

PLANNING COMMITTEE

WEDNESDAY, 12 SEPTEMBER 2018

Present: Councillor M Handley, Chair

Councillors: D Bagshaw
J S Briggs
T P Brindley
M Brown
B C Carr (substitute)
E Cubley (substitute)
R I Jackson
R D MacRae
G Marshall
P J Owen
M Radulovic
R S Robinson
P D Simpson

Apologies for absence were received from Councillors L A Ball BEM and Councillor J K Marsters.

17. MINUTES

The minutes of the meeting held on 25 July 2018 were approved as a correct record and signed, with a minor correction to the attendance.

18. DECLARATIONS OF INTEREST

Councillor R D MacRae declared a non-pecuniary interest in item 6.5 as he was acquainted with the objector, minute number 21.5 refers.

Councillor P J Owen declared a non-pecuniary interest in item 6.11 as he and his wife were Governors of Mornington Primary School.

19. NOTIFICATION OF LOBBYING

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

20. TREE PRESERVATION ORDER

20.1. TREE PRESERVATION ORDER: EEL HOLE WOOD, HUCKNALL

An application to fell various trees to allow the implementation of essential flood prevention measures had been received from the landowner. It was noted that the

application was supported by Nottinghamshire County Council, the lead authority for flood prevention.

RESOLVED that permission be granted for the varying of the Tree Preservation Order so that essential flood prevention measures can be implemented.

21. DEVELOPMENT CONTROL

21.1. 18/00360/FUL

Hybrid planning application comprising: full application to construct cinema (Class D2) and commercial units (Class A1 - A5) with ancillary uses (plant, bin stores etc.) and public realm. Outline application for mixed use development to include residential dwellings (Class C3) with car parking, commercial units (Class A1 - A5) and assembly and leisure units (Class D2) with associated ancillary areas (plant and bin stores etc.) (with all matters reserved)

Land South East of B & M, Styring Street and Station Road, Beeston

The application had been brought before the Committee for determination as the Council is the landowner.

The Committee considered the late items for this application which comprised of the conclusions of a desk based archaeological assessment and comments from Nottinghamshire County Council as the Highway Authority and the Council's conservation advisor, along with an addition to paragraph 6.6.4 of the report.

Mr Brigden, objecting, addressed the Committee prior to the general debate.

The Committee discussed the application with reference to the opportunity for Beeston to improve the leisure offering of the town centre to encourage the night time economy. It was noted that there was cross party support for the project.

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

Conditions in respect of outline element

- 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**
- 2. The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**
- 3. No development shall commence until a phasing plan for the whole outline site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan.**
- 4. No phase of development shall be commenced until detailed drawings and particulars showing the following for that respective phase have been submitted to and approved in writing by the Local Planning Authority:**

- (a) the layout, scale, and external appearance of all buildings;**
- (b) the means of access and parking and servicing provision within the site;**
- (c) the particulars of the materials to be used in the facing of the external surfaces of all buildings;**
- (d) cross sections through the site showing the finished floor levels of the new buildings in relation to adjacent land and buildings. These details shall be related to a known datum point;**
- (e) landscaping.**

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

- 5. No development shall be commenced in respect of any phase until a landscaping scheme for that respective phase of development has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall include the following details:**

- (a) numbers, types, sizes and positions of proposed trees and shrubs;**
- (b) proposed hard surfacing treatment;**
- (c) planting, seeding/turfing of other soft landscape areas;**
- (d) a timetable for implementation of the scheme.**

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

- 6. No phase of development shall commence until plans showing provision for bin storage for that respective phase have been submitted to and agreed in writing by the Local Planning Authority. No building shall be occupied until its respective bin storage has been provided.**
- 7. The development shall be designed in accordance with the Beeston Town Centre Regeneration Design Code (Phase 2), August 2018.**
- 8. No development shall commence until detailed measures for protecting the proposed residential occupants from environmental noise have been submitted to and approved in writing by the Local Planning Authority. Any approved measures shall be completed before any respective dwelling which requires noise mitigation is first occupied, unless an alternative period is agreed in writing by the Authority.**
- 9. a) No development shall commence until a remediation method statement has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems as detailed in GeoMatters Geo-Environmental Assessment report (ref GML17254/2/2 Aug 2018).**
- b) No building to be erected pursuant to this permission shall be occupied or brought into use until:**

- (i) All necessary remedial measures have been completed in accordance with details approved in writing by the Local Planning Authority; and
- (ii) It has been certified to the satisfaction of the Local Planning Authority that necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.

Conditions in respect of full element

- 10. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
- 11. No development above slab level shall commence until samples/details of the proposed external facing materials, including the lighting strips and detailed drawings of the lighting strips, have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.
- 12. No development above slab level shall commence until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:
 - (a) numbers, types, sizes and positions of proposed trees and shrubs,
 - (b) proposed hard surfacing treatment,
 - (c) proposed lighting details
 - (d) planting, seeding/turfing of other soft landscape areas,
 - (e) proposed retaining walls or similar structures
 - (f) a timetable for implementation.

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

- 13. No commercial unit shall be first occupied until cycle parking facilities have been provided in accordance with details which shall first have been submitted to and agreed in writing by the Local Planning Authority. These facilities shall thereafter be retained in the agreed form for the lifetime of the development.
- 14. No commercial unit shall be first occupied until the lay-by beside Station Road has been provided in accordance with details which shall first have been submitted to and agreed in writing by the Local Planning Authority. The lay-by shall be retained for the lifetime of the development in accordance with the agreed details.
- 15. No ventilation and/or filtration equipment shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. Any equipment shall be in full working order prior to the commencement of the respective use. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues.

16. Outdoor seating areas directly associated with commercial uses shall not be used by customers except between the hours of 08:00-23:30 and outside these hours, chairs, tables and other furniture for the purpose of or associated with facilitating outdoor seating, shall be removed from the seating areas.

Conditions in respect of whole scheme

17. The development hereby permitted shall be carried out in accordance with drawings numbered: BTCR-LDA-XX-ZZ-M3-A-08 004 'Proposed Site Plan', BTCR-LDA-XX-ZZ-M3-A-08 200 'Proposed Sections', BTCR-LDA-XX-ZZ-M3-A-08 002 'Red Line - Outline Site', BTCR-LDA-XX-ZZ-M3-A-08 106 'Proposed Roof Level', BTCR-LDA-XX-01-M3-A-08 102 'Proposed Plan - Level 01', BTCR-LDA-XX-02-M3-A-08 103 'Proposed Plan - Level 02' and BTCR-LDA-XX-03-M3-A-08 104 'Proposed Plan - Level 03' received by the Local Planning Authority on 21 May 2018; BTCR-LDA-XX-ZZ-M3-A-08 000 'Red Line Overall Development' received by the Local Planning Authority on 22 May 2018 and BTCR-LDA-XX-00-M3-A1-08 005 'Proposed Block Plan' received by the Local Planning Authority on 30 May 2018; 2116_PL_01 'Overall landscape masterplan' received by the Local Planning Authority on 20 August 2018 and BTCR-LDA-XX-00-M3-A1-08 100 Rev C 'Proposed plan level 00', BTCR-LDA-XX-ZZ-M3-A1-08 300 Rev B 'Proposed Elevations - North and South Elevations' and BTCR-LDA-XX-ZZ-M3-A1-08 301 Rev B 'Proposed Elevations - East & West Elevations' received by the Local Planning Authority on 30 August 2018.
18. No phase of development shall commence until details of any piling or other penetrative foundation design for that respective phase have been submitted to and approved in writing by the Local Planning Authority, including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be implemented in accordance with the approved details.
19. No external construction or site preparation work in association with this permission shall be undertaken outside the hours of 07:30-18.00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
20. No amplification equipment shall be used externally and no live music shall be played externally at the site between 23.00 and 08.00 hours on any day.
21. No fixed plant, machinery or equipment shall be installed within the site until a noise report, including details of the acoustic specification of such fixed plant, machinery or equipment has been submitted to and agreed in writing by the Local Planning Authority. The plant/machinery/equipment shall be installed in accordance with the agreed details and thereafter maintained in the agreed form for the lifetime of the development.
22. The rating level resulting from the cumulative use of any plant, machinery or equipment shall not exceed the existing background level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive receptor.

- 23. The approved landscaping for each phase of development shall be carried out not later than the first planting season following the substantial completion of each respective phase or first occupation of the building(s) within the respective phase, whichever is the sooner, and any trees or plants which, within a period of 10 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**
- 24. No development shall take place until details of a methodology for an archaeological watching brief (in accordance with section 7 of the Archaeological Desk Based Assessment, August 2018) have been submitted to and approved in writing by the Local Planning Authority. The approved watching brief shall be implemented in full accordance with the agreed details.**
- 25. No part of the development hereby permitted shall be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in the plan.**

Reasons

- 1. & 2. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 3. To secure an orderly form of development.**
- 4. The application was submitted in outline only so no such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory and in accordance with the aims of the NPPF and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
- 5. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
- 6. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure sufficient provision is made for bin storage on the site in the interests of highway safety and residential amenity and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

- 7. To ensure a high quality form of development and in accordance with the aims of the NPPF and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
- 8. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to protect future occupiers from excessive environmental noise and in accordance with the aims of Policy E34 of the Broxtowe Local Plan 2004.**
- 9. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing in the interests of public health and safety.**
- 10. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.**
- 11. Insufficient details were submitted with the application and to ensure the details are satisfactory and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
- 12. Insufficient details were submitted with the application, to ensure the details are satisfactory and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
- 13. In the interests of supporting sustainable modes of transport and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004) and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).**
- 14. In the interests of highway safety to ensure sufficient provision is made for servicing and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004) and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).**
- 15. To suppress and disperse odour created from food preparation operations in order to protect nearby residents from excessive odour and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
- 16. To protect nearby residents from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
- 17. For the avoidance of doubt.**
- 18. To protect nearby occupants from excessive construction noise and vibration and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

19. To protect nearby occupants from excessive construction noise and vibration and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
20. To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
21. To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
22. To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
23. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
24. Insufficient details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure any below-ground archaeological remains are monitored and recorded, and in accordance with the aims of the National Planning Policy Framework (2018).
25. In the interests of highway safety and the environment to encourage use of more sustainable modes of transport than the car and in accordance with the aims of Policy 14 of the Broxtowe Aligned Core Strategy (2014).

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.
2. In order to carry out off-site works, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. The applicant is advised to contact the County Council Highways team for details on Tel: 0115 9772210.
3. The applicant is advised to contact Western Power before works commence on site in relation to substations on site.
4. It is not permitted for any vehicles to obstruct the tramway at any time and consideration should be given to erecting a warning sign at the construction site exit point to warn of overhead lines. Please contact the Nottingham Express Transit (NET) Project Office for further information (0115 876 4095).

5. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
6. Ventilation and filtration equipment may require planning permission.
7. Media screens will require advertisement consent.

21.2. 18/00496/ADV

Display 2 large format signs and 2 banner signs
Land South East of B & M, Styring Street and Station Road, Beeston

The application had been brought before the Committee for determination as the Council is the landowner.

There were no late items and no public speakers.

It was noted that the intention of the signs was to keep the public informed of the progress of development on the site.

RESOLVED that advertisement consent be granted subject to the following conditions:

1. a) Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(c) Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).
2. The development hereby permitted shall be carried out in accordance with drawing numbers BTCR-LDA-XX-ZZ-M3-A1-08 000 and BTCR-LDA-XX-ZZ-M3-A1-08 006 and the four images of the signs received by the Local Planning Authority on 16 July 2018.

Reasons

1. In the interests of amenity and public safety.
2. For the avoidance of doubt.

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application by determining it within the eight week determination timescale.**
- 2. It is not permitted for any vehicles to obstruct the tramway at any time and any works on site should accord with the guidance in the “Working Near NET” leaflet.**

21.3. 18/00441/FUL

Change of use from retail (Class A1) to an adult gaming centre (Sui Generis)
62 Nottingham Road, Eastwood, Nottingham, NG16 3NQ

Councillor M Radulovic requested this application be determined by the Committee.

The late items pertaining to this application were considered by the Committee. There were no public speakers.

The Committee debated the risk to local people of increased anti-social behaviour, the proximity of the school to the site and the nature of the business detracting from the town centre.

RESOLVED unanimously that planning permission be refused.

Reason

The proposal by virtue of its nature, would add to the concentration of non-A1 retail uses in Eastwood town centres Primary Shopping Frontages. Accordingly the loss of a further A1 use would have a detrimental impact upon the vitality and viability of Eastwood Town Centre. The proposed development therefore would be contrary to the aims of Saved Policy S4 of the Broxtowe Local Plan 2004 and Policy 6 of the Adopted Core Strategy 2014 and there are no material considerations that would justify taking a decision at variance to these policies.

21.4. 18/00236/FUL

Retain poly tunnel
Babbington Hall, Westby Lane, Babbington Village, Nottinghamshire, NG16 2SS

The Committee noted that there were a number of late items with regard to this application including comments with regards to traffic, incongruous development and a written submission from Councillor M J Crow.

Mr Tony Sanderson, the applicant, and Councillor M J Crow, the Ward Member, addressed the Committee prior to the general debate.

There was concern that the application was retrospective, that the development was not appropriate within the Green Belt and whether the tunnel was an appropriate place to exercise dogs. The debate progressed on to the work of the kennels with rescue dogs. It was proposed by Councillor R I Jackson and seconded by Councillor P D Simpson that a temporary permission of one year be granted with the hours of operation to be restricted, the precise wording to be delegated to the Head of

Neighbourhoods and Prosperity in consultation with the Chair of the Planning Committee. On being put to the meeting the amendment was carried.

RESOLVED a temporary permission of one year be granted with the precise wording to be delegated to the Head of Neighbourhoods and Prosperity in consultation with the Chair of the Planning Committee and also subject to the following conditions:

1. The development hereby permitted shall be retained in accordance with the Block Plan (1:500) received on 3 April 2018 and the Floor Plan and Elevation Plan (1:100) received by the Local Planning Authority on 11 April 2018.
2. The poly tunnel hereby permitted shall be sprayed dark green within 3 months of the date of this decision, and shall thereafter be retained this colour for the lifetime of the development.
3. The permission shall be for a limited period of one year expiring on the 14th September 2019 when the building works carried out under this permission shall be removed and the land reinstated to the satisfaction of the Local Planning Authority unless prior permission has been obtained in writing from the Local Planning Authority for its retention.
4. The poly tunnel hereby permitted shall not be used except between the hours of 09.00 - 18.00 Wednesday to Sunday and 09.00 - 20.00 on Mondays and Tuesdays.

Reasons

1. For the avoidance of doubt.
2. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan.
3. The building by virtue of its construction and appearance is not suitable for permanent retention.
4. To protect nearby residents from excessive operational noise.

Note to Applicant

The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application.

21.5. 18/00295/FUL

Construct single and two storey rear extension
5 Humber Road, Beeston, Nottingham, NG9 2EF

The item was deferred at the meeting of the Committee on 20 June 2018 to allow the applicant an opportunity to reconsider their submission and then withdrawn from the

meeting of the Committee on 25 July 2018 due to the late submission of amended plans.

There were no late items with respect to the application.

Mr Richard Jones, objecting and Councillor L A Lally, Ward Member, addressed the Committee prior to the general debate.

The debate focused on concerns regarding the proliferation of Houses in Multiple Occupation in Beeston and the overdevelopment this was causing. There was also concern that this was starting to impact on the diversity of the community which was considered to be a mix of student and family housing. The amenity of the occupants at no.7 Humber Road was discussed in detail, including concerns that the natural light into the kitchen would be severely affected by the proposed extension.

RESOLVED that planning permission be refused.

Reason

The development is considered to be overbearing and oppressive which would cause a loss of amenity to neighbours at no. 7. Humber Road. Accordingly, the development is considered to be contrary to the aims of Policy H9 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the draft Broxtowe Part 2 Local Plan (Submission Version 2018).

21.6. 18/00237/FUL

Construct first floor side and single storey rear extensions
4 Whitton Close, Chilwell, Nottinghamshire, NG9 6PB

This item had been originally referred to the Committee for a decision by Councillor G Harvey and had been deferred at the meeting of 25 July 2018 to allow the applicant to reconsider their proposal.

There were no late items for the consideration of the Committee.

Mr Malcolm Morrissey, the applicant, addressed the Committee prior to the general debate.

The Committee noted that the design of the extension had been amended to a hipped roof and were satisfied that this mitigated the impact on the amenity of the occupants of no.105 Haddon Crescent.

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:1250) received by the Local Planning Authority on 4 April 2018, Proposed Block Plan (1:200) received by the Local Planning Authority on 5 April 2018 and drawing number M0318.02 received by the Local Planning Authority on 9 August 2018.**

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

Reasons

1. To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. No such details were specified with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interests of the appearance of the development and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

Note to Applicant

The Council has acted positively and proactively in the determination of this application by working to determine this application within the agreed determination timescale.

21.7. 18/00414/FUL

Construct two storey side extension
59 Pelham Crescent, Beeston, Nottinghamshire, NG9 2ER

Councillor P Lally had requested that this application be determined by the Committee.

There were no late items to be considered by the Committee.

Ms Jingyi Yang, the applicant, Mr Matthew Johnson, objecting and Councillor L A Lally made representation to the Committee prior to the general debate.

The Committee were concerned to note that this was an application to extend a family home with a view to making it a house in multiple occupation. It was noted that there were a number of such residences in the area around this address and that there were already problems with parking and refuse due to the number of households. There was also concern regarding the diversity of the area.

RESOLVED that planning permission be refused.

Reason

The proposed two storey side extension represents an over intensive form of development which is considered to be harmful to the amenity of the surrounding neighbours. The proposed development, therefore, would be contrary to the aims of Policy H9 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core

Strategy (2014), Policy 17 of the Draft Part 2 Local Plan and the National Planning Policy Framework (2018).

21.8. 18/00439/FUL

Construct two storey side extension and alterations to single storey rear extension
2 Denewood Avenue, Bramcote, Nottinghamshire, NG9 3EU

Councillor J C Goold had requested that the application be determined by the Committee.

There were a number of late items for the Committee to consider including a submission from a neighbour and a written submission from Councillor J C Goold.

Mr Samuel O'Shea, the applicant, Mrs Nazia Tanveer, objecting, and Councillor M E Plackett addressed the Committee prior to the general debate.

The Committee considered the impact of the extension on neighbour amenity. It was proposed by Councillor R I Jackson and seconded by Councillor P J Owen that the item be deferred to allow the applicant time to consider the reduction of the width of the extension by one metre.

RESOLVED that the application be deferred.

Reason

To allow for discussion with the applicant about the potential for the reduction of the width of the extension by one metre, addressing concerns regarding the impact on the amenity of the occupants of no.4 Denewood Avenue.

21.9. 18/00308/FUL

Construct 6 industrial units (Class B2) and bin store and create vehicular access from Derby Road (part revised scheme)
Former Dyeworks Site, West End Street, Stapleford, NG9 7DA

Councillor J W McGrath had requested that this application be determined by the Committee.

There were no late items for the Committee to consider and no public speakers.

The Committee noted that HS2 Ltd objected to the application as a substantial part of the site was located within land subject to the Safeguarding Directions for Phase 2b of the HS2 high speed rail line which is to be built in the vicinity. Debate progressed on to the need for jobs in Stapleford, the state of the site at present and noise and disturbance to neighbours.

RESOLVED that planning permission be refused for the following reasons:

1. The proposed development would conflict with the HS2 safeguarded route as published, emerging design developments and the Government's objective of delivering HS2, which is a project of national importance. It is considered that revised proposals or mitigation measures could not overcome these fundamental issues. The proposal is therefore contrary to the National Planning Policy Framework (NPPF) and Policy 15 of the Broxtowe Aligned Core Strategy (2014).
2. The proposed development would expose occupants of the neighbouring residential dwellings to unacceptable noise disturbance from the Class B2 uses due to the orientation of the units and the position of the main goods entrances facing towards residential properties on West End Street. This will result in an unacceptable loss of amenity to occupiers of the residential properties which would be contrary to Policy E34 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the emerging Policy 19 of Part 2 Local Plan (Draft).

Note to Applicant

The Council has tried to act positively and proactively in the determination of this application. However, the Council concluded that the fundamental issues associated with the development could not be overcome by amendments.

21.10. 18/00306/FUL

Construct single/two storey rear extension, hip to gable roof extension, bin store, insert windows in the side elevation and convert single dwelling to 4 apartments
65 Dovecote Lane, Beeston, Nottinghamshire, NG9 1HU

Councillor P Lally had requested that this application be determined by the Committee.

There were no late items in respect of the application.

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

Members debated the item noting the number of apartments, lack of parking facilities, lack of open space and the facilities for refuse. It was considered that the proposal constituted over development.

RESOLVED that planning permission be refused.

Reason

The proposed development would constitute over intensive development which would be out of character with the area, contrary to Policy 10 of the Broxtowe Core Strategy (2014), Policy H7 of the Broxtowe Local Plan (2004), Policy 17 of the draft Part 2 Local Plan (2018) and the National Planning Policy Framework (2018).

21.11. 18/00339/FUL

2 storey and single storey side/rear extensions, raise ridge height, rear dormer window and detached garage
Assarts Lodge, Temple Drive, Nuthall, Nottinghamshire, NG16 1BH

Councillor P J Owen had requested that this application be determined by the Committee.

There was a late item in the form of a letter from the Head Teacher of Mornington Primary School which the Committee considered.

It was noted that the consultation process had taken place during school holidays meaning that there had not been time for the school to put their concerns to the applicant. It was proposed by Councillor P J Owen and seconded by Councillor R I Jackson that the item be deferred to a later meeting.

RESOLVED that the application be deferred.

Reason

To allow for discussion between the school, applicant and planners about safeguarding in relation to the school.

21.12. 18/00158/ENF

Bin store not built in accordance with the approved plans (16/00646/FUL)
Former Victory Club, Walker Street, Eastwood, Nottinghamshire, NG16 3EN

The Committee noted that the bin store at the development had not been constructed in accordance with the plans which were approved under condition 4 of planning reference 16/00646/FUL. A compromise had been suggested by the developers that the structure be retained, but used as a bicycle store with the bin store relocated 4.5 metres from the boundary with the neighbouring property.

The debate took in considerations such as the point of view of the neighbour, the purpose of the drain in the store and the problems caused by traffic to the site.

RESOLVED that enforcement action be taken due to the adverse impact of the compound on the amenities of the occupants of 145 Nottingham Road (or for the bin store to be put back in the approved position).

22. INFORMATION ITEMS

22.1. APPEAL STATISTICS

The Committee noted that the position remained unchanged from that reported to it on 22 March 2017 and that the Council was not therefore at risk of special measures based on the figures reported to it on that date.

22.2. APPEAL DECISIONS

The Committee noted the appeal decisions taken by the Planning Inspector.

22.3. DELEGATED DECISIONS

The Committee noted the decisions determined under delegated powers between 7 July 2018 and 10 August 2018.