

PLANNING COMMITTEE

WEDNESDAY, 1 SEPTEMBER 2021

Present: Councillor D K Watts, Chair

Councillors: J W McGrath (Vice-Chair)
D Bagshaw
L A Ball BEM
R I Jackson
G Marshall
P J Owen
S Paterson
R S Robinson
R D Willimott
L Fletcher (Substitute)
T Hallam (Substitute)

Apologies for absence were received from Councillors D Grindell, M Handley and D D Pringle.

22 **DECLARATIONS OF INTEREST**

Councillor S Patterson declared a non pecuniary interest in item 5.5 as she had been contacted regarding the application before becoming a member of the Committee. Minute number 25.5 refers.

23 **MINUTES**

The minutes of the meeting on 28 July 2021 were confirmed and signed as a correct record.

24 **NOTIFICATION OF LOBBYING**

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

25 DEVELOPMENT CONTROL

25.1 APPLICATION NUMBER 20/00891/FUL

Conversion of existing college building to student accommodation comprising 162 bedrooms including external alterations
Central College Nottingham, High Road, Chilwell, Nottinghamshire, NG9 4AH

This application was brought before the Committee having been deferred at the meeting on 7 July 2021.

There were a number of late items noted by the Committee including 21 objections to the application.

Mr Peter Briggs, objecting and Mr Tony Greaves, objecting, addressed the Committee prior to the general debate.

Before the debate began, the Committee received legal advice.

The debate included concerns regarding the lack of car parking spaces at the development, the possibility of cars being parked by residents from the development on already congested streets, the level of noise that would be created during building works and the possibility of disturbances and anti-social behaviour from students once they were resident. The changes to the application that had been made to increase the number of car parking spaces from 15 to 25 were noted, but were considered inadequate given the size of the development.

Discussion progressed on to the scale of the proposed development and how it would overlook neighbouring properties causing a loss of privacy and amenity. There was concern that the number of flats would mean that there would inevitably be negative impact on neighbours because of noise.

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

Reason

The development by virtue of its proximity to existing residential neighbours would result in a substantial level of noise and disturbance which would cause a significant loss of amenity. Furthermore, insufficient parking has been provided on site which would result in parking problems in the immediate area. Accordingly, the proposal is contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014), Policy 17 of the Part 2 Local Plan (2019) and the NPPF (2021).

25.2 APPLICATION NUMBER 21/00247/FUL

Change of use to convert garage and rear garden to be used as part of public house
Roots Micro Bar, 17 Nottingham Road, Kimberley, Nottinghamshire, NG16 2NB

This application had been brought to the Committee for consideration at the request of Councillor P J Owen.

There were no late items for the Committee to consider in conjunction with the application.

Mrs Tonia Bailey – Turner, objecting and Councillor M J Crow, Ward Member, addressed the meeting prior to the general debate.

Consideration was given to the impact a small increase to the size of the existing public house would have on traffic and neighbour amenity. There was a discussion about car parking, noise and the need for a site visit. It was noted that the public house was small and the additional outside space would not represent an impact greater than a neighbour having a gathering in their garden.

It was proposed by Councillor P J Owen and seconded by Councillor D K Watts that the item be deferred to allow a site visit to take place. On being put to the meeting the motion fell.

Recommendation

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 Proposed Elevations, Floor Plans and Block Plan 1: 500, JG/JH/16/017/01 received by the Local Planning Authority on 19 May 2021.**

Reason: For the avoidance of doubt.

- 3. The outside area shall not be used except between 12.00-22.30 hours Monday to Saturday and 12.00-22.00 hours 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 noise.

- 4. No sound reproduction or amplification equipment (including public address systems, loudspeakers, etc.) which is audible at the site boundary shall be installed or operated externally without prior written consent of the Local Planning Authority.**

Reason: To protect nearby residents from excessive operational noise.

5. No recorded, live music or amplified equipment shall be permitted externally without prior written consent of the Local Planning Authority.

Reason: To protect nearby residents from excessive operational noise.

NOTES TO APPLICANT

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within agreed determination timescale.**
- 2. As the area is under a Smoke control order any Multi-fuel or wood burning appliance installed should be an DEFRA approved appliance and installed in accordance with the current guidance and by a suitable accredited supplier.**
- 3. The applicant is advised to ensure all relevant licensing requirements are met and should contact the Council's licensing team licensing@broxtowe.gov.uk Tel: 0115 9173496.**

25.3 APPLICATION NUMBER 21/00349/FUL

Construct 3 storey building comprising 9 student apartments (Use Class C4)
The Raven Group, Ellis Grove, Beeston NG9 1EP

The application had been brought to the Committee by Councillor J C Patrick.

There were no late items to be considered in relation to the application.

Councillor J C Patrick, Ward Member, addressed the Committee prior to the general debate.

The debate focused on the congestion around Ellis Grove and the lack of parking spaces provided as part of the application. It was considered that the proposal was over-intensive for the site and that the increase in traffic and on-street parking would have a negative impact on neighbour amenity.

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

Reason

The proposed three storey building, which would comprise nine apartments in C4 Use Class, would represent an over-intensive form of development and additionally, by virtue of the lack of on-site parking, would have a detrimental impact on neighbour amenity. The development would be contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

25.4 APPLICATION NUMBER 20/00674/FUL

Construct 3 storey building to contain 6 houses of multiple occupancy (Class C4) and construct cycle store and bin store
Land to the rear of Methodist Church, Wollaton Road, Beeston, Nottinghamshire, NG9 2NG

The application was brought before Committee at the request of Councillor G Marshall.

There were two late items for the consideration of the Committee, one was an objection from a member of the public, the other was a plan that included amendments made following advice from the Highway Authority.

Mr Richard Hutchinson, applicant, addressed the Committee prior to the general debate.

The debate focused on the design of the proposal, the impact on neighbour amenity and the lack of car parking provision. It was noted that surrounding streets had resident's parking schemes, but that residents of the proposed development might simply park a number of streets away.

Consideration was given to neighbour amenity, specifically that of the properties on Wilkinson Street, where the proposed development was 90 centimetres from the boundary. There was concern that this would have a negative impact on the light and amenity of these neighbours.

RESOLVED that planning permission be refused for the following reasons:

- 1. The development, by virtue of its scale, massing and proximity to neighbouring boundaries fails to provide a suitable outlook for future occupants on the ground floor and therefore does not provide satisfactory living conditions or provide a satisfactory level of amenity.**
- 2. The development, by virtue of its scale, massing, height and proximity to the south east boundary would create a dominant and oppressive relationship with occupants on Wilkinson Avenue therefore resulting in a detrimental impact on their amenity and living conditions.**
- 3. The development, by virtue of its scale and massing, would create a building that dominates the Methodist Church to the detriment of its character. Furthermore, the contrasting traditional and contemporary design creates a scheme that has a juxtaposition of styles competing with one another to its detriment. Therefore, the scheme appears out of keeping with the Methodist Church and consequently would appear out of keeping within the street scene.**

Accordingly, the proposal is contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and the National Planning Policy Framework (2021).

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.**

25.5 APPLICATION NUMBER 21/00443/FUL

Retention of entrance gates, perimeter fencing, pathway and driveway retaining wall
Hill Top Farm Blake Road Stapleford NG9 7HP

The application was brought to the Committee at the request of Councillor D K Watts as the proposal was for minor development in the Green Belt.

An email outlining an objection to the development on the grounds that it prevented the movement of wildlife in to and out of wooded areas on the farm was considered by the Committee.

There were no public speakers on the application.

The Committee debated the development, with particular reference to design and appearance, as well as the impact of the fencing and gates on the openness and amenity of the Green Belt. It was considered that there were no very special circumstances for the development and that it had been built, without permission, in an area with special protections.

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

Reasons

The entrance gates and perimeter fencing, by virtue of their design, scale and location, are considered inappropriate development within the Green Belt and no Very Special Circumstances have been demonstrated, contrary to Policy 3 of the Broxtowe Aligned Core Strategy (2014), Policy 8 of the Broxtowe Part 2 Local Plan (2019) and Section 13 of the National Planning Policy Framework (2021).

26 INFORMATION ITEMS

26.1 APPEAL DECISION 19/00465/FUL

The appeal decision was noted.

26.2 DELEGATED DECISIONS

The delegated decisions were noted.