

## **PLANNING COMMITTEE**

**WEDNESDAY, 3 NOVEMBER 2021**

Present: Councillor D K Watts, Chair

Councillors: J W McGrath  
D Bagshaw  
L A Ball BEM  
D Grindell  
M Handley  
R I Jackson  
G Marshall  
P J Owen  
S Paterson  
D D Pringle  
T Hallam (Substitute)  
J M Owen (Substitute)

Apologies for absence were received from Councillors R S Robinson and R D Willimott.

### 32 **DECLARATIONS OF INTEREST**

Councillors J W McGrath, P J Owen, and R I Jackson declared a non pecuniary interest in item 5.1 as they were Nottinghamshire County Councillors and Nottinghamshire County Council was the owner of the land proposed for development. Minute number 35.1 refers.

Councillor J W McGrath also declared a non pecuniary interest in item 5.2 as he had been acquainted with the architect for the project at school. Minute number 35.2 refers.

### 33 **MINUTES**

The minutes of the meeting on 6 October 2021 were confirmed and signed as a correct record.

### 34 **NOTIFICATION OF LOBBYING**

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

35 DEVELOPMENT CONTROL

35.1 20/00844/OUT

Outline planning application with all matters reserved to construct up to 110 dwellings with access from Lynncroft

Former site of Lynncroft Primary School, Garden Road, Eastwood NG16 3FZ

The application was brought before Committee because it was a major development.

There were a number of late items considered by the Committee including emails opposing the application because of flooding and comments from the Parks and Green Spaces Manager regarding the use of management companies to maintain the green spaces for the proposed development.

Neil Gamble, on behalf of the applicant, addressed the Committee prior to the general debate.

The Committee debated the proposal, specifically the promise that all homes on the would have off street parking, which some did not, the problems with flooding in the area and the access to the site. It was also noted that this development should be seen as an opportunity to have all homes on Garden Road connected to the mains water.

The Committee went on to discuss the high volume of traffic that would be caused to go along Lynncroft. This was a concern as the road was heavily double parked.

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

- 1. Application for the approval of any reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this outline permission.**

***Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.***

- 2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

***Reason: In accordance with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.***

- 3. This outline permission relates to the Site Location Plan received by the Local Planning Authority on 03.12.20.**

***Reason: For the avoidance of doubt.***

- 4. Before any development is commenced detailed drawings and particulars**

showing the following (the 'Reserved Matters') shall be submitted to and approved by the Local Planning Authority:

- a) the scale, layout and external appearance of the dwellings;
- b) the means of access and parking provision within the site; and
- c) the landscaping treatment of the site.

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

*Reason: The application was submitted in outline only and to ensure that the details of the development are acceptable to the Local Planning Authority.*

5. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

*Reason: To ensure that the development does not increase the risk of flooding to the site or to flood risk off the site, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).*

6. No part of the development hereby approved shall commence until details of a management and maintenance scheme in respect of any SuDS on site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.

*Reason: To ensure that the development does not increase the risk of flooding to the site or to flood risk off the site, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).*

7. No part of the development hereby approved shall commence until details of an investigative survey of the site have been submitted to and approved in writing by the Local Planning Authority. The investigative survey must have regard for ground and water contamination, the

potential for gas emissions and any associated risk to the public, buildings and/or the environment. Thereafter, no building pursuant to this permission shall be occupied or otherwise be 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: In the interests of public health and safety, in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019).*

8. No part of the development hereby approved shall commence until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include measures to prevent the spread of any invasive species found on the site. The CEMP shall be carried out in accordance with the approved details.

*Reason: In the interests of ensuring that the development does not result in harm to the biodiversity value of the site, 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).*

9. No part of the development hereby approved shall commence until a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of ecological enhancements, wildlife boxes, maintenance schedule, bat roost and bird nest boxes, and external lighting.

*Reason: In the interests of ensuring that a biodiversity gain can be achieved, 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).*

10. No part of the development hereby approved shall commence until cross sections through the site, including the existing dwellings adjacent, have been submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of residential amenity 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).*

11. No part of the development, including demolition, hereby approved shall be commenced until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

- a) The parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in the construction of the development
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- e) Wheel washing facilities
- f) Measures to control the emission of dust and dirt during construction
- g) A scheme for recycling/disposal of waste resulting from demolition and construction works
- h) A risk assessment in relation to the railway.

The development shall be carried out in accordance with the approved details.

*Reason: In the interests of highway safety, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019).*

12. No above ground works shall commence until details of Electric Vehicle Charging points including quantity and location have been submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of promoting the use of sustainable modes of transport in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).*

13. No dwelling hereby approved shall be occupied until the access road and any communal parking / turning areas pertinent to that dwelling have been completed and made available for use.

*Reason: To ensure a satisfactory standard of external appearance and in the interests of highway safety, 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).*

14. No dwelling hereby approved shall be occupied until the boundary treatments and in curtilage parking pertinent to that dwelling have been provided.

*Reason: To ensure a satisfactory standard of external appearance and in the interests of highway safety, 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).*

15. The detailed drawings and particulars required under condition 4(c) shall include the following details:

- a) trees 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 for all areas including all public Rights of Way;
- e) planting, seeding/turfing of other soft landscape areas; and
- f) details of a management and maintenance scheme including a timetable for implementation of the scheme.

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

*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 development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).*

16. The development shall be carried out in accordance with the recommendations contained within the Ecological Impact Assessment dated November 2020, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of ensuring that a biodiversity gain can be achieved, 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).*

17. The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy dated 05.03.21, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that the development does not increase the risk of flooding to the site or to flood risk off the site, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).*

18. The development shall be carried out in accordance with the Travel Plan dated June 2021, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of promoting the use of sustainable modes of transport in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 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. **Given the proximity of residential properties, it is advised 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.**
3. **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.**

### 35.2 20/00687/FUL

Construct 22 dwellings

Land south of 50 Pinfold Road, Newthorpe, Nottinghamshire, NG16 2FT

This application was called before Committee by Councillor M Handley.

The Committee considered the late item comprised of an email regarding flooding.

Keith Baker, objecting and Clive Bennetts, objecting, addressed the Committee prior to the general debate.

The Committee gave consideration to all representations and the debate that followed focused on the increase in the existing planning permission for 15 dwelling to 22 in the proposal being too much for the site. There was also concern regarding the impact on neighbour amenity on Baldwin Street as these properties were bungalows.

The debate progressed to the concerns raised by the highway authority regarding the roads on the development not be of a standard to be adopted. There was a discussion about the safety of pedestrians, the installation and maintenance of street lighting and the issues with management companies. There were also concerns about the layout of the proposed development.

**RESOLVED, unanimously, 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.**

#### Refusal wording

The proposal constitutes an over intensive development of the site and by virtue of the close proximity and single storey nature of the dwellings located on Baldwin Street, the proposal would lead to overbearing, overshadowing and overlooking issues upon the immediate neighbouring properties located on Baldwin Street, to the detriment of their residential amenity. Furthermore, due to the internal roads being private, the proposed development would have a detrimental impact upon the residential amenity of future occupiers of the proposed dwelling through future maintenance of the roads.

## Reasons

Accordingly, the proposal is contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019), and there are no other material considerations that justify treating this proposal as an exception to these policies.

### 35.3 21/00052/FUL

Change of use of the existing residential property (Class C3) to a seven bedrooed House in Multiple Occupation  
150 Queens Road, Beeston, Nottinghamshire, NG9 2FF

It was requested that this proposal be considered by Planning Committee by Councillor L A Lally.

There were no late items for the Committee to note.

Councillor P Lally, Ward Member addressed the Committee prior to the general debate.

The Committee considered the application with particular reference to neighbour amenity negative impact on the community, increased traffic and impact on car parking.

**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.**

#### Refusal wording

The change of use would lead to an intensification of the site due to the number of residents occupying the dwelling which would have a detrimental impact on surrounding neighbours, the character of the area and result in parking problems.

#### Reason

This would be contrary to the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core (2014) and the NPPF (2021).

### 35.4 21/00591/FUL

Construct single storey rear extension.  
98 Church Lane, Cossall, Nottinghamshire, NG16 2RW

The application had been called to Planning Committee by Councillor M Radulovic MBE.

There were no late items and no public speakers.



The Committee considered that the application would not have an impact on the openness or amenity of the Green Belt.

**RESOLVED that planning permission be approved, with the precise wording of the approval and conditions to be delegated to the Chair of Planning Committee in agreement with the Head of Planning and Economic Development.**

**Approval wording and conditions**

**That planning permission be approved, 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.**
- 2. The development hereby permitted shall be carried out in accordance with the site location, block plan, proposed elevation and floor plan Drw No 21/8BAC/02C received by the Local Planning Authority on 13 August 2021.**
- 3. The extension shall be constructed using bricks and tiles of a type, texture and colour so as to match those of the existing building.**
- 4. 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 further extensions or outbuildings within the curtilage of the dwelling shall be constructed without the prior approval of an application by the local planning authority.**

**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. To ensure the development presents a satisfactory standard of external appearance, 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. To prevent any incremental incursion of additional development into the Green Belt, in accordance with the aims of Policy 3 of Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 and Policy 17 of the Broxtowe Draft Part 2 Local Plan (2018).**

**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.**

Display illuminated neon sign.

Side of Explore Learning, 33 - 34 The Square, Beeston, Nottinghamshire, NG9 2JJ

This application was heard by the Planning Committee as the building on which the proposed illuminated neon sign was to be mounted on was owned by the Council.

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

The Committee debated the item and it was noted that the permission was with regard to the size and luminance of the sign.

**RESOLVED that advertisement consent be granted subject to the following conditions:**

1. This grant of consent expires at the period of five years from the date of this decision.

*Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.*

2. The advertisements hereby granted consent shall be displayed solely in accordance with the details and specifications shown on the submitted plans: site location plan received by the Local Planning Authority 31.08.21, proposed elevations No. CW received by the Local Planning Authority 01.09.21.

*Reason: To ensure that the display takes the agreed form and the level of advertising is not excessive, in the interests of visual amenity.*

3. No advertisement is to be displayed without the permission of the owner of the site and any other person with an interest in the site entitled to grant permission.

*Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.*

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

*Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.*

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

*Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisement) Regulations 2007.*

6. The intensity of illumination of the signs shall not exceed 701 candelas/square metre.

*Reason: To ensure that the display does not appear as an unduly prominent feature in the area.*

#### 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.

#### 36 INFORMATION ITEMS

##### 36.1 Appeal Decision

20/00856/ADV

Display 1 illuminated 48-sheet digital advertising display, including removal of 4 illuminated 48-sheet signs

Advertising Right Adjacent Horse and Jockey, 20 Nottingham Road, Stapleford

The appeal decision was noted.

##### 36.2 Delegated Decisions

The delegated decisions were noted.