

PLANNING COMMITTEE

WEDNESDAY, 26 JUNE 2019

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
B C Carr
R I Jackson
R D MacRae
J W McGrath (Vice-Chair)
P J Owen
D D Pringle
C M Tideswell

Apologies for absence were received from Councillors T A Cullen and M Handley

9 **DECLARATIONS OF INTEREST**

Councillor R D MacRae declared a non-pecuniary interest in item number 5.3 because he had previously made comments about the site, but not this specific application, about which he had an open mind. Minute number 12.3 refers.

10 **MINUTES**

The minutes of the meeting held on 22 May 2019 were approved as a correct record and signed.

11 **NOTIFICATION OF LOBBYING**

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

12 **DEVELOPMENT CONTROL**

12.1 **19/00243/FUL**

Change of use from equestrian to mixed use equestrian and the keeping of fully licenced wild cats and retain the secure enclosure required for their safe keeping Land North of Home Farm Cottage and Park View Cottage, Main Street, Strelley, Nottinghamshire

The application had been called before the Committee by Councillor D K Watts.

A number of late items had been submitted for the Committee to consider alongside the proposed development including a letter from the Born Free Foundation stating that they would be willing to offer lifetime care to the lion cubs, a letter withdrawing objections regarding the closeness of the bridle path, 22 letters of support for the application, a petition of support for the application bearing 130 signatures and five letters of support from zookeepers and vets.

Mr Reece Oliver, the applicant, Mrs Rosemary Walker, objecting and Councillor P D Simpson, Ward Member, made representation to the Committee prior to the general debate.

The Committee considered concerns for public safety posed by the keeping of wild animals in a village setting, that support for the application did not come from Strelley Village and that the development was inappropriate in the Green Belt. It was also noted that a number of organisations had come forward to offer assistance in rehoming the wild cats. There was concern that other animals would be taken in if a precedent was set.

Debate moved on to the nature of the very special circumstances put forward by the applicant, which were that should planning permission be refused, the wild cats would be destroyed because the options for rehoming them would be limited. It was noted that the impact on amenity was limited as the fence that had been erected was shielded from view by a mature hedge and that it could not be seen from the bridle path, limiting the impact of the enclosure on the openness of the Green Belt. It was noted that the application had been submitted with a draft unilateral undertaking, which would limit the permission to the three wildcats already at the property for the period of their lifetime.

RESOLVED that planning permission be granted with the precise wording of the permission and conditions, including one referring to the unilateral undertaking, to be delegated to the Head of Legal Services and the Head of Neighbourhoods and Prosperity, following consultation with the Chair of the Planning Committee.

12.2 18/00700/FUL

Construct two semi-detached dwellings and construct dormers, rear extension and roof alterations to existing bungalow and raise ridge height
4 The Home Croft, Bramcote, Nottinghamshire, NG9 3DQ

The application had been called for consideration by the Committee by Councillor M E Plackett, whilst he was in office.

The late items included three corrections to the report and one letter in support of the application.

Mr Richard Hutchinson, the applicant and Mr Christian Kerry, objecting, made representation to the Committee prior to the general debate.

The debate included consideration of the provision of high quality, family homes, the picturesque setting and that the Bramcote Conservation Society had not raised any

issues. A discussion followed regarding the design of the houses and the limited number of parking spaces provided at the proposed development.

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.**

Reason: 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. The development hereby permitted shall be carried out in accordance with drawings: TC/1802/6 Rev A and TC/1802/3 Rev A received by the Local Planning Authority on 25 February 2019, Site Location Plan (1:1250) received by the Local Planning Authority on 21 March 2019 and TC/1802/1 Rev C, TC/1802/7 Rev A, TC/1802/8 Rev A and Topographical Survey received by the Local Planning Authority on 4 June 2019.**

Reason: For the avoidance of doubt.

- 3. No development above ground level on the bungalow extensions or new houses shall be carried out until samples and full details of the colour, type and texture of respective external facing materials 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.**

Reason: Insufficient details were included with the application and to ensure the satisfactory appearance of the development and in accordance with Policies H7 and H9 of the Broxtowe Local Plan 2004) and Policies 10 and 11 of the Broxtowe Aligned Core Strategy (2014)

- 4. No development above ground level shall commence 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 details of any works to existing;**
 - b. numbers, types, sizes and positions of proposed trees, hedges and shrubs;**
 - c. planting, seeding/turfing of other soft landscape areas;**
 - d. details of boundary treatments and curtilage boundary treatments;**
 - e. proposed hard surfacing treatments and**
 - f. a timetable for implementation of the scheme.**

The landscaping scheme shall be carried out in accordance with the approved timetable. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.

Reason: Insufficient details were submitted with the application and to ensure the development presents a satisfactory standard of external

appearance to the area and in accordance with the aims of Policies E24 and H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

5. The development shall be constructed in accordance with the mitigation measures stated within the recommendation section of the Preliminary Ecological Appraisal (Whitcher Wildlife Ltd, July 2018).

Reason: To safeguard biodiversity and in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014).

6. The driveways shall not be brought into use until they are constructed so as to prevent the unregulated discharge of surface water onto Peache Way. The drives shall then be maintained as such for the life of the development.

Reason: To ensure surface water from the site is not deposited on Peach Way, in the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).

7. The windows annotated as being obscurely glazed on drawing TC/1802/7 and the first floor window serving the bathroom in the east (rear) elevation of the bungalow on drawing TC/1802/3 Rev A 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 lifetime of the development.

Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policies H7 and H9 of the Broxtowe Local Plan (2004) and 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 agent throughout the course of the application.
2. The development makes it necessary to construct a vehicular crossing over Peache Way which is a bridleway. You are, therefore, required to contact Via on telephone number: 0115 804 2100.
3. The applicant is advised to contact the Council's Waste and Recycling Section on telephone number: 0115 917 7777 to discuss waste and refuse collection requirements.

12.3 19/00276/REG3

Change of use from police station to offices (Class B1)
Former Police Station, 1 Toton Lane, Stapleford, NG9 7HA

The application had been brought to the Committee as the building was in the ownership of Broxtowe Borough Council.

There was one late item in response to comments from the Highway Authority.

There were no public speakers.

Clarification was sought regarding the purpose of the change of use. There was a discussion about a consultation that had taken place regarding uses for the former Police Station site. It was noted that any changes of use would be brought before Committee.

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.**

Reason: 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. The development hereby permitted shall be carried out in accordance with the Site Location Plan, received by the Local Planning Authority on 10 May 2019, and drawing number CW20:002:002 Rev A received by the Local Planning Authority on 17 May 2019.**

Reason: For the avoidance of doubt.

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. 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.**
- 3. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority**

13 INFORMATION ITEMS

13.1 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.

13.2 DELEGATED DECISIONS

The Committee noted the decisions determined under delegated powers between 5 May 2019 and 31 May 2019.

13.3 APPEAL DECISIONS

The Committee noted the outcomes of two appeals.