



Tuesday, 27 August 2019

Dear Sir/Madam

A meeting of the Planning Committee will be held on Wednesday, 4 September 2019 in the New Council Chamber, Town Hall, Foster Avenue, Beeston, NG9 1AB, commencing at 7.00 pm.

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
L A Ball BEM
T A Cullen
D Grindell
M Handley
R I Jackson
R D MacRae

J W McGrath (Vice-Chair)
P J Owen
D D Pringle
C M Tideswell
D K Watts (Chair)
R D Willimott

A G E N D A

1. APOLOGIES

2. DECLARATIONS OF INTEREST

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

3. MINUTES

PAGES 1 - 6

The Committee is asked to confirm as a correct record the minutes of the meeting held on 24 July 2019.

4. NOTIFICATION OF LOBBYING

5. DEVELOPMENT CONTROL

5.1 19/00267/OUT PAGES 7 - 26

Outline application with some matters reserved for construction of a building containing 10 flats with parking (following demolition of existing commercial premises).
198 CATOR LANE, CHILWELL, NOTTINGHAMSHIRE, NG9 4BE

5.2 19/00297/FUL PAGES 27 - 44

Construct student accommodation building (providing 36 bedrooms) following demolition of bungalow and single storey extension (at 3 Queens Road East).
1 QUEENS ROAD EAST, BEESTON, NOTTINGHAMSHIRE, NG9 2GN

6. 19/00012/FUL PAGES 45 - 82

Change of use from a nursing and residential care home (Class C2) to four houses of multiple occupation (Class C4).
THE GABLES, ATTENBOROUGH LANE, ATTENBOROUGH, NG9 6AB

6.1 19/00332/FUL PAGES 83 - 96

Construct two storey and single storey rear extensions, to form one x five bed unit.
FLEWITT HOUSE, MIDDLE STREET, BEESTON, NG9 2AR

6.2 19/00294/FUL PAGES 97 - 106

Change of use of 6 bed house in multiple occupation (Class C4) to a 7 bed house in multiple occupation.
24 LOWER ROAD, BEESTON, NG9 2GL

6.3 19/00339/FUL PAGES 107 - 116

Construct single storey rear extension, raised patio and steps to rear garden.
74 PEVERIL ROAD, BEESTON

7.	<u>INFORMATION ITEMS</u>	
7.1	<u>Appeal Statistics - Update Report on Previous Government Changes to the Criteria for Designation of Local Planning Authorities</u>	PAGES 117 - 122
7.2	<u>Appeal Decisions</u>	PAGES 123 - 132
7.3	<u>Delegated Decisions</u>	PAGES 133 - 148

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PLANNING COMMITTEE

WEDNESDAY, 24 JULY 2019

Present: Councillor D K Watts, Chair

Councillors: L A Ball BEM
T A Cullen
R I Jackson
R D MacRae
J W McGrath (Vice-Chair)
P J Owen
D D Pringle
C M Tideswell
D Grindell

Apologies for absence were received from Councillors D Bagshaw, M Handley and R D Willimott.

14 **MINUTES**

The minutes of the meeting held on 26 June 2019 were approved as a correct record and signed.

15 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

16 **NOTIFICATION OF LOBBYING**

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

17 **DRAFT ENFORCEMENT PLAN**

A Draft Enforcement Plan had been produced to set out the Council's policy and procedure for enforcement action. The draft Plan identified how reports of breaches of planning control would be prioritised, how cases would be investigated, the timescales for investigation and the powers available to the Council to take action. The next stage of the Plan preparation was to carry out a six-week consultation.

Members considered the complaints process and the wishes of residents to not be identified during the process. It was proposed by Councillor R I Jackson and seconded by Councillor P J Owen that complaints be considered although the complainant wished to remain anonymous. However, the proposed amendment was withdrawn as the document would be subject to consultation and returned to the Committee at a later date for further consideration.

RESOLVED that a six-week consultation period be carried out on the Draft Enforcement Plan as outlined within the report.

18 DEVELOPMENT CONTROL

18.1 18/00210/OUT

Outline application to construct a maximum of 18 dwellings with all matters reserved Park House, 15 Nottingham Road, Kimberley, Nottingham, NG16 2NB.

The Chair informed the Committee that he had moved the item forward on the agenda from number 6.3, due to new plans having recently been submitted which contained errors and as no further consultation had been carried out.

It was proposed by Councillor D K Watts and seconded by Councillor J W McGrath that a decision on the application be deferred so that the applicant could submit accurate revised plans and so further consultation could take place. On being put to the meeting the motion was carried.

RESOLVED that consideration of the application be deferred.

18.2 19/00012/FUL

Change of use from a Nursing and Residential Care Home (Class C2) to four Houses of Multiple Occupation
The Gables, Attenborough Lane (Class C4), Attenborough.

The application was first brought before Planning Committee on 22 May 2019 with a recommendation for approval. Members deferred making a decision on the application to allow further consideration to be given to reducing the intensity of the occupation of the building.

The late items included a submission from the Environment Agency, notification of 34 letters of objection and a submission by the applicant who was unable to be present at the meeting.

Mr Michael Hutchinson, objecting, Mrs Janice Lawrance, objecting and Councillor E Kerry, Ward member, made representations to the Committee prior to the general debate.

During the debate the Committee discussed the parking situation in Attenborough, concerns about fire safety and over-intensive development. Members were informed that concerns over the potential character of residents were not material planning considerations.

Councillor E Kerry, Ward member, made representations to the Committee following the general debate.

It was proposed by Councillor S J Carr and seconded by Councillor D K Watts that the item be deferred to allow for the developer to consider a less intensive proposal. On being put to the meeting the motion was carried.

RESOLVED that consideration of the application be deferred.

Councillors L A Ball BEM, R I Jackson, P J Owen, D D Pringle, J M Owen and H G Khaled MBE requested that the minutes show that they voted against the motion for deferral.

18.3 19/00314/FUL

Construct three storey apartment block containing four 2 bed units and two 1 bed units
Former Beeston Scout Headquarters, Waverley Avenue, Beeston.

The application had been called before the Committee by Councillor P Lally.

No late items had been submitted to the Committee.

Ms Georgina Mabel, applicant, Mr Tony Lovett, objecting and Councillor L A Lally, Ward member, made representations to the Committee prior to the general debate.

During the debate the Committee discussed the parking situation in the area, concerns over intensification in addition to the size of the rooms.

Councillor L A Lally, Ward member, made representations to the Committee following the general debate.

It was proposed by Councillor P J Owen and seconded by Councillor L A Ball BEM that the item be deferred. On being put to the meeting the motion was carried.

RESOLVED that consideration of the application be deferred.

18.4 19/00122/FUL

Construct two storey rear extension
44 Fletcher Road, Beeston, Nottinghamshire, NG9 2EL.

The late items included two letters of objection.

Councillor L A Lally, Ward member, made representations to the Committee prior to the general debate.

During the debate the Committee discussed scale of the application, the effect on the neighbours due to over intensification and the current lack of a policy with regard to houses in multiple occupation. It was suggested that there would be a severe loss of amenity in the area should the application be approved.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Head of Neighbourhoods and Prosperity in consultation with the Chair of Planning Committee.

18.5 19/00272/FUL

Construct three storey side extension and convert existing house to create 9 apartments, first floor extension over garage, dormers, external alterations, new vehicular and pedestrian access, 6 car parking spaces and cycle store
232 Queens Road, Beeston, Nottinghamshire, NG9 2BN.

The late items included amendments to condition 6 and paragraphs 5.3 and 6.3.3 in addition to seven further letters of objection.

Ms Lucie Harrison, objecting, and Councillor L A Lally, ward member, made representations to the Committee prior to the general debate.

During the debate the Committee discussed the size of the extension in relation to the original building and the additional parking difficulties in the area.

Councillor L A Lally, ward member, made representations to the Committee following the general debate.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Head of Neighbourhoods and Prosperity in consultation with the Chair of Planning Committee.

18.6 19/00333/FUL

Construct 5 Dwellings (Revised Scheme)
Southfields Farm, Common Lane, Bramcote, Nottinghamshire, NG9 3DT.

No late items were presented to the Committee.

Mr Frank Taylor, applicant, made representation to the Committee prior to the general debate.

During the debate the Committee discussed the application in relation to Green Belt Policy with regard to new build housing being inappropriate. It was stated that although the design was impressive, it was in the wrong place.

RESOLVED that planning permission be refused in accordance with the recommendation contained within the report.

19 EXCLUSION OF PUBLIC AND PRESS

It was proposed by Councillor R I Jackson and seconded by Councillor D K Watts that the public and press be excluded from the meeting for the following items in order to allow for open discussion.

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

20 INFORMATION ITEMS

20.1 APPEAL DECISIONS

The appeal decisions were noted.

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Report of the Chief Executive

APPLICATION NUMBER:	19/00267/OUT
LOCATION:	198 CATOR LANE, CHILWELL, NOTTINGHAMSHIRE, NG9 4BE
PROPOSAL:	OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR CONSTRUCTION OF A BUILDING CONTAINING 10 FLATS WITH PARKING (FOLLOWING DEMOLITION OF EXISTING COMMERCIAL PREMISES)

Councillor R I Jackson has requested this application be determined by Planning Committee.

1 Executive Summary

- 1.1 This is a major planning application seeking outline permission to construct ten apartments. Details of appearance, layout and scale have been submitted as part of this application, with landscaping and access reserved for future consideration (reserved matters). The building will consist of a maximum of three storeys, comprising ten, one/two bedroom self-contained flats which are not HMO's (Houses in Multiple Occupancy). The existing building and rear extensions will be demolished. However, the southern boundary wall will be retained, reinforced and lowered in height. The building will consist of single/two/three storey elements with flat and pitched roofs and dormers. The three storey element will have a cantilevered roof to the west (front). Eight car parking spaces, 12 bicycle stands and bin storage are proposed to the west of the building underneath the cantilevered roof.
- 1.2 The existing retail buildings on site consist of a two storey gable roofed building with an adjoining building with parapet roof positioned to the west facing Cator Lane. To the east (rear) there are a mixture of single storey extensions with mono-pitched roofs and flat roof outbuildings which vary in height.
- 1.3 The main issues relate to whether the principle of a three storey building consisting of ten apartments would be acceptable, if the loss of a retail unit is outweighed by the proposal of residential development in this location, if the development is acceptable in relation to appearance, layout and scale and whether there will be an unacceptable impact on neighbour amenity.
- 1.4 The benefits of the proposal would mean ten additional homes within a sustainable, urban location with access to regular sustainable transport links which would be in accordance with policies contained within the development plan which is given significant weight. The proposed works would contribute to the local economy by providing jobs during the construction process. There would be some impact on neighbour amenity but this is considered to be outweighed by the benefits of the scheme.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks planning permission to construct a building containing 10 one/two bedroom flats which will consist of one to three storeys. The three storey element of the building has a flat and pitched roof, a height to ridge of 9.8m and height to eaves of 6.4m and will step down to two storey then single storey to the east (rear) of the site. The two and single storey elements will have pitched roofs. The pitched roofs to the south (side) elevation of the building will have a minimum eaves height of 3.2m and maximum ridge height of 9.8m. A total of nine dormers are proposed at first and second floor in the north (side) and west (front) roof slopes. Eight car parking spaces accessed from Cator Lane are to the front of the building and a turning head, 12 cycle stands and bin storage are proposed underneath the cantilevered roof.
- 1.2 The proposed ten apartments will consist of five, two bedroom apartments and five, one bedroom apartments. In addition to the bedrooms, each apartment will have a bathroom or en-suite(s) and a kitchen/living/dining area.
- 1.3 During the course of the application, the plans were amended to reduce the overall height of the three storey element of the building by approximately 2.5m. An additional dormer was incorporated into both the north and west roof slopes, all dormers were changed from flat to pitched roofs, the gable feature in the north (side) projection was reduced in size, the cantilevered roof was enclosed in the north elevation and reduced in width in the west elevation, the design of the west (front) elevation was changed to a different style of roof and the fenestration was altered and the two flat roof elements were removed and replaced with a sloping roof in the south (side) elevation. The proposal to relocate the bus stop was omitted.

2 Site and surroundings

- 2.1 The site contains a two storey building with gable roof with an adjoining flat roofed building with a parapet roof to the west facing Cator Lane serving a retail unit (selling safety work wear). To the east (rear), there are a mixture of single storey extensions with mono-pitched roofs and flat roof outbuildings which vary in height. The land to the north which is used as informal parking and bin storage is not included within this application site. There is parking for approximately five cars to the west (front) of the site which is accessed from Cator Lane and the frontage is open (apart from some bollards). The retail unit, main building and single storey rear extensions form the boundary with no. 196 Cator Lane and range from approximately 4.4m to 4.8m in height. A brick wall with a fence above extends across part of the northern boundary and a single storey extension with mono-pitched roof forms the remainder of this boundary. A single storey extension forms the east (rear) boundary of the site.
- 2.2 The site lies within a predominantly residential area with some commercial units. No. 196 is a bungalow positioned to the south. The site is positioned approximately 0.4m higher than no. 196 Cator Lane. Park View Court flats are positioned to the east of the site in a three storey building. These flats are

separated from the site by their driveway which provides access to a car park to the south. Nos. 175, 177 and 179 Cator Lane are semi-detached houses positioned to the west. No. 116 – 118 Bramcote Avenue is a school uniform shop positioned to the north.

2.3 The site is within a reasonable proximity of Beeston town centre. A bus stop positioned directly to the west of the site on Cator Lane is served by a regular bus service. The site is a short walking distance from a tram stop.

3 Relevant Planning History

3.1 An application for a change of use from warehousing to a retail shop (81/00590/FUL) was granted permission in September 1981.

3.2 An application to convert part of the warehouse into a joinery workshop (85/00116/FUL) was granted permission in June 1985.

3.3 An application to construct a two storey block of four flats (91/00007/FUL) was granted permission in March 1991. This permission was not implemented.

3.4 An application to construct a boundary wall (92/00110/FUL) was granted permission in April 1992.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 14: Managing Travel Demand
- Policy 18: Infrastructure
- Policy 19: Developer Contributions

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.3). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy E27: Protection of Ground Water
- Policy H5: Affordable Housing
- Policy H6: Density of Housing Development
- Policy H7: Land Not Allocated for Housing Purposes
- Policy RC6: Open Space: Requirements for New Developments
- Policy T1: Developers' Contributions to Integrated Transport Measures
- Policy T11: Guidance for Parking Provision

4.3 Part 2 Local Plan (Draft)

4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 17, 26 and 32 but has suggested changes to other policies, including Policy 15. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 17, 26 and 32 can now be afforded moderate weight, with Policy 15 being afforded limited weight.

- Policy 15: Housing Size, Mix and Choice
- Policy 17: Place-making, Design and Amenity
- Policy 26: Travel Plans
- Policy 32: Developer Contributions

4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-designed Places

5 Consultations

5.1 **Council's Environmental Health Officer:** raises no objection subject to a condition requiring a scheme of works to remove asbestos to be submitted before development takes place and an advisory in respect of working hours and bonfires.

5.2 **Council's Waste and Recycling Officer:** raises no objection.

5.3 **Council's Business and Projects Manager (Environment):** has not requested an open space contribution. The tree on the corner with Cator Lane should be retained.

5.4 **Council's Housing Strategy and Development Officer:** raises no objection and has not requested an affordable housing contribution.

5.5 **Nottinghamshire County Council as Highways Authority:** raise no objection to the principle subject to further information being submitted in relation to parking/turning facilities, appropriate access widths, visibility splays, surfacing treatment and drainage. Unnecessary to relocate bus stop as cars entering and exiting site can wait for buses to move.

5.6 **Nottinghamshire County Council as Lead Local Flood Authority (LLFA):** object due to a drainage strategy not being submitted.

- 5.7 **Nottinghamshire County Council Planning Policy team:** has not made a request for an education contribution. Preference to keep bus stop in the same location and only relocate if absolutely necessary due to the highway layout of the area, the catchment area for this bus stop and its vicinity to its paired stop.
- 5.8 **NHS Nottingham City Clinical Commissioning Group (CCG):** has not made a request for a health contribution.
- 5.9 **Nottingham NHS Trust:** request a financial contribution of £3882 to provide additional health care services to meet an increase of patient demand as a result of this development.
- 5.10 **Severn Trent Water Ltd:** no objections but recommend a condition requiring drainage plans to be submitted and agreed.
- 5.11 23 neighbouring properties were consulted and a site notice and amended site notice were displayed. Ten objections, one letter of support and three observations were received and can be summarised as follows:
- Removal of southern boundary will cause loss of privacy and impact adjoining buildings
 - Loss of privacy from windows overlooking garden
 - Loss of daylight/sunlight
 - Overbearing impact/ sense of enclosure
 - Overdevelopment
 - Increase in noise and disturbance from additional residents and from construction works
 - Plans do not state the proposed construction times
 - Increase in pollution and dust
 - Out of keeping with surrounding area
 - Dominates the corner
 - 3m higher than the block of flats adjacent to it
 - Will dwarf neighbouring properties
 - Eight parking spaces is inadequate for this number of flats
 - Increase in on-street parking and congestion
 - Park View Courts parking will be used by the new occupants and their visitors
 - No allowance has been made for disabled parking spaces
 - Cator Lane and Bramcote Avenue junction is already a safety hazard and the proximity of site entrance to this could increase accidents
 - Relocation of bus stop will cause an inconvenience to residents
 - Planting and trees should be included to break up the massing of the building and provide a 'net gain' in line with national policy – insufficient regard been given to such issues (including provision of green/amenity space for the residents) with other developments in the borough
 - Consideration should be given to the northern boundary and maintenance of the areas shown as being soft landscaped to the north as this will require access across neighbouring land
 - Amended plans show an improvement but more landscaping should be included to the front of the building
 - Unclear if recharging of electric cars will be incorporated into the development

- Student housing would not be appropriate for the area
- Unclear how proposal complies with affordable housing policy
- Negative impact on health and well-being
- Refuse disposal facilities are inadequate and inappropriately sited
- Owners of land to the north not notified of application
- Sustainability assessment provision queried
- Application motivated by financial gain
- Future occupiers of the second floor will be disadvantaged as the lift now only goes to the first floor.

6 Assessment

6.1 The main issues for consideration are whether the principle of a three storey building consisting of ten apartments would be acceptable, if the loss of a retail unit is outweighed by the proposal of residential development in this location, if the development is acceptable in relation to appearance, layout and scale and whether there will be an unacceptable impact on neighbour amenity. Landscaping and access will be addressed in this report but are reserved matters and will be subject to a reserved matters application.

6.2 **Principle**

6.2.1 The site is within an existing residential area and represents an opportunity to provide additional housing outside of the Green Belt. There is also a significant need to boost housing supply which sites such as this can help deliver. The Council currently does not have a five year housing land supply and this can only be rectified with the allocation of sites currently in the Green Belt in the Broxtowe Part 2 Local Plan. The provision of 10 flats is considered to be a benefit in terms of five year supply and provision of homes.

6.2.2 Whilst it is acknowledged there will be a loss of a retail unit (safety work wear shop), it is considered that this is a 'main town centre use' and the provision of safety work-wear does not amount to a shop meeting a local need as a small convenience store would. The loss of this store is therefore outweighed by the proposal of residential units which makes an efficient use of the land.

6.2.3 An application to construct a two storey block of four flats (91/00007/FUL) was granted permission in March 1991. Whilst this permission was never implemented and planning policies have changed since 1991, the principle of residential development on this site has previously been assessed as being acceptable.

6.2.4 To conclude, the site is located within an urban location and weight must be given to the need to boost housing supply. It will also provide an additional 10 dwellings within an existing settlement in a sustainable location, within a reasonable proximity to Beeston town centre and access to public transport links. The principle of the development is therefore considered to be acceptable.

6.4 **Amenity, Design and Layout**

- 6.4.1 During the course of the application, the plans were amended to reduce the overall height of the three storey element of the building by approximately 2.5m. An additional dormer was incorporated into both the north and west roof slopes, all dormers were changed from flat to pitched roofs, the gable feature in the west (front) projection was reduced in size, the cantilevered roof was enclosed in the north elevation and reduced in width in the west elevation, the design of the west (front) elevation was changed to a different style of roof and fenestration altered and the two flat roof elements were removed and replaced with a sloping roof in the south (side) elevation.
- 6.4.2 It is acknowledged that no. 196 Cator Lane, which is a bungalow positioned to the south of the site, will be the property most affected by this proposal. However, it is considered the amendments incorporated into the proposal have reduced the impact on this neighbour (and other neighbours) to an acceptable level. The most significant amendment is the reduction in height of the three storey element by approximately 2.5m which is 0.2m lower in height than the existing building. The existing relationship between no. 196 and the application site consists of a 4.4m to 4.8m high wall which extends for the majority of the boundary between these two properties and therefore a relatively tall boundary treatment is currently in place. Whilst it is acknowledged the three storey building will be longer than the existing building, the three storey element will project approximately 1.4m beyond the rear elevation of the bungalow which is considered to be an acceptable projection. The section of building extending beyond this has sloping roofs that slope from three to two/one storey, all with an eaves height of 3.2m which is lower than the existing wall. The existing southern boundary is formed by extensions and the retail unit on the application site and as a result of their removal, the southern outer wall will be retained, reinforced and lowered in height to 3.2m. The new building will be set back from the southern boundary by approximately 1m meaning the separation distance between the north elevation of no. 196 and the building will be approximately 4.7m and is considered to be sufficient to counteract the height of the building and sloping roofs. The three storey building will project 2.8m beyond the front elevation which is considered to be acceptable due to the separation distance, it not directly facing primary amenity space and the driveway of no. 196 providing a buffer between these two buildings.
- 6.4.3 With regards to privacy issues, six roof lights are proposed at first and second floor in the south (side) roof slopes. Three of these roof lights are automatic opening vents (AOV) that will be obscurely glazed and only opened in the event of a fire. The two remaining roof lights serve a bathroom and bedroom and due to their high level positioning at second floor and facing no. 196's driveway, it is considered they will not have a clear view of this neighbouring property and will not cause an unacceptable detrimental impact. No. 196 is to the south of site with an east facing rear garden meaning the proposed development will not lead to a significant additional loss of evening sun.
- 6.4.4 To conclude, it is acknowledged the proposed building will cause a loss of some sunlight and daylight and the site is at a higher level than no. 196. However, it is considered sufficient amendments have been incorporated into the design to overcome these issues to an acceptable level. It is considered the separation distance of 4.7m, sloping roofs with a lower eaves height than the existing southern boundary wall, windows not directly overlooking primary amenity space

and the orientation of no. 196 being south of the site, means the proposed flats will not have an unacceptable detrimental impact on no. 196.

- 6.4.5 Park View Court is a three storey building containing 13 flats positioned to the east of the building beyond its driveway. Although Park View Court flats have five windows at ground, first and second floor level in the west (side) elevation, these will not be overlooked as the east (rear) elevations of the building will be blank. The building will be single storey to the rear of the site and although this section will increase in height by approximately 1.8m, this will not be dissimilar to the current relationship these two buildings have which is partially facing a blank elevation of a single storey building. Furthermore, the driveway belonging to Park View Court flats provides a buffer between these two sites.
- 6.4.6 It is considered the intervening strip of land to the north and the road provide a sufficient separation distance with properties along Bramcote Avenue. The building will be set back 11.5m from Cator Lane and due to the intervening road, it is considered the proposed flats will not have an unacceptable detrimental impact on the amenity of nos. 175, 177 and 179 Cator Lane. It is considered that all other neighbours consulted are a sufficient distance from the site that there will not be an unacceptable detrimental impact on their amenity. It is considered that sufficient amendments have been incorporated into the scheme in order to ensure that the amenity of surrounding neighbours will not be significantly compromised.
- 6.4.7 During the course of the application, a number of amendments were incorporated into the scheme and this was largely to reduce the massing and reflect a more cohesive design. The roof was reduced in height by approximately 2.5m as it was considered this appeared bulky and was out of keeping with the height of Park View Court flats to the east. The amended roof height is considered acceptable as this reflects the height of Park View Court flats and has significantly reduced the massing. The dormers have been amended from flat to pitched roofs which ties in with the front and side gable features and reflects the style of pitched roof dormers on Park View Court flats. The gable feature in the north (side) elevation has been reduced in width and simplified in appearance which is considered to be acceptable. The west (front) elevation initially appeared awkward in appearance due to the large cantilevered roof, part hipped roof and unsymmetrical fenestration. The cantilevered roof was enclosed to the north and the opening reduced in width in the west elevation, with brick detailing included across the top. The part hipped roof was replaced with a gable and two pitched roof dormers and the windows were amended to reflect a more symmetrical appearance. It is considered this elevation is now of an acceptable design. The south elevation incorporated flat roof elements which were considered to represent an awkward, poor design. These have been replaced with sloping roofs which reduces the massing of the roof beside the boundary and is now considered to be acceptable. To conclude, it is considered the proposed flats represent an acceptable design. The height is reflective of the Park View Court flats and the massing of the building reduces in size from three to one storey which reduces the visual impact of the building and adds visual interest. The fenestration is relatively symmetrical and the dormers break up the massing of the roof. Overall, it is considered the amendments are sufficient that the flats represent an acceptable design.

- 6.4.8 The layout of the building is considered to be acceptable and represents an improvement from the existing building. The layout of the existing building is a mixture of single/two storey buildings with flat and pitched roofs. It is considered the single storey building serving the retail unit does not represent good design as this projects forward significantly of neighbouring properties along Cator Lane. The proposed layout of the flats would be more in keeping with the bungalows to the south as the proposed building will only project 2.8m beyond the bungalow as opposed to the retail unit which projects 9m. Furthermore, the bungalows along Cator Lane are slightly staggered in their layout meaning this small projection beyond no. 196 will not appear out of character with the built form. It is considered the layout of the building is acceptable and in keeping with the appearance of the street scene.
- 6.4.9 Given the prominent location of the site, a condition will be included to ensure that details and samples of materials are provided in advance of building works commencing.
- 6.4.10 The flats are considered to be an acceptable size with each providing sufficient internal space to provide a living/kitchen/dining area and bedrooms. Furthermore, each apartment has appropriately positioned windows to provide an outlook from each bedroom. Although no outdoor amenity space has been provided, Cator Lane recreation ground is within walking distance of the site which is considered to be acceptable. Whilst there would be no lift access to the second floor this is acceptable and is not an uncommon feature of apartment buildings of three storeys.
- 6.4.11 To conclude, the proposal of a building with a maximum of three storeys to accommodate 10 apartments is considered to be acceptable on this corner plot and residential development has been previously been established as being acceptable in this location through the approval of a historical planning application. Furthermore, it is considered sufficient amendments have been incorporated into the proposal to reduce the scale of the building so an acceptable relationship with neighbouring properties can be achieved. It is considered the building is in keeping with Park View Court flats with similar style dormers, window size and overall height. It is considered the removal of the single storey retail unit to the front of the site is a positive element of the scheme and provides an opportunity to improve the street scene on Cator Lane and Bramcote Avenue.

6.5 Parking

- 6.5.1 It is evident within the consultation responses that there is concern that the development does not include sufficient parking provision and that this will lead to increased demand for on-street parking which would be detrimental to the area. However, it is considered the amount of parking proposed (eight spaces) is acceptable. The Highways Authority have not objected to the application but have requested further information in relation to parking/turning facilities, appropriate access widths, visibility splays, surfacing treatment and drainage which would be addressed within a reserved matters application. They have stated that the proposed relocation of the bus stop would not be required as a result of the parking to the front of the flats and that cars would be required to wait

for buses whilst they are dropping off and picking up passengers. As this bus stop is not a 'timing point' where buses wait, this would not pose a detrimental risk to highway safety. The plans were amended so that there is no proposal to relocate the bus stop. Due to a lack of objection from the Highways Authority and the sustainable location, it is considered the proposed plans have demonstrated that sufficient parking could be accommodated on site.

6.5.2 It is also relevant that this application will result in the permanent replacement of an A1 retail use that could generate significantly more traffic movements during the day and into the evening when compared to the proposed residential use. There are no planning conditions restricting the opening hours or the nature of the A1 use on this site.

6.5.3 In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.

6.5.4 The site lies within a sustainable location with access to regular bus services along Cator Lane (with a bus stop being positioned directly in front of the site) and within walking distance of a tram stop. Whilst it is acknowledged there could be some increase in on-street parking as a result of this development, it is considered this would not pose a highway safety risk as the surrounding roads are considered to be relatively low traffic roads. Eight car parking spaces have been provided and the Highways Authority have not raised any objection in relation to the development, especially considering its sustainable location. It is considered likely that car ownership associated with the apartments will be low. However, it is acknowledged that there could be an increase in parking in the surrounding area but for the reasons set out above, it is considered this would not be detrimental to highway safety. Therefore, it is considered that a pragmatic approach needs to be taken in respect of developing the site for residential development.

6.6 Financial contributions

6.6.1 In accordance with paragraph 56 of the NPPF and the Community Infrastructure Levy (CIL) Regulations 2010, planning obligations can only be used if they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

6.6.2 As the site is less than 1ha in size and is for 10 dwellings, no financial contributions have been requested in respect of affordable housing, integrated transport measures, open space and education.

6.6.3 The NHS Trust have requested a financial contribution of £3882 to provide additional health care services to meet an increase of patient demand as a result

of this development. The agent has declined to pay this contribution. As there is no requirement within Broxtowe's adopted planning policy for a contribution of this nature to be requested, it would not be justifiable to refuse this application based on this reason.

6.7 Drainage

6.7.1 The Lead Local Flood Authority (LLFA) have objected to the application in the absence of a drainage strategy. A pre-commencement condition will be included within the recommendation detailing the information that has been requested by the LLFA in order for this objection to be addressed before any development begins on site.

6.8 Other issues

6.8.1 A number of concerns have been raised by residents which will be addressed within this section.

6.8.2 The plans show a small amount of soft landscaping and this matter is reserved and would be subject to a reserved matters application. A condition is included requiring more details in relation to landscaping.

6.8.3 The initial plans showed a refuse collection point on the western boundary of the site with Cator Lane but this has been removed with the amended plans. The bins are positioned under the cantilevered roof but a condition will be included to provide further detail of their positioning to ensure they are within an acceptable distance of the road for refuse operatives to safely move them.

6.8.4 There is no requirement for the application to state the types of occupants that may live in these flats.

6.8.5 There is no planning policy requirement for disabled car parking for dwellings and this issue would be dealt with under Building Regulations.

6.8.6 The concerns in regards to cars potentially parking on land belonging to Park View Court flats as a result of this development is matter to be addressed between landowners and neighbours.

6.8.7 A condition will be included within the recommendation that limits the construction times given the proximity of the site to dwellings.

6.8.8 Whether the application is motivated by a financial gain or not is not a planning consideration.

6.8.9 A sufficient consultation with neighbours has been undertaken with two site notices being displayed and letters sent to adjoining and nearby residents of the site.

6.8.10 The sustainability of an application is assessed on a case by case basis and there is not a requirement for an individual assessment for this application.

7 Planning Balance

7.1 The benefits of the proposal are that it would provide ten additional homes within an existing urban area and would support short term benefits such as jobs during the construction of the proposed dwellings and would be in accordance with policies contained within the development plan. Whilst it is acknowledged there will be some impact on the amenity of neighbours and on-street parking, this is outweighed by the benefits of the scheme and due to the site’s location within a sustainable, urban area.

8 Conclusion

8.1 To conclude, it is considered the proposed building is of an acceptable size, scale and design that there will not be an adverse effect on neighbour amenity and an acceptable standard of amenity for future occupants of the flats will be provided. The proposed flats are considered to be an acceptable design as the height relates to the neighbouring flats to the east and decreases from three storeys to one storey.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	<p>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.</p> <p><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
3.	<p>The outline permission relates to drawings:</p> <ul style="list-style-type: none"> • (04)03 – 00 Rev D, (04)03 – 01 Rev D and (04)03 – 03 Rev D received by the Local Planning Authority on 15 July 2019; • (04)01 – 00 Rev A, (04)04 – 01 Rev F, (04)04 – 02 Rev E and (04)04 – 03 Rev F received by the Local Planning Authority on 16 July 2019; and

	<ul style="list-style-type: none"> • (04)03 – 04 Rev D and (04)03 – 02 Rev D received by the Local Planning Authority on 17 July 2019; and • (04)00 – 01 Rev A received by the Local Planning Authority on 23 July 2019. <p><i>Reason: For the avoidance of doubt.</i></p>
<p>4.</p>	<p>Before any development is commenced, detailed drawings and particulars showing the following (the ‘Reserved Matters’) shall be submitted to and approved by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) the means of access and parking provision within the site and b) the landscaping treatment of the site. <p>The development shall be carried out strictly in accordance with the approved details.</p> <p><i>Reason: The application was submitted in outline only and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing in the interests of ensuring the details of the development are acceptable to the Local Planning Authority.</i></p>
<p>5.</p>	<p>The detailed drawings and particulars required under condition 4(a) shall include the following details:</p> <ul style="list-style-type: none"> a) access width; b) surfacing treatments; c) visibility splays; and d) drainage of parking/turning areas. <p>All details shall comply with Nottinghamshire County Councils 6'Cs Design Guide and the access and parking areas shall be provided strictly in accordance with the approved details prior to the first occupation of the building.</p> <p><i>Reason: In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>6.</p>	<p>The detailed drawings and particulars required under condition 4(b) shall include the following details:</p> <ul style="list-style-type: none"> a. trees to be retained and measures for their protection during the course of development; b. numbers, types, sizes and positions of proposed trees and shrubs c. details of boundary treatments; d. proposed hard surfacing treatment (including a scheme of

	<p>works to modify the wall on southern boundary) e. planting, seeding/turfing of other soft landscape areas; and f. a timetable for implementation of the scheme.</p> <p>The approved scheme shall be carried out strictly in accordance with the approved details. Soft landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased, shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: No such details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<p>No development, including site clearance, shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall include:</p> <ul style="list-style-type: none"> • Details of a proven outfall from the site in accordance with the drainage hierarchy. The following options should be considered in order of preference: infiltration, discharge to watercourse and discharge to surface water sewer or discharge to combined sewer; • Justification for the use or not of infiltration, including the results of soakaway testing, in accordance with BRE 365; • Evidence the maximum discharge is set to the QBar Greenfield run-off rate for the positively drained area of development; • Demonstrate the site drainage system should cater for all rainfall events up to and including the 1 in 100-year event, including a 40% allowance for climate change; • Provide details for exceedance flows; surface water should be contained within the site boundary without flooding any properties in a 1 in 100year+CC storm; • Show that SuDS systems will be incorporated into the surface water management scheme for the site, preference

	<p>should be given to above ground SuDS which provide multi-functional benefits; and</p> <ul style="list-style-type: none"> • Details of who will manage and maintain all drainage features for the lifetime of the development. <p><i>Reason: The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the application. Further to improve and protect water quality and to ensure the future maintenance of the sustainable drainage structures in accordance with the aims of Policy E27 of the Broxtowe Local Plan (2004) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).</i></p>
8.	<p>No development, including site clearance, shall commence until a scheme of works to identify and remove asbestos and asbestos containing material is submitted to and approved in writing by the Local Planning Authority. The removal of any asbestos material shall be undertaken strictly in accordance with the approved details.</p> <p><i>Reason: No such details were submitted with the application and in the interests of public health and safety and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
9.	<p>Notwithstanding the submitted details, no above ground works shall commence until details of the location of the bins has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p><i>Reason: To ensure the safe manoeuvrability of bins by refuse operatives and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
10.	<p>No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.</p> <p><i>Reason: Full details were not submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>The openings annotated as ‘AOV’ 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) and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby</i></p>

	<i>residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).</i>
12.	<p>No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by seeking positive amendments and working to determine it within the agreed determination timescale.
2.	The submitted plans are for indicative purposes only in relation to landscaping and access and this decision does not approve the landscaping or access as shown.
3.	No construction waste shall be burnt on site at any time.
4.	The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.

Photographs

West (front) elevation



West (front) and south (side) elevations and no. 196's driveway



East (rear) elevation and northern boundary wall



Southern boundary of site viewed from no. 196 Cator Lane's rear garden



North (front) and west (side) elevation of Park View Court flats



View of outbuildings to the east (rear) of site

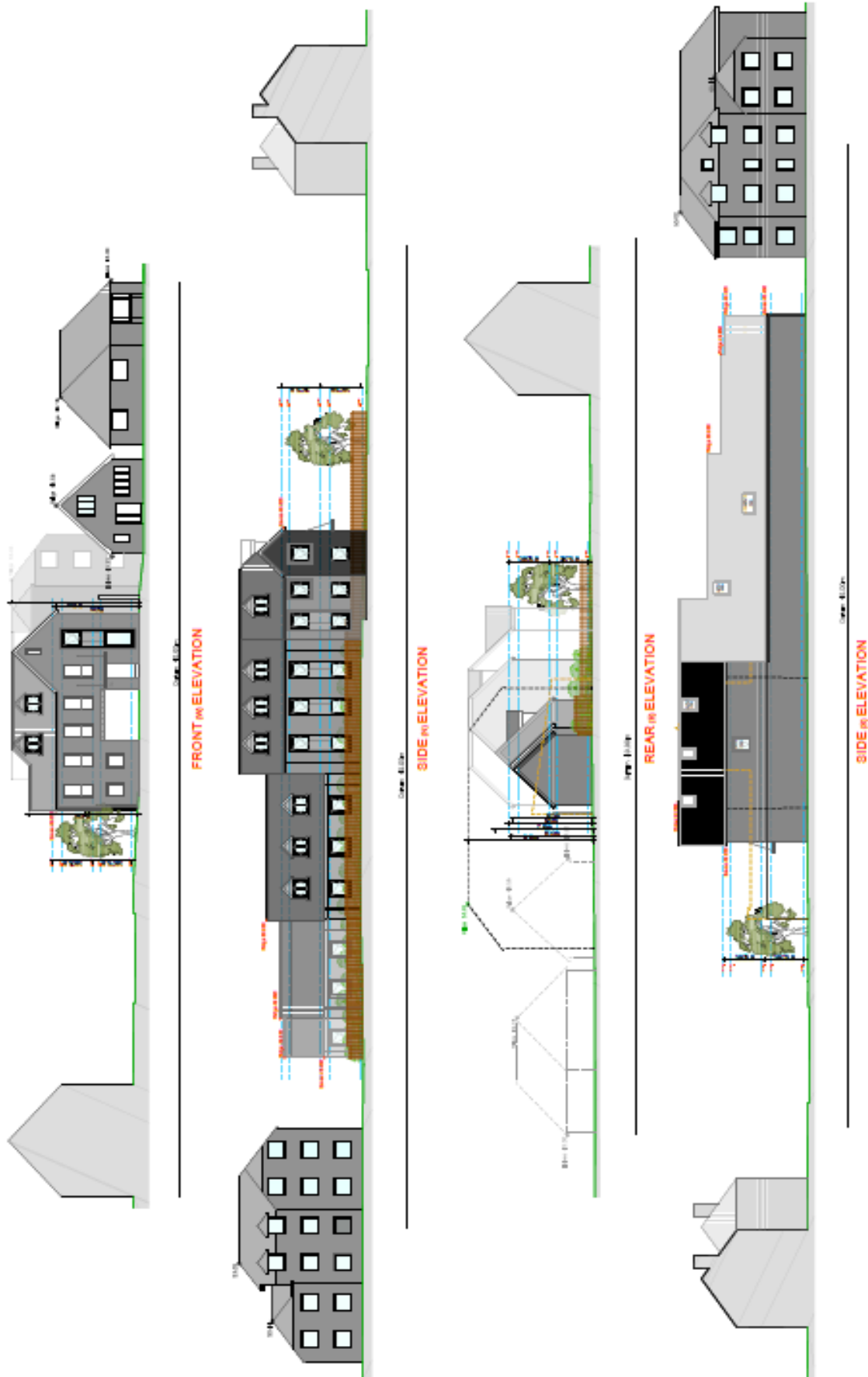




Legend

 Site

Plans (not to scale)



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Report of the Chief Executive

APPLICATION NUMBER:	19/00297/FUL
LOCATION:	1 QUEENS ROAD EAST, BEESTON, NOTTINGHAMSHIRE, NG9 2GN
PROPOSAL:	CONSTRUCT STUDENT ACCOMMODATION BUILDING (PROVIDING 36 BEDROOMS) FOLLOWING DEMOLITION OF BUNGALOW AND SINGLE STOREY EXTENSION (AT 3 QUEENS ROAD EAST)

The application has been called in to Committee by Councillor P Lally.

1 Executive Summary

- 1.1 Following discussions with the applicant at pre-application stage and during the course of this application, the proposed scheme has been reduced from a six block building providing 45 bedrooms, to a three block building providing 36 bedrooms. The amendments to the scheme have enabled an increase in the provision of car parking from six spaces to 10 spaces, and a significant reduction in the scale and massing of the development.
- 1.2 Parking requirements for HMOs states that one space is required for every 6-8 bedrooms. The proposal to offer 10 parking spaces therefore exceeds this requirement. A Parking Management Strategy has been submitted with the application to detail how access and parking at the start and end of term will be managed to minimise impact on the surrounding area.
- 1.3 The design of the proposal has a contemporary appearance which is not considered to be harmful to the street scene or out of keeping with the character of the area. It is also considered that the proposal will not have an unacceptable impact on the amenity of neighbouring dwellings.
- 1.4 The proposal makes effective use of a previously developed site in a built up area. The proposed site is in a sustainable location, well placed for public transport networks such as the tram, as well as cycle paths leading to Nottingham city centre and Beeston town centre. The site is within walking distance of the University of Nottingham, making it ideally placed for student accommodation.
- 1.5 It is acknowledged that there are concerns regarding the impact of an increase in the student population on the surrounding area. However, as a purpose built scheme, it has been designed to minimise the impact in terms of noise and traffic generation. Purpose built schemes such as this will help to reduce the pressure on privately owned family homes being converted to student accommodation elsewhere in the area.
- 1.6 It is therefore recommended planning permission is granted in accordance with the resolution contained within the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct a student accommodation building providing 36 bedrooms. The proposal will replace the fire damaged bungalow that currently occupies the site and will also include the demolition of the single storey side extension at No. 3 Queens Road East.
- 1.2 The proposed scheme will consist of six cluster flats, each of which will contain six en suite bedrooms with shared kitchen and living facilities. The scheme includes the provision of 10 car parking spaces, secure cycle storage and a communal bin store.
- 1.3 The building is designed to accommodate the apartments within three separate flat roofed blocks, all of which will be four storeys high. There will be a central staircase and lift shaft between Block 1 and 2, with a separate staircase to access Block 3.

2 Site and surroundings

- 2.1 1 Queens Road East is currently a detached residential dwelling that is derelict due to damage caused by a fire. The site is located at the end of a cul-de-sac and accessed via a slip road off Tattershall Drive which runs parallel to Queens Road East.
- 2.2 To the south of the site is a row of detached, two storey residential dwellings with Serina Court, a three storey apartment block, being positioned on the corner of Tattershall Drive. The University of Nottingham sports ground is situated to the north and east of the site, with Queens Road East adjoining the west boundary. The west side of Queens Road East is largely characterised by two storey semi-detached dwellings. The west boundary of the site is currently made up of a low level wall with conifer trees, with mature trees and vegetation making up the north and east boundaries.
- 2.3 The application site is located to the north east of the main built up area of Beeston, with the University of Nottingham being located directly to the north of the site. The University Boulevard tram stop is to the north of the site, providing access to the centre of Beeston as well as the University campus and Nottingham city centre.

3 Relevant Planning History

- 3.1 In January 2019, planning permission 18/00571/FUL was granted to construct a new residential dwelling at No. 3 Queens Road East. The dwelling would adjoin the north side elevation of the existing dwelling at No. 3, essentially making it a pair of semi-detached dwellings. This planning application covers the area of land required to construct this additional dwelling. Therefore if planning permission for this scheme is granted, both the scheme for student accommodation and the dwelling granted under planning permission 18/00571/FUL could not be built.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.3). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy H7: Land not allocated for housing purposes
- Policy T11: Guidance for Parking Provision

4.3 **Part 2 Local Plan (Draft)**

4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1 and 17 but has suggested changes to other policies, including Policy 15. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1 and 17 can now be afforded moderate weight, with Policy 15 being afforded limited weight.

- Policy 1: Flood Risk
- Policy 15: Housing size, mix and choice
- Policy 17: Place-making, design and amenity

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

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well-designed places.
- Sections 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 **Lead Local Flood Authority (Nottinghamshire County Council):**

No comments provided as it falls outside the guidance set out by the Government for applications that do require a response from the LLFA.

5.2 Environment Agency:

Raises no objection subject to a condition requiring the development to be carried out in accordance with the submitted Flood Risk Assessment (RPS Consulting Services Ltd., dated May 2019) and in particular the following mitigation measures detailed within:

- Finished floor levels shall be set no lower than 27.25mAOD;
- Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61mAOD.

5.3 Council's Tree Officer:

Raises no objection to the proposal, the trees to the rear belong to Nottingham University which is outside of the Broxtowe Borough Council boundary.

5.4 Nottingham City Council Tree Officer:

Advises that if planning permission is given then conditions should be applied requiring a site specific method statement in respect of the protection of the trees to the rear of the proposal during construction work. A plan should be produced showing the retained tree's Root Protection Areas in respect of the new building, hard surfaces etc. and mitigating data provided, where necessary. A tree protection plan should also be required describing where the tree protection measures will be sited in the context of the new structures and the trees. Site specific detail of what pruning works might be necessary to facilitate the development.

Reports, surveys and plans submitted in fulfilment of planning conditions should be carried out to the standards set out in the BS5837 and submitted to and approved by the LPA in writing.

5.5 Private Sector Housing Officer:

Provides comments seeking to ensure the apartments comply with building regulations.

5.6 Nottinghamshire County Council as Highway Authority:

Raises no objections to the proposal subject to a number of conditions requiring the access to be widened prior to the first use of the site, the finishing of the parking bays and turning areas in a bound material and to prevent unregulated discharge onto the public highway, the construction of the cycle stores prior to first use of the development, the use of flush/pin kerb to clearly show the boundary of Highway land and the provision of the visibility splays for the pedestrian access.

5.7 NET:

If the construction involves works within 6m of the nearest NET asset, or vehicular movements across the tram tracks, the site management will need to contact NET for advice.

5.8 Nottingham University Hospital Trust:

Financial contribution of £14,752 sought to provide additional health care services to meet patient demand.

5.9 Council’s Environmental Health Officer:

Has no objections to planning approval being granted subject to conditions relating to noise mitigation measures.

5.10 Six properties either adjoining or opposite the site were consulted and a site notice was displayed at the site. 36 letters of objection have been received in respect of this application. The reasons stated for the objections can be summarised as follows:

- Design not in keeping with the area.
 - Over intensive development on the site.
 - Height of the development is out of keeping with the other properties on the road.
- Unbalanced mix of residents in the area – too many students.
- Noise pollution created by daily activities of students.
- Insufficient parking for the development.
- Increased traffic generation – negative impact on cycle and pedestrian routes.
- Loss of privacy for neighbouring residents.
- Loss of trees and hedgerows.

6 Assessment

6.1 The main issues for consideration are the principle of the development, the design and appearance of the proposal, the impact on neighbouring amenity and the impact on trees and hedgerows.

6.2 Principle

6.2.1 The application site is within existing residential use and offers an opportunity to provide additional housing on previously developed land in an area that is predominantly residential. It is considered that subject to an assessment of the proposal in terms of impact on neighbouring amenity, the design of the proposal and impact on highway safety, the principle of student accommodation can make effective use of the site whilst contributing to delivering a boost to housing supply.

6.2.2 The site is situated off Queens Road East, close to the junction with University Boulevard. The University of Nottingham is located immediately to the north of the site and is within easy walking distance. The site is approximately 0.5 miles from Beeston town centre where there are a range of retail outlets and services to support the development. The University Boulevard tram stop is located

immediately north of the application site, offering convenient public transport to Beeston town centre and Nottingham city centre. There is also a cycle track that runs immediately outside the site and along University Boulevard towards Nottingham city centre. As such, it is considered that the application site is in a sustainable location, with access to a range of facilities and with easy access to a choice of sustainable transport methods.

6.3 Amenity

- 6.3.1 The application site has no neighbouring properties immediately to the north or east of the site. The dwellings to the west of the site are set away from the boundary of the site by the intervening road, resulting in a separation distance of approximately 20m. This is considered sufficient to ensure that the proposal will not result in any unacceptable loss of amenity for the neighbouring properties to the west of the site.
- 6.3.2 The south side elevation of the proposed accommodation building will be approximately 13.4m from the south boundary of the site, adjoining No. 3 Queens Road East. The stairwell on the south side of the building projects out by 4.4m, and therefore is closer to the boundary. The height of the proposed building is 13.01m, with the south stairwell stepped down to 9.61m. The proposed building is at an oblique angle to No. 3, further increasing the separation between the properties to the south of the site. It is considered that the separation distance from the proposed building to No. 3 is sufficient to ensure it will not result in an unacceptable loss of light or sense of enclosure for the residents at No. 3.
- 6.3.3 No windows are proposed on the principal south side elevation of the application building. The stairwell that will adjoin the south side of the building will be predominantly glazed on the side facing towards No. 3, although as this is not a principal living area and as primary views would be to the car park or side elevation, it is not considered it will result in an unacceptable loss of privacy for the neighbouring property. The oblique angle of the proposed building to No. 3 will further reduce any potential overlooking from the openings on the rear elevation of apartment 5 and 6. Taking these factors into account, it is considered that the proposal will not result in an unacceptable loss of amenity for the neighbouring residents to the south.
- 6.3.4 Objections have been raised on the grounds that student accommodation will result in noise pollution and anti-social behaviour to the detriment of neighbouring residents. The development is designed to set the accommodation as far away from the neighbouring dwellings to the south of the site as possible, to reduce the potential impact on existing residential dwellings. The angle of the building will also help to reduce the levels of noise travelling from the rear of the building to the neighbouring properties to the south. The position of the application site on a busy junction between Queens Road East and University Boulevard, along with the tram line running to the north of the site ensures that the development is unlikely to result in a noticeable rise in noise and disturbance for the surrounding area. A property management company will oversee the management of the property and be responsible for tenancy agreements and compliance thereof. Notwithstanding this, any anti-social behaviour or unreasonable disturbance

which occurs can be reported to the relevant body, being either the Environmental Health section of the Council, or the Police.

- 6.3.5 In regard to living standards for future occupiers, the apartments offer sufficiently spacious communal areas and adequately sized bedrooms, all of which have en suites. The bedrooms and living areas will have access to sufficient access to natural light and to outlooks that would provide a satisfactory living environment. The development incorporates access to outdoor amenity space immediately surrounding the building. Overall, it is considered that the proposal will provide a satisfactory standard of amenity for the future occupiers of the properties.

6.4 Design and Appearance

- 6.4.1 A number of discussions have taken place from the pre-application stage of this proposal to achieve a standard of design that meets the needs of the applicant whilst responding to the character of the site and surrounding area. Over the course of these discussions, the scale of development has been significantly reduced from an initial 45 bedroom scheme across six blocks, down to a 38 bedroom scheme across four blocks and finally to the current design which proposes 36 bedrooms across three blocks.
- 6.4.2 The building has a contemporary appearance with a relatively simplistic design to avoid unnecessarily fussy features. Contrasting red and grey bricks and a staggered front elevation break up the expanse of the width with horizontal corbelling detailing breaking up the mass and adding further to the texture of the brickwork. The central lift shaft with a rendered finish and glazed stairwells either side break up the units whilst providing visual permeability through and reinforcing the contemporary appearance.
- 6.4.3 The proposal has been designed to respond to the nature of the application site as well as the character of the surrounding area. Brickwork is proposed to reflect the residential use and link it to the character of the surrounding area. Whilst most of the neighbouring properties are two storey residential dwellings, there are examples of more intensive use of land, such as the three storey apartment block, Serina Court on Tattershall Drive, and the three storey apartment buildings off Hassocks Close, which front on to Queens Road East. The building has been set away from the neighbouring residents to the south to create space around the development and ensure it does not result in a dominant addition to the street scene. The separation means that from the main public realm at Queens Road East, the building will be viewed as a standalone development that is not harmful to the street scene of Tattershall Drive.
- 6.4.4 The vegetation along the north and east boundaries of the site will reduce the prominence of the development from University Boulevard. Whilst the building will be prominent from Queens Road East, it is considered that the building has been designed to a standard that will ensure it will make a positive contribution to the street scene and the character of the surrounding area.

6.5 Access and Highway Safety

- 6.5.1 Discussions with the applicant regarding the design of the structure have also aimed to ensure satisfactory access and on site parking arrangements are achieved. Parking requirements for HMOs state that on site car parking will need to be required at a ratio of one space per six to eight beds. The requirement for this scheme therefore is a total of six parking spaces. Following discussions with the applicant regarding their original proposal, the size of the development was significantly reduced to increase the provision of parking from six spaces to 10 spaces. This is considered sufficient to serve the development.
- 6.5.2 At the start and end of terms, there is likely to be an increase in vehicular activity as students are dropped off and picked up. To negate the impact of these busier periods on the site and the surrounding area, the applicant has provided a Parking Management Proposal. This sets out a clear strategy to use a booking system to book parking spaces for loading and unloading cars. This service will only permit the use of six spaces at any one time, leaving four parking spaces free at all times to be used as contingency.
- 6.5.3 The application site is located within easy walking distance of the University of Nottingham and Beeston town centre. There is a cycle path running along University Boulevard towards Nottingham city centre, as well as towards Beeston town centre. Secure cycle storage will be provided on site, further enabling this as a principal method of transport. Appendix B of the Design and Access Statement submitted with this application sets out the main transport methods that could potentially be used by the residents of the proposed development to key destinations such as Beeston town centre, the university campus, Queens Medical Centre and Nottingham city centre. Taking into account the cost of parking and fuel consumption, as well as the relatively similar journey times between taking the tram/walking and driving, the cost of driving would significantly exceed the cost of alternative methods of transport. It is also noted in Appendix B that the University of Nottingham has a policy that students who live in halls of residence or have a term time address within a 15 mile radius of University Park will not be eligible for a parking permit. When considering the location of the site and the accessibility of the tram and cycle paths, it is considered likely that these methods of transport would be favoured by residents of this development.
- 6.5.4 Pedestrian access to the site will be provided along the west boundary of the site onto Queens Road East. To ensure safe pedestrian access to and from the site, the existing wall will be reduced to 0.6m in height adjacent to the pedestrian access to enable the provision of 2 x 2m pedestrian visibility splays. This is considered acceptable to ensure safe pedestrian access to the site.
- 6.5.5 The Highway Authority has raised no objections to the proposal as amended, and has recommended a range of conditions to ensure that the provision of off street parking is adequate and that highway and pedestrian safety is not compromised as a result of the development.

6.6 Trees and Hedgerows

- 6.6.1 The Council's Tree Officer has raised no objection to the proposal. The trees along the east boundary of the site belong to The University of Nottingham, and are not covered by Tree Preservation Orders. Whilst the canopy of the trees may

be close to the rear elevation of the proposed building, it is considered that due to the nature of the proposed use as student properties which will mainly be resided in during term time and for limited periods, it is not likely these trees will result in undue pressure for cutting back. Furthermore, the principal living areas are either dual aspect or positioned to the front of the building, ensuring the trees will not restrict natural light to the main living areas.

- 6.6.2 The applicant has provided a tree report which sets out required pre-development preparation works to protect the trees and specifications for hard surfacing and foundations to prevent damage to the trees. It will be conditioned that the works are carried out in accordance with the recommendations of this report to ensure the protection of these trees.
- 6.6.3 Overall, it is considered that the proposal will not result in unacceptable harm to the trees within and bordering the application site.

6.7 Flood Risk

- 6.7.1 The application site is located within Flood Zone 3, whereby the annual probability of fluvial flooding is classified as greater than 1 in 100 in any given year in the absence of flood defences. In line with the NPPF, Section 14, any application for new development within Flood Zones 2 and 3 should be subject to a sequential test to determine if there are any other reasonable available sites of equivalent size in Flood Zone 1 where the probability of flooding is lower. The Flood Risk Assessment includes a table which identifies all the sites allocated for development in the SHLAA. It is accepted that none of the sites identified within a lower flood zone than the application site are suitable for the proposed development. The vast majority of the sites are not suitable as they would be too small, a significant distance from the university or result in the underdevelopment of the site and therefore would be detrimental to meeting housing targets.
- 6.7.2 The Environment Agency requested that the finished floor levels of the original scheme be raised by 60mm to bring the development in line with the requirements for a development in a 1 in 100 year flood event zone. As part of the amended proposal, the applicant has complied with this request. The Environment Agency has therefore recommended a condition be attached to any planning permission granted that the development be carried out in accordance with the Flood Risk Assessment provided.
- 6.7.3 Subject to compliance with this proposed condition, it is considered that the proposal will be acceptable in terms of flood risk.

6.8 S106 Contributions

- 6.8.1 The Nottingham University Hospital Trust has requested a financial contribution of £14,752 to provide additional healthcare services to meet additional patient demand as a result of this development. Due to the size of the development, financial contributions by way of a Section 106 agreement are not required and would not be policy compliant. The development is not a major application and therefore the applicant is not required to make this payment.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would provide six purpose built student flats accounting for 36 bedrooms. An increase in purpose built student accommodation will work to reduce the pressure on existing family dwellings being converted to HMOs for student accommodation. The proposal makes use of a previously developed site in a sustainable location close to a range of public transport networks.
- 7.2 It is acknowledged that the proposal will significantly intensify the use of the site, having formerly been a single residential dwelling, with the surrounding area being largely characterised by detached and semi-detached residential dwellings.
- 7.3 On balance, it is considered that the significant benefits of the scheme coupled with an acceptable design and limited impact on neighbouring amenity outweigh the potential concerns raised.

8 Conclusion

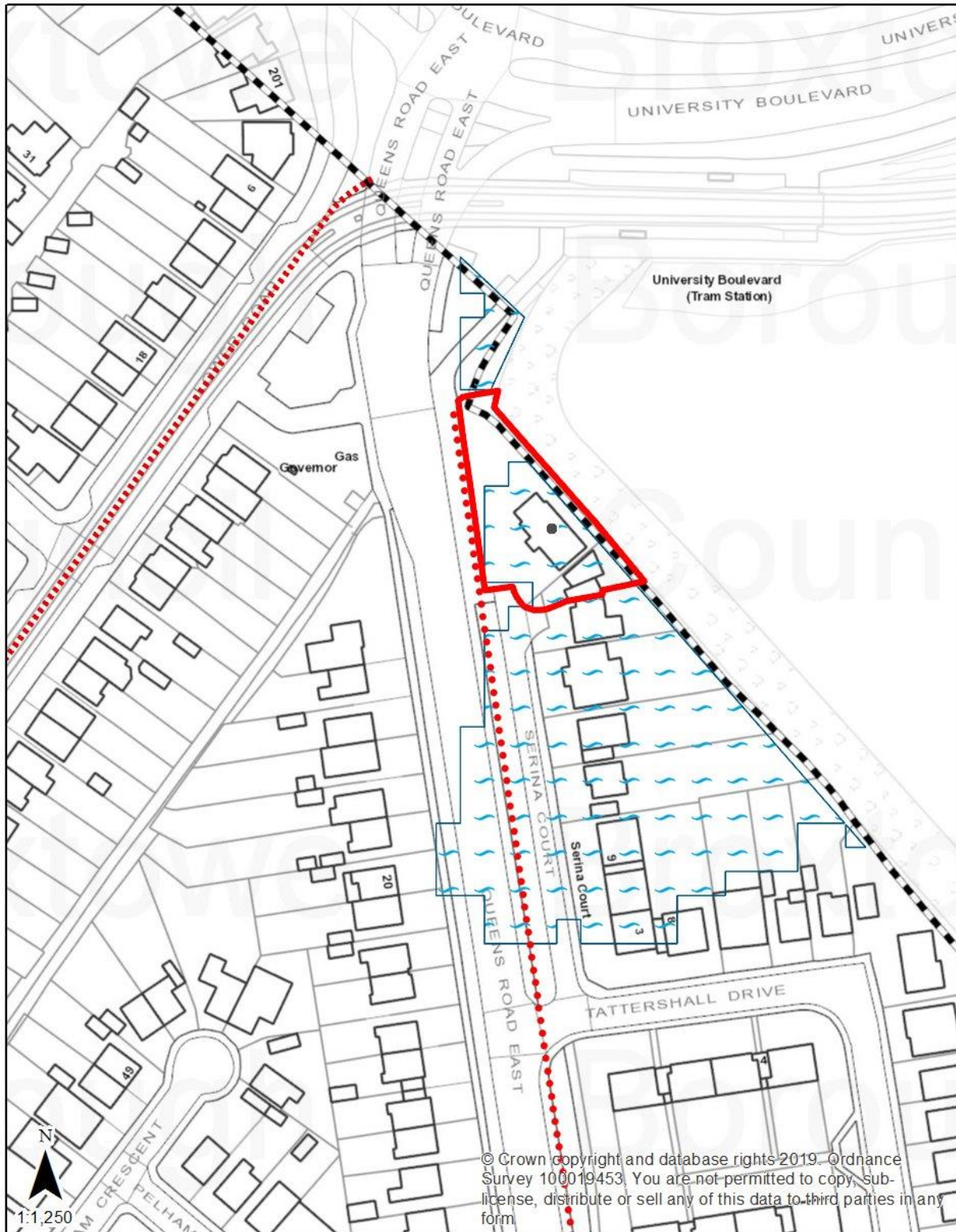
- 8.1 To conclude, it is considered that the proposal has been designed to a satisfactory standard that responds well to the street scene and the character of the surrounding area. The design aims to minimise impact on neighbouring amenity and the natural environment, whilst ensuring that satisfactory off-street parking is achieved with minimal disruption to the highway network as a result of the development. It is therefore considered that the scheme is acceptable and planning permission should be granted.

<u>Recommendation</u>	
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. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with the drawings numbered DL/446/303 Rev A, DL/446/305 Rev G, DL/446/306 Rev F, DL/446/307 Rev F, DL/446/308 Rev C, DL/446/309 Rev E, DL/446/310 Rev B, DL/446/313 Rev B, DL/446/315; received by the Local Planning Authority on 8 July, 12 and 13 August 2019. <i>Reason: For the avoidance of doubt.</i>
3.	No above ground works shall be carried out until the type, style and manufacturer of the materials to be used in the external





	<p>facing elevations have been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance in accordance with Broxtowe Local Plan (2004) Policy H7 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.</i></p>
<p>4.</p>	<p>The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (RPS Consulting Services Ltd., dated May 2019) and in particular the following mitigation measures detailed within:</p> <ul style="list-style-type: none"> • Finished floor levels shall be set no lower than 27.31mAOD; • Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61mAOD. <p>The mitigation measures shall be fully implemented prior to occupation.</p> <p><i>Reason: To reduce the risk of flooding to the proposed development and future occupants.</i></p>
<p>5.</p>	<p>No part of the development hereby permitted shall be brought into use until the access has been widened and the dropped vehicular footway crossing has been amended and is available for use and constructed in accordance with the Highway Authority specification.</p> <p><i>Reason: In the interests of highway safety.</i></p>
<p>6.</p>	<p>No part of the development hereby permitted shall 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 DL/446/305 Rev G. The parking, turning and servicing areas 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.</p> <p><i>Reason: 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.</i></p>
<p>7.</p>	<p>No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.</p>

	<p><i>Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.</i></p>
8.	<p>No part of the development hereby permitted shall be brought into use until the cycle parking has been constructed and is available for use in accordance with drawing number DL/446/305 Rev G.</p> <p><i>Reason: To ensure that adequate cycle parking provision is available.</i></p>
9.	<p>No part of the development hereby permitted shall be brought into use until the area between the adopted highway and the applicants own land is delineated with flush kerb/pin kerb in accordance with drawing number DL/446/305 Rev G.</p> <p><i>Reason: To ensure that highway and applicants land is clearly defined.</i></p>
10.	<p>No part of the development hereby permitted shall be brought into use until the carriageway has been widened at the access entrance to Tattershall Drive in accordance with drawing number F19075/03 Rev B and the footway on Queens Road East/pedestrian access has had the corduroy paving constructed in accordance with drawing number F19075/04 Rev B.</p> <p><i>Reason: In the interests of general highway safety.</i></p>
11.	<p>The development hereby permitted shall be carried out in accordance with the details submitted in Sections 2, 4 and 5 of the Arboricultural Method Statement (document reference 0291/AB); received by the Local Planning Authority on 3 June 2019.</p> <p><i>Reason: To ensure the trees situated adjacent to the site are not adversely affected by the development in accordance with Policy E24 of the Broxtowe Local Plan (2004)</i></p>
12.	<p>The development shall be constructed in accordance with the noise mitigation measures as detailed in sections 7.5 and 7.6 of the Acute Acoustics Ltd noise assessment dated 20th March 2019.</p> <p><i>Reason: To protect the occupiers from excessive external noise in accordance with Policy H7 of the Broxtowe Local Plan (2004).</i></p>
	<p>NOTES TO APPLICANT</p>
1.	<p>The Council has acted positively and proactively in the</p>

	determination of this application by working to determine it within the agreed determination timescale.
2.	Noisy works should be limited to between 08.00 and 18.00 hours Mondays to Fridays, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays, Bank Holidays and any other public holidays. There should also be no bonfires on site at any time.
3.	It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring
4.	<p>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 Highways Development Control Team within Nottinghamshire County Council for more information.</p> <p>The development makes it necessary to widen/construct/improve the vehicular crossing over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p>



Legend

-  Site
-  Safeguarded Tram Route
-  Millennium Cycle Route
-  Area of 'high' flood risk (Local Plan)

Photographs



Existing bungalow and dwelling at 3 Queens Road East.



View of application site from Queens Road East.



View of application site from Queens Road East.



Access to application site.



Existing dwelling on site.



Existing dwelling on site.



Serina Court.

Plans (not to scale)



Site Plan



Proposed West Elevation



Proposed East Elevation



Proposed North Elevation



Proposed South Elevation

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Report of the Chief Executive

APPLICATION NUMBER:	19/00012/FUL
LOCATION:	THE GABLES ATTENBOROUGH LANE ATTENBOROUGH, NG9 6AB
PROPOSAL:	CHANGE OF USE FROM A NURSING AND RESIDENTIAL CARE HOME (CLASS C2) TO FOUR HOUSES OF MULTIPLE OCCUPATION (CLASS C4)

1 Executive Summary

- 1.1 This application was first brought before Planning Committee on 22 May 2019 (appendix 3) with a recommendation for approval. Members deferred making a decision on the application at that time to allow further consideration to be given to reducing the intensity of the occupation of the building.
- 1.2 The applicant considered the issues raised by Planning Committee and reduced the number of bedrooms by 6, to provide four units of four bedrooms each. The bedrooms remain to be single occupancy. The application was brought back to committee on 24 July 2019 (appendix 2) but a decision was once again deferred, as the members remained concerned in regard to over-intensive development and to parking problems.
- 1.3 The application is being brought back to Planning Committee with no additional amendments, as the applicant and agent consider the proposal to be compliant with adopted policy. Supporting information in the form of a Parking Statement, a supplementary Planning Note, and photographs of the parking situation near the site, and of a similar property owned by the applicant, have been submitted.
- 1.4 It is recommended that the proposal be approved, for the reasons set out in appendix 1.

APPENDIX 1

1 Details of the Application

- 1.1 The Planning Note sets out how the property will be managed; confirmation that each room will be single occupancy secured by tenancy agreements; details of the prospective tenants; details of tenancy agreement criteria; HMO licensing and other regulatory requirements; housing need and quality of accommodation / re-use of the site; and comments in respect of parking provision and need. Photographs showing parking along Attenborough Lane and photographs of the interior of a similar property owned and managed by the applicant.
- 1.2 The Parking Statement takes the form of a Technical Note and sets out the existing conditions of the site; how the site is considered to be in a sustainable location in regard to accessible modes of transport; and to levels of parking provision and demand at the site and at comparable sites.

2 Re-Consultations

- 2.1 A further 7 days' consultation has been undertaken with the occupants of neighbouring properties, and additionally all those who responded to the previous consultations.
- 2.2 Responses will be reported to committee as late items.

3 Assessment

- 3.1 As noted in the original committee report and in the deferred report that was presented in July, it is considered that the proposal is policy compliant. The supporting information states that the proposed units would be managed by an established property management company, Wilkins Living, who already have a number of fully let properties within Nottingham and Derby area. All rooms would be let under a single tenancy agreement and the agreement itself would require a comprehensive suite of information to be provided by each prospective tenant in order for their suitability for the accommodation to be assessed. The statement acknowledges that the property would be required to comply with all relevant HMO licensing and other regulatory approval requirements. Notwithstanding this, the tenancy arrangements could not be controlled by a planning condition.
- 3.2 The planning statement also re-iterates that the proposal would make a contribution to meeting the Council's housing requirements, and would make a positive contribution towards creating a mixed and balanced community, and that there is a pressing and genuine demand for this type of high quality HMO accommodation.
- 3.3 The supporting information states that the proposal would ensure the positive re-use of vacant premises, avoiding potential deterioration. There is no realistic prospect of the premises being brought back into Class C2 use as it no longer meets the expectations of the market for elderly care accommodation and increasing regulatory standards. Conversion to 'traditional' family dwellings would

also seem unlikely given the costs required to address previous conversions and extensions, and additionally the lack of private family sized amenity space.

- 3.4 The proposal makes provision for the storage and collection of waste in accordance with the requirements of the Council’s Waste and Recycling team.
- 3.5 The proposal makes provision for nine parking spaces within the application site. The Parking Statement – Technical Note confirms that the number of parking spaces to be provided on the site would be adequate for the proposed use. This conclusion is based on the analysis of trip generation from comparable residential uses and car ownership data. As such there is no policy basis for an objection to the planning application on the grounds of insufficient parking.
- 3.6 The statement goes on to state that any occasional demand for on-street parking, from visitors to the site, would not be so great as to contribute to any significant impact on parking, congestion or the safe and convenient operation of the local highway network. The site is in a highly sustainable location in regard to sustainable modes of transport, with a bus stop directly outside the site, highly frequent bus routes to Derby, Long Eaton and Nottingham at stops a short walk away; the train station with frequent services to Nottingham, Derby, and other destinations a short walk away; safe and secure parking for cycles within the building; and in regard to walking, easy access to leisure routes and to facilities such as pubs, restaurants, shops, schools and employment premises.

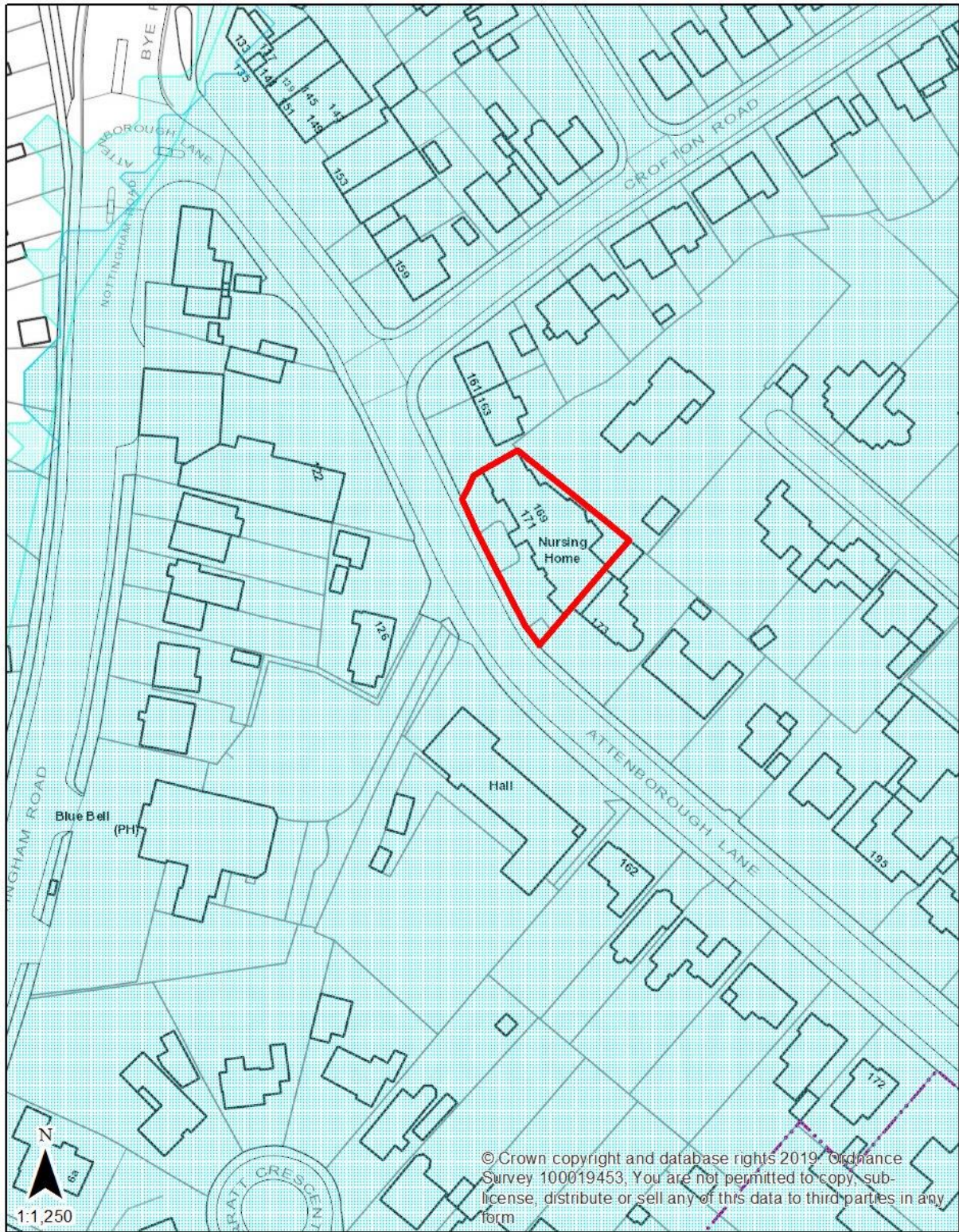
4 Conclusion

- 4.1 Given the previous reduction in the number of bedrooms, the previous increase in internal communal space and as the site is in a sustainable location close to employment, shopping and good public transport links, it is still considered that the application is acceptable, and would not lead to a detrimental impact on highway safety. The supporting information in regard to management of the site, and the parking statement which concludes that the level of parking provision is adequate and would not result in a detriment to highway safety, also reinforces the consideration that the proposal is compliant with local plan policy. As such, the recommendation for approval remains the same.

<u>Recommendation</u>	
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. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in





	<p>accordance with Site Location Plan and Block Plan and drawings numbered C/105 rev D, C/100 rev F, C/101 rev F and C/200 rev F received by the Local Planning Authority on 21 June 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>Prior to first occupation, a landscaping scheme shall first have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development (b) numbers, types, sizes and positions of proposed trees and shrubs (c) proposed boundary treatments (d) proposed hard surfacing treatment (e) proposed lighting details (f) planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H4 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>4.</p>	<p>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 building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H4 of the Broxtowe Local Plan (2004).</i></p>
<p>5.</p>	<p>No part of the development hereby permitted shall be brought into use until the parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number C/200 Rev F. The parking areas 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 of vehicles.</p> <p><i>Reason: To ensure adequate parking is available within the site in the interests of highway safety and amenity and in accordance with</i></p>

	<i>Policy T11 of the Broxtowe Local Plan (2004).</i>
6.	<p>No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) prepared by IDOM, dated 29 March 2019, and the mitigation measures contained therein. The measures detailed in the FRA shall be retained for the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Aligned Core Strategy (2014).</i></p>
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The applicant is advised to ensure that sound insulation to limit the transmission of noise between each property achieves the minimum requirements as contained in the current version of British Standard Approved Document E
3.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There also should be no bonfires on site at any time.
4.	<p>The development makes it necessary to construct/improve the vehicular crossings over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at:</p> <p>http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities</p>



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Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2
-  Conservation Areas (Local Plan)

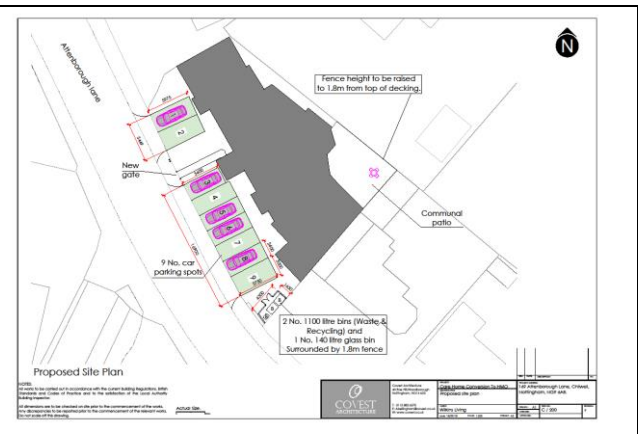
Photographs



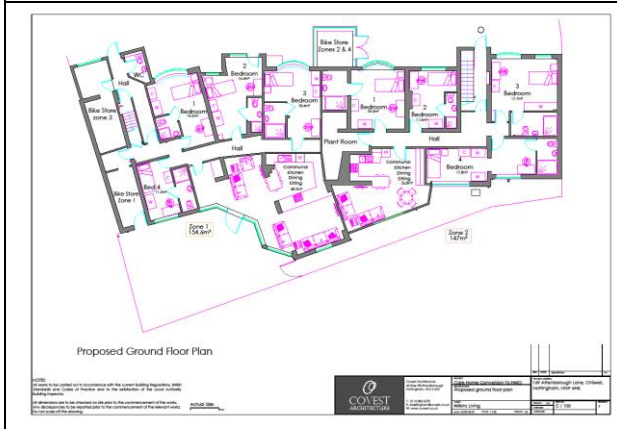
Plans as submitted 5th July (not to scale)



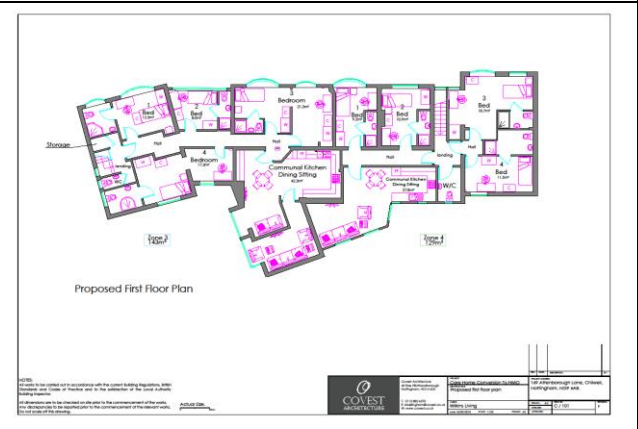
Proposed elevations



Proposed layout



Proposed ground floor plan



Proposed first floor plan

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Report of the Chief Executive

APPLICATION NUMBER:	19/00012/FUL
LOCATION:	THE GABLES ATTENBOROUGH LANE ATTENBOROUGH
PROPOSAL:	CHANGE OF USE FROM A NURSING AND RESIDENTIAL CARE HOME (CLASS C2) TO FOUR HOUSES OF MULTIPLE OCCUPATION (CLASS C4)

1 Executive Summary

- 1.1 This application was first brought before Planning Committee on 22 May 2019 with a recommendation for approval. The original report is attached at appendix 2. Members deferred making a decision on the application to allow further consideration to be given to reducing the intensity of the occupation of the building.
- 1.2 The applicant has considered the issues raised by Planning Committee and has reduced the number of bedrooms by 6, from 22 to 16, to now provide four units of four bedrooms each. The bedrooms remain to be single occupancy. The current application is at appendix 1, with a recommendation for approval subject to conditions.

APPENDIX 1

1 Details of the Application

- 1.1 The internal layout has been amended such that each unit would have four bedrooms (shown as single occupancy) and the communal areas reconfigured to allow for more space. Nine parking spaces within the site would be provided, which has not changed from the original application.

2 Re-Consultations

- 2.1 Amended plans were submitted and a 21 days' re-consultation has been undertaken with the occupants of neighbouring properties, and additionally all those who responded to the original consultation.
- 2.2 **Council's Environmental Health Officer:** No objections subject to notes to applicant in respect of noise insulation, to hours of building works and to no bonfires on site.
- 2.3 **County as Highways Authority:** Comments as previously made, in that the proposals satisfy the specifications on parking provision within the development however there is a possibility that should the development be permitted there may be a demand for on-street parking, which is a local concern. Recommend conditions in regard to dropped kerbs and the provision of parking areas prior to occupation.
- 2.4 **Council's Housing Officer:** No objections to the amended plans, and notes that all room sizes meet the minimum required in the Broxtowe Borough Councils' House in Multiple Occupation (HMO) Property Standards, which is 8 square metres (excluding en-suites).
- 2.5 **Waste and Recycling Officer:** The bin storage area would need to provide bins of a sufficient size for the development. Amended plans have been received to demonstrate that the proposal would comply with this requirement.
- 2.6 Twenty seven letters of objection have been received on the following grounds:
- The proposal still fails to provide enough parking for the development and therefore would have an impact upon on-street parking, congestion, and be a danger to those users of the village hall
 - The proposal would be detrimental to the village
 - Consultation has not been carried out correctly, as the minutes of the last planning application are not available, particularly those legal aspects raised by the Council Member of this ward
 - There is no such address as 169 Attenborough Lane Chilwell, which shows a lack of detail provided by the applicant, which in turn does not bode well for the management of the proposed building
 - Three of the rooms have areas lower than that laid down by Council rules, and do the room sizes include toilet / bathroom area
 - Planning Officer did not tell the Planning committee members of the objections but did read out in full the one letter of support. This should be investigated before the application is brought back to committee

- The car parking plan interferes with the bus stop on Attenborough Lane
- The fire plan has been objected to by the Fire and Rescue Service due to the lack of space to the rear if there is a fire to the front of the building.
- Fire risk to residents not addressed
- The building needs demolishing and something more appropriate built
- Rooms state single occupancy but how will this be monitored?
- HMO's are let to people of a transient nature and as such would not contribute to the community, it is not suitable for a quiet village where there are elderly residents and young families
- Can the site be re-developed and turned into 9 flats, or revert back to houses for families?
- Personal safety and crime – how can the credentials of the tenants be guaranteed? If the building cannot be filled with professionals then it could be occupied by the homeless, unemployed etc, can the safety of residents be guaranteed?
- Loss of privacy, increase in noise, smell and disturbance
- There is no economic benefit to the village
- The Environment Agency objects to the development
- Waste bins will be directly under neighbouring property's bedroom window, resulting in unacceptable levels of smells and rubbish if not managed.

3 Assessment

- 3.1 It is considered that the reduction in bedrooms, which has resulted in some bedrooms and communal spaces becoming larger, would see a reduction in the density of the proposal and as such the off-street parking provision, of nine spaces, would be sufficient to serve the development. The proposed residents would have an acceptable standard of amenity, with most rooms reconfigured and some enlarged as a result. It is considered the proposal would not, therefore, have an unacceptable impact upon on-street parking provision in the immediate surroundings, and would have an adequate level of internal space and amenity for the future occupiers.
- 3.2 There are concerns raised in regard to the previous committee. It is noted that the minutes of the May committee are available to view online, on the Council's website. There were in excess of 190 objections to the original application; these were summarised and available to all members of the Planning Committee prior to the May committee, and available for the members of the public to view.
- 3.3 The address of the site is correct in as much as its reference to 169 Attenborough Lane, and to the postcode.
- 3.4 The applicant has confirmed that means of escape windows will be provided and are shown on the plans, and that the refurbishment would comply with building regulations in respect of fire safety and means of escape.
- 3.5 This report covers only those matters raised as concerns at the previous committee, that is, intensity of the development, and the impact of the proposal on parking in the area. All other matters raised as part of the re-consultation process

have previously been addressed in the May committee report, which is included as an appendix and should be read in conjunction with this report.

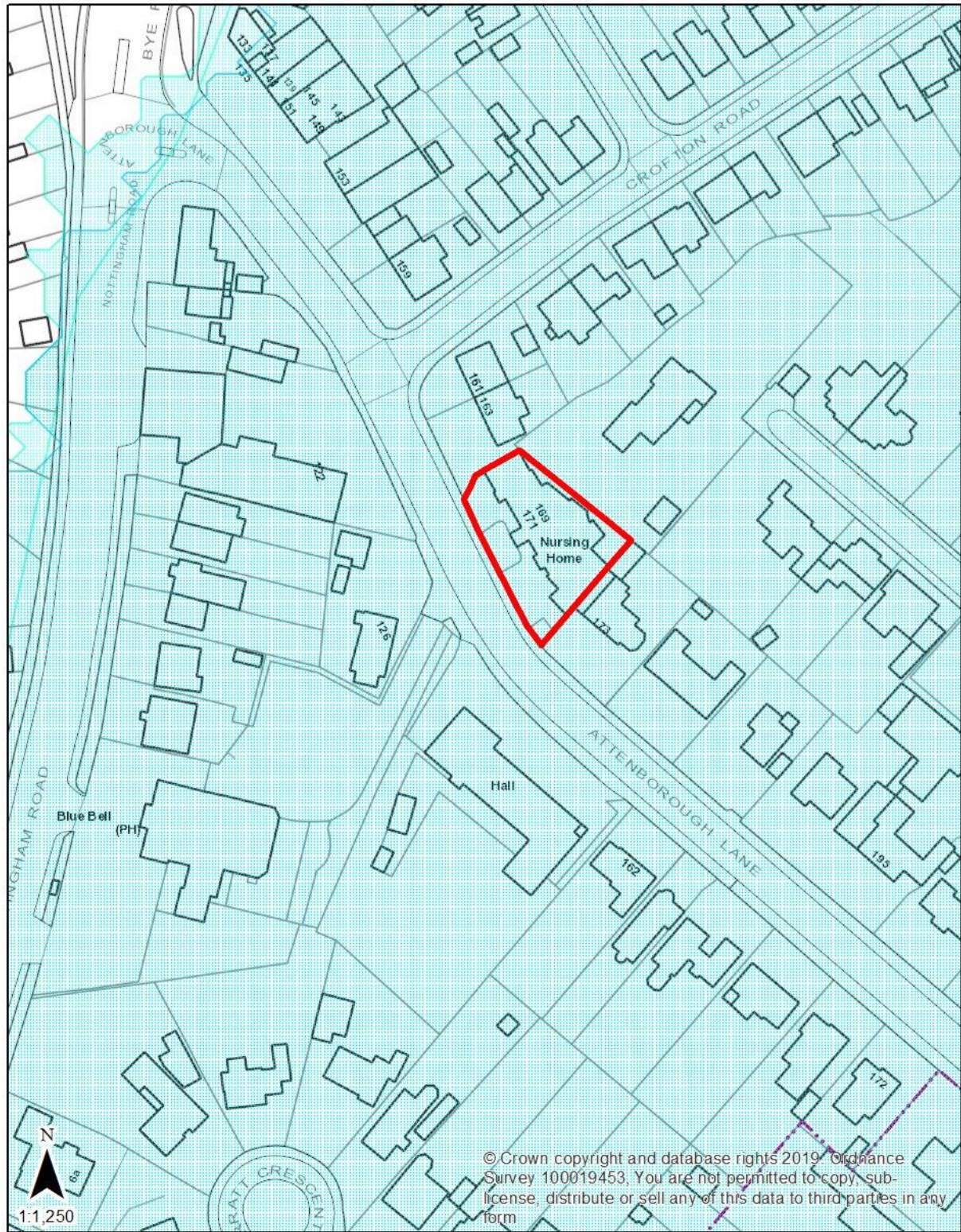
4 Conclusion

4.1 The reduction in the amount of bedrooms, the increase in internal communal space and that the site is in a sustainable location close to employment, shopping and good public transport links, means that it is still considered that the application is acceptable, and would not lead to a detrimental impact on highway safety. As such, the recommendation for approval remains the same.





<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
<p>1.</p>	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<p>2.</p>	<p>The development hereby permitted shall be carried out in accordance with Site Location Plan and Block Plan and drawing numbered C/105 rev D, received by the Local Planning Authority on 21 June 2019, and drawings numbered C/100 rev G, C/101 rev G and C/200 rev G received by the Local Planning Authority on 5 July 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
<p>3.</p>	<p>Prior to first occupation, a landscaping scheme shall first have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) Trees, hedges and shrubs to be retained and measures for their protection during the course of development (b) Numbers, types, sizes and positions of proposed trees and shrubs (c) Proposed boundary treatments (d) Proposed hard surfacing treatment (e) Proposed lighting details (f) Planting, seeding/turfing of other soft landscape areas <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: No such details were submitted and to ensure that the</i></p>

	<p><i>details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H4 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014)</i></p>
4.	<p>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 building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H4 of the Broxtowe Local Plan (2004).</i></p>
5.	<p>No part of the development hereby permitted shall be brought into use until the parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number C/200 Rev F. The parking areas 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 of vehicles.</p> <p><i>Reason: To ensure adequate parking is available within the site in the interests of highway safety and amenity and in accordance with Policy T11 of the Broxtowe Local Plan (2004)</i></p>
6.	<p>No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority specification.</p> <p><i>Reason: In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) prepared by IDOM, dated 29 March 2019, and the mitigation measures contained therein. The measures detailed in the FRA shall be retained for the lifetime of the development.</p> <p><i>Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Aligned Core Strategy (2014).</i></p>

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The applicant is advised to ensure that sound insulation to limit the transmission of noise between each property achieves the minimum requirements as contained in the current version of British Standard Approved Document E
3.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There also should be no bonfires on site at any time.
4.	The development makes it necessary to construct/improve the vehicular crossings over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities



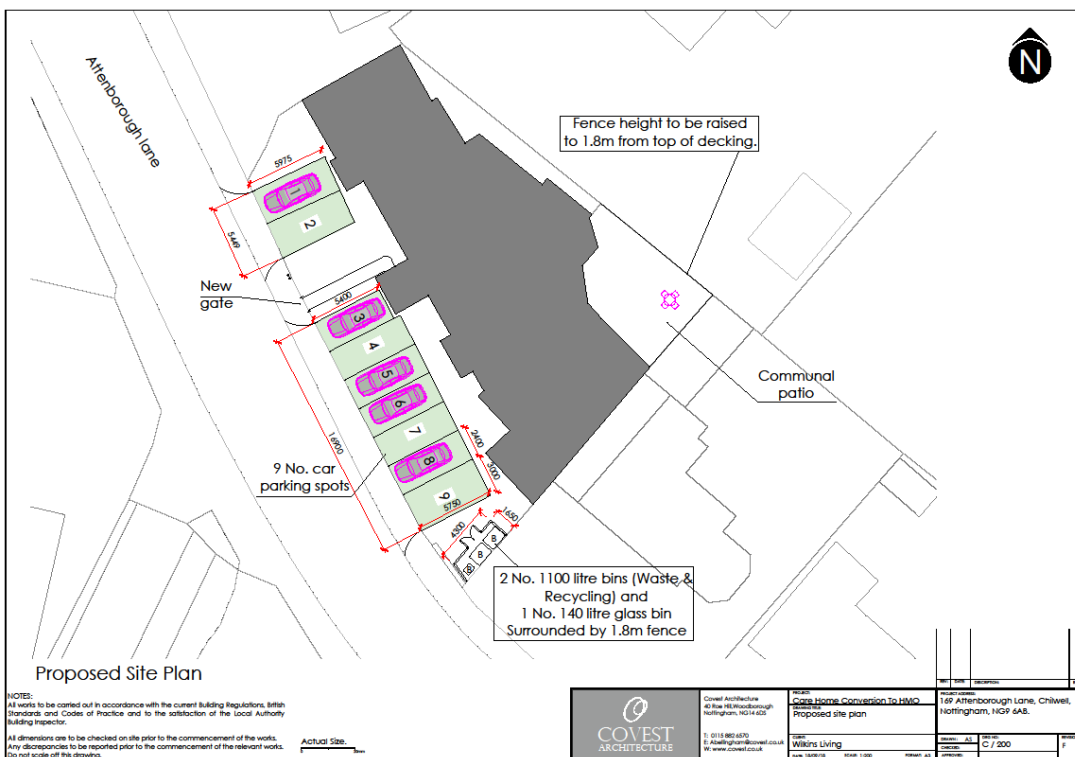
Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2
-  Conservation Areas (Local Plan)

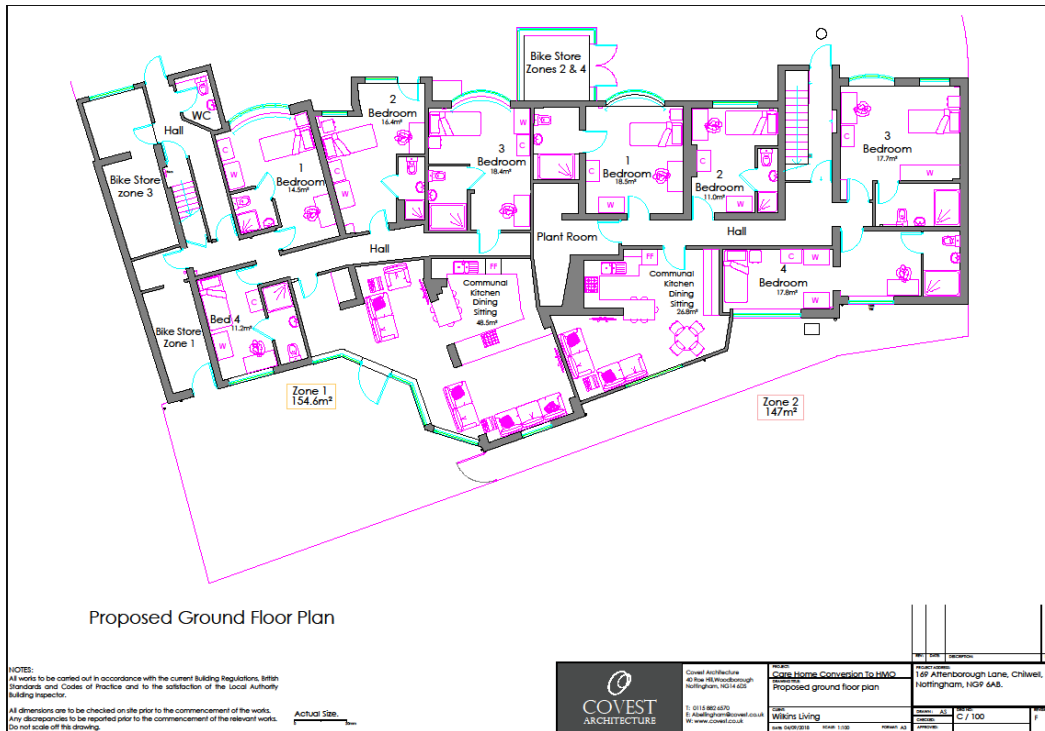
Plans (not to scale)



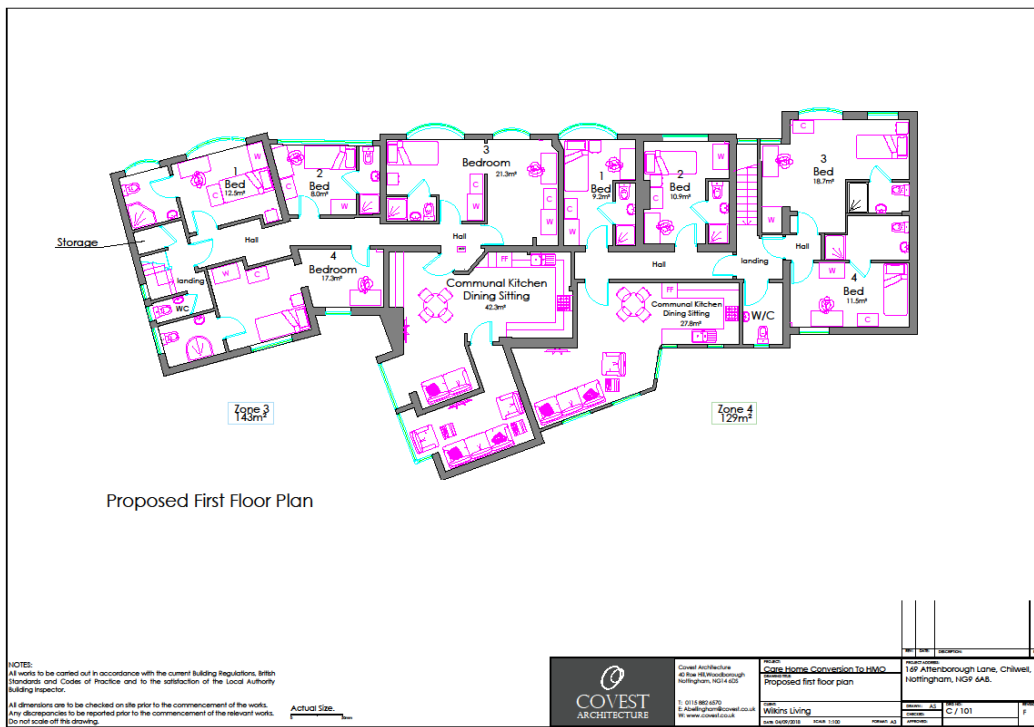
Elevations as proposed



Proposed layout



Proposed ground floor plan



Proposed first floor plan

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Report of the Chief Executive

**19/00012/FUL
CHANGE OF USE FROM A NURSING AND RESIDENTIAL CARE HOME
(CLASS C2) TO FOUR HOUSES OF MULTIPLE OCCUPATION (CLASS
C4)
GABLES NURSING HOME 169-171 ATTENBOROUGH LANE CHILWELL**

Councillor Eric Kerry requested this application be determined by the Committee.

1 Details of the Application

- 1.1 This is a planning application for a change of use from a nursing home (Class D2) to four Houses in Multiple Occupation (Class C4) comprising two apartments per floor, with five en-suite bedrooms each to two apartments and six en-suite bedrooms each to the other two (eleven bedrooms per floor). For clarification, Use Class C4 restricts occupancy to between 3 and 6 unrelated persons per dwelling.
- 1.2 Each apartment would have shared facilities such as kitchen, dining and living rooms. Cycle storage would be provided within the existing floorspace. To the front, nine parking spaces would be provided, as well as an enclosed bin store area.
- 1.3 There would be no extensions or external alterations aside from the removal of a conservatory to the rear, and the insertion of a window at the first floor level, to serve a bedroom, within the rear elevation.

2 Site and Surroundings

- 2.1 169-171 Attenborough Lane, originally two separate dwellings, is a former care home of two storeys in height which have been linked together, and have had several extensions both to the front, rear and sides. The building appears as three dwellings connected by flat roof link buildings to form one long mass of building. The property is set back from the road, with parking to the frontage. It is positioned close to its' rear boundary and to both side boundaries. The care home, which had 23 bedrooms, has been vacant since the summer of 2018.
- 2.2 The site is located on the north east side of Attenborough Lane. There is a pair of two storey semi-detached dwellings to the north west, adjacent to the site. The closest property, 163 Attenborough Lane, has a single storey extension and garage adjacent to the common boundary with the site. 173 Attenborough Lane is a two storey detached property to the south east of the site. This property has a single storey extension and outbuildings sited along the common boundary.
- 2.3 To the rear of the site (north east) there is a detached two storey property, 25 Ireton Grove. This property is set away from the common boundary by 18m to the main side elevation, and 12m to the closest part of the single storey side extensions. Whilst there are no habitable room windows in the facing elevation at

first floor level, the single storey extensions have windows to the facing elevation at ground floor level. Additionally there is a bay window in the front (south east) elevation at ground floor and indirect views of the site are possible from this window.

- 2.4 To the opposite side of Attenborough Lane, to the south west, there is a single storey detached dwelling, 126 Attenborough Lane. This property is set in from the front boundary by approximately 8m. There is an access drive to the south of this property which leads to the Blue Bell Inn, a public house and restaurant located further to the south west. South of the site and to the other side of the public house access, there is the Attenborough Village Hall, a single storey detached building, set back from the road with parking to the frontage. To the north of 126 there is a filling station, car repairs business and car wash site. The filling station has a small ancillary shop selling convenience goods.
- 2.5 Further to the north west, toward the junction with Nottingham Road / Bye Pass Road, there are a mix of retail and commercial uses including hairdressers, estate agency and a bathroom showroom. Notwithstanding these commercial uses, the character of the area is predominately residential and the site is at the outer edge of Attenborough Village, with the lane continuing south east into the village itself.
- 2.6 The application site is within Flood Zones 2 and 3.



The site, looking north toward 161 and 163 Attenborough Lane



Front elevation of the site



South east end of the site frontage



Looking toward 173 Attenborough Lane



View south east along Attenborough Lane, with Village Hall to the right



Rear yard, showing garage within 173 Attenborough Lane, forming the south east boundary



First floor windows in south east facing elevation
Conservatory to be demolished



View from rear looking toward 25 Ireton Grove



View from first floor towards 25 Ireton Grove, to the north east



View east, from first floor, toward 17 and 19 Ireton Grove. Garage of 173 Attenborough Lane can be seen on the right side

3 Relevant Planning History

3.1 There have been several planning applications relevant to the application site:

- 76/00872/FUL Conversion of existing garage to staff accommodation (north west elevation) and extension to front elevation. This relates to 169 Attenborough Lane.
- 77/00788/FUL Utility room extension – a single storey extension to south east elevation of 169.
- 78/00008/FUL Extension to nursing home – relates to the rear of 169.
- 83/00472/FUL Form covered way (single storey) connecting 169 and 171 Attenborough Lane (merging the two properties into one care home).
- 88/00490/FUL Alterations and extensions to nursing home – consisted of first floor extensions above garage conversion to 169 and above link between 169 and 171.
- 91/00800/FUL First floor extension to rear of 169.
- 93/00250/FUL Entrance porch (to 169)
- 94/00187/FUL Entrance porch (to 171)
- 94/00738/FUL Retain rear conservatory
- 95/00074/FUL Side extension to form kitchen store
- 95/00282/FUL Side extension to form laundry and kitchen store
- 96/09007/ADV Non-illuminated board sign
- 05/01024/FUL Extensions and alterations – comprising extension to front porch, two extensions at first floor, and replacement bay windows.
- 06/00980/FUL Retain alterations and extensions to nursing home (pertaining to 05/01024/FUL, where the proposal had not been carried out in accordance with the approved plans).

These are all in respect of the use of the buildings as a care home.

4 Policy Context

4.1 **National policy**

- 4.1.1 The National Planning Policy Framework (NPPF) July 2018, outlines a presumption in favour of sustainable development, that planning should be planned, decisions should be approached in a positive and creative way and high quality design should be sought.
- 4.1.2 Weight may be given to emerging plan policies according to the stage of plan preparation, the extent to which there are unresolved objections to the policies, and the degree of consistency of the emerging policies to the NPPF.
- 4.1.3 Planning conditions and obligations should only be used where they meet the requirements set out in paragraphs 54-56.
- 4.1.4 The document outlines that the government’s key housing objective is to significantly boost the supply of homes and states that there should be a sufficient number and range of homes within safe and well-designed environments. It advises that the needs of groups with specific housing requirements should be addressed.

- 4.1.5 Paragraph 59 states that a sufficient amount and variety of land should come forward where needed, and that land with permission is developed without unnecessary delay.
- 4.1.6 To promote healthy and safe communities, social interaction should be promoted through active street frontages, places should be safe and accessible and enable and support healthy lifestyles.
- 4.1.7 In relation to assessing the highway impacts of a proposal, the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 4.1.8 Section 11 outlines the need to make effective use of land, particularly previously-developed land. To achieve appropriate development density, consideration should be given to the identified need for different housing types, local market conditions, viability, the availability and capacity of infrastructure and services, promotion of sustainable transport, desirability of maintaining an area's character and setting or promoting regeneration and change and the importance of securing well-designed, attractive and healthy places. Where there is an existing or anticipated shortage of housing land, low density housing schemes should be avoided.
- 4.1.9 A fundamental aim of the planning process should be to create high quality buildings and places and section 12 includes guidance on achieving this aim. Developments should function well and add to the quality of an area for the lifetime of the development; be visually attractive; be sympathetic to local character and history whilst not discouraging change; establish or maintain a strong sense of place; make efficient use of land and create safe, inclusive and accessible places with a high standard of amenity for existing and future users. Design should take into account the views of the community and where early, proactive and effective engagement with the community has occurred, such schemes should be looked on more favourably.
- 4.1.10 Paragraph 127 states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history; establish or maintain a strong sense of place; and create places that are safe, inclusive and accessible.
- 4.1.11 Paragraph 180 states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

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' sets out how climate change will be tackled and adapted to and sets requirements for sustainable design of buildings.
- 4.2.4 'Policy 2: The Spatial Strategy' sets the overarching strategy for how growth in Greater Nottingham will be accommodated and distributed. It sets the required number of homes for Greater Nottingham (GN) between 2011 and 2028 (6150 in the Broxtowe Borough part of GN, of which 3800 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.
- 4.2.5 'Policy 8: Housing Size, Mix and Choice'. 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. All residential developments should contain adequate internal living space.
- 4.2.6 'Policy 10: Design and Enhancing Local Identity'. Aims to ensure that all new development should aspire to the highest standards of design, including construction methods and materials, and consideration of residential amenity should be integrated in the design.
- 4.2.7 'Policy 14: Managing Travel Demand' makes it a priority to select sites which are accessible by the most sustainable means of transport. It sets out measures to encourage a switch to sustainable forms of transport first before major highway capacity improvements are considered.

4.3 Saved Policies of the Broxtowe Local Plan

- 4.3.1 The Part 2 Local Plan has recently been examined. 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 H4: Subdivision or Adaptation of Existing Buildings. Development will be permitted subject to the development providing an acceptable standard of amenity and the development not resulting in an unacceptable level of parking problems either by itself or setting a precedent.
- 4.3.3 Policy H6: Housing Density. Seeks to ensure an appropriate density of housing for sites, which should be higher where close to frequent public transport services.
- 4.3.4 Policy H7: Land not allocated for Housing Purposes. Residential development on sites within existing built up areas will be permitted provided that: occupiers of the new dwellings would have a satisfactory degree of privacy and amenity; the development would not result in an undesirable change in the character or appearance of the area; satisfactory arrangements can be made for access and parking; and would not have an unacceptable impact on the privacy and amenity of nearby properties.

4.3.5 Policy E34: Control of Noise Nuisance. Planning permission will not be granted for housing and other noise sensitive development if the occupants would experience significant noise disturbance.

4.3.6 Policy T11: Guidance for Parking Provision. Planning permission will not be granted for new development 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. The draft plan has recently been examined, with the Inspector's report awaited. The representations on the plan included 7 no. representations in relation to Policy 1, 12 representations in relation to Policy 15 and 11 representations in relation to Policy 17. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1 and 17, but has suggested changes to other policies, including Policy 15. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1 and 17 can now be afforded moderate weight, with Policy 15 being afforded limited weight.

4.4.2 Policy 1 'Flood Risk' seeks to ensure that development does not increase risk of flooding to the development and the wider area and would not result in harm through flooding for the occupiers.

4.4.3 Policy 15 'Housing Size, Mix and Choice' seeks to ensure that housing developments provide a mix of house type, size, tenure and density to ensure the needs of the residents of all parts of the borough are met.

4.4.4 Policy 17 'Place-making, design and amenity' states that permission will be granted for development which meets a number of criteria including that it should integrate into its surroundings, have good access to public transport and ensure a satisfactory degree of amenity for occupiers of the new development and neighbouring properties.

5 Consultations

5.1 The Private Sector Housing Officer has no objections, and notes that each flat would require a HMO licence and fire prevention and protection measures.

5.2 The Environmental Health Technical Officer has no objection subject to a note to applicant in regard to noise insulation between flats, and to appropriate hours of building works.

5.3 The County Council as Highway Authority note that whilst the proposal satisfies the specifications in regard to parking provision within the development, there is a potential, should the development be permitted, for an increased demand for on-street parking. Should the development be found to be acceptable, recommend conditions relating to the installation of dropped kerbs, and surfacing and marking of parking spaces.

- 5.4 The Environment Agency object to the development. Comments received in regard to the updated Flood Risk Assessment recommend refusal on the basis that as sleeping accommodation is proposed to the ground floor, the occupiers of the ground floor flats would not have access to a safe refuge on the upper floor and as such would be at risk.
- 5.5 The Waste and Recycling Officer advises on bin storage provision and collection requirements. Further comments on the amended plans which indicate where the bin storage will be located, and what the provision would be, have been received. The capacity of the bin and store are satisfactory, subject to the collection point being within 10m of the adopted highway.
- 5.6 Six neighbouring properties were consulted. 193 letters of objection have been received, and one letter of support.
- 5.7 The objections to the scheme raise concerns in regard to:

Parking and highway safety

- The potential occupancy of 40 residents with only nine parking spaces proposed would lead to an unacceptable impact on highway safety, as vehicles would then be parked on Attenborough Lane, which is already congested by commuters using the train station, and other uses such as the Village Hall. As the hall operates a pre-school nursery as well as other after school activities, the increase in on-street parking would put children at risk
- Increased risk of accidents due to increase in vehicles having to park on the street
- As there is pressure for on-street parking, demolish the property and use as a car park for the train station
- Residents have been requesting double yellow lines along Attenborough Lane
- Impact of additional traffic on the wider public highway, queuing at the junction turning in from Nottingham Road
- Impact on the operation of local businesses – availability of on-street parking spaces would be restricted
- Likely that vehicles which cannot park on the road would trespass onto private property e.g. Village Hall, pub car park, or forecourt parking at the shops
- The planning statement states that there is a bus stop outside. It should be noted that this is a limited service and as such cannot be considered as a sustainable transport link
- The bus stop markings would prevent parking at the property
- No objection if the proposal provided one parking space per resident
- Would affect the long term viability of the Village Hall, as additional on street parking required for the development would eliminate on-street parking spaces for the users of the Village Hall
- A Section 106 Agreement must be secured to limit the number of car-owning tenants. This would be enforceable and has been used by other Local Authorities where parking space is very limited

- The council would be held accountable for any injury to pedestrians as a result of increased traffic and parking activity, should planning permission be granted for the scheme

Principle and Use of the Site

- HMO's are not an appropriate use for the village location and would spoil the character of the village, which is one of family households
- What is the use to be, hotel, hostel or student accommodation, or some other use?
- Potential anti-social behaviour issues arising from the intended occupants (crime and noise), concerns over personal safety
- The communal facilities are not suitable for the amount of proposed residents
- How can the 'no couples' policy (as per the agent's supporting information) be enforced?
- Transient nature of HMO tenants may not stay long enough to engage in the community
- HMO tenants may not be as proactive in the upkeep and maintenance of the area
- HMO's would present a fire risk and will be overcrowded
- Intention for lettings to be for 'professionals' – what type of tenant would be targeted if they cannot fill with professionals
- HMO's are better suited to areas with a lot of facilities within easy walking distance
- Limited facilities in the area, food shops are a distance away, therefore not a sustainable location
- Who are the prospective tenants? Concerns for child safety, being opposite the Village Hall which holds pre-school nursery, and other young person's social activities
- No details in regard to the management of the property have been given, which should give contact details for the use by occupants and by neighbouring residents, should a problem occur
- Who will be responsible for the tenancy arrangements, will there be a representative (staff) on site at all times?
- Whilst accepting the pressure to provide housing, this is not an acceptable proposal
- A more suitable option would be to build 2, 3 or 4 houses for sale, in keeping with the area and its ambience
- Alternatively, convert the property back into two, three or four homes
- Could the property not be retained as a care home use?
- 23 rooms could result in each having loud music to the detriment of the neighbours
- A condition should be attached to any decision requiring windows to be closed after 10pm any night, to prevent noise nuisance to nearby neighbours
- Limited outdoor amenity space for the intended residents
- Cooking smells from 4 separate kitchens
- Close proximity of HMO to house on Ireton Grove

- Once the use class has been changed to C4, no further application or legislation would be necessary for the developers to let to whoever and as many people as they want. C4 falls within the sui generis sector and leaves it open to misuse

Other concerns

- Loss of privacy – use of rear outdoor area as communal space; overlooking of the Village Hall which houses a playgroup and other young children’s clubs, overlooking of neighbouring properties
- Waste and refuse collection – who will be responsible and will there be enough provision for up to 40 occupants?
- Siting of the commercial waste bins to the front of the property would be a blight on the appearance of the street
- No details in regard to external materials, boundary enclosures, or surfacing treatments have been submitted
- Impact on appearance of street scene through amount of parking to frontage and loss of landscaping
- The property is located in Attenborough, and not Chilwell
- There has been a history of surface water problems in the vicinity – will a reduction in porous parts of the site result in an increase in surface water in the road?
- Environmental concern regarding hedgehogs, which are present in the area. Building work (enclosures) could disrupt their habitat
- Loss of a care home facility, question what provision there is for a replacement in the area
- Increased pressure on the drainage system
- Negative effect on house prices in the area
- Closure of the care home has led to a loss of jobs in the community. These jobs will no longer be available, presumably with an increase to social security costs
- Pre-application advice given by the planning authority in September 2018 has pre-determined the application
- Applicant is not based in the area, and therefore has no knowledge of the area with no input into the community, only wanting to make a quick profit
- Question whether the building is sound as there is a crack in the side of the building
- No economic benefit for Attenborough Village or those that live here
- The application seeks to extend the building, which will negatively impact on the surrounding properties to the side rear and in front

5.8 The letter of support raises the following points:

- There is a shortage of housing and it is better that new accommodation is built on a site of similar residential use, rather than taking up green spaces.
- The small number of parking spaces suggests that most of the proposed tenants cannot, or will choose not to drive, so the transport links to Nottingham, Derby and further afield make it an ideal location.
- As a community, Attenborough can pride itself on offering support to people of all ages through the many community activities in the village,

Attenborough could provide a warm and welcoming community and may benefit from the diversity.

- The proximity of the nature reserve, playgrounds and playing fields on Long Lane will provide the future tenants with low-cost health benefits and leisure opportunities.

6 Appraisal

6.1 The main considerations relate to the principle of residential accommodation in this location, impact on the occupiers of neighbouring properties, impact on highway safety, and the design and appearance of the proposed building.

6.2 Principle

6.2.1 As the site has been in residential use, latterly as a care / nursing home, and as the character of the area is predominately residential, it is considered that subject to an assessment of the proposal in terms of its impact on the amenities of neighbouring uses, the principle of residential use on this site is acceptable and would contribute to providing a mix of house type, size and tenure sufficient to meet the needs of a wide range of residents, and thereby would contribute to the creation and maintenance of a sustainable community, whilst retaining the overall character of the area.

6.2.2 The site is close to the junction of Attenborough Lane and Nottingham Road / Bye Pass Road. Within the immediate vicinity there are a range of retail outlets including hairdressers, professional services, an ATM, a public house / restaurant, and a petrol filling station, which has a small ancillary convenience shop. It is within easy walking distance of well served public transport routes, both along the main road and from Attenborough train station. Within a short walk of approximately ten minutes, at West Point centre to the north side of Nottingham Road, there are a wider range of facilities including two supermarkets, a takeaway, and a pharmacy. There is also a health care facility within the centre. Also within convenient walking distance of the site, there are a range of employment uses. As such it is considered that the application site is in a sustainable location, with access to a range of facilities and within easy access of a choice of sustainable means of transport.

6.3 Amenity

6.3.1 There are three residential properties directly adjoining the application site. 163 Attenborough Lane, to the north west, has a single storey extension and garage adjacent to the common boundary with the site. There are no windows within the side elevation of the building facing this property, and there are no new windows or other alterations proposed on this side. As such it is considered that the proposed use would not have a significant impact on the amenities of the occupiers of this property in terms of loss of light, outlook or privacy.

6.3.2 173 Attenborough Lane is a two storey detached property to the south east of the site. This property has a single storey extension and outbuildings sited along the common boundary. There are no new windows proposed in the side elevation facing 173. The conservatory will be removed and as a consequence the outdoor

area would be enlarged. However, as the side wall of the garage within 173's garden forms the boundary, it is considered that the proposal would not have a significant impact in terms of loss of light, outlook, or privacy.

- 6.3.3 To the rear of the site is 25 Ireton Grove. This property is set away from the common boundary by 18m to the main side elevation, and 12m to the closest part of the single storey side extensions. Whilst there are no habitable room windows in the facing elevation of this property at first floor level, the single storey extensions have windows in the south west elevation facing the site, at ground floor level. Additionally there is a bay window in the front (south east) elevation at ground floor and indirect views of the site are possible from this window. There is one additional window proposed in the rear elevation of the Gables, at first floor level. This window would be set back within a recess and would give limited views toward 25 Ireton Grove. There would be a minimum distance of 19m between the rear elevation of the site and the main side elevation of 25. It is considered that whilst some of the rooms at the rear of the building, which face 25 Ireton Grove, would change their use, for example, bedroom to communal space and vice versa, the layout of the care home would have allowed for internal changes that would not require planning permission, and that the nature of the proposed use, as residential, is the same. Therefore it is considered that the proposal would not have an unacceptable impact on the amenities of the occupiers of 25 Ireton Grove in terms of loss of light, outlook or privacy.
- 6.3.4 126 Attenborough Lane, which is opposite the site and to the south west, is a detached bungalow. The property is set back within its plot and at an angle to the highway. As such the windows to the front elevation of the application site building do not result in any unacceptable overlooking of this property.
- 6.3.5 In regard to the living standards of the future occupiers, whilst no objections have been raised by the Private Sector Housing team, it is noted that some rooms would be deemed too small for double occupancy. Single beds are now shown within each room. Notwithstanding this, each apartment would need to comply with any HMO licencing requirements in force. It is considered that each bedroom has an adequate access to natural light and to an outlook and as such would provide a satisfactory living environment, which would encourage longer term lets. It is also noted that the constraints of a Class C4 use would only allow for a maximum of six occupiers per C4 unit.
- 6.3.6 Concerns have been raised in regard to anti-social behaviour from the future occupants in terms of noise nuisance, particularly late at night, due to the intensity of occupation. It is considered that the proposal, for residential accommodation of five and six bedroom apartments, would not result in a notable rise in noise and disturbance, given the location of the property, which is close to a busy main road and to commercial businesses such as the public house / restaurant opposite, to the south west of Attenborough Lane. Whilst there are no staff proposed to be resident as part of the development, a property management company will oversee the management of the property, who will be responsible for tenancy agreements and compliance thereof. Notwithstanding this, any anti-social behaviour or unreasonable disturbance which occurs can be reported to the relevant body, being either the Environmental Health section of the Council, or the Police. A request for a condition to ensure that the windows are to be closed after

10pm at night would be unreasonable and unenforceable, as the intended occupiers would have a right to fresh air and ventilation.

6.3.7 Concerns in regard to the category of tenancy that would occupy the property, as issues such as crime, personal safety, and safeguarding of children have been raised. Whilst the supporting information states that the accommodation would be targeted at professionals, it would not be a material planning consideration as to who the tenants would be, as long as the property is occupied under the constraints of the authorised use class for that property. A C4 use (small HMO) allows for non-related occupation by between three and six persons. It would therefore be unreasonable and un-enforceable to condition the tenancy of the property to any one particular type of tenancy, should planning permission be granted. Should the levels of tenancy exceed that allowed in the C4 use class, then this would constitute a change of use and as such the owner or operator of the building would be liable to appropriate enforcement action.

6.4 Design, Scale and Layout

6.4.1 There are minimal alterations to the exterior of the property, these being the removal of the conservatory to the rear, and the insertion of a window at first floor level, also in the rear elevation. Whilst these alterations would not be visible from the public domain, it is considered that the removal of the conservatory in particular would be a positive benefit to the building, and would enhance the amount of outdoor private amenity space available.

6.4.2 The frontage to the building is currently laid to a mix of hard surfacing and an informal soft landscaped area. The hard surfaced area, whilst not marked out for parking, could currently provide off street parking for approximately six vehicles. Some of the hard surfaced area is currently used for the storage of refuse receptacles. The proposed layout would see a small section of the existing soft landscaping removed and the frontage laid out to provide nine off street parking spaces, and an enclosed bin storage area. In regard to the appearance of the frontage, this is considered to be acceptable and a visual break from the hard surfacing in the form of the reduced soft landscaped area would be maintained. Further details in regard to the treatment of the non-parking parts of the frontage and means of enclosure would be secured by condition.

6.5 Highway Safety

6.5.1 The scheme would provide nine off street parking spaces, which would satisfy the specifications in regard to parking provision within the development. Notwithstanding this, it is clear from the consultation responses that there is significant concern that the development does not include sufficient parking provision within the site and that this would lead to increased demand for on-street parking. Concerns are also expressed in regard to existing congestion along the road.

6.5.2 In regard to assessing the highway impacts of a proposal, paragraph 109 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of

applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.

- 6.5.3 The site lies within close proximity to facilities at the West Point Centre, being 1km to the south west of the site and therefore within walking distance. The Y5, Indigo and Skylink bus routes run along Nottingham Road, which gives access to Beeston, Nottingham and Long Eaton, as well as beyond to Derby and to East Midlands Airport. The site is in close proximity (a five minute walk) to Attenborough Train Station which gives access to Nottingham, Beeston, Derby, Leicester and Newark as well as connections to other destinations. It is accepted that there will be additional parking demand from the development and this may lead to on-street parking along Attenborough Lane. However, it is considered that there would not be a severe highways impact and the future residents of the proposal would have the opportunity to use more sustainable transport options. Secure cycle storage is included as part of the proposal. Furthermore, it is considered that a pragmatic approach also needs to be taken in respect of developing sites within existing urban areas. Based on the above, it is considered that there would not be sufficient policy justification for refusing the application on transport or parking grounds.
- 6.5.4 There has been a suggestion made in the objections to the use of a Section 106 Agreement which could require the number of vehicle owning tenants to be limited. However, for the reasons set out in paragraph 6.5.3, it is considered that as the proposal would not result in a significant impact on highway safety, it would be unreasonable to require the applicant to enter into a Section 106 Obligation. Furthermore it would prove difficult to monitor or enforce since vehicles connected to the use could potentially be parked anywhere, either in the vicinity or the wider area.
- 6.5.5 It is understood that there have been concerns raised with the County Council in regard to the existing parking problems along Attenborough Lane. Discussions are on-going between the residents and the County Council.

6.6 Flood Risk

- 6.6.1 The site falls within Flood Zones 2 and 3. A Flood Risk Assessment (FRA) has been submitted and includes information in respect of access points to be fitted with flood barriers / doors where appropriate; the provision of a Flood Evacuation Plan; and details on surface water drainage. The site is protected by the Left Bank Flood Defences. It is considered that, as the former use as a care home included bedrooms on the ground floor, and that those residents were likely to be less able to move independently in the event of a flood, the proposed conversion of the ground floor to two flats is acceptable and, subject to the mitigation measures being installed and a Flood Evacuation Plan being adopted, the proposed residents would have time to evacuate to a point of safety. Notwithstanding this, the Environment Agency object to the proposed conversion as it considers that ground floor flats are not appropriate in this location, due to flood risk to the occupants. However, they are unlikely to pursue the objection

should the Local Planning Authority recommend the granting of planning permission

6.7 Other Matters

- 6.7.1 Concerns have been raised in regard to the future upkeep of the building. As with any property, this would not be a material planning matter. However, should the land around the building become untidy, this can be investigated and, where appropriate, enforcement action taken.
- 6.7.2 In regard to fire risk, the property would need to comply with the relevant regulations e.g. building regulations, and any requirements in this regard would need to be incorporated as part of a building regulations application.
- 6.7.3 In regard to the preference for retention of the care home, or other suitable alternatives (separation and use as family houses, or demolition and rebuild as affordable homes / family houses), the planning authority is statutorily obliged to consider any planning application that is submitted. Should an application be submitted for an alternative scheme, this would be assessed separately. In regard to the retention of the care home, this is a matter for the operator of that facility. It is noted in the planning submission that the care home closed as a result of changing market expectations.
- 6.7.4 In regard to cooking smells, as this would be a residential property where a reasonable amount of domestic cooking smells would be expected, this would not be a material planning matter. However, should an unreasonable amount of smells be experienced, this can be reported as a nuisance to the Environmental Health team who will investigate.
- 6.7.5 The requirements for waste storage and collection have been provided by the Waste and Recycling Officer. An amended plan sets out the details of the storage and siting. Comments are awaited from the Waste and Recycling Officer.
- 6.7.6 In regard to drainage, specifically the increase in numbers of occupants and pressure on the system, this would be addressed as part of the building regulations application. In regard to surface water, whilst the development would see an increase in hard surfacing to the frontage, details of the surfacing materials and landscaping would be conditioned and would ensure that surface water would be controlled by appropriate surfacing, and run off to the landscaped areas.
- 6.7.7 The frontage to Attenborough Lane is mostly open and the concern in regard to hedgehogs and enclosures which could disrupt their habitat is noted. The frontage would remain open and accessible, however a condition in regard to the design and location of any boundary enclosures would be imposed on any decision notice.
- 6.7.8 Impact on house prices in the area is not a material planning consideration.

6.7.9 Whilst the care home has closed which would have resulted in a loss of jobs, this is not a material planning matter as the planning authority cannot control any closure or change to business requirements in regard to employment.

6.7.10 Pre-application discussions which take place before an application is submitted are informal and not binding on the Council as Local Planning Authority.

6.7.11 The matter of whether the applicant is based in the area or not is not a material planning consideration, and would not be a factor in determining whether the application is acceptable.

6.7.12 It is disputed that the council can be held accountable for any injury to pedestrians as a result of increased traffic and parking activity, should planning permission be granted for the scheme.

7. Conclusion

7.1 It is concluded that the proposal to convert the former care home to a house in multiple occupation comprising four flats, is acceptable and will not have an adverse effect on neighbouring amenity or highway safety. The proposal therefore accords with Policies E34, H4, H6, H7 and T11 of the Broxtowe Local Plan, with Policies 1, 2, 8, 10 and 14 of the Aligned Core Strategy, Policies 1, 15 and 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 Site Location Plan and Block Plan received by the Local Planning Authority on 7 January 2019; drawing numbered C/105 rev B, received by the Local Planning Authority on 29 January 2019; drawings numbered C100 rev E and C101 rev E received by the Local Planning Authority on 1 February 2019, and C200 rev F received by the Local Planning Authority on 26 March 2019.**
- 3. Prior to first occupation, a landscaping scheme shall first have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:**
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development**
 - (b) numbers, types, sizes and positions of proposed trees and shrubs**
 - (c) proposed boundary treatments**
 - (d) proposed hard surfacing treatment**
 - (e) proposed lighting details**
 - (f) planting, seeding/turfing of other soft landscape areas**

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

4. 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 building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.
5. No part of the development hereby permitted shall be brought into use until the parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number C/200 Rev E. The parking areas 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 of vehicles.
6. No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority.
7. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) prepared by IDOM, dated 29 March 2019, and the mitigation measures contained therein. The measures detailed in the FRA shall be retained for the lifetime of the development.

Reasons

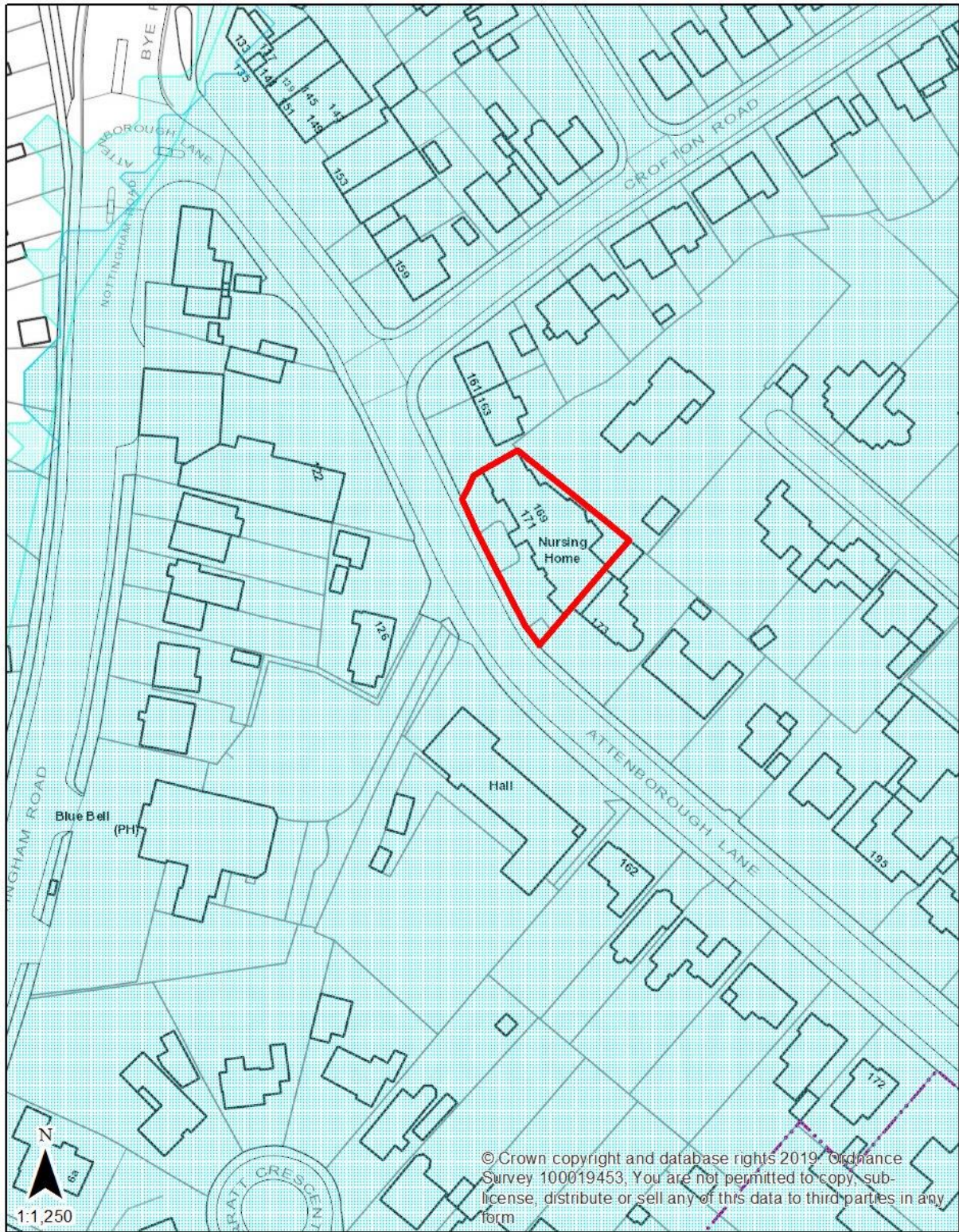
1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy H4 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014)
4. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H4 of the Broxtowe Local Plan (2004).
5. To ensure adequate parking is available within the site in the interests of highway safety and amenity and in accordance with Policy T11 of the Broxtowe Local Plan (2004).
6. In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy.

7. To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Broxtowe Aligned Core Strategy 2014.





Note to applicant

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.
2. The applicant is advised to ensure that sound insulation to limit the transmission of noise between each property achieves the minimum requirements as contained in the current version of British Standard Approved Document E
3. Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There also should be no bonfires on site at any time.
4. The development makes it necessary to construct/improve the vehicular crossings over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at:
<http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

Background papers
Application case file



Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2
-  Conservation Areas (Local Plan)

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Report of the Chief Executive

APPLICATION NUMBER:	19/00332/FUL
LOCATION:	FLEWITT HOUSE MIDDLE STREET BEESTON
PROPOSAL:	CONSTRUCT TWO STOREY AND SINGLE STOREY REAR EXTENSIONS, TO FORM ONE X FIVE BED UNIT.

The application is brought to the Committee at the request of Councillor Pat Lally.

1 Executive Summary

- 1.1 The application seeks planning permission to construct two storey and single storey rear extensions, to form one x five bed unit to the rear.
- 1.2 The site is currently occupied by a two and three storey building which contains seven 'cluster' apartments consisting of five x six bed apartments and two x four bed apartments. The building fronts Middle Street.
- 1.3 The main issues relate to the intensity of development; whether the design and appearance would have a detrimental impact on the building and the street scene; and whether there will be an unacceptable impact on neighbour amenity.
- 1.4 The benefits are that the proposal would provide accommodation suitable for student or single persons in an established location and would, as a consequence, contribute to releasing traditional accommodation suitable for family occupation, and would be in accordance with policies contained within the development plan. This is given significant weight.
- 1.5 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The proposal as originally submitted was for a two storey extension to the side, adjacent to the south west elevation of the front wing, and a two storey and single storey extension to the rear, running south west to north east, along the rear boundary. This would have comprised a three bedroom unit within the side extension, and a seven bed unit plus two x one bed studios to the rear extension. The extensions would be built using red brick and tile, to match the existing building, and would have gable ends and window openings to reflect the design of the existing building. Amended plans received show the side extension omitted, rear extension reduced to single storey to the south west section, retaining two storey to the centre, and omitting the two studio units to the north east. This part of the proposal would accommodate a five bedroom unit. The resulting building would contain a total of eight units.
- 1.2 The layout of the original submission would have resulted in a loss of four parking spaces, reducing to two spaces. The amended layout now shows the retention of four parking spaces.

2 Site and surroundings

- 2.1 Flewitt House is a two and three storey residential apartment building which faces Middle Street. The layout is in a loose T shape, and has a parking area with six spaces to the rear of the building, accessed via a shared access with the Middle Street Resource Centre, which is to the north east. There is an amenity space for the residents to the south west of the building. The building is at a higher ground level than all of the neighbouring properties, due to its location within Flood Zone 2. The Middle Street tram stop is directly opposite the site. There is a covered cycle store to the front.
- 2.2 Middle Street Resource Centre is a community centre located to the north east of the site. This is a single storey building set at a lower ground level than Middle Street, and the application site.
- 2.3 To the south west of the site, there is a two storey building which is occupied as four flats (two to each floor). The side elevation of this property, known as Churston Court, faces the site. There is a block of four garages, associated with Churston Court, to the rear and accessed via a drive to the south west of that building. There is a strip of land separating Churston Court and the application site, the north west section of this strip is under the ownership of the applicant and the remainder is part of the garden of 23 Princess Avenue.
- 2.4 To the south east of the site is Princess Avenue, a cul-de-sac of two storey semi-detached properties. Nos 23 and 24 directly adjoin the site.
- 2.5 23 Princess Avenue is to the south east and side on to the site. This is a two storey semi-detached property which has a kitchen window in the north west side elevation. There is a minimum distance of 3.5m between the side elevation of 23 and the application site boundary. This property owns part of the strip of land

leading from Middle Street at the side of Churston Court, and is understood to have a right of way across the remainder. No. 23 is at a lower ground level than the application site. A two metre high close boarded fence on top of a retaining wall forms the common boundary.

- 2.6 24 Princess Avenue is opposite No. 23. Again, this is a two storey semi-detached property, side on to the application site, and at a lower ground level than the site. There is a minimum distance of 8.5m between the side elevation of 24 and the common boundary to the site. A 2m high close boarded timber fence sitting on top of a retaining brick wall forms the common boundary. Outline planning permission was granted in October 2017 for the erection of a dwelling to the side garden of 24. This has not been implemented (reference 17/00708/OUT).
- 2.7 Opposite the site, beyond the tram stop, there is a mix of residential properties consisting of sheltered accommodation (flats) and terraced two storey houses.

3 Relevant Planning History

- 3.1 Planning permission was granted for the erection of Flewitt House (seven apartments) in 2011, following the demolition of a public house (Three Horseshoes) which formerly occupied the site (reference 11/00688/FUL). There has been no relevant planning history since this date.

4 Relevant Policies and Guidance

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

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

- 4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.3). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy H7: Land Not Allocated for Housing Purposes
- Policy E26: Pollution
- Policy T11: Guidance for Parking Provision

4.3 **Part 2 Local Plan (Draft)**

- 4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be

undertaken to Policy 17 but has suggested changes to other policies, including Policy 1. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight, with Policy 1 being afforded limited weight.

- Policy 1: Flood Risk
- Policy 17: Place-making, design and amenity

4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

5 Consultations

- 5.1 **NET:** Require details of site access, deliveries and other vehicles in connection with the construction of the development.
- 5.2 **Council's Parks and Environment Officer:** No objections
- 5.3 **Council's Environmental Health Officer:** No objections subject to note to applicant in regard to hours of construction works and no bonfires on site.
- 5.4 **Council's Private Sector Housing Officer:** No objection subject to the rooms having appropriate access to means of escape from bedrooms.
- 5.5 **Council's Waste and Recycling Officer:** The development would need to provide adequate numbers and sizes of bins for the building as a whole, in a suitably located bin store which is accessible for collection.
- 5.6 **Council's Tree Officer:** No objections but there is a tree in the adjacent site (within the garden of 24 Princess Avenue) and as such there is a possibility of root damage in relation to the foundations of any new build.
- 5.7 **Nottinghamshire County Council as Highways Authority:** No objection on the grounds of road safety, however it is noted that whilst the site is in a sustainable location close to the tram stop and to the town centre, the loss of parking spaces may result in residents and visitors increasing the demand for on-street parking in the surrounding area, to the inconvenience of the existing residents.
- 5.8 **Environment Agency:** The site falls within Flood Zone 2 and standing advice may be applied.
- 5.9 Twelve properties either adjoining or opposite the site were consulted. Eight responses were received, objecting to the proposed development on the following grounds:
- Impact on access to community building during construction
 - Impact on car parking generally, due to loss of parking spaces
 - Loss of light

- Neighbouring property prone to damp; loss of sunlight and daylight will add to this
- Sense of enclosure
- Increase in noise and disturbance due to increase in numbers of residents
- Loss of privacy
- Noise and disturbance during construction
- A single storey element instead of two storey would be preferred
- Existing building already dominates the surrounding area, the proposal would exacerbate the situation and be an over development of the site
- Several discrepancies in the submitted application including; omission of proposed dwelling on land adjacent to 24 Princess Avenue on both the floor plans and site plan; sectional drawing shows a fence on top of a sloping earth bank where it is actually on top of a retaining wall (to both 23 and 24 Princess Avenue); proposed elevation / section south east should be labelled north west
- The retaining wall to Princess Avenue is in poor repair and without being rebuilt the construction may result in the collapse of the wall.

6 Assessment

6.1 The main issues for consideration are the intensity of the development, the design and appearance, and impact on neighbouring amenity.

6.2 **Principle**

6.2.1 Policy 8 'Housing Size, Mix and Choice' of the Aligned Core Strategy 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 policy then refers to the need to redress the housing mix within areas of concentration of student households and Houses in Multiple Occupation.

6.2.2 Policy H7 of the Local Plan states that planning permission for residential development within existing built up areas will be permitted subject to the future and neighbouring occupiers having a satisfactory degree of privacy and amenity; the development not having an unacceptable impact on the character or appearance of the area; and to satisfactory arrangements for access and parking.

6.2.3 Policy 8 of the Aligned Core Strategy encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the street. Middle Street is characterised by varying styles of properties including commercial and community uses, family homes and HMO's, and is on the edge of the town centre. The development would add to the housing mix and it is considered that the character of the street would not be harmed to an extent which would justify refusing planning permission, particularly as Flewitt House is purpose built residential accommodation. It is also noted that the property is within walking distance to Beeston town centre and located on a tram route, with a stop directly outside the site.

6.3 Amenity

- 6.3.1 The proposed scheme as originally submitted would have had an unacceptable impact on the amenities of the occupiers of Churston Court and the occupiers of 23 and 24 Princess Avenue. The amended scheme now sees the extension to the side (closest to Churston Court) omitted, a reduction in the height of the rear extension to the southernmost corner, adjacent to 23, from two storeys to a single storey, and the omission of the two studio units from the north east section, adjacent to the boundary with 24 Princess Avenue. It is considered that the amendments have reduced any impact in terms of loss of light, loss of privacy, and loss of outlook to an acceptable level. A condition requiring obscure glazing to the south east elevation of the rear extension will be imposed, further safeguarding the privacy of the occupiers of 23 and 24 Princess Avenue.
- 6.3.2 The internal layout allows for an acceptable standard of living with each bedroom and living area having access to an outlook and to natural light. The windows in the north west facing elevation of the rear unit have been angled and positioned so as to reduce any direct overlooking of windows in the rear elevation of the existing building.

6.4 Design and Appearance

- 6.4.1 The proposal as originally submitted was considered to have had an unacceptable impact on the character and appearance of the building and the street scene, as the side extension, due to its height and width, would unbalance the front elevation, and the rear extension, due to its scale, would have been dominant when viewed from Princess Avenue, and from the north of the site, on Middle Street. Overall, the original proposal would have appeared prominent and disproportionate for the size of the site and the existing building.
- 6.4.2 The reduction in scale and massing to the rear extension, and the omission of the side extension, demonstrates that the proposal is now proportionate to the scale of the main building and also allows for an improved layout to the car parking and bin store area. A condition to secure a landscaping scheme will be imposed.

6.5 Parking

- 6.5.1 The improvements to the car parking layout are welcomed and allow for four parking spaces, and a bin store. Given the sustainable location of the site, with the tram stop directly adjacent and the town centre with access to all facilities within close proximity, it is considered that the development would be acceptable. The Highways Authority have not raised any concern in relation to the application. Although it is accepted the residents associated with this development may have cars, it is likely that car ownership will be low and therefore it is considered the impact on highway safety would not be detrimental.

6.6 Flood Risk

- 6.6.1 The site is within Flood Zone 2. A Flood Risk Assessment has been submitted which concludes that, as the ground levels are already 600mm above the

predicted flood level then the proposal, subject to floor levels being in excess of the flood level, would not result in an increase to flood risk.

6.7 Other Matters

6.7.1 Concerns have been raised in regard to noise and disturbance during construction. A note to applicant would be attached to the decision notice setting out the acceptable hours of construction and demolition.

6.7.2 Concerns have been raised in regard to noise and disturbance due to the increase in number of residents. The increase would be five occupants and given the site's location, on a busy street close to the town centre, it is considered that the increase in noise and disturbance would not be significant.

6.7.3 Access to the community centre building is shared with the site. The developer would need to ensure that access is maintained to all who have a right of way over the adjacent access and this would be a private matter as this is not adopted highway.

6.7.4 Discrepancies in the plan drawings, relating to the retaining wall and annotation of the elevations have been noted and it is considered that these have not had an impact on the understanding of or assessment of the proposal. The annotations to the elevations have now been corrected in the amended plans.

6.7.5 The omission of the layout for the dwelling allowed under outline planning permission reference 17/00708/OUT, on land adjacent to 24 Princess Avenue, is acceptable since the dwelling has not yet been built, nor has the scale, layout or appearance of the dwelling been agreed. As such, the outline planning permission granted would carry only limited weight as a material planning consideration when assessing the proposal at Flewitt House.

6.7.6 The stability of the retaining wall would need to be investigated by the developer and any remedial measures required would need to meet any relevant building regulations. This would not be a material planning consideration.

6.7.7 In order to safeguard the continued operation of the tram line during construction, a condition requiring details to be agreed of how the development would be carried out will be imposed.

7 Planning Balance

7.1 The benefits of the proposal are the provision of additional bed spaces within an established rental property, close to amenities and thereby reducing reliance on motor vehicles, and the proposal would be in accordance with policies contained within the development plan. This is given significant weight. The only negative impact is the reduction of parking spaces from the current six to four.

7.2 On balance, given the sustainable location of the application site, and as the proposal would be in accordance with policies contained within the development plan, the benefits of the proposal would outweigh the negative loss of parking spaces.

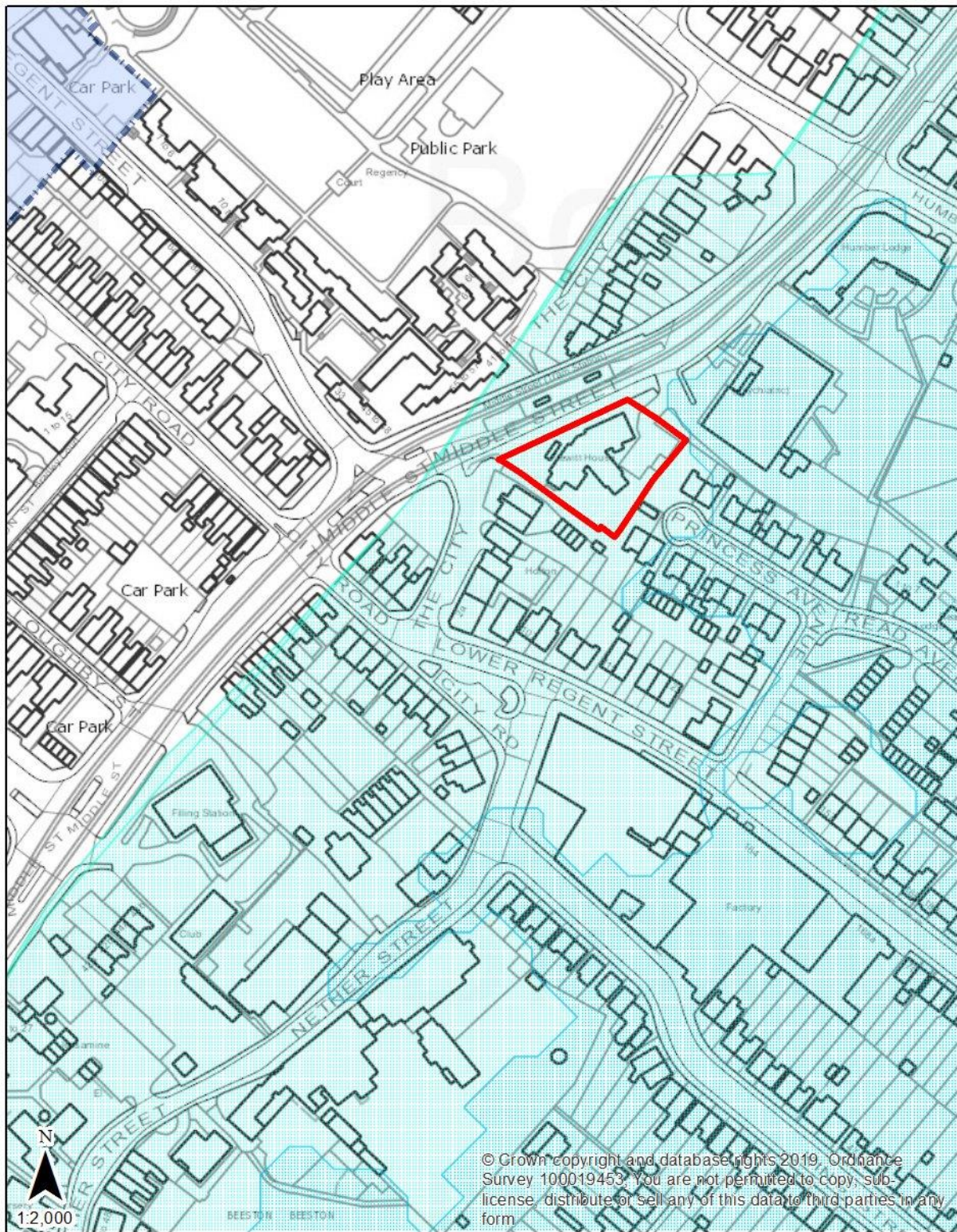
8 Conclusion

- 8.1 The proposed extensions to Flewitt House would be of an acceptable design, would have no significant impact on the amenities of neighbouring occupiers, and would contribute to the provision of a mix of housing in the area.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 29 May 2019, drawing numbered 2599(08)S01 rev B received by the Local Planning Authority on 7 August 2019 and drawings numbered 2599(08)003 rev E, 2599(08)G01 rev E, 2599(08)101 rev E, 2599(08)E02 rev C, 2599(08)E01 rev D, and 2599(08)201 rev E received by the Local Planning Authority on 19 August 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The extensions shall be constructed using bricks, tiles, window and door frames of a type, texture and colour so as to match those of the existing building.</p> <p><i>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No above ground works shall be commenced until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> (a) Trees, hedges and shrubs to be retained and measures for their protection during the course of development (b) numbers, types, sizes and positions of proposed trees and shrubs (c) proposed boundary treatments (d) planting, seeding/turfing of other soft landscape areas

	<p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).</i></p>
<p>5.</p>	<p>Prior to the commencement of the development, details of a construction management scheme setting out measures to ensure that the operation of the NET route is safeguarded, shall first have been submitted to and approved in writing by the Local Planning Authority. Construction shall be undertaken in accordance with the agreed details.</p> <p><i>Reason: In the interests of highway safety, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>6.</p>	<p>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 building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>7.</p>	<p>No part of the extensions hereby permitted shall be occupied until the parking area and bin store as approved have been provided. The parking area shall be retained for the life of the development.</p> <p><i>Reason: In the interests of highway safety, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
<p>8.</p>	<p>The windows on the south east rear elevation annotated as being obscurely glazed on drawing nos. 2599(08)G01 rev E and 2599(08)101 rev E 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) and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core</i></p>

	Strategy (2014).
	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
3.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should also be no bonfires on site at any time.



Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2
-  Town centre

Photographs



Flewitt House, to the left, with Churston Court to the right



Gap between Flewitt House and Churston Court



Shared access serving Beeston Resource Centre and Flewitt House



Rear car park of Flewitt House



View along Princess Avenue with rear elevation of Flewitt House at the end



Side elevation of 23 Princess Avenue



Retaining wall to car park of Flewitt House, taken from the grounds of the resource centre

Plans (not to scale)



Proposed ground floor plan



Proposed first floor plan



Proposed elevations

Report of the Chief Executive

APPLICATION NUMBER:	19/00294/FUL
LOCATION:	24 LOWER, ROAD BEESTON, NG9 2GL
PROPOSAL:	CHANGE OF USE OF 6 BED HOUSE IN MULTIPLE OCCUPATION (CLASS C4) TO A 7 BED HOUSE IN MULTIPLE OCCUPATION

The application is brought to the Committee at the request of Councillor P Lally.

1 Executive Summary

- 1.1 The application seeks planning permission to change the use of the existing 6 bed dwelling (Class C4) to a 7 bed House in Multiple Occupation (sui generis use). No external alterations are proposed.
- 1.2 The site contains a two storey semi-detached property which has a single storey flat roof extension to the rear and a dormer to the rear roof slope.
- 1.3 The main issues are the increase in intensity of the occupation of the building, and the impact on the living conditions of the occupiers.
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks planning permission to change the use of the dwelling from a 6 bedroomed Class C4 use to a 7 bedroom (sui generis use) House in Multiple Occupation. The dwelling already provides accommodation for six individual occupants. There are no external alterations or additions proposed. The seventh bedroom would be accommodated in a ground floor room identified on the existing plan as a 'snug'.
- 1.2 The internal layout would remain the same, aside from the rooms' proposed allocation.

2 Site and surroundings

- 2.1 The application property is a semi-detached dwelling with a gable roof. The property has previously been extended and has a flat roof single storey extension of 5.7m length across the rear of the dwelling, and a flat roof dormer to the rear roof slope, again to the width of the property. There is a 1m high stone wall to the front boundary, 1.8m to 2m high close boarded fencing to enclose the rear garden, and 1.2m high fencing to common boundaries to enclose the front garden. A small section of the front garden falls within Flood Zone 2.
- 2.2 Lower Road is part of the tram route and the area is typified by detached and semi-detached two storey dwellings. No. 22 Lower Road, the attached semi, has not been extended. 26 Lower Road, to the south west, is a detached property which has two storey and single storey extensions to the rear, and a two storey extension to the south west elevation. This property was formerly a study centre for students but is now understood to be a House in Multiple Occupation (sui generis use). There is an access to the rear of the properties off Albert Road, which leads to 29 and 31 Albert Road. Most properties on this side of Lower Road (6 to 26) have vehicular access to garages within the rear gardens of those properties. 24 Lower Road, the application site, is an exception.

3 Relevant Planning History

- 3.1 In 2017 a prior notification was submitted to the Planning Authority for the construction of a larger single storey rear extension of up to 6m in length. As no responses were received as a result of consultation, it was determined that prior approval was not required. The extension has subsequently been built (reference 17/00735/PNH).

4 Relevant Policies and Guidance

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

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.
- Policy A: Presumption in Favour of Sustainable Development

- Policy 2: The Spatial Strategy
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity

4.2 Saved Policies of the Broxtowe Local Plan (2004):

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.3). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy H4: Subdivision or Adaption of Existing Buildings
- Policy T11: Guidance for Parking Provision

4.3 Part 2 Local Plan (Draft)

4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector’s report awaited. The Inspector issued a ‘Post Hearing Advice Note’ on 15 March 2019. This note did not include a request that further modifications be undertaken to Policy 17. Whilst this is not the inspector’s final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight.

- Policy 17: Place-making, design and amenity

4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 **Nottinghamshire County Council as Highways Authority:** Notes that there is a residents parking scheme in force fronting the site within the purpose-built parking bays. No objections to the proposal on road safety grounds.

5.2 **Council’s Environmental Health Officer:** No objections. Recommends notes to applicant in respect of hours of construction work and no bonfires. However, as there are no building works to be undertaken, the notes would not be relevant on this occasion.

5.3 **Council’s Private Sector Housing Officer:** The property has facilities and amenities that would support the seventh bedroom. The HMO licence would need to be varied, should planning permission be granted.

5.4 Four properties either adjoining or opposite the site were consulted. No responses were received.

6 Assessment

6.1 The main issues for consideration are the increase in intensity of the occupation and the impact on the living conditions of the occupiers.

6.2 **Principle**

6.2.1 Policy 8 'Housing Size, Mix and Choice' states that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities. The policy also states that all residential developments should contain adequate internal living space. The policy then refers to the need to redress the housing mix within areas of concentration of student households and Houses in Multiple Occupation.

6.2.2 Policy 8 encourages a mix of housing tenures, types and sizes. It is considered that the emphasis of the policy is on promoting housing mix rather than preserving the existing character of the street. Lower Road is characterised by varying styles of properties including family homes and HMO's. The development would add to the housing mix and it is considered that the character of the street would not be harmed to an extent which would justify refusing planning permission. It is also noted that the property is within walking distance to Beeston town centre and located on a tram route.

6.2.3 It is acknowledged that due to the location of Lower Road, being close to The University of Nottingham's campus and the Article 4 direction relating to a restriction on permitted development rights to change the use of a C3 dwelling to a C4 House in Multiple Occupation, imposed from Nottingham City Council, family homes have been and are being developed into student houses within Beeston. There are no planning restrictions to prevent a House in Multiple Occupation (HMO) (up to and including six residents), which is the current use of the property, and although this application is for a change of use for seven residents which requires planning permission, the cumulative impact of family homes being converted is a valid concern. However, there are still a considerable amount of houses occupied by families on Lower Road and elsewhere in central Beeston. In addition, the conversion of a single room within a property that is already being rented to individual tenants is considered to be acceptable and that it would not be detrimental to the character of the surrounding area. To conclude, the proposed change of use would be acceptable, irrespective of the type of tenant, and retains a 'family home' appearance that is in keeping with the character of Lower Road.

6.3 **Amenity**

6.3.1 The conversion of the ground floor 'snug' to a seventh bedroom is considered to be acceptable as the room is of an acceptable size and has an outlook to the rear garden. The communal areas (kitchen and dining / living room) are considered large enough to accommodate an increase of one occupant.

6.4 Parking

- 6.4.1 It is noted that there is pressure for on-street parking in the immediate area, mainly due to the presence of the tram route along Lower Road, which continues on to Fletcher Road. Limited on-street parking is restricted / controlled by a residents parking permit scheme.
- 6.4.2 In relation to assessing the highway impacts of a proposal, paragraph 109 of the National Planning Policy Framework states that development should only be refused on transport grounds where the residual cumulative impacts are severe. Whilst paragraph 105 refers to the setting of local parking standards rather than the determination of planning applications, it provides a list of factors which should be taken into account, including the availability of and opportunities for public transport and the type, mix and use of the development. Policy 10 of the Aligned Core Strategy states that development should be designed to reduce the dominance of motor vehicles.
- 6.4.3 The site lies within a sustainable location which is within walking distance of Beeston town centre, walking distance of frequent bus services along Middle Street and Broadgate and it is positioned on a regular tram route. Lower Road is not a through route for cars due to the traffic plug with Fletcher Road. The Highways Authority have not raised any concern in relation to the application. Although it is accepted the residents associated with this development may have cars, it is likely that car ownership will be low and therefore it is considered the impact on highway safety would not be detrimental. Parking bays are situated on either side of Lower Road and although unallocated, when full, this would restrict the amount of parking on this road.
- 6.4.4 To conclude, it is acknowledged there might be an increase in the amount of cars associated with this property. However, as the increase would be one occupant, from the existing six to a total of seven, it is likely that car ownership will remain low. Considering the traffic plug, no private car through traffic can be increased from such a development and therefore, a pragmatic approach needs to be taken in respect of assessing the impact this development would have on highway safety within this area.

6.5 Flood Risk

- 6.5.1 A small section of the front garden falls within Flood Zone 2. As no part of the building, including that to be converted to a bedroom, would be within the flood zone, and that the properties to the north east fall outside of the flood zone, it is considered that the risk to life or property would not be significant and would not be a reason to refuse planning permission. A Flood Risk Assessment has been submitted and this concludes that the occupants would be safe within the property should a flood occur.

7 Planning Balance

- 7.1 The benefits of the proposal are the provision of additional bed space within an established rental property, close to amenities and thereby reducing reliance on

private motor vehicles, and the proposal would be in accordance with policies contained within the development plan. This is given significant weight.

8 Conclusion

8.1 The change of use from a C4 dwelling house to a house in multiple occupancy (sui generis use) is considered to be acceptable given the varied character of the area. The internal layout of the property would provide a suitable standard of accommodation for the occupiers. Whilst no off-street parking is provided, it is considered this would not be detrimental to highway safety due to the bedrooms being individually let and as such, car ownership is likely to be low. Furthermore, the site is located within a highly sustainable area with frequent public transportation links. Therefore, it is considered the proposal is acceptable for the reasons set out above.

<u>Recommendation</u>	
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. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with drawing number 332.01A received by the Local Planning Authority on 5 July 2019. <i>Reason: For the avoidance of doubt.</i>
NOTES TO APPLICANT	
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority



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Legend

-  Site
-  Flood Zone 3
-  Flood Zone 2

Photographs



Front elevation with 26 to the left



Rear elevation



Rear elevation with 22 Lower Road to the left. Room to be converted to the left side of the rear extension



Boundary to 26 Lower Road

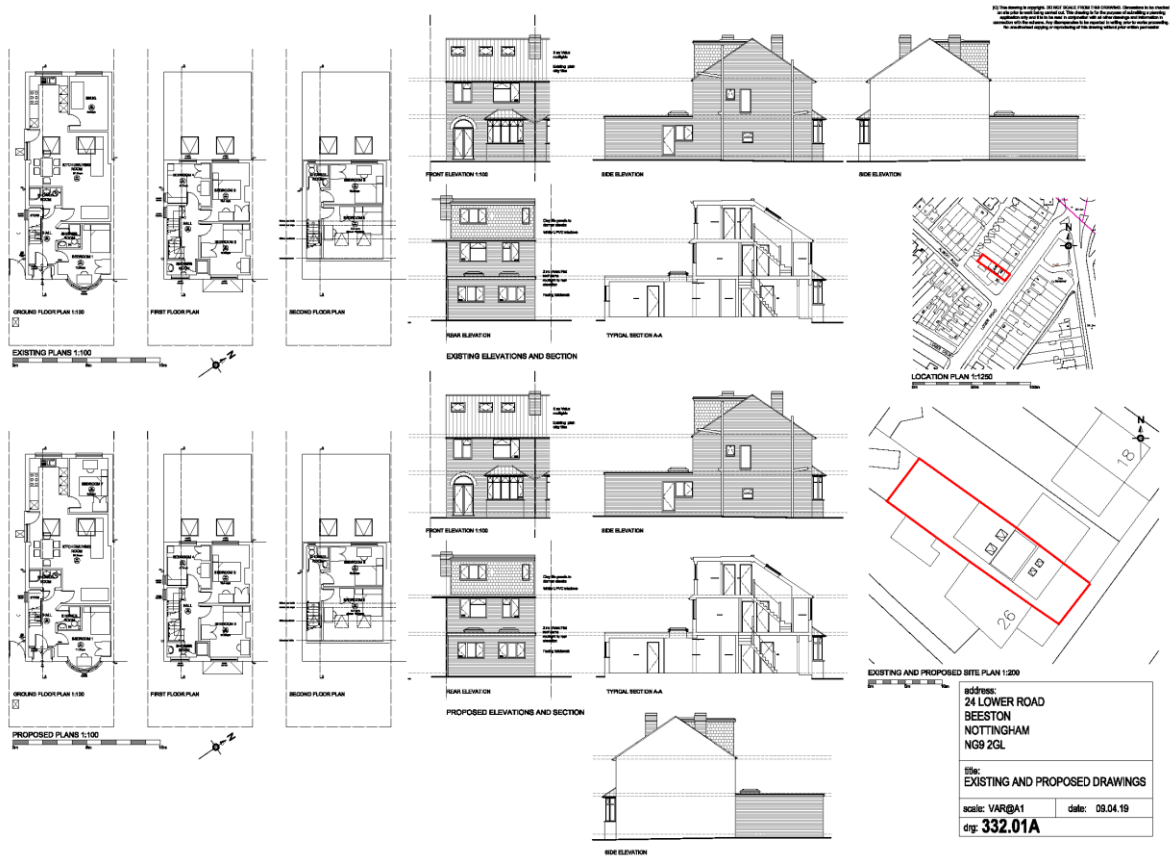


Boundary to 22 Lower Road



24 Lower Road to the centre, with 22, the attached semi, to the right

Plans (not to scale)



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Report of the Chief Executive

APPLICATION NUMBER:	19/00339/FUL
LOCATION:	74 PEVERIL ROAD BEESTON
PROPOSAL:	CONSTRUCT SINGLE STOREY REAR EXTENSION, RAISED PATIO AND STEPS TO REAR GARDEN

The application is brought to the Committee at the request of Councillor S Carr.

1 Executive Summary

- 1.1 The application seeks planning permission to construct a single storey rear extension.
- 1.2 The site contains a two storey semi-detached property which has an existing single storey flat roof extension to the rear.
- 1.3 The main issues are impact on the occupiers of neighbouring property, and design and appearance.
- 1.4 The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 The application seeks planning permission for a single storey rear extension. The proposal has been amended following concerns in regard to impact on neighbours, and design.
- 1.2 The proposed extension would seek to infill to the side of the existing extension so as to result in an extension of 4.5m length to both side elevations. The proposed flat roof would be to the same height as the existing.
- 1.3 The existing ground floor layout has a living and dining room, a kitchen and a bedroom. The first floor has two bedrooms, a study and a bathroom. The proposed layout would retain two bedrooms, each with an en-suite, to the first floor. The ground floor, once extended, would accommodate three bedrooms, a kitchen / diner and a shared bathroom. A raised patio and steps leading to the rear garden are also proposed.

2 Site and surroundings

- 2.1 The application property is a semi-detached dwelling with a gable roof. The property has previously been extended and has a flat roof single storey extension with an L shaped layout, and a length of 4.5m along the north west elevation along the common boundary to the attached semi, 76 Peveril Road, and 2m to the south east elevation. The rear garden drops steeply from the rear elevation of the original house toward the rear boundary.
- 2.2 Peveril Road is generally typified by two storey semi-detached dwellings each with front and rear gardens. There are no on-street parking restrictions in the immediate area.
- 2.3 76 Peveril Road has a small kitchen addition, set off the common boundary. 72 Peveril Road, to the south east, has a single storey kitchen extension and conservatory to the rear. The kitchen extension, which is a common feature of most of the properties on this side of the street, has a flat roof, and a plastic canopy roof projecting from its rear elevation. The conservatory, to the other side of the kitchen extension, has a glazed roof.

3 Relevant Planning History

- 3.1 There is no relevant planning history for the site.

4 Relevant Policies and Guidance4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

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

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy

- Policy 10: Design and Enhancing Local Identity

4.2 Saved Policies of the Broxtowe Local Plan (2004):

4.2.1 The Part 2 Local Plan is currently under preparation (see paragraph 4.3). Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy H9: Domestic Extensions
- Policy T11: Guidance for Parking Provision

4.3 Part 2 Local Plan (Draft)

4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has recently been examined, with the Inspector's report awaited. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policy 17. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policy 17 can now be afforded moderate weight.

- Policy 17: Place-making, design and amenity

4.4 National Planning Policy Framework (NPPF) 2019:

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.

5 Consultations

5.1 **Council's Environmental Health Officer:** no objections, note to applicant in regard to hours of construction and to no bonfires on site.

5.2 **Council's Private Sector Housing Officer:** no objections, subject to the provision of appropriate kitchen facilities and fire detection and prevention measures.

5.3 Five properties either adjoining or opposite the site were consulted. Five responses were received, one letter raising no objection and four letters objecting to the proposal on the following grounds:

- Impact on outlook
- Loss of sunlight / daylight
- Extension looks out of place
- Use of the property as a student household – leading to noise and disruption outside
- Use of the property as a student household – noise and disturbance transmitted through the internal walls due to the internal layout which shows bathrooms (ground floor) and kitchenette (first floor) adjacent to the shared internal wall

- Increase in vehicles leading to pressure for on-street parking, as property would be 5 bed house
- Increase in traffic density, adding to air pollution
- Extension would lead to sense of enclosure
- Loss of privacy due to proposed windows in the side elevation
- Proposed door opening out onto shared drive may restrict access for neighbours
- Odours from sewers (through increased occupation) and from cooking
- Change of use to a large HMO would result in an unacceptable change to the character and appearance of the area, which is one of family homes
- The proposal will have an impact on the shared foundations and party wall
- The extension would significantly reduce the amount of rear garden.

5.4 Neighbouring properties were re-consulted on amended plans. One letter of objection was received:

- The extension as amended is far more acceptable in terms of loss of light and sense of enclosure, which are no longer an issue. Is it planned to use the existing extension walls or will they rebuild?
- The kitchen as proposed is now completely internal, with no windows or external doors, and no indication of ventilation. Concerned in regard to odours, damp and smoke alarms. Object to any external vents being on the external boundary wall
- Concerns that the secondary exit is through two ground floor bedrooms, in the event of a fire
- Does the size of the room reflect the installation of any soundproofing? Assurance needed, given the kitchenette at first floor.

6 Assessment

6.1 The main issues for consideration are the impact on the amenities of neighbouring occupiers, and design and appearance.

6.2 **Principle**

6.2.1 The proposal is for a single storey extension to a dwelling house and as such the principle of an extension, at a residential property in a residential area, is acceptable, subject to the design and assessment of the impact on the amenities of the occupiers of neighbouring properties.

6.2.2 Following the extension, the property will have five bedrooms. Planning permission is not required to change the use of the property from a dwelling (Class C3) to a small House in Multiple Occupation (Class C4) as this is permitted development.

6.3 **Amenity**

6.3.1 It is considered that the proposed extension, as amended, would have no significant impact on the amenities of the occupiers of neighbouring properties in terms of loss of light, outlook or privacy, given the presence of the existing extension.

6.4 Design and Appearance

- 6.4.1 The proposed extension, as amended, would match the existing extension in terms of its materials, and would continue the flat roof design. As such, it is considered that the extension would respect the character and appearance of the existing building, and would have no significant impact on the character and appearance of the street scene.

6.5 Access

- 6.5.1 There would be no changes proposed to the one off street parking space, which is located to the hard surfaced area within the front garden. It is therefore considered that the proposed rear extension would not have an impact on visibility or access to the property to and from the public highway.

6.6 Other Matters

- 6.6.1 Concerns have been raised in regard to noise and disturbance, and soundproofing between the property and the attached semi. Amended plans have been received which show the omission of the kitchenette at first floor. As noted in paragraph 6.2.2, planning permission is not required for the change of use and would be covered by Building Regulations.
- 6.6.2 Odours from sewers and drainage would not be a material planning consideration, and would be a matter for the property owner, or Severn Trent Water to address. Any drainage installed as a result of the extension would need to comply with any relevant Building Regulations requirement.
- 6.6.3 Damage to foundations and to the party wall, location of external vents over neighbouring property and how the extension would be constructed would be a separate matter between the developer and the owner of any adjacent property. Notwithstanding this, it is understood that the existing extension will be demolished and the new extension rebuilt.
- 6.6.4 The extension as amended would retain an adequately sized rear garden area, appropriate for the use as a dwelling or small house in multiple occupation.
- 6.6.5 The ground floor bedrooms are shown to have access to the rear garden, in the event of an emergency. Notwithstanding this, the layout would need to comply with Building Regulations standards in regard to means of escape.

7 Planning Balance

- 7.1 The benefits of the proposal are the provision of additional space within an established rental property, close to amenities, and the proposal would be in accordance with the policies contained within the development plan. This is given significant weight.

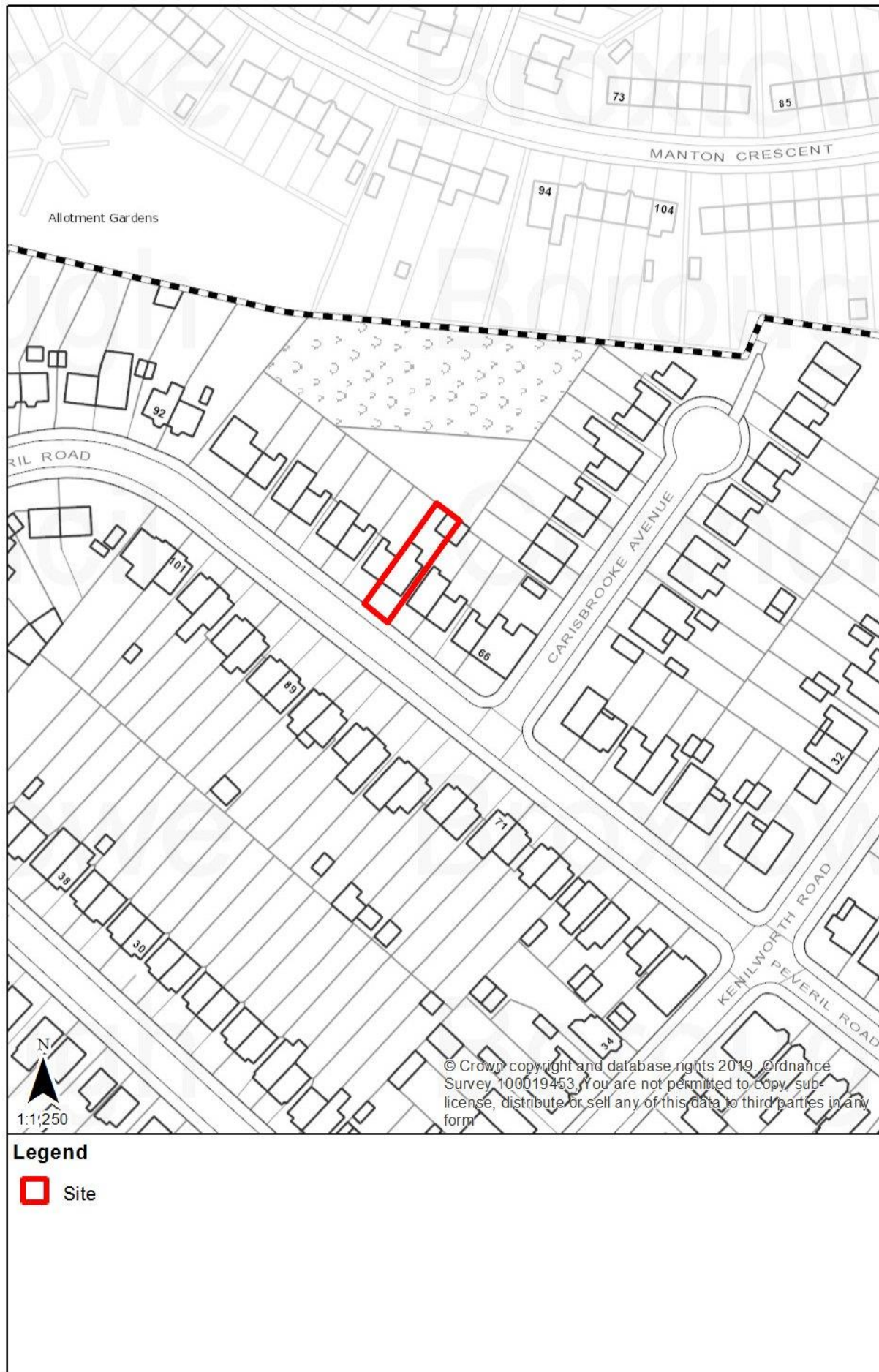
- 7.2 It is considered that there are no significant negative impacts.
- 7.3 On balance, the proposed development is acceptable as the proposal accords with the policies contained within the development plan.

8 Conclusion

- 8.1 The proposed rear extension is acceptable given its' design, scale and that there would be no significant impact on the amenities of the occupiers of neighbouring property.

<u>Recommendation</u>	
<p>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</p>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan, received by the Local Planning Authority on 31 May 2019, and drawing number GD/JR/012/01 rev E, received by the Local Planning Authority on 7 August 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The extension shall be constructed using materials of a type, texture and colour so as to match those of the existing building.</p> <p><i>Reason: 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).</i></p>
NOTES TO APPLICANT	
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority</p>

	website at: www.gov.uk/government/organisations/the-coal-authority
3.	Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should also be no bonfires on site at any time.



Photographs



Front elevation of 74 Peveril Road, to the left of centre



Existing rear extension



Rear elevation of 76, showing the existing extension to 74 to the left



Rear elevation of 74 Peveril Road



Rear elevation of 72 to the left



Rear elevation of 72 from the application site

Report of the Chief Executive

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

- 1.1 This matter was initially reported to members in January 2017. As since this was some time ago and there are a number of different members on Planning Committee, it is considered helpful to include this previous report in the appendix.
- 1.2 As reported in the appendix, it is a well established principle that officers provide a recommendation, and members exercise their impartial planning judgment in coming to a balanced and defensible decision.
- 1.3 However, this is not an 'unfettered' ability and the committee do need to be aware of the risk of this Council being designated as 'underperforming' with regard to appeal overturns. This would result in applicants being able to bypass this council and apply directly to the government (effectively the Planning Inspectorate) who would also keep the application fee.
- 1.4 At appendix 2 is a breakdown of appeal decisions based on delegated officer decisions, and, separately, committee overturns. The overall appeal figures do not in themselves amount to an immediate risk of designation, but major applications (10 or more homes or 1,000 square metres or more floorspace) is the one category where particular care needs to be taken. This is due to Councils being required to have a maximum of less than 10% of total major application decisions overturned at appeal over the preceding two years. Over a 2 year time period, Broxtowe determines on average between 40 and 50 major applications, which means that 4 overturns at appeal would likely to be (just) under the 10% figure, but 5 would take the Council over. Currently, there have been no major application appeal decisions over the previous two years.
- 1.5 On the two agendas for September committee, there are four major applications. Officers only recommend refusal if it considered that an appeal will be won, and that all options to negotiate improvements to the scheme have been exhausted. Even allowing for this, it cannot amount to any guarantee that an appeal will be won. Members should also note that there is a pending appeal for 10 apartments on Queens Road, Beeston (18/00516/FUL) and there has been a recently refused major application under delegated powers at Bramcote Nursery.

Recommendation**The Committee is asked to NOTE the report**Background papers

Nil

Planning Committee 11 January 2017

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

1.1 For a number of years the Department of Communities and Local Government (DCLG) have published minimum requirements that are expected of Local Planning Authorities (LPA) in terms of the time it takes to issue decisions on different categories of application and the 'quality' of these decisions. Failure to meet these minimum requirements may result in the Council being 'designated as underperforming' and this has serious implications in relation to potential reduction in fee income, reputational damage and a loss of control on planning matters.

1.2 These designation criteria are commonly referred to as 'special measures' and from April 2017 it is proposed that there will be four categories of assessment for special measures which are:

- The speed of determining applications for major development
- The quality of decisions made by the authority on applications for major development
- The speed of determining applications for non-major development
- The quality of decisions made by the authority on applications for non-major development

2. Details

2.1 The minimum requirements expected on LPAs are proposed to be significantly tightened as detailed below.

- The speed of determining applications for major development (60% or more in time)
- The quality of decisions made by the authority on applications for major development (less than 10% of decisions for this category overturned at appeal)
- The speed of determining applications for non-major development (70% or more in time)
- The quality of decisions made by the authority on applications for non-major development (less than 10% of decisions in this category overturned at appeal)

2.2 Of these criteria the ones that are 'quality' of decisions are the ones that are changing significantly, both in relation to introducing separate categories for major and minor developments and in terms of the minimum standards required. The current requirements are included in appendix 1. The only

category that Broxtowe is at significant risk of triggering is in relation to the quality of decisions on major applications. For all other categories, both current and proposed, the Council is comfortably within the minimum standards required and the details are included in appendix 2. For this reason the remainder of this report relates to the quality of decisions on major applications.

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

3. Control

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

4. Reputation

- 4.1 There is currently no Council that has been put into special measures on the grounds of quality of decisions. If this were to happen to Broxtowe, the development industry would pursue an argument at our upcoming Local Plan examination that the reason Broxtowe has such low housebuilding rates is that it refuses too many applications. The solution (they will say) will be to

allocate more land in the Green Belt and a Local Plan Inspector is more likely to agree with them if the Council is in special measures at the time.

5. Financial implications

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

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

6. Conclusion

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

Recommendation

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

Background papers

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

Appeal Decisions Since May 2018

Decision Type	Allowed	Dismissed	Split Decision	Total
Refusals by Officers under delegated powers	0	11	1	12
Refusals by Committee contrary to officer recommendation	8	3	0	11
Total Appeal Decisions	8	14	1	23

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Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	18/00744/FUL
LOCATION:	25 BURROWS AVENUE, BEESTON, NOTTINGHAM, NG9 2QW
PROPOSAL:	CONSTRUCT DETACHED BUNGALOW, CYCLE STORE AND REFUSE STORAGE

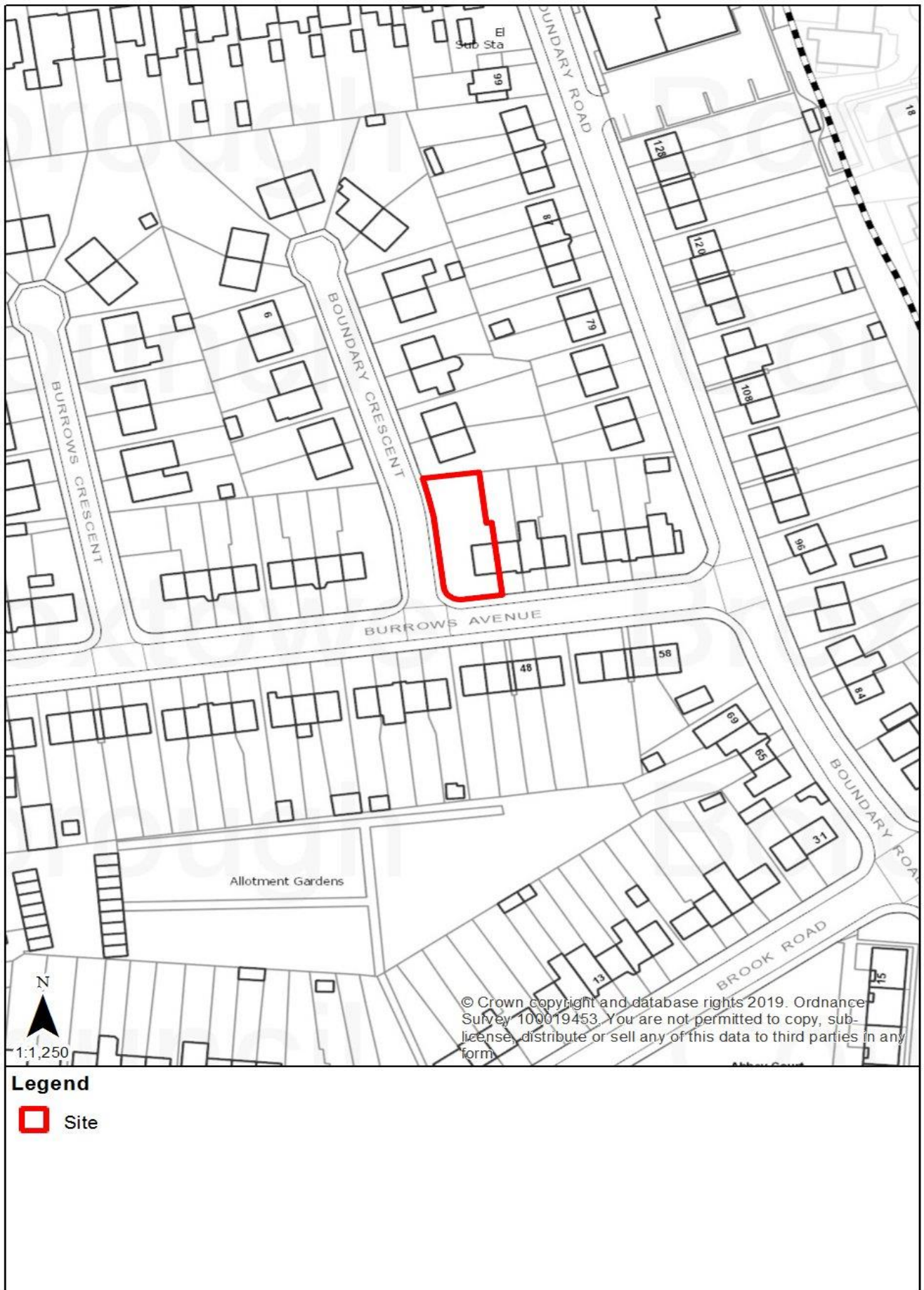
APPEAL DISMISSED

The application was to construct a one bed bungalow to the rear of 25 Burrows Avenue and was refused on 20 December 2018 for the following reason:

The proposed dwelling would be detrimental to the amenities of the occupiers of 25 Burrows Avenue in terms of privacy and outlook, and upon the amenities of the future occupiers of the dwelling in terms of privacy. In addition, the proposed size of the garden to the new dwelling would be out of character with the immediate area. Accordingly the proposal is contrary to the aims of Policy H7 of the Broxtowe Local Plan 2004, Policy 10 of the Broxtowe Aligned Core Strategy 2014 and Policy 17 of the Draft Part 2 Local Plan 2018.

The Inspector considered the main issues to be the effect of the proposal on the character and appearance of the area, and the effect of the proposal on the living conditions of the occupiers of no 25 Burrows Avenue, with particular regard to privacy and outlook, and on the living conditions of the future occupiers of the bungalow, with particular regard to privacy. The Inspector concluded that the proposal would adversely affect the established pattern of development. With regard to amenity, the proposal would adversely affect the living conditions of the occupiers of both 25 Burrows Avenue and the future occupiers of the bungalow, by virtue of the close proximity of the two properties.

The Inspector concluded that the proposal would result in conflict with the development plan which was not outweighed by other material considerations and therefore the appeal was dismissed.



APPLICATION NUMBER:	17/00867/FUL
LOCATION:	LAND NORTH WEST OF HALL GARDENS, MOSS DRIVE, BRAMCOTE, NOTTINGHAMSHIRE
PROPOSAL:	CONSTRUCT FIVE APARTMENTS OVER A SEMI-BASEMENT PARKING LEVEL

APPEAL DISMISSED

The proposal was to construct a building comprising five apartments accessed from The Lawns/ Moss Drive. The remaining surrounding land would be landscaped or retained as woodland. This application was refused planning permission on 10 August 2018 for the following reasons:

- 1. The site lies within the Green Belt, within which there is a strong presumption against inappropriate development except in very special circumstances. It is considered that the proposed development constitutes inappropriate development and very special circumstances have not been demonstrated to outweigh the harm to the Green Belt by reason of inappropriateness and any other harm identified. Other harm includes harm to the Bramcote Conservation Area, to the Prominent Area of Special Protection (proposed to be designated as Local Green Space within the Part 2 Local Plan) and to the Mature Landscape Area. The proposed development would be contrary to Policy E8 of the Broxtowe Local Plan (2004), Policy 8 of the emerging Part 2 Local Plan and Part 13 of the National Planning Policy Framework (July 2018).*
- 2. The proposed development would introduce built development into the undeveloped woodland area. The woodland forms a key characteristic of the Bramcote Conservation Area and the character would be eroded by the development. Accordingly, the development would result in less than substantial harm to the character and appearance of the Bramcote Conservation Area and it is considered that there are not sufficient public benefits to outweigh the harm. The proposed development would be contrary to Policy 11 of the Aligned Core Strategy (2014), Policy 23 of the emerging Part 2 Local Plan and Part 16 of the National Planning Policy Framework (July 2018).*
- 3. The proposed development includes the removal of trees and part of the site is within the Bluebell Wood Local Wildlife Site. Notwithstanding the updated Preliminary Ecological Appraisal, there is insufficient information included within the application to assess whether the trees to be removed have bat roost potential and whether mitigation or compensation measures would be required. Bats and their breeding sites are protected by law and any harm to bats would be unacceptable. Due to the insufficient information submitted, the proposed development would be contrary to Policy 17 of the Broxtowe Aligned Core Strategy, Policy 31 of the emerging Part 2 Local Plan and Section 15 of the National Planning Policy Framework (July 2018).*

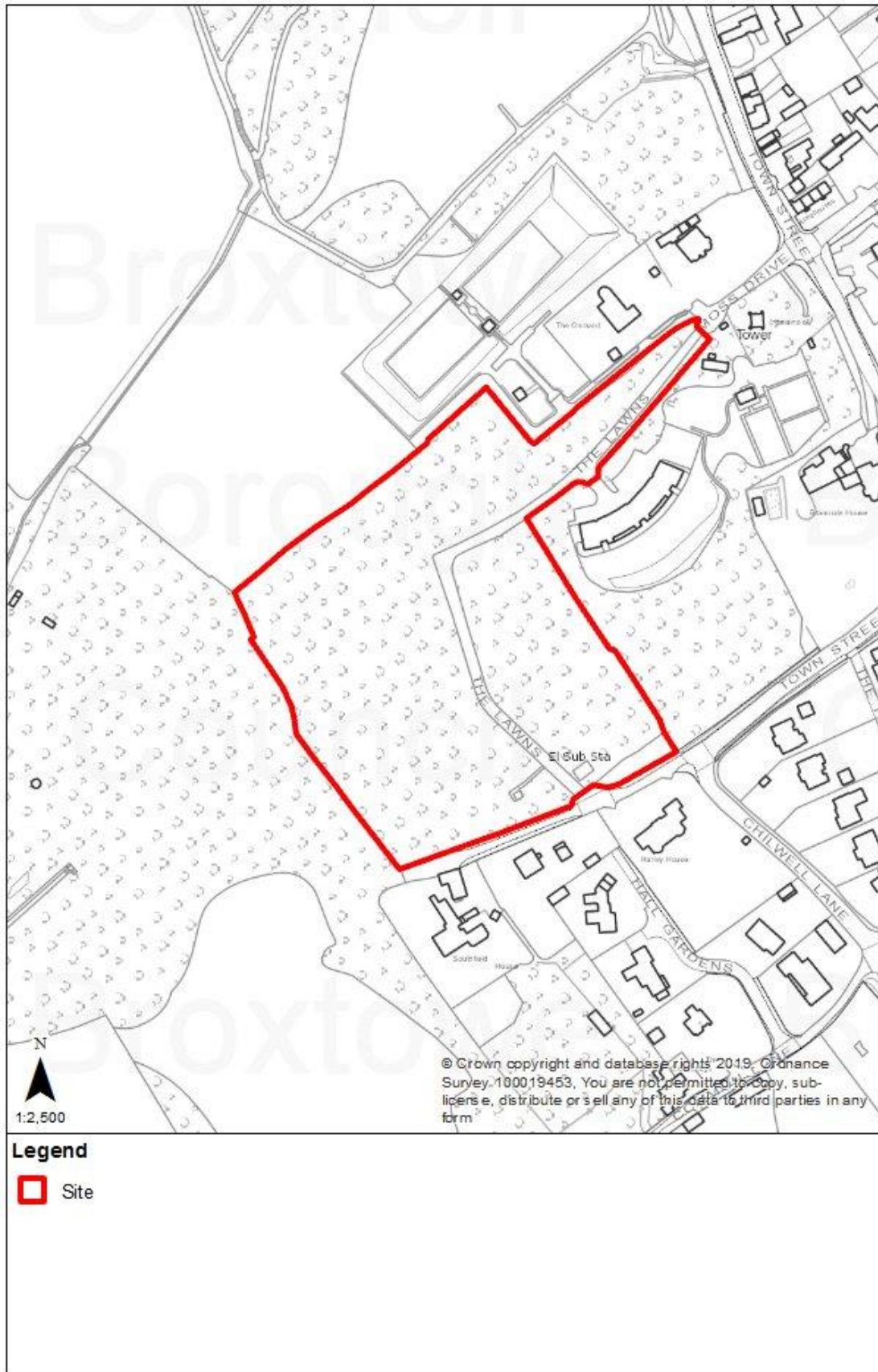
The Inspector noted that paragraph 133 of the NPPF sets out the essential characteristics of Green Belts, which are their openness and permanence. He noted that the Courts have confirmed that openness is epitomised by the lack of buildings or development and thus both the spatial and visual implications of developments are relevant to a consideration of their openness effects.

The Inspector found that there would be no material harm to biodiversity, heritage assets or landscape. However, he noted that a lack of harm does not equate to these matters being a benefit, and so he concluded that these matters only had a neutral effect on the overall planning balance.

The Inspector concluded that, on balance, the substantial weight to be given to Green Belt harm was not clearly outweighed by other considerations (such as: the public benefit from improved management of the woodland; the provision of permissive footpaths through the site; the small contribution towards meeting the Council's housing requirements; and a minor economic benefit generated through the development of the site, and expenditure in local services by any future occupants), and he therefore concluded that the very special circumstances needed to justify the proposed development did not exist.

Consequently, the Inspector found that the proposed development would conflict with the NPPF insofar as, amongst other things, it seeks to ensure that Green Belts keep land permanently open, and this provides a clear reason for refusing the development proposed in line with paragraph 11(d) (i) of the NPPF.

He therefore dismissed the appeal for the above reasons.



APPLICATION NUMBER:	19/00088/FUL
LOCATION:	37 HUMBER ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 2EJ
PROPOSAL:	CONSTRUCT TWO STOREY SIDE AND SINGLE STOREY FRONT AND REAR EXTENSIONS AND HIP TO GABLE EXTENSION (REVISED SCHEME)

APPEAL DISMISSED

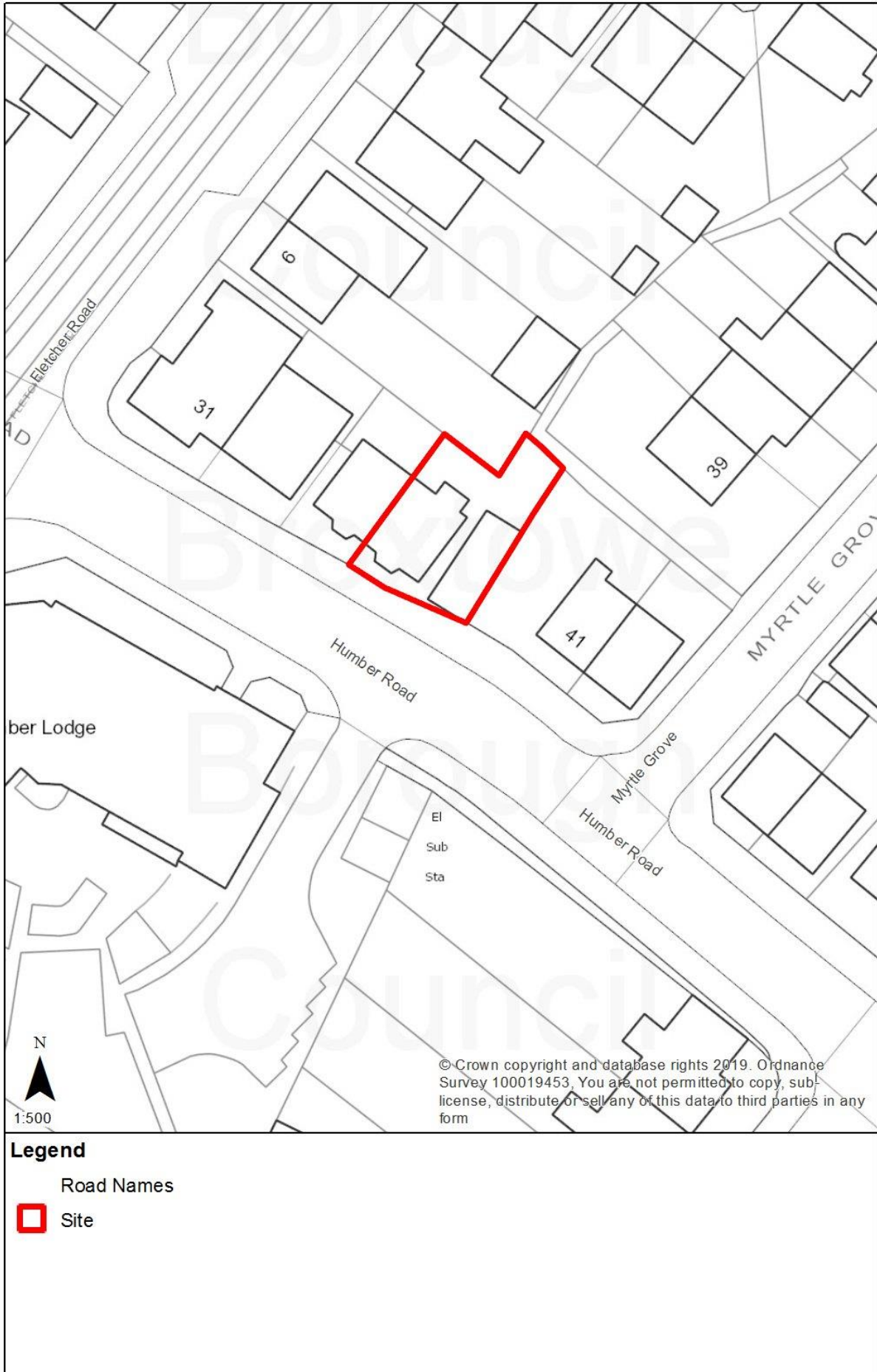
The application was refused under delegated powers because the proposed extensions were considered to be out of character with the style and proportion of the original dwelling due to their bulk and the width of the two storey side extension. They would dominate the existing building, be over-prominent and out of character with the appearance of the street scene.

The Inspector considered the main issue to be the impact of the proposal on the character and appearance of application property and the street scene.

The Inspector stated the application property would be dominated by the massing of the extensions due to the excessive width of the side extension and the forward projection. In addition, the scale of the extension would cause an unbalance between the pair of semi-detached properties.

Whilst the development was acceptable in terms of highway safety, no neighbours objected and there would be some visual benefits from removing the existing garage, the Inspector stated the benefits of these did not outweigh the harm identified.

Overall, the Inspector stated a combination of the design, large size, scale, and prominent position would result in significant harm to the character and appearance of the application property and the street scene.



APPLICATION NUMBER:	18/00662/FUL
LOCATION:	84 BOUNDARY ROAD, BEESTON, NOTTINGHAMSHIRE, NG9 2QZ
PROPOSAL:	RETAIN TWO STOREY REAR /SIDE AND SINGLE STOREY REAR EXTENSIONS, INCLUDING REAR DORMER (REVISED SCHEME)

APPEAL DISMISSED

The application was refused permission by the Planning Committee (contrary to officer's recommendation) because the side extension was considered to be out of keeping with the materials of the existing house and to have an adverse impact on the character and appearance of the area by virtue of the irregular roof design, the use of a white plastic strip and non-matching bricks and the lack of a set down in ridge height. The dormer was also considered to be of poor design which dominated the roof and was to the detriment of the appearance of the property.

The Inspector considered the main issue to be the effect of the development on the character and appearance of the property and the area.

The Inspector considered the matching roof height of the side extension and the first floor set back created a different roof pitch, which was not in keeping with the character and appearance of the property or wider street scene. Furthermore, the extension lacked subservience to the original dwelling owing to this matching ridge height. The Inspector considered that the use of a white uPVC board between the different roof pitches and the different bricks used on the side extension increased the incongruity and prominence of the extension. The Inspector was unconvinced that brick tinting would achieve the desired result and would not outweigh the harm caused by differing roof pitches or a lack of a set down in ridge height.

The Inspector considered the size, form and scale of the dormer dominates the original roof and is an uncharacteristic feature which detracts from the appearance and character of the property and the street scene, as it is visible from Brook Road. It was concluded that the side extension and rear dormer cause significant harm to the character and appearance of the property and surrounding area.



Legend

 Site

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BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

PLANNING APPLICATIONS DEALT WITH FROM
01 June 2019 TO 09 August 2019

CONTENTS

Planning applications dealt with under Delegated Powers

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

BROXTOWE BOROUGH COUNCIL
DEVELOPMENT CONTROL – NEIGHBOURHOODS & PROSPERITY

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

ATTENBOROUGH & CHILWELL EAST WARD

Applicant : Mr Ralph Groombridge 19/00025/OUT
Site Address : 40 Long Lane Attenborough Nottinghamshire NG9 6BG
Proposal : **Outline application (with all matters reserved) to construct a detached dwelling**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Richard Bishop 19/00216/FUL
Site Address : 194 Long Lane Attenborough Nottinghamshire NG9 6DB
Proposal : **Construct single storey rear extension and garage extension**
Decision : **Conditional Permission**

Applicant : Mrs Sally Mann 19/00248/FUL
Site Address : 70 Crofton Road Attenborough Nottinghamshire NG9 5HW
Proposal : **Change of use of part of garage to a dog grooming salon**
Decision : **Conditional Permission**

Applicant : Mr D Barrett 19/00264/FUL
Site Address : 17 Abingdon Gardens Chilwell Nottinghamshire NG9 5BJ
Proposal : **Construct single storey rear and first floor side extensions, pitched roof over existing garage and porch and render part of the front elevation**
Decision : **Conditional Permission**

Applicant : Mrs Holman 19/00280/FUL
Site Address : 57 Mottram Road Chilwell Nottinghamshire NG9 4FW
Proposal : **Construct single/ two storey side extension, single storey rear extension, installation of solar panels on roof and timber effect cladding**
Decision : **Conditional Permission**

Applicant : Barbara McDonagh 19/00306/FUL
Site Address : 219 Attenborough Lane Attenborough Nottinghamshire NG9 6AL
Proposal : **Retain two storey side extension**
Decision : **Conditional Permission**

Applicant : Mr Louis Wilkinson 19/00307/FUL
Site Address : 48 School Lane Chilwell Nottinghamshire NG9 5EH
Proposal : **Construct two storey side and single storey rear extensions, including rear dormer with Juliet balcony**
Decision : **Refusal**

Applicant : Mr Alec Marshall 19/00319/FUL
Site Address : 23 Woodland Grove Chilwell Nottinghamshire NG9 5BP
Proposal : **Construct first floor side extension and single storey front extension**
Decision : **Conditional Permission**

Applicant : NK Motors 19/00321/FUL
Site Address : N K Motors 71 Nottingham Road Attenborough Nottinghamshire NG9 6DR
Proposal : **Change use from car body repair and paint workshop to car showroom**
Decision : **Conditional Permission**

Applicant : Mr K Pearce 19/00325/PNH
Site Address : 41 Riverdale Road Attenborough Nottinghamshire NG9 5HU
Proposal : **Construct single storey rear extension , extending beyond the rear wall of the original dwelling by 4 metres, with a maximum height of 3.7 metres, and an eaves height of 2.3 metres**
Decision : **Prior Approval Not Required**

Applicant : Mrs E DOE 19/00341/FUL
Site Address : 43 Hall Drive Chilwell Nottingham NG9 5BX
Proposal : **Construct single storey rear extension, raised decking area and boundary fencing over 2m (retain)**
Decision : **Conditional Permission**

Applicant : Prestige Properties & Developments 19/00368/REM
Site Address : Land Between 33 And 43 Gwenbrook Avenue Chilwell Nottinghamshire
Proposal : **Construct two detached dwellings (reserved matters relating to planning permission reference 16/00148/OUT)**
Decision : **Conditional Permission**

Applicant : Mrs C Smith 19/00401/FUL
Site Address : 11 Gwenbrook Road Chilwell Nottinghamshire NG9 4AZ
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mrs Kate Wilson 19/00411/FUL
Site Address : 11 Gwenbrook Avenue Chilwell NG9 4BA
Proposal : **Construct single storey rear extension**
Decision : **Conditional Permission**

AWSWORTH, COSSALL & TROWELL WARD

Applicant : Mr Tomson 19/00093/FUL
Site Address : Bennerley Viaduct Newtons Lane Cossall Nottinghamshire
Proposal : **Change of use from railway viaduct to public footpath, installation of timber deck, steps, walk way, access ramp and path, including connections to existing public rights of way**
Decision : **Conditional Permission**

Applicant : Mr Tomson 19/00094/LBC
Site Address : Bennerley Viaduct Newtons Lane Cossall Nottinghamshire
Proposal : **Listed Building Consent for installation of timber deck, steps, walk way, access ramp and path, including connections to existing public rights of way**
Decision : **Conditional Permission**

Applicant : Mr And Mrs Oldham 19/00202/CLUP
Site Address : 23 Church Lane Cossall Nottinghamshire NG16 2RW
Proposal : **Certificate of proposed development to construct rear extension**
Decision : **Approval - CLU**

Applicant : Mr J Dartnell 19/00230/FUL
Site Address : 9 Buttermead Close Trowell Nottinghamshire NG9 3QT
Proposal : **Construct single storey side/rear extension**
Decision : **Conditional Permission**

Applicant : Mr Paul Hogg 19/00246/FUL
Site Address : 43 Church Lane Cossall Nottinghamshire NG16 2RW
Proposal : **Construct two storey rear and single storey side extensions and erect iron railings and gate**
Decision : **Conditional Permission**

Applicant : Mr D Bigland 19/00266/PNH
Site Address : 72 Awsworth Lane Cossall Nottinghamshire NG16 2RZ
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 6.3 metres, with a maximum height of 3.9 metres, and an eaves height of 2.6 metres**
Decision : **Prior Approval Not Required**

Applicant : Mr & Mrs Warrener 19/00286/FUL
Site Address : 101 Barlow Drive South Awsworth Nottinghamshire NG16 2RR
Proposal : **Construct rear conservatory**
Decision : **Conditional Permission**

Applicant : Mr Mick Oakley 19/00316/FUL
Site Address : 20 Ilkeston Road Trowell Nottinghamshire NG9 3PX
Proposal : **Construct two storey side extension and loft conversion including rear dormer**
Decision : **Conditional Permission**

Applicant : Miss Sarah Wood 19/00400/FUL
Site Address : 37 Park Hill Awsworth Nottinghamshire NG16 2RD
Proposal : **Construct single storey rear extension**
Decision : **File Closed**

BEESTON CENTRAL WARD

Applicant : Mr Adrian Swan Swan Homes Ltd 18/00556/FUL
Site Address : Land South East Of Neville Sadler Court Beeston Nottinghamshire
Proposal : **Construct 12 dwellings**
Decision : **Conditional Permission**

Applicant : Mr A England 19/00102/FUL
Site Address : 31 Pelham Crescent Beeston Nottinghamshire NG9 2ER
Proposal : **Retain rear extension and construct decking**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Baker 19/00186/FUL
Site Address : 10 Thyra Grove Beeston Nottinghamshire NG9 2BL
Proposal : **Install clear glass window to side elevation at second floor level.**
Decision : **Conditional Permission**

Applicant : Mr Rocco Labbate 19/00224/FUL
Site Address : Queens Hotel 189 Queens Road Beeston NG9 2FE
Proposal : **Change of use from public house (Class A4) to a house in multiple occupation comprising 2 flats (total 14 bedrooms), rear dormer and external alterations, including alterations to outbuilding to create car port (revised scheme)**
Decision : **Conditional Permission**

Applicant : Mrs Li Guo 19/00238/FUL
Site Address : 16 Herald Close Beeston Nottinghamshire NG9 2DW
Proposal : **Construct single storey side extension**
Decision : **Conditional Permission**

Applicant : Mrs Marilyn Beaumont 19/00261/FUL
Site Address : 73 City Road Beeston Nottinghamshire NG9 2LQ
Proposal : **Construct first floor rear extension**
Decision : **Withdrawn**

Applicant : Mr Martin Tsang 19/00289/CLUP
Site Address : 42 Beacon Road Beeston Nottinghamshire NG9 2EY
Proposal : **Certificate of lawful development to construct a 3m rear extension**
Decision : **Withdrawn**

Applicant	:	Mr & Mrs Chivers	19/00290/FUL
Site Address	:	The Manor House Middle Street Beeston Nottinghamshire NG9 1FX	
Proposal	:	Install replacement entrance gates	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Chivers	19/00291/LBC
Site Address	:	The Manor House Middle Street Beeston Nottinghamshire NG9 1FX	
Proposal	:	Listed Building Consent to repair/replace all doors and windows, external works to rear elevation and install replacement entrance gates	
Decision	:	Conditional Permission	
Applicant	:	Mr Wen	19/00300/FUL
Site Address	:	65 Pelham Crescent Beeston Nottingham NG9 2ER	
Proposal	:	Construct single / two storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr J Huang	19/00361/FUL
Site Address	:	58 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Construct two storey side and single storey rear extensions and change of use from dwelling (Class C3) to a 7 bedroom house in multiple occupancy	
Decision	:	Withdrawn	
Applicant	:	Mr S Baldwin Top365	19/00377/MMA
Site Address	:	54 Middle Street Beeston Nottinghamshire NG9 2AR	
Proposal	:	Minor Material Amendment to planning permission reference 16/00497/FUL to include alterations to the orientation of the roof, dimensions, window positioning, removal of side linking building and addition of steps	
Decision	:	Conditional Permission	
Applicant	:	Mr J Gleeson	19/00419/FUL
Site Address	:	72 Salisbury Street Beeston Nottinghamshire NG9 2EQ	
Proposal	:	Construct single storey rear extension,hip to gable roof extension, rear dormer and change of use from dwelling (class C3) to a 7 bedroom house in multiple occupation	
Decision	:	Withdrawn	
Applicant	:	Mr Martin Tsang	19/00424/PNH
Site Address	:	42 Beacon Road Beeston Nottinghamshire NG9 2EY	
Proposal	:	Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.489 metres, with a maximum height of 2.998 metres, and an eaves height of 2.917 metres	
Decision	:	Refusal	
BEESTON NORTH WARD			
Applicant	:	Mr Xuemin Xu	19/00141/FUL
Site Address	:	1 The Cloisters Beeston Nottinghamshire NG9 2FR	
Proposal	:	Change of use from dwelling to house of multiple occupation and construct single / two storey side extension	
Decision	:	Withdrawn	
Applicant	:	Mr Raymond Wiseman	19/00235/FUL
Site Address	:	6 Magnolia Court Beeston Nottinghamshire NG9 3LG	
Proposal	:	Convert garage to annexe and construct link extension between annexe and dwelling	
Decision	:	Conditional Permission	
Applicant	:	Mr Patric Cassidy Cassidy Group Nottingham Limited	19/00326/LBC
Site Address	:	Dagfa House 57 Broadgate Beeston Nottinghamshire NG9 2FU	
Proposal	:	Listed Building Consent for works to convert Dagfa House to form student accommodation, including internal alterations and insertion of windows, doors and roof lights (revised scheme)	
Decision	:	Conditional Permission	

Applicant : Mr S S Gill 19/00337/FUL
Site Address : 40A Derby Road Beeston Nottinghamshire NG9 2TG
Proposal : **Construct front and side extensions and increase height of existing extension including roof alterations**
Decision : **Conditional Permission**

Applicant : Mr A Wilkins Wilkins 19/00373/FUL
Site Address : 46 Marlborough Road Beeston Nottinghamshire NG9 2HG
Proposal : **Construct ground floor extension and construct ancillary accommodation to the rear and conversion to C4 HMO**
Decision : **File Closed**

BEESTON RYLANDS WARD

Applicant : Mr Luke Taylor 18/00647/FUL
Site Address : Land To The Rear Of 10 Ireland Avenue Beeston Nottinghamshire NG9 1JD
Proposal : **Construct two semi-detached dwellings with associated parking**
Decision : **Conditional Permission**

Applicant : Mr L Payne Trent Vale Community Sports Association 19/00125/ADV
Site Address : Sports Ground And Pavilion Trent Vale Road Beeston Nottinghamshire
Proposal : **Retain sign**
Decision : **Conditional Permission**

Applicant : Mr Singh 19/00190/FUL
Site Address : 2 Alford Close Beeston Nottinghamshire NG9 1QP
Proposal : **Construct single storey side / rear extension**
Decision : **Conditional Permission**

Applicant : Ms Emma Elderkin 19/00226/FUL
Site Address : 89 Beech Avenue Beeston Nottinghamshire NG9 1QD
Proposal : **Construct two storey side and single storey rear extensions, hip to gable roof extension and relocate shed**
Decision : **Conditional Permission**

Applicant : Beeston Business Park LLP 19/00232/FUL
Site Address : 1C Block Siemens Communications Technology Drive Beeston Nottinghamshire
Proposal : **Construct car park ancillary to Waterfront House**
Decision : **Conditional Permission**

BEESTON WEST WARD

Applicant : Mr S Parkin Complete Cable Services Ltd 18/00422/FUL
Site Address : 3 And 7 - 11 Villa Street Beeston Nottinghamshire NG9 2NY
Proposal : **Construct 15 flats and 2 maisonettes following demolition of existing buildings**
Decision : **Conditional Permission**

Applicant : Mr Kapil Lathia Asiana Developments 19/00194/FUL
Site Address : Royal Oak Inn 22 Villa Street Beeston NG9 2NY
Proposal : **Construct four storey building comprising a commercial use including retail (Class A1), financial and professional services (Class A2), offices (Class B1), non-residential institutions (Class D1), and/or gymnasium (Class D2) on the ground floor and 10 apartments on the upper floors following demolition of existing building**
Decision : **Conditional Permission**

Applicant : Mr & Mrs C Sharples 19/00222/FUL
Site Address : 76 Park Road Chilwell Nottinghamshire NG9 4DE
Proposal : **Construct single storey rear extension with raised patio and first floor side extension**
Decision : **Conditional Permission**

Applicant	:	Mr & Mrs Cunningham	19/00236/FUL
Site Address	:	5 Bramcote Road Beeston Nottinghamshire NG9 1AG	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	J D Wetherspoon PLC	19/00244/FUL
Site Address	:	The Last Post Foster Avenue Beeston Nottinghamshire NG9 1AE	
Proposal	:	Construct extension to beer garden including pergola and refuse and fridge/freezer stores. External alterations to boundary wall.	
Decision	:	Conditional Permission	
Applicant	:	Mr R Ecob	19/00265/CLUP
Site Address	:	70 Bramcote Road Beeston Nottinghamshire NG9 1DT	
Proposal	:	Certificate of proposed development to construct single storey rear extension and loft conversion	
Decision	:	Approval - CLU	
Applicant	:	Naomi Atamaniuk	19/00274/FUL
Site Address	:	17 Chestnut Avenue Beeston Nottingham NG9 1EL	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Craig Roberts Broxtowe Borough Council	19/00282/REG3
Site Address	:	2A, 3A & 4A The Square Beeston Nottinghamshire NG9 2JG	
Proposal	:	Change of use from offices (Class A2) to mixed use offices (Class A2 / B1) (re-submission)	
Decision	:	Conditional Permission	
Applicant	:	Frances Stride	19/00284/CLUP
Site Address	:	12 Fellows Road Beeston Nottinghamshire NG9 1AQ	
Proposal	:	Certificate of lawful development to construct 3m single storey rear extension	
Decision	:	Approval - CLU	
Applicant	:	Mr A Keen	19/00298/FUL
Site Address	:	23 Georgina Road Beeston Nottinghamshire NG9 1GQ	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Nationwide building society Nationwide building society	19/00308/FUL
Site Address	:	1 High Road Beeston Nottingham NG9 2JL	
Proposal	:	Shop front alterations with new paintwork	
Decision	:	Conditional Permission	
Applicant	:	Nationwide building society Nationwide building society	19/00309/ADV
Site Address	:	1 High Road Beeston Nottingham NG9 2JL	
Proposal	:	Display 2 illuminated fascia signs, illuminated projecting sign and illuminated ATM collar	
Decision	:	Conditional Permission	
Applicant	:	Ms K Simpson	19/00311/FUL
Site Address	:	14 Winchester Avenue Beeston Nottingham NG9 1AU	
Proposal	:	Construct two storey front and side extensions and single storey side and rear extensions and render (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr Mark Allen Central England Co-operative Limited	19/00364/ADV
Site Address	:	Land South Of Car Park Wilmot Lane Beeston Nottinghamshire	
Proposal	:	Display 2 externally illuminated fascia signs	
Decision	:	Conditional Permission	

Applicant : Mr Matthew Duffin 19/00390/FUL
Site Address : 21 Park Road Chilwell Nottinghamshire NG9 4DA
Proposal : **Construct garden room**
Decision : **Conditional Permission**

BRAMCOTE WARD

Applicant : Mr Andrew Robertson Greensplash Design Solutions Limited 19/00026/OUT
Site Address : Bramcote Nursery Chapel Street Bramcote NG9 3HB
Proposal : **Outline application to construct 10 apartments with landscaping a reserved matter, following demolition of existing building**
Decision : **Refusal**

Applicant : Mr & Mrs Jones 19/00193/FUL
Site Address : 33 Stanley Drive Bramcote Nottingham NG9 3JY
Proposal : **Alterations and extension to roof including raising ridge height and side dormers**
Decision : **Withdrawn**

Applicant : Mr R Hutchinson NG9 Developments 19/00211/FUL
Site Address : 4 The Home Croft Bramcote Nottinghamshire NG9 3DQ
Proposal : **Construct dormers, rear extension and roof alterations including raising ridge height**
Decision : **Conditional Permission**

Applicant : Mrs Jennifer Woodward 19/00215/FUL
Site Address : 140 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3JW
Proposal : **Retain aviary**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Jackson 19/00259/FUL
Site Address : 48 Burnside Drive Bramcote Nottinghamshire NG9 3EE
Proposal : **Construct single storey rear/side extension**
Decision : **Conditional Permission**

Applicant : Mr Ashley Brown Dylan Rose Developments Ltd 19/00293/FUL
Site Address : 179 Derby Road Beeston Nottinghamshire NG9 3AE
Proposal : **Construct single storey porch and rear extension including rendering existing walls**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Fretwell 19/00320/FUL
Site Address : 28 Beeston Fields Drive Beeston Nottinghamshire NG9 3DB
Proposal : **Construct single storey rear extension and raise ridge height to create first floor, render existing walls and install new windows. Erection of 1.8m fence and gates to front boundary.**
Decision : **Conditional Permission**

Applicant : Mr O Tumber 19/00329/FUL
Site Address : 1 Totland Road Bramcote Nottinghamshire NG9 3ER
Proposal : **Construct single storey side extension and front porch. Render existing dwelling and add timber cladding (revised scheme).**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Turnough 19/00409/FUL
Site Address : 151 Hillside Road Bramcote Nottingham NG9 3BJ
Proposal : **Construct roof canopy to frontage and part render front elevation**
Decision : **Conditional Permission**

Applicant : Mrs J Long 19/00417/PNH
Site Address : 11 Chesham Drive Bramcote Nottinghamshire NG9 3FB
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 3.4 metres, with a maximum height of 3.3 metres, and an eaves height of 2.4 metres**
Decision : **Prior Approval Granted**

BRINSLEY WARD

Applicant : Mr & Mrs Perren 19/00281/FUL
Site Address : 62 Broad Lane Brinsley Nottinghamshire NG16 5BD
Proposal : **Construct single storey rear and side extension**
Decision : **Conditional Permission**

Applicant : Mr Sowerby 19/00283/FUL
Site Address : 32 St Johns Close Brinsley Nottinghamshire NG16 5BH
Proposal : **Construct two storey / single storey side extensions and replacement roof to rear (flat to pitch)**
Decision : **Conditional Permission**

Applicant : Mr Neil Cargill 19/00288/FUL
Site Address : Manor Farm Hall Lane Brinsley Nottinghamshire NG16 5AG
Proposal : **Construct 2 dwellings, including private access driveway**
Decision : **Conditional Permission**

Applicant : Mr M YOUNG 19/00296/FUL
Site Address : 3 Ash Grove Brinsley Nottinghamshire NG16 5DH
Proposal : **Construct front porch and canopy**
Decision : **Conditional Permission**

Applicant : Mr Ian Limb 19/00312/FUL
Site Address : 26 Cordy Lane Brinsley Nottinghamshire NG16 5BY
Proposal : **Construct rear extension**
Decision : **Conditional Permission**

Applicant : Mrs V Kitchen 19/00299/PNH
Site Address : 19 Church Walk Brinsley Nottinghamshire NG16 5AR
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.8 metres, with a maximum height of 3.5 metres, and an eaves height of 3 metres**
Decision : **Prior Approval Not Required**

Applicant : Mr Gerald Ruddy 19/00327/FUL
Site Address : Willowbrook Farm 2 Mansfield Road Brinsley Nottinghamshire NG16 5AE
Proposal : **Construct hay barn**
Decision : **Conditional Permission**

Applicant : Friends Of Brinsley Headstocks 19/00358/FUL
Site Address : Brinsley Picnic Site Mansfield Road Brinsley Nottinghamshire
Proposal : **Site shipping container**
Decision : **Conditional Permission**

CHILWELL WEST WARD

Applicant : Mr P Brumpton 19/00207/FUL
Site Address : 22 Medway Close Chilwell Nottinghamshire NG9 5FS
Proposal : **Convert the garage and outbuilding to living space including raising the roof height**
Decision : **Conditional Permission**

Applicant : Mr S Birch 19/00227/FUL
Site Address : 105 Bramcote Lane Chilwell Nottinghamshire NG9 4EU
Proposal : **Construct single storey front extension and two storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr Kenneth Truman 19/00229/FUL
Site Address : 360 High Road Chilwell Nottinghamshire NG9 5EG
Proposal : **Construct dropped kerb**
Decision : **Conditional Permission**

Applicant	:	Mr & Mrs Daniel Bartalis	19/00310/FUL
Site Address	:	37 Pearson Avenue Chilwell Nottinghamshire NG9 4GQ	
Proposal	:	Construct two storey side extension and two/single storey rear extension	
Decision	:	Refusal	
Applicant	:	Mr M Cornell	19/00349/FUL
Site Address	:	36 Inham Road Chilwell Nottingham NG9 4FL	
Proposal	:	Construct single storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr Razvan Nedelcu	19/00375/OUT
Site Address	:	9 Pearson Close Chilwell Nottinghamshire NG9 4JP	
Proposal	:	Outline application to construct one dwelling (with some matters reserved)	
Decision	:	Withdrawn	
Applicant	:	Mrs Joanne Hume Alderman Pounder Infant School	19/00376/FUL
Site Address	:	Alderman Pounder Infant School Eskdale Drive Chilwell Nottinghamshire NG9 5FN	
Proposal	:	Construct single storey extension to reception area	
Decision	:	Conditional Permission	
EASTWOOD HALL WARD			
Applicant	:	Mr & Mrs Furness	19/00218/FUL
Site Address	:	59 Park Crescent Eastwood Nottingham NG16 3DS	
Proposal	:	Construct side extension and replacement garage	
Decision	:	Conditional Permission	
Applicant	:	Mr Laurence Bird	19/00239/FUL
Site Address	:	82 Mill Road Newthorpe Nottinghamshire NG16 3PS	
Proposal	:	Construct single front storey extension and detached double garage	
Decision	:	Conditional Permission	
Applicant	:	Robert Greasley	19/00304/FUL
Site Address	:	26 Robey Drive Eastwood Nottinghamshire NG16 3DP	
Proposal	:	Construct front dormer extension	
Decision	:	Conditional Permission	
EASTWOOD HILLTOP WARD			
Applicant	:	Mr Clifford Derbyshire Derbyshire CE Inns Ltd	18/00598/FUL
Site Address	:	209 Nottingham Road Eastwood Nottinghamshire NG16 3GS	
Proposal	:	Retain shed and fence and removal of condition 5 of planning Ref: 15/00069/FUL (No customers shall be permitted access to the rear yard....)	
Decision	:	Conditional Permission	
Applicant	:	Mr Kullar	19/00019/FUL
Site Address	:	Eastwood Health Centre Nottingham Road Eastwood Nottinghamshire NG16 3GL	
Proposal	:	Change of Use from medical centre (Class D1) to a mix use psychological therapy service (Class D1) and offices (Class B1)	
Decision	:	Conditional Permission	
Applicant	:	Mr D Burton	19/00225/FUL
Site Address	:	40 Barber Street Eastwood Nottinghamshire NG16 3EW	
Proposal	:	Demolish building and construct two flats	
Decision	:	Conditional Permission	
Applicant	:	Ms Jan Clark Notemachine UK Ltd	19/00335/FUL
Site Address	:	22 Dovecote Road Eastwood Nottinghamshire NG16 3EZ	
Proposal	:	Retain ATM	
Decision	:	Conditional Permission	

Applicant : Ms Jan Clark Notemachine UK Ltd 19/00336/ADV
Site Address : 22 Dovecote Road Eastwood Nottinghamshire NG16 3EZ
Proposal : **Retain internally illuminated ATM fascia sign and LED surround**
Decision : **Conditional Permission**

EASTWOOD ST MARY'S WARD

Applicant : Mr P Bebbington 19/00240/FUL
Site Address : 12 Victoria Street Eastwood Nottinghamshire NG16 3AW
Proposal : **Replace existing external doors & windows, insert additional bathroom window and demolition of outbuildings**
Decision : **Conditional Permission**

Applicant : Mr Richard Miller Blue Sky Care Ltd 19/00374/FUL
Site Address : 132 Church Street Eastwood Nottinghamshire NG16 3HT
Proposal : **Construct building accommodating two units for residential care home, building for manager's office, extension accommodating a garden room, canopy and alterations to car park**
Decision : **Conditional Permission**

GREASLEY WARD

Applicant : Mr R & J Shaw 19/00085/FUL
Site Address : 123 Moorgreen Newthorpe Nottinghamshire NG16 2FF
Proposal : **Amended access to garden centre, demolition and construction of replacement dwelling (revised scheme)**
Decision : **Conditional Permission**

Applicant : St Modwen Properties PLC 19/00176/REM
Site Address : Former Beamlight Automotive Seating Ltd Tricom House Newmanleys Road Eastwood Nottinghamshire NG16 3JG
Proposal : **Construct 120 dwellings, and associated infrastructure (approval of reserved matters relating to planning reference 14/00335/OUT)**
Decision : **Conditional Permission**

Applicant : Taylor Burrows 19/00203/FUL
Site Address : 100 Baker Road Newthorpe Nottinghamshire
Proposal : **Retain one container and site one container**
Decision : **Conditional Permission**

Applicant : Taylor Burrows C/o Wade Printers 19/00213/FUL
Site Address : 100 Baker Road Newthorpe Nottinghamshire
Proposal : **Change of use of Unit 2 from business (Class B1) to repair and refurbishment of motor scooters (Sui Generis), Unit 2A from business (Class B1) to business (Class B1) and commercial vehicle store & maintenance (Sui Generis), Unit 3 from business (Class B1) to repair of motor vehicles, bodywork, cars & commercial wagons (Sui Generis), Unit 5 from storage & distribution (Class B8) to motor vehicle artwork (Sui Generis), Unit 6 from business (Class B1) to wedding car storage (Sui Generis), Unit 7 from business (Class B1) to mixed uses business / retail (Class B1 & A1), Unit 10 from taxi office to business (Class B1) and Unit 15 from storage & distribution (Class B8) to mixed use business / industrial process (Class B1 & B2)**
Decision : **Conditional Permission**

Applicant : Ms J Foxhall 19/00214/FUL
Site Address : 30 Mill Road Newthorpe Nottinghamshire NG16 3PR
Proposal : **Increase ridge height, construct hip to gable extension, extension to rear, external alterations and construct porch**
Decision : **Conditional Permission**

Applicant : Mr T Woodward 19/00269/FUL
Site Address : 17 Primrose Rise Newthorpe Nottinghamshire NG16 2BB
Proposal : **Construct first floor extension over existing garage**
Decision : **Conditional Permission**

Applicant : Mr Richard Page Insite Poster Properties Ltd 19/00273/ADV
Site Address : Giltbrook Retail Park Ikea Way Giltbrook NG16 2RP
Proposal : **Erect digital advertising display**
Decision : **Refusal**

Applicant : Next Plc 19/00303/FUL
Site Address : 2 Giltbrook Retail Park Ikea Way Giltbrook NG16 2RP
Proposal : **Retain use of additional area of mezzanine floorspace for retail sales**
Decision : **Conditional Permission**

Applicant : Mr Keith Bostock Newthorpe Baptist Church 19/00301/FUL
Site Address : 398 Nottingham Road Newthorpe Nottinghamshire NG16 2ED
Proposal : **Construct dropped kerb**
Decision : **Conditional Permission**

KIMBERLEY WARD

Applicant : Mr S Unwin 18/00707/FUL
Site Address : 22 Westby Lane Babbington Village Nottingham NG16 2SS
Proposal : **Retain stable block and extended hardstanding area**
Decision : **Conditional Permission**

Applicant : Emma Stimpson 19/00253/FUL
Site Address : 29 Cliff Boulevard Kimberley Nottinghamshire NG16 2JJ
Proposal : **Construct single storey side / rear extension**
Decision : **Conditional Permission**

Applicant : Mr R Andrews 19/00287/FUL
Site Address : 17 Beverley Drive Kimberley Nottinghamshire NG16 2TW
Proposal : **Construct single storey side and rear extension**
Decision : **Conditional Permission**

Applicant : Emily King and Nigel Straw 19/00340/FUL
Site Address : 12 Chapter Drive Kimberley Nottingham NG16 2QD
Proposal : **Construct first floor side extension**
Decision : **Conditional Permission**

Applicant : Mr A Parr 19/00351/FUL
Site Address : 2 Brewery Street Kimberley Nottingham NG16 2JS
Proposal : **Construct rear and side single storey extension including link extension to converted garage and alterations**
Decision : **Conditional Permission**

Applicant : Mr Joe Heap 19/00352/FUL
Site Address : 45 Little Lane Kimberley Nottinghamshire NG16 2PE
Proposal : **Construct single storey side and rear extension**
Decision : **Conditional Permission**

NUTHALL EAST & STRELLEY WARD

Applicant : Whitbread Group Plc 19/00072/FUL
Site Address : Premier Inn Millennium Way West Nuthall Nottinghamshire NG8 6AS
Proposal : **Construct hotel extension to provide additional bedrooms, extension to reception and associated alterations to car parking and landscaping**
Decision : **Conditional Permission**

Applicant : Mr A Ramsdale 19/00158/FUL
Site Address : 11A Roland Avenue Nuthall Nottinghamshire NG16 1BB
Proposal : **Retain single storey rear extension**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Laura & Jonathan Hampson 19/00252/FUL
Site Address : 39 Springfield Drive Nuthall Nottinghamshire NG6 8WD
Proposal : **Construct two storey extension and alterations to detached garage (revised scheme)**
Decision : **Conditional Permission**

Applicant : Lewis Gardiner Engenie LTD 19/00251/FUL
Site Address : Old Moor Lodge Mornington Crescent Nuthall Nottinghamshire NG16 1QE
Proposal : **Install two rapid eVOLT car charge points**
Decision : **Conditional Permission**

Applicant : Mr Reece Oliver 19/00255/FUL
Site Address : Land North Of Home Farm Cottage And Park View Cottage Main Street Strelley Nottinghamshire
Proposal : **Revised alterations to stables from those previously approved (17/00565/FUL)**
Decision : **Conditional Permission**

Applicant : Mr Tanveer Mohammed 19/00258/FUL
Site Address : 16 Roland Avenue Nuthall Nottinghamshire NG16 1BB
Proposal : **Construct patio to the rear of the property**
Decision : **Conditional Permission**

Applicant : Mr Darren Williams 19/00271/FUL
Site Address : 19 Gloucester Avenue Nuthall Nottinghamshire NG16 1AL
Proposal : **Construct single storey rear and side extension**
Decision : **Conditional Permission**

STAPLEFORD NORTH WARD

Applicant : Mr SURAJ KUMAR 19/00198/FUL
Site Address : 214 - 218 Pasture Road Stapleford Nottinghamshire NG9 8GG
Proposal : **Construct first floor extension to create two flats, including external staircase**
Decision : **Conditional Permission**

Applicant : Mr Glen Blain 19/00220/FUL
Site Address : 13A Pasture Road Stapleford Nottinghamshire NG9 8HR
Proposal : **Erect gates**
Decision : **Conditional Permission**

Applicant : Mr & Mrs Martin & Laura Manuel 19/00245/FUL
Site Address : 37 Hartwood Drive Stapleford Nottingham NG9 8HF
Proposal : **Construct two storey side and single storey rear extension**
Decision : **Conditional Permission**

STAPLEFORD SOUTH EAST WARD

Applicant : Mr & Mrs Hill 18/00869/FUL
Site Address : 112 Sisley Avenue Stapleford Nottinghamshire NG9 7HU
Proposal : **Construct single storey rear extension and front and rear dormers**
Decision : **Withdrawn**

Applicant : Mr & Mrs Hallam 19/00162/FUL
Site Address : 10 Judson Avenue Stapleford Nottingham NG9 7FH
Proposal : **Construct first floor side and front extension**
Decision : **Conditional Permission**

Applicant : Mr John Ryan John Ryan Developments Ltd 19/00247/FUL
Site Address : Land Adjacent To 110 Central Avenue Stapleford Nottinghamshire NG9 8QH
Proposal : **Construct dwelling**
Decision : **Conditional Permission**

Applicant	:	Mrs Sam Soulsby Wellrich Ltd	19/00250/FUL
Site Address	:	45A Nottingham Road Stapleford Nottinghamshire NG9 8AD	
Proposal	:	Construct first floor rear extension and dormer	
Decision	:	Conditional Permission	
Applicant	:	Mr Timothy Chatfield	19/00257/FUL
Site Address	:	63 Westerlands Stapleford Nottinghamshire NG9 7JE	
Proposal	:	Construct two storey side extension and raised decking	
Decision	:	Conditional Permission	
Applicant	:	Mr Hill	19/00323/FUL
Site Address	:	30 Westerlands Stapleford Nottinghamshire NG9 7JG	
Proposal	:	Construct two storey side extension and porch	
Decision	:	Conditional Permission	
Applicant	:	Mr Paul Woodhouse Sandcliffe	19/00359/DEM
Site Address	:	Sandcliffe Petrol Filling Station And Service Advice Centre 142 - 152 Nottingham Road Stapleford Nottinghamshire NG9 8AR	
Proposal	:	Prior notification to demolish offices and workshop building	
Decision	:	Prior Approval Not Required	
Applicant	:	Mr Malcolm Flynn MSF Homes Ltd	19/00360/FUL
Site Address	:	Land To The Rear Of 23, 25 & 27 Toton Lane Stapleford Nottinghamshire NG9 7HB	
Proposal	:	Construct two dwellings with garages and driveway from access beside 29 Toton Lane	
Decision	:	Conditional Permission	
Applicant	:	Miss Marta Zywo	19/00366/FUL
Site Address	:	6A Whitely Close Stapleford Nottingham NG9 8DT	
Proposal	:	Replace window with patio door	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Hill	19/00369/FUL
Site Address	:	112 Sisley Avenue Stapleford Nottinghamshire NG9 7HU	
Proposal	:	Construct front dormer (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr Pete Hobbs	19/00372/FUL
Site Address	:	15 Nottingham Road Stapleford Nottinghamshire NG9 8AB	
Proposal	:	Change of Use from retail (Class A1) to takeaway (Class A5)	
Decision	:	File Closed	
Applicant	:	Mrs Wendy Langford	19/00379/FUL
Site Address	:	124 Sisley Avenue Stapleford Nottinghamshire NG9 7HU	
Proposal	:	Construct single storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs R Jarvis	19/00384/FUL
Site Address	:	177 Nottingham Road Stapleford Nottinghamshire NG9 8BE	
Proposal	:	Construct two-storey side and first-floor rear extension. Insert first floor side window.	
Decision	:	Conditional Permission	
STAPLEFORD SOUTH WEST WARD			
Applicant	:	Mr Julfiqar Ali	19/00061/FUL
Site Address	:	208 Derby Road Stapleford Nottinghamshire NG9 7AY	
Proposal	:	Retain roller shutter	
Decision	:	Refusal	

Applicant	:	Mr Jack Wright	19/00348/ADV
Site Address	:	56 Derby Road Stapleford NG9 7AB	
Proposal	:	Display illuminated fascia signs to front and side elevation	
Decision	:	Conditional Permission	
Applicant	:	Mr Dan Phillips	19/00362/FUL
Site Address	:	115 Brookhill Street Stapleford Nottingham NG9 7GJ	
Proposal	:	Retain rear single storey extension and outbuilding	
Decision	:	Conditional Permission	
Applicant	:	Mr Andrew Daykin	19/00378/FUL
Site Address	:	58 Halls Road Stapleford Nottinghamshire NG9 7FX	
Proposal	:	Construct two storey side extension, retaining wall (over 1m high) and steps (revised scheme)	
Decision	:	Conditional Permission	
TOTON & CHILWELL MEADOWS WARD			
Applicant	:	Mr Shive	19/00192/FUL
Site Address	:	143 Seaburn Road Toton Nottingham NG9 6HJ	
Proposal	:	Construct two storey rear extension, outbuilding and insert side rooflight	
Decision	:	Conditional Permission	
Applicant	:	Mrs T Buxton	19/00206/FUL
Site Address	:	64 Seaburn Road Toton Nottinghamshire NG9 6HN	
Proposal	:	Construct two storey side extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs P Robbins	19/00219/FUL
Site Address	:	53 Banks Road Toton Nottinghamshire NG9 6HE	
Proposal	:	Construct single storey extension and fence	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs Telford Chell	19/00242/FUL
Site Address	:	68 Whitburn Road Toton Nottingham NG9 6HR	
Proposal	:	Construct two storey side extension, single storey rear and front extensions, raised terrace, render dwelling and install solar panels (revised scheme)	
Decision	:	Conditional Permission	
Applicant	:	Mr AJ Bremner	19/00249/FUL
Site Address	:	74 Seaburn Road Toton Nottinghamshire NG9 6HN	
Proposal	:	Construct two storey rear extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs I Fidler	19/00277/FUL
Site Address	:	6 Neighwood Close Toton Nottinghamshire NG9 6LP	
Proposal	:	Construct single storey front extension	
Decision	:	Conditional Permission	
Applicant	:	Mr & Mrs T & M Spink	19/00278/FUL
Site Address	:	16 Montgomery Close Chilwell Nottinghamshire NG9 6NF	
Proposal	:	Excavation and removal of gravel frontage area and resurface to create extended drive	
Decision	:	Conditional Permission	
Applicant	:	Mr Craig Starbuck	19/00313/FUL
Site Address	:	29 Hickton Drive Chilwell Nottinghamshire NG9 6DD	
Proposal	:	Construct first floor extension and retain garage conversion and lean-to side extension	
Decision	:	Conditional Permission	

Applicant : Mr Steven Marriott 19/00330/FUL
Site Address : 11 Edale Rise Toton Nottinghamshire NG9 6JJ
Proposal : **Construct detached garage**
Decision : **Refusal**

Applicant : Mr C Moore 19/00328/PNH
Site Address : 15 Grange Farm Close Toton Nottinghamshire NG9 6EB
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.6 metres, with a maximum height of 3.7 metres, and an eaves height of 2.5 metres**
Decision : **Prior Approval Not Required**

Applicant : Mr T Dean 19/00367/PNH
Site Address : 27 Spinney Rise Toton Nottinghamshire NG9 6JN
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 8 metres, with a maximum height of 3 metres and eaves height of 3 metres**
Decision : **Prior Approval Refused**

Applicant : Mr & Mrs Hammett 19/00428/PNH
Site Address : 8 Aldridge Close Toton Nottinghamshire NG9 6JA
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.7 metres, with a maximum height of 3.6 metres, and an eaves height of 2.3 metres**
Decision : **Prior Approval Not Required**

WATNALL & NUTHALL WEST WARD

Applicant : Mr A McCusker 19/00262/FUL
Site Address : 44 Kimberley Road Nuthall Nottinghamshire NG16 1DF
Proposal : **Construct single storey rear extension to create annexe ancillary to main dwelling**
Decision : **Conditional Permission**

Applicant : Mr David Baxter 19/00334/FUL
Site Address : 38 Philip Avenue Nuthall Nottinghamshire NG16 1EA
Proposal : **Construct two storey side extension**
Decision : **Conditional Permission**

Applicant : Mr M Haynes 19/00331/PNH
Site Address : 58 Larkfield Road Nuthall Nottinghamshire NG16 1EU
Proposal : **Construct single storey rear extension, extending beyond the rear wall of the original dwelling by 4.2 metres, with a maximum height of 3.175 metres and an eaves height of 2.65 metres.**
Decision : **Prior Approval Not Required**
