6 January 2015

Dear Sir/Madam

A meeting of the Development Control Committee will be held on Wednesday, 14 January 2015 in the New Council Chamber, Town Hall, Beeston at 7:00pm.

Yours faithfully

[Signature]

Chief Executive

To:    Members of the Development Control Committee
       Other members of the Council (for information)

A G E N D A

1. **APOLOGIES FOR ABSENCE/ATTENDANCE OF SUBSTITUTES**

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**

   The Committee is asked to confirm as a correct record the minutes of the meeting held on 17 December 2014.

4. **NOTIFICATION OF LOBBYING**
5. DEVELOPMENT CONTROL

5.1 14/00696/FUL
Construct 3 no. flats – land on south side of
St Andrews Church, Antill Street, Stapleford, Notts

5.2 14/00719/FUL
Change of use of existing church (Class D1) to 8 no.
flats (Class C3)
Haven Church, Antill Street, Stapleford, Notts

5.3 14/00492/FUL
Construct extension to existing dwelling to form 2 no.
dwellings and construct 3 no. dwellings
Land at 73 Chetwynd Road, Toton, Notts

6. INFORMATION ITEM

6.1 Delegated Decisions
DEVELOPMENT CONTROL COMMITTEE

17 DECEMBER 2014

Present: Councillor D Grindell, Chair

Councillors: D Bagshaw M Radulovic MBE
LA Ball BEM J S Rowland (substitute)
S D Barber (Vice Chair) D K Watts
J S Briggs I White (substitute)
M Handley

Apologies for absence were received from Councillors A Cooper, H G Khaled and J W McGrath.

33. DECLARATIONS OF INTEREST

Councillor J S Briggs declared a disclosable, non-pecuniary interest in agenda item 6.10 being a member of the ladies darts team at The Crown Public House, minute number 37.10 refers.

34. MINUTES

The minutes of the meeting held on 12 November 2014 were confirmed and signed.

35. NOTIFICATION OF LOBBYING

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

36. TREE PRESERVATION ORDER

36.1 Proposed new Tree Preservation Order (TPO) Technology Drive, Beeston 2014

The Committee considered the report which sought approval to protect a group of trees located at the entrance to Technology Drive, Beeston.

RESOLVED that a Group Tree Preservation Order be made under Sections 198 and 201 of the Town and Country Planning Act 1990 to take immediate effect for the reasons stated in the report.
37. DEVELOPMENT CONTROL

37.1 14/00515/OUT
Outline application for mixed use development comprising up to 82,000sqm of employment floorspace, comprising office units (B1A; research and development (B1B); industrial process (B1C); general industrial (B2); storage and distribution (B8); residential institutions (C2); non-residential institutions (C2); non-residential institutions (D1); up to 2,500sqm retail and food/drink (A1, A2, A3, A4 and A5); up to 675 residential units (C3); and associated works including demolition of existing structures; earthworks; remediation; access; car parking; pedestrian and cycle routes; open space; utilities; sustainable drainage systems

Alliance Boots Campus, Beeston, Nottingham

The Committee considered the application which sought outline planning with all matters reserved for the development, details of which are set out above.

The Committee was advised of the summary of late items which are set out below:

- Email (dated 15 December 2014) from a resident of Clifton reiterating previous comments already submitted.
- Emailed comments (received 9 December 2014) from a resident of South Road, Beeston objecting on grounds of potential increase in traffic, especially on Lilac Grove.

Mr M Chivers (Applicant) addressed the Committee prior to the general debate setting out the vision for the site

Members debated the application and a summary of comments is set out below:

- The proposals would regenerate Beeston, Greater Nottingham and the region in general.
- The applicants be asked to consider the future potential for a tram extension into the site.
- The potential to construct a new bridge from the railway to link up to any future tram extension to University Boulevard be considered which would bring sustainable travel into the site.
- Concerns about building on the flood plain should there be a breach of the flood wall. Assurances should be sought as to maintenance of the flood wall which should be addressed in the detailed design.
- Reservations about section 106 contributions being lost in the viability test, which would have a detrimental impact on local schools.
- Concerns about the level of retail allocation on the site affecting the viability of Beeston town centre.
- Concerns about contamination risk, impact of increased traffic on local residents and suggest an environmental impact assessment be carried out for a development of this size.
• Assurance be sought that the public footpath running alongside the sewage works be retained and improved.
• Concerns that no single retail outlet be over a certain size.
• Have a ‘flagship’ entrance to the site.

Members welcomed the scheme overall.

The Head of Neighbourhoods and Prosperity responded to some of the comments as follows:

• There were no proposals to block the public right of way to the footpath.
• Concerning comments regarding the tram, it could be the case there was not the possibility of doing this. However, should there be opportunities they would most likely be in Nottingham City Council’s area.
• Retail development scale was controlled by conditions 27 and 43 which limited the size of individual units.

RESOLVED that the Head of Neighbourhoods and Prosperity be given delegated authority to grant outline planning permission for application 14/00515/OUT subject to prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and the conditions set out below:

1. Time Limit
   Application for the approval of any reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this outline permission; and

   The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

   Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

PRE-COMMENCEMENT

2. Plan Numbers
   The development shall be carried out in accordance with drawings numbered/labelled 04009 (Outline Planning Application Boundary), 04026 (Draft Phasing Plan), 04015 (Spatial Masterplan), 04036 (outline Development Parameters – Site Development Framework), 04040 (outline Development Parameters – Employment/Non-Residential Areas), 04039 (Outline Development Parameters – Residential Areas).

   Reason: In the interests of clarity.
3. **Reserved Matters**

No development shall commence within a development parcel (R1-R11, E1-E15 and G1-G9) as identified on the approved Spatial Masterplan (drawing number 04015) until the following reserved matters for that particular development parcel, have been submitted to and approved in writing by the Local Planning Authority.

a) The layout, scale, and external appearance of the buildings;
b) The particulars of the materials to be used in the facing of the external surfaces of all buildings;
c) Cross sections through the site showing the finished floor levels of the new buildings in relation to adjacent land and buildings;
d) Means of access

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

**Reason:** In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. **Design Code**

Prior to the submission of any reserved matters application comprising residential development, a design code for the residential areas showing the design principles of how the site would be developed, shall be submitted to and approved in writing by the Local Planning Authority. The design code shall take into account the listed buildings and heritage assets within and neighbouring the application site. This shall then be used as the basis for all submissions of applications for approval of reserved matters.

**Reason:** To ensure a high quality form of development and to accord with Policies 10 and 11 of the Aligned Core Strategy.

5. **Phasing**

Notwithstanding the details submitted, prior to the commencement of residential development, details of a revised phasing plan for the residential development and open space parcels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the revised phasing plan.

**Reason:** To ensure that the development comes forward in a planned manner and includes the timely provision of public open space, in the interests of the amenity of future residents and in accordance with Policy 10 of the Aligned Core Strategy.
6. Gas Contamination

No development shall commence until an appropriate investigation and appraisal that includes the following components to deal with the risks associated with ground gas contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

a) A Preliminary Risk Assessment which has identified:
   i) all previous site uses
   ii) the nature and extent of potential contaminants associated with those uses
   iii) the underlying geology of the site
   iv) a conceptual model of the site indicating sources, pathways and receptors
   v) potentially unacceptable risks arising from ground gas contamination at the site.

b) A Site Investigation, based on a) above, and a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) A Gas Remediation Strategy, based on a) and b) above, giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).

d) A Verification Plan providing details of the data that will be collected and submitted in order to demonstrate that the works set out in c) above are complete. The Verification Plan shall include details of any monitoring and maintenance required in relation to remediation work or to prove long term effectiveness of measures. Reports on the progress of the scheme shall be submitted, as required, to be approved in writing by the Local Planning Authority. The Gas Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

The Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

Reason: In the interests of public health and safety and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

7. Gas Monitoring

The monitoring and maintenance scheme including monitoring of the longer-term effectiveness of the approved Gas Remediation
strategy shall be undertaken in accordance with the Verification Plan. Following completion of the measures identified for the longer-term monitoring of the pollutant linkages and the objectives of the Gas Remediation Strategy, a final verification Report shall be submitted to be approved in writing by the Local Planning Authority.

8. Ground Contamination
No development shall commence within a development parcel until an investigative survey of that parcel has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination and any associated risks to the public, buildings and/or the environment. The report shall include:

a) A Remediation Strategy giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).

b) A sampling and Remediation Strategy to ensure the areas of retained trees and Public Open Spaces are fully characterised and demonstrate that they are suitable for their end use.

c) A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in a) above are complete.

The Remediation Strategy shall be implemented in accordance with the approved details unless varied with the express written approval of the Local Planning Authority.

Reason: In the interests of public health and safety and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

9. Materials Management Plan
No development shall commence within a development parcel until a Materials Management Plan for that parcel is submitted to and approved in writing by the Local Planning Authority. Thereafter, imported or site won materials shall only be placed or re-used on the parcel in accordance with the Materials Management Plan, which shall ensure that they present no unacceptable risk to human health, the water environment, planting and the wider environment. The Material Management Plan shall be carried out in accordance with the approved detail unless varied with the express written approval of the Local Planning Authority.

Reason: To ensure that works do not present unacceptable risks to human health, the water environment, planting and the wider environment and in accordance with the aims of Policy 10 of the Aligned Core Strategy.
10. Noise Assessment and Sound Insulation
No development shall commence within a development parcel approved for residential development, until an environmental noise assessment and sound insulation scheme for that particular development parcel has been submitted to and approved in writing by the Local Planning Authority. The environmental noise assessment shall take into account the impact of existing and proposed road traffic noise and any existing or proposed premises and/or activities in the vicinity that are likely to have an adverse effect on noise levels are operating. In addition it shall include predicted noise levels for any plant and equipment which will form part of the development within that particular or adjacent development parcel. It must also include octave band analysis and all assumptions made (e.g. glazing and façade areas). The sound insulation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any acoustical ventilation required and be designed to achieve the following internal noise levels:

i. Not exceeding 30dB LAeq(1 hour) and not exceeding NR 25 in bedrooms for any hour between 23.00 and 07.00,
ii. Not exceeding 35dB LAeq(1 hour) and not exceeding NR 30 for bedrooms and living rooms for any hour between 07.00 and 23.00,
iii. Not more than 45dB LAmx(5 min) in bedrooms (measured with F time weighting) between the hours of 23.00 and 07.00,
iv. Not more than 50dB LAeq(1 hour) for garden areas (including garden areas associated with residential homes or similar properties).

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

Reason: In the interests of residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

11. Noise Impact Assessment (Employment)
No development comprising either B2 or B8 uses shall commence within the development parcels E7(a) and E8, identified for employment development, until an environmental noise impact assessment for that development has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include information relating to the likely noise impact of the development on nearby noise sensitive locations (including proposed residential development parcels) and any proposed mitigation measures. The development shall be carried out in accordance with the agreed details and mitigation measures to the satisfaction of the Local Planning Authority.
Reason: In the interests of residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

12. Noise (Piling)
No development shall commence within a development parcel until details of any piling or other foundation designs using penetrative methods for that particular development parcel have been submitted to and approved in writing by the Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details.

Reason: In the interests of residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

13. Site Wide FRA Addendum
Notwithstanding the submitted Flood Risk Assessment (FRA), no development shall commence until an addendum to the submitted FRA (rev 6) has been submitted to and approved in writing by the Local Planning Authority. The addendum shall build on the strategy that has been agreed with the EA (rev 6) and include an analysis of the site wide implications of hydraulically simulating a reduction in commercial area building footprints to that outlined in the submitted FRA.

Reason: To reduce the risk of flooding to the proposed development and surrounding areas in accordance with the aims of Policy 1 of the Aligned Core Strategy.

14. Development Parcel FRA
Notwithstanding the submitted Flood Risk Assessment (FRA), no development shall commence within a development parcel until a FRA for that particular development parcel has been submitted to and approved in writing by the Local Planning Authority. The FRA shall be based on the principles utilised in Option 3 of the submitted FRA (rev 6) or revised as appropriate to incorporate the findings of the requirements pursuant to condition 10 and shall include:

a) a detailed engineering solution to convey and store flood waters away from proposed residential properties.
b) a scheme of detailed finished floor levels for all properties
c) details of flood resilience measures to be used for both residential and commercial properties.
d) an assessment of how the specific FRA measures for the individual development parcel/(s) impact upon the wider strategy for flood risk management.

The proposals arising from the detailed FRAs shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or
within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and surrounding areas in accordance with the aims of Policy 1 of the Aligned Core Strategy.

15. Site Wide Surface Water Drainage Strategy
Notwithstanding the details submitted no development shall commence until a detailed Surface Water Drainage Strategy for the whole site, based on sustainable drainage techniques (SuDS), or alternative systems relevant to up to date legislation has been submitted to and approved in writing by the Local Planning Authority.

The Drainage Strategy shall provide a solution which can be implemented fully by phased development, but which uses a solution which is part of the overall site infrastructure and which can be implemented as such. The Strategy shall include details of adoption, management and maintenance responsibilities.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with the aims of Policy 1 of the Aligned Core Strategy.

16. Detailed Drainage System
No development shall commence within a development parcel until a detailed surface water drainage scheme for that particular development parcel, but with reference to the Site Wide Drainage Strategy, including a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme will be required to be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The scheme to be submitted shall include:

Details of proposed surface water drainage system(s)

Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to provide a 30% reduction over the pre-development rates.

- Provision of surface water run-off attenuation storage, with a preference for above ground storage
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- The surface water flood flow exceedence routes are accurately defined and do not unacceptably increase flood risk to later phases of the development.
- Ecological features that create habitat and enhance value for wildlife.
- Details of how the on-site surface water drainage systems shall be adopted, maintained and managed after completion and for the lifetime of the development.

The scheme shall subsequently be implemented in accordance with the approved details.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with the aims of Policy 1 of the Aligned Core Strategy.

17. Green Infrastructure Network Plan
Notwithstanding details shown within the submitted application, no development shall commence until a green infrastructure and open network plan for the whole site has been submitted to and approved in writing. The plan shall clearly identify the scale and location of open space to be provided by the following categories:
- Areas of public open space and landscaped areas,
- Wildlife corridors/ ecological zones,
- Sustainable urban drainage areas,
- Cycle paths/footways,
- Canal buffer.

The plan shall demonstrate that there is sufficient open space set aside to meet the above requirements. The development of the site shall be consistent with the approved plan.

Reason: To ensure that sufficient land is set aside across the site as a whole to meet the provision requirements for public open space, ecology, movement, sustainable urban drainage and other landscaped/amenity areas in accordance with Policies 10 and 17 of the Aligned Core Strategy.

18. Construction Environmental Management Plan
No development shall commence within a development parcel until a Construction Environmental Management Plan (CEMP) for that particular development parcel has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out
measures that will be implemented to protect existing species and habitats during the construction phase in accordance with the principles set out in the Ecological Chapter of the Environment Statement (Section 13.5) and shall in particular include the following:

a) protection measures for all necessary construction exclusion zones;
b) location of areas of habitat to be retained and protection measures;
c) details of storage areas for materials;
d) pollution prevention measures;
e) details of lighting to avoid impacts on retained habitats; and
f) reference to any relevant protected species mitigation strategies

The scheme shall be implemented in accordance with the approved recommendations for the duration of the construction period for that particular development parcel.

Reason: To safeguard protected species and valued habitat during the construction phase and in accordance with the aims of Policy 17 of the Aligned Core Strategy.

19. Environmental Management Plan
No development shall commence within a development parcel, until an Environmental Management Plan (EMP) for that particular development parcel has been submitted to and approved in writing by the Local Planning Authority. The EMP shall include the following:

a) a method statement for dealing with any invasive plant species;
b) habitat enhancement measures for retained and created habitats;
c) habitat management regimes for retained and created habitats including responsibility for implementation;
d) details of monitoring and reporting mechanisms;
e) a timetable for implementation;
f) a summary of how the management plan for that particular development parcel fits into the wider Environmental Management Plan for the overall site;
g) any interpretation features/signage

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

Reason: To safeguard and manage protected species and valued habitat in accordance with the aims of Policy 17 of the Aligned Core Strategy.
20. Ecological Mitigation Strategy
No development shall commence within a development parcel until a mitigation strategy has been submitted to and approved in writing by Local Planning Authority. The mitigation strategy shall include detailed method statements, as required, to avoid harm or significant disturbance to protected and notable species identified in the Environmental Statement that may be impacted by development works in that parcel. As required throughout the overall site, particular attention may need to be paid to water vole, otter, great crested newt, foraging and roosting bats, breeding birds and reptiles. Where indicated in the Environmental Statement, the mitigation strategy will need to be informed by updated species surveys. The mitigation strategy shall include a timetable for implementation and provision for post-development monitoring and reporting for a minimum of 5 years from the first implementation of the mitigation strategy.

Reason: To safeguard and manage protected species and valued habitat in accordance with the aims of Policy 17 of the Aligned Core Strategy.

21. Trees
No site clearance works, vegetation removal or development shall commence within a development parcel until an Arboricultural Method Statement for that particular development parcel is prepared in accordance with principles set out in British Standard 5837:2012- 'Trees in Relation to Design, Demolition and Construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall identify trees to be retained within that development parcel and specify measures to be put in place for the duration of construction operations to protect the existing trees that are proposed to be retained. The development shall be carried out in accordance with any ongoing requirements set out in the approved Arboricultural Method Statement.

Reason: To ensure the retention of appropriate trees and to provide protection during the construction period and in accordance with the aims of Policy 16 of the Aligned Core Strategy.

22. Reptile Surveys
No development shall commence on developments parcels R1 to R11 after September 2016 or for parcels E13 to E15 at any time, until an updated reptile survey for these parcels and details of any additional mitigation proposals, including a timetable for implementation, have first been submitted to and approved in writing by the Local Planning Authority.
The mitigation measures shall be carried out in accordance with the approved details.

Reason: The reptile survey submitted with the above application identifies these areas as suitable habitat and is only valid for a period of up to three years and in accordance with the aims of Policy 17 of the Aligned Core Strategy.

23. Great Crested Newts
No development shall commence on developments parcels E6, E13-E15 or R11 after June 2017, unless an updated Great Crested Newt survey and details of any additional mitigation proposals, including a timetable for implementation, have first been submitted to and approved in writing by the Local Planning Authority.

The mitigation measures shall be carried out in accordance with the approved details.

Reason: The Great Crested Newts survey submitted with the above application identifies these areas as suitable habitat and is only valid for a period of up to three years and in accordance with the aims of Policy 17 of the Aligned Core Strategy

24. Energy/Sustainability
No development shall commence within a development parcel until a scheme for at least 10% of the development’s energy supply (interpreted through carbon emissions) within that particular development parcel, to be provided by way of a renewable or low carbon energy supply, has been submitted to and approved in writing by the Local Planning Authority, including a timetable for the implementation of the scheme. Thereafter the renewable/low carbon energy scheme shall be implemented in accordance with the approved details and timetable unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of providing a sustainable development and in accordance with Policy 1 of the Aligned Core Strategy.

25. Hard Surface Treatments
No development shall commence within a development parcel until details of all hard surface treatments within that particular development parcel, including the roads, foot/cycle paths and parking areas and a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the layout and appearance of the development will be satisfactory in accordance with Policy 10 of the Aligned Core Strategy.
26. Primary Link Road/Bridge
No residential dwelling shall be first occupied until the Primary Link Road including the junctions at Thane Road and Humber Road South and the new canal bridge, have been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate access infrastructure is in place and in accordance with the aims of Policy 7 of the Aligned Core Strategy.

27. Retail/Food and Drink Uses
No retail or food and drink use hereby permitted shall be brought into use until a minimum of 200 of the approved dwellings have first been practically completed.

Reason: The retail food and drink uses are primarily facilities to complement the residential development in accordance with the aims of Policy 6 of the Aligned Core Strategy.

PRE OCCUPATION

28. Occupation of Residential Parcels
The following residential parcels shall not be occupied until the corresponding employment parcels stated below have first been constructed and are ready for occupation:

R4 not before E2
R6 not before E3
R8 not before E4
R10 not before E5
R11 not before E6.

Reason: To ensure that the development comes forward in a planned manner, in the interests of the amenity of future residents and in accordance with Policy 10 of the Aligned Core Strategy.

29. Gas Remediation Implementation
No building shall be first occupied until any necessary gas remediation measures, as identified in the Gas Remediation Strategy, for that building have been implemented and a Verification Report submitted and approved by the Local Planning Authority.

Reason: In the interests of public health and safety and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

30. Contaminated Land implementation
No part of the development shall be first occupied or brought into use until the contaminated land remediation measures for that part
of the development have been implemented and written verification has been provided that the approved measures have been installed for all the buildings within that development parcel.

Reason: In the interests of public health and safety and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

31. Sound Insulation implementation
No dwelling shall be first occupied on any parcel of the development until the approved sound attenuation scheme for that dwelling has been implemented and a Verification Report submitted to and approved by the Local Planning Authority.

Reason: To protect the living conditions of occupiers and neighbours in accordance with Policy 10 of the Aligned Core Strategy.

32. Public Open Space Design
No dwelling shall be first occupied within a development phase until details of the design, management and maintenance proposals for any public open space and other areas of public realm/amenity land including play equipment, seating and bins, within that particular development phase, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall relate to the green infrastructure network plan and include a timetable for implementation and the development shall be carried out in accordance with the approved details and timetable.

Reason: To ensure that the layout and appearance of the open space elements of the development will be satisfactory in accordance with Policy 16 of the Aligned Core Strategy.

34. Public Landscaping
No dwelling shall be first occupied within a development phase until details of a landscaping and planting scheme for any public open space and any other areas of public realm/amenity land including street trees have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, height, species (with a focus on the use of native species) and location of the proposed trees, hedges and shrubs), the tree pits/trenches and aeration pipes and, a timetable for the implementation of the scheme. Thereafter the landscaping and planting scheme shall be carried out in accordance with the approved details and timetable. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of ten years shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interests of the development in accordance with Policy 10 of the Aligned Core Strategy.

35. Non-Residential Landscaping
No building shall be first occupied within a non-residential development parcel until details of a landscaping and planting scheme for that particular development parcel has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, height, species and location of the proposed trees, hedges and shrubs, the tree pits/trenches and aeration pipes and, a timetable for the implementation of the scheme. Thereafter the landscaping and planting scheme shall be carried out in accordance with the approved details and timetable. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the appearance of the development in accordance with Policy 10 of the Aligned Core Strategy.

36. Means of Enclosure
No dwelling shall be first occupied within a development parcel until that dwelling has been enclosed with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy 10 of the Aligned Core Strategy.

37. Parking
No building shall be occupied until the parking for that particular building has been laid out and made available in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development has satisfactory parking provision in accordance with Policy 10 of the Aligned Core Strategy.

38. Refuse/Cycle facilities
No building shall be occupied until the refuse and cycle store facilities for that particular building have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the development has sufficient refuse and cycle store facilities in accordance with the aims of Policy 10 of the Aligned Core Strategy.

39. Bat/Bird Boxes
Not more than 50% of the dwellings within any development parcel shall be occupied until such time as bat and bird boxes have been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. A minimum of two integral bat boxes and two integral bird boxes are expected per development parcel.

Reason: To aid biodiversity objectives in accordance with the aims of Policy 17 of the Aligned Core Strategy.

40. Travel Plan (Residential)
No later than three months after the first occupation of any residential development parcel, a revised full residential Travel Plan for that development parcel shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall thereafter be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote sustainable travel.

41. Travel Plan (Commercial)
No later than three months after the first occupation of any commercial development parcel, a revised full residential Travel Plan for that parcel shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall thereafter be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To promote sustainable travel.

42. Non-employment development
The residential institutions (C2) and non residential institutions (D1) hereby permitted shall not exceed a total floor space of 15,000m².

Reason: To ensure that the site delivers predominantly employment (B1, B2, B8) development in accordance with the aims of Policy 4 of the Aligned Core Strategy.

43. Retail and Food and Drink Uses
Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order and any Town and Country Planning General (or Special Development Order) for the time being in force relating to “permitted development”, the development hereby approved shall not exceed a total of 2500m² of retail and food and drink
development comprising the following approved uses with total floor space and maximum unit size where specified:
Use Class A1: Retail (no individual unit shall exceed 1000m2)
Use Class A2: Financial and Professional Services
Use Class A3: Restaurants and Cafes
Use Class A4: Drinking Establishments
Use Class A5: Hot Food Takeaways

Reason: In the interests of protecting existing town or local centres and in accordance with the aims of Policy 6 of the Aligned Core Strategy.

44. Ventilation/Filtration Equipment
No Class A3, A4 or A5 use hereby approved shall be brought into use until a scheme for the ventilation and means of discharging and dispersing fumes and the prevention of nuisance caused by odour from the development has been implemented in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The submission shall include an odour risk assessment, the design configuration, odour abatement technology and specification for the scheme for the ventilation and means of discharging and dispersing fumes from development.

Reason: In the interests of residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

45. Noise Limits (Plant/Machinery)
Noise resulting from the use of any plant, machinery or equipment installed as part of the development shall not exceed a rating level of 10dB(a) below background when measured in accordance with British Standard BS4142:1997, at a point one metre external to the nearest noise sensitive premises.

Reason: In the interests of amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

46. Public Open Space Provision
The public open space for residential development shall be provided on the basis of a minimum 0.6ha per 1000 bed spaces (or 6m²/bedspace).

Reason: To ensure that the scheme provides sufficient public open space for future residents and that it maximises the opportunities to link the open space into the existing Canal environment in accordance with the aims of Policy 16 of the Aligned Core Strategy.

47. Parcels E2-E6
Notwithstanding the provisions of any Town and Country Planning (Use Classes) Order and any Town and Country Planning General or
Special Development Order for the time being in force relating to "permitted development", no uses or development other than those falling within Use Classes A1, A2, A3, A4, A5, B1(a), B1(b), B1(c), C2 and D1 shall take place within development parcels E2-E6.

Reason: To ensure that a compatible land use is situated adjacent to the residential development and to help screen the wider industrial site from residential areas in accordance the aims of Policy 10 of the Aligned Core Strategy.

Notes to applicant

1) For the avoidance of doubt, a definition of development parcel is included in condition no.2 of this planning permission and relates to areas of land such as those indicated on Sheet Number 04015 Spatial Masterplan as e.g. R7, E6, G4.

2) Details relating to the requirements of conditions 6 (relating to a site wide gas investigation and remediation strategy) and 13 (site wide flood risk assessment) should be submitted prior to or contemporaneously with the submission of the first reserved matters application pursuant to this permission.

3) The decision has been reached taking into account the guidance in paragraphs 186-187 of the National Planning Policy Framework (2012).

37.2 14/00514/FUL

Site and public infrastructure works including new primary vehicle link road and Alliance Boots vehicle access, new canal bridge, associated demolition works, earthworks, remediation, utilities and drainage infrastructure
Boots campus, Beeston, Nottingham

The Committee considered the report which proposed the creation of a new public road, details of which are set out above.

The Committee was advised of the summary of late items which are set out below:

- Email (dated 15 December 2014) from a resident of Clifton reiterating previous comments already submitted.

Mr M Chivers (Applicant) addressed the Committee prior to the general debate.

Members debated the issue and the following comments were made:

- Consider a weight/height restriction for the access to the residents’ part of the access.
• Ask Nottinghamshire County Council about residents’ access only and the definition of ‘resident’.
• Pursue the possibility of a bus plug/deterrent on Lilac Grove and Humber Road as well as an HGV restriction along parts of the road.
• Although the environmental statements contained within the report were very lengthy, it was considered that an Environmental Impact Assessment should be undertaken to consider the cumulative overall impact of the scheme.
• There were requirements for the Council to consider new school provision which should be away from traffic.

The Head of Neighbourhoods and Prosperity responded as follows:

• Broxtowe would pass on comments to the County Council concerning any terms of the operation of the public highway concerning weight restrictions and deterrents etc.
• The Head of Legal and Planning Services to consult with the Leader under delegated authority concerning Section 106 matters.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with drawing(s) numbered 04023 (Full Planning Application Boundary) dated as received 27 August 2014, amended drawings 60290174-BR-GA-0101, 60290174-BR-GA-0102, 60290174-BR-GA-0103, 60290174-HDP-0107, 60290174-HDP-108, 60290174-HDP-109, 60290174-HDP-0104 and amended drawing entitled Proposed Demolitions Stage D as received 25 November 2014.

   Reason: In the Interests of clarity.

3. No site clearance works, vegetation removal or development shall commence within the site until an Arboricultural Method Statement is prepared in accordance with principles set out in British Standard 5837:2012-'Trees in Relation to Design, Demolition and Construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall identify trees to be retained within the site and specify measures to be put in place for the duration of construction operations to protect the existing trees that are proposed to be retained. The development shall be carried out in accordance with
any ongoing requirements set out in the approved Arboricultural Method Statement.

Reason: To ensure the retention of appropriate trees and to provide protection during the construction period.

4. Surface Water Drainage

No development shall commence until such time as a surface water drainage scheme for the site, based on sustainable drainage principles and including an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage design should be based on calculations of the surface water run-off generated up to and including the 1 in 100 year climate change critical storm, and will demonstrate a reduction of the run-off quantity by a minimum of 30% of the run-off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details of how the proposals will deal with the issue of exceedance of surface water run-off. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding and reduce overall flood risk by ensuring the satisfactory storage and disposal of surface water from the site.

5. Construction Environmental Management Plan

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out measures that will be implemented to protect existing species and habitats during the construction phase in accordance with the principles set out in the Ecological Chapter of the Environment Statement (Section 13.5) and shall in particular include the following;

a) protection measures for all necessary construction exclusion zones;
b) location of areas of habitat to be retained and protection measures;
c) details of storage areas for materials;
d) pollution prevention measures;
e) details of lighting to avoid impacts on retained habitats; and

f) reference to any relevant protected species mitigation strategies

The scheme shall be implemented in accordance with the approved recommendations for the duration of the construction period for that particular development parcel.

Reason: To safeguard protected species and valued habitat during the construction phase and in accordance with the aims of Policy 17 of the Aligned Core Strategy.

6. Environmental Management Plan No development shall commence in relation to the changes of ground levels or new road creation until a method statement for addressing the possible presence of reptiles has been submitted to and approved in writing by the Local Planning Authority. The method statement should include precautionary habitat removal works and provision for dealing with reptiles should they be found. The development shall be carried out in accordance with the approved details.

Reason: To safeguard protected species in accordance with the aims of Policy 17 of the Aligned Core Strategy.

7. Water Voles.

No development shall commence until a Water Vole survey, details of any required mitigation proposals and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard protected species and in accordance with the aims of Policy 17 of the Aligned Core Strategy.

8. Link Road

Notwithstanding the submitted details no development shall commence on the link road until details of the following have been submitted to and approved in writing by Local Planning Authority.

a) Surfacing materials for the carriageway, footway and cycleway
b) Cross section drawings depicting the levels of the footway, cycleway, verge and adjacent embankment
c) Street trees including type, height, species and location of the proposed trees, the tree pits/trenches and aeration pipes and a timetable for the implementation of the scheme.

The link road and tree planting scheme shall be carried out in accordance with the approved details. Any trees or plants which die,
are removed or become seriously damaged or diseased within a period of ten years shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the appearance of the link road and in accordance with the aims of Policy 10 of the Aligned Core Strategy.

9. Levels (Finished Details)

Notwithstanding details shown on the approved plans, no development shall commence in relation to the raising or lowering of land levels on the site (with the exception of the construction of the primary link road) until such time as details showing the proposed final levels in relation to a) a fixed datum point(s) and b) the existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

10. The primary link road shall not be brought into use until such time as the canal bridge and alterations to the Humber Road South/Lilac Grove roundabout, approved by way of this permission have been completed to the satisfaction of the local planning authority.

Reason: To ensure that adequate access and mitigation works are carried out in connection with the primary link road in accordance with the aims of Policy 10 of the Aligned Core Strategy.

11. Sub-division Fencing

Notwithstanding the details on drawing number 04022D, 04043 and 04044, no site-dividing means of enclosure shall be erected until revised details showing the position and external appearance of the fencing has been submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed prior to the link road first coming into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and to ensure an acceptable impact on heritage assets in accordance with the aims of Policies 10 and 11 of the Aligned Core Strategy.

12. Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall
be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect the local controlled water receptors (secondary A aquifer and River Trent) from contamination.

13. Flood Risk

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated April 2014 to ensure that road levels are in line with the mitigation strategy to minimise on site flood risk.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the site and in accordance with the aims of Policy 1 of the Aligned Core Strategy.

14. Historic Structures Recording

No building works (including demolitions, alterations or other development) shall take place to building D13 and the disused railway tracks identified in 14.4.17 of the submitted Environmental Statement until a Written Scheme of Buildings Recording in accordance with Level 2 of the English Heritage guidelines “Understanding Historic Buildings: A guide to good recording practice” (EH 2006) has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall relate to building D13 and the disused railway tracks, shall be drawn up and implemented by an archaeologist, conservation architect or other suitably qualified person and shall include details of provision for publication and archive deposition of the drawings, photographs, and written reports. The record of these identified heritage features shall be submitted to and approved in writing by the local planning authority before development commences.

Reason: To ensure the features of heritage value are recorded in accordance with paragraph 141 of the National Planning Policy Framework.

15. Humber Road Gatehouses

Before works are carried out to the existing Humber Road South gatehouses (identified as ‘gatehouses’ on sheet number 04028, a
method statement setting out details as to how the gatehouses are to be relocated shall be submitted to and approved in writing by the Local Planning Authority. The gatehouses shall be relocated in accordance with the approved details.

Reason:
To ensure that the historic fabric of the gatehouses are maintained, in accordance with the aims of Policy 10 of the Aligned Core Strategy.

37.3 14/00644/FUL
Construct 20 No. dwellings
Land east of 6-32 Main Street, Old School Lane, Awsworth

The Committee considered the report which sought planning permission for twenty dwellings on a former allotment site in Awsworth. The application was a resubmission for an application which was refused by the Committee in October 2014 and the revised scheme aimed to overcome the neighbouring amenity issues raised by the Committee due to the proximity to the dwellings on Main Street. The amended layout increased the separation distance between the new houses and numbers 22 and 24 Main Street and retained an acceptable distance between the other properties on Main Street.

The Committee was advised of the summary of late items which are set out below:

- Emailed comments (received 24 November 2014) from a resident of The Lane, Awsworth stating no objection in principle but raising concern over the number of dwellings proposed and the likely increase in traffic.
- Comments dated 25 November 2014 from Nottinghamshire County Council’s rights of Way Officer – no objection is raised but the writer asks that public footpaths should not be encroached upon and where possible the footpath boundary should be left unfenced.

Mr S Welch (objector) addressed the Committee prior to the general debate.

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

- The ward member had met with developers and had expressed concern that too many houses were proposed on the site.
- Water pressure in Awsworth was low and it was considered that the development would exacerbate the problem.
- There were concerns about the access to the site.
- There were concerns about the density of the application and the impact this would have on the quality of residents’ lives.
- There were concerns about the impact the development would have on flooding in the area. It was considered there should be a flood risk
assessment since a member had visited a property on Douglas Avenue where the garden had been waterlogged.

- The need for renewable energy had been stressed to the developers and there were concerns that opportunities in this regard had not been maximised.

An amendment to the recommendation was proposed by Councillor S D Barber and seconded by Councillor D W Watts as follows:

‘That the application be rejected on the grounds of sustainability which is contrary to a policy in the Core Strategy’.

The amendment, on being put to the meeting, was carried.

**RESOLVED** that permission be refused on the grounds that the proposed layout fails to take advantage of the opportunities available to maximise the potential for solar gain and therefore fails to meet the objectives of Policy 1(2) of the Aligned Core Strategy (2014) and there are no other material considerations of competing weight to justify treating this development as an exception to this policy.

37.4 13/00784/FUL
Construct 113 apartments, 27 bungalows, energy centre and associated access road, car parking, amenity space and landscaping
Land between Walker Street and Wellington Place, Eastwood

The application, which Councillor Radulovic had requested by determined by Committee, sought permission for development as outlined above.

No late items had been submitted.

Helen Sharp (supporter) addressed the Committee prior to the general debate.

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

- The site, which had been derelict for over eight years, had been subject to anti-social behaviour activities.
- Whilst the principle of the development itself was welcomed, it was considered that solutions regarding the proposed access arrangements, which members deemed were currently unsatisfactory due to visibility concerns, should be pursued with Nottinghamshire County Council.

Councillor D K Watts, seconded by Councillor S D Barber, proposed that consideration of the application be deferred to allow further consultation with Nottinghamshire County Council on highways and access matters. The Committee also agreed that the County Council should be informed that the
Committee was minded to reject the application if access from Nottingham Road was not improved

The proposal, on being put to the meeting, was carried.

RESOLVED that consideration of the application be deferred to allow further consultation with Nottinghamshire County Council on highways and access matters.

37.5 14/00665/REG4
Construct 8 No. flats
Garages adjacent to 82 Ryecroft Street and Scout Hall at Welch Avenue, Stapleford

The Committee considered the application which was split over two sites, both of which are owned by Broxtowe Borough Council.

The Committee was advised of the summary of late items, which are set out below:

- Comments from the Environmental Health Officer raising no objection subject to a standard land contamination condition being imposed on any planning permission.

Accordingly additional Conditions are recommended:

8(a) No development shall be commenced on the Ryecroft Street site until an investigative survey for the site has first been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.

(b) No building shall be first occupied on the Ryecroft Street site until:

i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and

ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.
Reason: In the interest of public health and safety.

9(a) No development shall be commenced on the Welch Avenue site until an investigative survey for the site has first been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.

(b) No building shall be first occupied on the Welch Avenue site until:

i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and

ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.

Reason: In the interest of public health and safety.

Email (received 02.12.14) from a resident of Ilkeston Rd Stapleford advising that local residents are concerned about loss of garaging for car parking and the potential that new development will lead to roadside parking issues.

Members noted the application.

RESOLVED that permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of the permission.
2. The development hereby permitted shall be carried out in accordance with drawings numbered: 2252/P201A and 2252/P200A received by the Local Planning Authority on 29 October 2014; amended drawings: 2277/P200B and 2277/P201B received by the Local Planning Authority on 19 November 2014 and amended drawings: 2277/P102a and 2252/P102a received by the Local Planning Authority on 27 November 2014.
3. Samples and details of the materials to be used in facing the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the dwellings hereby approved. The development shall be constructed only in accordance with the approved details.
4. The landscaping scheme as shown on drawings numbered 2277/P102 and 2252/P102 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 development shall commence until details of measures for the protection of the trees which are to be retained on the sites have been submitted to and agreed in writing by the Local Planning Authority. The agreed fencing shall be in place before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

6. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.

7. No part of the development hereby permitted shall be brought into use until the driveway and any parking or turning areas are surfaced in a suitable hard bound material (not loose aggregate) for a minimum of 5.0 metres behind the highway boundary and are appropriately drained within the site such that surface water does not drain into the public highway. These areas shall be appropriately maintained for the life of the development.

8. The north side elevation and south side elevation first floor windows on the Ryecroft Street site, as shown on drawing numbered 2277/P200B, shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) before the flats on the Ryecroft Street site are first occupied and thereafter retained in this form for the lifetime of the development.

9.(a) No development shall be commenced on the Welch Avenue site until an investigative survey for the site has first been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.
9. (b) No building shall be first occupied on the Welch Avenue site until:

i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and

ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.

10(a) No development shall be commenced on the Welch Avenue site until an investigative survey for the site has first been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.

(b) No building shall be first occupied on the Welch Avenue site until:

i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and

ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an alternative has first been approved in writing by the Local Planning Authority.

Reasons:

1. To comply with S91 of the Town and Country Planning Act 1990.

2. For the avoidance of doubt

3. To ensure the development presents a satisfactory standard of external appearance of the area 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).
4. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

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

6. In the interests of highway safety.

7. In the interests of highway safety.

8. 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).

9. In the interest of public health and safety.

10. In the interest of public health and safety.

Note to Applicant:

1. The Council has worked positively and proactively with the applicant in accordance with advice in paragraphs 186-187 of the National Planning Policy Framework, with amendments having been negotiated to the proposed development in order to achieve an acceptable standard of design.

2. Any tree works should be undertaken outside of the bird breeding season (March – September inclusive). If works are to be carried out during this time then a suitably qualified ecologist should be on site to survey for nesting birds. Birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (as amended). Nesting boxes should be installed within the developments as recommended by the Extended Phase 1 Habitat Survey, Tree Survey and Code for Sustainable Homes Assessment submitted as part of the planning application.

3. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk
Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

37.6  14/00501/FUL
Erect 12 dwellings in three two-storey blocks with ancillary car parking and garden spaces (revised scheme)
84 Broadgate/Albert Avenue, Beeston

The Committee considered the report which had been deferred from the 12 November 2014 meeting to address concerns of overdevelopment. At the time the application was reported to Committee previously a number of alterations had already been incorporated into the proposals in an effort to reduce the impact of nearby residential properties.

Mr M Hubbard (applicant) and Mr Hamlin (objector) addressed the Committee prior to the general debate.

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

- A member had spoken to the objector concerning the application and there was no dispute with the site being developed. The objector's issue related to the car park and there was some dispute as to the site boundary.
- The planning department had renegotiated with the applicant on scale and massing and the site entrance, which negotiations had lessened the impact on the objector's property.
- Regarding parking, the number of parking spaces to be provided was the subject of planning conditions.
- In terms of the boundary, should permission be granted the Council would ensure compliance with everything including parking arrangements.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the site plan and drawings numbered 20-005, 70-002, 00-001, 20-004, 20-003 received by the Local Planning Authority on 18 August 2014.
3. No building operations shall be carried out until details of the manufacturer, type and colour of the materials to be used in the facing walls and roofs have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.
4. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:

(a) trees, hedges and shrubs to be retained and measures for their protection during the course of development  
(b) numbers, types, sizes and positions of proposed trees and shrubs  
(c) proposed hard surfacing treatment  
(d) planting, seeding/turfing of other soft landscape areas  
(e) proposed retaining walls or similar structures and boundary treatments

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

5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.

6. No part of the development hereby permitted shall be brought into use until the vehicle access, parking and turning areas and bin store area are all provided in accordance with the approved plans. The vehicle access, parking and turning arrangements and bin store area shall thereafter be retained as such for the life of the development.

7. None of the dwellings constructed pursuant to this permission shall be occupied until all driveways, parking and turning areas have been constructed in a hard bound material (not loose gravel) with appropriate drainage so as to prevent the discharge of surface water therefrom onto the highway. These areas shall be retained thereafter for the lifetime of the development.

Reasons:

2. For the avoidance of doubt.
3. No such details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policies E1 and H1(h) of the Broxtowe Local Plan (2004).
4. No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policies E1 and H1(h) of the Broxtowe Local Plan (2004).
5. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policies E1 and H1(h) of the Broxtowe Local Plan (2004).
6. To ensure an adequate form of development in the interests of highway safety.
7. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)

Note to Applicant:

1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework.
2. The development will require works to alter a vehicular crossing over a footway of public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council’s Highways Area Office tel. 0300 500 80 80 to arrange for these works to be carried out.

37.7 14/00579/FUL
Demolish existing church and construct two pairs of 4 bedroom semi-detached houses
John Clifford Memorial Baptist Church, Dovecote Lane, Beeston

The application had been brought before the Committee in order to open discussion on the subject of the sequential test approach which aims to steer new development to areas with the lowest probability of flooding. The Committee noted that the development management policy draft document dealing with the Council’s approach to flood risk was due to be reported to Cabinet in January 2015.

The Committee was advised of the summary of late items which are set out below:

Two emails (received 1 December 2014 and 2 December 2014) from a resident of Bramcote Road, Beeston objecting to demolition of the church as amounting to a loss of history adversely affecting the street’s character, preferring that a conversion took place; the writer considers the development has no architectural merit and that the area should be a conservation area; the writer suggests that if redevelopment is to be approved a modern minimalist design should be sought; materials should be reclaimed from any demolition and re-used.

Mr Hinsley (applicant) and Ms A Parnham (supporter) addressed the Committee prior to the general debate.

The Committee debated the application which sought demolition of the existing church and the construction of two pairs of four-bedroomed semi-detached dwellings. The following comments were made:

• Members viewed the development proposals in a positive light.
Should permission for the development proposals be granted, members were mindful that efforts should be made for the tablets of stone to be preserved.

Members considered that rejection of the development on flooding grounds would set a precedent.

The development would be an asset to the area.

The development would be a good use of the land to make nice homes for people.

Councillor D K Watts, seconded by Councillor S D Barber, proposed that the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to appropriate planning conditions.

The proposal, on being put to the meeting, was carried.

RESOLVED that the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to appropriate conditions.

37.8 14/00633/FUL
Construct single storey side and rear extension
1 Cedarland Crescent, Nuthall

Councillor Simpson had requested that the application, which sought planning permission to construct a single storey extension to the side and rear of the property, be brought before Committee.

Councillor P D Simpson (ward member for Nuthall East and Strelley) and Mr A Booth (objector) addressed the Committee prior to the general debate.

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

- Members considered that the objector had valid concerns about the scale of the development.
- Members would like to consider deferring a decision on the application to try and resolve the issues by seeking an amicable solution to address the applicant’s aspirations and the objector’s concerns.
- If the issues between the applicant and the objector were resolved and agreement could be reached on an acceptable scheme, the decision on the granting of planning permission be taken under delegated powers.

Councillor M Radulovic, seconded by Councillor D K Watts, proposed that the decision be deferred to see if the applicant and the objector could reach agreement on an acceptable scheme. If no agreement could be reached, the matter would be brought back to Committee.

The proposal, on being put to the meeting, was carried.
RESOLVED that the decision be deferred pending agreement between the applicant and the objector reaching agreement on an acceptable scheme. If such an agreement could be reached, the Council’s Head of Neighbourhoods and Prosperity would exercise delegated authority to grant permission. If no agreement could be reached, the matter would be reconsidered by Committee.

37.9 14/00687/FUL
Construct rear conservatory
8 Cranston Road, Bramcote

The application, which sought planning permission to construct a conservatory to the rear of the detached dwelling, had been made by a Councillor and was accordingly required to be determined by Committee.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.

2. The development hereby permitted shall be carried out in accordance with drawings numbered 3 and 4 received by the Local Planning Authority on 5 November 2014.

Reasons:


2. For the avoidance of doubt.

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework.

2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be
37.10 14/00140/ENF
Consideration of enforcement action – unauthorised marquee at The Crown Inn Public House, 20 Church Street, Beeston

Councillor Jackson had requested that this matter be considered by Committee. The licensee and the property owners had been advised in writing by letter dated 20 June 2014 that the marquee should be removed since the property is a listed Building and planning permission was unlikely to be granted for retention of the structure. No response had been received from the licensee or the brewery regarding the issue.

The Committee considered the report and noted that the Council had, in the light of the impact of tram works and town centre redevelopment works on local businesses, exercised tolerance in pursing enforcement action. The Committee considered that in the interests of fairness to other similar establishments, enforcement action should now be pursued.

Councillor S D Barber, seconded by Councillor ?????, proposed that the recommendation be amended to reflect that unless an application is received before a date 12 weeks after the opening of Middle Street to two-way traffic and subject to the Director of Legal and Planning Services being satisfied as to the evidence, all necessary enforcement action be taken to secure the removal of the unauthorised marquee, including through the courts if necessary.

The proposal, on being put to the meeting, was carried.

RESOLVED that unless an application is received before a date 12 weeks after the opening of Middle Street to two-way traffic and subject to the Director of Legal and Planning Services being satisfied as to the evidence, all necessary enforcement action be taken to secure the removal of the unauthorised marquee, including through the courts if necessary.

38. INFORMATION ITEM

38.1 Delegated Decisions

The Committee noted the planning applications determined by the Development Control Manager from 21 October to 21 November 2014.
Councillor McGrath has requested that this application be brought before Committee.

1.0 Details of the application

1.1 The application seeks permission to erect three flats on an existing garage block site.

1.2 It is proposed that each of the flats would have their own entrance door and no communal areas are proposed.

1.3 The proposed development would have a height to eaves of 5.637m (at the front) and height to ridge of approximately 7.1m (maximum) from ground level to the front of the property. To the rear of the property it is proposed that the property will have a height to eaves of approximately 5.1m (maximum). The proposed height to eaves at the rear of the property will be no higher than the eaves at the neighbouring church or 30 Antill Street. It is proposed that the building will be shorter than the two neighbouring buildings on Antill Street.

1.4 It is proposed that the building will be positioned approximately eight metres from the rear boundary of the site and approximately 13.5m from the nearest rear elevation of the dwellings on St James Terrace. It is proposed that the building will be approximately 3.2m from the boundary with the church and approximately seven metres from 30 Antill Street. It is proposed that the property will sit on the front boundary of the site.

2.0 Site and surroundings

2.1 The garage block is located between an electricity sub-station and the vacant Haven Church (for which a separate planning application is currently under consideration).

2.2 The land of the site slopes down to the north and to the west. There is a significant change in levels between the garage block and neighbours on St James Terrace of approximately 3 metres.

2.3 To the rear of the garage block is an area of land which is overgrown. To the rear boundary there is a brick wall of approximately 6ft and overgrown shrubbery.
3.0 Relevant planning history

3.1 Planning permission was granted in 2004 to construct a pair of two bed semi-detached houses. This development included a garage for each dwelling to provide off road parking.

4.0 Policy context

4.1 Broxtowe Local Plan:

4.1.1 Policy H7 of the Broxtowe Local Plan (2004) states that residential development on sites within existing built up areas will be permitted provided that occupiers of the new dwellings and occupiers of nearby properties 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 and that satisfactory arrangements can be made for access and parking.

4.1.2 Policy T11 states that planning permission will not be granted for new development unless appropriate provision is made for vehicle parking and servicing.

4.2 Adopted Core Strategy:
4.2.1 Policy 8 of the Adopted Aligned Core Strategy (2014) 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.

4.2.2 Policy 10 of the Adopted Aligned Core Strategy (2014) states that new development should make a positive contribution to the public realm and sense of place, reflect the need to reduce the dominance of motor vehicles and create an attractive, safe, inclusive and healthy environment. The development should also be assessed in terms of massing, scale and proportion, materials, architectural style and detailing and the impact on the amenity of nearby residents.

4.3 National Planning Policy Framework:

4.3.1 The National Planning Policy Framework (NPPF) (2012) contains a general presumption in favour of sustainable development whereby planning permission should be granted unless permitting the development significantly and demonstrably outweighs the benefits. Paragraph 17 outlines 12 core planning principles which should underpin the planning system, including that planning should be plan-led, that high quality design and a good standard of amenity for existing and future occupants should be secured and that developments should be located in sustainable locations and effective use of brownfield land should be made. The same paragraph emphasises that planning should encourage the effective use of land by reusing land that has been previously developed provided that the land is not of high environmental value. Paragraph 17 also mentions that development should be focused in locations which are sustainable, where the fullest possible use of public transport, walking and cycling are made.

4.3.2 Paragraph 50 of the NPPF states that in order to create sustainable, inclusive mixed communities, Local Planning Authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community.

5.0 Consultations

5.1 20 letters of objection have been received for the application. Reasons for objection include:

- Traffic
- Noise
- Parking problems (existing and potential future)
- Inappropriate location close to nursery and primary school
- Change in character of the area
- Youths/anti-social behaviour
- Drugs/smoking problems on street
- Too many flats proposed for site
- Types of residents proposed
• Issues with fire engine access
• Loss of light
• Loss of privacy.

5.2 One letter of observation has also been received for the application querying visibility/potential overlooking from a first floor window to the south elevation.

5.3 Nottinghamshire County Council (NCC) Highways has assessed the application in conjunction with the application submitted for the conversion of the church. The officer notes that no off street parking has been provided for the application which would raise a concern as on street parking is in demand due to the nature of the street being terraced. While the proposed use of the flats are for residents of Framework, who are unlikely to own a car, the properties may not stay in the ownership of Framework in the future and could potentially be released to the open market. Therefore NCC Highways have assessed the application as C3 dwellings (dwellings for individuals or families) and have considered the long term potential for the site. As a result, 0.8 car parking spaces would be required per flat for the 11 flats in total, which would result in a requirement for 9 off street parking spaces. NCC Highways consider that the development fails to make adequate parking provision for the proposed development, which would result in a danger to other users of the public highway as a result of an increased number of vehicles parked on the road and that residents would park in the turning head, therefore possibly preventing the turn and forward exit of refuse lorries and other large vehicles. NCC Highways have requested that the application be refused due to the over-intensive development and deficiencies described above, resulting in an unacceptable proposal.

6.0 Appraisal

6.1 The application seeks permission to construct three one bedroom flats on the existing garage site. Planning permission was granted in 2004 to construct a pair of semi-detached houses on the site. Therefore it is considered that the principle of development on the site is acceptable.

6.2 The proposed development would appear on the street scene as a pair of semi-detached houses with two doors to the front elevation of the dwelling and one door to the side elevation. The proposed development would be no taller than the neighbouring properties on Antill Street. Due to the changes of land levels, the rear section of the property has been stepped down so to lessen the impact of the development on neighbours to the rear at St James Terrace.

6.3 The majority of the properties along Antill Street are built up to the public highway and many of the properties do not have off street parking. This is also the case for many streets in this area of Stapleford close to the town centre. Therefore it is considered that a development close to the pavement as that proposed would be acceptable in this location.
6.4 To the front elevation of the property, four windows are proposed and two doors are proposed. It is not considered that these openings will result in any overlooking issues to neighbouring occupiers. To the north elevation (facing the church) one large window is proposed to first floor and a smaller window is proposed to ground floor.

6.5 To the south elevation, one window is proposed to first floor and a door is proposed to ground floor. This side window is a secondary window to a bedroom and can be obscurely glazed if necessary.

6.6 To the rear elevation four facing windows are proposed and one velux window is proposed. It is proposed that two of the windows will serve bedrooms and the other two will serve bathrooms. The two bathroom windows can be obscurely glazed. The possibility of raising the height of the windows was discussed with the agent, however this would not have been possible due to Building Regulations requirements.

6.7 While the proposed openings to the rear elevation and north elevation to first floor may result in a degree of overlooking to neighbouring occupiers, it is not considered that this would be significant enough to warrant the refusal of the application.

6.8 It is proposed that the building will be constructed of render and brick to match that of the neighbouring church building and other properties on Antill Street. It is considered that the proposed materials and design of the property are acceptable. To the rear boundary of the site a 1.8m close boarded timber fence is proposed and the existing section of wall between the site and church will be replaced with railings.

6.9 It is considered that residential development on this site would be appropriate in this residential area and would not result in an undesirable change in the character of the area. The NPPF also states that planning should encourage the effective use of land by reusing land that has been previously developed provided that the land is not of high environmental value. It is not considered that this land is of high environmental value and the construction of three flats would make an effective use of this parcel of land which is currently vacant and largely unkempt.

6.10 As part of the application it is proposed that one parking space will be provided for use by visiting Framework staff. Secure bike storage for 3 bikes are proposed on the site.

6.11 The site is within easy walking distance of Stapleford Town Centre and there is some on street parking available without restrictions. A long stay Broxtowe Borough Council owned car park is also within 2 minutes’ walk of the proposed development which allows for all day parking and free parking 6pm-8am. The NPPF and Adopted Core Strategy both state that the dominance of motor vehicles should be reduced and that sustainable locations which have good public transport links and where walking and cycling can be taken advantage of should be encouraged.
6.12 The agents have been contacted to discuss using the garage site for off road parking for the residents of the proposed church conversion, however they do not consider it is necessary to provide any off road parking.

6.13 Although Nottinghamshire County Council has submitted an objection to the proposed development, it is not considered that the proposed development could be refused planning permission due to the lack of off street parking. The site is in an area of Stapleford which is characterised by terraced houses and off street parking. Notwithstanding this, the site is close to Stapleford town centre with good public transport links. There is also a car park area on Antill Street which is owned by Broxtowe Borough Council and does not appear to have any parking restrictions.

7.0 Conclusion

7.1 It is considered that the proposed development would not be harmful to the character of the area or have a detrimental impact on the amenity of neighbouring occupiers. Although an objection has been received by Nottinghamshire County Council Highways department, it is not considered that the refusal of the application would be justified given the proposed use of the property, location and character of the surrounding area.

7.2 In conclusion and having regard to all comments received, the relevant national and local plan policy and all other material considerations, it is considered that this proposal is acceptable.

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 drawings numbered 01F received by the Local Planning Authority on 10 November 2014 and 07A received by the Local Planning Authority on 23 December 2014.

3. No building operations shall be carried out until details of the materials to be used in facing walls and roof have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.

4. The first floor window in the South elevation 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 be retained as such for the lifetime of the development.
Reasons:


2. For the avoidance of doubt.

3. No such details were submitted and to ensure the development presents a satisfactory standard of external appearance and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 (Design and Enhancing Local Identity) of the Adopted Aligned Core Strategy (2014).

4. 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).

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework.

Background papers
Application case file
Land On South Side Of St Andrews Church, Antill Street, Stapleford
Construct 3 Number flats

Development Control Committee 14 January 2015

Directorate of Legal and Planning Services

Scale: 1: 1,250
Councillor McGrath has requested that this application be brought before Committee.

1. **Details of the application**

1.1 The application seeks permission to change the use of the church to 8 self-contained one person flats.

2. **Site and surroundings**

2.1 The church building is located on a residential street a short distance from Stapleford town centre. The church building is constructed of smooth red brick, textured white render and rosemary clay roof tiles. To the south of the building is a block of garages which is subject to a separate planning application.

2.2 The land slopes down towards the north and west, with a significant change in land levels with the properties on St James Terrace to the rear boundary of the site lower than the church building.

2.3 The front boundary of the site abutting the footway is marked by a wall of approximately 1m in height. There is no defined boundary treatment to the majority of the south boundary with the garages, except for a small section of wall approximately 1.5m high. To the rear boundary is close board fencing and a wall approximately 1.8m in height. There is currently a wall to number 10 approximately 1.8m high.
3. Relevant planning history

3.1 There is no relevant planning history for this application but Antill Street was changed from a through road to two culs-de-sac as part of a range of environmental improvements brought about by the declaration in June 1974 of the Halls Road GIA.

4. Policy context

4.1 Broxtowe Local Plan:

4.1.1 Policy H4 of the Broxtowe Local Plan (2004) states that proposals for the subdivision or adaption of existing buildings which produces new housing will be permitted, provided that residents would have an acceptable standard of amenity and that the development would not result in unacceptable parking problems either by itself or by setting a precedent.

4.1.2 Policy T11 states that planning permission will not be granted for new development unless appropriate provision is made for vehicle parking and servicing.

4.2 Adopted Core Strategy:

4.2.1 Policy 8 of the Adopted Aligned Core Strategy (2014) 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.

4.2.3 Policy 10 of the Adopted Aligned Core Strategy (2014) states that new development should make a positive contribution to the public realm and sense of place, reflect the need to reduce the dominance of motor vehicles and create an attractive, safe, inclusive and healthy environment. The development should also be assessed in terms of massing, scale and proportion, materials, architectural style and detailing and the impact on the amenity of nearby residents.
4.3 National Planning Policy Framework:

4.3.1 The National Planning Policy Framework (NPPF) (2012) contains a general presumption in favour of sustainable development whereby planning permission should be granted unless permitting the development significantly and demonstrably outweighs the benefits. Paragraph 17 outlines 12 core planning principles which should underpin the planning system, including that planning should be plan-led, that high quality design and a good standard of amenity for existing and future occupants should be secured and that developments should be located in sustainable locations and effective use of brownfield land should be made. The same paragraph emphasises that planning should encourage the effective use of land by reusing land that has been previously developed provided that the land is not of high environmental value. Paragraph 17 also mentions that development should be focused in locations which are sustainable where the fullest possible use of public transport, walking and cycling are made.

4.3.2 Paragraph 50 of the NPPF states that in order to create sustainable, inclusive mixed communities, Local Planning Authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community.

4.3.3 Paragraph 51 of the NPPF states that Local Planning Authorities should identify and bring back into residential use empty housing and buildings and should normally approve applications for change to residential use.

5. Consultations

5.1 18 letters of objection and two observations have been submitted in relation to the application. Reasons for objection include:

- Traffic
- Noise
- Parking problems
- Concerns about changing the road layout
- Anti-social behaviour/youths
- Drugs
- Changing character of area
- Proposed/future occupation
- Too many dwellings for property
- Proposed support available for residents
- Issues with access for fire engines
- Privacy/overlooking
- Creating a “ghetto” in area of Stapleford/ issues with proposed types of residents.

5.2 Nottinghamshire County Council (NCC) Highways has assessed the application in conjunction with the application submitted for the new build of three flats on the existing neighbouring garage site. The officer notes that no
off street parking has been provided for the application which would raise a concern as on street parking is in demand due to the nature of the street being terraced. While the proposed use of the flats are for residents of Framework, who are unlikely to own a car, the properties may not stay in the ownership of Framework in the future and could potentially be released to the open market. Therefore NCC Highways have assessed the application as C3 dwellings (dwellings for individuals or families) and have considered the long term potential for the site. As a result, 0.8 car parking spaces would be required per flat for the 11 flats in total, which would result in a requirement for 9 off street parking spaces. NCC Highways consider that the development fails to make adequate parking provision for the proposed development, which would result in a danger to other users of the public highway as a result of an increased number of vehicles parked on road and that residents would park in the turning head, therefore possibly preventing the turn and forward exit of refuse lorries and other large vehicles. NCC Highways have requested that the application be refused due to the over-intensive development and deficiencies described above, resulting in an unacceptable proposal.

6. Appraisal

6.1 The application seeks permission to change the use of the vacant church to eight self-contained flats for use by Framework Housing Association as “move on accommodation”. The main issues to consider for this application are the potential for overlooking to neighbouring occupiers and potential parking issues that may arise from the development.

6.2 No extensions are proposed to the property, however alterations such as the infill of openings and inclusion of new openings are proposed. To the lower ground floor, a new door is proposed to provide access to an electrics cupboard to the front of the property. To the rear elevation of the lower ground floor, two existing windows will be removed and replaced to form entrance doors to flats 1 and 2. To the front elevation it is proposed that a window sill will be dropped to provide a larger window to flat 4 and an existing window will be replaced with a door. It is not considered that these openings will result in any overlooking to neighbouring occupiers which would warrant the refusal of the application.

6.3 To the upper ground floor, it is proposed that the front elevation and south elevation will be unchanged. To the rear elevation, one additional window is proposed to flat 7. It is proposed that this window will be of a style to match the existing windows at the property and will be obscurely glazed to reduce potential overlooking to neighbours at the rear. To the north elevation it is proposed that an existing window will be replaced with an entrance door and an existing opening filled.

6.4 To the upper floor mezzanine, it is proposed that a feature window in the north elevation will be enlarged to provide light to the bed deck for flat 7. It is proposed that part of this window will be obscurely glazed. It is proposed that the window in the south elevation will be retained. As part of the proposal it is proposed that 12 Velux windows will be inserted in the roof of the building to
provide additional light. It is not considered that these openings would result in any overlooking to neighbouring occupiers.

6.5 In order to prevent significant overlooking to the occupier of the first floor flat of the new build, it is considered that the secondary glazing to the window in the South elevation should be obscurely glazed.

6.6 Although there is a significant change in levels between the building and the properties on St. James Terrace, it is not considered that the proposed development would be harmful to the amenity of the neighbours to the rear such as would warrant the refusal of the application.

6.7 It is not considered that the change of use of the building to residential use will be harmful to the character of the area since Antill Street and many of the surrounding streets are predominately residential in character. It is not considered that this proposed use would be harmful to the amenity of residential neighbours. The proposal will also bring back into use a property which is vacant, something which local and national planning policies encourage.

6.8 Objections have been received by local residents in relation to parking problems on Antill Street. Nottinghamshire County Council Highways department has requested the refusal of the application due to the lack of off street parking proposed for the development. However the character of many residential properties in the area does not include off street parking. There are no on street parking restrictions on Antill Street and a Broxtowe Borough Council owned car parking area is also situated on Antill Street, which does not have any parking restrictions. In addition to this, there is a Broxtowe Borough Council owned long stay pay and display car park situated on Halls Road, which is a two minute walk from the site.

6.9 The property is located within a short walking distance of Stapleford Town Centre where there are good public transport facilities available. The NPPF and the Adopted Core Strategy both state that the dominance of motor vehicles should be reduced and that development in sustainable locations which have good public transport links and where walking and cycling can be taken advantage of should be encouraged.

6.10 It is proposed that the existing brick wall to the rear boundary will be retained and the fencing will be raised and replaced with 1.8m high close boarded fencing. To the rear of the property, secure cycle storage is proposed next to the proposed bin store.

7. Conclusion

7.1 It is considered that the proposed development would bring forward eight dwelling units aimed at a particular target group and would not be harmful to the character of the area nor have a detrimental impact on the amenity of neighbouring occupiers. Whilst the Local Highways Authority considers that there is insufficient parking proposed for the development, given the nature of
the proposed development, location close to Stapleford town centre and the on-street parking character of the surrounding area, it is not considered that the refusal of the application could be justified.

7.2 In conclusion and having regard to all comments received, the relevant national and local plan policy and all other material considerations, it is considered that this proposal is acceptable.

**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 drawings numbered 12 received by the Local Planning Authority on 20 November 2014, and drawings numbered 08A and 11A received by the Local Planning Authority on 23 December 2014.

3. The secondary glazing to the upper ground floor / upper ground mezzanine floor in the South elevation 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 be retained as such for the lifetime of the development.

**Reasons:**


2. For the avoidance of doubt.

3. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H4 of the Broxtowe Local Plan (2004).

**Notes to Applicant**

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

**Background papers**

Application case file
Haven Church, Antill Street, Stapleford
Change use of existing church (Class D1) to 8 no. flats (Class C3)

Development Control Committee 14 January 2015

Scale: 1: 1,250

Directorate of Legal and Planning Services
1.0 Purpose of the report

1.1 The application was originally brought to Development Control Committee on 12 November 2014. Following discussions it was resolved to defer the application to address concerns of overdevelopment and neighbour impact. The applicants have submitted amended plans in an attempt to overcome the concerns expressed at that Committee.

1.2 The amendments can be summarised as follows. The scheme now proposes 5 additional dwellings rather than 6 as originally put before Committee. This has been achieved by replacing a proposed pair of semi-detached dwellings with a single detached house and adjoining garage towards the north western corner of the site.

1.3 The two storey flank wall of the proposed detached house is in the same location as the flank wall of the semi-detached house which is 17.1m approximately from the rear wall of no. 85 Chetwynd Road and 6.9m from its rear boundary. The depth of that flank wall has however been reduced from 9.3m to 7.4m thereby reducing the bulk of wall that no. 85 would look out towards. The amended application does show an adjoining garage which was not on the original scheme. It would be 14m from the rear wall of no. 85 Chetwynd Road and approximately 3.8m away from the rear boundary. The garage is single storey and has a roof which slopes away from the shared boundary.

1.4 The previous Officer recommendation to Committee was that the separation distance of the two storey flank wall in relation to the land and house at no. 85 was acceptable in terms of any overbearing and overshadowing impact. The fact that the storey flank wall, although of the same proximity, is now shallower by almost 2m means that the impact of the two storey wall would be less than previously assessed. The amendments introduce a single adjoining garage to the north west element of the site. Although it is closer than any previous building on the scheme originally assessed by Committee, it is single storey, has a low eaves height (approximately 2.3m) and its roof slopes away from the shared boundary. It is concluded that it would not have a significant amenity impact on existing residents.

1.5 In an attempt to overcome concerns expressed regarding an over intensive development, the applicant has reduced the numbers of properties by 1 on the site. The scheme now proposes 5 additional dwellings on the site. Based on the site area of 0.21 hectares, the proposed development (including existing property) would have a resultant density of 28 units per hectare. This is not considered to be a high density in planning terms.
1.6 The Council has reconsulted on the latest design and has received 7 objections from 6 neighbouring properties. The comments argue that the amendments do not overcome the previous concerns expressed by residents about the density and impact of the scheme and that it is little different to the proposal put before Committee in November. Additional concern is raised that the new trees will block out light to residents on Chetwynd Road.

1.7 Occupiers of 2 residential properties on Chetwynd Road have written to raise no objection to the amended proposal.

1.8 In light of the above and the previous recommendation to Committee, it is concluded that the amended scheme is acceptable in planning terms.

**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 amended plans 7074 P05B, 7074 P11B, 7075/P 10A, 7074 P 06B, 7074 P 12B and 7074 P 01H.

3. No development shall commence until details including samples of the materials to be used in facing the walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

4. No development shall take place until a landscaping scheme has 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 hard surfacing treatments
   (d) planting, seeding/turfing of other soft landscape areas

The approved scheme shall be carried out strictly in accordance with the agreed details. The boundary treatment shall be constructed in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.
5. 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.

6. The dwellings shown as plots 3-7 inclusive hereby permitted shall not be occupied until such time as the access arrangements and access road have been constructed in accordance with the details shown on the submitted drawing reference 7074 P 01 C.

7. The dwellings shown as plots 3-7 shall not be occupied until such time as the parking spaces shown on drawing reference 7074 P 01 C have been constructed and laid out in accordance with the approved details. These parking spaces shall be kept available for use for the parking of vehicles in connection with the approved residential use.

8. The dwelling shown as plot no. 2 shall not be occupied until the parking spaces shown on approved plan 7074 P 01 C have been constructed and laid out with provision to prevent the unregulated discharge of surface water from the driveways and parking spaces onto the public highway.

9. Other than those windows shown on approved plan 7074 P11B no windows or other openings above first floor level shall be created in the rear (south west) facing elevation of plot no.3. Those windows shown at first floor level of plot no.3 on the approved plans shall be obscurely glazed and retained as such for the lifetime of the development.

Reasons
2. For the avoidance of doubt.
3. Insufficient 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 Policies H7, E1 and E3 of the Broxtowe Local Plan (2004).
4. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policies H7, E1 and E3 of the Broxtowe Local Plan (2004).
5. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policies H7, E1 and E3 of the Broxtowe Local Plan (2004).
6. In order to ensure that satisfactory access arrangements are provided to serve the dwellings.
7&8. In order to ensure that sufficient parking provision is made to serve the development and in accordance with the aims of Policy H7 of the Broxtowe Local Plan.
9. In order to safeguard residential amenity for neighbouring occupiers in accordance with the aims and criteria of H7 of the Broxtowe Local Plan.

Note to applicant

The decision has been reached taking into account the guidance in paragraphs 186-187 of the National Planning Policy Framework.

Background papers
Application case file
73 Chetwynd Road, Toton
Construct extension to existing dwelling to form 2 N° dwellings and construct 5 N° new dwellings

Development Control Committee 14 January 2015

Scale: 1:1,250

Directorate of Legal and Planning Services
Councillor Khalid has requested this application be determined by committee.

1.0 Details of the Application

1.1 The application proposes to extend the existing house with a first floor side extension creating an additional adjoining dwelling. The application also proposes five dwellings to the existing large rear garden which would be served by a new private drive accessed directly from Chetwynd Road. This part of the site would comprise two pairs of two semi-detached dwellings and one detached dwelling with garage.

1.2 Amended plans have been received during the course of the application which have relocated two of the proposed properties (plots 6&7), redesigned the roofs of plots 4-7 inclusive, and relocated a first floor window on plot no.3.

2.0 Site and Surroundings
2.1 73 Chetwynd Road is a mid twentieth century two storey dwelling house with large single storey side extension. It fronts onto Chetwynd Road and has a large rear garden (approximately 48m in depth) with a number of domestic outbuildings.

2.2 The site includes a number of trees which have been assessed in the tree report accompanying the planning application. The report concludes that there are no trees on the site worthy of Tree Preservation Order protection.

2.3 Chetwynd Road is a predominantly residential street comprising a number of mid and late twentieth century houses, including a mix of bungalows, detached, semi detached and terraced housing. Chetwynd Road also has Chetwynd Primary Academy school. The road is a cul de sac and does not allow traffic access through to Swiney Way (to the north).

3.0 Relevant Planning History

3.1 There are no previously registered planning applications for this site, relevant to the application before Committee.

4.0 Policy Context

4.1 The National Planning Policy Framework (NPPF) March 2012, contains a general presumption in favour of sustainable development whereby planning permission should be granted unless any adverse impacts of permitting the development significantly and demonstrably outweigh the benefits or specific policies in the framework indicate development should be restricted. It outlines 12 core planning principles which should underpin the planning system including that planning should be plan-led, sustainable economic development should be proactively driven and supported, high quality design and a good standard of amenity for existing and future occupants should be secured, full account should be taken of flood risk, heritage assets should be conserved in a manner appropriate to their significance, the natural environment should be conserved and enhanced, developments should be located in sustainable locations and effective use of brownfield land should be made.

4.2 In relation to assessing the highway impacts of a proposal, the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts are severe.

4.3 The Council adopted the Core Strategy on 17 September 2014 and the overall strategy of this document is “urban concentration with regeneration”. Following the adoption of the Core Strategy the Council is able to demonstrate a five year supply of deliverable housing sites in accordance with the NPPF.

4.4 ‘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 3600 are in or adjoining the existing built up area of Nottingham) and outlines a settlement hierarchy.

4.5 Policy 8: Housing Mix and Choice sets out the approach to ensuring that new housing development includes an appropriate mix of housing types, sizes and tenures.

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

4.7 Saved Policies of the Broxtowe Local Plan.

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

Policy H7: residential development in built up areas will be permitted providing there is no significant impact on the amenity of nearby residents and that the occupiers of the new dwellings would have a satisfactory degree of privacy and amenity. The development should not have an adverse impact on the character or appearance of the area and satisfactory arrangements for parking and access need to be made.

5.0 Consultations

5.1 Nottinghamshire County Council as Highway Authority have no objection to the application. They consider that adequate visibility can be provided from the site onto Chetwynd Road. It is noted that a telegraph pole and lighting column would need to be located at the applicant’s expense in order to allow vehicular access to the site.

5.2 The Council received eight objections from six properties on Chetwynd Road, one observation from one property on Chetwynd Road, and five letters of objection from 4 properties on Calverton Close, to the originally submitted application. The Council received six objections from six properties on Chetwynd Road and one objection from one property on Calverton Close in response to the reconsultation on the amended plans.

5.3 The objections concern the overall number, positioning and height of dwellings on this plot, existing traffic congestion and issues of highway access which would be made worse by the addition of new housing. Concern is also raised regarding noise and smell that will arise from new homes being situated nearby, as well as fumes from additional motor vehicles. It is also commented that there is wildlife on the site which would be lost due to the proposed development. Specific concerns are also raised in the objections relating to an overbearing impact from plot no.7 on properties on Chetwynd Road, a loss of privacy to those properties and to those on Calverton Close from plots 4-7 as well as a loss of daylight and outlook to existing residents resulting from an overshadowing and overbearing development.
5.4 Objections also include the loss of trees from the site, and the location of a bin storage/collection point adjacent to the boundary with no.75 Chetwynd Road. There is also concern that car parking spaces are proposed to the other side of neighbouring fences/boundaries and there will be disturbance from headlights, noises from car doors etc. Comment is also made that existing schools are at capacity.

5.5 Observations are made relating to boundary fencing and treatments as well as the appropriateness of proposed new trees near to shared boundaries.

6.0 Appraisal

6.1 The main factors relevant to the determination of the application is the impact of the residential development on existing residents with regard to loss of light, outlook, privacy and general amenity. Highway considerations such as safe access to and from the site, and any impact on existing levels of congestion also shall be assessed. Further matters such as design, bin storage, trees etc are also included in the appraisal.

Amenity Impact

6.2 As noted in 1.2, amended plans have been received during the application process in an attempt to overcome concerns specifically relating to any overbearing impact on existing residents on Chetwynd Road.

6.3 Plot no. 7 is proposed beyond the rear boundary of nos. 83-87 Chetwynd Road with the main flank wall being directly to the rear of no.85. Amended plans show the flank wall of plot no.7 being approximately 17.1m from the rear of no.85 and set approximately 6.9m in from the shared boundary. Amended plans show that plot no.7’s roof would be designed as a hip sloping away from the shared boundary in an attempt to minimise impact on no.85 and other neighbouring properties. Objections to the application note that the gardens to the existing properties in this part of Chetwynd Road are small in depth and that the proposed dwelling would be to the south of these existing neighbours and that the southern aspect is their main source of natural light into their habitable rooms of the existing properties. Site visits, including to neighbouring properties, have confirmed that this is the case.

6.4 It is accepted that there will be a change in aspect from the current situation as properties in this part of Chetwynd Road have enjoyed the benefit of a sense openness and spaciousness, largely due to the extensive and undeveloped land of their neighbour (no.73). However planning permission should only be refused where such a change would be unacceptably harmful to the amenity of those residents.

6.5 A ‘back to flank’ separation distance in excess of 17m is considered acceptable between two storey dwellings, particularly as plot no.7 is situated almost 7m from the rear shared boundaries of affected properties on Chetwynd Road. The hipped roof design also helps minimise the impact. It is concluded that such a separation distance would not cause unacceptable levels of overshadowing or overbearing to the southern aspect of existing properties on Chetwynd Road either to their gardens or living accommodation.
6.6 Turning attention to the relationship of the proposed development to existing residents on Calverton Close, the objections in section 5.3 are considered. The proposed plots 4-7 inclusive would have rear gardens of approximately 12m in length. This would ensure an approximate 21-22m separation distance between the existing and proposed dwellings. Although this would again be a change in experience as currently these properties on Calverton Close have no houses immediately to their rear owing largely to the extensive undeveloped garden within the application site, the degree of overlooking would not be unacceptable owing to the above separation distance which from a planning point of view is both acceptable and commonplace.

6.7 Other amenity issues raised include the location of parking bays to serve two dwellings which are situated beyond the rear boundary of no.81 and the resultant noise and disturbance, and fumes from car exhausts. A landscaping scheme would ensure that there is close boarded fencing situated along this shared boundary which would help obstruct shine from headlights, and additional planting is shown indicatively on the layout plan. It is not considered that any noise from car parking spaces serving plots 6 and 7 would be materially different to the existing neighbours of no.81 using their car and parking it next to or nearby as occurs in a normal residential layout. Therefore it is not considered this is a matter on which planning permission could be refused.

6.8 The amended plans show two first floor windows to the rear (south west facing) elevation of plot no.3 looking towards no.71 Chetwynd Road. Both of these windows are obscurely glazed and are to serve bathroom/en-suite accommodation. As it can be conditioned that these windows be obscurely glazed and that no other openings be allowed into the first floor of this elevation, it is concluded that this plot would not afford unacceptable levels of overlooking from the new dwelling to the rear garden of no.71 Chetwynd Road.

6.9 All other views and aspects have been assessed as part of the application and it is concluded that any other new views from the proposed dwellings would be either such a distance away from neighbouring residents, or at such an oblique angle in relation to them that there would not be an unacceptable level of overlooking from the development towards existing residential properties.

**Highways**

6.10 The proposed development would be served by a new private drive constructed within the application site which would serve the five new dwellings to the rear. The two dwellings towards the front of the site (one existing and one proposed) would be served by driveways accessed directly off Chetwynd Road.

6.11 The Highways Authority have confirmed that they are satisfied with visibility levels for vehicles entering and leaving the site.

6.12 Each of the proposed dwellings would be served by two on plot parking spaces. There is also incidental ‘on street’ parking available within the site for any additional overspill. A number of residents have indicated that there are high levels of congestion and that there is concern that emergency service vehicles would be unable to pass through the street in the event of the development. Such levels of congestion appear to centre on ‘picking up’ and ‘dropping off time’ at the
Chetwynd Primacy Academy school. From site visits by planning officers and the Nottinghamshire County Council Highways Officer which have been during non drop off/pick off time at the local primary school, there has been no evidence of parking congestion on Chetwynd Road beyond what is normally expected on a residential street. In any case, the National Planning Policy Framework advises that development should only be refused on transport grounds where the “residual cumulative impacts are severe”. This proposed development would provide sufficient parking provision to meet its own requirements and any overspill parking is not likely to be cause a severe deterioration of highway safety or convenience. Planning permission should therefore not be refused on these grounds.

Design
6.13 The proposed first floor extension and remodelling of the existing ground floor side extension to enable a semi detached dwelling towards the front of the site has been designed to reflect the mid twentieth century design of the original house. The proposed new dwellings would have a simple traditional architecture with hipped roofs with a scale and design which is not at odds with the mix of housing that exists in the immediate surrounds. The design of the proposal appears acceptable.

6.14 Although the proposed development departs from the prevailing character of properties directly to the south, which have particularly long gardens, the residential density proposed is similar to those residential areas directly to the north (81-87 Chetwynd Road) and those to the rear (Calverton Close). These dwellings are medium/high density dwellings with shallow rear gardens approximately 10m in length. The proposed development therefore accords with the surrounding mixed character area.

Other issues
Trees/Ecology
6.15 A tree survey has been submitted which notes that none of the trees on the site are worthy of a tree preservation order. A landscaping scheme will provide details of any replacement trees. Their species and situation will need to be submitted to and approved in writing by the Local Planning Authority. It is noted that a neighbouring resident has expressed concern that tall trees may be planted directly adjacent to their shared boundary. Such matters will be considered in the submission of any tree planting scheme.

6.16 The ecology survey noted that there is little by way of bat roosting opportunities within the site. The immature trees and hedgerows provide opportunities for breeding birds. It is recommended that site clearance takes place outside of the bird breeding season. The ecology survey recommends that bird boxes be incorporated into any landscaping scheme in order to provide for biodiversity opportunities. Bearing in mind the comments received from neighbouring occupiers regarding the numbers of birds seen within the site this appears appropriate, as well as a note to applicant reminding them of their responsibilities under the Wildlife and Countryside Act 1981 regarding the disturbance of breeding birds.
Bins

6.17 Original plans showed a bin collection point within the site adjacent to the boundary of no.75 Chetwynd Road. This gave rise to objections from the neighbouring occupier on that point. Latest plans have removed this element of the scheme and show that bins would be kept within each plot’s own gardens and brought to Chetwynd Road footpath on collection day. The Borough Council’s Waste and Recycling Officer has confirmed that this is an acceptable approach for bin collection in this location.

6.18 Concern has been raised that a telegraph pole would need to be moved from within the site. The pole is a BT telegraph pole and therefore not subject to planning control nor a planning consideration.

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 amended plans 7074 P05B, 7074 P11B, 7075/P/10A, 7074 P 06B, and 7074 P 01 C.

3. No development shall commence until details including samples of the materials to be used in facing the walls and roofs have been submitted to and approved in writing by the local planning authority. The development shall be carried out only in accordance with the approved details.

4. No development shall take place until a landscaping scheme has 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 hard surfacing treatments
   (d) planting, seeding/turfing of other soft landscape areas

The approved scheme shall be carried out strictly in accordance with the agreed details. The boundary treatment shall be constructed in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.
5. 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.

6. The dwellings shown as plots 3-7 inclusive hereby permitted shall not be occupied until such time as the access arrangements and access road have been constructed in accordance with the details shown on the submitted drawing reference 7074 P 01 C.

7. The dwellings shown as plots 3-7 shall not be occupied until such time as the parking spaces shown on drawing reference 7074 P 01 C have been constructed and laid out in accordance with the approved details. These parking spaces shall be kept available for use for the parking of vehicles in connection with the approved residential use.

8. The dwelling shown as plot no.2 shall not be occupied until the parking spaces shown on approved plan 7074 P 01 C have been constructed and laid out with provision to prevent the unregulated discharge of surface water from the driveways and parking spaces onto the public highway.

9. Other than those windows shown on approved plan 7074 P11B no windows or other openings above first floor level shall be created in the rear (south west) facing elevation of Plot no.3. Those windows shown at first floor level of Plot no.3 on the approved plans shall be obscurely glazed and retained as such for the lifetime of the development.

Reasons
2. For the avoidance of doubt.
3. Insufficient 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 Policies H7, E1 and E3 of the Broxtowe Local Plan (2004).
4. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policies H7, E1 and E3 of the Broxtowe Local Plan (2004).
5. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policies H7, E1 and E3 of the Broxtowe Local Plan (2004).
6. In order to ensure that satisfactory access arrangements are provided to serve the dwellings.
7&8. In order to ensure that sufficient parking provision is made to serve the development and in accordance with the aims of Policy H7 of the Broxtowe Local Plan.
9. In order to safeguard residential amenity for neighbouring occupiers in accordance with the aims and criteria of H7 of the Broxtowe Local Plan.

Note to applicant

The decision has been reached taking into account the guidance in paragraphs 186-187 of the National Planning Policy Framework.

Background papers

Application case file
CONTENTS

Planning applications dealt with by the Development Control Manager

Please note: This list is now prepared in WARD order (alphabetically)
# Planning Applications Determined by Development Control

## Atttenborough Ward
- **Applicant:** Mrs Linda Riddell Chilwell School
- **Site Address:** 4 Ladybridge Close Attenborough Nottinghamshire NG9 6BS
- **Proposal:** Change use of house to learning centre for a maximum of 6 students and 3 staff during term time only
- **Decision:** Conditional Permission

- **Applicant:** Mr R Green
- **Site Address:** Ireton House 15 Church Lane Attenborough Nottinghamshire NG9 6AS
- **Proposal:** Replace section of outbuilding roof with tiles to match the rest of the outbuildings
- **Decision:** File Closed

## Beeston Central Ward
- **Applicant:** Mr Damien Mc Grath
- **Site Address:** Star Inn 22 Middle Street Beeston Nottingham NG9 1FX
- **Proposal:** Retain change of use of first floor to create 8 no. letting bedrooms and alterations to rear extension and marquee
- **Decision:** Conditional Permission

- **Applicant:** Mr & Mrs Sally & Sean Dale-Stokoe
- **Site Address:** 26 Lower Road Beeston Nottingham NG9 2GL
- **Proposal:** Change of use from students study centre (Class D1) to large house in multiple occupation (Sui Generis)
- **Decision:** Conditional Permission

## Beeston North Ward
- **Applicant:** Mrs Gina Cavanagh
- **Site Address:** 66 Peveril Road Beeston Nottinghamshire NG9 2HU
- **Proposal:** Construct two storey side and rear extension
- **Decision:** Refusal

- **Applicant:** Mr Simon Shepherd
- **Site Address:** 3 Marlborough Road Beeston Nottingham NG9 2HG
- **Proposal:** Construct two storey rear extension
- **Decision:** Conditional Permission

- **Applicant:** Miss L Lee
- **Site Address:** 2 Derby Road Beeston Nottinghamshire NG9 2TJ
- **Proposal:** Variation of condition N°3 of planning ref:14/00330/FUL (The premises shall not be used outside the hours of 08.30 hours - 23.00 hours Monday to Sunday) to allow delivery service from the premises Monday to Sunday 23:00 to 05:00 (the store would be closed to the public)
- **Decision:** Refusal

- **Applicant:** Mr & Mrs Holmes
- **Site Address:** 43 Wallett Avenue Beeston Nottingham NG9 2QR
- **Proposal:** Construct single storey rear extension
- **Decision:** Conditional Permission
<table>
<thead>
<tr>
<th>Applicant</th>
<th>Site Address</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kings Carpets And Interiors</td>
<td>1 Marlborough Road Beeston Nottinghamshire NG9 2HG</td>
<td>Construct two storey rear extension and alterations to front facade</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Miss Balanathini Balasubramaniam</td>
<td>Plumb News 1-3 Lilac Grove Beeston Nottingham NG9 1PA</td>
<td>Change of use from retail (Class A1) to mixed use retail (Class A1) and hot food takeaway(Class A5) and erect extraction flues (revised scheme)</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr &amp; Mrs Smiley</td>
<td>6 Gladstone Street Beeston Nottingham NG9 1EU</td>
<td>Proposed two storey and first floor extensions</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Jackie Mather &amp; David Cunningham</td>
<td>11 Ranmore Close Bramcote Nottingham NG9 3FR</td>
<td>Construct two storey extension including front and rear dormer windows</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr Charles Lowe</td>
<td>Land Adjacent 88 Cow Lane Bramcote Nottingham NG9 3BB</td>
<td>Construct 1 no. dwelling</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr A Gale</td>
<td>90 Burnside Drive Bramcote Nottingham NG9 3EF</td>
<td>Construct two storey side extension</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Ms Helen Branney</td>
<td>10 Lyndale Road Bramcote Nottingham NG9 3LB</td>
<td>Construct single storey rear extension</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr Derek Wildgust</td>
<td>3 Kings Drive Brinsley Nottinghamshire NG16 5DG</td>
<td>Construct front porch</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr I Cutler</td>
<td>44 Broad Lane Brinsley Nottinghamshire NG16 5BD</td>
<td>Extend existing dropped kerb</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Dr E. McDaid Chilwell D P</td>
<td>165 &amp; 167 High Road Chilwell Nottinghamshire NG9 5BA</td>
<td>Change of Use of 167 High Road from retail (Class A1) to dental surgery (Class D1) to incorporate the existing dental practice at 165 High Road, construct single storey rear extension and install new entrance porch to 165 High Road and create roof terrace on existing flat roof of 167 High Road</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Applicant</td>
<td>Site Address</td>
<td>Proposal</td>
<td>Decision</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>Mr Patrick Sykes</td>
<td>5 Gwenbrook Road Beeston Nottingham NG9 4AZ</td>
<td>Construct first floor link extension to connect a two storey annexe extension with the main house and make external alterations</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr R Payne</td>
<td>38 Hallams Lane Chilwell Nottinghamshire NG9 5FH</td>
<td>Construct first floor extension, single storey rear extension, modifications of the fenestration, external rendering and demolition of outbuilding.</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr &amp; Mrs Richard &amp; Mary Graham</td>
<td>7 Cliffgrove Avenue Chilwell Nottinghamshire NG9 4DP</td>
<td>Construct first floor side extension</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr Ian Raven</td>
<td>2 Leamington Drive Chilwell Nottinghamshire NG9 5LJ</td>
<td>Retain 2 N° 8 thermal panels</td>
<td>Unconditional Permission</td>
</tr>
<tr>
<td>Mr Dan Stack Chevin Homes Ltd</td>
<td>Land To The Rear Of 89 Inham Road Beeston Nottingham NG9 4HW</td>
<td>Construct 7 N° dwellings</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr &amp; Mrs J Walker</td>
<td>72 Haddon Crescent Chilwell Nottinghamshire NG9 5JR</td>
<td>Construct single storey side extension and front canopy</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>Mr Garry Bacon</td>
<td>7 Greenland Crescent Beeston Nottingham NG9 5LD</td>
<td>Construct two storey side extension</td>
<td>Conditional Permission</td>
</tr>
<tr>
<td>MBNL</td>
<td>Elf Service Station Nottingham Road Eastwood Nottinghamshire NG16 3GL</td>
<td>Install a Pogona Cabinet, replace existing 16.7 metre high monopole with a 15 metre high monopole, swap the existing antennas on a like for like basis installation of additional mast head amplifiers (MHA's) and associated development</td>
<td>Refusal</td>
</tr>
<tr>
<td>Mrs Beverley Horsley</td>
<td>5 Great Northern Road Eastwood Nottinghamshire NG16 3PD</td>
<td>Retain fencing</td>
<td>Unconditional Permission</td>
</tr>
<tr>
<td>Mr Paul Hearn</td>
<td>Edward House Residential Home 175 Nottingham Road Eastwood Nottingham NG16 3GS</td>
<td>Construct 2 N° dormers to enable 6 N° bedrooms within the roofspace, two storey side extension, single storey front extension and extend the car parking area with the addition of 2 N° spaces.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>Ward</td>
<td>Applicant</td>
<td>Site Address</td>
<td>Proposal</td>
</tr>
<tr>
<td>--------------------------</td>
<td>------------------------------------------------</td>
<td>--------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>GREASLEY (GILTBROOK AND NEWTHORPE) WARD</td>
<td>Tesco Stores Ltd, Property Services</td>
<td>11 Ikea Way Giltbrook Nottingham NG16 2RP</td>
<td>Erect signs</td>
</tr>
<tr>
<td></td>
<td>Giltbrook Retail Park Nottingham Ltd</td>
<td>(Currently Bhs) 5 Ikea Way Giltbrook Nottingham NG16 2RP</td>
<td>Insertion of trading and non-trading mezzanine floorspace and external alterations</td>
</tr>
<tr>
<td></td>
<td>Giltbrook Retail Park Nottingham Ltd</td>
<td>Next Retail Ltd 10 Ikea Way Giltbrook Nottingham NG16 2RP</td>
<td>Insertion of trading and non-trading mezzanine floorspace</td>
</tr>
<tr>
<td>NUTHALL EAST AND STRELLEY WARD</td>
<td>Whitbread Beefeater</td>
<td>Millers Barn Millennium Way West Nottingham NG8 6AS</td>
<td>Retain existing lobby</td>
</tr>
<tr>
<td></td>
<td>Mr George Bhogal</td>
<td>3 Stanmore Close Nuthall Nottinghamshire NG16 1QY</td>
<td>Variation of condition N°2 of planning ref: 89/00360/FUL to allow conversion of garage into habitable rooms</td>
</tr>
<tr>
<td></td>
<td>Simon Corp S106 Affordable Housing Ltd</td>
<td>Land Adjacent To Hempshill Hall Low Wood Road Nuthall Nottinghamshire NG6 7AB</td>
<td>Proposed variation of Section 106 agreement to remove affordable housing requirement</td>
</tr>
<tr>
<td>NUTHALL WEST AND GREASLEY WARD</td>
<td>Mr &amp; Mrs Old</td>
<td>111 Kimberley Road Nuthall Nottingham NG16 1DD</td>
<td>Construct single storey front and two storey rear and side extensions, porch and rear decked area</td>
</tr>
<tr>
<td></td>
<td>Mr Neil Gouldby Aero Fabrications Ltd</td>
<td>Poundall Joinery Common Lane Watnall Nottingham NG16 1HD</td>
<td>Erection of 11m high extraction stack to front elevation required in relation to new anodising process</td>
</tr>
<tr>
<td>STAPLEFORD NORTH WARD</td>
<td>Mr Kyri Varnava</td>
<td>Unit 3 Site Of The Jaguar Hickings Lane Stapleford Nottinghamshire</td>
<td>Display 2 N° illuminated fascia signs</td>
</tr>
<tr>
<td></td>
<td>Mr Ken Smedley &amp; Sons</td>
<td>63 Mill Road Stapleford Nottingham NG9 8GD</td>
<td>Subdivide dwelling into 4 N° self-contained flats and construct bin enclosure</td>
</tr>
<tr>
<td>Ward</td>
<td>Applicant</td>
<td>Site Address</td>
<td>Proposal</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------</td>
<td>-------------------------------------------</td>
<td>---------------------------------------------------</td>
</tr>
<tr>
<td>STAPLEFORD SOUTH EAST WARD</td>
<td>Mr R MacFarlane</td>
<td>15 Ewe Lamb Lane Bramcote Nottinghamshire NG9 3LF</td>
<td>Replace existing flat roof over porch with pitched roof</td>
</tr>
<tr>
<td>TOTON AND CHILWELL MEADOWS WARD</td>
<td>Mr &amp; Mrs V McMillan</td>
<td>160 Nottingham Road Stapleford Nottingham NG9 8AR</td>
<td>Construct first floor and single storey rear extensions</td>
</tr>
<tr>
<td>TOTON AND CHILWELL MEADOWS WARD</td>
<td>Mr S Gardiner</td>
<td>87 Portland Road Toton Nottinghamshire NG9 6EW</td>
<td>Construct two storey extension</td>
</tr>
<tr>
<td></td>
<td>Mrs Samantha McCann</td>
<td>2A Rutland Avenue Toton Nottinghamshire NG9 6EP</td>
<td>Construct ground floor side / rear extensions and dormer windows to the rear</td>
</tr>
<tr>
<td>TROWELL WARD</td>
<td>Mr &amp; Mrs Craig &amp; Kaye Brackner</td>
<td>16 Banks Road Toton Nottingham NG9 6HD</td>
<td>Construct two storey side extension</td>
</tr>
<tr>
<td>TROWELL WARD</td>
<td>Mr G Purewal</td>
<td>74 Trowell Grove Trowell Nottinghamshire NG9 3QH</td>
<td>Construct first floor rear extension, loft conversion with dormer and front porch</td>
</tr>
</tbody>
</table>