

PLANNING COMMITTEE

WEDNESDAY, 22 MAY 2019

Present: Councillor J W McGrath, Vice Chair in the Chair

Councillors: D Bagshaw
L A Ball BEM
B C Carr
T A Cullen
L Fletcher (substitute)
M Handley
R I Jackson
R D MacRae
D D Pringle
C M Tideswell
I L Tyler (substitute)

Apologies for absence were received from Councillors P J Owen and D K Watts.

Also in attendance was Councillor S J Carr present on behalf of Councillor M Radulovic MBE, as ex-officio.

1 **APPOINTMENT OF CHAIR**

It was noted that Councillor D K Watts was appointed as Chair of the Planning Committee by the meeting of Council that took place on 15 May 2019.

2 **APPOINTMENT OF VICE CHAIR**

It was noted that Councillor J W McGrath was appointed as Vice Chair of the Planning Committee by the meeting of Council that took place on 15 May 2019.

3 **DECLARATIONS OF INTEREST**

Councillor T A Cullen declared a non-pecuniary interest in item 7.1 as she was a member of the Beeston Rylands Community Association that was looking to run the community facility that would be built as part of the development. Minute number 5.1 refers.

Councillor R D MacRae declared a non-pecuniary interest in item 7.1 as a member of a group that hires the Leyton Crescent Community Centre. Minute number 5.1 refers.

4 **MINUTES**

The minutes of the meeting held on 24 April 2019 were approved as a correct record and signed.

5 NOTIFICATION OF LOBBYING

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

6 EXCLUSION OF PUBLIC AND PRESS

To make a reasonable adjustment for a person who wished to make representation to the Committee in private, the Chair proposed that this item and item 9.1 be moved to the start of the agenda. The Committee adjourned to a separate room in order that the item be heard under the exclusion of public and press, but without clearing the chamber which was full. On being put to the meeting the motion was carried.

RESOLVED that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A of the Act.

6.1 19/00191/FUL

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

1. The development hereby permitted shall be commenced before the expiration of one year beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawing numbers 1649TG 001 Rev C (1:50, 1:100), 1649TG 002 Rev D (1:50, 1:100), 1649TG003 Rev C (1:100), 1649TG 004 Rev_ (1:500, 1:1250); received by the Local Planning Authority on 1 May 2019.
3. The development hereby permitted shall be first occupied by the applicants as stated on the planning application form, received by the Local Planning Authority on 22 March 2019, notably being Mr and Mrs Kaushal.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking or re-enacting this order, no extensions, enlargements or outbuildings shall be carried out to the dwelling hereby approved which come within Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.

Reasons

1. To ensure that the development is carried out for its intended use and in accordance with Paragraph 55 of the NPPF.
2. For the avoidance of doubt.

3. To ensure that the development is carried out for its intended use and in accordance with Paragraph 55 of the NPPF.
4. To ensure that the building remains of a suitable scale and size which is appropriate within the Green Belt and in accordance with the aims of Saved Policies E8 & H9 of the Broxtowe Local Plan (2004), Policy 8 of the Broxtowe Draft Part 2 Local Plan (2018) and Section 13 of the National Planning Policy Framework (2019).

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.

7 DEVELOPMENT CONTROL

7.1 19/00114/REM

Construct 310 dwellings, community building, public open space (including equipped play area), and associated infrastructure (approval of reserved matters relating to planning reference 14/00242/FUL) and creation of parking area beside Trafalgar Road
Beeston Business Park, Technology Drive, Beeston, NG9 1LA

This application was brought before the Committee because of the scale of the proposed development of 310 dwellings.

There were a number of late items for consideration by the Committee including two further objections from neighbours, one observation, one letter of support, one email seeking assurance that environmental issues would be conditioned, no objections from the Highway Authority, comments from the Environment Business and Projects Manager and amendments to conditions.

Mr Robert Galij, the applicant and Mrs Hamilton, on behalf of Mr Steve Collier, objecting, made representation to the Committee prior to the general debate.

It was noted that there had not been significant local objection to the development, although there were understandable concerns from residents in the immediate vicinity of the proposals. It was also noted that the play area and community facility were well placed to serve the new housing and discourage children from playing on the weir fields. The Committee was also pleased to note that much needed housing was to be provided.

RESOLVED that:

- i) **The deed of variation to the s106 Agreement be agreed and**
- ii) **Reserved matters be approved subject to the following conditions:**

1. The development hereby permitted shall be carried out in accordance with drawing numbers BBP/02 Location Plan received by the Local Planning Authority on 7 May 2019; P101 Rev L Planning Layout, 325 Pumping station, 106 Rev E Materials Layout, CB1 Rev A Beeston Community Building; GL1092 08A, 09A, 10A, 11A and 12A Soft Landscape Proposals; GL1092 04A, 05A and 06A Infrastructure Landscape Proposals; GL1092 07C Super LEAP Proposals; amended 01 Rev NM04 Alnmouth Classic (Det) (received 10 May 2019); 02 Ambersham Maldon Elevations; 01 Ambersham Maldon Floor Plans; 01 Ambersham Maldon 4 storey Elevations; 02 and 03 Ambersham Maldon 4 storey Floor Plans; 2016/BH/P/02 Rev NM06 Brentford Haversham Hipped Corner Turner Elevations; 2016/BH/P/01 Rev NM06 Brentford Haversham Hipped Corner Turner Floor Plans; 01 Rev D Derwent Classic (Det); 2016/FIR-DET/C/01 Rev NM11 Fircroft (Det); 2016/FIR/C/01 Rev NM10 Fircroft Elevations; 2016/FIR/C/01 Rev NM10 Fircroft Floor Plans; 01 Haversham (End); 01 Rev B Hesketh Classic (Det); 01 Rev D Kenley Classic (End); 01 Rev D Kenley Classic (Mid); 01 Rev D Kingsley Classic (Det); 01 Rev E Kingsville (End); 01 Lutterworth – End; 01 Rev D Maidstone Classic (End); 01 Rev D Maidstone Classic (Mid); 01 Rev D Moresby Classic (Det); 01 Rev C Moresby Classic (End); 01 Rev E Ripon Classic (Det); 01 Rev D Windermere Classic (Det); 2010/DET/206A 1800mm high close boarded fence; 2010/DET/228 1800mm high timber hit and miss fence; 2010/DET/2029 1200mm vertical metal railings; NM-SD13-004 Boundary Wall – Type 1; NM-SD13-004A Boundary Wall – Type 1 – 2.4m; DB-SD13-006 close boarded fence; Double & Twin Garage – Hipped - Elevations (GDPL DDHP / GDPL SSHP); Plans (GDPL SDSG / GDPL SDFG / GDPL SDHP) Single Garage - Side, Front (Gable) & Hipped; BSTG3S6 Triple garage elevations, floor and roof plan; Barratt Sales & Information Centre Elevations and floor plans (triple garage), STD6121 Rev 01 Severn Trent Water fencing details, GTC-E-SS-0012_R1-8_1_of_1 Close coupled substation, JF/1002705 1 of 2 2m high envirofence and 2 of 2 3m high envirofence, details of bollards emailed on 10 May 2019, H8032/BSD1 Bin store detail and E719-100 Access drawing Plot 310.
2. Notwithstanding the details shown on the Materials Layout, no development above eaves height shall take place on any plot unless and until details of proposed tiles have been submitted to and agreed in writing by the Local Planning Authority.
3. No development shall commence on plots 60-77 (inclusive) until details of measures to protect the hedge on the south eastern boundary with the Trent Vale Road dwellings during construction and measures for its future management have been submitted to the Local Planning Authority for approval in writing. The protection measures shall be in place before development commences on these plots and the future management of the hedge shall be in accordance with the agreed measures for the lifetime of the development.

Reasons

1. For the avoidance of doubt.
2. The proposed tiles are considered to be too large and bulky and alternative slimmer/smaller tiles should also be used to achieve an attractive

environment and a development which integrates into its surroundings, in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy 17 of the Draft Part 2 Local Plan.

- 3. To ensure the hedge is retained, in the interests of residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy 17 of the Draft Part 2 Local Plan.**

Note to applicant

- 1. This reserved matters approval satisfies condition 1 and partially satisfies conditions 4, 5, 20 and 22 of planning permission reference 14/00242/FUL. You are reminded of the need to comply with conditions 2, 23, 25, 26 and 27.**
- 2. Beeston public footpath No. 62 runs through the site and it should remain open and free from obstruction at all times unless a diversion has been previously agreed.**
- 3. The Council has acted positively and proactively in the determination of this application by communicating with the agent throughout the course of the application and seeking amendments to the scheme.**

7.2 18/00377/FUL

Construct 14 houses, garages and associated access road following demolition of dwelling
Land to the rear of 13 Middleton Crescent, Beeston, Nottinghamshire, NG9 2TH

This item was removed from the agenda with the permission of the Chair.

7.3 19/00012/FUL

Change of use from a nursing and residential care home (Class C2) to four houses of multiple occupation (Class C4)
Gables Nursing Home 169-171 Attenborough Lane Chilwell, NG9 6AB

Councillor E Kerry had requested that the application be determined by the Committee.

There were no late items to consider with regards to the application.

Mr Allan Harding, the applicant, Mr Michael Hutchinson, objecting, Mrs Janice Lawrance, objecting and Councillor E Kerry, Ward member, made representation to the Committee prior to the general debate.

During the debate the Committee discussed the already difficult parking situation in Attenborough, concerns about safety during a flood event, concerns about fire safety and over intensive development. It was also noted that the proposed development was close to a busy corner, with a village hall, garage and public house. The Committee agreed that the property required renovation and that it had the potential to become an eyesore if it continued disused.

It was proposed by Councillor L A Ball BEM and seconded by Councillor M Handley that the item be deferred to allow for the developer to consider a less intensive proposal. On being put to the meeting the motion was carried.

RESOLVED that the application be deferred.

Reason

To allow the developer to give further consideration to the intensity of the development.

7.4 19/00122/FUL

Construct single/two storey rear extension and change of use from dwelling house (Class C3) to an 8 bedroom house in multiple occupancy
44 Fletcher Road, Beeston, Nottinghamshire, NG9 2EL

This item had been put forward for consideration by the Committee by Councillor P Lally.

There were no late items for the Committee to consider alongside this application.

Mr Joseph Gallagher, objecting and Councillor L A Lally, Ward Member, made representation to the Committee prior to the general debate.

The Committee was concerned that this represented overdevelopment, to have a house in multiple occupation (HMO) for eight people in a family home. There was also concern that the garage could be converted into an additional bedroom under permitted development rights. Debate focused on the increasing number of HMOs and the limitations of the Committee in terms of refusing them. It was noted that a report was to be submitted to the Jobs and Economy Committee to consider this matter comprehensively.

It was proposed by Councillor B C Carr and seconded by Councillor L A Ball BEM that the application be deferred to a future Committee to allow time for the Jobs and Economy committee to consider the issue of HMOs.

RESOLVED that the application be deferred.

Reason

To allow for the consideration of the issue of HMOs at the Jobs and Economy Committee.

7.5 19/00032/FUL

Construct four storey side and rear extensions, two storey front extension and replacement front boundary
8 Gilt Hill, Kimberley, Nottingham, NG16 2GZ

Councillor M Radulovic had requested that this item be determined by the Committee.

There was one late item, namely some observations received from a member of the public.

Mr Andrew Widdowson, the applicant, addressed the Committee prior to the general debate.

Discussion centred on the street scene, the diverse styles of housing already in evidence on the street and that the extension was to provide additional living and working space for a growing family.

RESOLVED that planning permission be granted with permission for the precise wording and conditions to be delegated to the Vice Chair of the Planning Committee and the Head of Neighbourhoods and Prosperity.

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 drawing number: AW-18-02revF received by the Local Planning Authority on 23 April 2019**

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.**

Note to Applicant

- 1. The Council has acted positively and proactively in the determination of this application by seeking amended plans during the course of the application.**
- 2. 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 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority**

7.6 18/00701/FUL

Construct access to rear of 35 Nottingham Road from Spring Terrace
35 Nottingham Road, Nuthall, Nottinghamshire, NG16 1DN

This application had been brought before the Committee by Councillor P J Owen for determination.

There were no late items or public speakers for this application.

The Committee considered the item.

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

The development hereby permitted shall be retained in accordance with drawing numbers Site Location Plan 1: 1250, Access Gate Elevations and Block Plan received by the Local Planning Authority on the 19 December 2019.

Reason

For the avoidance of doubt.

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.

7.7 19/00029/FUL

Retrospective planning application to demolish the existing property

The Dovecote Bar and Grill, 29 Beauvale, Newthorpe, Nottinghamshire, NG16 2EZ

Due to the degree of local concern the Head of Neighbourhoods and Prosperity had requested that this planning application be brought before the Committee.

There were no late items and no public speakers for the application.

It was noted that many local residents wanted the public house to be rebuilt and discussion progressed to the way in which retrospective planning applications impacted negatively upon how neighbours felt about the developments happening in their area. The Committee noted that it hoped the developers in this instance would act more responsibly.

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

- 1. The development hereby permitted shall be retained in accordance with drawing number Site Location Plan 1: 1250 received by the Local Planning Authority on 11 January 2019.**
- 2. Within 1 month from the date of this permission, all debris from the demolition of the public house shall be removed from the site and details of fencing to secure the site and a timetable for installation shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed in accordance with the approved details.**

Reasons

- 1. For the avoidance of doubt.**
- 2. To ensure the site presents a more pleasant appearance in the locality.**

Note 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. The applicant is hereby advised that the existing public right of way to the west of the site should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the Right of Way or materials unloaded or stored so as to obstruct the path.**

8 INFORMATION ITEMS

8.1 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.

8.2 DELEGATED DECISIONS

The Committee noted the decisions determined under delegated powers between 1 April 2019 to 3 May 2019.