

PLANNING COMMITTEE

WEDNESDAY, 4 DECEMBER 2024

Present: Councillor S P Jeremiah, Vice Chair in the Chair

Councillors: P J Bales
L A Ball BEM
R E Bofinger
G Bunn
S J Carr
G S Hills
G Marshall
D D Pringle
H E Skinner
P A Smith
D K Watts

An apology for absence was received from Councillor D Bagshaw.

33 **DECLARATIONS OF INTEREST**

Councillor S P Jeremiah declared a non pecuniary, registrable interest in item 5.2 as he was a member of Stapleford Towns Board. Minute number 36.2 refers.

Councillor R E Bofinger also declared a non pecuniary, registrable interest in item 5.2 as he was a member of Stapleford Towns Board. Minute number 36.2 refers.

34 **MINUTES**

The minutes of the meeting on 6 November 2024 were confirmed and signed as a correct record.

35 **NOTIFICATION OF LOBBYING**

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

36 DEVELOPMENT CONTROL

36.1 24/00499/FUL

Construct single storey front extension. Conversion of garage to living accommodation including alterations to roof and construct dormer within garage roof
19 Rolleston Crescent, Watnall, Nottinghamshire NG16 1JU

Councillor C Carr had requested that this proposal come before Committee.

There were no late items.

Jonathan Parker, the applicant, made representation to the Committee prior to the general debate.

Having considered all the representations before it, the Committee debated the application. Discussions centred on the impact of the street scene and whether the proposed development would have a detrimental impact on the character of the area. It was considered that the proposal would not be out of place.

RESOLVED that planning permission be approved, with the conditions to include details on plans, materials and time, and that the precise wording of the approval be delegated to the Vice Chair of Planning Committee in agreement with the Head of Planning and Economic Development.

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 following plans received by the Local Planning Authority on 30 July 2024:**
 - **Site Location Plan, and in accordance with the following plans received by the Local Planning Authority on 07 August 2024:**
 - **Proposed Plan (Drawing Reference 1956/102 Rev A),**
3. **The single storey front extension and the raising of the garage roof shall be constructed using materials to match the existing house and as specified in the application form received by the Local Planning Authority on 30 July 2024, unless otherwise agreed in writing by the Local Planning Authority.**
4. **The development hereby approved shall be used solely as accommodation ancillary to the main dwellinghouse and at no time shall it be occupied as a separate stand alone dwelling**

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 a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).**
4. **To ensure that the development does not become used as a separate dwellinghouse in recognition of unacceptable impact on neighbour amenity, in accordance with the use applied for 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).**

Note 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. **You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).**

36.2 24/00669/REG

Construct two/three storey building serving mixed uses with associated landscaping and parking
Car Park, Victoria Street, Stapleford Nottinghamshire NG9 7AP

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

There were a number of late items, including changes to condition 4 and condition 8. It was noted that the correct wording for condition 8 was as follows:

No sound reproduction, air conditioning units, or amplification equipment (including public address systems, loud speakers, etc) which is audible at the site boundary shall be installed or operated on the site without the prior written approval of the Local Planning Authority.

Tina McInerney, objecting and Councillor J W McGrath, Ward Member, made representation to the Committee prior to the general debate.

The Committee gave due regard to the information before it and the debate commenced with particular reference to the opening times for the public toilets and the loss of parking. It was also noted that the proposed development represented an

investment in Stapleford Town Centre that would benefit the local economy and provide opportunities for small, local enterprises.

RESOLVED that the Head of Planning and Economic Development be given delegated authority to grant planning permission, including the changes to condition 4 and condition 8, subject to:

- (i) Prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the provision of Biodiversity Net Gain**
- (ii) the following conditions:**

1. Condition:

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. Condition:

The development hereby permitted shall be carried out in accordance with the plans

Received by the Local Planning Authority on 1 October 2024:

- Existing Site Plan and Elevation ref: 3572-MAB-00-00-D-A-0101 rev: P01**
- Sections – Stage 3 ref: 3572-MAB-00-ZZ-D-L-4410 rev: P01**
- Proposed Ground Floor Plan ref: 3572-MAB-ZZ-00-D-A-0120 rev: P05**
- Proposed First Floor Plan ref: 3572-MAB-ZZ-01-D-A-0121 rev: P02**
- Proposed Second Floor Plan ref: 3572-MAB-ZZ-02-D-A-0122 rev: P02**
- Proposed Roof Plan ref: 3572-MAB-ZZ-RF-D-A-0123 rev: P01**
- Proposed Elevations ref: 3572-MAB-ZZ-ZZ-D-A-0160 rev: P02**
- Proposed Elevations ref: 3572-MAB-ZZ-ZZ-D-A-0161 rev: P03**
- Proposed Elevations ref: 3572-MAB-ZZ-ZZ-D-A-0162 rev: P02**
- Proposed Sections ref: 3572-MAB-ZZ-ZZ-D-A-0170 rev: P02**
- Proposed Sections ref: 3572-MAB-ZZ-ZZ-D-A-0171 rev: P02**
- Proposed Sections ref: 3572-MAB-ZZ-ZZ-D-A-0172 rev: P02**

Received by the Local Planning Authority on 4 October 2024:

- Block Plan ref: 3572-MAB-00-00-D-L-0103 rev: P01**

Received by the Local Planning Authority on 15 November 2024:

- Landscape Masterplan Stage 3 ref: 3572-MAB-00-00-D-L-4000**

rev: P03

Reason:

For the avoidance of doubt.

3. Condition:

No development shall commence until a remediation scheme to ensure safe development and mitigate any potential risks from asbestos containing materials in the ground has been submitted to and approved in writing by the Local Planning Authority. The agreed remediation scheme shall be implemented in full during development.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. An assessment must be undertaken in accordance with good practice and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

Reason:

No such details were submitted with the application and in the interests of public safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

4. No development shall commence until a detailed surface water drainage scheme based on the principles set forward by the Outline Drainage Strategy SEH-BWB-EXT-XX-TN-D-0500, dated 8.9.24 by BWB, 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 and NPPF Paragraph 175
- Limit the discharge generated by all rainfall events (up to the 100 year plus climate change) back to the existing discharge rates or lower - or a suitable alternative solution as agreed with the LLFA in collaboration with the LPA.
- Provide detailed design (plans, network details, calculations and

supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets

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 30 year and 1 in 100 year plus climate change return periods.

- No surcharge shown in a 1 in 1 year
- No flooding shown in a 1 in 30 year
- For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.

- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure
- Evidence of approval for drainage infrastructure crossing third party land where applicable
- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

Reason:

Insufficient information was submitted and to ensure there is sufficient surface water management, the development is not at risk of flooding of increasing flooding off-site and in accordance with Policy 1 of the Part 2 Local Plan (2019) and Aligned Core Strategy (2014).

5. Condition:

No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:

- a) the means of access for construction traffic;
- b) parking provision for site operatives and visitors;
- c) the loading and unloading of plant and materials;
- d) the storage of plant and materials used in construction the development;
- e) a scheme for the recycling/disposal of waste resulting from construction works;
- f) details of dust and noise suppression to be used during the construction phase; and
- g) Details of a scheme for the identification and safe removal of asbestos containing material (if identified).

Reason:

To protect the amenity of neighbouring residents and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

6. Condition:

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:

Insufficient details were submitted with the application and in the interests of the appearance of the development 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).

7. No above ground works shall take place until a landscaping scheme 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;**
- b) details and elevational plans of any new boundary treatments;**
- c) details and elevational plans of bin stores, cycle racks and substation;**
- c) proposed hard surfacing treatment; and**
- e) timetable for implementation of the scheme.**

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:

Insufficient details were submitted with the application and to ensure the development presents a satisfactory standard of external appearance to the area and in accordance with the aims of Policies 17 and 31 of the Part 2 Local Plan (2019) and Policies 10 and 17 the Broxtowe Aligned Core Strategy (2014).

8. No sound reproduction, air conditioning units, or amplification equipment (including public address systems, loud speakers, etc) which is audible at the site boundary shall be installed or operated on the site without the prior written approval of the Local Planning Authority.

Reason:

To protect the nearby occupants from excessive operational noise and in accordance with Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

9. Condition:

The building shall not be open to the use of the public except between the hours of 07:30-23:00 Monday to Sundays

Reason:

To protect nearby occupants from excessive operational noise and in accordance with Policy 17 of the 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 applicant is advised to contact the licensing team on 0115 9173485 to register any activity and for advice on complying with current Licensing regulations prior to opening.**
- 3. The applicant is advised to contact the Food and Occupational Health team on 0115 9173485 to register any activity and for advice on complying with current Food Safety and Health and Safety regulations prior to opening.**
- 4. The applicant is advised that under the current British Standard 6465 for sanitary provision any proposed restaurant / café will required to comply with the aforementioned standard.**

(Having declared a non pecuniary, registrable interest in the item Councillor R E Bofinger and Councillor S P Jeremiah left the meeting for the duration of the item and did not vote thereon. Councillor P J Bales took the Chair for the item.)

36.3 24/00644/FUL

Two storey side extension and single storey rear extension
48 Warwick Avenue, Beeston, Nottinghamshire, NG9 2HQ

The application had been called before Committee by Councillor S J Carr.

There were no late items.

Jayne Humbert - lles, made representation to the Committee prior to the general debate.

The Committee commenced the debate, having given due regard to all the evidence before it. It was noted that the proposed development was in a residential area with a number of styles of home, so it would not have a negative impact on the street scene. There was a discussion about the size of the plot and the lack of impact on neighbours.

RESOLVED that planning permission be granted with the precise wording of the approval and conditions, to include details on time, materials and plans, delegated to the Vice Chair of the Planning Committee in agreement with the Head of Planning and Economic Development.

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 Plan (1:1250), Proposed Block Plan (1:500), Proposed Floor and Roof Plans ref: (08) 044, Proposed Elevations ref: (08) 005 and Proposed Master Plan ref: (08) 006 received by the Local Planning Authority on 26 September 2024.**
- 3. The proposed two storey side and single storey rear extensions shall be constructed using the materials annotated on the application form received by the Local Planning Authority on 26 September 2024.**

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 a satisfactory standard of external appearance 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)**

Note to Applicant

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the thirteen week agreed determination timescale.**
- 2. The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.**

**Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries**

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

**If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority**

- 3. You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).**

36.4 24/00656/FUL

Construct two-storey side and rear extension
33 Muriel Road, Beeston, NG9 2HH

The proposal had been called to Committee by Councillor S J Carr.

There were no late items and no public speakers.

Having considered all relevant evidence, the Committee debated the proposed development.

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. **The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**

Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.

2. **The development hereby permitted shall be carried out in accordance with the plans**

Received by the Local Planning Authority on 1 October 2024:

- **Site Location Plan (1:1250) (Drawing Number: 23/1100/01)**
- **Proposed Block Plan (1:500) (Revision: B - amended 23/09/24)**
- **Proposed Floor Plans, Roof Plan and Elevations (1:100) (Drawing Number: 23/1100/02, Revision: G)**

Reason: For the avoidance of doubt.

3. **The two storey side and rear extension shall be constructed using materials as noted on the Proposed Floor Plans, Roof Plan and Elevations (1:100) (Drawing Number: 23/1100/02, Revision: G) received by the Local Planning Authority on 1 October 2024.**

Reason: To ensure a satisfactory standard of external appearance 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 proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

37 INFORMATION ITEMS

37.1 DELEGATED DECISIONS

The Committee noted the delegated decisions.

37.2 APPEAL DECISION

The Committee noted the results of the appeal for application number 20/000209/ENF.

38 KIMBERLEY BREWERY UPDATE

The Committee noted the update on the progress of works at the Kimberley Brewery Site.