

## **NOTICE OF REFUSAL OF PLANNING PERMISSION**

### **TOWN & COUNTRY PLANNING ACT 1990**

Mr P Dunn  
c/o Mr Alan Brown  
ABDS Ltd  
79 Orchid Close  
Hereford  
HR4 7FJ

**REFERENCE NO :** 24/01261/FUL

**APPLICANT :** Mr P Dunn

**DEVELOPMENT :** Proposed Demolition of Grafton House and Welbeck House and construction of 32 No apartments, including car parking and alterations to existing vehicular access.

**LOCATION :** Grafton And Welbeck House 67-69 Loughborough Road West  
Bridgford Nottinghamshire NG2 7LA

RUSHCLIFFE BOROUGH COUNCIL having considered an application, which was validly submitted on 26 July 2024, for the above development hereby in pursuance of their powers under the above-mentioned Act,

## **REFUSE PERMISSION**

for the development described in the application for the reasons set out below:-

1. The proposed development would have a harmful effect on the significance of Grafton House and Welbeck house as Non- Designated Heritage Assets and the proposal would cause harm to their group value. The harm arising from the demolition of these NDHAs would be substantial. It has not been demonstrated that clear justification exists for the proposal given the level of harm arising from the complete loss of NDHA's.

The development would not therefore accord with paragraph 216 of the NPPF which states "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

The proposal would be contrary to criterion d) of Policy 11(1) of the Local Plan Part 2: Land and Planning Policies which states, inter alia, that planning permission will be granted for development on unallocated sites within the built-up area where the proposal would not result in the loss of any existing buildings considered to be heritage assets unless the harm is, in the case of designated heritage assets, outweighed by substantial public benefits or, in the case of non-designated heritage assets, the loss of significance to the asset is justified.

The proposal would be contrary to Policy 28 of the Local Plan Part 2: Land and Planning Policies as it would not conserve or enhance the character and appearance of the heritage asset. In applying the balanced judgement under paragraph 9.13 of the LPP2, it is not considered that the scale of harm to the heritage asset is justified.

2. The proposed building by virtue of its scale, massing, height, layout, and design would result in a dominant, overbearing development that would result in harm to the visual amenities of the street scene. The scale and footprint of the scheme would fill a large proportion of the site, resulting in a significant loss of the current open character and appearing at odds with the pattern and grain of the surrounding built environment.

The design of the scheme therefore would be unsympathetic to the surrounding built form, resulting in harm to the historic character of the street scene.

The proposal would be contrary to criterion 4 of Policy 1 of the Local Plan Part 2: Land and Planning Policies which states Planning permission for new development, changes of use, conversions or extensions will be granted provided that, where relevant, the following criteria are met:

- 4) the scale, density, height, massing, design, layout and materials of the proposal is sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. It should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy.

The proposal would be contrary to criterion b) of Policy 11(1) of the Local Plan Part 2: Land and Planning Policies which states, inter alia, that planning permission will be granted for development on unallocated sites within the built-up area where the proposal is of a high standard of design and does not adversely affect the character or pattern of the area by reason of its scale, bulk, form, layout or materials.

The proposal would be contrary to paragraph 135(a,b,c) of the NPPF which states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

A decision to refuse planning permission would accord with paragraph 139 which states, inter alia that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. In considering development that should be given weight under this paragraph, the scheme would not reflect local design policies, nor would it comprise an outstanding or innovative design which promote high levels of sustainability, or that would help raise the standard of design more generally in an area.

- 3. The proposal would result in a cramped and over-intensive development as indicated by the substantial footprint of the building, very limited space for landscaping and amenity areas, and limited provision for service vehicles such as refuse collections and delivery vehicles within the site .

The proposal would be contrary to criterion 3 and 4 of Policy 1 of the Local Plan Part 2: Land and Planning Policies which states Planning permission for new development, changes of use, conversions or extensions will be granted provided that, where relevant, the following criteria are met:

- 3. sufficient space is provided within the site to accommodate the proposal together with ancillary amenity and circulation space;
  - 4. the scale, density, height, massing, design, layout and materials of the proposal is sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. It should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy;
- 4. The proposed development by virtue of its height, scale, massing, siting, layout and proximity to Nos. 1a and 1b Patrick Road would result in a harmful overbearing and overshadowing impact on these neighbours. The windows in the east and north elevations would result in a loss of privacy to Nos. 1a-1b and the facing habitable room windows at Cambridge Court.

The proposal would be contrary to Policy 1 (Development Requirements) of the Local Plan Part 2: Land and Planning Policies, which states that permission for new development, changes of use, conversion or extensions would normally be granted provided that, inter alia;

"4. the scale, density, height, massing, design, layout and materials of the proposal is sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. It should not lead to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy".

The proposal would be contrary to criterion f) of Policy 11(1) of the Local Plan Part 2: Land and Planning Policies which states, inter alia, that planning permission will be granted for development on unallocated sites within the built-up area where the proposal would not cause a significant adverse impact on the amenity of nearby residents and occupiers.

5. The revised plans do not detail the finished floor levels of the ground floor communal access hallway and bike storage area. The Flood Risk Assessment (FRA) does not comply with the requirements for a site-specific floor risk assessment. It has not therefore been adequately demonstrated that the development would not result in flood risk to future occupants and to property. The FRA does not therefore comply with the requirements for a site-specific FRA as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance.

The development is contrary to paragraph 181 of the NPPF which states, inter alia, that where appropriate, applications should be supported by a site-specific flood risk assessment with footnote 63 requiring a site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3.

There are fundamental objections to the proposal and it is considered that this/these cannot be overcome. However, discussions have taken place with the agent in an attempt to address a number of issues and to limit the reasons for refusal to those which cannot, in the opinion of the Borough Council, be overcome and reduce the areas for debate in any subsequent appeal.

Any site notice displayed for the purpose of this application may be removed following the issuing of this decision. The location of any notices displayed can be viewed on the Council's website at <http://planningon-line.rushcliffe.gov.uk>



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Authorised Officer on behalf of Rushcliffe Borough Council  
28th February 2025