

PLANNING COMMITTEE
WEDNESDAY, 6 OCTOBER 2021

Present: Councillor D K Watts, Chair

Councillors: J W McGrath
D Bagshaw
D Grindell
R I Jackson
G Marshall
P J Owen
S Paterson
D D Pringle
R S Robinson
R D Willimott
J M Owen (Substitute)

Apologies for absence were received from Councillors L A Ball BEM and M Handley.

27 **DECLARATIONS OF INTEREST**

Councillor D K Watts declared a non-pecuniary interest in item 5.2 as he was acquainted with one of the objectors to the application. Minute number 30.2 refers.

Councillor J W McGrath declared a non-pecuniary interest, clarifying that he was in no way related to the applicant for item 5.4, though they shared a surname. He added that he was acquainted with him, however, through being in the pub trade. Minute number 30.4.

28 **MINUTES**

The minutes of the meeting on 1 September 2021 were confirmed and signed as a correct record.

29 **NOTIFICATION OF LOBBYING**

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

30 DEVELOPMENT CONTROL

30.1 21/00254/FUL

Construct multi use games area facility including fencing
Awsworth Junior and Infant School, The Lane, Awsworth, Nottinghamshire, NG16 2QS

This application was brought before the Committee, having been deferred on 7 July 2021. This was to allow the applicant to consider relocating the proposed site for the multi-use games area (MUGA).

There was a late item comprised of an email from Awsworth Parish Council, which was considered by the Committee.

Warren Sanderson, objecting, addressed the Committee prior to the general debate.

The debate followed and the points considered were the noise nuisance that could be caused to neighbours to the school, the lack of engagement of the school with the local community and the flooding problems that Awsworth experiences. Consideration was also given to the fact that this was of benefit to the children of Awsworth and that the Committee wanted the development to progress, but not in the proposed location.

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 MUGA, by virtue of its position within the site, would result in a detriment to neighbour amenity as a result of noise and disturbance, contrary to Policy 10 of the Broxtowe Aligned Core Strategy and Policy 17 of the Broxtowe Part 2 Local Plan.

30.2 21/00328/FUL

Construct two storey and single storey extensions, including new roof, gated access, patio and external alterations (revised scheme)
9 Glebe Street, Beeston, Nottinghamshire, NG9 1BZ

Councillor J C Patrick had requested that this application be brought before Committee for determination.

Prior to the debate the Committee noted a late item comprised of an email objecting to the application.

Tom Baker, applicant, Ian Wilding, objecting and Councillor J C Patrick, Ward Member, addressed the Committee prior to the general debate.

It was noted that this scheme sought to revise a permission that was granted in April 2020.

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 drawings:

Received by the Local Planning Authority on 7 September 2021:

- 003 Rev K
- 007 Rev C

Received by the Local Planning Authority on 21 September 2021:

- 005 Rev K
- 004 Rev R

Reason: For the avoidance of doubt.

3. No building operations shall take place until details and/or samples of the proposed external materials (including the gate and piers) have been submitted to and approved in writing by the Local Planning Authority and the development shall be constructed in accordance with the agreed details.

Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure that the details are satisfactory in the interests of external appearance in this conservation area location and in accordance with the aims of Policies 10 and 11 of the Aligned Core Strategy (2014) and Policies 17 and 23 of the Part 2 Local Plan (2019).

4. The erection of fencing for the protection of the boundary hedging shall be undertaken, in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority, before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning

Authority.

Reason: No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing to ensure the boundary hedging is protected in the interests of the character and appearance of the conservation area and in accordance with the aims of Policies 10 and 11 of the Aligned Core Strategy (2014) and Policies 17 and 23 of the Part 2 Local Plan (2019).

5. The proposed Elm Avenue driveway shall not be brought into use until a dropped vehicular footway crossing has been constructed in accordance with the Highway Authority specification and is available for use. The driveway shall be surfaced in a suitable hard bound material (not loose aggregate) for a minimum of 5.5m behind the highway boundary and drainage installed so as to prevent surface water therefrom discharging onto the public highway. The driveway shall then be maintained as such for the lifetime of the development.

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

6. The two first floor windows in the north east (side) elevation serving the dressing and utility rooms shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and retained in this form for the lifetime of the development.

Reason: In the interests of neighbour amenity and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe 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. The proposal makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

Having declared an interest, Councillor D K Watts left the meeting for the item and did not vote thereon. Councillor J W McGrath, the Vice Chair, took the Chair for the duration of the item.

30.3 21/00101/FUL

Construct dwelling

Land Adjacent to 3 Edinboro Row, Kimberley, Nottinghamshire, NG16 2JD

The item was called before Committee by Councillor R S Robinson.

There were no late items.

David Baker, applicant, addressed the Committee prior to the general debate.

There were concerns regarding traffic generation at the access point to the proposed development and that the size of the bungalow was too large for the land. However, it was considered that the applicant had reduced the size of the original proposal significantly and that the impact of one dwelling would not cause a substantial increase in traffic.

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 Location Plan, Block Plan, Elevations and Floor Plans, RS/DB/16/11/01d received by the Local Planning Authority on 06 August 2021.

Reason: For the avoidance of doubt.

3. The bathroom window on the south elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority), and non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed and retained in this form for the lifetime of the development.

Reason: 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).

4. No building operations shall be carried out above ground level until details of the materials to be used in the external elevations and roof of the hereby approved dwelling 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: No such 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 Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

5. The new dwelling hereby approved shall not be first occupied unless the driveway and parking areas has been provided and surfaced in a hard bound material. The driveway and parking areas shall thereafter be drained to prevent the unregulated discharge of surface water onto the public highway.

Reason: In the interests of highway safety to ensure adequate drainage and to prevent loose material being carried onto the highway and to ensure adequate parking and turning areas are retained.

6. Notwithstanding the provisions of Schedule 2, Part 1 Classes A-E of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification) there shall be development carried out on the building or within the site falling within Classes A to E without the prior written approval of the Local Planning Authority.

Reason: In the interests of the amenity of the area and to comply with Policy 17 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 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

30.4 21/00626/ROC

Variation of condition 3 of planning ref: 20/00326/FUL (to extend the hours that live and recorded entertainment involving amplified music and/or speech or regulated entertainment can be permitted in the internal marquee to a maximum of 3 sessions per calendar week and to between the hours of 12 noon - 22.00 daily and for each session to be limited to a duration of 3 hours inclusive of any breaks per session)

Star Inn, 22 Middle Street, Beeston, Notts NG9 1FX

The application was brought before Committee as the hours set out in the restrictive condition were modified by Committee at the meeting of 9 September 2020.

There were no late items and no public speakers.

The main points of the debate were concerns for families with properties neighbouring the pub who would be affected by the noise generated by the proposal and the need to support well run public houses in creating a vibrant night time economy, particularly after the impact of the COVID-19 pandemic.

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

1. The development hereby permitted shall be retained/carried out in accordance with the Site Location Plan, received by the Local Planning Authority on 27.05.20, proposed layouts JG/DM/13/038/10 received by the Local Planning Authority on 17.06.20, proposed elevations JG/DM/13/038/30 rev B received by the Local Planning Authority on 23.06.20 and proposed block plan JG/DM/13/038/40 rev D received by the Local Planning Authority on 26.08.20.

Reason: For the avoidance of doubt.

2. Any performance of live and recorded entertainment involving amplified music and/or speech or regulated entertainment shall only be permitted in the internal marquee area and shall be limited to a maximum of 3 sessions per calendar week. Such sessions shall only take place between 12.00 noon – 22.00 hours daily and each session shall be limited to a maximum duration of 3 hours, inclusive of any breaks, per session.

Reason: To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the Broxtowe Part 2 Local Plan (2019).

3. The external bar servery shall not be open for the serving of customers outside of the hours of 12.00 noon to 22.00 hours daily.

Reason: To protect immediate residents from excessive operational noise, in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 19 of the

Broxtowe 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 granting of planning permission and associated conditions does not pre-empt any formal action under Statutory Nuisance or Nuisance legislation being taken against the applicant by the Council.**
3. **All doors and windows shall be maintained in good order and kept closed during events in order to minimise noise breakout.**

30.5 21/00601/FUL

Removal of existing Telefonica lattice mast and six antennas and replace with a 25m slimline monopole with twelve antennas and associated equipment

Masts, Blake Road, Stapleford

The application was brought before Committee at the request of Councillor D K Watts as the site was within the Green Belt.

There were no late items and no public speakers pertaining to the application.

During the debate it was considered that the site is well screened and that the adding three metres to the mast will not have a detrimental impact on the openness or amenity of the Green Belt.

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 and drawings numbered 201 rev A and 301 rev A, received by the Local Planning Authority on 13.07.21.**

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.

31 INFORMATION ITEMS

31.1 Delegated Decisions

The Committee noted the delegated decisions.