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Our reference:
Your reference:
Date: 6 December 2017

To all Members of the Council

Dear Councillor

A meeting of the **Planning Committee** will be held on Thursday 14 December 2017 at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely



Deputy Monitoring Officer

AGENDA

1. Apologies for absence and substitute Members
2. Declarations of Interest
 - a) Under the Code of Conduct
 - b) Under the Planning Code
3. Minutes of the Meeting held on Thursday 16 November 2017 (pages 1 - 6).
4. Planning Applications

The report of the Executive Manager - Communities is attached (pages 7 - 60).
5. Appeal Decisions

Planning Appeal Decisions are attached for information only (pages 61- 66).

Membership

Chairman: Councillor R L Butler
Vice-Chairman: Councillor J A Stockwood
Councillors B R Buschman, J N Clarke, M J Edwards, J E Greenwood,
R M Jones, Mrs M M Males, S E Mallender, Mrs J A Smith and J E Thurman



Rushcliffe Community
Contact Centre
Rectory Road
West Bridgford
Nottingham
NG2 6BU

In person
Monday to Friday
8.30am - 5pm
First Saturday of
each month
9am - 1pm

By telephone
Monday to Friday
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Meeting Room Guidance

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**MINUTES
OF THE MEETING OF THE
PLANNING COMMITTEE
THURSDAY 16 NOVEMBER 2017**

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road,
West Bridgford

PRESENT:

Councillor R L Butler (Chairman)
Councillor J A Stockwood (Vice-Chairman)

Councillors B R Buschman, J N Clarke, M J Edwards, J E Greenwood, S J Hull (substitute for S E Mallender), R M Jones, R Hetherington (substitute for Mrs M M Males), Mrs J A Smith and J E Thurman.

ALSO IN ATTENDANCE

2 Members of the public

OFFICERS IN ATTENDANCE

P Cox	Senior Solicitor
M Elliott	Constitutional Services Team Leader
A Pegram	Service Manager – Communities
G Sharman	Area Planning Officer

APOLOGIES FOR ABSENCE

Councillors Mrs M M Males and S E Mallender

21. DECLARATIONS OF INTEREST

There were no declarations of interest.

22. MINUTES

The Minutes of the Meeting held on Thursday 12 October 2017 were confirmed as a correct record and signed by the Chairman.

23. PLANNING APPLICATIONS

The Committee considered the written report of the Executive Manager - Communities relating to the following applications, which had been circulated previously.

Item 1 - 17/01890/FUL - Proposed farm building and hardstanding - revised proposals - OS Field 4445 Farmer Street, Bradmore, Nottinghamshire.

Updates

There were no updates reported.

Decision

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans; 1:2500 location plan dated 03.08.2017; 1:1250 block plan date stamp received 10.08.2017; revised 1:100 elevation and floor plans dated October 2017.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

3. The materials specified on the revised elevation and floors plans dated October 2017 shall be used for the external walls and roof of the development hereby approved. No additional or alternative materials shall be used unless otherwise approved in writing by the Local Planning Authority.

[To ensure the appearance of the development is appropriate in this open countryside location and to comply with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and Policy 10 (Design and Enhancing Local Identity) of the Local Plan Part 1: Rushcliffe Core Strategy.]

4. The building hereby approved shall be used for agricultural purposes only and for no other purpose.

[To prevent the building from being used for an alternative use which may not be appropriate in this Green Belt location and to comply with policies GP2 (Design and Amenity Criteria); Policy EN14 (Protecting the Green Belt); EN19 (Impact on the Green Belt and Open Countryside); and EN20 (Protection of Open Countryside) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and guidance contained within Chapter 9 (Protecting Green Belt Land) of the NPPF].

5. With the exception of the area providing access from Farmer Street and within 5 metres of the highway boundary/field entrance, the construction and surfacing of the hardstanding area shall be retained and maintained as a permeable surface, not bound material, for the life of the development.

[To prevent the increased risk of flooding and to comply with policies WET2 (Flooding) and WET3 (Ground Water Resources) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

6. The hedgerow along the roadside boundary of the site shall be retained and maintained at a minimum height of 3 metres for the life of the development.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Item 2 - 17/02133/FUL - Change use of land to use as extension of existing gypsy caravan site including the retention of hardstanding - 22 Landcroft Lane, Sutton Bonington, Nottinghamshire.

Updates

There were no updates reported.

Decision

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. No more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than 1 shall be a static caravan or mobile home) shall be stationed at any time within the curtilage of 22 Landcroft Lane, comprising of the areas edged red and blue on the Ordnance Survey location map submitted with the application.

[It is not considered that the site possesses sufficient amenities or is otherwise suitable to accommodate an additional independent unit of accommodation and also to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

3. The development hereby permitted shall be maintained in accordance with the Site Layout Plan received on 5 September.

[For the avoidance of doubt and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The extended site shall only be used for purposes ancillary to the existing residential use of the traveler site at 22 Landcroft Lane.

[To protect the amenities of the area and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

5. The occupation of this site hereby permitted shall be carried on only by Mr Felix Connors and his resident dependents.

[It is not considered that the site possesses sufficient amenities or is otherwise suitable to accommodate an additional independent unit of accommodation and also to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

6. Within three months of the date of this decision, a detailed landscaping scheme for the rear boundary of the site shall be submitted for the approval of the Borough Council. The approved scheme shall be carried out in the first tree planting season following the approval of the landscaping scheme by the Borough Council. Any trees or plants which within a period of 5 years from the date of the decision die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of the visual amenities of the surrounding area and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

7. No commercial activities shall take place on the land, including the storage of materials.

[To protect the amenities of the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

Note to Applicant

The application was not the subject of pre-application discussions. The scheme, however, is considered acceptable and no discussions or negotiations with the applicant or agent were considered necessary, resulting in a recommendation to grant planning permission.

Item 3 - 17/01731/FUL - Single storey rear extension, two storey side extension, front porch - 22 Wasdale Close, West Bridgford, Nottinghamshire, NG2 6RG

Updates

Additional information detailing recommended 'Notes to Applicant' had been circulated to members of the Committee prior to the meeting.

Decision

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 'GA267/04A'; 'GA267/05A'; 'GA267/06A' & 'Block Plan Rev.A' received on 21/08/2017.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The development hereby permitted shall not progress beyond foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The west facing first floor window serving the en-suite bathroom shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent and retained to this specification for the lifetime of the development.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. The development shall not progress beyond foundation level until a detailed landscaping scheme relating to the proposed replacement hedgerow to the western side of the proposed fence has been submitted to and approved in writing by the Borough Council. The

approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

It is understood that there may be a covenant on this property which could prevent the use/development authorised by this permission. You are reminded that this decision relates to planning law only and does not override the terms of any covenant.

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 958 8242 or by email at info@nottswt.co.uk. If bats are present you should contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.

Other notes on the application include the following:

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

The meeting closed at 7:35pm.

CHAIRMAN

Report of the Executive Manager – Communities

PLEASE NOTE:

1. Slides relating to the application will be shown where appropriate.
2. Plans illustrating the report are for identification only.
3. Background Papers - the application file for each application is available for public inspection at the Rushcliffe Customer Contact Centre in accordance with the Local Government Act 1972 and relevant planning legislation/Regulations. Copies of the submitted application details are available on the website <http://planningon-line.rushcliffe.gov.uk/online-applications/>. This report is available as part of the Planning Committee Agenda which can be viewed five working days before the meeting at <http://www.rushcliffe.gov.uk/councilanddemocracy/meetingsandminutes/agendasandminutes/>. Once a decision has been taken on a planning application the decision notice is also displayed on the website.
4. Reports to the Planning Committee take into account diversity and Crime and Disorder issues. Where such implications are material they are referred to in the reports, where they are balanced with other material planning considerations.
5. With regard to S17 of the Crime and Disorder Act 1998 the Police have advised they wish to be consulted on the following types of applications: major developments; those attracting significant numbers of the public e.g. public houses, takeaways etc.; ATM machines, new neighbourhood facilities including churches; major alterations to public buildings; significant areas of open space/landscaping or linear paths; form diversification to industrial uses in isolated locations.
6. Where the Planning Committee have power to determine an application but the decision proposed would be contrary to the recommendation of the Executive Manager - Communities, the application may be referred to the Council for decision.
7. The following notes appear on decision notices for full planning permissions:

“When carrying out building works you are advised to use door types and locks conforming to British Standards, together with windows that are performance tested (i.e. to BS 7950 for ground floor and easily accessible windows in homes). You are also advised to consider installing a burglar alarm, as this is the most effective way of protecting against burglary. If you

have not already made a Building Regulations application we would recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at

<http://www.rushcliffe.gov.uk/planningandbuilding/buildingcontrol/>

Application	Address	Page
17/02364/FUL	5 Golf Road Radcliffe On Trent Nottinghamshire NG12 2GA	10 - 25
	Demolition of existing dwelling, construction of three detached dwellings, associated soft and hard landscaping, means of enclosure and access (resubmission)	
Ward	Radcliffe on Trent	
Recommendation	Planning permission be granted subject to conditions	
<hr/>		
17/02550/FUL	The Hall, Nottingham Road Keyworth Nottinghamshire NG12 5FB	26 - 44
	Change of use from restaurant, conversion to 4 residential apartments	
Ward	Keyworth and Wolds	
Recommendation	Planning permission be granted subject to conditions	
<hr/>		
17/02094/FUL	Land Adjacent 18 Cherryholt Lane East Bridgford Nottinghamshire NG13 8LJ	45 - 55
	Construction of 2 dwellings with new vehicular access and associated landscaping	
Ward	East Bridgford	
Recommendation	Planning permission be granted subject to conditions	

[17/02375/FUL](#)

68B Eltham Road West Bridgford
Nottinghamshire NG2 5JT

56 - 60

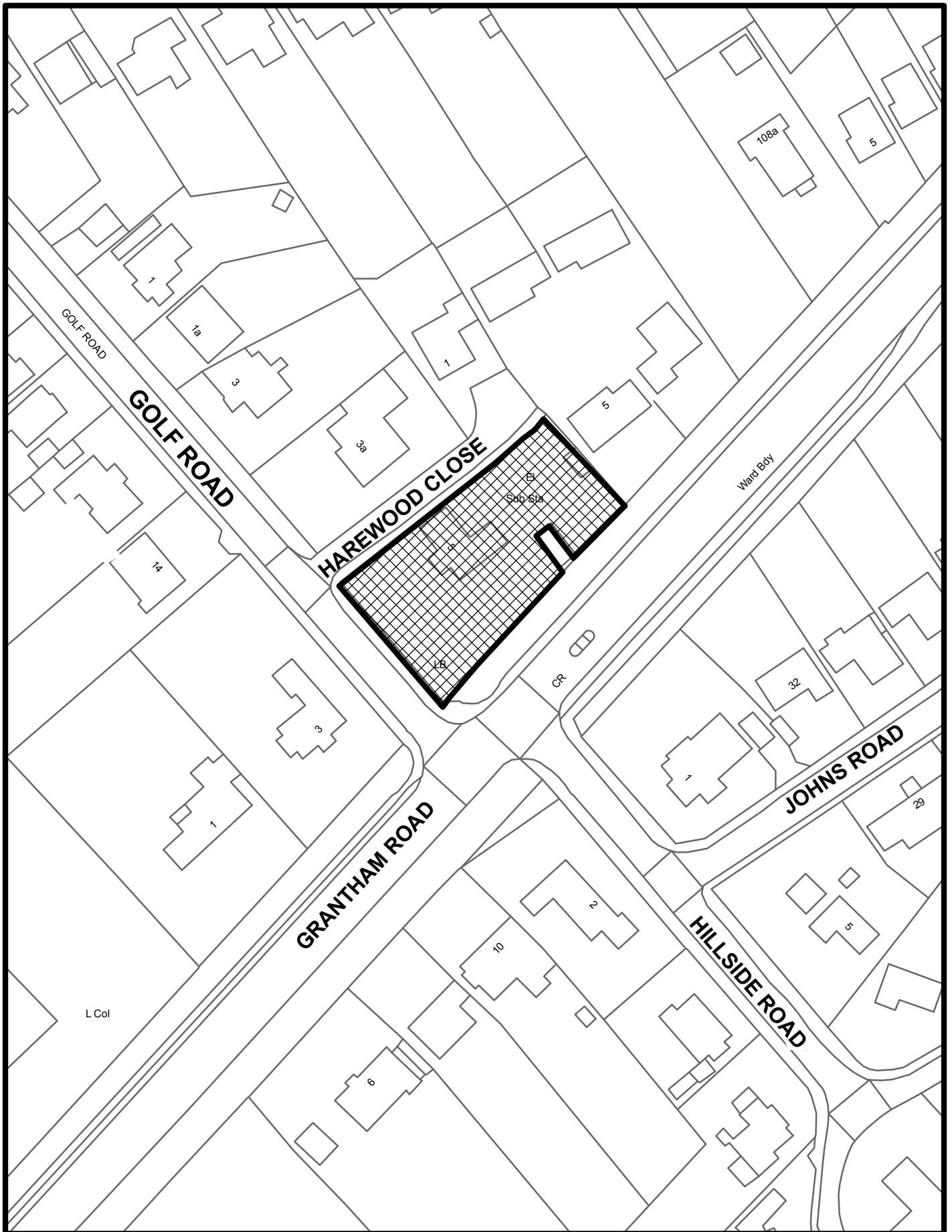
First floor rear extension including increase in
roof height, and ground floor alterations
to extend living room.

Ward

Abbey

Recommendation

Planning permission be granted subject to conditions



Application Number: 17/02364FUL
5 Golf Road, Radcliffe-on-Trent



scale 1:1000

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Rushcliffe Borough Council - 100019419

17/02364/FUL

Applicant Mr Peter Brears

Location 5 Golf Road Radcliffe On Trent Nottinghamshire NG12 2GA

Proposal Demolition of existing dwelling, construction of three detached dwellings, associated soft and hard landscaping, means of enclosure and access (resubmission)

Ward Radcliffe On Trent

THE SITE AND SURROUNDINGS

1. 5 Golf Road is a large detached 4 bedroom dormer bungalow constructed from red brick with concrete tiles to the roof. The property is situated on a large corner plot with one shared boundary to the north east with the only direct neighbour adjoining the site. Harewood Close runs along the north western boundary with Golf Road to the south west and the A52 to the south east. There are further neighbours with direct views of the site across the roads to the north west and south west. The site also contains a detached brick garage built up against the north eastern boundary with 5 Harewood Close and a large greenhouse/outbuilding situated just south of that.
2. The site boundaries consist of a 2m high hedge and a variety of more mature trees and shrubs to the south west boundary, a 1.8m close boarded fence to the north west boundary, a mix of a 1.8m close boarded fence and the side wall of the existing detached garage to the north east boundary and mature planting to the south east boundary, both within the site and within the highway verge. There is also a small electricity substation compound within the site, marked by 2m high tall close boarded fences and accessed from the A52 to the south east. Land to the north east of the site is slightly raised from that to the south west.
3. In relation to the streetscene, Harewood Close itself is a 1990's backland development of 5 large detached houses of traditional brick and tile finish. All the properties on the close have single storey attached garages with modest rear gardens and large open frontages defined largely by hedges and grassed areas. The Golf Road streetscene, west and south west of the site, is again defined by large detached dwellings with mature green frontages.

DETAILS OF THE PROPOSAL

4. This application seeks full planning permission for the demolition of the existing dormer bungalow, along with the detached garage and the greenhouse. This demolition is proposed to facilitate the construction of three 4 bedroom detached two storey dwellings on the site. The site currently contains a number of mature shrubs and trees, with 14 trees/mature shrubs adjacent to the north west, north east and south east boundaries to be removed and four new trees to be planted on the Harewood Close frontage. The existing tree belt to the south west and southern corner of the site are to

be retained with a 7m buffer between development and the south western boundary.

5. The Plot A dwelling would be located closest to 5 Harewood Close to the north east. This property would have a single storey element closest the shared boundary, which would itself be set in from the boundary by 1.2m. The property would have a plot size of some 354m² with a private rear garden, varying in depth from 9.9 metres to 11 metres, with an area of 137m². The house itself would have a brick (Wienerberger – Oast Russet) finish with a ‘neo-pantile’ (Tuscan) roof.
6. The Plot B property would be located centrally within the plot. This plot would have a size of 404m² with a private rear garden varying in depth from 10.5m to 12m, with an area of 180m². The house itself would have a brick (Wienerberger – Oast Russet) finish with a ‘neo-pantile’ (natural red) roof.
7. The Plot C dwelling would be located closest the south western end of the site, retaining a 7m gap to the south western boundary for the retention of the existing trees and mature shrubs fronting Golf Road. This property would have a plot size of some 580m² with a garden depth of a minimum of 12m and private amenity area of some 300m² (including side garden). The house itself would have a brick (Wienerberger – Renaissance multi-stock) finish with a ‘neo-pantile’ (natural red) roof.
8. All 3 properties would have an integral garage and 2 off street parking spaces, whilst new landscaping is proposed to the front of each house, along with block paving for the driveways. The 3 properties would have side access with 2m gaps between each house and 1.8m high close boarded fences to the rear garden boundaries. Smaller 0.75m timber fencing is proposed to separate the front gardens of each property with the front boundaries to be a mixture of open and landscaped. The application was supported by a noise assessment and a design and access statement. A planning statement was submitted during consideration of the proposal, which has sought to address the policies of the Radcliffe-on-Trent Neighbourhood Plan.

SITE HISTORY

9. The existing bungalow was extended in 1976 after planning permission was granted for a single storey rear extension (76/00259/CENTRA). Beyond this there is no further planning history until 2017, when application reference 17/01225/FUL was withdrawn following public, technical and officer concerns. The previous application sought permission for the construction of 4 dwellings on the site following the demolition of the existing bungalow and associated buildings.

REPRESENTATIONS

Ward Councillor(s)

10. One Ward Councillor (Cllr Upton) objects to the proposed development on the following grounds:
 - a. Over intensive development of the site.

- b. Non-compliance with Policy 11 - Infill Development - of the Radcliffe on Trent Neighbourhood Plan - especially 'Infill development should respect the existing massing, building form and heights of buildings within their immediate locality.'
 - c. Non-compliance with Policy 12 - Housing Mix and Density - of the Radcliffe on Trent Neighbourhood Plan - 'Schemes of less than 10 dwellings should seek to provide 2-bed starter homes, bungalows for the elderly, and/or 1 and 2 bed roomed flat accommodation, suitable for a variety of occupiers.'
 - d. Loss of a number of trees.
11. The later submission of the planning statement was brought to the attention of Cllr Upton who confirmed the document did not address the previously raised concerns.

Town/Parish Council

12. Radcliffe-on-Trent Parish Council object to the proposed development, stating, *"The application does not comply with policy 11 (infill development) and policy 12 (housing mix and density) of the Neighbourhood Plan. The development is too dense and incompatible with policy. The PC would prefer that the trees remain as removal of them would detract from the appeal of the environment setting. It also would contravene RBC's potential future policy of tree sustainability."*

Statutory and Other Consultees

13. The Borough Council's Environmental Health Officer does not object to the proposed development. They consider the noise assessment to be accurate and acceptable and, therefore, recommend a condition to ensure the noise mitigation measures as identified in the noise assessment are implemented prior to any occupation of the dwellings. Furthermore they recognise the presence of the substation on site may have led to ground contamination, as such they request a condition for the submission of a desk based contamination survey prior to any development commencing on site. It is also suggested that a demolition and construction statement for site works be required given the residential nature of the area.
14. The Borough Council's Design and Landscape Officer does not object to the proposed development. The trees to the south west are considered to be in keeping with the slightly eclectic mix of specimens on the Golf Road frontage, however, it is noted that they are largely of poor quality, with the number and density of trees far exceeding that seen on most properties along Golf Road. Given the above the trees are not considered suitable for a Tree Preservation Order with the Design and Landscape Officer suggesting the trees could be thinned and pruned without detriment to the character of the street. The trees to the south western corner of the plot could be retained without any significant risk from the construction of the plot C property subject to the submission of tree protection details. Furthermore the landscaping to the front on Harewood Close is considered a positive aspect and a condition is recommended requesting landscaping details for future submission.

15. Nottinghamshire County Council as Highways Authority raises no objection to the proposal. They comment that the development is not materially different to that of the previously withdrawn application and request a condition to ensure a suitably constructed vehicular crossing is available for each driveway prior to the occupation the dwellings.
16. National Grid responded to the application noting that an assessment had been carried out with respect to Cadent Gas Ltd, National Grid Electricity Transmission plc's and National Grid Gas plc's apparatus. They noted the presence of Low or Medium pressure (below 2 bar) gas pipes and associated equipment in the vicinity of the site and as such suggest it is highly likely that there are gas services and associated apparatus in the vicinity. The response included guidance for conducting works on site and advice to contact Cadent Gas Ltd prior to works commencing.

Local Residents and the General Public

17. 9 representations were received from local residents, all objecting to the proposed development. The reasons for objection can be summarised as follows:
 - a. The development would be against the policies of the recently adopted neighbourhood plan. Specifically against policy 12 – housing mix and density which seeks all developments of fewer than 10 dwellings to provide smaller starter homes and bungalows – neither of which are proposed.
 - b. The development would be in contrast to the feel of the immediate surrounds.
 - c. The development would negatively impact scenery and neighbourhood feel.
 - d. The views of developers should not influence the wish of local villagers.
 - e. Development has not addressed concerns raised in previous application.
 - f. The village does not need any more large houses.
 - g. Bungalows would be more appropriate.
 - h. Adverse impact on parking along Golf Road.
 - i. Good to see some trees retained but nothing to prevent future removal.
 - j. Loss of trees impact on air quality and pollution.
 - k. Impact on the side lounge window of 5 Harewood Close.
 - l. Overintensive development of the site.

- m. Development would cause on street parking along Harewood Close with garages rarely used for parking. This could impact refuse lorry, delivery lorry and emergency access along the road as well as harm pedestrian safety along the only footpath.
- n. Layout not in keeping with the area: small plots, narrow spacing's, paved frontages and small gardens.
- o. Plans dated prior to previously refused application so the proposed scheme is not reactive to the issues raised unless the architect is capable of time travel.
- p. The previous issues have not been adequately been addressed.
- q. No contaminated land survey submitted, this should inform the design.
- r. Gaps between the central property and its neighbours are very limited, this intensifies overbearing and over dominant impact on 3A Golf Road and Harewood Close in general, not in keeping with the area.
- s. Retained trees would harm the amenity of future occupants of plot C property; requirement to prune these trees would create a conflict of interest.
- t. No plans show a direct comparison with neighbours.
- u. Development contains no housing mix.
- v. The development would set a dangerous precedent for any redevelopment.
- w. Contrary to policy GP2 a) and d) – unsympathetic to locality and adverse visual impacts.
- x. 5 and 3A Golf Road complement each other in terms of siting and layout, the proposed development would destroy this and would not respect the grain of the area.
- y. Open frontages out of character with the area.
- z. Windows and large glazed panels create perception of overlooking to 3A Gold Road.
- aa. The size of the properties and gabled frontages would create a sense of enclosure to 3A Golf Road and would cause a loss of light.
- bb. The ridges of the properties would be taller than the existing house at 5 Harewood Close and therefore out of context with the area.
- cc. Noise Assessment shows the development would be very close to acceptable limits even when only using trickle vents. Given habitable rooms face rear towards A52, with rear gardens also facing A52 this should not be acceptable.

PLANNING POLICY

18. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996), the Rushcliffe Local Plan Part 1: Core Strategy and the Radcliffe on Trent Neighbourhood Plan.
19. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
20. Any decision should, therefore, be taken having regard to the Rushcliffe Core Strategy, the Neighbourhood Plan, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

21. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development, and states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development and look for solutions rather than problems, seeking to approve applications where possible. There are three dimensions to sustainable development: economic, social and environmental.
22. One of the Core Principles states that planning should “...*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*”
23. Chapter 6: ‘Delivering a wide choice of high quality homes’ states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
24. Paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development would be severe.

Relevant Local Planning Policies and Guidance

25. Policies 3 (Spatial Strategy) and 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy are relevant to the consideration of this proposal. Policy 3 recognises Radcliffe-on-Trent as a ‘Key Settlement’ and allocates a provision of a minimum of an additional 400 homes in the locality within the plan period.
26. Policies GP2 (Design and Amenity Criteria) and HOU2 (Development on unallocated sites) of the Rushcliffe Borough Non-Statutory Replacement Local Plan (RBNSRLP) are considered relevant to the consideration of this proposal.

27. Policy HOU2 states that planning permission for development on unallocated sites within existing settlement boundaries should be granted provided that any development would not result in the loss of an open space which contributes to the character of the area, does not extend the built up area of the settlement and does not have an adverse visual impact or be prominent from locations outside the settlement.
28. Policy GP2 states that planning permission for new development, changes of use, conversions or extensions will be granted provided that the scale, density, height, massing, design, layout and materials of proposals are sympathetic to the character and appearance of neighbouring buildings and the surrounding area; that they do not lead to an over-intensive form of development; and that they are not overbearing in relation to neighbouring properties, and do not lead to undue overshadowing or loss of privacy.
29. Policies 11 (Infill Development), 12 (Housing Mix and Density) and 15 (Local Architectural Styles) of the Radcliffe-on-Trent Neighbourhood Plan are also relevant to the consideration of this application. Policy 11 states that infill development may be appropriate subject to careful consideration of the design and layout to ensure a positive relationship with the existing settlement context and character. Policy 12 states that schemes of fewer than 10 dwellings should seek to provide 2 bed starter homes, bungalows for the elderly, and/or 1 and 2 bedroom flat accommodation, suitable for a variety of occupiers. This mix should be influenced by proximity to public transport, shops, and facilities as well as the local built character and density. Policy 15 states that the character and identity of the parish should be reinforced through locally distinctive design and architecture taking account of the scale, mass, layout, design and materials found elsewhere within the parish and other nearby settlements.

APPRAISAL

30. The main factors in considering this proposal are whether the development of the site for residential purposes is acceptable in principle, whether the form, scale, design and layout of the development are sympathetic to the surroundings and whether the proposal is acceptable in terms of any impacts on the amenities of neighbouring properties and the area in general.
31. The Radcliffe-on-Trent Neighbourhood Plan (ROTNP) recognises infill development as the development of a site when it is bounded by existing development on two or more sides and is within the existing settlement boundary. The proposed site is bounded by private property to one side (north east) with residential roads to the north west and south west, and the A52 trunk road to the south east. Further to the above there are residential properties across each road to the north west, south west and south east. The site is also clearly within the wider built up area of Radcliffe-on-Trent, which is identified in the local Plan Part 1: Core Strategy as a key settlement identified for growth, and overall it is considered that the site can be clearly established as infill. Given this definition and the location of the site within a key settlement for growth, the principle of redevelopment is considered broadly acceptable.
32. In relation to housing mix and density, the existing property is a 4 bedroom detached dormer bungalow set in a large plot with the proposed

redevelopment comprising three detached 4 bedroom, 2 storey dwellings. Most properties in the area are large detached units with the properties on Harewood Close set in more modest plots and the properties along Golf Road set in larger plots. Although policy 12 of the ROTNP seeks smaller properties and retirement bungalows on smaller developments this must be considered in relation to site location and local/surrounding development styles and pattern.

33. Although the existing property is a dormer bungalow, it is a large property, in a large plot, not entirely consistent with a 'retirement bungalow for the elderly' given the maintenance required for the extensive gardens and the 4 bedroom and dormer bungalow design. The dormer bungalow is the only 'bungalow' style development on the north western side of the A52 in the Golf Road and Harewood Close complex and it is therefore considered to be an unusual style of property in the locality with all surrounding properties of detached 2 storey design and a scale equivalent to a 3 or 4 bedroom premises. Policy 11 (Infill Development) states that, "*The design and layout of infill development requires careful attention to relate to its existing settlement context and character. Infill development should respect the existing massing, building form and heights of buildings within their immediate locality.*" It is, therefore, considered that, in this instance, any development on this site could not align with both policy 11 and 12 of the ROTNP and as such there is an apparent policy conflict on the matter.
34. The site lies outside the defined village centre, some 10 minute walk up/down a modest hill. Further to the above, smaller 2 bedroom properties, and their associated smaller plot size, or flat/apartment development would undoubtedly be out of character with the form of development in the locality. Given the existing property is a 4 bedroom dwelling, and the nature of surrounding housing, it is considered that the proposed housing mix would be appropriate for the location, with the design and density respecting the form of surrounding development, particularly that immediately adjacent to the site on Harewood Close, in line with policy 11 of the ROTNP and HOU2 of the RBNSRLP. The above is considered, on balance, to outweigh the limited initial stance of policy 12 of the ROTNP that "seeks" smaller properties.
35. In terms of design the existing dwelling is of limited architectural merit and offers little to the character of the street scene. The 3 proposed detached dwellings would be of traditional style, with individual designs all including front gabled elements and window arrangements to respect the surrounding neighbours. The properties would further attain 2m separation between each house which would match that of the existing properties on Harewood Close, albeit that the properties to Harewood Close have single storey garaged elements towards each boundary.
36. In terms of size and scale the properties would all have a width commensurate to that of existing properties in the locality, with the other properties on Harewood Close having a width ranging between 10.5m and 14.5m. The roof heights of the 3 proposed dwellings would be varied with the central property set lower than the dwellings to each side. The Plot A property would have the lowest overall height, however, would be set higher than the plot B property due to a higher ground level, an existing site feature. The varied roof heights would not be harmful the character of the area, with the difference in height considered minimal and not of a scale where the

proposed works would be over-dominant or would appear out of context with the existing dwellings. The size and scale of the 3 proposed properties is, therefore, considered too broadly correspond with that of the surrounding development, therefore, representing a sympathetic form of development in the context of the locality.

37. In terms of layout the plots would be of a size similar to those of the existing properties on Harewood Close with setbacks from the highway to allow off street parking and landscaped areas to break up the proposed hard surfacing, similar to those seen on existing properties along the close. The retained planting to the south west along the Golf Road frontage would retain the mature green frontage and, as such, would protect the character of Golf Road with the development having little prominence within the area. In any case, even in the event that some of the planting be removed in the future, the 7m setback for the Plot C property from the boundary would ensure the development would not be over dominant along the street. It should be noted that frontages along Golf Road more commonly contain 2 or 3 mature and prominent trees rather than full screening planting as is proposed to be retained as part of the development.
38. The proposed front elevations would be articulated and highly varied with gables, set-back first floors, bay windows, full height glazed sections and drawn down roofs. The varied designs are considered to ensure the development would not be over dominant or overbearing on the street scene. Furthermore, the designs proposed clearly respond to policy 15 of the ROTNP which seeks to encourage asymmetrical design of detached dwellings with features including bay windows and gabled roofs. The material finish would be red brick with clay tiles and again this is a traditional finish encouraged within policy 15. The development includes the use of two alternative bricks and one tile in two different colours. The darker 'Oast Russet' brick would be used for the Plot A and Plot B properties and would closely mimic the brick used on the 5 Harewood Close, whilst the lighter and more heavily textured 'renaissance' brick would be used on the Plot C property and would more closely match the brick used on the adjacent property at 3A Golf Road. The roof tiles are all proposed 'neo-pantiles' which would be similar to those used on the Harewood Close properties. As such the proposed material finish would be appropriate and sympathetic to the surrounding locality.
39. The proposed development would not impact the amenities of neighbours across the roads to the south west or the south east given the separation distances involved. The neighbour to the north west at 3A Golf Road has a first floor bedroom window facing the site with a ground floor kitchen window also visible. Furthermore the property at 3A Golf Road lies slightly lower than the development site with the neighbour's garden to the south west of the dwelling and only bordered from Harewood Close by a 1.8m tall boundary treatment. The proposed plot B and Plot C dwellings, therefore, give rise to potential amenity issues, discussed further below.
40. The proposed dwellings would be set at least 15m from the side elevation of the neighbour at 3A Golf Road and 12m from the boundary. Furthermore the first floor front facing windows that would look towards the neighbouring property have been carefully designed to include 2 bathrooms and a landing in the plot C property with two bathrooms and a bedroom in the plot B

property. It should further be noted that the bedroom window in the plot B property would be set back behind the protruding front gable and located to the north eastern end of the property, furthest from the neighbouring dwelling. The outlook of this window would only give views down across an element of the front drive of 3A Golf Road and as such would not be considered to cause any undue privacy concerns. The bathroom windows could be subject of an appropriate condition to ensure they would remain obscure glazed which would seem appropriate to protect the amenities of the neighbour.

41. The comments regarding the full height glazed elements are noted, however, there would be no first floor access to the windows with them set behind a void over the ground floor hallway. It is not, therefore, considered that the full height glazed panels would raise any overlooking concerns with the separation distances appropriate to avoid there being any undue perception of direct overlooking. The separation distances are also considered appropriate to ensure the development would not cause any overshadowing or overbearing impacts on the neighbour. It is, therefore, considered that, subject to a suitably worded condition regarding the obscure glazing of the front facing bathroom windows, with a restriction on any new windows being added, the layout and separation distances between the proposed development and 3A Golf Road would be sufficient to prevent any undue amenity impacts.
42. The neighbouring property to the north east at 5 Harewood Close has one ground floor side facing window that serves a lounge. The property also has a rear conservatory in place of the original primary lounge window to the rear. The existing side facing lounge window at the neighbouring address sits within view of the existing brick built detached garage that sits on the shared boundary, with a 1.8m tall close boarded fence marking the boundary. The proposed development would include removal of the existing garage, with the proposed plot A property to be built 1.2m from the boundary line. Furthermore, the element of the plot A property closest to the boundary would be single storey element with a monopitched roof sloping down to a height of 2.65m. The single storey element of the plot A property would sit 1.7m further forward than the existing garage. Although this element would be visible from the window in the neighbouring property, it would be set in from the boundary and given its scale it is not considered that it would have any undue overbearing impact on the neighbour's outlook to the southwest with a 45 degree angle of view towards the north west (front) not impeded by the development. Furthermore, it is acknowledged that the development would cause some loss of light to the neighbour's lounge window that faces south west, however, light still enters the lounge through the glazed conservatory to the rear, which faces south east and would not be impacted by the development. Therefore, it is concluded that, on balance, the development would not cause any demonstrable harm to the residential amenities of the adjacent neighbour at 5 Harewood Close.
43. The three proposed plots would provide private rear garden areas of 137 square metres (Plot A), 180 square metres (plot B), and 300 square metres (plot C) with minimum garden depths of 9.9m, 10.5m and 12m respectively. The garden areas would go beyond the minimum 110 square metre guideline and the depths would be within tolerance of the recommended 10m set out in the design guide. As such it is considered the private amenity spaces for the

three proposed dwellings would achieve a good level of amenity for future occupants with sizes similar to that elsewhere along the road.

44. The Environmental Health Officer has reviewed the submitted noise assessment and has concluded that, should the recommendations of the noise assessment be implemented then future occupants would attain an adequate level of amenity. This request could be controlled by a suitably worded condition. No contaminated land survey has been submitted to date and given the presence of the substation on site it is considered prudent to ensure one is submitted prior to works commencing, with any remediation measures as required. Finally a demolition and construction statement would be considered appropriate for this development given its location within a residential setting and the nature of the works proposed.
45. It is recognised that many neighbours have raised issues in relation to highways and parking. The 3 properties would all include 2 off street parking spaces and one garage which would be adequate for a 4 bedroom house in such a location. NCC Highways have further raised no concerns in relation to the development subject to a condition requiring the suitable construction of footpath crossings. No drainage condition would be deemed necessary since self-draining block paving has been confirmed for the driveway finish.
46. The Design and Landscape officer raises no objection to the proposed development. The retained trees to the Golf Road frontage would help maintain the suburban character of the road and could be successfully retained subject to suitable root protection zones being established. A suitable condition to attain tree and hedge protection measures prior to development commencing is considered both appropriate and necessary. Furthermore the landscaping to the Harewood Close frontage would be a positive inclusion, with the existing dilapidated close boarded fence not a positive character feature of the area. Exact details of the landscaping to the Harewood Close frontage would be required and as such a suitable landscaping condition is considered appropriate.
47. Although 14 trees/large shrubs are to be removed it should be noted that at least 4 trees will be planted with other herbaceous shrubs and planting, whilst 21 existing trees would be retained. It is largely less prominent trees to the back (south east) of the site that are to be removed with the Landscape Officer raising no objections to their removal. The south eastern boundary with the A52 is marked by dense shrubs within the highway boundary that provide screening to the site and would not be impacted by the development. A number of trees including a prominent conifer are proposed to be removed along the Harewood Close frontage, however, this would be the location for replacement planting and as such the loss would be temporary with details of the future replacements to be attained by condition. It should further be noted that any number of trees could be removed from the residential site at any time given that there is no tree preservation order in the locality. It should also be noted that no other properties in the adjacent area are subject a Tree Preservation Order.
48. In relation to neighbour comments regarding the future removal of the trees to the south west, the landscape officer has reviewed whether a Tree Preservation Order (TPO) would be appropriate. The trees are not considered to be of a condition or variety where a TPO would be necessary

with the trees of 'poor quality' due to pruning wounds, suppression and poor structure. Furthermore the Golf Road frontages, whilst mature and green fronted, are more commonly marked by 2 or 3 mature and prominent specimens rather than a large screening bank. Given the 7m setback of the plot c property, behind the bank of trees, it would not be considered unduly harmful to the character of the area should the trees be pruned back in the future.

49. The application is a re-submission of a previously withdrawn scheme. The development was the subject of detailed pre-application discussions. Amendments made in response to pre-application feedback have sought to address identified issues, which has resulted in a recommendation to grant planning permission.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans; '17-009-P01'; '17-009-P02'; '17-009-P03' & '17-009-P04' received on 10/10/2017.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. Prior to the commencement of any on site works, a method statement detailing techniques for the control of noise, dust and vibration during demolition and construction shall be submitted to and approved by the Borough Council, in consultation with the Head of Environment & Waste Management Service. The works shall be carried out in accordance with the approved method statement.

[This is a pre-commencement condition as any works on site must be done in accordance with the details to be submitted to protect the amenities of the area to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

4. Before development is commenced, a Contaminated Land Report shall be submitted to and approved by the Borough Council. As a minimum, this report will need to include a Desktop Study. Where the Desktop Study identifies potential contamination, a Detailed Investigation Report will also be required. In those cases where the Detailed Investigation Report confirms that contamination exists, a remediation report and validation statement will also be required. In such instances, all of these respective elements of the report will need to be submitted to and approved by the Borough Council prior to development commencing.

[This is a pre-commencement condition as any survey and remediation works that may be required on site must be done prior to any other works commencing. This is to protect the amenities of the area to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

5. No operations shall commence on site until the existing trees and/or hedges which are to be retained have been protected in accordance with details to be approved in writing by the Borough Council and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[To ensure existing trees are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan. Details of the protective fencing need to be agreed and erected prior to work commencing on site to ensure that no damage is caused to trees and hedgerows during the construction phase.]

6. The development hereby permitted shall not progress beyond damp proof course level until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. Occupation of the proposed dwellings shall not take place until their respective driveways have been provided as shown for indicative purposes only on drawing number '17-009-P01'. The driveways shall be surfaced in accordance with the details submitted and shall be fronted by a dropped kerb. These provisions shall be retained for the life of the development.

[To ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. Prior to the occupation of the dwellings the noise mitigation measures as specified within the noise assessment by Acute Acoustics Ltd reference 2136 Radcliffe on Trent - Harewood Close dated 2/10/17 shall be implemented and maintained thereafter.

[To protect the amenities of nearby residents and to comply with policy GP2

(Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

9. The materials specified in the application shall be used for the external walls and roof of the development hereby approved and no additional or alternative materials shall be used.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

10. The 2 first floor windows in the north west elevation of the Plot B property, serving the bathrooms (including en-suites) as indicated in the approved plans, shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification unless otherwise agreed in writing by the Borough Council. No additional windows shall be inserted in this elevation without the prior written approval of the Borough Council.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

11. The 2 first floor windows in the north west elevation of the Plot C property, serving the bathrooms (including en-suites) as indicated in the approved plans, shall be fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the windows shall be retained to this specification unless otherwise agreed in writing by the Borough Council. No additional windows shall be inserted in this elevation without the prior written approval of the Borough Council.

[To prevent overlooking and loss of privacy to neighbouring property and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

This Authority is charging for the discharge of conditions in accordance with revised fee regulations which came into force on 6 April 2008. Application forms to discharge conditions can be found on the Rushcliffe Borough Council website.

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 958 8242 or by email at info@nottswt.co.uk. If bats are present you should contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough

Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins

The applicants should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional flows, generated as a result of the development, without causing pollution.

The development makes it necessary to construct a vehicular crossing over a footway/verge of the public highway. These works shall be carried out to the satisfaction of the Highway Authority. You are therefore required to contact VIA (in partnership with the County Council) on 0300 500 8080 to arrange for these works to take place.

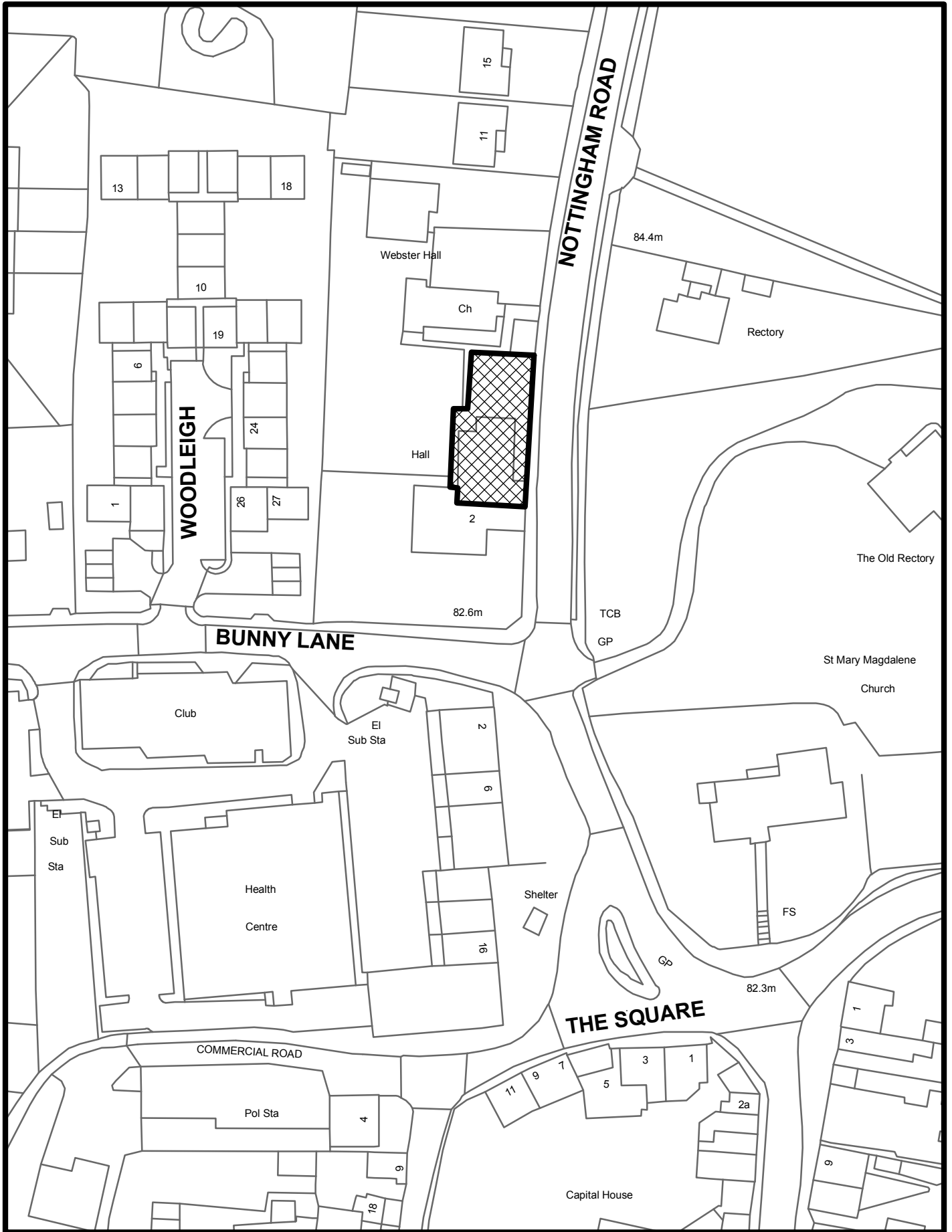
This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

For further information on the content of Contaminated Land Reports, please refer to the Council's Publication "Developing Land within Nottinghamshire - A Guide to Submitting Planning Applications for Land that may be Contaminated." This booklet is available from both Rushcliffe Borough Council's website www.rushcliffe.gov.uk (use the A-Z search for Contaminated Land) or by contacting the Environmental Health Service directly or use the following link <http://www.rushcliffe.gov.uk/media/rushcliffe/media/documents/pdf/environmentandwaste/Notts%20developers%20guide%202013.pdf>

Your attention is drawn to the comments from the National Grid on the application. BEFORE carrying out any work you must:

- Carefully read these requirements (available online) including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.



Application Number: 17/02550/FUL
The Hall, Nottingham Road, Keyworth



scale 1:1000

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Rushcliffe Borough Council - 100019419

17/02550/FUL

Applicant Mr Cameron Ross

Location The Hall Nottingham Road Keyworth Nottinghamshire NG12 5FB

Proposal Change of use from restaurant, conversion to four residential apartments

Ward Keyworth and Wolds

THE SITE AND SURROUNDINGS

1. The Hall is a two storey rendered building that is located on Nottingham Road. It has a site area of 383 sq.m with a frontage of around 29m. It sits within the Conservation Area and is identified as a key unlisted building on the Townscape Appraisal that is contained within the Keyworth Appraisal and Management Plan. The ridge to the main roof runs parallel to the road with a projecting gable feature abutting the pavement of Nottingham Road.
2. To the north of the site is Webster Hall and the United Reform Church, their grounds extend to the west of the application site, beyond which approximately 17m from the site boundary, is a small development of bungalows which are located around 1m lower than the application site. To the south is the former British Legion (which is also in the applicants ownership and has the benefit of outline planning permission for redevelopment for residential purposes ref: 15/02727/OUT) and to the east, across Nottingham Road, is the Old Rectory and beyond this and to the south east is the Church of St Mary Magdalene (a Grade I Listed Building).
3. The premises are currently used for purposes falling within Class A3, restaurant, with 8 parking spaces to the north of the building. These are arranged as two rows of four in tandem.

DETAILS OF THE PROPOSAL

4. The current proposal is a resubmission of that previously submitted and refused in August of this year (see Site History below). It seeks full planning permission for the change of use of the premises from a restaurant and conversion of the building into 4 apartments. As part of the proposal a front single storey extension, external fire escape staircase and a rear dormer structure are proposed to be removed. The proposal would introduce a wall (approximately 900mm high) topped with railings with overall height of approximately 1.9 metres enclosing the area between the back edge of the pavement and the front of the building to create outdoor spaces/terraces and first floor balconies to the rear elevation. The plans show 4 parking spaces would be retained in the area to the north of the building, although this area would be capable of accommodating a total of 8 spaces (two rows of four in tandem layout, as per the exiting layout).
5. The planning application was accompanied by a Design and Access Statement. A subsequent statement was provided by the agent seeking to

address the previous refusal reason. The applicant's comments and reasons for disagreeing with the reason for refusal can be summarised as below.

6. At Committee, the Officer's recommendation to grant with conditions was replaced by a decision to refuse. The applicant accepts that on occasions, Councillors on Planning Committees can and do disagree with the recommendations of officers. However, such decisions should be based on planning principles, the advice set out in the NPPF and the policy framework of the Development Plan. They consider that such considerations were set out in the Officer's Report.
7. The Committee considered that the restaurant is a community facility, loss of which would adversely affect the vibrancy and economic well-being of the community and local area. Committee specifically refers to four paragraphs in the NPPF and two Local Plan policies. Reference is made to paragraphs 7, 14, 17 and 23. Paragraph 7 relates to the three roles – economic, social and environmental and they consider that the applicant has shown that the application proposals meet two of these roles: the social and the environmental. Paragraph 14 refers to the policy presumption in favour of sustainable development. The Committee are using this paragraph to support their contention that the A3 restaurant use is a community facility, yet the officers have stated very clearly that the Borough's Core Strategy is not in accord with the second bullet point of the decision taking section of this paragraph as the Council cannot demonstrate that there is a 5 year supply of housing land.
8. The Committee considered that the loss of the A3 use was stronger than making good this deficiency in the Core Strategy. The applicant argues that the granting of consent for The Hall to be converted to residential apartments will bring about a social and an environmental benefit to local people and the wider community by reducing the need to take green field and Green Belt land around the settlement for housing. The Council have selected Keyworth for taking a substantial amount of housing in the Core Strategy as it was a sustainable community. The application site is in a very sustainable location within the settlement being very close to the village centre and to bus routes making it highly rated as a residential site and the applicant wishes the members to be fully aware of this fact.
9. Paragraph 17 of the NPPF is concerned with 12 core planning principles. As there is no explanation from the Council as to why they have included this reference, the applicant is unclear as to which parts of this paragraph apply to the application proposals. He reserves judgement on this point and awaits any clarification from the Council if and when they prepare and submit an Appeal Statement.
10. Paragraph 23 of the NPPF is about ensuring the vitality of town centres. The application site is not within a town centre as confirmed by the officers. No evidence has been put forward regarding the linkage between the restaurant use and the village centre – there was none in the Officers' Report.
11. The applicant fails to see how the A3 use outside the village centre ensures the vitality of that centre. The restaurant is only open in the evenings, a time when most shops and businesses in the village centre would be closed and,

therefore, an extremely small chance of linked trips to the restaurant on the application site and other village central area businesses.

12. The two local plan policies cited refer to community facilities. At no point is there a reference to restaurants as community facilities in the actual policy or in the local case text supporting the policy. The applicant is not surprised, as otherwise the definition of a “community facility” could be expanded to cover virtually anything that a member of the public can visit. A3 uses are dealt with in the town centre and retailing sections of plans, not in the chapters and policies dealing with community facilities.
13. They consider that there is a fundamental problem in applying community services type policies to restaurants and the like in that the latter are in the private sector and can close for economic reasons. An exception has been made for pubs, and there have been cases where a public house has been run by volunteers or a non-profit making body, but a public house is a focal point of a rural community (Keyworth has four public houses) and provides community benefits in rooms for meetings and games and a meeting place where all adult members of the community can meet informally and talk. Restaurants on the other hand have no overt community role and do not provide wider community functions.
14. Rushcliffe Borough and Keyworth Parish Councils have prepared a Keyworth Parish Neighbourhood Development Plan Submission Draft December 2016 which is at the time of submitting this application out for consultation. Whilst this draft Neighbourhood Plan is not sufficiently advanced to be a material consideration in the determination of the planning application, it nevertheless provides local knowledge. Section 6 of the Draft Neighbourhood Plan is concerned with community facilities and policy CF1 sets out a long list of different types of community facility that need to be protected and/or enhanced. The list includes four public houses as well as churches, schools etc. but there is no mention of Indian Nights or any other restaurant facility. If this facility is so important to the village as the Council makes out, surely some reference to the fact could and should have been made in this Neighbourhood Plan which has been largely drawn up by local people or with their active involvement.
15. The appeal leaves the Planning Inspector to draw any conclusions as to why Indian Nights is not mentioned in this policy which clearly provides the most specific guidance as to what is a community facility within Keyworth bearing in mind that the Borough wide plans cover all communities in Rushcliffe.
16. Restaurants are commercial undertakings, and like all commercial businesses need to be run at a profit. If they lease premises they are subject to the same commercial pressures and disciplines as any other commercial tenant when a review of the lease is due. It is not for the planning system to interfere with such commercial considerations.
17. The applicant accepts that if the A3 use was in a town centre, the planning framework is one where any reuse of the property would be to an ‘A’ class use rather than a C3 use. But this is not the case with the application site and this was also made clear by the officers in their report to Committee.

18. The applicant has scanned the various planning documents of the Council with regard to the wellbeing and vitality of Keyworth, and Keyworth Town Centre in particular, and has found no references that imply that the settlement or the village centre is particularly vulnerable and that its vitality is at risk. At the very least, some such references should be publicly available somewhere to indicate that the settlement and its centre are very vulnerable to warrant the reason for refusal given to the application proposals.

SITE HISTORY

19. Application ref: 17/01549/FUL – for the change of use from restaurant and conversion to four residential apartments was refused at Planning Committee in August 2017 for the following reason:
20. *‘The restaurant facility is considered to contribute towards the vitality of the area and in meeting the varied needs of local people to interact with other members of the community. It is considered that the proposal would result in the loss of a community facility which would adversely impact on the vibrancy and economic wellbeing of the community and local area contrary to the golden thread of sustainability that runs through the National Planning Policy Framework (NPPF) and in particular paragraphs 7, 14, 17 and 23. It is also contrary to Policy 12 (Local Services and Healthy Lifestyles) of the Rushcliffe Local Plan Part 1: Core Strategy and policy COM3 (Loss of a Community Facility) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.’*
21. The applicant has submitted an appeal against this decision to the Planning Inspectorate, with an application for costs.
22. Other relevant planning history in respect of The Hall includes:
- Application ref: 99/01035/COU - Change of use from beauty parlour to restaurant/function rooms – approved October 1999.
 - Application ref: 98/00242/FUL - Construct canopy roof to front and side elevations – approved May 1998.
 - Application ref: 95/00652/FUL - Single storey rear extension – approved August 1995.
 - Application ref: 92/00897/H1P - Change of use of ground floor from restaurant to beauty parlour – approved November 1992.
23. In respect of the adjacent site, the Former British Legion, the following planning history is considered to be relevant:
- Application ref: 16/00546/FUL - Relevant Demolition of existing part single, part two storey building in connection with redevelopment of site for residential use – approved October 2016.
 - Application ref: 15/02727/OUT - Demolition of 2 Bunny Lane and redevelop site for residential purposes - approved February 2017 subject to a section106 Agreement regarding affordable housing.

- Application ref: 10/00986/EXT - Application to extend the time limit for implementation of planning permission 07/00784/FUL for a two storey and single storey extension to building to form restaurant and offices with associated car parking; memorial and alter boundary treatment – approved August 2010.
- Application ref: 07/00784/FUL - Two storey and single storey extensions to building to form restaurant and offices with associated car parking; erect memorial and alter boundary treatments – approved July 2007.
- Application ref: 06/02098/FUL - Two storey and single storey extensions to form restaurant (A3) at ground floor and office (B1) at first floor – withdrawn.

REPRESENTATIONS

Ward Councillor(s)

24. One Ward Councillor (Cllr Edyvean) has objected and commented that, *“This not appear to differ in any way to the previous application which is under appeal. I object to the change of use for the same reasons given previously and with the supporting statement I gave at Planning Committee when the previous application was turned down.”*

Town/Parish Council

25. Keyworth Parish Council object to the application commenting, *“The suggestion that the creation of 4 apartments will prevent removal of land from the green belt is facetious. This is a repeat application our previous comments stand - this is an extremely popular local business which the village does not want to lose. The suggestion that this supports the Neighbourhood plan is incorrect - the plan does not mention a need for flats – quite the opposite.”*

Statutory and Other Consultees

26. The Borough Council’s Design and Conservation Officer comments that the site sits to the south of the Methodist Church and understands that it was supposedly the building built in 1768 as the first non-conformist (Independents) chapel in the village. There is little about its architecture or design that suggests a religious foundation, although the earliest non-conformist chapels deliberately avoided a church-like appearance to reinforce their differences to the established Anglican church. That being said the intervening changes of use and alterations to the building, particularly at the rear, mean that the building does not even have the character or appearance of a 250 year-old building. It is identified as being a key unlisted building within the conservation area, although this is likely due to its historic interest rather than any strong architectural contribution.
27. The proposal does involve some physical alterations including the removal of a projecting external canopy around 2 sides of the building, removal of an entrance porch and removal of external paraphernalia associated with the business use (signage, kitchen extraction equipment etc.). Much of this would

involve removing modern additions and would arguably improve the external appearance of the building or be neutral in that respect. The biggest physical changes would be the alterations to the frontage to create an enclosure with walls and railings to form small outdoor amenity areas for 2 of the 4 proposed apartments and this would be a change from what is currently an open frontage except where the building directly abuts the pavement edge. The loss of this element of openness would constitute a clear and obvious change to the appearance of the building and the way in which it relates to the roadside, although many buildings, including this property (in part), abut directly up to the pavement edge. The small walled area would not be out of keeping with the character and appearance of the conservation area and as such it would be difficult to argue that the change would be harmful to the character and appearance of the village.

28. The materials section of the application form is incomplete, addressing only the proposed wall and railings - it makes no mention of the materials for the small number of new windows proposed within the building serving bathrooms etc or the two windows which replace the ground floor bow window at the northern end of the building, he would have hoped that a systematic renovation of the building would see potential to improve building components such as the existing uPVC windows which are relatively basic components which actively detract from both the character of the building and the contribution which it makes to the character and appearance of the conservation area.
29. The proposals would have no harmful impact upon nearby listed buildings such as the Grade I listed Parish Church which is well separated from the site by distance and intervening vegetation in the grounds of The Old Vicarage. He is not of the opinion that the change of use and limited physical changes would be harmful to the special architectural and historic character and appearance of the wider conservation area either. As such the proposal would achieve the 'desirable' objectives described in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of 'preserving' both the special significance of nearby listed buildings and their settings and the special architectural and historic character and appearance of the conservation area.
30. The Environmental Health Officer has no objections and no conditions to recommend.
31. The Recycle Officer notes that the plans show 2 designated bin points with a total of 5 bins. Each flat will require sufficient room to house two 240L wheeled bins each. Bins should be placed, on collection days, closest to the footpath, where the refuse collection passes the building, space does seem a little limited if the car parking area is full.
32. The Nottinghamshire County Council as Highway Authority comment that there have been no material changes in highway terms since they last commented on this proposal under application reference 17/01549/FUL. Therefore, they do not wish to raise an objection.

Local Residents and the General Public

33. 129 representations have been received raising the following objections:
- a. This application appears very similar to a previous refusal on the same property in August 2017. That application was very unpopular and objected to by many residents. Indian Knights is the only restaurant in Keyworth and has enjoyed an excellent reputation for around twenty years. It is very busy, creates local employment and additionally increases footfall in the village. Local business people regularly entertain clients there and they are good neighbours. The loss of amenity would impact negatively on the village.
 - b. They should look into converting other empty properties before removing established business for the sake of 4 overpriced flats. Would be a great loss with no gain to the majority.
 - c. A fantastic restaurant that keeps writer going to the village even though they have now moved out. It is very popular with local residents, it would be a big loss to the community.
 - d. Resident has been dining at Indian Nights for over 10 years and, whilst they have moved out of Keyworth, they still dine at the restaurant and use the takeaway facility. It has a fabulous reputation and people travel from faraway to eat here. It is a central part of Keyworth village life and brings custom to other shops in the village too. It would be a real shame if it is forced to move or even close.
 - e. Indian Nights can never be replaced.
 - f. The village is over populated and it's a very good restaurant!
 - g. There is a need for affordable housing! Not luxury, over priced flats!
 - h. Indian Nights is an integral part of our community. It brings people into the village who also use other local businesses whilst they are visiting. Cannot afford to lose the only restaurant.
 - i. The restaurant is an established and respected business both locally and further afield, which attracts many customers into the village. The restaurant is an important part of the community and the benefits of its presence in the village far outweigh those that would be offered by the proposed change of use.
 - j. This has already been rejected once. It seems a waste of money, time and effort to go through this process again with no extra mitigation from the applicant to justify the resubmission. The Committee voted by 10-1 to refuse the application, mainly on the grounds that it would have resulted in the loss of Keyworth's only restaurant, and a consequential loss of amenity for local residents and in a reduction in viability of the local business environment. This site is not earmarked for housing in Keyworth's Neighbourhood Plan and has not attracted the interest of any developers. Nothing has changed since 17 August, the latest application should be refused for the same reasons as before.

- k. If this application were approved it would be a significant loss of an established amenity for the village and wider district. Construction of four small flats in one single building would make no difference to the local neighbourhood development plan proposals for dwellings on green belt land and there may be a good bus service but the nearest railway station is 7 miles away contrary to the application statement.
- l. Why doesn't the applicant develop the other half of the building which has been unoccupied for years?
- m. No need for any further residential buildings in this area.
- n. Community value too great.
- o. They should be supported and encouraged to continue trading. Not only to support local businesses - and the tax that they pay through their rates - but also as they promote a lynchpin to this community. People come from a long distance to meet with their friends and family, to spend money and to avoid social isolation. No more houses, encourage spending locally.
- p. The applicant's argument that there is social benefit to the village in removing the largest restaurant asset the village has is ludicrous. There is also an environmental benefit to most residents in being able to walk to a local restaurant rather than having to drive as well so on both counts this should be rejected.
- q. The applicant has made no effort to take into account the reasons behind the refusal. There is still only one restaurant in Keyworth which is on this site. The considerable loss of this valuable amenity would out-weigh the gains from the conversion of this building into flats. This type of dwelling is not what Keyworth needs nor is this type of dwelling mentioned in the Keyworth Local plan. There is already significant flats built and planned in Keyworth. Four flats extra would not add significantly to the local housing stock, but a good restaurant adds significantly to the wellbeing of the community.
- r. The old British Legion building sits empty and an eyesore at the entry to our Village mostly because of previous bad feelings. Strongly object, need no more apartments, need facilities to stop village dying.
- s. Surely the amount of additional housing that is already being planned for Keyworth negates the need for a very popular restaurant to be replaced with residential housing. Keyworth needs restaurants, cafes, shops and other infrastructure if the existing community is to be sustained and support any inevitable new housing.
- t. Consideration needs to be given to the vehicular access and disruption this project would cause. Accommodation on the site would potentially cause traffic problems up to 24 hours a day and with a primary school and children's playground very close by, this could be a danger. The Restaurant only opens in the evenings so those problems are non-existent then.

- u. Indian nights is a popular restaurant which writer frequents and it provides a meeting place for locals and people from outside the village as well. Sad loss to a village of 8000+ people if the only restaurant is closed.
- v. This plot in the centre of the village should be reserved for some type of business.
- w. The properties proposed wouldn't benefit the younger generation in Keyworth, they will be overpriced like all the others that have/are being built around the Square.
- x. Reflecting on the National Planning Policy Framework, the applicant states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities'. This proposal will severely damage the vitality of the community. Keyworth will soon be gaining a substantial amount of new housing stock (regardless of any public consultation). These families will need amenities. Please do not destroy a key local amenity for the sake of a very few additional dwellings.
- y. The long term success of Indian Nights is a welcome boost to the local economy that has struggled since the loss of the last bank and subsequent reduction in footfall. It is well documented that it helps draw people from surrounding areas into Keyworth and would be detrimental to some of the local businesses. Keyworth requires investment and support to ensure a strong and sustainable local economy in meeting the needs of the proposed increase in population. Approval of this application is a backward step in achieving this and will also have a negative effect on people's standard of living as residents will be forced to travel out of Keyworth to enjoy a meal in a restaurant that isn't a pub.
- z. How many times is a person allowed to put forward applications?
- aa. The owner of the site, if he was serious about improving the village would by now have done something appropriate with the adjacent site which is in a very unkempt and poor state, except a clean-up done at the time that previous application was made. As it appears that both sites would be developed separately, writer assumes, to avoid having to provide an element of affordable accommodation, RBC should have no confidence in the owner being prepared to get the sites completed within a reasonable timescale, if at all.
- bb. The Neighbourhood Plan has not established a need for flats in the village and no demand has been identified. Rather, the proposed local housing developments need to provide small to medium houses of affordable or medium range cost for young families.
- cc. Committee are asked to look at how this situation could be resolved instead so that the 'British Legion' building could be developed to the benefit of the appearance of the village in a way that provides a

suitable outcome for Mr Ross, rather than risking the loss of a highly prized village asset.

- dd. Find it offensive that the applicant has sought to resubmit the application, along with an inferred threat of legal action against the council, see covering letter, should it be refused.
34. The Keyworth Conservation Area Advisory Group has commented on the application raising the following concerns.
35. Origins of the Hall - Non-conformity became a growing force which by the mid-C19th had captured the allegiance of the majority of the population [Methodist Chapel built 1881]; in 1704 a farmer was granted a licence to hold services for Independents in his house and the first Independent Chapel (later the Congregational Church) was built in 1768 on Mill Lane, now called Nottingham Road. The Hall must have been the original Independent Chapel, now in the conservation area, where it makes a positive contribution as a heritage and commercial asset in the village centre and is a popular meeting place.
36. Change of use from restaurant to residential on this site is not needed to meet Keyworth's general housing need or to provide 'retirement homes'. These will be considered by policy in the Rushcliffe Local Plan and the emerging Keyworth Neighbourhood Development Plan. Page 17 Policy ED2 of the Neighbourhood Plan states *"Where a building is used for existing employment use, its conversion to a non-employment use or, where relevant, its redevelopment, will be resisted unless it can be demonstrated every attempt has been made to secure an employment use."*
37. The Hall in the street scene and visual impact in the Conservation Area:
- Alterations for the residential proposal would be inappropriate, with patio doors onto narrow amenity spaces adjacent to the public footway on Nottingham Rd and with high boundary treatment of brick wall with wrought iron above, fronting the property. The proposed changes do not enhance the site and are not in keeping with the street scene.
 - The mature fir tree within the site contributes to the street scene in this part of the conservation area and should be retained.
 - Safeguarding of the adjacent burial ground (also in the conservation area and directly behind the proposed building) is important. There should be no disturbance in the burial ground or to existing graves.
 - Application indicates storage for 5 bins, but wheeled bin storage for 8 bins required.
 - The Hall is an asset in the village commercial centre, Indian Nights Restaurant offers a significant economic and social contribution to Keyworth. It is a major provider.
 - Change of use to residential would result in a loss of a successful commercial enterprise in Keyworth's village centre and loss of employment.
 - Well regarded as an important core business in Keyworth, it is patronised by local residents and, importantly, it also attracts regular visitors from beyond Keyworth, offering a positive knock-on effect for the sustainability of other businesses within the village.

- Without this thriving business, significant vibrancy and vitality in the village centre would be lost and Keyworth's economy would suffer.
- The restaurant is a flourishing community amenity and social hub. The 'bad neighbour' claim by the applicant is inaccurate.

PLANNING POLICY

38. The Development Plan for Rushcliffe comprises of the Local Plan Part 1 - Core Strategy and the 5 saved policies of the Rushcliffe Borough Local Plan 1996.
39. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006). Whilst not part of the development plan the Borough Council has adopted the Rushcliffe Borough Non-Statutory Replacement Local Plan for the purposes of Development Control and this is considered to be a material planning consideration in the determination of planning applications where still in compliance with the NPPF.

Relevant National Planning Policies and Guidance

40. The National Planning Policy Framework (NPPF) carries a presumption in favour of sustainable development and states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate that development should be restricted.
41. The following sections of the National Planning Policy Framework are relevant:
- Paragraph 14 sets out the presumption in favour of sustainable development;
 - Paragraph 17 sets out 12 core planning principles;
 - Chapter 2 - Ensuring the vitality of town centres;
 - Chapter 6. Delivering a wide choice of high quality homes, paragraph 50 seeks the delivery of a wide choice of high quality homes;
 - Chapter 7 - Requiring good design, paragraph 56 - Government attaches great importance to the design of the built environment and paragraph 58 - Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area; and
 - Chapter 11 - Conserving and enhancing the natural environment.
42. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering proposals for development within or affecting a conservation area "*...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*" In respect of the potential impact of development on listed buildings, Section 66 of the Act also imposes a similar duty in regard to "*...the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*"

Relevant Local Planning Policies and Guidance

43. None of the saved policies from the Rushcliffe Borough Local Plan are relevant.
44. The Rushcliffe Local Plan Part 1: Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. The following policies are considered relevant:
- Policy 1 - Presumption in Favour of Sustainable Development;
 - Policy 2 - Climate Change;
 - Policy 3 - which is the Council's Spatial Strategy;
 - Policy 6 - Role of Town and Local Centres;
 - Policy 8 - Housing Size, Mix and Choice;
 - Policy 10 - Design and Enhancing Local Identity; and
 - Policy 11 - Historic Environment.
45. The Rushcliffe Non-Statutory Replacement Local Plan has been used in decision making since 2006 and despite the Core Strategy having been adopted its policies are still a material consideration in the determination of any planning application providing they have not been superseded by the NPPF or the policies contained within Core Strategy. The following policies are relevant:
- GP1 (Delivering Sustainable Development);
 - Policy GP2 (Design and Amenity Criteria), this states that planning permission for new development, changes of use, conversions or extensions will be granted provided that, where relevant, certain criteria are met. The key criteria in determining this application will be d) the scale, density, height, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and surrounding area. They should not lead to an overintensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy and should ensure that occupants of new and existing dwellings have a satisfactory degree of privacy;
 - EN2 (Conservation Areas);
 - EN3 (Demolition in Conservation Areas);
 - EN4 (Listed Buildings);
 - EN7 (Sites of Archaeological Importance);
 - EN17 (alteration or extension of existing buildings);
 - EMP4 (Loss of Employment Uses); and
 - HOU3 (Conversion of Existing Buildings to Dwellings).
46. The Keyworth Neighbourhood Plan is emerging but at this stage carries limited weight.
47. The Council's Residential Design Guide, March 2009, provides guidance in respect of scale, massing, height (page 29), privacy (page 34) and amenity space (page 36).

APPRAISAL

48. The key issues in the determination of this application are the previous refusal reason, the principle of conversion of the building to residential including loss of the current use of the premises as a restaurant, layout and amenity for occupiers, impact upon surrounding buildings; the effect on the character and appearance of the conservation area and nearby listed building and car parking provision.

Previous refusal reason

49. The previous application 17/01549/FUL was refused on the basis that, 'the restaurant facility is considered to contribute towards the vitality of the area and in meeting the varied needs of local people to interact with other members of the community. It is considered that the proposal would result in the loss of a community facility which would adversely impact on the vibrancy and economic wellbeing of the community and local area contrary to the golden thread of sustainability that runs through the National Planning Policy Framework (NPPF)'. This decision is currently the subject of a pending appeal. The applicant has indicated in this submission the reasoning behind the appeal.
50. It is considered that there is a policy vacuum in respect of the retention and protection of this A3 use that is located outside of a defined shopping area. Whilst the current occupiers of the facility may be considered as contributing to the vitality of the area, and is a popular venue for villagers and those that live in the wider Borough, the opportunity to safeguard such facilities should be identified within Local Plan policy and Neighbourhood Plans. Restaurants are not specified as a community facility within the local plan policies, neither is the premises specifically identified in the emerging Neighbourhood Plan as a site to be protected. A balance has, therefore, to be had in respect of the loss of an A3 use against the provision of much needed residential use.

Principle of conversion

51. The existing building is currently leased for use as a restaurant. The application has been made by the owner of the freehold of the premises. It is suggested that the development would be suitable as retirement homes, or other small households.
52. As previously advised the site is not within a designated employment area or within a designated shopping area. The boundaries of centres, primary shopping areas and the identification of sites for main town centre uses to meet identified need are to be defined in the Local Plan Part 2 (Land and Planning Policies). Therefore, there are currently no policies regarding the loss of the restaurant or retaining such uses.
53. Keyworth is identified in Policy 3 of the Core Strategy as a key settlement for growth for a minimum of 450 dwellings. It is, therefore considered, to be a sustainable settlement capable in principle of accommodating further residential development. In respect of the site itself, it is located within the built up part of the settlement surrounded by development of varying styles and it is considered that the conversion would not have a negative impact on

the character of the area and on the living conditions of the immediate neighbours.

54. The National Planning Practice Guidance states that *'Planning applications are decided in accordance with the development plan, unless material considerations indicate otherwise. An emerging neighbourhood plan may be a material consideration.'* Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies.
55. Whilst emerging neighbourhood plans may be a material consideration, the Keyworth Neighbourhood Plan has not been examined and found to meet the basic standards and, therefore, carries limited weight. That said, the draft Neighbourhood Plan does not identify, in Section 6 or policy CF1, the premises or site as a community facility that need to be protected and/or enhanced.
56. Policy 8 of the Core Strategy states that residential development should maintain, provide and contribute to a mix of housing types and tenures in order to create balanced and mixed communities. It has to be borne in mind that the Council cannot currently demonstrate that it has a 5 year supply housing land. Consequently, in accordance with paragraph 49 of the NPPF, Policy 3 of the Core Strategy, which is a policy for the supply of housing, is not up to date. In such circumstances, paragraph 14 NPPF and the 'tilted' balance is engaged. Paragraph 14 states that, where relevant policies in the development plan are out of date, permission should be granted unless:
- any adverse impacts would significantly or demonstrably outweigh the benefits when assessed against policies in the NPPF as a whole; or
 - specific policies in the NPPF indicate that development should be restricted.
57. It is still considered that the proposed development would make some contribution, albeit small, to addressing the Borough Council's lack of a 5 year housing land supply, and housing applications should be considered in the context of sustainable development. There would be a temporary economic benefit during construction and future residents using local services/facilities in Keyworth would contribute to the local economy.
58. The level of representations received during the course of the application give an indication that the existing occupiers are well respected locally and the restaurant attracts customers from outside the settlement, who also use other facilities in the village. There are, however, no planning policy objections to its loss. Notwithstanding any planning decision, the occupiers lease the premises and the freeholder could, subject to the terms of the lease, terminate the agreement at any time.

Layout and amenity for future occupiers

59. The residential Design Guide advises that *"Private or communal garden/outdoor amenity space for apartments is desirable and should be provided where practicable. However, much will depend on the nature of the scheme*

and the character of the surrounding area and every case will be treated on its merits.” The proposal would provide small outdoor amenity space/terraces to the front of the building for the ground floor units and small balconies on the rear for the first floor units. Given that there are areas of open space and parks within close proximity to the application site, it is considered that the on-site amenity space is acceptable. In particular, whilst proposals for houses would be expected to provide sufficient amenity space to serve the needs of future occupants, the Guide describes the provision of outside amenity space for flats as ‘desirable’ and it is not, therefore, considered that the current proposal conflicts with the guidance within this document.

Impact upon surrounding buildings

60. In view of the neighbouring uses of land and the distance to the nearest residential property, it is not considered that there would be any adverse impact upon residential amenity or use of other buildings adjacent to or near the application site as a result of this change of use.

Conservation Area

61. The site lies within the Conservation Area and within close proximity of the grade 1 listed 14th century Church of St Mary Magdalene. The proposal involves physical changes to the application building to facilitate the conversion to flats and it is considered that the removal of the external fire escapes; the front porch/canopy (which are not original features) and creation of small front amenity areas would not have a detrimental impact on or cause ‘harm’ to the character and appearance of the area or setting of the listed building. As such, the Conservation Officer has concluded that the proposal would achieve the objectives described as ‘desirable’ in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of ‘preserving’ both the special significance of nearby listed buildings and their settings and the special architectural and historic character and appearance of the conservation area. It is considered that the proposal would comply with National Guidance and local planning policy in this respect.

Car parking provision

62. There is currently eight car parking spaces provided on site. These would be maintained and the Highways Authority raises no objection to this subject to them being unallocated.

Waste and recycling

63. Whilst the existing building occupies a large proportion of the site, there are some areas to the side and rear which could accommodate a bin store whilst not harming the visual amenity of the locality, for example, the existing bins used in connection with the restaurant are stored to the rear of the building. It is, therefore, considered that a suitable bin store could be provided within the site, although consideration would need to be given to the impact of such a facility on future occupants of the site. A condition is recommended requiring the provision of a bin store, in accordance with details to be agreed with the Borough Council

Other matters

64. Reference has been made to the use of the words 'Bad Neighbour' in the reports accompanying the application. It is not uncommon to use such phrases when referring to certain commercial uses that are adjacent to residential properties, as there can be potential conflicts with noise, odours, traffic etc. In this regard there have been no complaints raised with Environmental Health about the current operation of the restaurant.
65. The Council have responsibilities as the local authority in relation to European Protected Species and must consider whether the development, if permitted, would be likely to cause disturbance to a protected species and must also consider the likelihood of a licence being granted. In considering the likelihood of a licence being granted consideration is given to the three tests set out in the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations). Whilst the proposal is for a change of use/conversion, it does not relate to works within the roof space. It is therefore considered that a note to the applicant regarding the possibility of bats in the roof space would be sufficient in this instance.
66. The development on its own does not trigger the requirement for the provision of affordable housing. The outline planning approval on the adjacent site, the Former British Legion site, was subject to a section 106 Agreement requiring 20% affordable housing. The outline application indicated 12 units. The current proposal could be implemented as a standalone development. In any event, it is considered that a further 4 dwellings as a result of this application would not trigger any further affordable units if it had been considered as part of a whole development. Therefore, no further s.106 agreement is being sought as a result of this development.
67. The application was not the subject of pre-application discussions. The principle of redevelopment/conversion of the building and removal of later additions is, however, considered acceptable.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].
2. This permission shall relate to the application as submitted drawing nos: 17/016 - 1 Rev A, 17/016 - Block.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].
3. The development hereby permitted shall not proceed beyond foundation level until details of the facing and roofing materials to be used on all external

elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policies GP2 (Design and Amenity Criteria) and EN2 (Conservation Areas) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

4. None of the residential flats hereby permitted shall be occupied until the existing A3 restaurant has permanently ceased in operation.

[To clarify the extent of the permission and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. 8 car parking spaces shall be made available within the site prior to the occupation of the development hereby approved and remain available at all times on an unallocated basis.

[In the interest of highway safety; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

6. Prior to occupation of any of the flats hereby approved, a refuse/bin store shall be provided in accordance with a scheme to be submitted to and approved by the Borough Council. Thereafter, the bin store shall be retained and maintained in accordance with the approved details.

[To protect the amenities of the area and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

This permission does not give any legal right for any work on, over or under land or buildings outside the application site ownership or affecting neighbouring property, including buildings, walls, fences and vegetation within that property. If any such work is anticipated, the consent of the adjoining land owner must first be obtained. The responsibility for meeting any claims for damage to such features lies with the applicant.

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

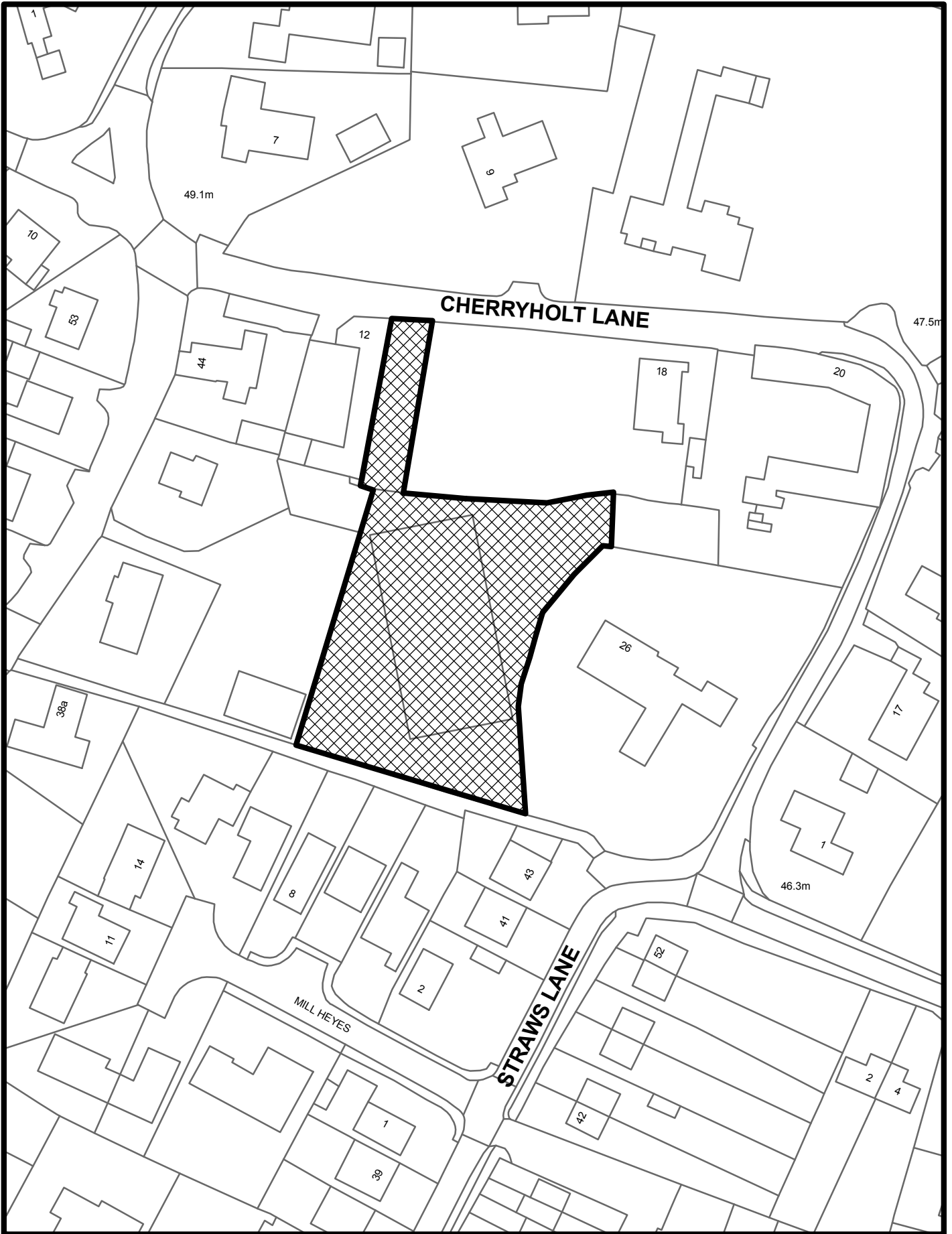
It is possible that the roofspace, and/or behind the soffit, fascia boards, etc. may be used by bats. You are reminded that bats, their roosts and access to roosts are protected and it is an offence under the Countryside and Wildlife Act 1981 to interfere with them. If evidence of bats is found, you should stop work and contact Natural England on 0845 600 3078.

The Borough Council is charging for the first time provision of wheeled refuse

containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

The provisions of the Party Wall Act 1996 may apply in relation to the boundary with the neighbouring property. A Solicitor or Chartered Surveyor may be able to give advice as to whether the proposed work falls within the scope of this Act and the necessary measures to be taken.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.



Application Number: 17/02094/FUL
adjacent 18 Cherryholt Lane, East Bridgford



scale 1:1000

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Rushcliffe Borough Council - 100019419

17/02094/FUL

Applicant Plaza Homes Ltd

Location Land Adjacent 18 Cherryholt Lane East Bridgford Nottinghamshire NG13 8LJ

Proposal Construction of 2 dwellings with new vehicular access and associated landscaping

Ward East Bridgford

THE SITE AND SURROUNDINGS

1. The application site, which extends to approximately 0.27ha, was formerly part of the substantial garden of the grade II listed Victorian/Edwardian house 18 Cherryholt Lane (also known as Mulberry House) and is situated within the East Bridgford Conservation Area. The bulk of the site formerly comprised a tennis court but this has been cleared and the site is now overgrown. The site is bounded on its north side by the rest of the curtilage of Mulberry House, comprising mature trees and shrubbery.
2. The surrounding area comprises a mix of ages and styles of dwelling, including a relatively modern bungalow (26 Cherryholt Lane) to the east of the site, which is separated from the application site by a substantial cypress hedge. The land to the west includes an agricultural storage building and yard area. The site is adjoined on its south-west side by a public footpath.

DETAILS OF THE PROPOSAL

3. The application relates to the construction of two dwellings to be served by a new vehicular access from Cherryholt Lane adjacent to number 12. The former host property, 18 Cherryholt Lane, would continue to be served by its existing access. The application also includes the repair of the terminal point of the wall adjacent to the access.
4. The dwellings would be contemporary in design, each incorporating flat roofs with a maximum height of 5.9m and a central glazed stairwell extending to 6.7m. The elevations would be faced with a combination of render and horizontal boarding, with substantial areas of glazing in the front and rear (north and south) elevations.
5. The application also includes two double garages with parking and turning facilities. The private rear gardens would extend to approximately 340 sq m and 420 sq m respectively.
6. The application also includes a 1.8m boundary wall to the east of the proposed access to form a shared boundary with the garden area to 18 Cherryholt Lane.

SITE HISTORY

7. The site has a lengthy planning history. Planning permission for two detached dwellings was originally granted in 1994 (94/00320/OUT) and has been "renewed" several times since, most recently in July 2015 (15/00969/OUT). The latter permission is extant.
8. The previous permissions also showed access being taken from Cherryholt Lane, as now proposed. Following the grant of planning permission in 2015, a section of wall was removed to facilitate the new vehicular access. As pre-commencement conditions had not been discharged, nor listed building consent granted, this was unauthorised. In October 2017 listed building consent was granted which included details of the treatment of the terminal point of the retained section of wall with reclaimed bricks (ref: 17/02016/LBC). The same details are included in the present application.

REPRESENTATIONS

Ward Councillor

9. The Ward Councillor (Councillor Lawrence) objects on the following grounds:
 - a. The proposed development would be visible from College Street to the west and the public footpath to the south.
 - b. The design is aggressively modern and insensitive to the grade 2 listed building (Mulberry House) and other nearby listed building. It would be at odds with other buildings in the area and would not maintain or improve the appearance of the Conservation Area and the setting of the listed Mulberry House. The development would, therefore, be contrary to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 - c. Privacy and security to 26 Cherryholt Lane should be maintained.

Town/Parish Council

10. The Parish Council object and comment, *"The Listed building at no 18 and its grounds are among the last of the larger buildings remaining in their overall site within the village. The proposal for these two buildings will undoubtedly damage the setting of the fine Listed building while the submission shows nothing of the use of the mature landscape. The Parish Council regards the development proposal as grossly insensitive. It is noted that access to the site by demolishing a section of the fine Listed wall appears to have been effected without obtaining appropriate planning approval. The Listed wall end should be supported by a 2m angled return to protect the visibility display. More detailed paving is requested for the entrance drive. The entrance area of the drive should be separately designated ie block sets (not tarmac) to preserve the Conservation Area setting. These proposed two dwellings do not enhance the needs of the village Conservation Area"*.

Statutory and Other Consultees

11. Historic England has offered no comment and suggest that the views of our specialist conservation and archaeological advisers are sought, as relevant.
12. The Nottinghamshire County Council as Highway Authority has not commented specifically on highways issues in connection with the current application but referred to their Standing Advice. However, they did not object to the previous applications referred to above, which included similar access arrangements.
13. The Trent Valley Internal Drainage Board do not object but recommend that surface water runoff should not be increased and details of foul and surface water drainage should be approved.
14. The Borough Council's Environmental Health Officer raises no objection but recommends that appropriate conditions be included to require the submission of a method statement to control noise, dust and vibration.
15. The Borough Council's Conservation and Design Officer raises no objection. His comments are summarised below:
 - a. The design has changed since pre-submission stage and as a result, the reduction in overall height is likely to leave the proposed dwellings better hidden from views of the listed building.
 - b. Details should be submitted of the details of the work to be undertaken to complete the repair of the listed wall. (As stated above, this is included in the application).
 - c. Additional detailing should be provided to the proposed garages (subsequently provided).
 - d. The proposal would preserve the special architectural and historic character and appearance of the Conservation Area as is considered desirable within section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would result in no harm to the setting of the neighbouring grade II listed building.
 - e. He highlighted that the proposed wall along the driveway would be close to a mature tree within the grounds of 18 Cherryholt Lane and suggested that the views of the Landscape Officer were sought regarding the potential impact on this tree.
16. The Borough Council's Landscape Officer has confirmed that it would be possible to construct a wall alongside the access without damaging the nearby cedar tree, so long as details of the method of construction of the foundations are approved. He also considers the proximity of the dwelling on plot 2 to the cupressus hedge on the boundary with 26 Cherryholt Lane to be acceptable.

17. The Borough Council's Environmental Health Officer has recommended that the development be carried out in accordance with a construction method statement relating to noise, dust, vibration, etc.

Local Residents and the General Public

18. Representations objecting to the proposal have been received from three local residents. The grounds for objection can be summarised as follows:
- a. The contemporary design is not appropriate in the context of the traditional buildings in the vicinity.
 - b. Detrimental to setting of listed building and the Conservation Area.
 - c. No need for two 5 bed houses in the village.
 - d. Would aggravate existing traffic dangers and difficulties on Cherryholt Lane, the surface of which is in poor condition.
 - e. Overintensive development.
 - f. Height of dwellings excessive in relation to boundary hedge adjacent to 26 Cherryholt Lane which provides privacy and security.
 - g. Noise and disturbance during construction and through cars and delivery vehicles visiting the proposed dwellings.
 - h. Risk of surface water runoff to neighbouring dwellings and flooding on Cherryholt Lane.
 - i. A section of wall was demolished without permission and the site was left in an untidy condition.
 - j. The contemporary design of no. 5 Cherryholt Lane should not be seen as a precedent.
 - k. The large amount of glass in the design would lead to heat gain in the summer, requiring energy to cool it down.
 - l. First floor balconies are not typical of the area.
 - m. Trees in the vicinity should be retained so the development would have no impact on Cherryholt Lane.

PLANNING POLICY

19. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the Rushcliffe Local Plan Part 1: Core Strategy.
20. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).

21. Any decision should, therefore, be taken having regard to the Rushcliffe Core Strategy, the NPPF and NPPG, and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

22. Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development which should aim to proactively drive and support sustainable economic development to deliver the homes, businesses and industrial units, infrastructure and thriving local places that the country needs.
23. Paragraph 55 advocates support for residential development on sustainable sites in rural areas and advises that isolated dwellings should be avoided unless there are exceptional circumstances. Para 58 requires new development to respond to local character and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
24. As the site lies within the East Bridgford Conservation Area, paragraph 128 of the NPPF is relevant. It requires consideration to be given to the effect of any development on heritage assets and their setting, whilst paragraph 132 points out that the significance of a heritage asset can be harmed by development in its setting. Paragraph 133 advises that where a development would lead to substantial harm or total loss of the asset, permission should be refused. Where the proposal would lead to less than substantial harm (paragraph 134), this harm should be weighed against the public benefits of the proposal.
25. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
26. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant. It requires that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the area.

Relevant Local Planning Policies and Guidance

27. None of the saved policies of the Rushcliffe Borough Local Plan are relevant to the present proposals.
28. Under Core Strategy Policy 1, a positive and proactive approach to planning decision making should be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
29. Policy 10 requires that development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development shall be assessed in

terms of the criteria listed under section 2 of Policy 10 and, of particular relevance to this application, are 2(b) whereby the proposal shall be assessed in terms of its impacts on neighbouring amenity, 2(f) in terms of its massing, scale and proportion and 2(g) in terms of assessing the proposed materials, architectural style and detailing.

30. In the context of the Rushcliffe Borough Non-Statutory Replacement Local Plan, the relevant policies are GP2 (Amenity and Design), HOU2 (Development on Unallocated Sites) and EN2 (Conservation Areas).
31. Policy GP2 requires that any developments are sympathetic to the character and appearance of neighbouring buildings and the surrounding area in terms of scale, design, materials, etc., do not have a detrimental impact on the amenity of neighbours by reason of overlooking, loss of light, overbearing impact or the type of activity proposed and a suitable means of access and parking facilities can be provided.
32. Policy HOU2 states that planning permission will be granted for development on unallocated sites so long as a number of criteria can be satisfied, including that the development would not extend the built-up area of the settlement, would not result in the loss of a site which makes a significant contribution to the amenity of the area by virtue of its character or open nature, etc.
33. Policy EN2 requires that any development in a conservation area or outside of but affecting its setting, including views into or from the conservation area, should preserve or enhance its character and appearance.
34. Recommendation CA07/12 of the East Bridgford Conservation Area Appraisal and Management Plan states that the Council will resist any development that threatens any positive buildings, open spaces or views into or out of the Conservation Area and does not comply with the policy EN2 of the Rushcliffe Borough Non-Statutory Local Plan.

APPRAISAL

35. East Bridgford possesses a number of services and facilities including a school, pub, shops, sports facilities, an employment site and bus service. In view of the location of the site in relation to these local services and facilities, it is considered that it comprises a sustainable location, as advocated by the National Planning Policy Framework and Core Strategy. In view of this and the extant permission on the site, it is considered that the development is acceptable in principle.
36. In terms of the design of the proposed dwellings and their impact on the character of the Conservation Area, the design is contemporary and does not replicate the more traditional style of dwellings in the vicinity. However, with the exception of a small number of dwellings including 11 and 18 Cherryholt Lane and 44 College Street, development in this part of the Conservation Area is relatively recent, dating from the 1950's or more recently, including the adjacent bungalow at 26 Cherryholt Lane, which dates from 1960's/70's. In view of this, it is not considered that a contemporary design as now proposed would be inappropriate or would harm the character of this part of the Conservation Area. Furthermore, it is considered that the dwellings would be sufficiently separated from the neighbouring listed buildings (18 and 20

Cherryholt Lane) and screened by existing trees so as to have no material impact on or cause harm to their setting. As such, the proposal would preserve the setting of the listed buildings, and the character and appearance of the conservation area, and would, therefore, achieve the objectives described as desirable within sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

37. It should also be noted that views of the development from the public realm would be limited due to the existence of neighbouring buildings or trees and hedges. Whilst there is a public footpath adjoining the site on its southern side, the site is largely screened by a privet hedge. With regard to views from College Street, this would be limited to the access to the agricultural contractor's yard which adjoins the site to the west. Proposed plot 1 would be 50 metres from the footpath on College Street. Plot 1 would also be partly visible from Cherryholt Lane via the access, the distance from Cherryholt Lane being 54 metres.
38. In terms of impact on neighbours, no. 12 Cherryholt Lane is immediately to the west of the proposed access, however, it has no windows in the wall which faces the access. The bungalow at 26 Cherryholt Lane is screened from the site by a substantial cupressus hedge approximately 5 metres high and given that the main roof height of plot 2 is only 5.9 metres and there are no first floor windows in its east elevation, and windows at ground floor would not serve habitable rooms, it is not considered that there would be an undue impact in terms of loss of light, overbearing impact/overlooking or noise and disturbance as a result of traffic generated by the development.
39. Whilst concern has been expressed regarding the suitability of Cherryholt Lane to accommodate the traffic generated by the proposed development, the access arrangements remain the same as on previous approvals, including the extant permission 15/00969/OUT.
40. Although the submitted plans indicate existing planting on the western boundary, this is, in fact largely open. It is considered that the development would benefit from planting on this boundary and a landscaping scheme should, therefore, be required. Furthermore, it is considered that details of the construction of the boundary wall should be required and tree protection measures implemented. Details of hard surfacing within the site can be dealt with by of the suggested planning condition.
41. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal. Amendments have been made to the proposal, which have resulted in an acceptable scheme and a recommendation that planning permission be granted.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall not proceed beyond foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.]

3. The development shall not be brought into use until the proposed access, turning area and parking facilities have been constructed in accordance with details to be first submitted to and approved in writing by the Borough Council. These facilities shall include measures to prevent the unregulated run off of surface water to the highway and shall be retained for the lifetime of the development.

[To ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

4. Neither dwelling shall be occupied until the terminal point of the wall on the Cherryholt Lane frontage has been re-built in accordance with the submitted details.

[To ensure the listed wall is completed satisfactorily and to comply with policy EN5 (Demolition and Listed Building) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. No operations shall commence on site until the existing trees and/or hedges which are to be retained have been protected in accordance with details to be approved in writing by the Borough Council and that protection shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[To ensure existing trees and or hedges are adequately protected and to comply with policy EN13 (Landscaping Schemes) of the RBNSRLP. Commencement of development in advance of the implementation of tree protection measures could result in loss of or damage to trees and/or hedges which it is considered should be retained].

6. The development hereby permitted shall not progress beyond damp proof course level until a detailed landscaping scheme including hard surfaces for the site has been submitted to and approved in writing by the Borough Council. The approved scheme shall be carried out in the first tree planting season following the substantial completion of the development. Any trees or

plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Borough Council gives written consent to any variation.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

7. The development shall be carried out in accordance with the submitted plans 3264 02 rev C, 3264 03 rev A and 3264 04 rev C.

[For the avoidance of doubt and to comply with policy GP2 (Amenity and Design) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. Development shall not proceed beyond damp proof course level until details of all screen fencing/walling and means of enclosure to be erected on the site has been submitted to and approved in writing by the Borough Council. The development shall not be brought into use until the approved screen fencing/walling and means of enclosure have been completed, and they shall be retained thereafter unless the Borough Council gives written consent to a variation.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

9. The construction of the wall to the east of the proposed access shall not commence until details of the method of construction of the foundations have been submitted to and approved in writing by the Borough Council. Thereafter, the wall shall be constructed in accordance with the approved details and neither dwelling shall be occupied until it is completed.

[To ensure there is no damage to the roots of the nearby tree and to provide security to 18 Cherryholt Lane and comply with policy GP2 (Amenity and Design) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

10. Prior to the commencement of development, a method statement detailing techniques for the control of noise, dust and vibration shall be submitted to and approved in writing by the Borough Council. Thereafter, the development shall be carried out in accordance with the approved details.

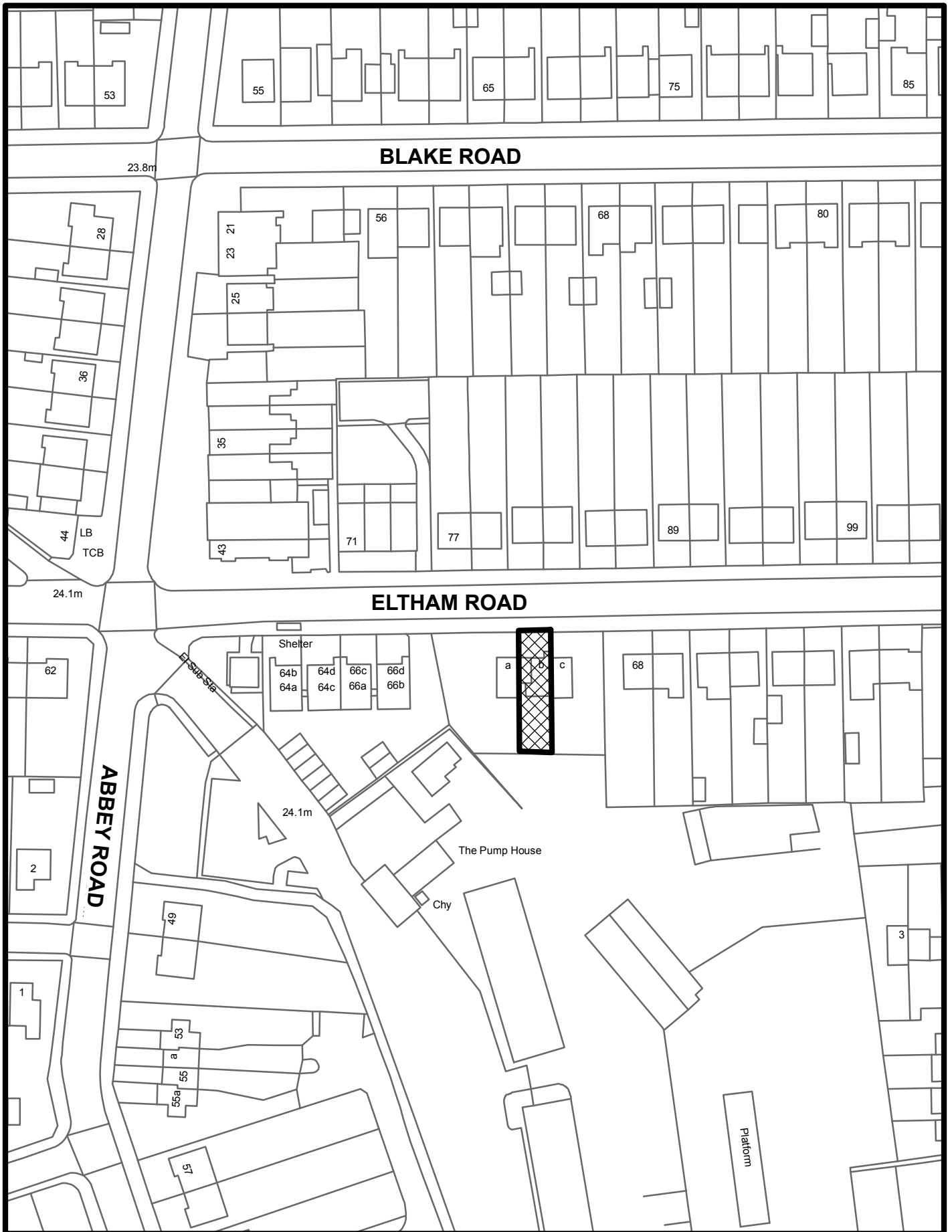
[To avoid nuisance to nearby residents and comply with policy GP2 (Amenity and Design) of the Rushcliffe Borough Non Statutory Replacement Local Plan. This condition needs to be discharged prior to work commencing on site to ensure that the methodology for undertaking the development does not give rise to unacceptable impacts from noise, dust and vibration].

Notes to Applicant

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.



Application Number: 17/02375/FUL
68b Eltham Road, West Bridgford



scale 1:1000

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Rushcliffe Borough Council - 100019419

17/02375/FUL

Applicant Mrs Elizabeth Wheeler

Location 68B Eltham Road West Bridgford Nottinghamshire NG2 5JT

Proposal First floor rear extension including increase in roof height, and ground floor alterations to extend living room.

Ward Abbey

THE SITE AND SURROUNDINGS

1. The application relates to a modern, mid-terrace, two storey dwelling house. The property has red brick walls and brown roof tiles, the roof is dual pitched with ridge line running parallel to the road. The ridge height of the application property is lower than its two adjoining neighbours. The front boundary is open and there is a fence approximately 2m high to the side and rear boundaries of the rear garden. There is a vehicle access and a driveway at the front of the site as well as an undercover parking space at the side.
2. The site is located close to the town centre of West Bridgford but the neighbouring properties are primarily residential, except for the Council's central depot which is located to the south of the site. The predominant building type within the street is interwar semi-detached houses which gives the area a suburban character. There is a variation of plot sizes within the area with the application site being smaller than the majority of its residential neighbours. The properties within the street are predominantly two storeys in height and not all of them have off street parking provision.

DETAILS OF THE PROPOSAL

3. The proposal is for a first floor extension at the rear, including increasing the ridge height, and ground floor alterations including infilling the integral car port at the side of the house to create an extended lounge whilst retaining a pedestrian access to the rear garden from the street and enlarging the ground floor window in the front elevation.
4. The site is located within the Environment Agency (EA) Flood Zone, flood zones 2 and 3. On the Strategic Flood Risk Assessment, which takes in to account the flood defences, the site is shown to be equivalent to flood zone 1. The EA's standing advice has been applied in this instance.

SITE HISTORY

5. Planning permission (ref: 04/01646/FUL) was granted in December 2004 for a first floor extension and single storey side extension but was not implemented.
6. Planning permission (ref: 14/02418/FUL) was granted for extensions and alterations, including raising the height of ridge. The only difference between the scheme approved under the earlier planning permission (re:

04/01646/FUL) and this proposal was the inclusion of a projecting first floor window in the rear elevation. This planning permission will remain extant until 29th January 2018.

REPRESENTATIONS

Ward Councillor(s)

7. One Ward Councillor (Cllr. Buschman) does not object.

Local Residents and the General Public

8. Four neighbouring properties were notified of the application and a site notice was posted but no comments have been received.

PLANNING POLICY

9. The Development Plan for Rushcliffe consists of The Rushcliffe Local Plan Part 1: Core Strategy and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF), and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).

Relevant National Planning Policies and Guidance

10. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that, for decision taking, this means *“approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *Specific policies in the Framework indicate development should be restricted”.*
11. In relation to residential amenity paragraph 9 of the NPPF states, *“Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life, including (but not limited to): improving conditions in which people live, work, travel and take leisure”.* Paragraph 60 of the NPPF relates to design and states, *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”.* Paragraph 64 states, *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*

Relevant Local Planning Policies and Guidance

12. None of the 5 saved policies of the Rushcliffe Borough Local Plan are applicable to this proposal.
13. Policy 1 of the Rushcliffe Local Plan Part 1: Core Strategy reinforces the positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy 10 states, inter-alia, that all new development should be designed to make a positive contribution to the public realm and sense of place and reinforce valued local characteristics.
14. Whilst not part of the development plan the Borough Council has adopted the Rushcliffe Borough Non-Statutory Replacement Local Plan for the purposes of development control and this is considered to be a material planning consideration in the determination of planning applications. Policy GP2 is concerned with issues of design and amenity and the effect of proposals on neighbouring properties.
15. Consideration should also be given to supplementary guidance provided in the Rushcliffe Residential Design Guide.

APPRAISAL

16. The principle of the development has been established by planning permissions 04/01646/FUL and 14/02418/FUL, the second of which remains extant until 29 January 2018. There have been no significant changes to the relevant planning policies or the site context since the 2014 permission was granted.
17. As with application ref.14/02418/FUL a condition has been recommended to ensure that any glazing in the side of the proposed first floor projecting window is obscure glazed and fixed shut. It is considered that this would prevent undue overlooking and loss of privacy of the adjoined residential properties in accordance with policy GP2 of the RBNSRLP.
18. The proposed development is in accordance with the relevant criteria in the Rushcliffe Local Plan Part 1: Core Strategy and Rushcliffe Borough Non-Statutory Replacement Local Plan and the National Planning Policy Framework policies listed in this decision, as well as additional guidance provided in Supplementary Planning Document - Rushcliffe Residential Design Guide, and there are no material considerations which outweigh these policies. It is considered that the proposal would be sympathetic to the character and appearance of the host and neighbouring buildings, and surrounding area, and would not be overbearing, or lead to undue overshadowing, overlooking or loss of privacy to neighbouring properties.
19. The proposal was not the subject of pre-application discussions. The scheme, however, is considered acceptable and no discussions or negotiations with the applicant were considered necessary.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the plans ref: 2608/14/02 received on 5 October.

[For the avoidance of doubt and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan.]

3. The extension(s) hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The glazed side panels in the first floor bay window in the rear elevation of the proposed development shall be permanently fixed shut and fitted with glass which has been rendered permanently obscured to Group 5 level of privacy or equivalent. Thereafter, the window shall be retained to this specification. No additional windows shall be inserted in this elevation.

[To protect the residential amenity of the neighbouring properties and to comply with policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy and policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].



Planning Committee

16 November 2017

Appeals Decisions

Rushcliffe
Borough Council

5

Report of the Executive Manager – Communities

LOCATION	42 Wilford Road Ruddington Nottinghamshire NG11 6EQ	
APPLICATION REF	17/00706/FUL	
APPEAL REFERENCE	APP/P3040/D/17/3176178	
PROPOSAL	Form vehicular access to front garden, including widening of gate access and installing new electric gates	
APPEAL DECISION	Appeal Dismissed	DATE 28 September 2017

PLANNING OFFICERS OBSERVATIONS

Appeal Site

The appeal site relates to a residential property located on Wilford Road in Ruddington, close to the new roundabout junction of Wilford Road/Clifton Road/High Street. The boundary of the property with Wilford Road did comprise of a 2m high wall with fence containing a pedestrian access gate only.

A dropped kerb is located outside the property on Wilford Road. Vehicular access to the property is currently off Woodley Street to the rear where a double garage is located. To the immediate south of the property is a public house, and the remaining surrounding area is residential in character. A bus stop is located on Wilford Road, close to the appeal site.

Proposal

The original application sought planning permission to form a vehicular access to the front garden area, requiring the demolition of the existing wall; building a new brick wall 1.8m high and installing electronic timber gates 2m high.

Borough Council's Decision

The Borough Council refused the proposal under delegated powers as it was considered that the new vehicular access, by reason of its location, together with the height and location of the proposed boundary treatment, would not afford drivers entering or exiting the site, or passing pedestrians, adequate visibility. Furthermore the new gated vehicular access would result in vehicles waiting to enter the site on Wilford Road causing queues on a highway, close to an approach to a new roundabout. The proposal would therefore harm pedestrian safety and the free and safe flow of traffic along Wilford Road, contrary to Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan.

Inspector's Decision

The Inspector considered that due to the height and location of the proposed wall and gate, drivers would have insufficient views of pedestrians when entering or leaving the site in forward or reverse gear. The boundary treatment would also restrict views of emerging vehicles for passing pedestrians, including passengers boarding and alighting at the adjacent bus stop and customers of the adjacent pub. Pedestrian safety would therefore be at risk. Furthermore, the Inspector's view was that the proposed gated access would likely result in vehicles waiting for the electric gate to open before entering the appeal site. This would create queues of vehicles on Wilford Road, a main route into the village centre, immediately before the entrance to the new roundabout. He concluded that the appeal proposal would result in harm to pedestrian safety and the obstruction of the free flow of traffic along Wilford Road to the detriment of highway safety.

LOCATION	Nottinghamshire Constabulary Police Station 18 Grantham Road Bingham Nottinghamshire NG13 8BW	
APPLICATION REF	16/02996/FUL	
APPEAL REF	APP/P3040/W/17/3174626	
PROPOSAL	Demolition of existing former police station and erection of a 66 bed residential care home.	
APPEAL DECISION	Appeal Dismissed	DATE 23 October 2017

PLANNING OFFICERS OBSERVATIONS

Appeal Site and Proposal

The appeal site relates to the former police station site located on Grantham Road, Bingham. The application sought planning permission for the demolition of the police station buildings and the erection of a three storey 66 bed residential care home with associated car parking and access off Belvoir Vale Grove.

Borough Council's Decision

The application was considered at the Development Control Committee in March 2017 where Members resolved to refuse the application on the following grounds:

1. Overbearing structure which would harm the living conditions of neighbouring residents on Belvoir Vale Grove.
2. An over intensive form of development resulting in (less than substantial) harm to the character and appearance of the Conservation Area.
3. Insufficient off-street car parking, leading to an increase in on-street car parking to the detriment of the free and safe flow of traffic on the highway network
4. The scheme failed to maximise the opportunities for sustainable modes of transport resulting in more staff and visitors relying heavily upon the private car to access the site.
5. The proposal would result in unacceptable levels of noise and light pollution which would harm the living conditions of residents on Belvoir Grove.

Inspector's Decision

Reason 1

In terms of the impacts upon neighbouring residents, the Inspector stated that whilst the development would be set at a lower level than the dwellings on Belvoir Vale Grove and its ridge height would be between 4.2m and 5.1m lower than that of the dwellings, the development would clearly not be of a domestic scale. While there would be some distance between buildings, any benefits derived from this would be largely lost as a result of the sheer scale, mass, width and unbroken

bulk of the development. The building would still be seen as a tall, bulky, prominent and imposing structure, particularly when viewed from the ground floor and rear gardens of Belvoir Vale Grove, which slope toward the site. The fact that the two 'wings' of the building would angle towards the rear of the dwellings would serve only to exacerbate the negative effect of the development and give it a somewhat looming and dominant presence to the occupiers of these houses. Notwithstanding the distances between the rear of the development and the dwellings, the height of the building and the number of windows in the rear elevation, the properties on Belvoir Vale Grove are likely to experience a strong sense and perception of being overlooked, particularly from the second floor windows.

Reason 2

The Inspector did not agree that the proposed development, whilst a larger and more intensive form of development than what currently exists, would result in any particular harm to the setting or significance of the Bingham Conservation Area.

Reasons 3 and 4

With regards to parking, the Inspector noted that the parking standards within the 6 C's guidance suggest a maximum of 31.5 spaces, whereas only 20 parking spaces were proposed. He did not consider that there is a particularly good bus service serving the site, despite the proximity of bus stops. Whilst he recognised that there would be some scope for using public transport, he was not convinced that many employees or visitors would travel to the site by public transport. In terms of cycling, whilst the site is well related to defined cycle routes, there would be no guarantee that this would result in a significant reduction in car parking demand. As a result, he considered that a reduced car parking area would not meet the potential peaks in car parking demands and would lead to significant overspill parking on Belvoir Vale Grove. He did not agree that Belvoir Vale Grove was too steep for the proposed access to be taken from it, given that it is relatively short and is part of an adopted highway which already serves residential development.

Reason 5

With regards to noise and disturbance, the access, parking and circulation areas and main entrance to the development would all be to the rear of the building. The Inspector was of the view that whilst the police station would clearly have generated some degree of activity and noise, this is unlikely to have generated the same level of activity or noise as the proposed development. It is still likely that most staff would arrive and leave within a few minutes of each other around shift changeover at 08.00 and 22.00. This is likely to result in short, but daily periods of increased activity and noise around the access and in the car park. He was not convinced that additional landscaping would provide sufficient mitigation for the noise that would arise. With regards to light pollution, the Inspector was satisfied that the nature, positioning and brightness of the lighting could be satisfactorily controlled by planning condition and unlikely, therefore, to result in an unacceptable impact on the living conditions of nearby properties. He also considered that there would be no issues of overshadowing.

LOCATION	Land North Of Rempstone Road East Leake Nottinghamshire	
APPLICATION REF	16/01881/OUT	
APPEAL REF	APP/P3040/W/17/3178343	
PROPOSAL	Outline application for up to 235 dwellings, primary school, infrastructure, green space, associated surface water attenuation & landscaping	
APPEAL DECISION	Appeal Allowed	DATE 20 November 2017

PLANNING OFFICERS OBSERVATIONS

In considering the appeal the Inspector identified the main issues as being whether the site is in a suitable location for residential development having regard to the development plan; the effect on the character and appearance of the area, including landscape and visual impact; whether future residents would be overly reliant on the use of private vehicles, with particular regard to the connectivity of the site with the village centre; and whether suitable provision is made for primary education.

The Inspector noted that Policy 3 of the Core Strategy has a strategy of concentrating new development around the urban area of Nottingham and in the Key settlements, of which East Leake is one. He acknowledged that the number of homes granted permission in the village far exceeds the minimum of 400 identified in the Policy, which is a divergence from the Council’s strategy, but also that there is no maximum figure set out in the policy. He then weighed this conflict against the Council’s deficit in housing delivery and lack of firm evidence of progress in addressing this. He was not persuaded that the measures being undertaken by the Council would significantly boost the supply of housing in the short term.

He considered that this site was different to the dismissed appeal at Aslockton because it falls within a Key settlement, capable of growth because of its relative sustainability. He concluded that it would not undermine the strategy in the Core Strategy given the absence of a 5 year housing land supply.

In respect of the impacts on character and appearance he gave significant weight to the Landscape and Visual Impact report submitted to support the application, which identified that effects on the wider landscape would be ‘minor adverse-negligible’, particularly as the new landscaping matures. He gave lesser weight to the Landscape and Visual analysis document the Council had commissioned to assess potential development sites being considered through Part 2 of the Local Plan, which ranked the site poorly. He also considered potential conflict with the Neighbourhood Plan Policy E1, that seeks to protect ridgelines from development, as raised by the Parish Council, and considered that the proposed thick belt of

landscaping proposed along Rempstone Road would mean that any harm would be limited.

In response to the Council's refusal based on the poor connectivity of the site to the village, at the Hearing the appellants produced a legal agreement they had signed with the adjacent developer, allowing a potential footpath/cyclepath to be created through their land. He acknowledged that this route would still fail to bring most homes within the 1.25km walking distance set out in Policy H6 of the Neighbourhood Plan but referenced other well-known standards that suggest that much longer walking and cycling distances are reasonable. He concluded that the option of a walking/cycling route and access to a bus service means that the site would be sustainable and not reliant on the use of private vehicles.

He gave little weight to the harm on the character and appearance of the area and walking distance into the village.

In respect of the reason for refusal relating to the lack of suitable provision for Primary education facilities, the Inspector stated that schools in the village had been or were being extended to accommodate growth already having permission but was presented with no evidence by the Education Authority that further capacity could not be created at the existing schools. In any event he also highlighted the statutory duty of the Education Authority to provide school places and felt that alternatives, such as extending a school outside the village or supporting a bus service, would be available and, whilst not a desirable option, would not disadvantage residents. Whilst the S106 Agreement makes provision for transferring land to build a new school, he accepted that this was not necessary to make the development acceptable and was not CIL compliant. He therefore afforded little weight to this in making his decision.

Contributions towards improvements at the Costock Road Playing Fields and towards replacing or upgrading healthcare facilities in the village were considered necessary by all parties but Regulation 123 of the CIL Regulations prevents the pooling of 5 or more contributions to the same project and this would be breached in this instance. Therefore, the Inspector could give little weight to these contributions. He gave the absence of suitable mitigation for the lack of capacity at the Health Centre moderate weight against the proposal and shared the Council's view that there are conflicts with Core Strategy and Neighbourhood Plan policies.

In assessing the planning balance and allowing the appeal the Inspector gave significant weight to the contribution the development would make towards boosting the supply of housing in the Borough, along with the provision of affordable housing and the economic, social and environmental benefits of the project. Whilst he identified matters of limited or moderate harm and conflict with policies in the Core Strategy and Neighbourhood Plan he felt that, given the lack of a 5 year land supply and the shortfall in delivery of the allocated sites on the edge of the urban area, East Leake is one of the Key settlements beyond the Green Belt that would be capable of delivering housing in the short term.