

PLANNING COMMITTEE

WEDNESDAY, 7 JUNE 2023

Present: Councillor D Bagshaw, Chair

Councillors: R S Falvey (Vice-Chair)
P J Bales
R E Bofinger
G Bunn
S J Carr
G S Hills
G Marshall
H E Skinner
P A Smith
D K Watts
J M Owen (Substitute)
D D Pringle (Substitute)

Apologies for absence were received from Councillors L A Ball BEM and H G Khaled MBE.

Also in attendance were Councillor P J Owen, ex – officio and Councillor L A Ball BEM who gave apologies for the meeting to allow her to attend as a Ward Member.

The officers in attendance were R Dawson, R Ayoub, B Norman, S Heron, O Wells, C McLoughlin, J Little and K Newton.

1 **DECLARATIONS OF INTEREST**

Councillor P J Bales declared a registrable, non pecuniary interest in item 5.2 as he was the Governor of a school that was in the East Midlands Education Trust, with Awsworth Junior and Infant School. Minute number 4.2 refers.

Councillor D K Watts and Councillor S J Carr declared a non registrable, non pecuniary interest in item 5.3 as they were both members of the same political party as the applicant. Minute number 4.3 refers.

Councillor D Bagshaw declared a non registrable, non pecuniary interest in item 5.3 as he was acquainted with the brother of the applicant through their membership of Eastwood Parish Council. Minute number 4.3 refers.

2 **MINUTES**

The minutes were confirmed and signed as a correct record.

3 NOTIFICATION OF LOBBYING

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

4 DEVELOPMENT CONTROL

4.1 APPLICATION NUMBER 22/00767/FUL

Construct 20 dwellings
Land south of 50 Pinfold Road, Newthorpe, Nottinghamshire, NG16 2FT

Councillor M Brown requested that this proposal come before Committee.

There was a late item comprised of the previous report and it was proposed by Councillor D Baghsaw and seconded by Councillor R S Falvey that there be a brief adjournment to allow the Committee to consider the previous report in detail. On being put to the meeting the motion was carried. The meeting resumed thereafter.

A statement was read out on behalf of Keith Baker, objecting. Councillor M Brown, Ward Member, made representation to the Committee prior to the general debate.

After considering all of the representations made to the Committee the main focus of the debate was on the unadopted roads and the lack of storage for wheelie bins on collection day. There was also a discussion regarding flooding and the missed opportunity to make the homes more energy efficient.

It was proposed by Councillor G Marshall and seconded by Councillor D Bagshaw that there be an amendment to condition 10 of the resolution to include storage for bins on collection day. On being put to the meeting the motion was carried.

RESOLVED that planning permission be granted subject to the following conditions and to the prior signing of a Section 106 Agreement.

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 drawing(s) numbered:**

**Site Location Plan 1: 1250,
Proposed Elevations/Floor Plans, Plots 1 – 2, 5 – 9, 12, 13, 19 and
20, DB/MS/21/16/02 received by the Local Planning Authority 27
September 2022.**

Proposed Elevations/Floor Plans, Plots 4, 14 – 17, DBMS/21/16/03,

Proposed Elevations/Floor Plans – Plots 10, 11 and 18, DB/MS/21/16/04 received by the Local Planning Authority 01 December 2022.

Proposed Site Section, A-A, B-B and C-C, DB/MA/21/16/05A, Site Block Plan, DB/MS/21/16/01B received by the Local Planning Authority on 20 December 2022.

Reason: For the avoidance of doubt.

- 3. No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.**

Reason: In the interest of highway safety.

- 4. No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and approved in writing by the Borough Council.**

The statement shall include:

- a) The means of access for construction traffic;**
- b) parking provision for site operatives and visitors;**
- c) the loading and unloading of plant and materials;**
- d) the storage of plant and materials used in construction / demolition of the development;**
- e) a scheme for the recycling/disposal of waste resulting from construction / demolition works / site clearance;**
- f) details of dust and noise suppression to be used during the construction phase.**
- g) a scheme for the identification and safe removal of any asbestos containing material located on site.**

The approved statement shall be adhered to throughout the construction period.

Reason: To protect the amenity of neighbouring residents, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

- 5. No building operations shall be carried out above ground level until details of the manufacturer, type and colour of the bricks and tiles to be used 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: To ensure the satisfactory appearance of the development, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

6. No building operations shall be carried out above ground level until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods.
 - No surcharge shown in a 1 in 1 year.
 - No flooding shown in a 1 in 30 year.
 - For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Provide evidence to ensure no risk to third party during flood events.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Reason:

A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

6. Occupation of the hereby approved dwellings shall not take place until the site access has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the

highway boundary, and which shall be drained to prevent the discharge of surface water from the access to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

Reason: In the interest of highway safety, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

7. Occupation of the hereby approved dwellings shall not take place until the site access arrangement as shown on approved drawing: Site Block Plan, DB/MA/21/16/01B received 20 December 2022 have been provided, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

8. Occupation of the hereby approved dwellings shall not take occupied until details of the proposed arrangements and plan for future management and maintenance of the private road including associated drainage have been submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall thereafter be maintained in accordance with the approved management and maintenance details, until such time that a private Management and Maintenance Company has been established.

Reason: To ensure that the road infrastructure is maintained to an appropriate standard, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

9. Operational building works shall be limited to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and at no times on Sundays and Bank Holidays.

Reason: In the interest of residential amenity, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

10. No development shall take place above ground level until a landscaping scheme has been submitted to and approved 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 boundary treatments;
- (d) proposed hard surfacing treatment;
- (e) proposed lighting details;
- (f) planting, seeding/turfing of other soft landscape areas;
- (g) bin storage area (within 15m from the collection point on Pinfold Road).

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

Reason: In the interests of residential amenity and the appearance of the area and in accordance with Policy 17 of the Part 2 Local Plan (2019).

11. 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.

Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Part 2 Local Plan (2019).

12. During the construction works, no materials, equipment, machinery, temporary buildings or surplus soil shall be placed or stored beneath the branches of the trees protected by a Tree Preservation Order, and no oil, bitumen, cement or other materials likely to be injurious to a tree shall be discharged within 10 metres of the trunk. If any trenches for services are required within the canopy areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 25mm (1 inch) or more shall be left unsevered.

Reason: To ensure the existing trees protected by a Tree Preservation Order are not adversely affected and in accordance with Policy 17 of the Part 2 Local Plan (2019).

13. The erection of fencing for the protection of the preserved trees shall be undertaken in accordance with details to be submitted to and approved by the Local Planning Authority before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure the existing trees protected by a Tree Preservation Order are not adversely affected and in accordance with Policy 17 of the Part 2 Local Plan (2019).

NOTES TO APPLICANT

- 1. The Council has acted positively and proactively in the determination of this application, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.**
- 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**
- 3. The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.]**
- 4. The off-site improvements associated to this consent will require you to undertake works 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. You are therefore required to contact Via East Midlands on 0115 8042100 to obtain the necessary consents/license.**
- 5. As this permission relates to the creation of a new unit(s), please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address(es) is(are) created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.**
- 6. 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.

4.2 APPLICATION NUMBER 23/00130/FUL

Construction of Multi-Use Games Area (MUGA) Facility with 3 Metre High Perimeter Fencing and 4 Floodlighting Columns
Awsorth Junior and Infant School, The Lane, Awsorth

The application was brought to the Committee at request of Councillor D D Pringle.

There were a number of late items, including a car parking plan, consultation responses from partner agencies and objections from neighbours to the proposed development.

Ben Painter, on behalf of the applicant, Erica Owen, supporting, Graham Spencer, objecting and Councillor L A Ball BEM, Ward Member, made representation to the Committee prior to the general debate.

The Committee considered all of the information pertaining to the proposed development, with specific comments on concerns about community use, car parking spaces and the lack of facilities for those using the MUGA out of school hours. It was also noted that the MUGA would put the school at the heart of the community and provide a service that would be beneficial to health and wellbeing to the wider population.

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 lighting plan HLS3565, Site Location Plan and Block plan 20201-16(P)03 /rev P2, Plan of MUGA and Lighting 20201-16(P) 05 P1, Proposed Plan and Elevations of the MUGA and Lighting 20201-16 (P) 06 P2, MUGA dimensions 20201-16 (P) 04 P2, Proposed MUGA and new location of the grass pitch 20201-16 (P) 09 P3 and the Noise Management Plan received by the Local Planning Authority 14 February 2023. Plan demonstrating car parking arrangement received 11 May 2023.**

Reason: For the avoidance of doubt.

- 3. The MUGA and lighting hereby approved shall not be commenced until a community use agreement prepared in**

consultation with Sport England has been submitted to and approved in writing with the Local Planning Authority. The agreement shall apply to the MUGA and lighting and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy 25 of the Part 2 Local Plan (2019) and Policy 12 of the Broxtowe Aligned Core Strategy (2014).

4. The MUGA and associated lighting hereby approved shall not be used except between the hours of 08.00 – 20.00 Monday to Friday, and 08.00-18.00 Saturday, Sunday, Bank Holiday and any other public holidays without prior agreement in writing of the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

5. Details of any external lighting to be used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The details shall include location, design, levels of brightness and beam orientation, together with measures to minimize overspill and light pollution. The lighting scheme shall thereafter be carried out in accordance with the approved details and the measures to reduce overspill and light pollution retained for the lifetime of the development in line with the current guidance from the Institute of Lighting Engineers - Reduction of Obtrusive Light Guidance for the duration of the permitted use.

Reason: The details are required to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

6. The MUGA hereby approved shall be maintained in accordance with the manufacturers guidance to prevent excessive noise from wear and tear.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. The MUGA hereby approved shall be operated in line with the

**East Midlands Educational Trust and Awsworth Primary School
Noise Management Plan received 14 February 2023.**

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 8. The mesh fencing of the MUGA shall be green in colour and shall be retained as such for the lifetime of the development.**

Reason: To ensure a satisfactory standard of external appearance in accordance with Policy 17 of Broxtowe Part 2 Local Plan.

NOTES TO APPLICANT

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it in line with adopted policies.**
- 2. Due to the proximity of the site to residential properties it is recommended that contractors limit noisy works to between 08:00 and 18:00 hours Monday to Friday, 08:00 and 13:00 on Saturday and no noisy works on Sunday and Bank Holidays.**

4.3 APPLICATION NUMBER 22/00696/VOC

Variation of condition 1 (The development hereby permitted shall be carried out in accordance with the approved plans...) of planning permission reference 21/00023/FUL to regularise the construction of a viewing platform within the lion enclosure and balcony to the north west side of the stable building
Land North of Home Farm Cottage and Park View Cottage, Main Street, Strelley

The application was brought to the Committee at request of Councillor P J Owen.

There were a number of late items including comments from the Environmental Health department and a letter from the planning agent.

Reece Oliver, the applicant, and Peter Walker, objecting, made representation to the Committee prior to the general debate.

Having had due regard for the representations made to it, the Committee debated the safety of the platform, the large size of the platform and the impact of overlooking on neighbours.

RESOLVED that planning permission be refused due to the size and safety of the platform, with the precise wording of the refusal and conditions delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons

The proposed scheme, by virtue of its siting, size and design, is out of keeping with the area that creates a development at odds with its surroundings, to the detriment of the character and appearance of the area. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

4.4 APPLICATION NUMBER 23/00078/FUL

Change of use from dwelling (Class C3) to HMO (Class C4)
126 Central Avenue, Beeston

Councillor S J Carr had requested that this proposal come before Committee.

There were no late items.

A resident, objecting, made representation to the Committee prior to the general debate.

The Committee considered the matter before it with reference to all representations made. The debate focused on the loss of an affordable family home in an area that was residential in character. It was considered that allowing further HMO developments would create imbalance in an area where there was sufficient accommodation of this type. There was also concern about the quality of the housing that was being proposed, as the rooms were very small and the communal areas were felt to be insufficient.

RESOLVED that planning permission be refused due to the impact on the character of the area, the loss of amenity and the loss of an affordable home, with the precise wording of the approval and conditions delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons

The proposed change of use from dwelling house (C3) to House in Multiple Occupation (C4) would, by virtue of a loss of housing suitable for family occupation, have a detrimental impact on the character of the area and, due to lack of parking created to meet the needs of a HMO, would pose a significant highway safety concern. As such it is considered that the proposed change of use would upset the residential profile in terms of character as well as resulting in potential negative impacts affecting on-street parking. The proposal would therefore be contrary to Policy 8 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

NOTE 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.**

It was proposed by Councillor P A Smith and seconded by Councillor D Bagshaw that there be a brief recess. On being put to the meeting the motion was carried and the meeting resumed thereafter.

4.5 APPLICATION NUMBER 22/00799/FUL

Construction and operation of two adjacent Battery Energy Storage Systems (BESS) facilities operating at different voltages (132kV and 33kV) in order to fully support the local electricity network. Both facilities are adjacent to each other within a single new overall site compound comprising: the erection of battery containers, switchgear containers, inverters, control building, and new substations; installation of new underground cable circuits to connect the new BESS substations; improvements to access from Common Lane; establishing new internal access roads, resurfaced compound, and turning area; installation of perimeter fencing and access gate; associated ground works; and landscaping.

Southfields Farm, Common Lane, Bramcote, Nottinghamshire, NG9 3DT

The item was brought before Committee at the request of Councillor D K Watts and because the proposal was a departure from the Broxtowe Part 2 Local Plan 2019.

There were a number of late items put to the Committee for consideration including a submission from the Bramcote Forum, five objections to the scheme and a note regarding process should the application be approved.

Glynn Jones, the applicant, Anne Whitting – Smith, objecting and Councillor Andrew Kingdon, Ward Member, made representation to the Committee prior to the general debate.

The Committee gave consideration to all of the representations before it, with specific reference to the very special circumstances (VSC) required to build in the Green Belt the focus of the debate. It was noted that in the alternative sites assessment, no other Green Belt sites had been considered and there was concern that there had been a failure to demonstrate that the site was the most appropriate, in spite of the possible harm to the Burnt Hill prominent area for special protection.

The debate moved on to the visibility of the site and its impact on the openness and amenity of the Green Belt, especially when travelling from South to North. There was also concern about the ecology of the site, though it was noted that the site was not habitat diverse. Discussions progressed on to the climate crisis and the importance of infrastructure for renewable energy.

There were also concerns about the access for plant vehicles to the site via Town Street and Common Lane, flooding in the vicinity of the site on the A52.

RESOLVED that planning permission be refused with the precise wording of the refusal, to include the impact of the openness and the amenity of the Green Belt, to be delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons

1. **The site lies within the Nottinghamshire Green Belt where inappropriate development is by definition harmful and should not be approved except in very special circumstances. In the opinion of the Local Planning Authority that the proposed development represents inappropriate development and it is considered that very special circumstances have not been demonstrated to justify the granting of planning permission in this instance. The application is therefore not in accordance with Policy 3 - The Green Belt of the Broxtowe Aligned Core Strategy Part 1 Local Plan (2014) and Policy 8 - Development in the Green Belt of the Broxtowe Part 2 Local Plan (2019).**
2. **The submitted scheme, by virtue of its siting, size, scale and design would represent an unsatisfactory form of development to the detriment of the character of the Burnt Hill Bramcote Prominent Area of Special Protection and the openness of the Green Belt in this location. The proposed development is therefore contrary to Policy 10 - Design and Enhancing Local Identity and Policy 16 - Green Infrastructure, Parks and Open Space of the Broxtowe Aligned Core Strategy (2014) and Policy 17 - Place-making, Design and Amenity and Policy 28 - Green Infrastructure Assets and of the Broxtowe Part 2 Local Plan (2019).**

4.6 APPLICATION NUMBER 23/00051/REG3

Demolition of existing changing pavilion and construct community leisure pavilion together with associated external works including installation of MUGA and replacement of skate park with community garden.

Pavilion, Hickings Lane Recreation Ground, Hickings Lane, Stapleford, Nottinghamshire

The application was brought to the Committee because the applicant is the Council.

There were a number of late items for the Committee to consider, including an objection from Sport England, objections from a resident and a community group and a number of corrections to the report.

Jonathon Little, on behalf of the applicant and Richard Kane, objecting, made representation to the Committee prior to the general debate.

Having given due weight to all the representations made to the Committee debate focused on the importance of investing in Stapleford, and balancing that with the changes that had been made to the proposal due to building costs. There was concern about possible sites for the relocation of the Cricket Club and it was noted that there was a condition pertaining to this.

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 following plans:

- **Site Location Plan**
- **Utility Survey 45652_T_UG Rev. 0**
- **Topographical Survey 45652_T Rev. 0**
- **Existing Site Plan 0101 Rev. P02**
- **Existing Building 0016 Rev. P01**

(All received by the Local Planning Authority 19/01/23)

- **Proposed Floor Plans 0010 Rev. P06**
- **Proposed Roof Level Plan 0012 Rev. P04**
- **Proposed Elevations 0015 Rev. P05**

(All received by the Local Planning Authority 04/05/23).

- **Proposed Site Plan 0102 Rev. P06**

(Received by the Local Planning Authority 25/05/23).

Reason: For the avoidance of doubt.

3. No development above slab level shall commence until samples/details of the proposed external facing materials 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.

Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

4. a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.

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.

Reason: In the interest of public health and safety in accordance with Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

5. No above ground works shall take place 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 boundary treatments

(c) proposed hard surfacing treatment

(d) proposed lighting details

(e) planting, seeding/turfing of other soft landscape areas

(f) proposed retaining walls or similar structures

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

Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with Policy 10 - Design and Enhancing Local Identity of the of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

6. Prior to the commencement of the development, a detailed Landscape and Ecological Management Plan shall be submitted to and approved and by the Local Planning Authority. The Landscape and Ecological Management Plan shall include enhancement measures and habitat creation. The development shall be implemented in accordance with the approved Landscape and Ecological Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of securing an environmental net gain in accordance with Policy 17 - Biodiversity of the Broxtowe Aligned Core Strategy Part 1 Local Plan 2014 and Policy 31 - Biodiversity Assets of the Broxtowe Part 2 Local Plan 2019.

7. No development within the full planning permission phase hereby approved shall take place until a Construction / Demolition Method Statement has been submitted to and

approved in writing by the Borough Council. The statement shall include:

- a) The means of access for construction traffic;
- b) parking provision for site operatives and visitors;
- c) the loading and unloading of plant and materials;
- d) the storage of plant and materials used in construction / demolition the development;
- e) a scheme for the recycling/disposal of waste resulting from construction / demolition works; and
- f) details of dust and noise suppression to be used during the construction phase.
- g) a scheme for the identification and safe removal of asbestos containing material.

The approved statement shall be adhered to throughout the construction period.

Reason: To protect the amenity of neighbouring residents in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

8. Prior to the commencement of any development that may affect the use of the cricket pitch, a cricket club relocation plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure suitable relocation of the cricket club is secured in accordance with the aims within Part 8 - Promoting healthy and safe communities of the of the National Planning Policy Framework 2021.

9. Prior to the commencement of the development, a detailed renewable energy and sustainability management plan shall be submitted to and approved by the Local Planning Authority. Details should include the siting, design and required maintenance of any renewable energy structures. The renewable energy and sustainability management plan shall be in accordance with the recommendations contained within the Energy Statement dated 12th May 2023.

Reason: In the interests of sustainability in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Part 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF 2021.

10. Suitable ventilation and filtration equipment shall be installed to suppress and disperse odour created from food preparation operations on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's

instructions for as long as the proposed use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority prior to the installation of the any ventilation and filtration equipment. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

Reason: To protect nearby occupiers from excessive odour in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

11. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number SCP - LFA - XX - XX - DR - A – 0102 S2 PO6. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area in accordance with Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

12. No part of the development shall be brought into use until illustrative details of the siting and design of the bin and cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed only in accordance with those details.

Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 – Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

13. No part of the development shall be brought into use until a scheme detailing the developments adherence to Secured by Design principles has been submitted to and approved in writing by the Local Planning Authority. All measures detailed in the scheme shall thereafter be implemented and within an agreed timeframe which shall be set out in the submitted details.

Reason: To reduce the potential for crime in accordance with Part 8 - Promoting healthy and safe communities of the National Planning Policy Framework 2021.

13. Any floodlighting installed and operated by way of this permission shall be installed and maintained in line with the current guidance from the institute of lighting engineers

‘Reduction of obtrusive Light’ guidance for the duration of the permitted use.

Reason: To protect nearby residents and road users from excessive light pollution in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 14. The floodlit MUGA shall only be used at the following times: Monday to Sunday 08.30-21.00 only.**

Reason: To protect nearby residents and road users from excessive operational noise and light pollution in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 15. The pavilion building shall not be used except between 08.00 – 22.00 Monday to Sundays without the prior agreement in writing of the Local Planning Authority.**

Reason: To protect existing residents from noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 16. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 08:00-18.00 Monday to Friday, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays.**

Reason: To protect nearby occupiers from excessive construction noise in accordance with Policy 17 - Place-making, Design and Amenity and Policy 19 – Pollution, Hazardous Substances and Ground Conditions of the Broxtowe Part 2 Local Plan 2019.

- 16. The hereby permitted development shall be carried out in accordance with the recommendations contained within Section 6.3 of the Sustainable FRA and Drainage Strategy by Tunstall Smith King dated May 2023.**

Reason: In the interests of flood risk in accordance with Policy 1 - Climate Change of the Aligned Core Strategy Part 1 Local Plan 2014 and Part 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF 2021.

- 17. 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, 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.

Reason: To ensure the satisfactory appearance of the development in accordance with Policy 10 - Design and Enhancing Local Identity of the Aligned Core Strategy Part 1 Local Plan 2014 and Policy 17 - Place-making, Design and Amenity of the Broxtowe Part 2 Local Plan 2019.

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 applicant is advised that the proposed will require a Food Registration. Please contact the Councils Environmental Health Department on Tel 0115 9173485.**
- 3. The internal layout, design and construction of the premises must meet the current Food Safety and Health and Safety requirements. The applicant must therefore contact the councils Food and Occupational Safety Section on tel :01159173485.**
- 4. The applicant is advised that the proposed may require a Premises Licence. Please contact the Councils Licensing Department on Tel 0115 9173485.**

4.7 APPLICATION NUMBER 23/00082/FUL

Construct single storey extension with mezzanine level to west elevation following demolition of existing conservatory
Cochon Villa, Grange Estate, Robinettes Lane, Cossall, Nottinghamshire, NG16 2RX

This application was brought before Committee by Councillor D D Pringle.

There were no late items.

Martin Byrne, the applicant, made representation to the Committee prior to the general debate.

It was noted that the proposed development would not impact on the openness or amenity of the Green Belt.

RESOLVED that the application be approved, with the precise wording of the approval and conditions delegated to the Chair of the Planning Committee in conjunction with the Head of Planning and Economic Development.

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 received by the Local Planning Authority 2 March 2023, proposed elevations and floor plans GD/MMA/22/018/02 received by the Local Planning Authority 23 February 2023.**
- 3. The extensions hereby approved shall be constructed using bricks and tile of a type, texture and colour so as to match those of the existing dwelling**

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 the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).**

Note 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.**

5 INFORMATION ITEMS

5.1 APPEAL DECISION 21/00849/FUL

The appeal decision pertaining to Land to Rear of 179 High Road, Chilwell Nottinghamshire, NG9 5BA was noted.

5.2 APPEAL DECISION 22/00227/CLUP

The appeals decision regarding 25 Broadgate, Beeston was noted.

5.3 APPEAL DECISION 22/00421/FUL

The appeal decision regarding 86 Baker Road, Newthorpe, Nottinghamshire, NG16 2DP was noted.

5.4 APPEAL DECISION 22/00548/FUL

The Committee noted the appeal regarding land opposite 7 Coopers Green, Beeston, Nottinghamshire, NG8 2RP.

5.5 DELEGATED DECISIONS

The delegated decisions were noted.