

## **PLANNING COMMITTEE**

**WEDNESDAY, 26 JULY 2023**

Present: Councillor D Bagshaw, Chair

Councillors: P J Bales  
L A Ball BEM  
R E Bofinger  
G Bunn  
S J Carr  
G S Hills  
G Marshall  
D D Pringle  
H E Skinner  
P A Smith  
D K Watts  
R Bullock (Substitute)

An apology for absence was received from Councillors R S Falvey.

### 13 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 14 **MINUTES**

The minutes of the meeting on 5 July 2023 were confirmed and signed as a correct record, with a minor amendment to the attendance.

### 15 **NOTIFICATION OF LOBBYING**

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

### 16 **DEVELOPMENT CONTROL**

#### 16.1 **23/00270/FUL**

Demolition of 60 Abbey Road and double garage adjacent. Construct one x two-storey dwelling and five bungalows. Extension and additional floor to storage unit rear of 62. Widening of access from Abbey Road.  
**60-62 Abbey Road, Beeston, Nottingham, NG9 2QF**

Councillor S J Carr asked that this application be considered by the Committee.

The Committee gave due consideration to the late item, a change to the elevations of the commercial building.

There were no public speakers.

Having had due regard for all representations made to it the Committee debated the proposed development with particular attention to the traffic the development could cause and the drainage on the site.

It was proposed by Councillor R E Bofinger and seconded by Councillor D K Watts that, should the proposed development be approved, a condition be added to the planning permission to require that the car parking spaces on the site be constructed from a permeable surface. On being put to the meeting the motion was carried.

**RESOLVED that planning permission, as amended to include a condition to require that the car parking on site be constructed from a permeable surface, 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 Site Location Plan 1: 1250, Block Plan 1: 500, 22/1066/12, Proposed Bungalow Elevations, 22/1066/11, Proposed Bungalow Floor Plans and Roof Plan, 22/1066/10, Proposed House Elevations and Floor Plan, 22/1066/15 received by the Local Planning Authority on 04 April 2023, Proposed Store Extension Elevations, Floor Plans and Roof Plan, 22/1066/14B, Semi Detached Bungalow Elevations, 22/1066/16 and Semi Detached Bungalow Floor Plan and Roof Plan received by the Local Planning Authority on 13 April 2023.**

***Reason: For the avoidance of doubt.***

- 3. 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).***

- 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. Occupation of the herby 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).*

6. 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).*

7. No development above ground level shall commence until details of the numbers, types and locations of bat and bird boxes have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the agreed details prior to first occupation of the respective dwelling.

**Reason:** *To secure the provision of such features in the interests of biodiversity and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).*

8. **No stripping, demolition works or works to trees, shrubs or hedges shall take place between 01 March and 31 August, inclusive, of any year unless immediately preceding these works a detailed nesting bird survey by a suitably experienced ecologist has been carried out and provided written confirmation that no active birds' nests or nesting birds are present, to be agreed in writing by the Local Planning Authority. If nesting birds are present, an appropriate exclusion zone, to be agreed in writing with the Local Planning Authority, will be implemented and monitored for the protection of the nesting bird interest on the site. No works shall be undertaken within the exclusion zones whilst nesting birds are present.**

***Reason: To ensure the protection of birds and bird habitats, which are protected under the Wildlife and Countryside Act 1981 (as amended).***

9. **Prior to the first occupation of the hereby approved dwellings, the parking areas shall be surfaced in a permeable material along with a system to dispose of the surface water drainage, with the details first submitted to and approved in writing by the Local Planning Authority. The parking areas as approved shall thereafter be installed and retained in accordance with the approved details.**

***Reason: In the interests of protecting residential amenity.***

#### **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 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.**
3. **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.

4. As this permission relates to the creation of a new units, please contact the Council's Street Naming and Numbering team: [3015snn@broxtowe.gov.uk](mailto:3015snn@broxtowe.gov.uk) to ensure an addresses 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.
5. The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: [www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

## 16.2 23/00110/FUL

Demolition of existing dwelling and construction of a two storey dwelling with detached garage

70 Beeston Fields Drive, Bramcote, Nottinghamshire, NG9 3TD

Councillor D K Watts had requested that the application be determined by Committee.

There were no late items.

Susan Price, objecting, made representation to the Committee prior to the general debate.

With regard to all of the representations before it, the Committee commenced the debate with reference to the size of the proposed balcony, which could allow a number of people to gather on it and its position overlooking neighbouring gardens. There was also concern about the height of the balcony which would mean that noise from any parties taking place on it would travel, impacting on neighbour amenity.

**RESOLVED that planning permission be refused with the precise wording of the refusal, to include the overlooking of neighbours and impact on neighbour amenity, be delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.**

### Reasons

**The balcony, by virtue of the overlooking issues created, would cause a detrimental impact on the amenity of the properties on Troutbeck Crescent. The development is therefore contrary to policies 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).**

## 17 INFORMATION ITEMS

### 17.1 APPEAL DECISION 22/00337/FUL

The appeal decision regarding 4 Foundry House, Newton's Lane, Cossall, was noted.

### 17.2 APPEAL DECISION 22/00501/FUL

The appeal decision regarding 15 Lambeth Court, Beeston was noted.

### 17.3 DELEGATED DECISIONS

The delegated decisions were noted.