

PLANNING COMMITTEE

WEDNESDAY, 9 MARCH 2022

Present: Councillor D K Watts, Chair

Councillors: J W McGrath (Vice-Chair)
D Bagshaw
L A Ball BEM
G Marshall
P J Owen
S Paterson
D D Pringle
R S Robinson
R D Willimott
S J Carr (Substitute)
J M Owen (Substitute)

Apologies for absence were received from Councillors D Grindell, M Handley and R I Jackson.

56 **DECLARATIONS OF INTEREST**

Councillor D D Pringle declared a personal and prejudicial interest in item 5.6 as he was acquainted with the applicant. Minute number 59.6 refers.

Councillor J W McGrath declared a non-pecuniary interest in item 5.6 as had been talking to both residents and the developer regarding the application. Minute number 59.6 refers.

57 **MINUTES**

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

58 **NOTIFICATION OF LOBBYING**

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

59 DEVELOPMENT CONTROL

59.1 21/00555/FUL

Demolition of existing buildings and erection of 60 dwellings including access and drainage infrastructure, substation and open space
Hulks Farm, Coventry Lane, Bramcote, Nottinghamshire, NG9 3GJ

This item had been brought before Committee as it was an allocated site and because of the size of the proposed development.

There were a number of late items for the Committee to consider including a briefing note to members, a change to a condition and an amendment to the Site Location Plan.

Janet Stirzaker, Applicant addressed the Committee prior to the general debate.

The Committee noted that the principle of development on the site was established by its allocation in the Local Plan Part 2, however, there were concerns that the layout of the proposed development would create a ransom strip that could inhibit other developments. There was also concern that the red line encompassing land to the north of the railway track to provide mitigation for greater crested newts, was still impinging on the Green Belt and could be seen as impacting on the defensible barrier to the development of Trowell Moor.

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

Reasons

- 1. The development, by virtue of the proposed access arrangements, would prejudice the future development of the wider site allocation and would jeopardise future housing delivery, adversely impacting on the Councils 5-year land supply which would be contrary to Policy 17 of the Part 2 Local Plan (2019), Policy 10 of the Aligned Core Strategy (2014) and the NPPF (2021).**
- 2. It has not been adequately demonstrated that the development would provide a net gain in biodiversity and comply with Policy 31 of the Part 2 Local Plan (2019), Policy 17 of the Aligned Core Strategy (2014), Section 15 of the NPPF (2021) and the Natural Environment section of the Planning Practice Guidance.**

Demolition of Existing Public House
Inham Nook Hotel, Inham Road, Chilwell, Nottinghamshire, NG9 4HX

This application was brought before Committee as the site was owned by the Council.

There were no late items for the Committee to note.

Peter Goodrick, applicant, addressed the Committee prior to the general debate.

During the debate it was noted that the public house had not been a viable business for some years, with a high turnover of tenants and a reputation for antisocial behaviour. The Committee also discussed the need for social housing and the benefit to local residents of the proposed pocket park.

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

1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>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.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the site location plan, Demolition Method Statement and the Ecological Appraisal, received by the Local Planning Authority on 17.01.22.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The erection of fencing for the protection of the retained trees 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 demolition, 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.</p> <p><i>Reason: To ensure the retained trees are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
4.	<p>All excavations shall be covered overnight or otherwise have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipework greater than 150mm should be capped off at the end of the day and chemicals should be stored securely.</p> <p><i>Reason: To ensure the protection of fauna on or passing through the site, in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014)</i></p>

	<i>and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i>
5.	A precautionary working method should be undertaken which shall require the roof of the public house to be stripped by hand and the works supervised by a qualified bat ecologist. <i>Reason: In the interests of safeguarding protected species, in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i>
	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.	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.	The Highways Authority advise: It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud / debris on the public highway and as such you should undertake every effort to prevent it occurring.
4.	The applicant is reminded of their responsibility to safeguard species protected under the Wildlife and Countryside Act 1981 as amended by the Environmental Protection Act 1990, which include the avoidance of demolition within the bird breeding season and to be vigilant for the presence of bats.

59.3 20/00876/FUL

Construct two detached houses with associated car parking, garages, access road and bin store

3 Swingate, Kimberley, Nottinghamshire, NG16 2PG

This item was brought to Committee by Councillor R S Robinson.

The late items, which were noted by the Committee, were comprised of three objections and two additional conditions.

Christine Rungapadiachy, objecting, and Councillor Shane Easom, Ward Member, addressed the Committee prior to the general debate.

During the debate consideration was given to the access of the site and it was noted that Swingate was an already congested road. There was also concern about where the proposed properties would be able to store their bins for collection because refuse collections could not be made from the private road.

Debate progressed on to concerns that the proximity of the proposed development to neighbouring homes would have a detrimental impact on privacy and amenity. It was

also considered that proposed home would represent overdevelopment of the site and would result in overcrowding.

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

Reasons

The proposed development, by virtue of the siting of the dwellings in close proximity to the boundaries of the application site would result in an unacceptable loss of amenity for immediate surrounding neighbours. Accordingly, the proposal is contrary to the aims Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.

The proposal would be an over-intensive form of development due to the number of dwellings proposed relative to the size of the site. The proposal would therefore be out of keeping with the character of the surrounding area, contrary to Broxtowe Aligned Core Strategy (2014) Policy 10 and Broxtowe Part 2 Local Plan (2019) Policy 17.

59.4 21/00738/FUL

Construct two storey side, single/two storey rear and first floor front and front extensions, front and rear dormers, demolish garage and construct detached garage
12 Hope Street, Beeston, Nottinghamshire, NG9 1DR

Councillor J C Patrick requested that this application be determined by Committee.

There were late items in the form of three additional objections that were noted by the Committee.

James Dunn, objecting and Councillor J C Patrick, Ward Member addressed the Committee prior to the general debate.

The Committee noted the mix of styles of housing in the vicinity of the proposed development. Comparisons to existing properties where contemporary extensions had been built were noted, however, it was considered that these were on larger plots so the additions to them had not been of harm to neighbour amenity. The style was also considered to be more in-keeping with surrounding properties than that of the proposed development.

It was considered that given the size of the plot and the proximity that the proposed development would have to neighbouring properties, that this would constitute overintensification and overdevelopment, as well as having a detrimental impact on neighbour amenity. There was concern regarding the dormer windows in the third storey of the proposals, which were considered to be of particular detriment to the privacy of the bungalow next door.

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

Reasons

The development, by virtue of the scale and massing of the extensions, would be out of keeping with the character of properties in the immediate area, would result in an overbearing impact on the neighbouring properties and would represent an over-intensive development for the size of the plot. In addition, the rear dormer windows would have a detrimental impact on neighbour amenity by virtue of the overlooking. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

59.5 21/00909/FUL

Change of use from residential (C3) to seven bedroomed housing in multiple occupation (sui generis). Construction of cycle storage, gates and driveway
116 Marlborough Road, Beeston, Nottinghamshire, NG9 2HN

This application was brought before Committee by Councillor S J Carr.

There was one late item comprised of an additional objection to the application.

Shakel Ahmed, applicant, addressed the Committee prior to the general debate.

The debate focussed on concerns about the impact that the extension had already had on neighbour amenity, with them not being able to bring their wheelie bins out for collection. It was considered that this would be exacerbated by the conversion of the home into a HMO with seven bedrooms. There was also concern that the proposal would generate greater pressure on car parking spaces in the area.

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

Reasons

The proposed use would lead to an over-intensive form of development due to the number of residents occupying the dwelling which would have a detrimental impact on the amenity of the surrounding area and would cause problems with parking in the locality. The proposal would therefore be contrary to Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

59.6 21/00941/FUL

Construct 3 storey building to contain 6 houses of multiple occupancy (Class C4) and construct cycle store and bin store (revised scheme)

Land to the rear of Methodist Church, Wollaton Road, Beeston, Nottinghamshire, NG9 2NG

This application was brought to the Committee as the previous application was determined at Committee.

An objection was received for consideration by the Committee as a late item.

There were no public speakers.

It was noted that there had been a change to the size of the proposed development, though there were still concerns regarding the impact on residents of Wilkinson Avenue and the style of the extension was out of keeping with the original building.

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

1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>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.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with 007 Rev H, 009 Rev H and 010 Rev D received by the Local Planning Authority on 26 January 2022.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>No development shall commence until details of a noise assessment have been submitted to and approved in writing by the Council. The report shall include details of noise attenuation measures required to meet the standard for internal noise levels defined in the current BS8233 (including glazing and ventilation details) and an assessment prepared in accordance with the provisions of DoT Calculation of Road Traffic Noise, to predict noise levels at the nearest residential façade. The assessment of proposal hereby permitted shall not be occupied until the noise mitigation measures have been provided in accordance with the approved details and shall thereafter in retained in perpetuity.</p> <p><i>Reason: To protect occupiers from excessive external noise and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
4.	<p>No development shall commence until a Construction Method Statement has been submitted to and approved in writing to the Local Planning Authority. The statement shall include:</p> <p>a) The means of access for construction traffic;</p>

	<p>b) parking provision for site operatives and visitors; c) the loading and unloading of plant and materials; d) the storage of plant and materials; e) a scheme for the recycling/disposal of waste resulting from the construction works; and f) details of dust and noise suppression to be used during the construction phase.</p> <p>The approved statement shall be adhered to throughout the construction period.</p> <p><i>Reason: To protect the amenity of neighbouring residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
5.	<p>No development above ground level shall commence until samples and details of the proposed materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with those agreed details.</p> <p><i>Reason: The development cannot proceed satisfactorily without the outstanding matters being agreed and insufficient details were submitted with the application. To ensure a satisfactory standard of external appearance in accordance with Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
6.	<p>Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment (including design, size and illuminance) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.</p> <p><i>Reason: To protect neighbouring residents from light nuisance and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
7.	<p>No part of the development hereby permitted shall be first occupied until the cycle parking and bin store as indicated on drawing 010 Rev D has been constructed and is in use.</p> <p><i>Reason: To ensure the cycle and bin store are available for use before the building is occupied.</i></p>
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.	Burning of commercial waste is a prosecutable offence, all waste should be removed by an appropriately licensed carrier.
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.
4.	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.
5.	Please contact the Council's Private Housing Department to enquire about obtaining a HMO licence on 0115 917 7777.

59.7 21/00971/FUL

Construct 3 storey building comprising 7 apartments and provision of parking area (revised scheme)
129-131 High Road Beeston NG9 2LL

The application was called to Committee by Councillor S J Carr.

There were no late items to consider.

Sandip Leihal, applicant, addressed the Committee prior to the general debate.

It was noted that the proposed development was on a major route into Beeston and formed part of the gateway into the town centre. As such it was felt that the design of the development was not in keeping with its surroundings and did not retain the original character of the property.

The debate progressed on to the impact of the development on properties on Cedar Avenue and concern that the light to their gardens and their privacy would be impacted. There was also concern that there were not enough car parking spaces provided for the proposed number of residents.

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

Reasons

The submitted scheme, by virtue of its size, scale and design is out of keeping with the prevailing character of properties in this location to the detriment of the visual amenity of the locality. The proposal would also exacerbate existing local parking issues. This creates a development at odds with its surroundings and one which creates an overbearing and overly dominant impact on neighbouring properties, to the detriment of the amenity of neighbouring properties. The proposed development is therefore contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019).

60 INFORMATION ITEMS

60.1 APPEAL DECISION

21/00182/FUL

Construct two storey front and rear extensions, raise the ridge height inserting a hip roof to the existing/ extended dwelling including a loft conversion and rear box dormer, insert a hip roof to the existing single storey side extension and external alterations
29 Rivergreen Crescent, Bramcote, Nottinghamshire, NG9 3ET

The appeal decision was noted.

60.2 APPEAL DECISION

21/00268/PNH

Construct a single storey rear extension, extending beyond the rear wall of the original dwelling by 5.43 metres, with a maximum height of 2.80 metres, and an eaves height of 2.30 metres

1 The Cloisters, Beeston

The appeal decision was noted.

60.3 DELEGATED DECISIONS

The Committee noted the delegated decisions. Councillor R D Willimott asked that his disappointment with the permissions granted to Aero Fabrications LTD be recorded.