



Civic Centre,  
Arnot Hill Park,  
Arnold,  
Nottinghamshire,  
NG5 6LU

# Agenda

## Planning Committee

Date: **Wednesday 22 April 2015**

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Time: **6.00 pm**

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Place: **Council Chamber, Civic Centre.**

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For any further information please contact:

**Lyndsey Parnell**

Senior Elections and Members' Services Officer

0115 901 3844

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# Planning Committee

## Membership

**Chair** Councillor John Truscott

**Vice-Chair** Councillor Barbara Miller

Councillor Pauline Allan  
Roy Allan  
Councillor Peter Barnes  
Councillor Chris Barnfather  
Councillor Denis Beeston MBE  
Councillor Alan Bexon  
John Boot  
Ged Clarke  
Councillor Bob Collis  
Councillor Andrew Ellwood  
Cheryl Hewlett  
Councillor Jenny Hollingsworth  
Councillor Mike Hope  
Councillor Meredith Lawrence  
Councillor Marje Paling  
Councillor Lynda Pearson  
Councillor Colin Powell  
Suzanne Prew-Smith  
Councillor Sarah Hewson

## **AGENDA**

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- 1 Apologies for Absence and Substitutions.**
- 2 To approve, as a correct record, the minutes of the meeting held on 1 April 2015.** 5 - 12
- Planning Committee Protocol.**
- 3 Declaration of Interests**
- 4 Application No. 2014/1326- 74 Main Street, Lambley** 15 - 21
- 5 Application No. 2015/0043- 214 Oakdale Road, Carlton** 23 - 29
- 6 Planning Delegation Panel Sheets** 31 - 35
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- 8 Any other items which the Chair considers urgent.**

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## MINUTES PLANNING COMMITTEE

Wednesday 1 April 2015

Councillor John Truscott (Chair)

In Attendance:     Councillor Barbara Miller           Councillor Jenny Hollingsworth  
                          Councillor Pauline Allan           Councillor Mike Hope  
                          Councillor Roy Allan               Councillor Meredith Lawrence  
                          Councillor Peter Barnes           Councillor Marje Paling  
                          Councillor Alan Bexon           Councillor Lynda Pearson  
                          Councillor John Boot              Councillor Colin Powell  
                          Councillor Bob Collis            Councillor Suzanne Prew-Smith  
                          Councillor Cheryl Hewlett

Absent:                               Councillor Chris Barnfather, Councillor Denis Beeston  
  MBE, Councillor Ged Clarke and Councillor Andrew  
  Ellwood

Officers in Attendance:     P Baguley, J Cole, L Parnell and F Whyley

### **302         APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Beeston MBE, Clarke and Ellwood.

Councillor Hewson attended as substitute for Councillor Barnfather, who gave his apologies.

### **303         TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETINGS HELD ON 4 MARCH AND 11 MARCH 2015 .**

#### **RESOLVED:**

That the minutes of the above meeting, having been circulated, be approved as a correct record.

### **304         DECLARATION OF INTERESTS**

The Chair declared a non- pecuniary interest in application no. 2015/0051 on behalf of all members of the Committee as the application relates to a building owned by Gedling Borough Council.

### **305         APPLICATION   NO.   2014/1159-   94   SHEEPWALK   LANE, RAVENSHEAD**

Proposed demolition of existing dwelling and erection of 4 no. detached dwellings with garages and private drive access.

Mr Wegner, a local resident, spoke against the application.

**RESOLVED to GRANT PLANNING PERMISSION, subject to the following conditions:**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the approved plans and application forms received on the 13th October 2014, drawing no: Existing Site Plan (VED394 01), Site Location Plan (VED394 02) and The Impact Assessment Trees, the revised plans received on 7th February 2015 drawing no: Plots 3 and 4 Elevations (VED394 31 D), and the revised plans received on 5th March 2015: drawing no's: Plots 1 and 2 Layout & Elevation (VED394 30 E), Fire Appliance Vehicle Tracking (VED394 26), Proposed Site Sections (VED394 23D), and Proposed Site Plan (VED394 22 G).
3. No part of the development hereby permitted shall be brought into use until the access has been widened to 5.25m in width and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
4. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
5. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted and including where appropriate details of existing trees to be felled and retained.
6. The approved landscape scheme, approved under condition 5, shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

7. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used in the external elevations of the proposed development. Once approved the development shall be completed out in accordance with these details.
8. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. Once approved the development shall be carried out in accordance with the approved details.
9. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of enclosure of the site and for each of the individual plot boundaries. The approved means of enclosure shall be erected before the dwellings they serve are first occupied, and shall be retained thereafter unless alternative means of enclosure are agreed in writing by the Borough Council.
10. No additional windows or openings to those shown on the approved plans shall be inserted in the external elevations of the proposed dwellings at any time, unless express consent has been given by the Borough Council.
11. The proposed 1.8 metre high timber screens to the first floor balconies, shown on the plan received on 5th March 2015 drawing no: Plot 1 & 2 Layout and Elevations (VED394 30 E) shall be provided before the balconies are first brought into use and shall thereafter be retained at all times for the life of the development.
12. No works permitted under Class A, B, C and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the express consent of the Borough Council.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of Highway safety.
4. In the interest of Highway Safety.

5. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (2005).
6. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
9. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To prevent the overlooking of the adjoining property, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (2014).
11. To prevent the overlooking of the adjoining property, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (2014).
12. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2014.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, the area in general and is acceptable from a highway safety viewpoint. The proposal therefore accords with Policy 10 of the Aligned Core Strategy (2014) and H7, H16 and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014)

### **Notes to Applicant**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal



Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

Your attention is brought to the fact there is a public sewer that runs through the site. The advice of Severn Trent water should be sought before development commences. You may wish to apply to Severn Trent Water to divert the sewer in accordance with Section 185 of the Water Industry Act 1991.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application and during Pre Application discussions to address adverse impacts identified by officers to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

The proposal makes it necessary to widen the access and vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

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**APPLICATION NO. 2015-0051- KIOSK, ARNOT HILL PARK, ARNOLD.**

Minor alterations to existing cafe building.

**RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The new opening to the west shall have a profile, a reveal, a surround and shutters that shall match those within the existing openings.
3. This permission relates to the planning application, location plan (Rev 0) and existing elevations and layout plan (Rev 0) received on 20th January 2015 and the revised proposed elevations and layout plan received by email together with the additional information contained in the email both of which was received on 13th March 2015.

**Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory development in accordance with the aims of Policies 10, 11 and 13 of the Aligned Core Strategy for Gedling Borough and Policies ENV 1 and R1 of the Gedling Borough Replacement Local Plan (certain policies saved) 2014
3. For the avoidance of doubt as to what is permitted

**Reasons for Decision**

In the opinion of the Borough Council the proposed development would not have an undue impact on the locality or a listed building and both protect a tourist facility and support its development. It would also help to protect this open space. The proposal therefore complies with ENV1 and R1 of the Gedling Borough Replacement Plan (certain policies saved) 2014 and Policies 10,11 and 13 of the Aligned Core Strategy for Gedling Borough (September 2014)

**Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 and 187 of the National Planning Policy Framework

Single storey rear extension, and creation of additional first floor bedroom on top of existing ground floor footprint.

**RESOLVED to GRANT PLANNING PERMISSION, subject to the following conditions:**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be built in accordance with the details as set out within the application forms received on the 1st February 2015 and the plans received on the 1st February 2015, drawing numbers JH01, JH02, JH03, JH04 and JH05.

**Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

**Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable and results in no significant impact on neighbouring residential properties. The proposal therefore accords with policies H10 (Residential Extensions) and ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2014), the National Planning Policy Framework 2012 and Policy 10 of the Aligned Core Strategy (2014).

**Notes to Applicant**

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

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

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

**308 PLANNING ENFORCEMENT REF. 0151/2013- UNIT 3 ALEXANDER COURT, NEWSTEAD**

Unauthorised change of use from B1/B8 to car sales (sui generis).

**RESOLVED:**

To authorise the Corporate Director, in consultation with the Council Solicitor and Monitoring Officer, to take any necessary enforcement action including service of notices and issuing/defending legal proceedings, if required.

**309 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

That the information be noted.

**310 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

That the information be noted.

**311 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 6.35 pm

Signed by Chair:  
Date:

## PLANNING COMMITTEE PROTOCOL

1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is a quasi-judicial body, empowered by the Borough Council to determine planning applications in accordance with its constitution. In making legally binding decisions therefore, it is important that the committee meeting is run in an ordered way, with Councillors, officers and members of the public understanding their role within the process.
3. In terms of Councillors' role at the Planning Committee, whilst Councillors have a special duty to their ward constituents, including those who did not vote for them, their over-riding duty is to the whole borough. Therefore, whilst it is acceptable to approach Councillors before the meeting, no opinion will be given, as this would compromise their ability to consider the application at the meeting itself. The role of Councillors at committee is not to represent the views of their constituents, but to consider planning applications in the interests of the whole Borough. When voting on applications, Councillors may therefore decide to vote against the views expressed by their constituents. Members may also request that their votes are recorded.
4. Planning Committee meetings are in public and members of the public are welcome to attend and observe; however, they are not allowed to address the meeting unless they have an interest in a planning application and follow the correct procedure.
5. Speaking at Planning Committee is restricted to applicants for planning permission, residents and residents' associations who have made written comments to the Council about the application and these have been received before the committee report is published. Professional agents representing either applicants or residents are not allowed to speak on their behalf. A maximum of 3 minutes per speaker is allowed, so where more than 1 person wishes to address the meeting, all parties with a common interest should normally agree who should represent them. No additional material or photographs will be allowed to be presented to the committee.
6. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chairman will bring the meeting to order. In exceptional circumstances the Chairman can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
7. After Councillors have debated the application, a vote will be taken. If Councillors wish to take a decision contrary to Officer recommendation, a motion to do so will be moved, seconded and voted upon. Where the decision is to refuse permission contrary to Officer recommendation, the motion will include reasons for refusal which are relevant to the planning considerations on the application, and which are capable of being supported and substantiated should an appeal be lodged. The Chairman may wish to adjourn the meeting for a short time for Officers to assist in drafting the reasons for refusal. The Chairman may move that the vote be recorded.
8. Where members of the public wish to leave the chamber before the end of the meeting, they should do so in an orderly and respectful manner, refraining from talking until they have passed through the chamber doors, as talking within the foyer can disrupt the meeting.

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**Application Number:** 2014/1326

**Location:** 74 Main Street, Lambley, Nottinghamshire



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## **Report to Planning Committee**

**Application Number:** 2014/1326

**Location:** 74 Main Street, Lambley, Nottinghamshire

**Proposal:** Change of Use to Residential (C3) and External Alterations.

**Applicant:**

**Agent:**

**Case Officer:** David Gray

### **Site Description**

Number 74 Main Street Lambley is located to the south side of Main Road in a prominent central location within the Lambley Conservation Area and the infill boundary of Lambley Village.

The application site is a two storey semi-detached dwelling. The ground floor is currently an A1 retail outlet that up until October 2014 was in use as a hairdresser. The first floor level is residential accommodation. The property shares a driveway with both 74 and 76 Main Street.

### **Relevant History**

In May 1977 planning permission was refused for an extension to form a new kitchen, extend lounge, new bedroom, new bathroom and landing (Ref: 77/0069). The reasons for refusal were:

- In the opinion of the Borough Council the proposed extension is of an unsatisfactory design and would be out of character with the existing dwellinghouse;
- The proposed extension would be an obtrusive feature in the street scene and would be detrimental to the visual amenity of this important part of the Lambley Conservation Area.

### **Proposed Development**

The relevant planning history on the site shows that planning permission was refused for the residential extension of the dwelling in May 1977 and there is no further relevant planning history on the site. This indicates that in 1977 the ground floor of the premises was in residential use. The ground floor of the premises was last in use as a hairdresser which falls under Use Class A1 when referring to the Town and Country Planning Use Class Order. I understand that the current use as a



hairdresser has been continuous for a period of over 10 years (18 years) and therefore on this basis it is likely to be in A1 use. The only legal mechanism to establish this is through an application for a Certificate of Lawfulness.

Given that the unit was used as an A1 hairdresser for a continuous period of over 10 years planning permission is now required for the change of use of the ground floor unit from (A1) retail to the previous (C3) use as a dwellinghouse.

The proposal also includes the removal of the shop front window and door at the ground floor and the installation of a first floor window on the gable end.

At ground floor level, off set from the gable end, there is also proposed an additional ground floor window replacement with French Doors and, the replacement of a front door with a new window.

The tiles and external weathered brickwork is to be replaced to match the neighbouring.

The application details that the ground floor retail element of the site is currently 24.5sqm.

### **Consultations**

Neighbours - Local residents have been notified by letter and the application has been advertised on site, and in the local press. I have received two letters of objections.

The comments relate to how the loss of an A1 unit would be detrimental to the village in general.

Prior to the submission of the present application there was a pre application process completed. During this time there was a petition submitted against the proposed change of use.

One letter of objection during the time frame of the present application raised the fact that there was a 500 plus signature petition against the application, however the actual number dated 402. There was also a further 5 letters outlining written opposition to the application prior to the Planning Application.

Following on from the Delegated Members Panel 5 letters of representation have been received in support of the application. The comments relate to the improvements to the external elevations of the property having a positive visual impact on the conservation area.

Lambley Parish Council, object to the proposal for the following reasons:

- The Post Office was refused change of use so this should be treated the same;
- There have been lots of objections from villagers;
- They object to the loss of amenity in the village;

- Loss of a shop.

#### English Heritage –

The recommendation was that the application should be determined in accordance with national and local policy guidance, on the basis of specialist conservation advice.

Nottinghamshire County Highway – No objection to the proposed application subject to a condition requiring the window that fronts the public highway not to open out over the adopted footway.

Policy – No objections to the proposal.

#### **Planning Considerations**

The main planning considerations in the determination of a planning application of this nature would be the impact of the loss of the hairdressers on Lambley Village and the visual impact of the renovations to the property and its relationship to the setting of the Conservation Area.

At the national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF there is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Paragraphs 126 – 141 are particularly relevant to this application and relate to ‘Conserving and enhancing the historic environment’.

At the local level the following policies of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) are relevant:

- Policy ENV1 (Development Criteria)
- Policy ENV15 (New Development Within The Conservation Area)
- Policy ENV30 (Development Within Defined Infill Boundaries of Green Belt Wash Villages)
- Policy C4 (Loss of Community Facilities)
- Policy H11 (Conversion and Change of Use to Residential Accommodation)

Policies ENV1 requires development to be of a high standard of design, in keeping with the scale and character of the existing dwelling and wider area, and should not cause unacceptable harm to the amenity of neighbouring residents and allow for the safe and convenient access and circulation of pedestrians and vehicles.

Policy ENV15 states:

Development in a Conservation Area will only be permitted if all the following are met:-

- a. The siting and design of proposals respects the character and appearance of the Conservation Area, taking into account existing features such as important

- open spaces and trees.
- b. Important open areas, as identified on the proposals map are retained;
  - c. The scale, design and proportions of proposals are sympathetic to the characteristic form in area and compatible with adjacent buildings and spaces;
  - d. It does not cause the loss of features of historic or characteristic value such as the street pattern, boundary walls and street furniture unless the contribution of the proposed development would outweigh the contribution of the historic or characteristic features; and
  - e. The use and application of building materials and finishes respects local traditional materials and building techniques

Policy ENV30 states, inter-alia: - extensions (and alterations) to existing buildings will be permitted provided the proposals would not adversely affect the residential amenities of neighbouring properties or the appearance of the village.

I am of the opinion the scale and design of the proposed changes to the building, takes careful consideration to the appearance of the street scene and traditional character of the host building. The architectural style and rhythm of the existing building has been maintained in relation to the proposed alterations, both at ground floor and first floor levels.

In my opinion the renovations are proportionate to the building and would be a welcome improvement to a building which is currently in a state of poor repair in a prominent position within Lambley Conservation Area.

In my view, the appearance of the village and the Conservation Area will not be adversely affected by the proposed changes. The building is in need of renovation and the changes will enhance the visual exterior and subsequently the Conservation Area. I do not consider that the proposal would result in any significant harm to the amenities of the residents of adjoining properties by virtue of any undue overshadowing, overbearing or overlooking impacts.

Policy C4 states, 'Planning permission will not be granted if development would lead to the loss of community facilities resulting in increased car journeys to the next facility.'

The sub-text of the above policy states inter-alia: 'As well as the need to retain those community facilities described under policies C1, C2, and C3, other facilities including public houses, shops and Post Offices in rural locations should also be retained.'

Paragraph 28 of the National Planning Policy Framework (March 2012) states inter-alia that to promote a strong rural economy, local and neighbourhood plans should promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Whilst I note that a hairdresser is not directly listed as a community facility given its use class is A1 (Retail) I do consider that policy C4 is relevant in this instance.

The applicant has stated that the current hairdresser has moved into the Arnold Area and cites that this is accessible via the subsidised Nottingham City Transport bus service which runs through the village.

Whilst the loss of the A1 unit could potentially generate additional car journeys going to and from the area to next hairdressing facility, in my view, the existing site is far from ideal to host an A1 retail premises. This is based on two main areas of concern one being the limited size of the unit (24.5sqm) and also a lack of off street parking serving the premises. In my opinion the change of use is unlikely to generate a significant increase in car journeys and there are alternative facilities on good public transport routes. I therefore, do not consider the loss of the hairdressers in this instance would warrant the refusal of this application.

Policy H11 relates to the conversions and change of use to residential. It states, that within 'defined village envelopes, planning permission will be granted for the conversion of houses to flats and for changes of use of other buildings to residential provided:

- a. all dwellings are self-contained with independent access arrangements;
- b. the proposal would not cause unacceptable harm to the amenities of nearby residents;
- c. appropriate provision of parking is made.

Careful consideration has been made to the design of the renovations in order to reflect the design of the other properties within the terrace. In my opinion, the renovations would enhance the appearance of the Conservation Area.

I am also satisfied that there would be no undue impact on the residential amenity of neighbouring properties given the existing use of the site and the location within a predominantly residential area.

In my opinion, given the considerations above, the proposed renovations to the property, to maintain the fabric of the building in a prominent location within the Conservation Area would, on balance, outweigh the harm to the Community with the loss of a hairdressing salon.

I consider the proposal to accord with Policies ENV1, ENV15, ENV30, C4 and H11 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2008 and Government advice contained within the NPPF. I would therefore recommend that Planning Permission be granted.

### **Recommendation:**

### **Grant Conditional Planning Permission**

### **Conditions**

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

2. The existing detached outbuilding located to the North of the dwellinghouse, shall only be used for purposes ancillary to the main dwellinghouse.
3. The window fronting onto the public highway shall not open out over the adopted footway.
4. The development hereby permitted shall be carried out in accordance with the submitted plans, named 'Proposed plans and elevations', drawing no. 0002 deposited on the 20th January 2015.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No opening windows/structures should open over the adopted highway/footway.
4. For the avoidance of doubt.

### **Reasons for Decision**

In the opinion of the Borough Council the change of use to residential would not have a significant impact on community facilities in the area. The proposed renovations to the property, to maintain the fabric of the building in a prominent location within the Conservation Area would, on balance, outweigh the harm to the Community with the loss of a hairdressing salon. The proposal therefore accords with Policy ENV1, ENV15, ENV30, C4 and H11 (Development Criteria) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

### **Notes to Applicant**

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised in letters of representation submitted in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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**Application Number:** 2015/0043

**Location:** 214 Oakdale Road, Carlton, Nottinghamshire, NG4 1AH



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## **Report to Planning Committee**

<b>Application Number:</b>	2015/0043
<b>Location:</b>	214 Oakdale Road, Carlton, Nottinghamshire, NG4 1AH
<b>Proposal:</b>	Loft conversion to form room in roofspace
<b>Applicant:</b>	Mrs Iffat Iqbal
<b>Agent:</b>	Mr Peter Johnson
<b>Case Officer:</b>	Fiona Campbell

### **Site Description**

No. 214 Oakdale Road, is a two-storey detached residential property is located on the south side of Oakdale Road, Carlton. The property occupies a corner plot. The road to the side of the site is Poplar Close. There is off road parking and a garden area to the rear of the property. The application site has a brick wall facing the highway boundary with Poplar Close and mature planting and fencing to the remaining boundaries.

The area is characterised predominantly by two storey detached dwellings. Poplar Close slopes down towards the south.

At the date of the site inspection, works were advanced on the roof alterations.

### **Relevant Planning History**

In June 2014 Full Planning Permission was granted for a first floor extension at rear of the existing 2 storey dwelling. The plans approved incorporated a hipped roof over the rear extension (2014/0354). This permission has been implemented.

### **Proposed Development**

This application seeks Full Planning Permission for a loft conversion to form a room within in the roof space.

Following discussions with Officers revised plans have been submitted showing a reduction the size of the rear gable window, correcting an inaccuracy in the front elevation drawing and reducing the size of the side dormer by setting it further towards the rear of the roof slope. The development now comprises:

A ridged roof is now proposed over the previously approved first floor extension



instead of a hipped roof. The new roof presents itself as a gable end to the rear elevation. The roof has a maximum height to eaves of some 6m and a ridge height of 9.5m (the previous ridge height was 8.9m). A triangular window is proposed in the gable end and two roof lights are proposed in the east facing roof slope. A dormer window is proposed in the west facing roof slope having maximum dimensions of 6.2m in width x 3.5m in depth x 3m in height. An obscure glazed window with central opening light only is shown in the dormer. The eaves and ridge height of the property to the front elevation have also been increased by approximately 60cm.

Materials are specified as brickwork and render to match existing and blue black man made slates to the roof. Tile hanging is proposed to the dormer cheeks to match slate roof colour.

### **Consultations**

Nottinghamshire Wildlife Trust – Request that a note be attached to any permission informing the applicants of their legal obligations should bats be found.

Adjoining neighbours have been notified and a site notice posted – 3 objections received as a result, in summary:

- Extended roof height and ugly dormer are out of character with the existing and neighbouring properties.
- The extension by reason of its size and siting has an adverse impact on the scale and character of the dwelling.
- Overbearing and intrusive, particularly as Poplar Close slopes away.
- Overlooking - the glazed gable will severely impact on privacy and is out of proportion with local streetscene.
- Suggest that the gable is obscurely glazed.
- The property has been significantly extended since 1980 making the dwelling look out of proportion for the site.
- Allowing development will set an undesirable precedent.
- Concerned about the number of people who will occupy the additional living space.
- Impact on parking and congestion, particularly near to the junction.
- There is permission for additional houses at the bottom of Poplar Close which, combined with the current application, will increase traffic using the junction.
- Flouting of planning laws.

Neighbours have been reconsulted with the revised plans – One further objection received, stating that the revisions do not overcome previous objections and no account has been taken of the potential increase in parking.

### **Planning Considerations**

The main considerations in the determination of this application are the visual impact of the proposed loft conversion, alterations to the roof and increase in the ridge and eaves height, and their impact on the amenity of the adjoining properties. Another issue that needs to be considered is whether the development raises any highway safety issues.

At a national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF there is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

Gedling Borough adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10<sup>th</sup> September 2014 and this now form part of the Development Plan along with certain policies saved contained within the Gedling Borough Council Replacement Local Plan referred to in Appendix E of the GBACS. The GBACS is subject to a legal challenge under section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts. The challenge to the GBACS is a material consideration and must be taken account of. The decision maker should decide what weight is to be given to the GBACS. In this instance significant weight has been given to the GBACS given that the policies mirror the guidance contained within the NPPF. The following policies are relevant: -

- Policy 10 - Design and Enhancing Local Identity.

Appendix E of the ACS refers to the Saved Policies from the Adopted Local Plan. The following policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2014 are relevant: -

- ENV1 (Development Criteria);
- H10 (Extensions)

The Government attaches great importance to the design of the built environment. Section 7 of NPPF states inter alia that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

Policy 10 – 1 of the ACS states inter-alia that development should be designed to:

- a) make a positive contribution to the public realm and the sense of place;
- b) create attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet changing needs of occupiers and the effects of climate change; and
- e) reflect the need to reduce the dominance of motor vehicles.

Policy 10 – 2 of the ACS sets out the criteria that development will be assessed including: - plot sizes, orientation, positioning, massing, scale, and proportion. Criterion f) of the ACS refers to the impact on the amenity of nearby residents.

Policies ENV1 and H10 require development to be of a high standard of design, in keeping with the scale and character of the existing dwelling and wider area, and should not cause unacceptable harm to the amenity of neighbouring residents. In addition Policy ENV1 requires appropriate parking and provision for the safe and

convenient access and circulation of pedestrians and vehicles to be made. In respect to parking, regard should be had to the Borough Councils Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

I am aware that the property occupies a corner plot and that the rear gable is highly visible when driving up Polar Close. I note that the proposal has resulted in the remodelling of the roof of the dwelling. I also note that the proposal has resulted in the raising of the eaves level to the front of the property. Whilst, I am concerned about the visual relationship of the resulting property with the neighbouring dwelling, I do consider that on balance that the visual relationship would be acceptable. I also consider that on balance the dormer is acceptable, particularly as I am mindful that the side dormer has been reduced in size and set back toward the rear of the roof slope. Even though the development would have some impact on the street scene and the character of the area, I am mindful that the area is characterised by a variety of styles of dwellings and roofscapes. As a result of the differing styles it is my opinion, that on balance the development will not have a significantly adverse impact on the property or the street scene to warrant refusal of planning permission.

I do not consider that the development is over intensive in relation to the plot size. I would however suggest that a condition is attached withdrawing permitted development rights in order to protect the visual amenity of the area, in the future.

I have carefully considered the impact of the proposed development on neighbouring residential amenity. I note the side dormer as now proposed is to be obscure glazed with central opening light only. I am mindful of the concerns raised regarding the rear gable window, however whilst there is a separation distance of some 14 metres to the rear garden boundary, I consider that the window should be obscure glazed too. I do not consider that the proposal would give rise to any significant harm to the amenities of the residents of the adjoining property to the rear by virtue of any undue overshadowing, overbearing or overlooking impacts to other nearby properties.

Paragraph 4.2 of the Borough Council's parking SPD requires 2 off road parking space for a 4 or more bedroom property in this location. Paragraph 4.7 of the SPD advises that account should be taken of the parking requirements when considering extensions and that planning permission should not be granted for extensions that result in a loss of parking provision for that property. I am mindful that the County Highways Officer has not requested the details on this application and the proposal will comply with the requirements of paragraph 4.2 of the Borough Councils parking SPD. I therefore consider that the extensions as proposed would not have an adverse impact on highway safety.

With regards to other comments made. The applicant and Agent have been advised to stop work and that any works undertaken in advance of gaining planning permission are done so at the applicant's own risk. Each application is dealt with on its own merits and allowing this application would not set an undesirable precedent. I note the comments of Nottinghamshire Wildlife Trust however, as a result of the extent of the works undertaken to date, a note concerning bats is no longer necessary. The applicants would have had to comply with the requirements of the Wildlife and Countryside Act.

For the reasons set out above I consider that on balance the proposal to accord with Policy 10 of the ACS, Policies ENV1 and H10 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2014) and Government advice contained within the NPPF. I would therefore recommend that Planning Permission be granted.

### **Recommendation:**

**Grant Planning Permission subject to conditions.**

### **Conditions**

1. The development hereby permitted shall be completed in accordance with the deposited details as amended by the revised plans received on the 11th March 2015 showing a reduction the size of the rear gable window, correcting an inaccuracy in the front elevation drawing and reducing the size of the side dormer by setting it further toward the rear of the roof slope.
2. The materials to be used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling.
3. The window on the dormer facing No. 212 Oakdale Road and within the gable end of the rear elevation shall be obscure glazed. Obscure glazed windows shall be installed within the dormer and gable end within 1 month from the date of this decision and shall be retained thereafter for the lifetime of the development. The window on the dormer shall have a single opening light only, as shown on the approved drawing received on the 11th March 2015, at all times.
4. No works permitted under Class A, B, C or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior express consent of the Local Planning Authority.

### **Reasons**

1. For the avoidance of doubt.
2. To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
3. To prevent the overlooking of the adjoining properties, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
4. To protect the visual amenity of the area, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties or highway safety. The proposal therefore accords with Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014 and saved Policies H10 (Extensions) and ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan.

### **Notes to Applicant**

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. In particular the Council has sought revisions to try to improve the impact of the proposal on the street scene.

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## **ACTION SHEET PLANNING DELEGATION PANEL 20th March 2015**

2015/0043  
214 Oakdale Road Carlton Nottinghamshire  
Loft conversion to form room in roofspace

The development raises issues in relation to the proposed scale and massing of the roof, which could create a property that is out of keeping within the street scene

**The Panel recommended that the application be referred to Planning Committee**

2015/0063  
29 Oakwood Drive Ravenshead Nottinghamshire  
Change of use from a retail shop A1 to a Dance Studio D2

The proposed development would have no adverse impact on the vitality of the economy of the area and would not give rise to any significant impacts on residential amenity or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

**Parish to be notified**

2015/0052  
21 Lambley Lane Burton Joyce Nottinghamshire  
Single storey extension to front and two storey extension to rear

The application was withdrawn from the agenda, to enable further consideration.

2015/0081  
437 Westdale Lane West Mapperley Nottinghamshire  
Demolition of an existing garage building and the creation of a new build development of 2 no. self contained 2 bed apartments, with associated car parking, vehicular access, bin storage and hard landscaping, and minor works to the existing property at 437 Westdale Lane

The application was withdrawn from the agenda, to enable further consideration.

2015/0084  
170 Main Street Calverton Nottinghamshire  
Extensions to bungalow (amended scheme). Vehicle access to be taken off Main Street. Brick retaining wall and railings to Main Street. (Re-submission of 2014/1038)

The proposed development would have no adverse impact on the street scene, highway safety or on the residential amenity of neighbouring properties.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

**Parish to be notified**

2015/0090

165 Main Street Woodborough Nottinghamshire

This application seeks approval for all reserved matters (Appearance, Landscaping, Layout and Scale).

The application was withdrawn from the agenda, to enable further consideration.

**JC 20th March 2015**



## **ACTION SHEET PLANNING DELEGATION PANEL 27th March 2015**

2014/0790

United Reformed Church Lambley Lane Burton Joyce

Conversion of former URC Chapel and Hall into two residential dwellings with new two storey rear extension to replace existing.

**WITHDRAWN FROM AGENDA due to further information required**

2014/1263

23 Blenheim Avenue Nottingham NG3 6GD

Proposed 2 bedroom dwelling and alterations to no. 23 Blenheim Avenue

The proposed development would have no undue impact on the amenities of neighbouring dwellings, the streetscene, or on highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2014/1310

196 Nottingham Road Burton Joyce Nottingham

Loft Conversion

The proposed development would have no adverse impact on the openness of the Green Belt, the appearance of the streetscene, or on the amenities of neighbouring dwellings.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2014/1379

75 High Street Arnold Nottinghamshire

Change of use from class C3 dwelling house to class A1 shop (ground floor and cellar with class B1 offices over (1st floor and attic)

The proposed development would have no adverse impact on the vitality or viability of an existing centre and would have no undue impact on the amenity of neighbouring residents or highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2014/1365

204 Porchester Road Mapperley Nottinghamshire

Change of use from shop to dwelling. Ground floor and first floor extensions and loft conversion involving front and rear dormers.

The proposed development would have no undue impact on the amenity of neighbouring dwellings or on the appearance of the existing streetscene.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2015/0081

437 Westdale Lane West Mapperley Nottinghamshire

Demolition of an existing garage building and the creation of a new build development of 2 no. self contained 2 bed apartments, with associated car parking, vehicular access, bin storage and hard landscaping, and minor works to the existing property at 437 Westdale Lane

The proposed development would have no undue impact on the appearance of the area, on the amenities of neighbouring dwellings or on highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2015/0090

165 Main Street Woodborough Nottinghamshire

This application seeks approval for all reserved matters (Appearance, Landscaping, Layout and Scale) of all four proposed dwellings.

The proposed development would have undue impact on the Conservation Area, the appearance of the wider area, the amenities of neighbouring dwellings or on highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2015/0103

54 Nottingham Road Ravenshead Nottingham

Extension to Existing Sun Room and gable roof over - Rear Elevation of House

The proposed development would be inappropriate development within the Green Belt.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2015/0115  
1 Gregory Avenue Mapperley Nottinghamshire  
New external balcony

The proposed development would have no undue impact on the amenities of neighbouring dwellings.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2015/0136  
14 Newlands Drive Gedling Nottingham  
Proposed Ground floor front and side extension, first floor side extension. New front porch (alterations to previous approval 2014/0972).

The proposed development would have no undue impact on the streetscene, the amenities of neighbouring dwellings or on highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

2015/0138  
43 Milton Drive Ravenshead Nottinghamshire  
Proposed Replacement Dwelling

The proposed development would have no undue impact on the streetscene, the amenities of neighbouring dwellings or on highway safety.

**The Panel recommended that the application be determined under delegated authority.**

Decision to be issued following completion of paperwork.

**DG - 27th March 2015**

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## Report to Planning Committee

**Subject:** Future Planning Applications

**Date:** 22 April 2015

The following planning applications or details have been submitted and are receiving consideration. They may be reported to a future meeting of the Planning Committee and are available for inspection online at: <http://pawam.gedling.gov.uk:81/online-applications/>

Alternatively, hard copies may be viewed at Gedling1Stop or by prior arrangement with Development Control.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2011/0523	Woodborough Park, Foxwood Lane, Woodborough	The turbine has a hub height of 50.09m and blade length of 16.7m. Ancillary development comprises a permanent access track and crane pad	TBC
2013/1010	Georges Lane Burial Ground Calverton	Change of use of agricultural field to create natural burial ground with associated car park	TBC
2014/0273	Land at corner Longdale Lane and Kighill Lane, Ravenshead	Site for residential development	TBC
2014/0169	Gedling Care Home, 23 Waverley Avenue, Gedling	Demolition of care home and construction of 14 apartments, car parking and associated landscaping	TBC
2014/0559	The Cavendish Pub Cavendish Road Carlton	38 residential units	TBC
2014/1180	Colwick Business Park Road no 2 Colwick	Construction of 3 storey office building and landscaping	TBC

2014/1110	Newstead and Annesley Country Park Tilford Road Newstead Abbey	Erection of Wind Turbine	TBC
2012/0616	Land North of the Lighthouse Catfoot Lane	Crematorium and associated works	TBC
2014/0856	21 Ethel Avenue, Nottingham	Proposed demolition of 21 Ethel Avenue and erection of 3 No 4 bedroom Detached Dwellings	TBC

Please note that the above list is not exhaustive; applications may be referred at short notice to the Committee by the Planning Delegation Panel or for other reasons. The Committee date given is the earliest anticipated date that an application could be reported, which may change as processing of an application continues.

**Recommendation:**

To note the information.