

PLANNING COMMITTEE

WEDNESDAY, 1 FEBRUARY 2023

Present: Councillor D K Watts, Chair

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

An apology for absence was received from Councillor S J Carr.

The officers present were R Dawson, S Heron, B Norman, R Ayoub and K Newton.

Also in attendance was Councillor J M Owen.

50 **DECLARATIONS OF INTEREST**

Councillor P J Owen declared a non-registrable interest in item 5.2 as it directly related to the wellbeing of a close relative. Minute number 52.2 refers.

Councillor P J Owen also declared a non-registerable interest in item 5.3 as he had been the political opponent to the member of the public speaking against the scheme. It was noted that he was not prejudiced by this affiliation. Minute number 52.3 refers.

Councillor L A Ball declared a non-registrable interest in item 5.2 as it directly related to the wellbeing of a close relative. Minute number 52.2 refers.

Councillor G Marshall, Councillor S Paterson and Councillor H E Skinner declared a non-registerable interest in item 5.3 as they were in the same political party as the opponent to the scheme. It was noted that they were not prejudiced by this affiliation. Minute number 52.3 refers.

Councillor R I Jackson declared a non-registerable interest in item 8 as a close friend of the member of the public concerned. It was noted that they were not prejudiced by this affiliation. Minute number 55 refers.

51 MINUTES

The minutes of the meeting on 11 January 2023 were confirmed and signed as a correct record.

52 NOTIFICATION OF LOBBYING

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

52.1 APPLICATION NUMBER 22/00619/REM

Construct residential development. Reserved matters relating to outline planning permission reference 20/00352/OUT – approval of details relating to appearance, landscaping, layout and scale

Land adjacent and north west of Bramcote Crematorium, Coventry Lane, Bramcote, Nottinghamshire

This application was brought to the Committee as the Council was a joint landowner of part of the site, it was an allocated site and because of the size of the proposed development.

There were a number of late items including an historic newspaper article, a revised plan of the proposed scheme, which were noted by the Committee.

There were no public speakers.

The debate followed with particular references made to the principle of net gain, sustainability, photovoltaic roof panels, flooding, landscaping and design.

RESOLVED that the Head of Planning and Economic Development be given delegated authority to grant planning permission subject to the following conditions:

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

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

- 2. The development hereby permitted shall be carried out in accordance with drawings:**

Received by the Local Planning Authority on 28 July 2022:

House Type L – As ref: 2019-613-L2-a-1

House Type L – AS ref: 2019-613-L2-a-2

House Type L – As ref: 2019-613-L1-a-2

House Type L – OPP ref: 2019-613-L1-o-1
House Type L – OPP ref: 2019-613-L1-o-2
House Type L – OPP ref: 2019-613-L2-o-1
House Type L – OPP ref: 2019-613-L2-o-2
House Type P – OPP ref: 2019-613-P1-o-1A
House Type P – OPP ref: 2019-613-P1-o-2A
House Type P – As ref: 2019-613-P2-a-1
House Type P – As ref: 2019-613-P2-a-2
House Type Q – As ref: 2019-613-Q1-a-1A
House Type Q – As ref: 2019-613-Q1-a-2A
House Type Q – Opp ref: 2019-613-Q1-o-1
House Type Q – Opp ref: 2019-613-Q1-o-2
House Type R1 – As ref: 2019-613-R1-a-1C
House Type R – As ref: 2019-613-R1-a-2C
House Type R – Opp ref: 2019-613-R1-o-1A
House Type R – Opp ref: 2019-613-R1-o-2A
House Type R – Opp ref: 2019-613-R2-o-1
House Type R – Opp ref: 2019-613-R2-o-2
House Type S – As ref: 2019-613-S1-a-1B
House Type S – As ref: 2019-613-S1-a-2B
House Type S – Opp ref: 2019-613-S1-o-1A
House Type S – Opp ref: 2019-613-S1-o-2A
House Type S – Opp ref: 2019-613-S2-o-1A
House Type S – Opp ref: 2019-613-S2-o-2A
House Type T – As ref: 2019-613-T1-a-1B
House Type T1 – As ref: 2019-613-T1-a-2A
House Type T – As ref: 2019-613-T2-a-1A
House Type T – As ref: 2019-613-T2-a-2
House Type T – Opp ref: 2019-613-T2-o-1
House Type T – Opp ref: 2019-613-T2-o-2
House Type U ref: 2019-613-U-a-1B
House Type U ref: 2019-613-U-a-2A
House Type V – As ref: 2019-613-V1-a-1
House Type V – As ref: 2019-613-V1-a-2
House Type V – Opp ref: 2019-613-V2-o-1
House Type V – As ref: 2019-613-V2-o-2
Street Elevations ref: 2019-613-12A
Street Elevations ref: 2019-613-13A
Street Scene Views ref: 2019-613-14A
Street Scene Views ref: 2019-613-15A
Site Sections ref: 2019-613-19
Affordable 1B2P ref: 2019-613-1B2P(4)-1A
Affordable 1B2P ref: 2019-613-1B2P-1C
Affordable 1B2P-2B4P ref: 2019-613-1B2P-2B4P-1A
Affordable 1B2P-2B4P ref: 2019-613-1B2P-2B4P-2
Affordable 1B2P ref: 2019-613-1B2P-2C
Affordable 1B2P ref: 2019-613-1B2P-3C
Affordable 1B2P ref: 2019-613-1B2P-4B6P-1A
Affordable 1B2P-2B4P ref: 2019-613-1B2P-4B6P-2A
Affordable 1B2P ref: 2019-613-1B2P-4C
Affordable 2B4P ref: 2019-613-2B4P-1C
Affordable 2B4P ref: 2019-613-2B4P-2B
Affordable 2B2P ref: 2019-613-2B4P-SO-1A

Affordable 2B4P ref: 2019-613-2B4P-SO-2A
Affordable 3B5P ref: 2019-613-3B5P-1-1B
Affordable 3B5P ref: 2019-613-3B5P-1-2C
Affordable 3B5P ref: 2019-613-3B5P-2-1A
Affordable 3B5P ref: 2019-613-3B5P-2-2A
Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-1A
Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-2A
Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-1A
Affordable 3B5P SO(1) 2B4P(2) ref: 2019-613-3B5P-SO(1)-2B4P(2)-2A
Affordable 3B5P SO(2) 2B4P(1) ref: 2019-613-3B5P-SO(2)-2B4P(1)-1A
Affordable 3B5P SO(2) 2B4P(1) ref: 2019-613-3B5P-SO(2)-2B4P(1)-2A
Affordable 3B5P ref: 2019_613_3B5P-SO-1B
Affordable 3B5P ref: 2019_613_3B5P-SO-2B
Affordable 3B5P ref: 2019_613_3B5P-WCH-1A
Affordable 3B5P ref: 2019_613_3B5P-WCH-2A
House Type A ref: 2019-613-AS1-a-1B
House Type A ref: 2019-613-AS1-a-2B
House Type A ref: 2019-613-AT1-a-1B
House Type A ref: 2019-613-AT1-a-2B
Bin Store ref: 2019-613-BS
House Type B ref: 2019_613_BS1-a-1A
House Type B ref: 2019_613_BS1-a-2A
House Type B ref: 2019_613_BS1-o-1A
House Type B ref: 2019_613_BS1-o-2A
House Type C ref: 2019-613-CRT1-a-1A
House Type C ref: 2019-613-CRT1-a-2A
House Type C ref: 2019-613-CS1-a-1A
House Type C ref: 2019-613-CS1-a-2A
2-unit Cycle Store ref: 2019-613-CS2U
Cycle Store ref: 2019-613-CS4U
House Type C ref: 2019-613-CT1-a-1A
House Type C ref: 2019-613-CT1-a-2A
Brick Boundary Walls ref: 2019-613-D1
Close Boarded Fence & Gate Details ref: 2019-613-D2
Metal Railings Details ref: 2019-613-D3
Metal Estate Fence Details ref: 2019-613-D4
House Type D ref: 2019-613-DS1-a-1A
House Type D ref: 2019-613-DS1-a-2A
House Type E – As ref: 2019-613-E1-a-1A
House Type E1 – As ref: 2019-613-E1-a-2A
House Type E1 – Opp ref: 2019-613-E1-o-1A
House Type E1 – Opp ref: 2019-613-E1-o-2A
House Type E – As ref: 2019-613-E2-a-1A
House Type E – As ref: 2019-613-E2-a-2A
House Type E – Opp ref: 2019-613-E2-o-1A
House Type E – Opp ref: 2019-613-E2-o-2A
House Type E – As ref: 2019-613-E3-a-1A
House Type E – As ref: 2019-613-E3-a-2A
House Type E – Opp ref: 2019-613-E3-o-1A
House Type E – Opp ref: 2019-613-E3-o-2A
House Type G – As ref: 2019-613-G1-a-1B
House Type G – As ref: 2019-613-G1-a-1B
House Type G – As ref: 2019-613-G1-a-2A

House Type G – Opp ref: 2019-613-G1-o-1A
House Type G – As ref: 2019-613-G1-o-2
House Type G – As ref: 2019-613-G1-a-1
House Type G – As ref: 2019-613-G2-a-1
House Type G – As ref: 2019-613-G2-a-2
House Type G – Opp ref: 2019-613-G2-o-1
House Type G – Opp ref: 2019-613-G2-o-2
Double Detached Garage ref: 2019-613-GD
Single Detached Garage ref: 2019-613-GS
Twin Detached Garage ref: 2019-613-GT
House Type H – As ref: 2019-613-H1-a-1A
House Type H – As ref: 2019-613-H1-a-2A
House Type H – Opp ref: 2019-613-H1-o-1
House Type H – Opp ref: 2019-613-H1-o-2
House Type L – As ref: 2019-613-L1-a-1
Site Location Plan ref: 2019-613-00A

Received by the Local Planning Authority on 31 August 2022:

Affordable 1B2P ref: 2019-613-1B2P(4)-2B

Received by the Local Planning Authority on 24 November 2022:

House Type H – As ref: 2019-613-H2-a-1B
House Type H – As ref: 2019-613-H2-a-2B
House Type H – Opp ref: 2019-613-H2-o-1B
House Type H – As ref: 2019-613-H2-o-2B

Received by the Local Planning Authority on 19 December 2022:

Site Layout 1 ref: 2019-613-09.1K
General Arrangement 5 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-05 Rev P05
General Arrangement 4 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-04 Rev P05
General Arrangement 3 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-03 Rev P05
General Arrangement 2 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-02 Rev P05
General Arrangement 1 ref: CLBR-BSP-ZZ-ZZ-DR-C-0105-01 Rev P05

Received by the Local Planning Authority on 6 January 2023:

Site Layout 2 ref: 2019-613-09.2Q
Site Floor Plans ref: 2019-613-101C
Site Roof Plans ref: 2019-613-100C

Received by the Local Planning Authority on 9 January 2023:

Landscaping Plan 1 ref: GL1386 01E
Landscaping Plan 2 ref: GL1386 02E
Landscaping Plan 3 ref: GL1386 03E
Landscaping Plan 4 ref: GL1386 04E

Received by the Local Planning Authority on 10 January 2023:

Tree Retention Plan ref: 2019-613-22

Received by the Local Planning Authority on 12 January 2023:

Site Layout 2 ref: 2019-613-09.2R

Site Layout ref: 2019-613-09AB

Reason: For the avoidance of doubt.

3. No development shall commence until details of protective tree fencing has been submitted to and approved in writing by the Local Planning Authority. The protective tree fencing should be constructed in accordance with British Standards 5837:2012.

Reason: No such details were submitted and to ensure the existing trees are not adversely affected and in accordance with the aims of Policies 17 & 31 of the Part 2 Local Plan (2019) and Policies 10 & 17 of the Broxtowe Aligned Core Strategy (2014).

4. No development above ground level shall commence until full details of bird and bat boxes, including their locations has been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be constructed in accordance with the agreed details.

Reason: No such details were submitted and in accordance Policy 17 of the Part 2 Local Plan (2019) and Policy 17 of the Broxtowe Aligned Core Strategy (2014).

5. Prior to the occupation of the first dwelling hereby approved, full details of the Local Equipped Area of Play (LEAP) should be submitted to and approved in writing by the Local Planning Authority. The LEAP shall be constructed in accordance with the agreed details and maintained for the lifetime of the development.

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

6. Prior to the occupation of the first dwelling hereby approved, full details of seating and bin stores shall be submitted to and approved in writing by the Local Planning Authority. The seating and bin stores shall be constructed in accordance with the agreed details.

Reason: Insufficient details were submitted and in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. Prior to the occupation of the first dwelling hereby approved, full details of the shared private drives and plan for their future management and maintenance including associated drainage shall be submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall be maintained thereafter in accordance with the approved management and maintenance details, until such time that a private

management and maintenance company has been established.

Reason: To ensure the highway infrastructure is maintained to an appropriate standard and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).

8. All driveways should be surfaced in a bound material (not loose gravel) for a minimum distance of 5 metres behind the highway boundary, and constructed to prevent the discharge of surface water from the driveways onto 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 and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 14 of the Broxtowe Aligned Core Strategy (2014).

9. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the protective tree fencing, nor is any excavation work to be undertaken within the confines of the protective fence without the written approval of the Local Planning Authority.

Reason: To ensure the existing trees are not adversely affected and in accordance with the aims of Policies 17 & 31 of the Part 2 Local Plan (2019) and Policies 10 & 17 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. This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
3. All relevant conditions on the outline permission (20/00352/OUT) must be complied with.

52.2 APPLICATION NUMBER/22/00346/REM

Construct 250 Dwellings (Reserved Matters in Relation to Reference 20/00056/OUT - Appearance, Landscaping, Layout and Scale)
Land West of Awsworth (inside the A6096) Including Land at Whitehouse Farm Shilo Way Awsworth Nottinghamshire

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

There were a number of late items including comments from residents about anthrax and revisions to plans.

Lorna Ryder, on behalf of the applicant, Keith Brittle, objecting, and Greg Stackhouse, objecting, addressed the meeting prior to the general debate.

The Committee gave consideration to all representations before it and there was concern about traffic, access issues, pedestrian and cyclist safety on Shilo Way, the public transport strategy and the amenity and privacy properties which neighboured the site. It was confirmed that any signs of anthrax would be dealt with through standard land decontamination procedures.

It was noted that the access to the site had already been determined and could not be reconsidered. It was requested that there be a construction management plan to ensure that development would commence at the Shilo Way end of the site.

It was proposed by Councillor R I Jackson and seconded by Councillor D D Pringle that the application be deferred to allow the developer to give further consideration to neighbour amenity and to write a construction management plan. On being put to the meeting the motion was carried.

RESOLVED that the planning application be deferred.

Reasons

To allow the developer to give further consideration to neighbour amenity and to write a construction management plan.

Having declared a non registrable interest that related directly to the wellbeing of relative, Councillor L A Ball BEM left the meeting for the duration of the item and did not vote thereon.

Also having declared a non registrable interest that related directly to the wellbeing of relative, Councillor P J Owen left the meeting for the duration of the item and did not vote thereon.

52.3 APPLICATION NUMBER/22/00856/FUL

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

This application had been brought before Committee by Councillor P J Owen.

There was one late item, a letter from a resident, and this was noted by the Committee.

Sheikh Assab, objecting, addressed the Committee prior to the general debate.

The debate focussed on the size and scale of the proposed development and its impact on neighbour amenity.

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

Reasons

The development by virtue of its scale and location, would create a detrimental impact on the amenity of neighbouring properties.

This scheme is therefore contrary to Policy 17 of the Part 2 Local Plan and there are no other material considerations that justify treating this proposal as an exception to policy.

53 INFORMATION ITEMS

53.1 DELEGATED DECISIONS

The delegated decisions were noted.

53.2 APPEAL DECISIONS 22/00421/FUL

The appeal decision was noted.

54 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that, under section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 6a and 6b of Schedule 12A of the act.

55 18/00314/ENF AND 19/00321/ENF

RESOLVED that direct action be undertaken to clear the outdoor areas of both properties with a view to monies being claimed back through the Courts under the enforced sale procedure.

Having declared a non-registrable interest that was directly related to the wellbeing of a friend Councillor R I Jackson left the meeting for the duration of the item and did not vote thereon.