the Local Planning Authority on 14 May 2018.**
- 2.**
  - (a) Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**
  - (b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**
  - (c) Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.**
  - (d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.**
  - (e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military)**

**Reasons**

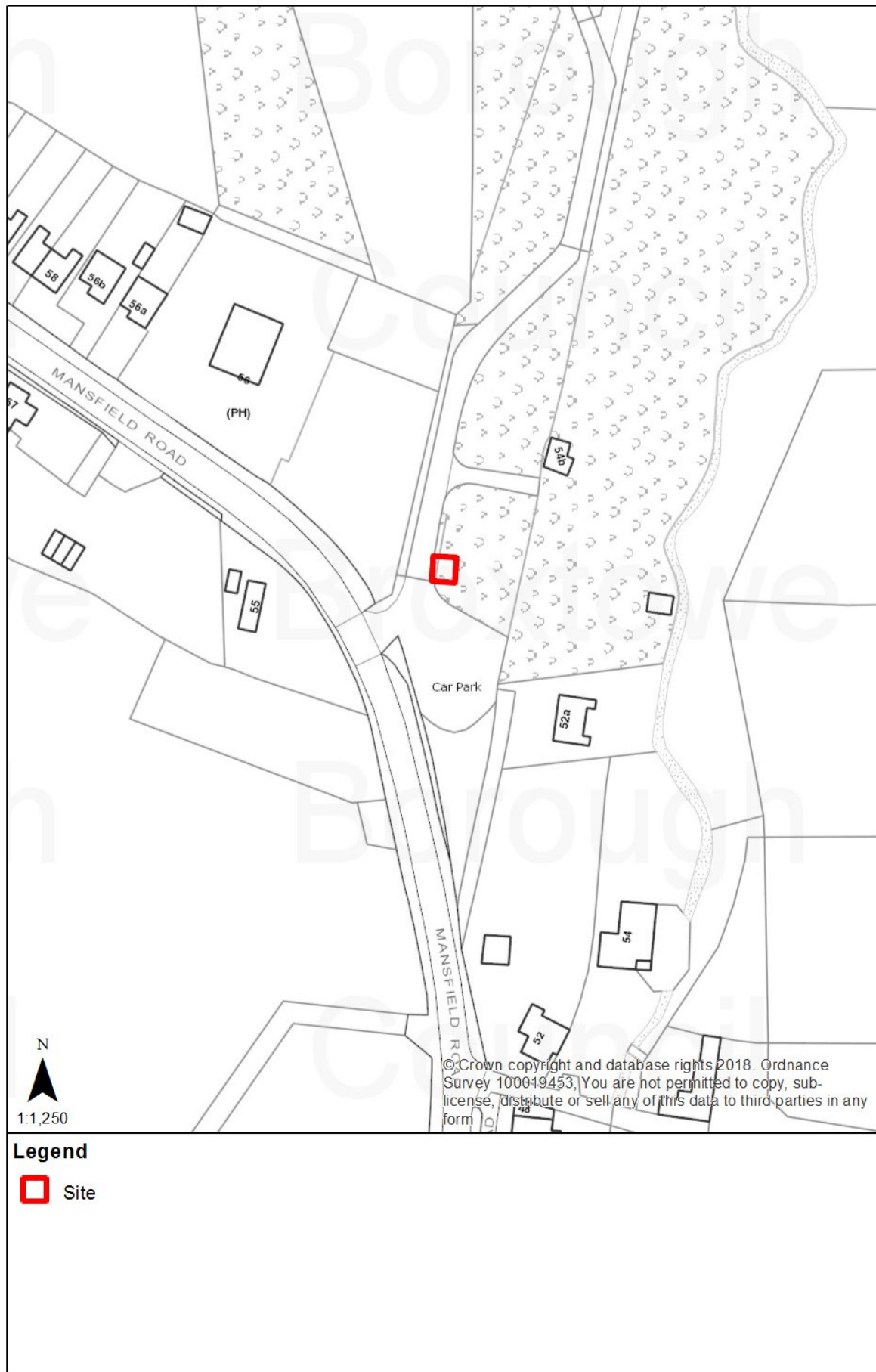
1. For the avoidance of doubt.
2. In the interests of amenity and public safety.

**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

**18/00409/FUL  
CHANGE OF USE FROM RESIDENTIAL (CLASS C3) TO OFFICES  
(CLASS A2)  
2A, 3A & 4A THE SQUARE BEESTON NOTTINGHAMSHIRE NG9 2JG**

The application is being brought to Committee as the site is owned by Broxtowe Borough Council and the application has been submitted on behalf of the Council.

1 Details of the application

1.1 This is a planning application for a change of use of three residential units above retail units in Beeston Town Centre, to three offices, under Class A2. Each unit would retain individual access from the rear of the building. There are no external alterations proposed.

1.2 There are no specified opening hours proposed.

2 Site and surroundings

2.1 The site is the upper floor above retail units in The Square, which form part of the Prime Shopping Frontage. The site is above the units occupied by Peacocks and the House of Ashley Peake and adjoins Birds to the north east and a jewellers to the south west. The upper floors of these adjoining units are in use as ancillary storage/office space for the units below.

2.2 The building is two storey and the upper floor of the site (the subject of the application) was last in use as three residential units, arranged on one floor, each having three bedrooms. The upper floor is accessed from the rear via external steps which are in turn accessed from the rear delivery / service area for the adjoining retail units on this side of The Square.



Front elevation of the application site showing retail units beneath, taken from the precinct



Service yard taken from Station Road      Rear of first floor units

### 3 Relevant Planning History

- 3.1 A hybrid application (13/00042/FUL) consisting of outline permission for the removal of the external canopy and refurbishment of the street facing elevations of the building which includes the application property and full permission for partial demolition and replacement of the wider Square Shopping Centre was approved in July 2013.

### 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.

- 4.1.2 Section 2 (Ensuring the vitality of Town Centres) of the NPPF requires LPA's to provide opportunities for retail uses to be located in defined Town Centres, in order to ensure the vitality of the centre.

#### 4.2 **Broxtowe Aligned Core Strategy**

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

- 4.2.2 'Policy A: Presumption in Favour of Sustainable Development' reflects the presumption in favour of sustainable development contained in the NPPF. Applications which accord with the Local Plan will be approved without delay unless material considerations indicate otherwise.

- 4.2.3 Policy 6: Role of Town and Local Centres. Retail uses, including Class A2, are expected to be located in town centres, in order to maintain the vitality and viability of the town centre.

- 4.2.4 Policy 10: 'Design and Enhancing Local Identity' states that development should be assessed in relation to a number of factors including its impact on the amenity of nearby residents.

### 4.3 Saved Policies of the Broxtowe Local Plan

4.3.1 The Part 2 Local Plan is currently under preparation. 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 S1: Shopping and Associated Uses within Town Centres. This policy allows for the granting of planning permission for A1, A2 and A3 uses within centres provided that they do not have an unacceptable impact on neighbouring uses, or on the vitality and viability of the Town Centre.

4.3.3 Policy S4: Prime Shopping Frontages. This policy seeks to retain A1 uses at ground floor level within the prime shopping frontage.

### 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 a summary of the comments provided were reported to the Council's Jobs and Economy Committee on 14 December 2017. Due to the current stage of the plan preparation, only limited weight can be attached to the policies.

4.4.2 Policy 10: Town Centre and District Centre Uses. This policy builds upon the above mentioned policies and additionally expands upon this by aiming to secure the use of upper floors for a main town centre use within centres.

4.4.3 Policy 11: The Square, Beeston. The policy sets out the aims for the redevelopment of the Square and seeks to ensure that new development in this area increases the vitality and viability of the centre as a whole.

## 5 Consultations

5.1 Nottinghamshire County Council as Highways Authority have no objection.

5.2 The NET team have been consulted. Any response will be reported at committee.

5.3 To publicise the application, 25 properties were consulted. No comments have been received.

5.4 Cadent note that there is gas apparatus within the vicinity of the site and have requested that the Local Authority advise of the recommended decision, and recommend an advisory note, in respect of responsibilities for safeguarding the apparatus, be attached to any decision.



## 6 Appraisal

- 6.1 The main issues to consider with this application are whether the proposed use (Class A2) is acceptable in this location and its impact on the vitality and viability of Beeston Town Centre.
- 6.2 The upper floor has last been occupied for residential purposes. The occupation of the last flat ended in May this year. The application seeks to change the use of the upper floor to three x A2 units.
- 6.3 The main aim of the Local Plan retail policies is to ensure Beeston Town Centre has a strong retail function. There are no adopted or emerging policies that highlight the need to retain C3 uses within Beeston Town Centre.
- 6.4 It is considered the proposed change of use will enhance vitality and viability of Beeston Town Centre by expanding the provision of a range of Class A uses within the centre. Whilst the opening hours are not given, it is expected that the use as A2 (financial and professional services) will assist in increasing activity within Beeston Town Centre. The units are located close to regular bus and tram services and can be easily accessed on foot. The proposed A2 use in this location will contribute to the wide range of services offered in Beeston Town Centre and therefore is broadly compliant with Policy 6 of the Aligned Core Strategy.
- 6.5 The proposal accords with Policies 10 and 11 of the Draft Part 2 Local Plan, and Policies S1 and S4 of the Broxtowe Local Plan in that it brings a retail use to the upper floors of a building within the Town Centre, and would enhance the vitality and viability of The Square.
- 6.6 In regard to the loss of residential use, it is noted that the three flats were the last remaining of residential units above the shops, with most being lost during the redevelopment of the Square. It is also noted that the access to the flats was unwelcoming and inappropriate for family occupation, being accessed via a service and delivery yard, which is hidden from view and which would have the potential for anti-social behaviour issues, particularly at night. The site therefore has become unsuitable for retention as family accommodation.

## 7 Conclusion

- 7.1 The proposal to change the use of the upper floor above the retail units to Class A2 use would not see a loss of A1 retail units in the Prime Shopping Frontage and therefore would not result in a reduction to the vitality of the Town Centre. The proposed change of use would also provide offices suitable for small 'start up' businesses and as such would contribute to the vitality of the Centre. The proposal accords with Broxtowe Local Plan Policies S1 and S4, with Policies 6 and 10 of the Broxtowe Aligned Core Strategy, with Policies 10 and 11 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 Site Location Plan (1:1250) received by the Local Planning Authority on 14 June 2018 and existing and proposed layout drawing numbers Beeston Square 002; received by the Local Planning Authority on 12 June 2018.

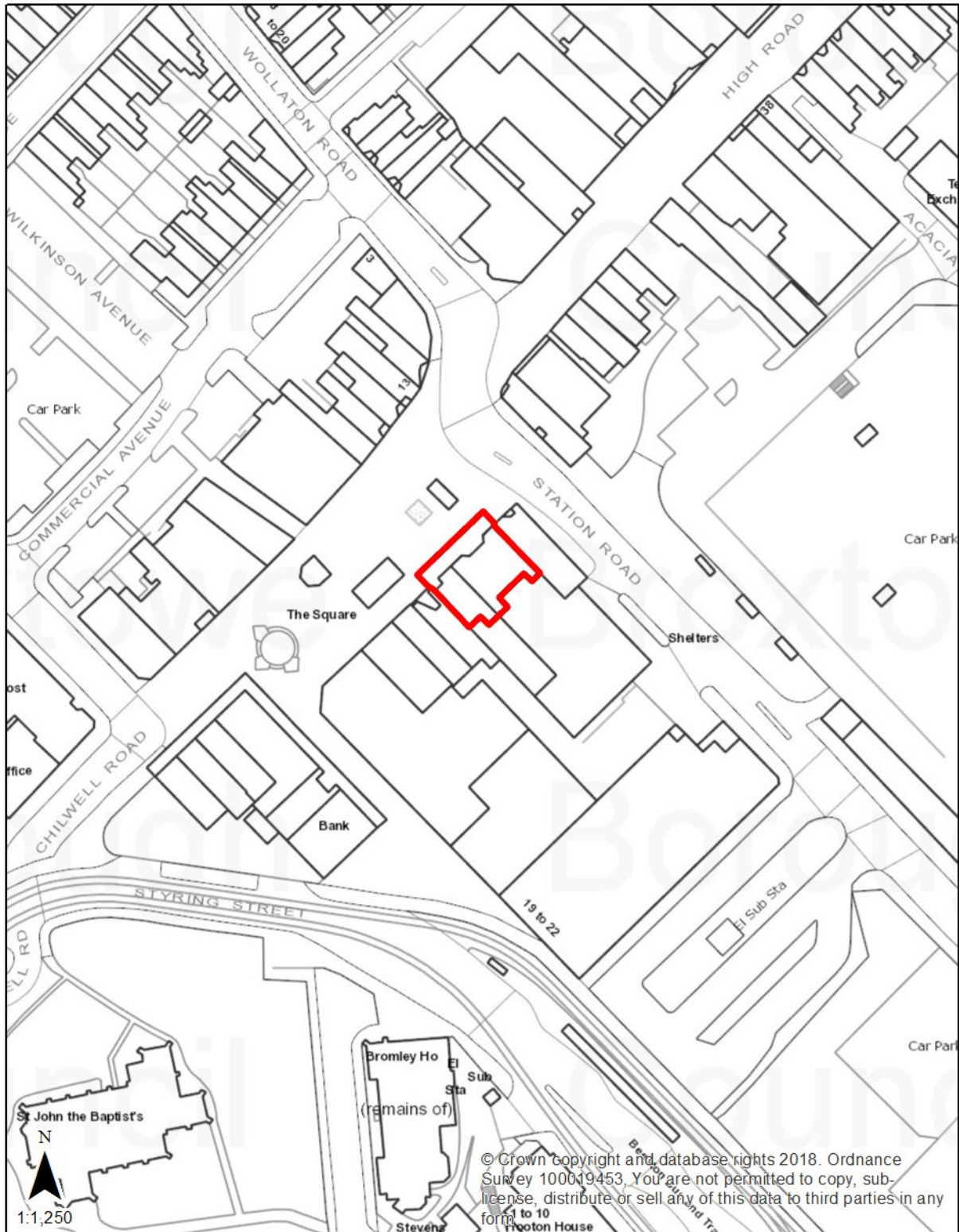
**Reasons**

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.

**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



**Legend**

- Road Names
-  Site

## Report of the Chief Executive

**LAND OFF CARRFIELD AVENUE TOTON**1. Purpose of Report

A request has been received from Pelham Homes limited to release the restriction requiring that 12 houses on this site be affordable housing.

2. Relevant History

In 1997 an outline planning application was submitted for use of land for residential development at the former Chambers Packaging site on Stapleford Lane in Toton. The planning reference was 97/00565/OUT. The application was approved by committee but subject to a S106 agreement that included 'an acceptable element of affordable housing'. In 1998 both a reserved matters application was approved and an associated S106 agreement was signed. The S106 agreement included the need for provision of affordable housing on site, and accompanying letters and layout plans to the planning department indicate that affordable housing was provided in line with this agreement.

3. Assessment

The applicants have suggested that there was an agreement between the Council and themselves at the time of granting planning permission, that the affordable housing units did not need to be occupied as affordable units. They have provided correspondence to indicate this is what was agreed with the Director of Housing and Health in August 1998. They have also confirmed that 5 units have been sold and the remaining 7 units are let at a 'cost rent'. With regard to the suggestion that the Council waived the requirement, this is at odds with subsequent correspondence from the, then, developer which in December 1998 clearly acknowledged the continuing intention to provide affordable housing on the site.

If the Council approves to lift this restriction, the locality would lose out on potentially 7 units of affordable housing. This area has a high demand for all types of affordable housing and our housing department are against losing these units. (See table of demand in appendix). Having this housing in affordable usage would ensure the original intention of the committee is both fulfilled and retained, with the purpose of continued affordable housing provision in the area. Consequently it would appear to be of little benefit to the Council to relinquish these units from affordable usage. Additionally if members were so minded to lift this restriction then the Council would have to justify its reason(s) for doing so. The Council will have to show the obligations no longer serve a useful purpose, in this case the provision of affordable housing. The applicants will potentially argue that the units are no longer being let as affordable units, and as such serve no 'purpose' as such.

4. Conclusion

There is an identified need for affordable housing within this area, and there seems no reasonable case put forward by the applicant to suggest removing this restriction. It is suggested therefore members resolve to refuse to lift the restriction.

Members should be aware that we have been told the applicants are likely to appeal this decision.

**Recommendation**

**The Committee is asked to RESOLVE to refuse permission to remove this restriction as the requirement for affordable housing provision at this location remains.**

Background papers

- 1- S106 Statement
- 2- Committee minutes
- 3- Schedule of proposed amendments
- 4- Affordable housing needs table
- 5- Letter correspondence for 98/00464/REM.

97/00565/OUT  
THIS DEED OF AGREEMENT is made the 7<sup>th</sup> day of May  
One thousand nine hundred and ninety-eight B E T W E E N BROXTOWE  
BOROUGH COUNCIL of Council Offices Foster Avenue Beeston Nottinghamshire  
NG9 1AB (hereinafter referred to as "the Council") of the one part and BPB  
PAPERBOARD LIMITED whose registered office is situate at Mugiemoss  
Bucksburn Aberdeen AB21 9AA (hereinafter referred to as "the Owner") of the other  
part

WHEREAS

- (1) The Owner is the owner of the freehold interest in ALL THAT land (hereinafter referred to as "the land") situate off Carrfield Avenue Toton Nottinghamshire as is more particularly delineated on the plan annexed hereto and thereon edged red but excluding the area edged blue
- (2) The Council is the local planning and local housing authority for the administrative area in which the land is situate
- (3) On the twenty-sixth day of August One thousand nine hundred and ninety-seven the Owner made application to the Council for outline planning permission to carry out residential development on the land which application was registered on the twenty-eighth day of August One thousand nine hundred ninety-seven under reference number 97/00565/OUT
- (4) Having had regard to the development plan and all other material considerations the Council has decided through its Planning Committee which met on the nineteenth of January One thousand nine hundred and ninety-eight that conditional permission pursuant to the said application could be granted but subject first to the completion of and the terms of this Agreement without which planning permission for the development would not be granted

NOW THEREFORE THIS DEED OF AGREEMENT WITNESSETH as follows:

1. The Owner for itself and its successors in title to the land hereby covenants with the Council as local planning authority as follows:
  - (i) No residential development may be initiated on the land (within the meaning of section 56 Town and Country Planning Act 1990) until a layout scheme



SEALING REGISTER  
No 312

LAMP CLEARANCE

NO WOOD GLOSS

DRINK BENCH

SECTION 106 AGREEMENT  
LAND AT STAPLEFORD LANE, TOTON



Scale: 1:1250

Directorate  
of  
Planning & Development

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BROXTOWE BOROUGH COUNCIL LA07731

shall have been submitted to and approved by the Council showing the total number of residential units to be provided on the land and identifying the units to be provided as affordable housing units together with hard and soft landscaping areas and fences and walls associated therewith such affordable housing units comprising no less than 30% of the total number of residential units.

(ii) The part of the land identified in the said scheme for affordable housing units shall not be developed other than for the purposes of housing by a registered housing association or registered social landlord for one or two bedroomed housing units

(iii) That it will use reasonable endeavours to procure the development of the affordable housing units by a registered housing association or registered social landlord

(iv) No more than 50% of the residential units not identified for affordable housing shall be occupied until either:

- a) At least one affordable housing unit shall have been occupied; or
- b) The land identified in the said layout scheme for the provision of affordable housing has been transferred to a registered housing association or registered social landlord to the reasonable satisfaction of the Council

whichever shall first occur

(v) That on completion of the affordable housing units it will maintain the hard and soft landscaping areas and the fences and walls associated with the affordable housing units and identified on the approved layout scheme before referred to in a good clean and tidy condition free from weeds and litter in accordance with the maintenance requirements detailed in the maintenance schedule attached hereto to the Council's satisfaction save that for the avoidance of doubt this subclause shall not require the maintenance of any part of a highway or sewer which has been adopted and become maintainable at the public expense



- (i) That it will not at any future date seek to serve a purchase notice or otherwise seek compensation from the Council in respect of the land or any part thereof pursuant to the Town and Country Planning Act 1990 or any statutory amendment or reenactment thereof arising out of any restriction on development imposed by any provision of this deed of agreement or by means of planning permission pursuant to the said application reference number 97/00565/OUT
- (vii) That it will lodge or cause to be lodged at HM Land Registry its Land Certificate to enable the provisions of this deed of agreement to be noted at the expense of the Owner on the title

2. IT IS HEREBY AGREED AND DECLARED as follows:

- (1) This deed of agreement shall come into effect only upon the issue of a planning permission pursuant to the said application reference number 97/00565/OUT and also the commencement of development in accordance with that permission for the purposes of section 56 Town and Country Planning Act 1990
- (2) This deed of agreement is made pursuant to the provisions of section 106 of the Town and Country Planning Act 1990 and each covenant is where the context so admits a planning obligation for the purposes of the said section 106 enforceable by the Council
- (3) No person shall be liable for a breach of any covenant in this deed of agreement after he shall have parted with all interest in the land or the part in respect of which such breach shall have occurred but without prejudice to a continuing liability for any subsisting breach of covenant prior to parting with such interest

M A I N T E N A N C E S C H E D U L E

1. Hard Landscaping

The maintenance requirements for the above areas shall be as follows:

- (i) Sweeping and litter picking Monthly
- (ii) Cleaning including drain and gully jet washing Twice yearly
- (iii) Repair or repave As required
- (iv) Ducts, drains and sewers renewal or repair As required

2. Soft Landscaping

The maintenance requirements for the above areas shall be as follows:

- (i) Weeding and litter picking Monthly
- (ii) Pruning and hedge trimming Annually
- (iii) Irrigation As required
- (iv) Fertilizer or mulch application Annually in April
- (v) Tree or shrub or hedging replacement Annually between October and March as required

3. Fences and Walls

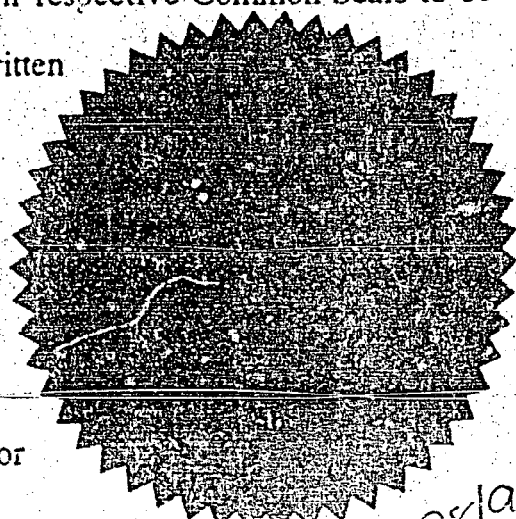
- (i) Treat communal timberwork Every five years
- (ii) Repair/replace/maintain timberwork, brickwork and render As required

IN WITNESS whereof the parties have caused their respective Common Seals to be affixed to this deed the day and year first before written

THE COMMON SEAL of  
BROXTOWE BOROUGH COUNCIL

was hereunto affixed

in the presence of:-



[Signature]

Mayor

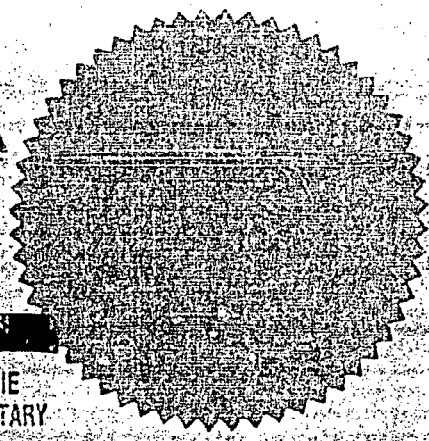
[Signature]

Duly Authorised Officer

117898/a

THE COMMON SEAL of  
BPB PAPERBOARD LIMITED  
was hereunto affixed

*[Handwritten signature]*  
[Redacted]  
*[Handwritten signature]*  
[Redacted]



KEITH R. RENNIE  
COMPANY SECRETARY

SEALING REGISTER  
No. 312

DATED

7<sup>th</sup> May

1998

**BROXTOWE BOROUGH COUNCIL**

-and-

**BPB PAPERBOARD LIMITED**

**DEED OF AGREEMENT**

pursuant to Section 106  
of the Town and Country  
Planning Act 1990 affecting  
land situate off  
Carrfield Avenue, Toton  
in the County of Nottingham

P.D.C. Brown  
Director of Legal and  
Administrative Services  
Council Offices  
Foster Avenue  
Beeston  
Nottingham NG9 1AB

PDCB/CLJ S/11/103  
agreements/106chamber

- (d) 97/00565/OUT  
Outline Application for Residential Development  
Chambers Packaging, Stapleford Lane, Toton

**RESOLVED** that provided the applicant is first willing to enter into a voluntary agreement under Section 106 of the Town and Country Planning Act 1990, in order to secure an acceptable element of affordable housing, including its future maintenance and control within the proposed residential development, to be minded to grant planning permission subject to the following conditions and to advertise the application as a departure from the Broxtowe Local Plan:-

- (i) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission;
- (ii) The development hereby permitted shall be commenced either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- (iii) 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 siting, design and external appearance of all buildings;
  - (b) the particulars of the materials to be used in the facing of the external surfaces of all buildings;
  - (c) the means of access to the site and the provision for vehicle parking and garaging facilities and
  - (d) the means of enclosure of the curtilage of the site and all individual dwellings.

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

- (iv) 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) numbers, types, sizes and positions of proposed trees and shrubs
  - (b) proposed boundary treatments
  - (c) proposed hard surfacing treatment
  - (d) planting, seeding/turfing of other soft landscape areas
- (v) The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the buildings, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or 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.

- (vi) The proposed boundary treatment/fencing for each dwelling shall be erected in accordance with the approved plans and details prior to the occupation of that dwelling.
- (vii) Any garages shall be kept available for the accommodation of private vehicles only, shall not be converted to living accommodation and no trade or business shall be carried out therefrom.

(In accordance with Standing Order 14(12) Councillor S. Holloway, Ward Member, attended the meeting and spoke on the above application).

- (e) 97/00745/REG3  
Renew Permission to Site Building  
For Use by Citizens' Advice Bureau, Albion Street, Beeston

**RESOLVED** that permission be granted subject to the following conditions:-

1. The building hereby permitted shall be removed, and the land restored to its former condition, on or before 31 December 2002, unless a further permission has been granted for its retention.
2. The building shall be painted in a colour to be agreed beforehand with the local planning authority and the painting shall be completed within one month of the erection of the new section hereby permitted.
3. No windows or other openings shall be installed in the south-east elevation of the building without the prior written approval of the local planning authority.

- (f) 97/00733/FUL  
Construct Office and Isolation Buildings  
Gate House, New Farm Lane, Nuthall

**RESOLVED** to notify the Secretary of State for the Environment that the committee is minded to grant planning permission subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
2. No building operations shall be carried out until details of the materials to be used in facing external walls and roofs have been submitted to and approved in writing by the local planning authority, and the development shall be carried out only in accordance with those details.
3. The office and isolation buildings shall only be used in conjunction with the existing branch shelter for the temporary holding of rescued cats and shall not form separate uses.

Report of the Director of Planning and Development

97/00565/OUT

**OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT  
CHAMBERS PACKAGING, STAPLEFORD LANE, TOTON**

Details of Application

The application seeks outline permission to use the Chambers Packaging site for residential development. All details of the proposal have been reserved for later approval, though a sketch scheme has been submitted for illustrative purposes which shows the main access off Stapleford Lane and the siting of 40 dwellings. In support of the application, the agent has pointed out that the authorised use of the site is for B2 General Industry, and has referred to the amenity concerns which have been raised by local residents over recent years in relation to his client's operations on the site. The company is to relocate elsewhere in the near future and residential development is put forward as the most appropriate alternative use having regard to the character of surrounding development. In recognition of the Council's adopted policies, the agent has also confirmed that the applicant is prepared to enter into an agreement to ensure that a proportion of the site is reserved for affordable housing. This proportion would comprise affordable housing units of 30% of the total number of units on the site.

The Site and Surroundings

The site measures approximately 1.33 hectares and is currently used for the manufacture of packaging materials. A large industrial building with ancillary offices covers the majority of the site and there are extensive parking and servicing facilities with access from Stapleford lane and Carrfield Avenue. The normal working hours of the present company are between 6.00 am and 10.00 pm. The site is located in a predominantly residential area with housing adjoining the site on three sides.

Policy Context

Policy HO8 of the local plan states that residential development will not normally be allowed on unallocated sites outside the green belt over approximately 0.5 hectares except where the development comprises affordable housing. Policy HO9 provides the opportunity for planning permission to be granted exceptionally for affordable housing on land outside the green belt that would not normally be released for development. Any such scheme should meet a genuine local need that would otherwise not be met, and incorporate arrangements to ensure that benefits will be passed on to subsequent, as well as initial, occupants. It is noted that these arrangements will normally require the involvement of a housing association.

The Nottinghamshire Structure Plan Review 1996, Policy 2/8, relating to the protection of employment sites and buildings, states that permission will not normally be given for the use for other purposes of employment sites or buildings which already exist or are identified in local plans. This objective is reaffirmed in the Broxtowe Local Plan under Policy EM8 which seeks to protect the existing and available supply of employment land over the plan period and resist pressure for release of further, unallocated land, including in the green belt. The policies do allow for a change of use in special circumstances, defined as being where suitable sites exist for employment purposes over the short and long term, where the existing use produces unacceptable traffic and environmental problems, or where the applicant has demonstrated that the premises are no longer capable of providing satisfactory accommodation for employment purposes.

### Site History

The main factory building was understood to have been built in the 1920s. A large number of applications have been granted for various extensions and alterations, but in 1995 an application to raise the roof of the existing finished goods store was refused permission because of the loss of residential amenity and potential noise and disturbance to local residents.

### Consultations

The County Director of Planning and Economic Development has drawn attention to the Structure Plan objective to protect existing employment land. He expresses concern about the lack of employment sites in the immediate and wider area and would strongly resist changing the use of this site from employment purposes. He considers that a change to a different employment use on the site could alleviate problems caused by the current occupiers, and that the applicant has not adequately demonstrated that the premises on the site are no longer capable of providing an acceptable standard of accommodation for employment purposes. The proposal is therefore contrary to the structure plan policy and the County Director raises strategic objections.

The County Director of Construction and Design and the Director of Technical and Leisure Services raise no highway objections. The County Director recommends certain detail measures including that access be gained via Stapleford Lane.

Seven letters of support for the development have been received from local residents, including one representing the Carrfield Avenue Residents Committee. Notwithstanding the overall support in principle, detail concerns are raised relating to matters of security of existing properties, the level of traffic, the ability for local schools to cater for an influx in children, and landscaping and boundary treatment.

A copy of the minutes of a Chambers Packaging Residents Group meeting has been received noting that attendance included the applicant and agent, as well as 35 local residents. The group were unanimous in their support of the application though did raise similar issues to those already detailed.

### Appraisal

I consider that the main issues relate to the loss of employment land, the release of an unallocated site for residential development, and the potential provision of affordable housing.

I acknowledge that the site lies within a predominantly residential area. However the site has provided an important source of employment and contributes to the overall supply of industrial land within the borough. Members may be aware that there is a general shortage of employment land in the south of the borough where pockets of unemployment are above average. Adopted planning policies seek to protect such land from other types of development in the light of the council's objective to achieve a prosperous local economy through industrial and commercial growth. The local plan recognises that pressure for alternative developments on employment sites can be high, and concludes that such developments should generally be resisted in view of the tight green belt constraints on the provision of replacement sites. Central government advice in PPG1 also encourages a more sustainable approach to development and notes that a mixture of uses can reduce the need to travel. Nevertheless the PPG recognises that there is no universal approach for mixed-use developments and particular local conditions must be taken into account.



Notwithstanding the concerns about loss of employment land, the local plan policies do permit changes of use where, amongst other issues, the current employment use causes traffic or environmental problems. I recognise that this site has a well documented history of problems, in particular regarding noise and disturbance experienced by local residents through the existing operations on site.

Turning now to housing land issues, the site is not allocated for residential development in the local plan and there is accordingly a presumption against housing development. In accordance with Policy HO9, however, planning permission may be granted for residential development on unallocated sites if it is for affordable housing (which includes specialist housing for the elderly). The agent has stated that his client is prepared to dedicate part of the site for affordable housing. It is understood that some discussions have taken place between the applicants and both officers of the Director of Housing and Health and a Housing Association, but further investigation will be needed to identify the most appropriate type of affordable housing for the site.

The committee is therefore asked to pay particular regard to the objectives of adopted policies designed to protect the supply of employment land, to recognise the precedent which could be set by the erosion of such sites in favour of alternative forms of development, and to ensure the residential land supply for the borough is not compromised by the ad hoc development of unallocated sites. Nevertheless the committee will be aware that the review of the local plan is underway and the consultation draft is nearing publication. Accordingly if the site is to be released for residential development, then there is an early opportunity to redress any short term loss in employment land through the current comprehensive review of the local plan. Moreover the affordable housing element would contribute towards the housing needs requirement in the southern part of the borough and this goes some way towards meeting the objectives of Policy HO9. In conclusion, taking into account the amenity issues raised by continuing industrial use of the site and the contribution towards affordable housing now proposed, I consider that the development now represents an acceptable compromise which could be supported. In order to secure the affordable housing, however, it will be necessary to enter into an agreement under Section 106 of the Town and Country Planning Act 1990 with the applicants before permission could be granted. As the proposal would represent a departure from the Broxtowe Local Plan, it will also be necessary to advertise the application accordingly and take into account any additional representations received.

### **Recommendation**

The committee is asked to **RESOLVE** that provided the applicant is first willing to enter into a voluntary agreement under Section 106 of the Town and Country Planning Act 1990, in order to secure an acceptable element of affordable housing, including its future maintenance and control within the proposed residential development, to be minded to grant planning permission subject to the following conditions and to advertise the application as a departure from the Broxtowe Local Plan:

- (i) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission;
- (ii) The development hereby permitted shall be commenced either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- (iii) 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 siting, design and external appearance of all buildings;
- (b) the particulars of the materials to be used in the facing of the external surfaces of all buildings;
- (c) the means of access to the site and the provision for vehicle parking and garaging facilities and
- (d) the means of enclosure of the curtilage of the site and all individual dwellings.

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

- (iv) 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) numbers, types, sizes and positions of proposed trees and shrubs
  - (b) proposed boundary treatments
  - (c) proposed hard surfacing treatment
  - (d) planting, seeding/turfing of other soft landscape areas
- (v) The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the buildings, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or 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.
- (vi) The proposed boundary treatment/fencing for each dwelling shall be erected in accordance with the approved plans and details prior to the occupation of that dwelling.
- (vii) Any garages shall be kept available for the accommodation of private vehicles only, shall not be converted to living accommodation and no trade or business shall be carried out therefrom.

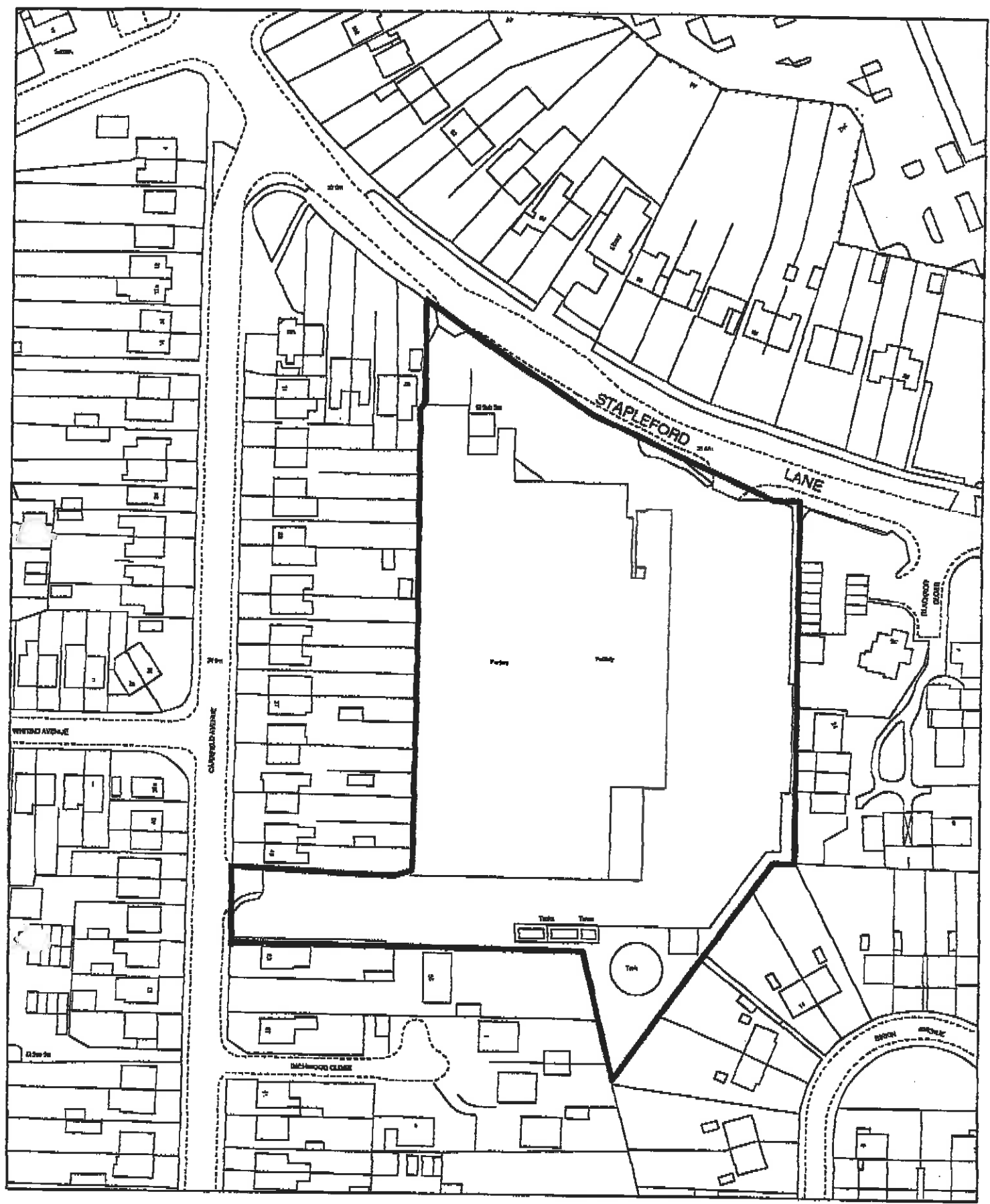
### Background Papers

Observations by the County Director of Construction & Design dated 9/9/97

Observations by the County Director of Planning & Economic Development dated 14/10/97

Observations by the Director of Technical and Leisure Services dated 11/9/97

Letters from local residents dated 14/9, 18/9, 01/10, 02/10, 10/10 and 17/10



**CHAMBERS PACKAGING, STAPLEFORD LANE, TONON  
 USE LAND AS SITE FOR RESIDENTIAL DEVELOPMENT**

Ref. 97/00565/OUT Committee.. PLANNING Date.. 19. 1. 98

Scale: 1:0



**DIRECTORATE  
 OF  
 PLANNING & DEVELOPMENT  
 DIRECTOR D.J. CLACK**

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 BROXTOWE BOROUGH COUNCIL LA077356

**SCHEDULE OF PROPOSED AMENDMENTS**

The application proposes that the following changes to the Principal Agreement are made on the determination of the application.

The changes are set out below (with the amended text in strike through and underline).

**REMOVAL OF AFFORDABLE HOUSING UNITS FROM THE SITE**

<b>CLAUSE</b>	<b>AMENDMENT</b>
Clause 1(i)	<p>Modify clause 1(i) as follows:</p> <p>No residential development may be initiated on the land (within the meaning of section 56 Town and Country Planning Act 1990) until a layout scheme shall have been submitted to and approved by the Council showing the total number of residential units to be provided on the land and <del>identifying the units to be provided as affordable housing units</del> together with hard and soft landscaping areas and fences and walls associated therewith <del>such affordable housing units comprising no less than 30% of the total number of residential units</del></p>
Clause 1(ii)	Delete clause 1(ii) in its entirety
Clause 1(iii)	Delete clause 1(iii) in its entirety
Clause 1(iv)	Delete clause 1(iv) in its entirety
Clause 1(v)	<p>Modify clause 1(v) as follows:</p> <p>That on completion of the <del>affordable housing units</del> <u>dwelling</u>s it will maintain the hard and soft landscaping areas and the fences and walls associated with the <del>affordable housing units</del> <u>dwelling</u>s and identified on the approved layout scheme before referred to in a good clean and tidy condition free from weeds and litter in accordance with the maintenance requirements detailed in the maintenance schedule attached hereto to the Council's satisfaction save that for the avoidance of doubt this subclause shall not require the maintenance of any part of a highway or sewer which has been adopted and become maintainable at the public expense</p>

**Droxton Borough Council**  
 Planning & Community Development  
 - 1 MAY 2018  

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## Social Housing Applicants Register 29<sup>th</sup> June 2018

### General Needs

	One Bed	Two Bed	Three Bed	Four Bed	Totals
Band 1	4	3	0	0	7
Band 2	21	17	26	8	72
Band 3	21	18	26	9	74
Band 4	162	130	50	9	351
	208	168	102	26	504

### Retirement Living (60+):

	One Bed	Two Bed	Three Bed	Totals
Band 1	2	0	0	2
Band 2	10	1	1	12
Band 3	15	0	2	17
Band 4	36	5	0	41
	63	6	3	72

# Birch HOMES

Birch Homes Limited,  
Cedar House, Ashbourne Road, Derby DE22 3FS  
Tel 01332 291500 Fax 01332 292109

Our Ref: AJN/CAW

7 December 1998

Director of Legal & Administrative Services  
Broxtowe Borough Council  
Council Offices  
Foster Avenue  
Beeston  
NOTTINGHAM  
NG9 1AB

Dear Sir

**Re: Section 106 Agreement - Chambers Packaging Ltd, Stapleford Lane, Toton**

Under the requirements of the above agreement, we intend to transfer that area of land outlined red on the attached plan to Nottingham Community Housing Association who will then develop the area for 2 bedroom affordable housing units.

You granted ourselves planning permission on 22 October 1998 for the layout which included the design and location of the affordable housing units as shown. Nottingham Community Housing Association asked if you could possibly confirm that the provisions of Clause 1 (I) have been complied with by the grant of such permission.

I would be grateful if you could confirm the above by return as the development of the affordable housing unit is set to commence on 4 January 1999.

I look forward to hearing from you.

Yours sincerely

[Redacted Signature]

**Land and Planning Director**

[Redacted Name]



Enc

DIRECTORATE OF LEGAL AND ADMINISTRATIVE SERVICES

M E M O R A N D U M

To : Director of Planning & Development      PAO : Mr P M Stone  
Your Ref : 07/00565/OUT

From : P D C Brown      Our Ref : PDCB/CLJ S/11/103

Date : 9 December 1998      Tel Ext : 3213

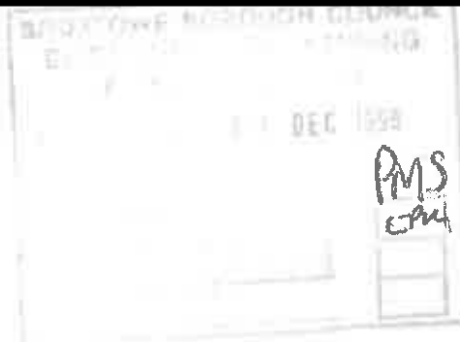
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SECTION 106 AGREEMENT - CHAMBERS PACKAGING,  
LAND OFF CARRFIELD AVENUE, TOTON

I enclose copy letter of 7 December and accompanying plan from Birch Homes who enquire whether the provisions of Clause 1(1) of the Section 106 Agreement have been complied with following the grant of permission on 22 October 1998 (reference 98/00464/REM). I assume that such permission covers affordable housing units comprising 30% or more of the total number of residential units? Could you please confirm that that sub-clause of agreement is satisfied.

Director of Legal and  
Administrative Services

Enc



## Report of the Chief Executive

**APPEAL DECISIONS**

Reference number: **17/00849/FUL**  
Proposal: **Construct single/two storey side extension following demolition of garage**  
Site address: **419 High Road Chilwell Nottinghamshire NG9 5EA**  
Applicant: **Mr Sam Balsini**

**APPEAL DISMISSED**

The application was refused permission by the Planning Committee (contrary to officer's recommendation) because the development was considered to be overbearing and represent overdevelopment of this part of the site, due to the proximity of the extension to the boundary. The close proximity to the boundary was considered to cause a loss of amenity to neighbours and to the occupants of the application property, due to reduced side access.

The Inspector considered the main issues to be the effect of the proposal on the living conditions of the occupants of the host dwelling, with regards to the side access; and the living conditions of the occupants of 421 High Road, with regards to sunlight.

The Inspector considered the 0.3m separation distance between the side of the extension and no. 421 would not allow the external movement of a wheelie bin or occupants between the front and rear of the dwelling. This could be inconvenient and impractical. Therefore, the size of the extension would lead to unacceptable harm to the living conditions of the occupants of the host property.

In regards to loss of sunlight for no. 421, the Inspector considered that the proposal would result in the loss of daylight to the north east side window due to the scale and proximity of the extension proposed. However, the window serves a study/hobbies room, which is not a main room within the dwelling and the Inspector considered that the proposal would not lead to an unacceptable impact on the occupiers of no. 421 as they would still be able to open the window.





Reference number: **17/00793/ADV**  
Proposal: **Display 2 digital illuminated advertising hoardings**  
Site address: **Advertising Right Adjacent Horse and Jockey  
Horse and Jockey, 20 Nottingham Road, Stapleford**  
Applicant: **Mr Richard Page**

## **APPEAL DISMISSED**

The application proposed advertisement consent for two digital illuminated advertising hoardings. Consent was refused due to the visibility of the signs when travelling along Nottingham Road from both directions due to their size and positioning and distraction they would have caused to drivers. It was considered that the positioning of the screens near a busy main road within the town centre would have a significantly negative impact on the safety of drivers. In addition, the frequent changes of the display would cause an additional distraction to drivers travelling along Nottingham Road.

The Inspector considered the main issue to be the effect the proposed advertisements would have on public safety. The Inspector considered that the close proximity to the nearby junction and their elevated form would be in clear view of the traffic signals meaning there would be points of visual interaction by traffic using this junction. The Inspector considered the proposed signs would have the potential to cause distraction to drivers and impede their decision making from the traffic signal instruction and detract from the generally good road visibility. The Inspector acknowledged that although accidents at this junction have been limited, this would not account for the potential highway safety concerns that would arise from the changing imagery on the proposed advertisements drawing the eye of drivers away from the road in both directions. The Inspector considered that although the existing advertisements are fixed, the reduction in their number would not address the concerns over the changing imagery on the proposed advertisements, or by controls over the level of illumination. The conditions that have been put forward by the appellant would not resolve the risk because they would still allow for changing imagery once every 10 seconds.

In conclusion, the Inspector found that the advertising hoardings, due to their siting and frequent change of display, are in a location and are a type of advertisement which is more likely to affect public safety on the roads and which may cause danger to road users. Therefore, the advertisements have the potential to cause driver distraction and pose an unacceptable risk to highway safety.

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

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**PLANNING APPLICATIONS DEALT WITH FROM**  
**09 June 2018 TO 06 July 2018**

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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**

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**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**

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**ATTENBOROUGH & CHILWELL EAST WARD**

Applicant : Mr & Mrs Geoff Holyoake 18/00178/FUL  
Site Address : Croft Cottage 13 Church Lane Attenborough Nottinghamshire NG9 6AS  
Proposal : **Construct single storey rear extension and detached garage**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Nick & Victoria Woodrow 18/00278/FUL  
Site Address : 67 Clumber Avenue Chilwell Nottinghamshire NG9 4BH  
Proposal : **Construct single / two storey side / rear extension with front porch**  
Decision : **Conditional Permission**

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**AWSWORTH, COSSALL & TROWELL WARD**

Applicant : Mr Michael Sean Hanrahan 18/00238/FUL  
Site Address : 4 Trowell Grove Trowell Nottinghamshire NG9 3QH  
Proposal : **Construct two storey and single storey rear extensions (revised scheme)**  
Decision : **Conditional Permission**

---

Applicant : Mr Jamie Tomlinson Blue Moutain Homes 18/00249/FUL  
Site Address : Willow Farm Newtons Lane Cossall Nottinghamshire NG16 2SD  
Proposal : **Retain 3 timber structures**  
Decision : **Conditional Permission**

---

Applicant : Mr David Burke 18/00312/FUL  
Site Address : Glebe Farm Cottage Church Lane Cossall Nottinghamshire NG16 2RW  
Proposal : **Creation of vehicular access and parking and external alterations including replacement of timber windows and alterations to link extension**  
Decision : **Conditional Permission**

---

Applicant : Mr David Burke 18/00313/LBC  
Site Address : Glebe Farm Cottage Church Lane Cossall Nottinghamshire NG16 2RW  
Proposal : **Listed Building Consent to carry out internal and external alterations and repairs to existing cottage and annex**  
Decision : **Conditional Permission**

---

**BEESTON NORTH WARD**

Applicant : Mr Ari Andricopoulos 18/00285/FUL  
Site Address : 99 Peveril Road Beeston Nottinghamshire NG9 2HU  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

---

Applicant : Mr Tony De Alwis N/A 18/00300/FUL  
Site Address : 85 Marlborough Road Beeston Nottinghamshire NG9 2HL  
Proposal : **Construct single storey side extensions**  
Decision : **Conditional Permission**

---

Applicant : Mr D Hallam 18/00338/PNH  
Site Address : 121 Appledore Avenue Beeston Nottinghamshire NG8 2RW  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 5.35 metres, with a maximum height of 3.00 metres and an eaves height of 2.95 metres**  
Decision : **Prior Approval Not Required**

---

## BEESTON WEST WARD

Applicant : Mr & Mrs K Goodere-Dale 18/00002/FUL  
Site Address : 9 Cedar Road Chilwell Nottinghamshire NG9 4DB  
Proposal : **Construct porch, pitched roof over existing flat roofed extension, replace windows in rear elevation, two chimney stacks, gates, part render rear/side elevations and detached annex**  
Decision : **Conditional Permission**

---

Applicant : Mr Kevin Dickinson 18/00174/FUL  
Site Address : 56C Imperial Road Beeston Nottinghamshire NG9 1FN  
Proposal : **Retain single storey rear extension (revised scheme)**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Rose 18/00275/FUL  
Site Address : 7 Cyril Avenue Beeston Nottinghamshire NG9 1DS  
Proposal : **Construct single storey rear / side / front extensions, rear dormer, extend raised patio area and external insulated render**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Metson-Scott, 18/00284/FUL  
Site Address : 3 Bramcote Avenue Chilwell Nottingham NG9 4DG  
Proposal : **Construct two storey side extension and single storey rear extension, canopy roof and installation of timber and slate cladding and render**  
Decision : **Conditional Permission**

---

Applicant : Jennie Martyn 18/00286/FUL  
Site Address : The Bar 100 Chilwell Road Beeston Nottinghamshire NG9 1ES  
Proposal : **Construct alterations to shop front to create separate access to first floor bar (Class A4) (resulting from subdivision of existing bar)**  
Decision : **Conditional Permission**

---

Applicant : Jennie Martyn 18/00287/ADV  
Site Address : The Bar 100 Chilwell Road Beeston Nottinghamshire NG9 1ES  
Proposal : **Erect non-illuminated double-sided projecting sign**  
Decision : **Withdrawn**

---

## BRAMCOTE WARD

Applicant : Mrs Lisa Moulding 18/00227/FUL  
Site Address : 19 Bankfield Drive Bramcote Nottinghamshire NG9 3EH  
Proposal : **Construct link extension between dwelling and garage and convert garage into living accommodation**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs S Chambers 18/00250/FUL  
Site Address : 67A Sandringham Drive Bramcote Nottinghamshire NG9 3EJ  
Proposal : **Construct single storey rear extension and convert garage to living accommodation**  
Decision : **Conditional Permission**

---

Applicant : Mr Paul Purewal 18/00258/FUL  
Site Address : 50 Claremont Avenue Bramcote Nottinghamshire NG9 3DG  
Proposal : **Construct first floor extension, fenestration alterations, render parts of the exterior facade, insert roof lights, raised patio and extend raised terrace**  
Decision : **Conditional Permission**

---

Applicant : Mr J Zhang 18/00265/FUL  
Site Address : 25 Bankfield Drive Bramcote Nottinghamshire NG9 3EH  
Proposal : **Construct single storey rear and side extension**  
Decision : **Conditional Permission**

---

Applicant : Mr Taylor FW Taylor & Son 18/00270/PMBPA  
Site Address : Southfields Farm Common Lane Bramcote Nottinghamshire NG9 3DT  
Proposal : **Prior Notification under Class Q - Change of use of agricultural barn to residential development comprising 5 dwellings**  
Decision : **Prior Approval Granted**

---

Applicant : Mr And Mrs McQueen 18/00274/FUL  
Site Address : 95 Balmoral Drive Bramcote Nottinghamshire NG9 3FT  
Proposal : **Construct single storey front and rear extension, single storey side extensions and convert garage to habitable accommodation with raised roof**  
Decision : **Conditional Permission**

---

Applicant : Mr F Taylor F W Taylor & Son 18/00279/PMBPA  
Site Address : Southfields Farm Common Lane Bramcote Nottinghamshire NG9 3DT  
Proposal : **Prior Notification under Class R - change of use from agricultural buildings to flexible commercial use**  
Decision : **Prior Approval Granted**

---

Applicant : Mr Wykes 18/00281/FUL  
Site Address : 11 Stanley Drive Bramcote Nottinghamshire NG9 3JY  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Howarth 18/00298/FUL  
Site Address : 5 Beeston Fields Drive Beeston Nottinghamshire NG9 3DB  
Proposal : **Construct rear orangery and reconfiguration of front elevation**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Bird 18/00333/FUL  
Site Address : 2 Troutbeck Crescent Bramcote Nottingham NG9 3BP  
Proposal : **Construct single storey front extension**  
Decision : **Conditional Permission**

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## CHILWELL WEST WARD

Applicant : Co-op Co-op Group 18/00163/FUL  
Site Address : Double Top 69 Bramcote Lane Chilwell Nottinghamshire NG9 5EL  
Proposal : **Alterations to car park and delivery access and install external lighting and bin store**  
Decision : **Conditional Permission**

---

Applicant : Mrs Rachel Burton 18/00319/FUL  
Site Address : 137 Haddon Crescent Chilwell Nottingham NG9 5JR  
Proposal : **Construct first floor side extension, front lean-to roof and rear hip to gable extension and retain single storey rear extension**  
Decision : **Conditional Permission**

---

## EASTWOOD HILLTOP WARD

Applicant : Mr C Baker 18/00271/FUL  
Site Address : 30 Abbey Road Eastwood Nottinghamshire NG16 3FF  
Proposal : **Construct single storey rear and side extensions**  
Decision : **Conditional Permission**

---

Applicant : Miss Lindsey Beasley 18/00282/FUL  
Site Address : 15 Beauvale Rise Eastwood Nottinghamshire NG16 3FL  
Proposal : **Erect fence and gates**  
Decision : **Conditional Permission**

---

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

Applicant : Mr Michael Forrest Forrest Property LLP 18/00320/CLUP  
Site Address : Flat A 15 Nottingham Road Eastwood Nottinghamshire NG16 3AP  
Proposal : **Certificate of lawful development to change of use from B1(office) to C3 (residential)**  
Decision : **Withdrawn**

---

#### **GREASLEY WARD**

Applicant : Miss K Walvin 18/00177/FUL  
Site Address : 71 Main Street Newthorpe Nottinghamshire NG16 2EU  
Proposal : **Construct side and 2 storey rear extension with basement garage, front porch conversion of existing garage to living accommodation, rear dormer, raised terrace and access with gates**  
Decision : **Conditional Permission**

---

Applicant : Mr Hodgkinson 18/00307/FUL  
Site Address : 54 & 56 New Road Greasley Nottinghamshire NG16 2AA  
Proposal : **Construct two storey rear extensions with juliette balconies, raised patios to rear, two detached garages and driveways**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Wood 18/00311/PNH  
Site Address : Brook Breasting Cottage Narrow Lane Watnall Nottinghamshire NG16 1HW  
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.4 metres, with a maximum height of 3.9 metres, and an eaves height of 2.9 metres**  
Decision : **Refusal**

---

Applicant : Dean & Lisa Eaton & Ledger 18/00330/FUL  
Site Address : 13 Moorgreen Newthorpe Nottingham NG16 2FD  
Proposal : **Construct single storey rear extension**  
Decision : **Conditional Permission**

---

Applicant : Mr A Hoggard 18/00349/FUL  
Site Address : 19 Holmewood Drive Giltbrook Nottinghamshire NG16 2UG  
Proposal : **Construct first floor side extension**  
Decision : **Conditional Permission**

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#### **KIMBERLEY WARD**

Applicant : Mrs T Glover 18/00191/FUL  
Site Address : 92 Swingate Kimberley Nottinghamshire NG16 2PQ  
Proposal : **Retain change of use from residential garage to Doggy Day Care**  
Decision : **Conditional Permission**

---

Applicant : Mrs J Towle 18/00296/FUL  
Site Address : 36 Clive Crescent Kimberley Nottinghamshire NG16 2QB  
Proposal : **Construct two storey side extension**  
Decision : **Conditional Permission**

---

Applicant : Mr M Nelmes 18/00315/FUL  
Site Address : 10 Dawver Road Kimberley Nottinghamshire NG16 2LT  
Proposal : **Retain single storey rear extension and construct raised deck**  
Decision : **Conditional Permission**

---

## NUTHALL EAST & STRELLEY WARD

Applicant : Mr Tanveer Mohammed 18/00148/FUL  
Site Address : 16 Roland Avenue Nuthall Nottinghamshire NG16 1BB  
Proposal : **Construct two storey rear and single storey side/rear extensions, front porch and conversion of garage into living accommodation**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Simpson 18/00205/FUL  
Site Address : Brackenhurst Knowle Hill Kimberley Nottinghamshire NG16 2PZ  
Proposal : **Construct first floor side/rear extension with juliet balcony and garage conversion**  
Decision : **Conditional Permission**

---

Applicant : Mr Fewkes 18/00229/FUL  
Site Address : 97 Cedarland Crescent Nuthall Nottinghamshire NG16 1AG  
Proposal : **Construct single storey rear and side extension**  
Decision : **Conditional Permission**

---

Applicant : Mr James Byron 18/00253/FUL  
Site Address : 12 Temple Drive Nuthall Nottingham NG16 1BE  
Proposal : **Construct two storey and single storey side extension**  
Decision : **Conditional Permission**

---

Applicant : Mr Tariq Alvi 18/00291/FUL  
Site Address : 2 Woodland Drive Nuthall Nottinghamshire NG16 1AJ  
Proposal : **Construct single storey rear and front extensions and two storey side and front extensions**  
Decision : **Conditional Permission**

---

## STAPLEFORD NORTH WARD

Applicant : Mr Sananda Camden 18/00276/OUT  
Site Address : Land Adjacent To 232 Pasture Road Stapleford Nottinghamshire NG9 8HA  
Proposal : **Outline application to construct one dwelling (with all matters reserved)**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs P Young 18/00341/FUL  
Site Address : 105 Pasture Road Stapleford Nottingham NG9 8HZ  
Proposal : **Construct two storey side and single storey rear extensions (revised scheme)**  
Decision : **Conditional Permission**

---

## STAPLEFORD SOUTH EAST WARD

Applicant : Mrs Sue Shuttleworth 18/00277/FUL  
Site Address : 119 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3JW  
Proposal : **Construct two storey rear extension and insert first floor side window**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs J Adkin 18/00318/FUL  
Site Address : 186 Toton Lane Stapleford Nottinghamshire NG9 7HY  
Proposal : **Construct single storey front extension**  
Decision : **Conditional Permission**

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## TOTON & CHILWELL MEADOWS WARD

Applicant : Mr Steven Potter 18/00272/FUL  
Site Address : 3 Grange Farm Close Toton Nottinghamshire  
NG9 6EB  
Proposal : **Construct single storey rear extension and conversion of part of garage to living accommodation**  
Decision : **Conditional Permission**

---

Applicant : Mrs L Lever 18/00309/FUL  
Site Address : 55 Whitburn Road Toton Nottinghamshire NG9 6HR  
Proposal : **Retain single storey side and rear extension (revised scheme)**  
Decision : **Conditional Permission**

---

Applicant : Mr & Mrs Rob Scott 18/00359/FUL  
Site Address : 1 Bridgnorth Way Toton Nottingham NG9 6LH  
Proposal : **Construct single storey side extension**  
Decision : **Conditional Permission**

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## WATNALL & NUTHALL WEST WARD

Applicant : Mr M Watkinson 18/00026/FUL  
Site Address : 9 Edward Road Nuthall Nottinghamshire NG16 1DB  
Proposal : **Construct one dwelling (revised scheme)**  
Decision : **Conditional Permission**

---

Applicant : Mr A Lees 18/00115/FUL  
Site Address : 73 Maple Drive Nuthall Nottinghamshire NG16 1EJ  
Proposal : **Construct single storey rear extension, partial raising of ridge height, rear dormer, boundary wall and gates and widen access**  
Decision : **Conditional Permission**

---

Applicant : Mr Peter Burton 18/00240/FUL  
Site Address : Hollybush Farm Long Lane Watnall Nottinghamshire NG16 1HU  
Proposal : **Form new brick skin to existing dwelling**  
Decision : **Conditional Permission**

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Applicant : Mr S Woodcock 18/00301/FUL  
Site Address : 12 Middleton Close Nuthall Nottinghamshire NG16 1BX  
Proposal : **Construct attached garage**  
Decision : **Conditional Permission**

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