

PLANNING COMMITTEE
WEDNESDAY, 7 DECEMBER 2022

Present: Councillor D K Watts, Chair

Councillors: M Handley (Vice-Chair)
D Bagshaw
L A Ball BEM
R I Jackson
G Marshall
P J Owen
D D Pringle
H E Skinner
E Williamson
R D Willimott
T Hallam (Substitute)
C M Tideswell (Substitute)

Apologies for absence were received from Councillors S J Carr and S Paterson.

40 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

41 **MINUTES**

The minutes of the meeting on 2 November 2022 were confirmed and signed as a correct record.

42 **NOTIFICATION OF LOBBYING**

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

43 **DEVELOPMENT CONTROL**

43.1 **22/00228/FUL**

Demolish public house and construct five detached dwellings and associated parking
Gardeners Inn, Awsworth Lane, Cossall, Nottinghamshire NG16 2RZ

This application was originally brought to Committee on 7 September at the request of Councillor L A Ball BEM where it was deferred.

There were no late items to be considered.

Richard Hutchinson, applicant and Rob Bryant, objecting addressed the Committee prior to the general debate.

It was noted that the application had been deferred to allow the applicant time to submit a Coal Mining Risk Assessment and for the benefit of a community group looking to purchase the former public house. The Committee were informed that the Coal Mining Risk Assessment had been submitted.

The Committee noted that the Friends of the Gardner's had gathered support locally and were hoping to make an offer to buy the former public house. It was noted that these plans included a post office and a warm space for the community.

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

Reasons

Insufficient evidence to justify the loss of a community facility has been submitted to demonstrate that there is no longer a need for a public house in this location. The application is as such considered contrary to the aims of Policy 13 - Culture, Tourism and Sport of the Aligned Core Strategy Part 1 Local Plan 2014 and paragraph 93 (a) and (c) of the National Planning Policy Framework 2021 which seeks to protect community facilities and guard against the unnecessary loss of valued services.

43.2 22/00602/FUL

Demolition of existing buildings and erection of 60 dwellings including access and drainage infrastructure, substation, open space and great crested newt (GCN) mitigation (revised scheme)
Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire, NG9 3GJ

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

There were a number of late items for the Committee to consider including a minor amendment to the report, a number of clarifications and comments from partner agencies and an additional condition. These were noted prior to the debate.

Alan Staley, the applicant, addressed the Committee prior to the general debate.

The Committee noted that their previous objections to a similar proposal on this site were centred on development north of the railway line. It was stated that the section 106 agreement protected this site from development for a least thirty years, whilst it also had all the protections of being in the Green Belt. The debate progressed on to biodiversity net gain and spaces for wildlife, section 106 contributions for health and education and concerns about the open spaces being maintained by a management company.

There was concern that the railway could be accessed from the proposed development and it was requested that a condition be added to ensure that the boundary treatment was secure.

RESOLVED that the 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 and Country Planning Act 1990
- (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:

Received by the Local Planning Authority on 25 July 2022:

- Site Location Plan ref: M028-STN-XX-DR-M2-A-02 Rev A
- Twin Garage ref: M028-STE-XX-DR-M2-A-G_01 Rev A
- Single Garage ref: M028-STE-XX-DR-M2-A-G_02 Rev A
- Arboricultural Method Statement page 'Tree Retention Plan' ref: 9864-T-02 Rev H

Received by the Local Planning Authority on 3 November 2022:

- Refuse Tracking Layout ref: 13 Rev C

Received by the Local Planning Authority on 14 November 2022:

- Planning Layout with dimensions ref: M028-STN-XX-DR-M2-A-08 Rev C
- Planning Layout ref: M028-STN-XX-DR-M2-A-01 Rev AA
- Planning Layout (aerial) ref: M028-STN-XX-DR-M2-A-01 Rev AA
- Cross Sections ref: M028-STN-XX-DR-M2-A-05 Rev D
- Boundary Treatment Plan ref: M028-STN-XX-DR-M2-A-06 Rev G
- Access Track Details ref: M028-STN-XX-DR-M2-A-07 Rev D

Received by the Local Planning Authority on 15 November 2022:

- Street Scenes ref: M028-STN-XX-DR-M2-A-04 Rev G

Received by the Local Planning Authority on 16 November 2022:

- Planting Plan 09864-FPCR-XX-XX-DR-L-0001 rev P09

Received by the Local Planning Authority on 18 November 2022

- Broughton-M028-STN-BRO-DET-AS-PLUS-DR-A-01
- Coniston-M028-STN-CON-DET_AS-PLUS-DR-A-01
- Coniston-Weaver-Semi-M028-STN-CONWEA-SEMI-AS-PLUS-DR-A-01
- Coniston-Weaver-SEMI-M028-STN-CONWEA-SEMI-AS-PLUS-DR-A-02
- Darwell-M028-STN-DAR-semi-AS-REN-DR-A-01
- Darwell-M028-STN-DAR-semi-AS-REN-DR-A_02
- Harland-M028-STN-HAR-semi-AS-PLUS-DR-A-01
- Harland-M028-STN-HAR-semi-AS-PLUS-DR-A-03
- Harland-M028-STN-HAR-Ter-AS-PLUS-DR-A-02
- Harland-M028-STN-HAR-Ter-AS-PLUS-DR-A-04
- Kentmere-M028-STN-KEN-Semi-AS-Plus-DR-A-01
- Kentmere-M028-STN-KEN-Semi-AS-Plus-DR-A-02
- Killington-M028-STN-KIL-DET-AS-STA-DR-A-01
- Leadmill-M028-STN-LEA-APA-AS-PLUS-DR-A-01
- Leadmill M028-STN-LEA-APA-AS-PLUS-DR-A-02
- Oldbury M028-STN-OLD-DET-AS-REN-DR-A-01
- Roundhill M028-STN-ROU-SEMI-AS-PLUS-DR-A-01 Rev A
- Roundhill M028-STN-ROU-SEMI-AS-PLUS-DR-A-02 Rev A
- Sherbourne-M028-STN-SHE-DET-AS-PLUS-DR-A-01
- Sherbourne-M028-STN-SHE-DET-AS-Ren-DR-A-01
- Stanford-M028-STN-STA-END-AS-STA-DR-A-01
- Stanford-M028-STN-STA-END-AS-STA-DR-A-02
- Thirlmere-M028-STN-THI-DET-AS-REN-DR-A-01
- Thirlmere-M028-STN-THI-DET-AS-STA-DR-A-01
- Weaver – M028-STN-WEA-DET-AS-PLUS-DR-A-01
- Weaver – M028-STN-WEA-DET-AS-REN-DR-A-01
- Whitewater M028-STN-WHI-DET-AS-PLUS-DR-A-01

Received by the Local Planning Authority on 22 November 2022:

- Materials Plan ref: M028-STN-XX-DR-M2-A-03 Rev L

Reason: For the avoidance of doubt.

3. No development shall commence until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The CMS shall be adhered to throughout the construction period. The CMS shall provide for:
 - (a) site access for construction vehicles
 - (b) the parking of vehicles of site operatives and visitors
 - (c) loading and unloading of plant and materials
 - (d) storage of plant and materials used in constructing the development
 - (e) the erection and maintenance of security hoarding including

- decorative displays and facilities for public viewing, where appropriate
- (f) wheel washing facilities
 - (g) measures to control the emission of dust and dirt during construction
 - (h) agreed construction hours
 - (i) communication strategy for recording, investigation and dealing with complaints with a suitable point of contact

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 highway safety, to minimise disturbance to neighbour amenity and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

4. No development shall commence until remedial stabilisation works to address land instability arising from shallow coal mining legacy have been carried out in full in order to ensure that the site is made safe and stable for the development proposed. The remedial works shall be carried out in accordance with authoritative UK guidance

Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the completion of the remedial works and any mitigation measures necessary to address the risks posed by past coal mining activity.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigation measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

5. No development 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

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 shall commence until evidence has been provided to demonstrate that an application to reduce the speed limit along Coventry Lane to 40mph has been made.

Reason: No such details were provided and the development cannot proceed satisfactorily without such details being provided before development commences in the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).

7. a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.
- b) 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: To ensure that the development does not contribute to, or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution and in accordance with the aims of Policies 1 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy of the Broxtowe Aligned Core Strategy (2014).

8. Development shall not commence until a Construction Methodology Statement has been submitted to and approved in writing by the Local Planning Authority. The construction methodology statement shall evidence consultation with Network Rail. The development shall be carried out in strict accordance with the approved construction methodology statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the operations of the railway 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).

9. Development shall not commence until details of a suitable trespass proof fence, including details of the gated access, adjacent to Network Rail's boundary have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the operations of the railway 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).

10. No building to be erected pursuant to this permission shall be occupied or brought into use until:-

a) All necessary remedial measures stated within condition 8 have been completed in accordance with details approved in writing by the local planning authority; and

b) A verification report based on the information provided in accordance with condition 8 has been submitted and agreed in writing by the Local Planning Authority that demonstrates that the 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: In the interest of public health and safety 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).

11. No buildings pursuant to this permission shall be first occupied until:

- the off-site highway works as shown for indicative purposes on drawing S278 104 Rev B, S278 103 Rev B, S278 102 Rev B, S278 101 Rev B, S278 100 Rev E have been provided and;
- respective driveways are drained to prevent the discharge of surface water from the driveway 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 interests of highway safety, and in accordance with the aims of aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).

12. Prior to the occupation of the first dwelling hereby approved, the ecological mitigation and enhancements shown on drawing 9864-E-09 received by the Local Planning Authority on 11 November 2022 shall be completed in full.

Reason: In the interests of residential amenity and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).

13. Prior to the occupation of the first dwelling hereby approved, details of site boundary treatments, curtilage boundary treatments, seating and bin stores have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until its own boundary treatment has been erected in accordance with the agreed details.

Reason: In the interests of residential amenity, railway safety 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).

14. Prior to the occupation of the first dwelling hereby approved, details of any external lighting should be submitted to and approved in writing by the Local Planning Authority. The development should be built in accordance with the approved details.

Reason: To safeguard the operations of the railway and in accordance with the aims and in accordance with the aims of Policies 17 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

15. Prior to the occupation of the first dwelling hereby approved, the mitigation measures in respect of fenestration on pages 19-22 of the Noise Risk Assessment & Acoustic Design Statement dated 8 July 2022 received by the Local Planning Authority on 23 August 2022 shall be completed in full.

Reason: In the interests of residential amenity and in accordance with the aims of Policies 17 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

16. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment & Drainage Strategy dated July 2022 received by the Local Planning Authority on 25 July 2022.

Reason: To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).

17. The development hereby permitted shall be carried out in accordance with the 'Tree Protection Measures' in Section 7.0 of the Arboricultural Assessment Rev F by FPCR dated July 2022.

Reason: In the interests of ecology and in accordance with the aims of the NPPF, Policies 17 & 31 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 & 17 of the Broxtowe Aligned Core Strategy (2014).

18. If any trees or plants within the approved landscaping scheme, die or are removed or have become seriously damaged or diseased, within a period of 5 years, 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: In the interests of ecology and in accordance with the aims of the NPPF, Policies 17 and 31 of the Broxtowe Part 2 Local Plan (2019) and Policies 10 and 17 of the Broxtowe Aligned Core Strategy (2014).

19. If no development has commenced within 12 months of the date of this planning permission, no development shall take place until a badger survey has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with any recommendations contained within the updated survey.

Reason: To minimise the impact of the development on protected species within the site and in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).

20. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. For areas where penetrative foundations are permitted, a methodology for reducing noise and vibration impact on neighbouring buildings and residents shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the piling activity. The activity shall be carried out in accordance with the approved details.

Reason: To protect groundwater from contamination and nearby buildings and residents from noise and vibration, in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).

21. No infiltration of surface water drainage into the ground via SUDS or soakaway on land affected by contamination is permitted without the consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect groundwater from contamination and in accordance with the aims of Policies 1 & 19 of the Broxtowe Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).

22. If development has not commenced on site by 1 April 2023, a further bat survey is required to be carried out on Tree 7 (T7) and submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the mitigation measures if any are required.

Reason: To ensure the protection of bat species on site and in accordance with Policy 31 of Part 2 Local Plan (2019) and Policy 17 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. 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. 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.
4. Burning of commercial waste is a prosecutable offence. All waste should be removed by an appropriately licensed carrier.
5. In order to carry out off-site works, 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. The applicant is advised to contact the County Council Highways team for details on hdc.south@nottsc.gov.uk
6. 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 of the 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.
7. The Highway Authority considers it prudent that as part of the proposed off-site highway works, a Traffic Regulation Order is undertaken to provide a safer highway environment. The Order can be made on behalf of the developer by Via East Midlands at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0115 804 2100 for details.
8. Vegetation clearance should be avoided during the bird breeding season of March-August inclusive.
9. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the buildings.
10. The applicant is advised to contact Network Rail prior to commencing any works on land adjacent to the railway line, email:

11. All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.
12. Excavated materials that are recovered via a treatment operation can be re-used on-site under the Development Industry Code of Practice. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. You should refer to the Environment Agency's Position statement on the Definition of Waste: Development Industry Code of Practice and <https://www.gov.uk/government/organisations/environmentagency>
13. Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. It is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: <https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-onyour-property>
14. Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
 - Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2010

The Waste (England and Wales) Regulations 2011

15. 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 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.

43.3 20/00826/FUL

Construct 240 Dwellings including Estate Roads, Public Open Space and Drainage Land at end of Braemar Avenue, Eastwood, Nottinghamshire

This application was brought to the Committee upon the request of Councillor M Handley and Councillor M Radulovic MBE.

There was a late item comprised of very detailed written answers from the Environmental Health Officer regarding the levels of contamination on the site, risks to construction workers, the bentonite curtain wall and the vent trench.

Matt Smith, the applicant, Richard Dale, objecting, Ron Jones, objecting, Councillor Linsey Ellis, Ward Member, Councillor M Brown, Ward Member and Councillor Milan Radulovic MBE, Ward Member, addressed the Committee prior to the general debate.

There was a long debate, which began with the noting of grave concerns regarding the contamination of the site, the possibility of a public inquiry, the results of the hydrorock report, the unknown nature of what was accepted into the tip and the likelihood that the tip had not been correctly capped. It was noted that permitted development rights were to be removed from the proposed properties. It was also noted that the tip site was larger than previously thought. There was concern at the suggestion that a bentonite wall would be economically unfeasible and that the development would cause an unacceptable level of pollution.

Debate moved on to the depth to which services were to be built and whether this would breach coal seams, the possibility of gas migration impacting on the amenity of existing residents and how any failures at the construction stage could have catastrophic consequences. It was stated that this site was not allocated in the Local Plan.

It was also noted that there was one narrow entrance and exit to the site and this was felt to be inadequate for the large number of homes that were proposed.

It was proposed by Councillor M Handley and seconded by Councillor R D Willimott that the vote be recorded. The votes were cast as follows:

For	Against	Abstention
	D Bagshaw	
	L A Ball BEM	
	T Hallam	
	M Handley	
	R I Jackson	
	G Marshall	
	P J Owen	
	D D Pringle	
	H E Skinner	
	C Tideswell	
	D K Watts	
	E Williamson	
	R D Willimott	

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

Reasons

Due to the close proximity of the application site to a former landfill site containing unknown levels of contamination, the proposal is considered to provide insufficient protection for future residents of the development, adversely impacting on the character of the area. Furthermore, there is insufficient evidence the mitigation measures proposed are adequate enough to ensure the development of the land will not pose a risk to human health and safety. As such, the proposal is considered to be contrary to Policy 19 of the Part 2 Local Plan 2019 and Part 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework (NPPF) 2019.

43.4 21/00672/REM

Construct 397 dwellings (reserved matters relating to reference 14/00515/OUT – plots R1 to R11 inclusive and plots G2, 3 and 4 only)
Boots Campus, Beeston, Nottinghamshire

The application was brought to the Committee because it was reserved matters application for a large major residential development.

There were late items in the form of a written statement from the agent and a note from the Council's Housing Officer.

Emily Christie, on behalf of the applicant, addressed the Committee prior to the general debate.

There was interest in how the modular build housing as proposed was to be constructed, bat and bird boxes and whether the site could be made greener. It was noted that there were to be an average of 1.7 parking spaces per dwelling and there was a debate as to whether this was adequate. It was also noted that most of the highways were to be adopted, with just the shared driveways to be maintained by the management company.

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

1. The development to which this approval relates shall be begun no later than the expiration of 2 years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended.

2. This permission shall be read in accordance with the following plans:

Received by the Local Planning Authority on 30.07.21:

- 0104 Proposed First Floor Site Plan (1 of 3) rev C
- 0105 Proposed First Floor Site Plan (2 of 3) rev C
- 0106 Proposed First Floor Site Plan (3 of 3) rev C
- 0107 Proposed Second Floor Site Plan (1 of 3) rev C
- 0108 Proposed Second Floor Site Plan (2 of 3) rev C
- 0109 Proposed Second Floor Site Plan (3 of 3) rev C

- 0110 Proposed Third Floor Site Plan (1 of 3) rev C
- 0111 Proposed Third Floor Site Plan (2 of 3) rev C
- 0112 Proposed Third Floor Site Plan (3 of 3) rev C
- 0113 Proposed Roof Plan (1 of 3) rev C
- 0114 Proposed Roof Plan (2 of 3) rev C
- 0115 Proposed Roof Plan (3 of 3) rev C

Received by the Local Planning Authority on 27.06.22:

- 0001 Site Location Plan rev B
- 0050 Site Constraints Plan rev C
- 0150 Proposed Street Elevations (1 of 4) rev F
- 0151 Proposed Street Elevations (2 of 4) rev D
- 0152 Proposed Street Elevations (3 of 4) rev D
- 0153 Proposed Street Elevations (4 of 4) rev E
- 0201 Proposed Block Plan – Block 1 First Floor – Roof Plan rev D
- 0230 Block Section rev A
- 0231 Block Stair and Entrance Study rev A
- 0300 Proposed Unit Plans – Holt rev D
- 0301 Proposed Unit Plans – Dalby rev D
- 0302 Proposed Unit Plans – Weston semi rev D
- 0303 Proposed Unit Plans – Weston detached rev D
- 0304 Proposed Unit Plans – Dallington rev D
- 0305 Proposed Unit Plans – Rockingham rev D
- 0307 Proposed Unit Plans Delamare rev D
- 0310 1b2p Flat Type 1 B rev B
- 0311 1b2p Flat Type 2 B rev B
- 0312 1b2p Flat Type 3 B rev B
- 0316 2b4p Flat Type 1 B rev B
- 0317 2b4p Flat Type 2 B rev B
- 0318 2b4p Flat Type 3 B rev B
- 0319 2b4p Flat Type 4 B rev B
- 0320 Proposed Unit Elevations Holt rev D
- 0321 Proposed Unit Elevations Holt rev D
- 0322 Proposed Unit Elevations Holt rev C
- 0330 Proposed Unit Elevations Dalby rev D
- 0331 Proposed Unit Elevations Dalby rev D
- 0332 Proposed Unit Elevations Dalby rev C
- 0340 Proposed Unit Elevations Weston rev D
- 0341 Proposed Unit Elevations Weston rev C
- 0342 Proposed Unit Elevations Weston rev C
- 0343 Proposed Unit Elevations Weston rev E
- 0344 Proposed Unit Elevations Weston rev E
- 0345 Proposed Unit Elevations Weston rev B
- 0350 Proposed Unit Elevations Dallington rev D
- 0351 Proposed Unit Elevations Dallington rev D
- 0352 Proposed Unit Elevations Dallington rev D
- 0360 Proposed Unit Elevations Rockingham rev E
- 0361 Proposed Unit Elevations Rockingham rev E
- 0370 Proposed Unit Elevations Delamere rev E

- 0371 Proposed Unit Elevations Delamere rev D
- 0001 Schedule of Accommodation rev B
- 0002 Material Schedule rev B
- 0003 Schedule of Accommodation plot by plot rev B

Received by the Local Planning Authority on 30.06.22:

- 0930 Site Sections rev C
- 0931 Site Sections rev C

Received by the Local Planning Authority on 01.07.22:

- 2910 Soft Landscape Schedule rev A
- 2911 Maintenance Schedule rev A

Received by the Local Planning Authority on 11.10.22:

- 0100 Proposed site layout rev P
- 0101 Proposed Ground Floor Site Plan (1 of 3) rev B
- 0102 Proposed Ground Floor Site Plan (2 of 3) rev B
- 0103 Proposed Ground Floor Site Plan (3 of 3) rev B
- 0120 Proposed Access rev F
- 0121 Proposed elevation Materials rev D
- 0122 Proposed Refuse Strategy rev A
- 0123 Proposed Adoption Strategy rev A
- 0125 Proposed Bike Storage rev A
- 0126 Proposed Parking Strategy rev A
- 0200 Proposed Block Plan – Block 1 – Ground Floor rev F
- 0390 Proposed Block Elevations - Block 1 rev B
- 0900 Illustrative Landscape Masterplan rev E
- 0901 Landscape General Arrangement 1 of 2 rev E
- 0902 Landscape General Arrangement 2 of 2 rev E
- 0910 Landscape General Arrangement Planting Plan 1 of 2 rev D
- 0911 Landscape General Arrangement Planting Plan 1 of 2 rev D

Received by the Local Planning Authority on 09.11.22:

- 6104 Proposed Plot and Garden Cross Sections rev P02
- 0932 Site Sections 1 of 2
- 0933 Site Sections 2 of 2

Reason: For the avoidance of doubt.

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 associated S106 Agreement and all relevant conditions on the outline permission (14/00515/OUT) must be complied with.
3. 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.

43.5 22/00295/FUL

Installation of two lane cricket practice net facility to north west of the cricket ground Cricket Pavilion and Sports Ground, Greenhills Road, Eastwood, Nottinghamshire, NG16 3FT

This application is brought to the Committee as the Council is the landowner.

There were no late items and no public speakers.

Discussions were had about the proposed development.

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 Site Location Plan 1: 1250, Elevations and Perspective Views and Details received by the Local Planning Authority on 17 June 2022 and Proposed Block Plan 1: 500 received by the Local Planning Authority on 14 July 2022.

Reason: For the avoidance of doubt.

3. The proposed cricket nets shall not be used except between 08.30-20.00 hours Monday to 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, in accordance with Policy 19 of the Part 2 Local Plan (2019).

4. No construction or site preparation work in association with this permission shall be undertaken outside of 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, in accordance with Policy 19 of the Part 2 Local Plan (2019).

5. No lighting/floodlighting shall be installed or operated in association

with this permission

Reason: To protect nearby occupants from excessive light nuisance, in accordance with Policy 19 of the Part 2 Local Plan (2019).

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 a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

43.6 21/00242/ENF

Unauthorised air extraction units

Bistro 66 (formerly The Circle), 66 High Road, Beeston, Nottingham

This matter was brought before Committee by Councillor D K Watts.

There were no late items and no public speakers.

The Committee discussed the air extraction units, with particular reference to their having been no further complaints since their initial construction.

It was proposed by Councillor H E Skinner and seconded by Councillor G Marshall that the enforcement case be kept open and reviewed in one year so that if there were any further complaints the case for enforcement could be brought back to Committee. On being put to the meeting the motion was passed.

RESOLVED that the enforcement case be kept open and reviewed in one year so that if there were any further complaints the case for enforcement could be brought back to Committee.

44 INFORMATION ITEMS

44.1 APPEAL DECISION 21/00856/FUL

The appeal decision was noted.

44.2 DELEGATED DECISIONS

The delegated decisions were noted.