

PLANNING COMMITTEE

WEDNESDAY, 8 JUNE 2022

Present: Councillor D K Watts, Chair

Councillors: M Handley (Vice-Chair)
D Bagshaw
L A Ball BEM
G Marshall
P J Owen
S Paterson
D D Pringle
H E Skinner
E Williamson
T Hallam (Substitute)
H G Khaled MBE (Substitute)
J M Owen (Substitute)

Apologies for absence were received from Councillors S J Carr, R I Jackson and R D Willimott.

6 **DECLARATIONS OF INTEREST**

Councillor P J Owen declared a non-pecuniary interest in item 5.1 as he was a Nottinghamshire County Councillor and that organisation was the applicant. Minute number 9.1 refers. He also declared a non-pecuniary interest in item 5.5 as he was acquainted with the applicant. Minute number 9.5 refers.

Councillors D Bagshaw, G Marshall, S Paterson and H E Skinner declared a non-pecuniary interest in item 5.5 as they shared a party affiliation with the applicant. Minute number 9.5 refers.

7 **MINUTES**

The minutes of the meeting on 4 May 2022 were confirmed and signed as a correct record.

8 **NOTIFICATION OF LOBBYING**

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

9 DEVELOPMENT CONTROL

9.1 20/00845/OUT

Outline application with all matters reserved for 60 assisted living apartments with access from Walker Street

Former site of Lynncroft Primary School, Walker Street, Eastwood Nottinghamshire

The application was brought before the Committee as it was a major development.

There were no late items and no public speakers.

It was noted that the number of properties proposed was lower than the allocation in the Local Plan. The Committee discussed the usefulness of assisted living apartments, the desirability of this type of development, it's benefit to the Borough and noted that there were no highways objections to the proposal.

Debate progressed on to concerns about traffic and the lack of public transport in the area.

It was proposed by Councillor D Bagshaw and seconded by Councillor G Marshall that the application be deferred to allow further time for consideration to be given to parking problems on Walker Street. On being put to the meeting the motion fell.

RESOLVED that planning permission be granted subject to the following conditions and to the prior signing of a Section 106 Agreement.

- 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 No. 27465-ARC-XX-XX-DR-A-00004 received by the Local Planning Authority on 03.12.22.**

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:

Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.

Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.

Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA

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.

For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.

Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.

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 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).

7. 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 help reduce any impacts on wildlife and habitats during the development stage. 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).

8. 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, bird nest boxes, bat boxes, maintenance schedule, and green roofs. The LEMP shall be carried out in accordance with the approved details.

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).

9. 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).

10. 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).

11. 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).

12. No dwelling hereby approved shall be occupied until the access road and any communal parking / turning areas 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).

13. 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;
- 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).

14. 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).

15. 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).

16. 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).

- 17. No development shall commence until details for the protection and/or enhancement of the adjacent Eastwood Public Footpath 26 have been submitted to and approved in writing by the Local Planning Authority.**

Reason: Insufficient information has been submitted and in the interests of visual amenity and public health and safety, in accordance with Policy 17 and 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. 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.**
- 4. The Local Planning Authority ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to an objection to the discharge of conditions. We will provide you with bespoke comments within 21 days of receiving a formal consultation.**
- 5. 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

9.2 22/00212/REG3

Demolition of garages and construct two semi-detached dwellings
Gayrigg Court, Chilwell, Nottinghamshire

This application was brought to the Committee for consideration as the Council is the landowner and applicant.

There were a number of late items, including changes to conditions, a Geo-Environmental Assessment report and additional representation from local residents regarding disabled car parking facilities, access to vehicles and electric vehicle charging.

Peter Goodrick, the applicant and Councillor C M Tideswell, Ward Member, addressed the Committee prior to the general debate.

The Committee considered that the proposed development with particular regard to the effective use of space in an area where family homes were needed. However, there was concern that trees would be lost because of the proposed development. It was agreed that an addition should be made to the planting scheme condition to ensure that any trees removed as a result of the development should be replaced. A condition was also added to ensure that the development should contribute to environmental net gain.

RESOLVED 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.**

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 Proposed house types elevations and floor plans 2766 (08) B03 Rev B, Proposed site plan 2766 (08) B01 Rev B and Proposed block plan 2766 (08) B02 Rev A received 4 March 2022 and solar panel details received 21 April 2022. The Design and Access Statement, pre development arboricultural report, ecological assessment received 4 March 2022 and Delta Simons, Geo-Environmental Assessment, ref. 21-0672.01, dated September 2021 received 24 May 2021.**

Reason: For the avoidance of doubt.

- 3. a) No building to be erected pursuant to this permission shall be occupied or brought into use until:**
 - i. All the necessary remedial measures for the building have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and**

ii. It has been certified to the satisfaction of the Local Planning Authority, through the submission of a verification report that the necessary remedial measures for the building have been implemented in full.

The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development

Reason: commencing to ensure the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of Broxtowe Aligned Core Strategy (2014).

4. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.

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

5. No above ground works shall take place until a landscaping scheme showing biodiversity net gain has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:

- a. numbers, types, sizes and positions of proposed trees and shrubs;
- b. details of boundary treatments;
- c. planting, seeding/turfing of other soft landscape areas and
- d. timetable for implementation.

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

6. The first floor window in the north elevation and south elevations 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 privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. **No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or bank holidays.**

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

8. **No development within the full planning permission phase hereby approved shall take place until a Construction/Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:**

**The means of access for construction traffic;
Parking provision for site operatives and visitors;
The loading and unloading of plant and materials;
The storage of plant and materials used in construction/demolition of the development;
A scheme for the recycling/disposal of waste resulting from construction/demolition works;
Details of dust and noise suppression to be used during the construction phase and;
A report identifying any asbestos and documenting its safe removal**

The approved statement shall be adhered to throughout the construction period.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

9. **No part of the development hereby permitted shall be brought into use until the parking bays/ areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2766(08) B01 Rev B. The parking bays/ areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.**

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

10. **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 enlargement improvement or alterations to the dwelling, roof additions or other alterations (falling within Class A, B and Class C) shall be undertaken.**

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).

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 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, 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. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority
3. 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.
4. 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.
5. Developer to purchase the first time provision of bins. Notice served in due course.
 2. Each property would be allocated the following:
 - 1 x 240 litre bin for residual waste
 - 1 x 240 litre bin for recycling waste
 - 1 x 37 litre bag for glass
 3. Bins need to be presented at the edge of adopted highway for emptying.
 4. The size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm (d)
6. The development makes it necessary to construct and reinstate vehicular crossings over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

9.3 22/00210/REG3

Demolition of garages and construct two semi-detached dwellings and two apartments with associated parking, landscaping and amenity space
Felton Close, Chilwell, Nottingham

This application was brought before Committee as the Council is the applicant and the landowner.

There were late items pertaining to changes to conditions and further representations from residents.

Peter Goodrick, the applicant, made representation to Committee prior to the general debate.

The debate focused on the need for social housing in the borough and the effective use of brown fill sites. It was agreed that there should be an additional condition for environmental net gain and specific wording in the condition about the planting scheme to ensure the replacement of all trees lost in the process of the development.

RESOLVED that planning permission be granted subject to the following reasons.

- 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 proposed block plan 2766 (08) C02 Rev D received 12 May 2022, proposed elevations and floor plans for the apartments 2766 (08) C04 Rev B, proposed elevations and floor plans for the semi-detached dwellings 2766 (08) C03 Rev B, Ecology survey and pre development arboricultural report received 4 March 2022 and Solar panel details received 21 April 2022, Ecology survey and pre development arboricultural report received 4 March 2022 and Delta Simons, Geo-Environmental Assessment, ref. 21-0672.01, dated Sept 2021 received 25 May 2022.**

Reason: For the avoidance of doubt.

- 3. (a) No building to be erected pursuant to this permission shall be occupied or brought into use until:**
 - i. All the necessary remedial measures for the building have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the**

Local Planning Authority; and

ii. It has been certified to the satisfaction of the Local Planning Authority, through the submission of a verification report that the necessary remedial measures for the building have been implemented in full.

The development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development

Reason: commencing to ensure the details are satisfactory, in the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of Broxtowe Aligned Core Strategy (2014).

- 4. No above ground works shall commence until samples of external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.**

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

- 5. No above ground works shall take place until a landscaping scheme showing biodiversity net gain has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:**

- a. numbers, types, sizes and positions of proposed trees and shrubs;**
- b. details of boundary treatments;**
- c. planting, seeding/turfing of other soft landscape areas and**
- d. timetable for implementation.**

The approved scheme shall be carried out strictly in accordance with the approved details and 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, to ensure the development presents a satisfactory standard of external appearance to the area, to ensure a sufficient standard of neighbour amenity and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).

- 6. The first floor window in the east 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 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 Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

8. No development within the full planning permission phase hereby approved shall take place until a Construction/Demolition Method Statement has been submitted to and approved in writing by the Borough Council. The statement shall include:

The means of access for construction traffic;
Parking provision for site operatives and visitors;
The loading and unloading of plant and materials;
The storage of plant and materials used in construction/demolition of the development;
A scheme for the recycling/disposal of waste resulting from construction/demolition works;
Details of dust and noise suppression to be used during the construction phase and;
A report identifying any asbestos and documenting its safe removal

The approved statement shall be adhered to throughout the construction period.

Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

9. No part of the development hereby permitted shall be brought into use until the parking bays/ areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2766(08) B01 Rev B. The parking bays/ areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 10. Occupation of the hereby approved dwellings shall not take place until the site access has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the access 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 interest of highway safety in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) Policy 10 of the Broxtowe Aligned Core Strategy (2014).

- 11. The parking bays shall not be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.**

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

- 12. The demolition of the garages and construction of the dwellings and apartments, shall be carried out in accordance with the mitigation measures as detailed in sections 5.17, 5.18 and 5.21 of the Ecological Assessment dated 29.06.21 unless otherwise approved in writing by the Local Planning Authority.**

To ensure that any protected species which may be present on site are not adversely affected, in accordance with the NPPF (2019) section 15, Policy 31 of the Broxtowe 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. 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, 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. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority

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.
4. 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.
5. Developer to purchase the first time provision of bins. Notice served in due course.
 2. Each property would be allocated the following:
 - 1 x 240 litre bin for residual waste
 - 1 x 240 litre bin for recycling waste
 - 1 x 37 litre bag for glass
 3. Bins need to be presented at the edge of adopted highway for emptying.
 4. The size of a 240 litre bins is 1074mm (h) x 580mm (w) x 734mm (d)
6. The development makes it necessary to construct and reinstate vehicular crossings over a verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at:
<http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

9.4 22/00101/FUL

Convert existing ground floor garages and alterations to 2 no. first floor apartments to create 2 no. (4 bedroomed) C4 Apartments
42 - 48 Henry Road, Beeston, Nottinghamshire, NG9 2BE

This application was called before Committee by Councillor L A Lally and Councillor P Lally.

There was a late item comprised of a Highways Authority comment withdrawing their objection to the scheme following the receipt of amended plans, and amendments to conditions 2 and 4.

Justine Andrew, objecting, Councillor L A Lally, Ward Member, and Councillor P Lally, Ward Member, made representation to the Committee prior to the general debate.

The Committee considered the proposed development with debate concerning the lack of parking in the area which would be exacerbated by the and the poor quality of the design, in particular the changing of garage spaces into living spaces.

Councillor L A Ball BEM proposed that the item be deferred, but on hearing the debate progress, formally withdrew her proposal.

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

Reasons

- 1. The proposed and potential further intensification of residential use within Class C4, the decrease in off-street parking and location near a turning head at the end of a long residential cul-de-sac would result in a concentration of houses in multiple occupation, a loss of relatively greater-needed housing, and a harmful impact on the character of the area and on safe and convenient access, contrary to the draft Houses in Multiple Occupation Supplementary Planning Document (2022), Policies 8 and 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).**
- 2. The proximity of nearby buildings to the proposed new windows would result in an insufficient outlook for future occupiers contrary to Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Section 12 of the NPPF (2021).**

9.5 22/00142/FUL

Construct single storey and two storey rear extensions
8 Kenton Avenue, Nuthall, Nottinghamshire, NG16 1PX

This item was brought before Committee by Councillor P J Owen.

There were no late items to be considered.

Sheikh Assad, objecting, made representation to the Committee prior to the general debate.

There was a debate about the size and scale of the proposal and how this would impact on neighbour amenity. It was considered that a site visit would be necessary to determine whether the proposed development would be overbearing.

It was proposed by Councillor P J Owen and seconded by Councillor T Hallam that this application be deferred.

RESOLVED that Planning Permission be deferred.

Reasons

To allow for a site visit so that the Committee could properly assess the concerns of neighbours regarding overdevelopment, massing and impact on amenity.

9.6 22/00030/FUL

Construct two detached dwellings
Lockup Garages, Chetwynd Road, Toton, Nottinghamshire

The application was brought before Committee by Councillor R I Jackson.

There were no late items pertaining to the application.

Malcolm Bachelor, objecting, addressed the Committee prior to the general debate.

Debate focussed on concerns about the proximity of the property on plot 2 to existing homes. The size and scale of the proposed bungalows was also of concern because of the impact on neighbour amenity. It was noted that the Committee was comfortable with the principle of developing the site, but that the design of the scheme was not acceptable.

It was proposed by Councillor P J Owen and seconded by Councillor D D Pringle that this item be deferred to allow the applicant to make changes to the proposed development that would lessen the impact on neighbour amenity.

RESOLVED that Planning Permission be deferred.

Reasons

To allow the developer to address concerns about the design of the proposed development, specifically the layout of the site with plot two too close to existing properties. There was also concern regarding the size of the proposed houses.

9.7 22/00240/FUL

Retention of single storey and two storey rear extension. Amendments to include extended roof to incorporate roof overhang, render of side gable to match front of dwelling, construction of pitched roof to first floor extension incorporating existing rear dormer and hip to gable extension.

53 Enfield Street, Beeston, Nottinghamshire, NG9 1DL

This application was called to Committee by Councillor G Marshall.

There were no late items and no public speakers.

Consideration was given to the appearance and scale of the development. It was noted that although the applicant had sought planning permission, the development was not then built to the agreed specifications. The design of the dormer window was

of particular concern because of its impact on the street scene and the character of the area.

RESOLVED that planning permission be refused for the following reasons and that enforcement action be authorised.

- 1. The proposed development, by virtue of the design, the bulk of the dormer, the change of the roof from hip to gable and its widening, would be a dominant addition that fails to respect the proportions and design of the existing dwelling. It is considered that the extension would be overly prominent in the street scene to the detriment of the character and appearance of the building and the surrounding area. The proposed development would therefore be contrary to Policy 10 of the Aligned Core Strategy (2014), Policy 17 of the Broxtowe Part 2 Local Plan (2019).**

NOTES TO APPLICANT

- 1. The Council has tried to act positively and proactively in the determination of this application, however it was not considered that there were any minor alterations which could be made to the scheme to make the proposal acceptable.**

10 INFORMATION ITEMS

10.1 DELEGATED DECISIONS

The delegated decisions were noted.