

PLANNING COMMITTEE

WEDNESDAY, 2 OCTOBER 2024

Present: Councillor D Bagshaw, Chair

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

Apologies for absence were received from Councillors L A Ball BEM and S J Carr.

The officers present were R Dawson, R Ayoub, C Hallas, C McLoughlin, O Wells and K Newton.

23 **DECLARATIONS OF INTEREST**

Councillor J M Owen declared a non-pecuniary, non-registrable interest in item 5.2 because she was acquainted with a neighbour of the proposed development. Minute number 26.2 refers.

Councillor P J Bales declared a non-pecuniary, non-registrable interest in item 5.2 because he was acquainted with a neighbour of the proposed development. Minute number 26.2 refers.

Councillor P J Bales also stated that he had called in the proposal at item 5.3, but that he came to the application with an open mind. Minute number 26.3 refers.

24 **MINUTES**

The minutes of the meeting held on 4 September 2024 were confirmed and signed as a correct record.

25 **NOTIFICATION OF LOBBYING**

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

26 DEVELOPMENT CONTROL

26.1 24/00280/FUL

Creation of nine student accommodation studios and reconfiguration of car park
Broadgate House, Broadgate, Beeston, NG9 2HF

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

There were no late items and no public speakers.

Having considered all of the evidence before it, the Committee debated the item with particular reference to the quality of the flats, which were small and lacked light, as well as the impact that the proposed development would have on facilities for residents such as parking and communal spaces.

RESOLVED that the planning application be refused.

RESOLVED that the precise wording of the refusal, with the reasons for refusal to include intensification of use and detrimental impact on existing residents, be delegated to the Chair of the Planning Committee in agreement with the Head of Planning and Economic Development.

Reasons

The proposed development fails to provide an appropriate standard of amenity for general needs housing, particularly in respect of internal space, but also shared facilities, contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019), paragraph 135(f) of the National Planning Policy Framework and the relevant nationally described space standard.

26.2 24/00201/FUL

Construct detached bungalow
Land to the rear of 65 Newdigate Road, Watnall, Nottinghamshire, NG16 1HN

The application is brought to the Committee at request of Councillor M Radulovic MBE and Councillor J M Owen.

There were no late items.

Jake Shaw, on behalf of the applicant, addressed the Committee prior to the general debate.

After weighing the evidence before it, the Committee debated the item. It was noted that an objector had been unable to give evidence to the Committee as they were unwell. There were concerns about the scale of the proposed development. There was a discussion about the existing outbuildings and whether the proposed bungalow would exceed the size of those. The debate moved on to the impact of the new

property on the character and appearance of the neighbourhood and the impact on the amenity of the neighbour.

RESOLVED that planning permission be granted.

RESOLVED that the precise wording of the approval and conditions, to include conditions on materials, plans and timing, be delegated to the Chair of Planning Committee in agreement 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 topography plan, Design and Access Statement received by the Local Planning Authority 28 March, tree survey and installation guide for cell web details received by the Local Planning Authority 25 June 2024 and proposed elevations and floor plans JG/DS/2023/097/01 Rev A received by the Local Planning Authority on 3 September 2024.**
- 3. No above ground works shall commence until samples of external facing and roofing materials of the dwelling and the carport have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.**
- 4. 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.****
- 5. No development hereby approved shall take place until a Construction/Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. 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;****

- f) Details of dust and noise suppression to be used during the construction phase and;
- g) The identification, isolation and removal of any asbestos containing materials

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

6. No above ground works shall take place until a landscaping scheme showing has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:

- numbers, types, sizes and positions of proposed trees and shrubs;
- details of boundary treatments;
- planting, seeding/turfing of other soft landscape areas and
- timetable for implementation.

The approved scheme shall be carried out strictly in accordance with the approved details and shall be carried out not later than the first planting season following the substantial completion of the development 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.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions shall be constructed under Schedule 2, Part 1, Class A, B, C, D, E, F and G and Part 2 Class A, B and F

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. In accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
4. In the interest of public health and safety in accordance with Policy 19 of the Broxtowe Local Plan (2019)
5. 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).

6. No such details were submitted with the application, to ensure the development presents a satisfactory standard of external appearance to the area, to ensure a sufficient standard of neighbour amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).
7. In the interests of privacy and amenity for nearby residents and 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).

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.
2. 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

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

3. 1. Developer to purchase the first time provision of bins. Notice served in due course.

2. The site plan states that a two bedroom detached bungalow is to be constructed in a currently used residential garden area. There is no mention of the number of occupants.
 3. It is assumed each bedroom will be single occupancy. If that is not the case then the 140 litre capacity per room will need to change to 240 litre capacity. The bin allocation would then need to be recalculated accordingly.
 4. The plans do not state there is proposed bin storage area.
 5. The properties would be allocated the following:
 - 2 x 140 litre bin for residual waste = 280 litres = 1 x 240L litre bin
 - 2 x 140 litre bin for recycling waste = 280 litres = 1 x 240L litre bin
 - 2 x 37 litre bag for glass = 74 litres = 1 x 140 litre glass bin
 6. The approx. size of a 140 litre bin is approx. 1060mm (h) x 480mm (w) x 550mm (d)
 7. The approx. size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm (d)
 8. Bins need to be presented at the edge of adopted highway for emptying.
4. 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 hours on Saturdays and no noisy works on Sundays and Bank Holidays.
 5. Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.

26.3 24/00395/FUL

Construct single/ two storey side and single storey rear extensions, raise the ridge height to the existing/ extended dwelling including a loft conversion and rear box dormer, and external alterations
16 Mornington Crescent, Nuthall

Councillor P J Bales requested that this proposal come before Committee.

There were no late items.

A statement was read on behalf of Saima Asad, the applicant. Keith Lacey, objecting, addressed the Committee prior to the Committee prior to the general debate.

The Committee debated the item, giving due regard to the evidence before it. There was concern about the scale of the proposed development, that it would be overbearing and impact on the character of the neighbourhood. The ecological impact of the proposed development was also noted.

It was proposed by Councillor G Bunn and seconded by Councillor G Marshall that the application be deferred to allow the applicant to reduce the size and scale of the proposal.

RESOLVED that the application be deferred.

Reasons

To allow the applicant to reduce the size and scale of the proposal.

26.4 24/00514/FUL

Proposed Change of Use from Residential (C3) to Residential Children's Home (C2)
28 Park Hill, Awsworth, NG16 2RD

Councillor D D Pringle had requested that the Committee consider this application.

There were no late items.

Tafatswa Manomge, the applicant, addressed the Committee prior to the general debate.

After considering all the evidence before it, the Committee debated the proposed change of use. There were concerns about parking and facilities. It was noted that a condition of the planning permission was the resident management plan, which would deal with staffing and supervision.

RESOLVED that planning permission be granted subject to the conditions in the report.

27 INFORMATION ITEMS

27.1 DELEGATED DECISIONS

The Committee noted the delegated decisions.

27.2 APPEAL DECISION

The Committee noted the appeal decision for application number 22/00083/CLUE at 58 City Road, Beeston.