

PLANNING COMMITTEE

WEDNESDAY, 21 APRIL 2021

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
T A Cullen
D Grindell
M Handley
R I Jackson
G Marshall
J W McGrath (Vice-Chair)
P J Owen
D D Pringle
S J Carr (Substitute)
J M Owen (Substitute)

Apologies for absence were received from Councillors R D MacRae and R D Willimott.

68 **DECLARATIONS OF INTEREST**

Councillor D K Watts declared a non-pecuniary interest in agenda item 5.8 as the objector to the application was an acquaintance. Minutes number 71.8 refers.

69 **MINUTES**

The minutes of the meetings held on 10 March 2021 and 17 March 2021 were approved as a correct record and signed.

70 **NOTIFICATION OF LOBBYING**

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

71 DEVELOPMENT CONTROL

71.1 APPLICATION NUMBER 20/00641/FUL

Construct 115 dwellings, associated infrastructure, attenuation pond and vehicular access from Cordy Lane

Land to the rear of Brinsley Recreation Ground, Church Lane, Brinsley

The application was brought before Committee as it was an Allocated Housing Site within the Part 2 Local Plan. This item was deferred from the meeting on 17 March 2021.

There was a substantial late item in the form of a statement from the developer addressing concerns from the previous meeting and the report to Committee from 17 March 2021.

Robert Galij, applicant and Peter Housley, objecting, made representation to the Committee prior to the general debate.

It was noted that the street lighting, open space and unadopted highways would be maintained by a management company in perpetuity. There followed a discussion about the contributions that residents might have to make towards the maintenance of the development. The need for housing was discussed, in particular, the provision of housing in places where people wanted to live.

RESOLVED that the Interim Head of Planning and Economic Development be given delegated authority to grant planning permission subject to:

- (i) the prior completion of an agreement under section 106 of the Town & Country Planning Act 1990 to secure the provision of affordable housing on the site and to cover contributions towards: provision and maintenance of open space, integrated and sustainable transport measures and Primary Health Care 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.**

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 numbered:**

Location Plan - H8060-02 Rev B

Planning Layout - H8060/P101e Rev F

Off Site Junction Arrangement ADC2052-DR-002 Revision P3

Site Access General Arrangement - ADC2052-DR-001 Rev P6

Vehicular Tracking - ENG-101-VT

Drainage Strategy - H8060-102B Rev B

General Arrangement – Drainage - H8060-102B Rev B

Soft Landscape Proposals (1 of 3) GL1359 01E
Soft Landscape Proposals (2 of 3) GL1359 02E
Soft Landscape Proposals (3 of 3) GL1359 03E
1.8m Timber Hit & Miss Fence – 2010/DET/228
0.9m Estate Railings - 2010/DET/226
1.8m Close Boarded Fence - 2010/DET/207
Boundary Wall – Type 3 - NM-SD13-013
Boundary Wall – Type 1 - DB-SD13-004 Rev C

Street Scenes - H8060_05_01 Rev B
Materials Layout - H8060/06 Rev B
Cross Sections - H8060_05_02 Rev A
6 x 3m Double Garage - LDG2H8
6 x 3m Single Garage - LSG1H8
Standard Double Garage SDG1H8 Rev A
Standard Double (2 x single) Garage - SDG2H8 Rev A
Standard Single Garage SSG1H8 Rev A

Holden Weatherboard: house type code H4693WH7
Wilford (Gable End Terrace): P204-EG7: Rev A
Wilford (Hipped End Terrace): P204-EH7: Rev E
Wilford (Mid Terrace) : P204-I-7: Rev B
Hadley (Detached) : P341-D7: Rev B_C
Hadley (End Terrace) : P341 -E-7: Rev B_C
Henley: H588--7: Rev B_D
Holden: H469--H7: Rev D
Meriden: H429--H7: Rev C
Winstone: H421--H7: Rev D
Ingleby: H403-F7: Rev A
Abbeydale: H349-H7: Rev C
Avondale: H456-X7 Rev 3W09:
Archford (Hipped End Terrace) P382-EH7: Rev C
Archford (Mid Terrace): P382-I-7: Rev D
Archford (End Gable Terrace): P382-EG7: Rev A
Greenwood (Gable End Terrace) T322-E-7: Rev A_B
Type 74 (End Terrace): SH74-E-7
Type 58 / Type 59 (Hipped End Terrace): SF58-E-7/SF59-EH7
Type 50 (Hipped End Terrace): SH50-EH7
Type 50 (Mid Terrace): SH50-I-7: Rev C
Type 52 (Hipped End Terrace): SH52-EH7
Type 67 (Hipped End Terrace) SH67-EH7
Type 67 (mid Terrace): SH67-I-7
Type 69 (Hipped End Terrace): SH69-EH7
Type 69 (Mid Terrace): SH69 -I-7

Reason: To ensure that the development hereby approved is carried out in accordance with the approved plans and details.

3. No part of the development hereby approved shall commence 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:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. 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 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- 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 resilience.

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and Policy 1 of the Broxtowe Part 2 Local Plan (2019). 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.

4. No development, including site clearance, shall commence until measures to protect the retained hedgerows and trees on site during construction have been submitted to and agreed in writing by the Local Planning Authority. No development shall commence until the agreed protection measures are in place and these shall be retained in place until all construction in the area around the protected vegetation has been completed.

Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences to ensure that the details are satisfactory, in the interests of biodiversity and in accordance with the aims of the NPPF, Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

5. No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan should include the following:
 - a) pipes over 200mm in diameter capped off at night to prevent animals entering
 - b) netting and cutting tools not to be left in the works area where they might entangle or injure animals

- c) No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal
- d) construction lighting proposals
- e) materials, plant and machinery storage locations
- f) dust management plan
- g) proposed working practices to minimise harm to wildlife and trees

The development shall be constructed in accordance with the agreed CEMP.

Reason: To ensure the impact on ecology is minimised during construction and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

6. No development, including site clearance, shall commence until details of appropriate gas prevention measures have been submitted to and approved in writing by the Local Planning Authority. 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: No such details were provided with the application and it is considered that the development cannot proceed safely without such details being provided before development commences to ensure that the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

7. No development shall commence until details of all necessary piling or other penetrative foundation design, specifically in the area of former open case mining within the south of the site and as identified in the Geomatters Highwall Investigation Report dated 24.11.20 have been submitted to and approved in writing by the Local Planning Authority including details of any mitigation measures to minimise the effects of noise and vibration on surrounding occupiers. The development shall be constructed in accordance with the approved details.

Reason: No such details were provided with the application and it is considered that the development cannot proceed safely without such details being provided before development commences to ensure that the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be

adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors**
- ii. loading and unloading of plant and materials**
- iii. storage of plant and materials used in constructing the development**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate**
- v. wheel washing facilities**
- vi. measures to control the emission of dust and dirt during construction**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works**

Reason: In the interest of highway safety.

- 9. No construction or site preparation work in association with this permission shall be undertaken outside 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 occupants from excessive construction noise and vibration and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

- 10. Occupation of the proposed dwellings shall not take place until the site access as shown for indicative purposes only on drawing number ADC2052-DR-001 Revision P6, including the proposed pedestrian refuge island across Cordy Lane has been provided.**

Reason: In the interest of highway safety.

- 11. Occupation of the proposed dwellings shall not take place until the off-site highway works at the A608 Cordy Lane / B600 Willey Lane junction as shown for indicative purposes only on drawing number ADC2052-DR-002 Revision P3 have been provided.**

Reason: To mitigate the impact of development traffic on the network, in the interest of highway safety.

- 12. Prior to works commencing above foundation level a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan should detail how protected or otherwise notable species and habitats on site will be protected throughout the construction and operation phases of the proposed development and include measures such as those to maintain connectivity for hedgehogs shall be clearly shown on a plan (fencing gaps 130mm x 130mm and/or railings and/or hedgerows. Such approved measures shall be implemented in full and maintained thereafter in accordance with details**

which shall first be submitted to and approved in writing by the local planning Authority.

Reason: To ensure that the development contributes positively to the Borough's ecological network and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

13. Trees referenced T1, T2 and T3 in the Crestwood Environmental: Bat Activity Survey Report (CE-CL-1493-RP03A - final) shall not be removed unless and until an endoscope survey has been undertaken immediately prior to any proposed works in the presence of a suitably qualified ecologist. A report detailing the findings of this survey, including any proposed mitigation measures, shall be submitted to and agreed in writing by the Local Planning Authority. Any mitigation measures shall be carried out in accordance with the agreed details.

Reason: In the interests of safeguarding habitat for bats, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).

14. No development shall commence above ground floor level until a noise assessment has been undertaken detailing a scheme for protecting the proposed dwellings from noise from the multi use games area and sports pitches adjacent to the proposed development and has been submitted to and approved by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before any permitted dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority.

Reason: To protect future occupiers from any significant adverse impact as a result of excessive recreational noise in accordance with paragraph 180 of the NPPF.

15. Nothing shall be stored or placed in any area fenced in accordance with condition 4 and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Reason: To ensure the retained trees are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

16. No external lighting shall be erected until a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting shall be installed and thereafter maintained in accordance with the agreed details.

Reason: No such details were submitted and in the interests of safeguarding habitat for bats, in accordance with the aims of Policies 20 and 31 of the Broxtowe Part 2 Local Plan (2019).

17. An updated Great Crested Newts survey shall be undertaken and the results submitted to the Local Planning Authority should the development not commence within 18 months of the date of the permission. All mitigation

measures identified within the report shall be undertaken in full prior to the occupation of any of the dwellings hereby approved.

Reason: To ensure the impact on ecology is minimised and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and the NPPF.

18. A timetable for the implementation of the soft landscaping proposals hereby approved shall be submitted to and approved in writing by the Local Planning Authority. 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, to ensure the landscaping takes place in a timely fashion and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

19. No above ground floor level works shall commence until details of the location of all meter boxes have been submitted to and approved by the Local Planning Authority.

Reason: In the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

20. Prior to the occupation of the dwellings hereby approved, details of a private management company for managing the onsite open space and a detailed landscape management plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority and maintained and retained for the lifetime of the development.

Reason: To ensure the site is suitably landscaped and this is maintained for the life of the development.

21. No dwelling shall be occupied until its own boundary treatment has been erected in accordance with the approved details.

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

22. No retaining wall on any plot shall be installed until details, including section drawings where necessary, have first been submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be first occupied until the boundary treatment for the respective plot has been installed in accordance with the approved Boundary Treatment plan and any agreed retaining wall details.

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

- 23. Occupation of the proposed dwellings shall not take place until their respective driveway/shared driveway 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 constructed with provision to prevent the discharge of surface water from the driveways 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.

- 24. Occupation of the proposed dwellings shall not take place until Brinsley Footpath 31 has been diverted in accordance with the details shown on drawing H8060/P101e Rev F.**

Reason: To prevent the obstruction of the public highway.

- 25. Electric vehicle charging points shall be installed on the dwellings as indicated on the approved plans prior to their first occupation and thereafter retained and maintained for the lifetime of the development.**

Reason: To ensure environmental measures are incorporated within the scheme, in accordance with the aims of Policy 1 of the Aligned Core Strategy (2014) and Policy 20 of the Broxtowe Part 2 Local Plan (2019).

- 26. 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 or enlargements shall be carried out to the dwellings at plots 14, 15 and 17 hereby approved which come within Class A or B of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.**

Reason: In the interests of the amenity of adjoining neighbours and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 27. The first floor windows in the north facing side elevation of plots 14 and 15 shall be obscurely glazed and fixed shut below 1.7m from floor level within the room it is located.**

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

- 28. No development shall commence until a written scheme of investigation including a watching brief covering site excavations and soil stripping operations has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details. If unexpected ground conditions are discovered**

during development resulting in former coal mining operations being exposed work shall cease immediately. A further ground investigation report shall be submitted to and approved in writing by the Local Planning Authority highlighting the extent and nature of the previously undiscovered ground conditions including a suitable method statement enabling works to recommence on site. Any recommencement of work on site shall proceed only in accordance with these approved details.

Reason: To ensure development proceeds in a safe manner reflecting ground conditions and former coal mining operations and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

- 29** Occupation of the dwellings fronting a shared private drive shall not take place until details of the proposed arrangements and plan for future management and maintenance of the private road including associated drainage and lighting by a private management company have been submitted to and approved in writing by the Local Planning Authority. The private road and associated drainage and lighting shall thereafter be maintained in accordance with the approved management and maintenance details for the lifetime of the development.

Reason: To ensure the road infrastructure is maintained to an appropriate standard for the lifetime of the development.

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.** 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.** Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
- 4.** Reference in any condition contained in this permission/ to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to any body or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.
- 5.** The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks for which there is a fee.

a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: hdc.south@nottsc.gov.uk

6. In order to carry out the off-site works required 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 for which there is a fee. Please contact: hdc.south@nottsc.gov.uk
7. 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.
8. The proposed development requires the diversion of a public right of way which is administered by the Department for Transport. The grant of planning permission for this development does not authorise the obstruction or diversion of this public right of way and an unlawful obstruction to the right of way is a criminal offence and may result in the obstructing development being required to be removed.
9. As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure 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.

71.2 APPLICATION NUMBER 20/00714/FUL

Construct link extension and change use from residential (Class C3) to residential care home (Class C2)

259 High Road Chilwell NG9 5DD

This application had been brought before Committee by Councillor T A Cullen. It was deferred at the meeting of 10 March 2021 and 17 March 2021 to allow the applicant to elaborate on how many residents there would be in the home once the extension was granted and what impact this might have on parking.

There were no late items.

Ros Heath, applicant, made representation to the Committee prior to the general debate.

The Committee noted it's thanks to the applicant for making changes to the application (the provision of four additional parking spaces) to benefit local residents and stating a commitment to work with neighbours to ameliorate problems with traffic and parked cars.

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 16.11.20, the proposed block plan and drawings numbered 20/988/03 and 20/988/04 received by the Local Planning Authority on 10.10.20, and parking layout drawing number 20/988/06 rev B received by the Local Planning Authority on 24.03.21.**

Reason: For the avoidance of doubt.

- 3. No above ground works shall be carried out until details of the manufacturer, type and colour of the door, bricks and coping stones to be used in facing elevations 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: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policies 17 and 23 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 11 of the Aligned Core Strategy (2014).

4. The development hereby approved shall not be occupied until the parking spaces shown on drawing number 20/988/06 rev B have been made available for use.

Reason: In the interests of highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and 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. 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 burning of waste on site at any time.

71.3 APPLICATION NUMBER 20/00667/FUL

**Construct pair of semi-detached dwellings following demolition of existing bungalow
28 Park Road Chilwell NG9 4DA**

This application had been brought before the Committee for determination by Councillor G Marshall. The item was deferred at the meeting of 10 March 2021 to allow Councillors to make a site visit.

There were no late items.

Simon Jude, applicant, and Andrew Burrows, objecting, made representation to the Committee prior to the general debate.

During the debate consideration was given to the size of the plot, the arrangements for parking and the loss of amenity for neighbours. It was stated that the proposed development was too close to the neighbouring bungalow, that the scheme was too big and that although the bungalow that was to be demolished had an annexe that was a separate dwelling, the replacement of these two dwellings with a pair of semi-detached houses was not like for like. It was noted that the top window in the South East elevation of the proposed development was to be glazed with opaque glass. It was also noted that Park Road was very narrow.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Head of Planning and Economic Development in consultation with the Chair of the Planning Committee.

Reasons

The proposed semi-detached dwellings, by virtue of their size, scale and position within the site, would represent an over-intensive development of the site, resulting in an unacceptable impact on neighbour amenity and a detriment to the established character of the street, contrary to the aims of Policy 10 of the

Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

71.4 APPLICATION NUMBER 20/00745/FUL

Construct 42 dwellings with improved access, provision of an internal access road, landscaping and associated works following the demolition of buildings
Old Station Yard, Station Road, Beeston, NG9 2AB

The application was brought to the Committee at the request of Councillor P Lally, and because it was a major application.

The late items were comprised of a letter from Network Rail and a letter from East Midlands Homes who would manage the site if built.

Emily Christie, applicant, Adrian Hirst, objecting and Councillor Trish Roberts–Thomson, Ward Member, made representation to the Committee prior to the general debate.

It was noted that the proposed development was for affordable housing on an allocated site, but there was concern that more than half of the homes would not meet minimum space standards. It was considered that, as the local plan had allocated the site for 40 houses, the proposed development was too dense. There was also concern about the inclusion of private roads and that the proposed application would impact negatively on access to and future improvements to Beeston Station.

The Committee voiced support for modular methods of construction and the consideration that had been given to sustainability and energy efficiency.

It was proposed by Councillor L A Ball BEM and seconded by Councillor J W McGrath that the item be deferred so that further consideration could be given to space standards, the management of private roads and the provision of a turning circle for Beeston Station. On being put to the meeting the motion was carried.

RESOLVED that the application be deferred.

71.5 APPLICATION NUMBER 20/00855/FUL

Loft conversion including rear dormer
4 The Old School House, Gilt Hill, Kimberley, Nottingham, NG16 2GZ

The application had been called to Committee by Councillor R S Robinson.

There were no late items.

Simon Dexter, applicant, and Councillor R S Robinson, Member, made representation to the Committee prior to the general debate.

The Committee noted that when the school was converted, a condition had been added to remove permitted development rights in order that the appearance of the building was maintained. There was concern that should the application be passed,

this would set a precedent for neighbouring properties and have a negative impact on the integrity of the design of the building.

RESOLVED that planning permission be refused for the following reason:

The proposed dormer, by virtue of its substantial size, would dominate the existing roof resulting in a form of development that is harmful to the character of the host dwelling. Furthermore, due to the nature of the existing roof with the neighbouring dormers, the proposal would result in a cramped form of development that is out of keeping with the character of the surrounding area. The proposal is therefore contrary to the Broxtowe Part 2 Local Plan (2019) Policy 17.

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.

71.6 APPLICATION NUMBER 19/00605/FUL

**Construct 4 dwellings and associated works following demolition of existing dwelling
42 Derby Road Beeston NG9 2TG**

The application was brought to the Committee at the request of Councillor S J Carr.

There were no late items.

Peter Johal, applicant, Neil Stentiford, objector and Councillor B C Carr, Ward Member, made representation to the Committee prior to the general debate.

During the debate the arguments for the development were that it represented a good use of land by replacing one home with four and that the buildings were modern and attractive. The arguments made against the development were that it represented over intensive use of land, that it was out of keeping the character of the area and that it could set a precedent on Derby Road that would see other large frontages being built on. It was also considered that there would be a negative impact on the amenity of the Abel Collins Homes occupants.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Head of Planning and Economic Development in consultation with the Chair of the Planning Committee.

Reasons

The proposed detached dwellings, by virtue of their scale, design and position within the site, would fail to integrate into their surroundings, and would fail to create a place with a locally inspired character, contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

71.7 APPLICATION NUMBER 20/00791/FUL

Construct two storey side extension, front porch, canopy and external alterations
39 Eastwood Road, Kimberley, Nottinghamshire, NG16 2HX

Councillor S Easom had requested that the application be determined by the Planning Committee.

There were no late items for this application.

Maggie Ellis, applicant and Councillor S Easom, Ward Member, made representation to the Committee prior to the general debate.

The Committee noted that the neighbouring house had been extended to the boundary, meaning that this application to do the same, would result in a terracing effect. It was considered that as next door had an extension, unfair not to allow the proposal and it was more in keeping than neighbouring extension.

RESOLVED that the planning application be granted, with the precise wording and conditions to be delegated to the Head of Planning and Economic Development in consultation with the Chair of the Planning Committee.

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 Location Plan and the Proposed Floor Plans and Elevations with drawing number GD/ME/2020/051/01, both received by the Local Planning Authority on 12 November 2020.

Reason: For the avoidance of doubt.

3. No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local planning authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:

- i) all appropriate 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.

Reason: In the Interest of public health and safety.

71.8 APPLICATION NUMBER 21/00041/FUL

Construct first floor rear extension and front and rear dormer windows
42 Sandy Lane, Bramcote, Nottinghamshire, NG9 3GS

Councillor D K Watts had requested this application be determined by Planning Committee.

It was noted that a site visit had not taken place as planned, as although members of the Committee were able to see the proposed development at 42 Sandy Lane, they had not been able to look at the impact from the neighbouring gardens. It was proposed by Councillor D K Watts and seconded by Councillor J W McGrath that the item be deferred to allow for a site visit to the neighbouring property to take place. On being put to the meeting the motion was carried.

RESOLVED that the application be deferred.

71.9 APPLICATION NUMBER 21/00005/FUL

Construct dwelling with vehicle access and car parking, re-siting of gates and dropped kerbs

42 Greenhills Road, Eastwood, Nottinghamshire, NG16 3DG

This application had been called to Planning Committee by Councillor J P T Parker.

There were no late items.

Graham Furgood, applicant, made representation to the Committee prior to the general debate. Councillor M Handley read out a statement on behalf of Councillor J P T Parker, Ward Member.

There was a debate as to whether the proposed development would be dangerous and represent over intensification, as it was on a corner plot. It was noted that the site would be cramped for a house and that it could restrict visibility for traffic.

RESOLVED that planning permission be refused for the following reason.

The proposed dwelling would be sited in close proximity to the highway at Moorfields Avenue, resulting in the loss of an open corner which is a key characteristic of the surrounding area. The proposal therefore represents an over-intensive and cramped form of development that would be harmful to the street scene and out of keeping with the character of the surrounding area. Furthermore, the size of the gardens at the proposed dwelling and the neighbouring property, no. 42, as a result of the proposed development would be relatively small, which would be out of keeping with the pattern of development in the surrounding area. The proposal is therefore contrary to Policy 17 of the Broxtowe Part 2 Local Plan (2019).

NOTES 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.

72 INFORMATION ITEMS

72.1 Appeal Decisions

The appeal decisions were noted.

72.2 Delegated Decisions

The delegated decisions were noted.