

PLANNING COMMITTEE

WEDNESDAY, 10 OCTOBER 2018

Present: Councillor M Handley, Chair

Councillors: L A Ball BEM (Vice-Chair)
D Bagshaw
J S Briggs
T P Brindley
M Brown
R D MacRae
G Marshall
J K Marsters
P J Owen
R S Robinson
P D Simpson

There were no apologies for absence.

23 DECLARATIONS OF INTEREST

Councillor R D MacRae declared a non-pecuniary interest in agenda item 5.1 as he had attended a number of public meetings on this matter where he had expressed a preference for option 2, minute number 26.1 refers.

24 MINUTES

The minutes of the meeting held on 12 September 2018 were confirmed and signed.

25 NOTIFICATION OF LOBBYING

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

26 DEVELOPMENT CONTROL

26.1 18/00080/ROC

Provision of pedestrian crossing on Hickings Lane
Carpenter Court, Site of Former Sinbad Plant Ltd, Hickings Lane, Stapleford
NG9 8PJ

Planning permission had been granted to construct 48 retirement living apartments in November 2016 accompanied by a Section 106 payment of £40,000 to the Council towards the provision of a pedestrian crossing. Two sites for the crossing had been identified and both were considered by the Committee.

It was noted that there were no late items regarding this item.

Mrs Susan Hobson (supporting option 1), Ms Maria White (supporting option 2), Councillor Richard MacRae, Ward Member, and Councillor John Longdon, Ward Member, addressed the Committee prior to the general debate.

The Committee debated the item, noting that both sites had been assessed as safe places to have a pedestrian crossing. It was considered that, because the Section 106 funding related to Carpenter Court, the crossing should be placed at option 1, closer to the development and with the needs of those residents in mind. It was noted that should there be a need for a second crossing at the option 2 site, this would be a matter for Nottinghamshire County Council.

RESOLVED that the Council progresses with option 1 (between Maranello Cars/KAM Servicing and the Co-op) and that consultants be instructed to carry out the necessary works to provide a crossing in this location.

(Having declared a non-pecuniary interest Councillor R D MacRae left the meeting prior to the debate and did not vote thereon.)

26.2 18/00439/FUL

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

The decision on the application had been deferred by the Committee at the meeting on 12 September 2018 to allow the applicant to reduce the width of the planned extension to lessen the impact on the amenity of their neighbours at 4 Denewood Avenue.

The Committee was referred to a number of late items pertaining to the application including correspondence between the applicant, officers and the neighbour, as well as written representation from Councillor M E Plackett.

Mr Samuel O'Shea, the applicant, Mrs Nazia Tanveer, objecting, and Councillor J A Doddy, Ward Member, addressed the Committee prior to the general debate.

During the debate the Committee noted that the applicant had reduced the width of the extension by 35cm as well as agreeing to frost certain windows to protect the privacy of their neighbour. The style of the housing on the estate was noted, including the size of the gardens and the proximity of the houses to each other. The large number of extended properties was also discussed.

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 25 June 2018, Proposed Ground and First Floor Plans and Proposed Elevations received by the Local Planning Authority on 17 September 2018**

and Proposed Block Plan (1:500) received by the Local Planning Authority on 2 October 2018.

3. The extension shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing house.
4. The first floor window in the north west (rear) elevation, closest to the boundary with 4 Denewood Avenue, shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the life time of the development.

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. To ensure a satisfactory standard of external appearance 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).
4. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).

Note to Applicant

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

26.3 18/00432/FUL

Construct dwelling, detached garage and front boundary wall
Land adjacent to 26 Bramcote Drive, Beeston, Nottinghamshire NG9 1AS

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

The Committee noted that there were late items to be considered in relation to the item including emails from local residents and the applicant.

There were no public speakers for the item.

The Committee debated the item, taking into consideration the size of the plot, the style of the proposed building, the privacy of the roof terrace and the clearance of the site.

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 the permission.**
- 2. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 19 July 2018; Proposed Plans and Elevations received on 28 September 2018 and the amended Block Plan and Gate Front Façade received by the Local Planning Authority on 28 August 2018.**
- 3. No above ground works shall commence until details of the external materials to be used on the new dwelling and garage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. The boundary wall shall be constructed in materials which match those used on the existing boundary wall.**
- 4. No above ground works shall commence until a landscaping scheme for the area to the front of garage 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 shrubs; and**
 - b) planting, seeding/turfing of other soft landscape areas**The approved scheme shall be carried out strictly in accordance with the agreed details.**
- 5. The dwelling shall not be first occupied until:
 - i. The parking area has been surfaced in a suitable hard bound material (not loose aggregate), is appropriately drained within the site such that surface water does not drain onto the public highway and is available for use. The gradient of the driveway shall not exceed 1 in 20 for a distance of 5m from the highway boundary and 1:12 thereafter. This area shall be maintained accordingly for the life of the development.**
 - ii. The dropped vehicular crossing has been extended in accordance with the Highway Authority specification.****
- 6. The roof terrace shall not be first brought into use until the balcony screen along the north east side of the roof terrace has been erected and is obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority). It shall remain in place for the lifetime of the development.**

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 submitted and 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) and Policy 17 of the draft Part 2 Local Plan.

4. To ensure the development presents a satisfactory standard of external appearance of the area and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
6. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 10 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 applicant throughout the application.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>
3. 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. Please contact the Nottinghamshire County Council Highways team for details on Tel: 0115 9772210 or hdc.south@nottscc.gov.uk
4. Best practicable means should be used during construction to ensure that noise and dust is kept to a minimum. It is advised that contractors limit noisy works to between 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and no noisy works on Sundays and bank holidays. There should also be no bonfires on site at any time to prevent nuisance to neighbours.

26.4 18/00433/FUL

Construct dwelling, detached garage and front boundary wall
Land adjacent to 26 Bramcote Drive, Beeston, Nottinghamshire NG9 1AS

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

The Committee noted that there were late items to be considered in relation to the item including emails from local residents and the applicant.

There were no public speakers for the item.

The debate focussed on the small scale of the alterations and that there was no harmful impact on neighbours.

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 the permission.
2. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 20th July 2018; the Block Plan and Gate Front Façade received by the Local Planning Authority on 28 August 2018; and the Proposed Plans and Elevations received by the Local Planning Authority on 25th September 2018.
3. No works in respect of the garage shall commence until details of the materials have been submitted to and approved in writing by the Local Planning Authority. The garage shall be constructed in accordance with the agreed details.
4. The external walls of the dwelling, the dormers and the rear extension shall be finished in white painted render. The front extension shall be finished in timber cladding. The boundary wall shall be constructed in materials which match those used on the existing boundary wall.

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 submitted and to ensure the details are satisfactory, in the interests of the appearance of the area and in accordance with the aims of Policy H11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the draft Part 2 Local Plan.
4. To ensure a satisfactory standard of appearance in accordance with the aims of Policies H9 and H11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the draft Part 2 Local Plan.

Notes to Applicant

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

2. **The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning/development-in-former-coal-mining-areas/>**
3. **Best practicable means should be used during construction to ensure that noise and dust is kept to a minimum. It is advised that contractors limit noisy works to between 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and no noisy works on Sundays and bank holidays. There should also be no bonfires on site at any time to prevent nuisance to neighbours.**

26.5 18/00288/FUL

Change of use of 4 ground floor retail units and basements (Class A1) to form 11 apartments (Class C3), external alterations and construct rear extensions
242, 244, 248, 250, 252 and 254 Derby Road, Stapleford NG9 7BG

The item had been called before the Committee for determination by Councillor J W McGrath.

There were no late items for this application and Councillor J W McGrath, Ward Member, addressed the Committee prior to the general debate.

The Committee debated the application with reference to the protected area for the High Speed 2 rail line, the need for housing in Stapleford and the use of Section 106 monies to improve local play areas. There was a discussion about which playing fields in the area should benefit. The dereliction of the site was noted and the proposed improvements were welcomed, though there was concern at the lack of parking for residents.

RESOLVED that:

The Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to:

- (i) **the prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and**
- (ii) **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 site location plan received by the Local Planning Authority on 23 April 2018; the drawings numbered: DB/MW/17/49/05 rev A, received by the Local Planning Authority on 10 July 2018; and DB/MW/17/49/04 rev C, DB/MW/17/49/06 rev A, DB/MW/17/49/07 rev D and DB/MW/17/49/08 rev C received by the Local Planning Authority on 17 September 2018.**

3. The extension shall be constructed using bricks and, where applicable, tiles of a type, texture and colour so as to match those of the existing building.
4. The proposed boundary treatment/fencing for each dwelling shall be erected in accordance with the approved plans and details prior to the occupation of that dwelling.
5. No dwelling shall be occupied until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:
 - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development
 - (b) numbers, types, sizes and positions of proposed trees and shrubs
 - (c) proposed hard surfacing treatment
 - (d) proposed lighting details
 - (e) planting, seeding/turfing of other soft landscape areas

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

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

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. To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014)
4. In the interests of residential amenity and the appearance of the area and in accordance with Policy 10 of the Aligned Core Strategy (2014)
5. No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014)

6. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 10 of the Aligned Core Strategy (2014)

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. Please note that this permission has been granted contemporaneously with an agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3. Sound insulation to limit the transmission of noise between each property should achieve the minimum requirements as contained in the current version of British Standard Approved Document E.
4. Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There should also be no bonfires on site at any time.

26.6 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

It was noted that this item had been considered by the Committee on 12 September 2018 and that at that meeting the resolution had been to take enforcement action against the bin store which had been constructed in the wrong location. The Committee were advised that the developer had proposed to lessen the impact on the amenity of the occupants at 145 Nottingham Road by reducing the fence height of the compound to 1.5 metres so that it could not be seen and by making it a bicycle storage facility.

There were no late items or representations from public speakers for the Committee to consider.

The Committee debated the possibility of noise emanating from the new bicycle storage facility and concerns that it could attract antisocial behaviour and crime.

Councillor P D Simpson proposed that the recommendation be amended to secure a specific amended planning application for the compound, which would be subject to new conditions. Should the developer fail to submit the application within two months of the date of the Committee, enforcement action would be taken. Councillor L A Ball BEM seconded the motion. Councillor D Bagshaw proposed a recorded vote in respect of the aforementioned proposal and Councillor G Marshall seconded the motion which, on being put to the meeting was carried. The voting was as follows:

For

Against

Abstention

L A Ball BEM
J S Briggs
M Brown
M Handley
R I Jackson
P J Owen
P D Simpson

D Bagshaw
T P Brindley
R D MacRae
G Marshall
J K Marsters
M Radulovic MBE
R S Robinson

In the event of the vote being tied the Chair's casting vote carried the motion.

RESOLVED that a specific amended planning application for the bin and cycle store be secured with this needing to be submitted within two months of the Committee.

27 INFORMATION ITEMS

27.1 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.

27.2 APPEAL DECISIONS

The Committee noted the appeal decision.

27.3 DELEGATED DECISIONS

The Committee noted the decisions determined under delegated powers between 11 August and 21 September 2018.