

PLANNING COMMITTEE

WEDNESDAY, 9 JULY 2025

Present: Councillor S P Jeremiah, Chair

Councillors: P A Smith (Vice-Chair)
D Bagshaw
L A Ball BEM
G Bunn
S J Carr
G Marshall
D D Pringle
H E Skinner
D K Watts
W Mee (Substitute) (Substitute for P J Bales)
J M Owen (Substitute) (Substitute for G S Hills)
S Webb (Substitute) (Substitute for R E Bofinger)

Apologies for absence were received from Councillors P J Bales, R E Bofinger and G S Hills.

The officers present were R Ayoub, R Dawson, S Heron, K Newton and K Tuck.

8 DECLARATIONS OF INTEREST

Councillor W Mee declared a non-registrable, prejudicial interest in item 7.1, as he had voiced an opinion on the application regarding the Blue Monkey Brewery site, which was for noting, the decision having been taken under delegated powers by officers. Minute number 13.1 refers.

Councillor G Marshall declared a non-pecuniary, non-registrable interest in item 5.2 as he had stood for election against one of the public speakers. Minute number 11.2 refers.

9 MINUTES

The minutes of the meeting on 11 June 2025 were confirmed and signed as a correct record, subject to a minor amendment.

10 NOTIFICATION OF LOBBYING

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

11 DEVELOPMENT CONTROL

11.1 25/00352/FUL

Garden At 55 Mansfield Road, Brinsley, Nottinghamshire, NG16 5AF
Construct detached single storey dwelling

Councillor E Williamson requested that this proposal come before Committee.

There were no late items.

Jason Bryant, on behalf of the applicant and Councillor E Williamson, Ward Member, made representation to the Committee prior to the general debate.

Having considered all of the evidence before them, the Committee commenced the debate. There was concern that the development would have an impact on the openness and amenity of the green belt without any Very Special Circumstances in support of the application being identified. As the debate progressed it was noted that the proposed development would be at the end of a run of houses and would not have a significant impact on the green belt. Comments from the Highway Department were noted.

RESOLVED that planning permission be approved.

RESOLVED that the precise wording of the approval and conditions, to include plans, time and materials, be delegated to the Chair of the Planning Committee in conjunction with the Assistant Director 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.**

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 and drawing numbered BR11A, received by the Local Planning Authority on 7 May 2025; drawing number BR13B received by the Local Planning Authority on 14 May 2025; and drawing number BR12B received by the Local Planning Authority on 15 May 2025.**

Reason: For the avoidance of doubt.

3. **Notwithstanding details provided, no above ground works shall be carried out until details of the manufacturer, type and colour of the bricks and tiles to be used in facing elevations and roof 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 Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014).

- 4. No above ground works shall be commenced until, details of a visibility splay, the extent of which should be informed by a speed survey, shall be submitted to and approved in writing by the Local Planning Authority. The details should include the extent of any removal of hedging along Mansfield Road. The development shall thereafter be carried out in accordance with the approved details prior to first occupation and retained for the lifetime of the development.**

Reason: In the interests of highway safety to accord with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

- 5. No development 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) 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, including to full extent of access**
 - (e) proposed lighting details**
 - (f) planting, seeding/turfing of other soft landscape areas**

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

Reasons: No such details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Local Plan Part 2 (2019) and Policy 10 of the Aligned Core Strategy (2014)

- 6. No above ground works shall be commenced until details of a scheme to deal with surface water run off has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: In the interests of minimising flood risk to nearby properties and in the interests of highway safety, in accordance with Policies 1 and 17 of the Broxtowe Part 2 Local Plan (2019).

- 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, outbuildings, roof additions, or porches shall be erected.**

Reason: In the interests of protecting the openness of the Green Belt in accordance with the aims of Policy 8 of the Broxtowe Local Plan Part 2 (2019) and Section 13 of the NPPF 2024.

- 8. 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 development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Local Plan Part 2 (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.**
- 2. 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.**
- 3. You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).**
- 4. As this permission relates to the creation of a new unit, please contact the Council's Street Naming and Numbering team: 3015snn@broxtowe.gov.uk to ensure an address is 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. Bins need to be presented at the edge of the adopted highway for emptying.**

11.2 24/00486/FUL

Change of use of land to outdoor children's recreation area (use class F2c) and associated works.

Land Adjacent High Park Cottages, Moorgreen, Newthorpe, Nottinghamshire

Councillor M Brown requested the application be brought before the Committee.

There was a late item proposing an amendment to condition 4 regarding opening times for the development.

Vicky Heath, the agent on behalf of the applicant and Patricia Morton, objecting, made representation to the Committee prior to the general debate.

The Committee gave consideration to all representations before it, with the debate covering biodiversity net gain, the impact on the access road and the lack of toilet facilities. There was concern that the suggested operating hours would mean that the noise from cars would have an impact on the amenity of neighbouring properties.

It was proposed by Councillor G Bunn and seconded by Councillor G Marshall that the hours of operation for the site in condition 4 be amended to 10am to 3pm Monday to Friday and 10am to 4pm Saturday and at no time on Sundays or Bank Holiday Mondays and other public holidays without the prior agreement in writing of the local Planning Authority. On being put to the meeting the motion was carried.

RESOLVED that planning permission, as amended, be granted subject to the following conditions:

- 1. The development hereby permitted shall be carried out in accordance with Site Location Plan – LP01 Rev C, Block Plan - BP01 Rev A1 and Rainwater Collection and Storage unit received by the Local Planning Authority 23 July 2024.**

Reason: For the avoidance of doubt.

- 2. Within 3 months from the date of this permission, full details of the attenuation basin and associated works shall be submitted to and approved in writing. The attenuation basin shall then be maintained in accordance with the approved details for the life of the development.**

Reason: To provide sufficient surface water management in accordance with Policy 1 of the Part 2 Local Plan 2019.

- 3. The use of the site shall be limited to the activities contained within Class F2c and for no other purpose (including any other purpose in Class F of the Schedule to the Town and Country (Use Class) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: To ensure the site is used in accordance with the terms of the application only and to protect the openness of the Green Belt in accordance with Policy 8 of the Broxtowe Part 2 Local Plan (2019).

- 4. The site shall not be used except between the hours of 10am -**

3pm Monday to Friday, 10am to 4pm Saturdays and at no time on Sundays, Bank Holidays and other public holidays without the prior agreement in writing of the Local Planning Authority.

Reason: To protect nearby residents from excessive operational development, in accordance with the aims of policy 17 of the 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 within the agreed determination timescale.**
- 2. The proposed development lies within an area that has been defined by the Mining Remediation 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 Mining Remediation 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 a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)
In areas where shallow coal seams are present caution should be

taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

3. It is strongly advised against having open fires (campfires, BBQ etc) on the ground at the site. The submitted report has highlighted that the made ground on site contains ash, clinker and coal fragments. Whilst no combustibility testing was carried out we would recommend that, as a precaution, open fires are not used at ground level.

11.3 25/00359/FUL

Construct single storey front and side extension
34 Town Street, Bramcote, NG9 3HH

The application was brought before the Committees at the request of Councillor D K Watts.

There were no late items.

Judith Mason, the applicant, made representation to the Committee prior to the general debate.

The Committee noted all of the representations before it and debated the item.

RESOLVED that planning permission be granted.

RESOLVED that the precise wording of the approval and conditions, to include plans, time, materials and comments from the Conservation Officer, be delegated to the Chair of the Planning Committee in conjunction with the Assistant Director 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.

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 (1:1250), Proposed Site Plan (1:200), Proposed Block Plan (1:200), Proposed Roof Plan, Proposed Elevations, Proposed Sections and Proposed Floor Plans received by the Local Planning Authority on 12 May 2025.

Reason: For the avoidance of doubt.

3. The proposed single storey front and side extension shall be constructed using the materials annotated on the application form received by the Local Planning Authority on 12 May 2025.

Reason: To ensure a satisfactory standard of external appearance 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).

4.
 - All new windows must not be stormproofed and cannot feature visible trickle vents
 - The new rooflight must be conservation profile and fitted flush to the roof plane
 - The window openings cannot feature soldier course lintels.
 - The verges and eaves of the new extension must not be cloaked
 - There must be no boiler flue, extractor outlet or other accretion installed on the gable end of the new extension facing onto Town Street

Reason: To safeguard the character and appearance of the conservation area in accordance with the Aims of Policy 11 of the Aligned Core Strategy (2014) and Policy 23 of the 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 thirteen week agreed determination timescale.
2. The proposed development lies within an area that has been defined by the Mining Remediation 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 Mining Remediation 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 a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

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Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation 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. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

3. You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

12 CONSULTATION RESPONSE

Consideration was given to the consultation response that had been prepared on behalf of the Committee. It was noted that there were no changes to what had been proposed and the Committee echoed the concerns of officers, in particular that the

changes were aimed at taking away local democracy, meaningful engagement and accountability.

At the request of Councillor G Marshall and Councillor G Bunn, the vote was recorded and the voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
D Bagshaw		
L A Ball BEM		
G Bunn		
S J Carr		
S Jeremiah		
G Marshall		
W Mee		
J M Owen		
D D Pringle		
H E Skinner		
P A Smith		
D K Watts		
S Webb		

RESOLVED that the response at the appendix be approved.

13 **INFORMATION ITEMS**

None received.

13.1 **DELEGATED DECISIONS**

The Committee noted the delegated decisions.

13.2 **APPEAL DECISIONS**

The Committee noted the appeal decisions.