

PLANNING COMMITTEE
TUESDAY, 8 OCTOBER 2019

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
T A Cullen
M Handley
R I Jackson
J W McGrath
P J Owen
J C Patrick (substitute)
D D Pringle
M Radulovic MBE (substitute)
C M Tideswell
R D Willimott

Apologies for absence were received from Councillors D Grindell and R D MacRae.

42 **DECLARATIONS OF INTEREST**

Councillor P J Owen declared a non-pecuniary interest in item 5.3 due to the objector being known to him as the wife of a former councillor, minute number 45.3 refers.

Councillor D K Watts declared a personal interest in item 5.6 due to his involvement with the applicant, minute number 45.6 refers.

Councillor M Radulovic MBE declared a personal interest in items 5.11 and 5.12 as the applicants were known to him, minute numbers 45.10 and 45.11 refer.

43 **MINUTES**

The minutes of the meetings held on 4 and 9 September were confirmed as a correct record, subject to the amendment that Councillor S J Carr had called in the application for 74 Peveril Road, Beeston rather than Councillor P Lally as erroneously stated in the minutes.

44 **NOTIFICATION OF LOBBYING**

The Committee received notifications of lobbying in respect of the planning applications subject to consideration at the meeting in addition to an update regarding the receipt of the final Inspector's Report into the soundness and legal compliance of the Broxtowe Part 2 Local Plan which was received on 7 October 2019.

45 DEVELOPMENT CONTROL

45.1 18/00377/FUL

Construct 14 houses, garages and associated access road following demolition of dwelling

Land to the rear of 13 Middleton Crescent, Beeston, NG9 2TH

This major planning application to construct 14 new dwellings with garages and an associated access road following the demolition of one dwelling, had been called in by Councillor S J Carr.

Members were asked to consider the late items for the application, which included two objections which raised concerns of the disproportionate nature of the green terramash and gabion, two observations questioning the validity of the Ecology survey, an amended site location plan and a submission from Nottinghamshire County Council's Natural Environment Manager.

Mr Mark Lawrenson (objecting) and Mr Rob Bailey (applicant) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The gabion wall would not be attractive initially and there was concern over the loss of a number of trees.
- There should be a buffer zone to maintain wildlife.
- The development would be good for families.
- The Council has a responsibility to wildlife and the green corridor should be preserved.
- Provision for hedgehogs and bat boxes was welcomed.

RESOLVED that the Head of Neighbourhoods and Prosperity be given delegated authority to grant planning permission subject to:

(i) prior completion of an agreement under Section 106 of the Town and Country Planning Act 1990 to secure affordable housing, education, open space and integrated transport measures contributions and

(ii) the following conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with drawings: Site Location Plan (1:1250) received by the Local Planning Authority on 25 May 2018; 07 Rev D and 11 received by the Local Planning Authority on 3 April 2019; F16046/04 Rev C received by the Local Planning Authority on 8 April 2019; 13 Rev C received by the Local Planning Authority on 10 April 2019; 02 Rev J, 03 Rev K, 04 Rev E, 05 Rev F, 06 Rev H received by the Local Planning Authority on 14 August 2019, 09 Rev M and 10 Rev A received by the Local Planning Authority on 15 August 2019 and 01 Rev DD received by the Local Planning Authority on 29 August 2019.**

3. No development, including site clearance, shall commence until a further protected species survey has been carried out, submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the methodology and mitigation measures included within the approved survey.
4. No development shall commence until detailed plans of the proposed gabion wall system construction methodology and proposed maintenance arrangements have been submitted to and agreed in writing by the Local Planning Authority. These plans and methodology shall include:
 - i) Proposed substrate depth
 - ii) Proposed planting/seeding/turfing details
 - iii) Timetable for implementation of the scheme.

The proposed gabion wall system shall be constructed, planted and maintained in accordance with the agreed details. If any plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.

5. No development including site clearance, shall commence until wheel washing facilities have been installed on site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times.
6. No development shall commence until a detailed surface water drainage scheme based on the principles set out in the approved Sustainable Drainage Statement (prepared by BWB Consulting Ltd, ref: MCB-BWB-ZZ-XX-RP-CD-0001_SDS, dated October 2018) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
 - Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management
 - Limit the discharge rate generated by all rainfall events up to the 100 years plus 40% (for climate change) critical rain storm to the QBar Greenfield 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 of 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.
 - Make provision for all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.

- Provide 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 operation to design parameters.
7. No development or site clearance shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:
- (a) numbers, types, sizes and positions of proposed trees and shrubs and existing trees to be retained;
 - (b) measures for the protection of retained trees
 - (c) a detailed plan which demonstrates the proposed tree planting will not prevent sufficient access to the Tottle Brook watercourse;
 - (d) planting, seeding/turfing of other soft landscape areas;
 - (e) details of the site boundary treatments;
 - (f) a timetable for implementation of the scheme.

The landscaping scheme shall be carried out in accordance with the approved timetable and the tree protection measures shall be in place before any site clearance/development commences. If any trees or plants, which, within a period of 5 years, die, are removed or have become seriously damaged or diseased they shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority.

8. No development above slab level shall be carried out until samples of the materials to be used in the facing walls and roofs have been submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed only in accordance with those details.
9. No development above slab level shall commence until precise details of the types of bat and bird boxes proposed have been submitted to and agreed in writing by the Local Planning Authority. The bat and bird boxes shall be installed in accordance with the agreed details prior to first occupation of the respective houses.
10. No development above slab level shall commence until precise details of the ecological enhancement measures as set out on the first page of the 'NWT response letter' received on 29 August 2019 have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details, prior to the occupation of the dwellings.
11. Prior to the first occupation of the houses hereby approved, the development shall be constructed in accordance with the submitted flood risk assessment prepared by BWB Consulting Ltd, Ref: MCB-BWB-ZZ-XX-RP-YE-0001_FRA, received by the Local Planning Authority on 30 April 2019 and in accordance with the mitigation measure that finished floor levels are set no lower than 37.1m above ordnance datum. This mitigation measure shall be maintained and retained for the lifetime of the development.
12. Prior to the first occupation of the houses hereby approved, all driveways and parking areas shall be surfaced in a hard, bound material (not loose aggregate), and designed to prevent the unregulated discharge of surface

water onto the public highway. The surfaced drives and parking areas shall then be maintained in such form for the lifetime of the development.

13. Prior to the first occupation of the houses hereby approved, the existing site access shall be made redundant and permanently closed and the access crossing reinstated as a footway.
14. Prior to the first occupation of the houses hereby approved, visibility splays shall be provided in accordance with the approved plans. The area within the visibility splays shall be kept free of all obstructions for the lifetime of the development.
15. The first floor side windows annotated as obscurely glazed on drawing numbers: 02 Rev J, 03 Rev K, 04 Rev E, 05 Rev F, 06 Rev H AND 10 Rev A 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.
16. Notwithstanding the provisions of the Town And Country Planning (General Permitted Development) Order 2015, or any Order revoking or re-enacting this Order, no extensions or outbuildings shall be carried out to the dwellings on plots 1 - 5 hereby approved which come within Classes A and E of Schedule 2, Part 1 of the Order without the prior written permission of the Local Planning Authority by way of a formal planning permission.
17. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.

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 minimise the impact of the development on protected species within the site in accordance with Policy 17 of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the draft Part 2 Local Plan.
4. The development cannot proceed satisfactorily without the outstanding matters being agreed and in the interests of biodiversity and neighbouring visual amenity to secure appropriate planting of the gabion wall and longer term survival of the planting, to preserve the Tottle Brook as a wildlife corridor and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
5. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the

application. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).

6. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the application. Further to prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with the aims of Policy E27 of the Broxtowe Local Plan (2004) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
7. The development cannot proceed satisfactorily without the outstanding matters being agreed and limited details were submitted with the application. To ensure the development presents a satisfactory standard of external appearance to the area and to maintain the Tottle Brook as a wildlife corridor and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
8. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the application. To ensure the satisfactory standard of external appearance in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014).
9. To secure the provision of such features in the interests of biodiversity and in accordance with Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
10. In the interests of enhancing biodiversity, in accordance with Policy 17 of the Aligned Core Strategy (2014) and Policies 17 and 31 of the Draft Part 2 Local Plan (2018).
11. To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Broxtowe Aligned Core Strategy (2014).
12. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
13. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
14. In the interests of highway safety to mitigate the impact of the development on the highway network and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004).
15. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

16. To ensure that access to the Tottle Brook watercourse is kept clear for future maintenance, to reduce the risk of flooding to the development, to prevent flooding elsewhere and in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014).
17. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 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 communicating with the agent throughout the course of the application.
2. The applicant should note that, if any highway forming part of the development is to be adopted by the highways authority, the new roads and any highway drainage will be required to comply with Nottinghamshire county council's current highway design guidance and specification for roadworks. An agreement under section 38 of the highways act 1980 will be required. It is also an offence under sections 148 and 151 of the highways act 1980 to deposit mud onto the public highway. The proposal makes it necessary to reinstate the redundant access/ vehicular crossing over a footway of the public highway and these works should be carried out to the satisfaction of the highways authority. The applicant is advised to contact the nottinghamshire county council as highways authority at an early stage on telephone number: 0300 500 8080.
3. The gabion wall and any activities that take place within 8 metres of the tottle brook watercourse will require a flood risk activity permit. The applicant is advised to contact the environment agency on telephone number: 03702 422 549. Further guidance can be obtained at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
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. Further information is also available on the coal authority website at: www.gov.uk/government/organisations/the-coal-authority
5. The applicant is advised to contact the council's waste and recycling section on telephone number: 0115 917 7777 to discuss waste and refuse collection requirements.
6. The applicant is advised to contact Natural England to obtain the relevant licence(s) before any ground works commence.

45.2 19/00297/FUL

Construct student accommodation building (providing 28 bedrooms) following demolition of bungalow and single-storey extension (at 3 Queens Road East)
1 Queens Road East, Beeston, Nottinghamshire, NG9 2GN

Councillor J C Patrick joined the meeting for this item onwards.

The application, which was first brought to Planning Committee on 4 September 2019 and deferred to enable a site visit to take place was called in to Committee by Cllr P Lally.

Members were asked to consider the late items for the application, which included four objections which raised concerns over appearance, parking, over-population and plan inaccuracies amongst other issues. Further late items included provision by the applicant of a copy of the Assured Shorthold Tenancy Agreement and comments from Severn Trent Water Ltd.

Miss Chris Storer (objecting), Mr Fraser Williams (applicant) and Councillor L A Lally (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- Purpose built student accommodation was preferable to using existing housing stock. The reduction in size was helpful and the site was close to the University campus.
- The building was too large for the area and access was along a private road.
- The Committee was only able to debate what was in front of it and all housing areas were once green fields.
- There were no guarantees that the students would not have cars and there were not enough parking spaces for all of them. The site was unsuitable for student accommodation as it was a residential family area.
- The University was expanding but was unlikely to provide housing on campus.

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

- 1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.**
- 2. The development hereby permitted shall be carried out in accordance with the drawings numbered DL/446/303 Rev A, DL/446/305 Rev H, DL/446/306 Rev G, DL/446/307 Rev G, DL/446/308 Rev C, DL/446/309 Rev F, DL/446/310 Rev B, DL/446/312 Rev C, DL/446/313 Rev B, DL/446/315 Rev A, DL/446/319, DL/446/316, DL/446/317, 318, DL/446/321; received by the Local Planning Authority on 8 July and 16 September 2019.**
- 3. No above ground works shall be carried out until the type, style and manufacturer of the materials to be used in the external facing elevations have been submitted to and approved in writing by the Local Planning Authority.**

4. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (RPS Consulting Services Ltd., dated May 2019) and in particular the following mitigation measures detailed within:

- Finished floor levels shall be set no lower than 27.31mAOD;**
- Flood resilient construction measures shall be incorporated throughout the development to a minimum height of 27.61mAOD.**

The mitigation measures shall be fully implemented prior to occupation.

- 5. No part of the development hereby permitted shall be brought into use until the access has been widened and the dropped vehicular footway crossing has been amended and is available for use and constructed in accordance with the Highway Authority specification.**
- 6. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number DL/446/305 Rev H. The parking, turning and servicing 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, turning and loading and unloading of vehicles.**
- 7. No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.**
- 8. No part of the development hereby permitted shall be brought into use until the cycle parking has been constructed and is available for use in accordance with drawing number DL/446/305 Rev H.**
- 9. No part of the development hereby permitted shall be brought into use until the area between the adopted highway and the applicants own land is delineated with flush kerb/pin kerb in accordance with drawing number DL/446/305 Rev H.**
- 10. No part of the development hereby permitted shall be brought into use until the carriageway has been widened at the access entrance to Tattershall Drive in accordance with drawing number F19075/03 Rev B and the footway on Queens Road East/pedestrian access has had the corduroy paving constructed in accordance with drawing number F19075/04 Rev B.**
- 11. The development hereby permitted shall be carried out in accordance with the details submitted in Sections 2, 4 and 5 of the Arboricultural Method Statement (document reference 0291/AB); received by the Local Planning Authority on 3 June 2019.**

12. The development shall be constructed in accordance with the noise mitigation measures as detailed in sections 7.5 and 7.6 of the Acute Acoustics Ltd noise assessment dated 20th March 2019.

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 in accordance with Broxtowe Local Plan (2004) Policy H7 and Broxtowe Aligned Core Strategy Policy (2014) Policy 10.**
- 4. To reduce the risk of flooding to the proposed development and future occupants.**
- 5. In the interests of highway safety.**
- 6. 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.**
- 7. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.**
- 8. To ensure that adequate cycle parking provision is available.**
- 9. To ensure that highway and applicants land is clearly defined.**
- 10. In the interests of general highway safety.**
- 11. To ensure the trees situated adjacent to the site are not adversely affected by the development in accordance with Policy E24 of the Broxtowe Local Plan (2004)**
- 12. To protect the occupiers from excessive external noise in accordance with Policy H7 of the Broxtowe Local Plan (2004).**

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. Noisy works should be limited to between 08.00 and 18.00 hours Mondays to Fridays, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays, Bank Holidays and any other public holidays. There should also be no bonfires on site at any time.**

3. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.
4. In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (As Amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact Highways Development Control Team within Nottinghamshire County Council for more information. The development makes it necessary to widen/construct/improve the vehicular crossing over the footway 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>

45.3 19/00267/OUT

Outline application with some matters reserved for construction of a building containing 10 flats with parking (following demolition of existing commercial premises).
198 Cator Lane, Chilwell, Nottinghamshire, NG9 4BE

This major application was first brought before Planning Committee on 4 September 2019 with a recommendation for approval. Members had deferred making a decision on the application to allow for a site visit and suggested various alterations to the proposal which included scaling down the massing and size to reduce the dominance of the building on the corner and to provide a plan to show the existing building in relation to the proposed building.

Members were asked to consider the late items for the application which included an objection which raised concerns over the mass of the building dated 23 September 2019, comments from the applicant and planning agent comprising a planning statement, the Planning and Scheme Development Statement and the Site Meeting notes.

Ms Kate Ford (objecting) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The proposed building was in keeping with the area.
- Car parking was insufficient for the size of the site.
- There were no changes offered by the applicant and it was still too large.
- The site just contained a derelict building and no sunlight would be lost.
- There was already a building on site and the proposed sloping roof lessens the impact on neighbours.

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

- 1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**
- 2. The development hereby permitted shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**
- 3. The outline permission relates to drawings:**
 - **(04)03 – 00 Rev D, (04)03 – 01 Rev D and (04)03 – 03 Rev D received by the Local Planning Authority on 15 July 2019;**
 - **(04)01 – 00 Rev A and (04)04 – 01 Rev F received by the Local Planning Authority on 16 July 2019;**
 - **(04)03 – 04 Rev D and (04)03 – 02 Rev D received by the Local Planning Authority on 17 July 2019;**
 - **(04)00 – 01 Rev A received by the Local Planning Authority on 23 July 2019; and**
 - **(04)04 – 03 Rev G and (04)04 – 02 Rev F received by the Local Planning Authority on 19 September 2019.**
- 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 means of access and parking provision within the site and**
 - b) the landscaping treatment of the site.**

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

- 5. The detailed drawings and particulars required under condition 4(a) shall include the following details:**
 - a) access width;**
 - b) surfacing treatments;**
 - c) visibility splays; and**
 - d) drainage of parking/turning areas.**

All details shall comply with Nottinghamshire County Council’s 6’Cs Design Guide and the access and parking areas shall be provided strictly in accordance with the approved details prior to the first occupation of the building.

6. The detailed drawings and particulars required under condition 4(b) 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) details of boundary treatments (including a scheme of works to modify the wall on southern boundary);**
- d) proposed hard surfacing treatment planting, seeding/turfing of other soft landscape areas; and**
- e) 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.

7. No development, including site clearance, shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall include:

- Details of a proven outfall from the site in accordance with the drainage hierarchy. The following options should be considered in order of preference: infiltration, discharge to watercourse and discharge to surface water sewer or discharge to combined sewer;**
- Justification for the use or not of infiltration, including the results of soakaway testing, in accordance with BRE 365;**
- Evidence the maximum discharge is set to the QBar Greenfield run-off rate for the positively drained area of development;**
- Demonstrate the site drainage system should cater for all rainfall events up to and including the 1 in 100-year event, including a 40% allowance for climate change;**
- Provide details for exceedance flows; surface water should be contained within the site boundary without flooding any properties in a 1 in 100year+CC storm;**
- Show that SuDS systems will be incorporated into the surface water management scheme for the site, preference should be given to above ground SuDS which provide multi-functional benefits; and**
- Details of who will manage and maintain all drainage features for the lifetime of the development.**

8. No development, including site clearance, shall commence until a scheme of works to identify and remove asbestos and asbestos containing material is submitted to and approved in writing by the Local Planning Authority. The removal of any asbestos material shall be undertaken strictly in accordance with the approved details.
9. Notwithstanding the submitted details, no above ground works shall commence until details of the location of the bins has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in accordance with the approved details.
10. 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.
11. The openings annotated as 'AOV' 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.
12. No construction or site preparation work in association with this permission shall be undertaken outside of the hours of 07.30-18.00 Monday to Saturday and at no time on Sundays or Bank Holidays. Exceptionally, specific works or operations may be carried out outside these times, but these must be agreed in writing with the Local Planning Authority 7 days in advance of being undertaken.

Reasons

1. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. To comply with S92 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
3. For the avoidance of doubt.
4. The application was submitted in outline only and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of the development commencing in the interests of ensuring the details of the development are acceptable to the Local Planning Authority.
5. In the interests of highway safety and in accordance with the aims of Policy T11 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
6. No such 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 Policy 10 of the Broxtowe Aligned Core Strategy (2014).

7. The development cannot proceed satisfactorily without the outstanding matters being agreed and no such details were submitted with the application. Further to improve and protect water quality and to ensure the future maintenance of the sustainable drainage structures in accordance with the aims of Policy E27 of the Broxtowe Local Plan (2004) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
8. No such details were submitted with the application and in the interests of public health and safety and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
9. To ensure the safe manoeuvrability of bins by refuse operatives and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
10. Full details were not submitted with the application and in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
11. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
12. In the interests of the amenities of nearby residents and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 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 seeking positive amendments and working to determine it within the agreed determination timescale.
2. The submitted plans are for indicative purposes only in relation to landscaping and access and this decision does not approve the landscaping or access as shown.
3. No construction waste shall be burnt on site at any time.
4. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.

45.4 19/00314/FUL

**Construct three storey apartment block containing four 2 bed units and two 1 bed units
Former Beeston Scout Headquarters Waverley Avenue Beeston NG9 1HZ**

The application was first brought before Planning Committee on 24 July 2019 with a recommendation for approval. Members deferred making a decision on the application at that time to allow further consideration to be given to reducing the intensity of the

occupation of the building, to address the concern regarding room sizes and to address concerns in regard to parking.

There were no late items.

Ms Georgina Mabel (applicant) and Councillor L A Lally (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The concerns that had been raised previously had not been addressed. The flats were too small and any residents' parking scheme would not be of assistance.
- The development was over-intensive and the site could not sustain a development of this size.
- Parking proposals were insufficient for the development.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Head of Neighbourhoods and Prosperity in consultation with Chair of the Planning Committee.

Reason

The proposal is considered to be an over-intensive form of development due to the small size of the site. In addition, it would create unacceptable parking problems due to the insufficient provision of on-site parking, resulting in a detrimental impact on neighbour amenity. Accordingly, the development would be contrary to Policy T11 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan (2018).

45.5 19/00332/FUL

Construct two storey and single storey rear extensions, to form one x five bed unit to the rear

Flewitt House Middle Street, Beeston

This application was first brought before Planning Committee on 4 September 2019 with a recommendation for approval. Members deferred making a decision on the application at that time to allow for a site visit to be carried out, and for further consideration to be made to reducing the scale of the proposed development.

Members were asked to consider the late items for the application which included three additional objections.

Mr Giles (objecting) and Councillor L A Lally (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The site was already overdeveloped and parking was insufficient.
- The tree was very important as it broke up the impact of the building from Princess Avenue. A single-storey extension would perhaps be suitable but there were concerns over the scheme.
- There was a loss of amenity.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Head of Neighbourhoods and Prosperity in consultation with Chair of the Planning Committee.

Reason

The proposed development would be over intensive and would have a detrimental impact on neighbour amenity in terms of loss of light and being overbearing, contrary to Policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Part 2 Local Plan (2018).

45.6 19/00263/FUL

Change of use from town hall (class B1) to church (class D1) and construct single/two storey rear/side extensions, including alterations, following demolition of detached garages

Broxtowe Borough Council, Town Hall, Foster Avenue, Beeston, NG9 1AB

Having declared an interest in the item Councillor D K Watts left the meeting for the item prior to discussion or voting thereon. Councillor J W McGrath took the Chair.

The application, brought to the Committee as the Council is the owner of the site, was to change the use of the building from a town hall to a church and to construct single and two storey side and rear extensions and external alterations including alterations to the front ground floor windows.

Members were asked to consider the late items for the application which included twelve representations, eleven of which were objections and one of which made observations about the restriction of access between Devonshire Avenue and Foster Avenue. A further objection was received from the Beeston and District Civic Society whilst comments were considered from the Environmental Health Officer and an email from the agent.

Mr Richard Hill (objecting) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The application would allow for investment into the building and the retention of community use.
- This was an iconic building which should be kept within the community.
- The issue was not about the use of the building as a church, but there were concerns over the proposed look of the front of the building. There was merit in preserving its appearance.

- The building would be used by local people as a church that currently meets at the West End.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with drawings numbered RHA1832-0100 received by the Local Planning Authority on 18 April 2019; RHA1832-0110d, RHA1832-0111a, RHA1832-0112c, RHA1832-0114d, RHA1832-0115c, RHA1832-0120e, RHA1832-0122f, RHA1832-0123e, RHA1832-0124e and RHA1832-0126c received by the Local Planning Authority on 16 September 2019 and RHA1832-0113e, RHA1832-0116d, RHA1832-0117d, RHA1832-0121h and RHA1832-0127 received by the Local Planning Authority on 20 September 2019.
3. No development above slab level shall commence until samples of the proposed external facing materials have been submitted to and agreed in writing by the Local Planning Authority and the development shall be constructed only in accordance with the agreed details.
4. No alterations to the front ground floor windows shall take place until detailed drawings of the proposed doors/elongated windows have been submitted to and agreed in writing by the Local Planning Authority. The alterations shall be undertaken in accordance with the agreed details.
5. No boundary treatment or gate shall be erected/installed until detailed drawings and proposed materials of the proposed treatment/gate have been submitted to and agreed in writing by the Local Planning Authority. The boundary treatments and gates shall be constructed/installed in accordance with the agreed details.
6. No ventilation and/or filtration equipment shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. Any equipment shall be in full working order prior to the use commencing. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues.
7. No demolition shall take place unless and until details of a scheme to minimise the effects of dust created by works on site has been submitted to and approved in writing by the Local Planning Authority. The demolition/construction shall take place in accordance with the agreed scheme.
8. No fixed plant, machinery or equipment, including any PA system, shall be installed within the site until a noise report, including details of the acoustic specification of such fixed plant, machinery or equipment has been submitted to and agreed in writing by the Local Planning Authority. The plant/machinery/equipment shall be installed in accordance with the

agreed details and thereafter maintained in the agreed form for the lifetime of the development.

9. The development shall not be first occupied unless and until a plan to show the parking spaces indicated on drawing number RHA1832-0112c has been submitted to and agreed in writing by the Local Planning Authority and the agreed parking spaces have been marked out and thereafter shall be retained for the lifetime of the development and used for no other purpose than parking.
10. The development shall not be first occupied unless and until the cycle shelters/racks shown on drawing number RHA1832-0112c have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority and thereafter shall be retained for the lifetime of the development.
11. No demolition, construction or site preparation work in association with this permission shall be undertaken outside the hours of 07:30-18.00 Monday to Friday, 08:00-13:00 on Saturdays and at no time on Sundays or Bank Holidays.
12. The premises shall not be used except between 08.00-22.00 hours Monday to Saturday and 09.00-21.00 on Sundays, Bank Holidays and other public holidays.
13. The rating level resulting from the cumulative use of any plant, machinery or equipment shall not exceed the existing background level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive receptor.
14. Notwithstanding the provisions of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), this permission shall relate solely to the use of these premises as a church and not for any other use falling within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

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 matching brick is used and in the interests of the appearance of the development and the adjacent Conservation Area as high quality materials need to be used and in accordance with the aims of Policy 11 of the Aligned Core Strategy and Policy 23 of the Draft Part 2 Local Plan.
4. To ensure appropriate detailing and materials are used and in accordance with the aims of Policy 11 of the Aligned Core Strategy and Policy 23 of the Draft Part 2 Local Plan.

5. To ensure appropriate detailing and materials are used and in accordance with the aims of Policy 11 of the Aligned Core Strategy and Policy 23 of the Draft Part 2 Local Plan.
6. To suppress and disperse odour created from food preparation operations in order to protect nearby residents from excessive odour and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. To protect nearby occupants from excessive dust and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
8. To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
9. In the interests of highway safety to ensure some parking is provided and retained on site and in accordance with the aims of Policy 17 of the Draft Part 2 Local Plan.
10. To encourage alternative modes of transport to the car and to ensure cycle parking is provided and retained on site and in accordance with the aims of Policy 17 of the Draft Part 2 Local Plan.
11. To protect nearby occupants from excessive construction noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
12. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
13. To protect nearby occupants from excessive operational noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014).
14. Alternative uses that might otherwise be permitted within Class D1 would be likely to generate more demand for parking and accordingly would be contrary to Policy T11 of the Local Plan (2004).

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. Suitable sanitary provision in line with the current British Standard 6465 will need to be made.

(Having declared an interest in the item Councillor J C Patrick left the meeting for the item prior to the vote thereon.)

45.7 19/00508/FUL

Retain poly tunnel

Babbington Hall, Westby Lane, Babbington Village, Nottingham, NG16 2SS

This application was brought before the Committee as the original permission was granted by Planning Committee in 2018 to retain the poly tunnel for one year and the one-year period has now elapsed.

Members were asked to consider the late items for the application which included a representation in support of the application in addition to a further representation of support from Councillor R S Robinson.

Mr Tony Sanderson (applicant) addressed the Committee prior to the general debate.

Members debated the application and stated that the development was not intrusive.

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

- 1. The development hereby permitted shall be retained in accordance with the Site Location Plan (1:1250) and Elevations and Floor Plan (1:200); received by the Local Planning Authority on 9 August 2019.**
- 2. the poly tunnel hereby permitted shall not be used except between the hours of 09.00 – 18.00 Wednesday to Sunday and 09.00 – 20.00 on Mondays and Tuesdays.**

Reasons

- 1. For the avoidance of doubt.**
- 2. To protect nearby residents from excessive operational noise.**

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.**

45.8 18/00210/OUT

Outline application to construct a maximum of 14 dwellings with all matters reserved.
Park House, 15 Nottingham Road, Kimberley, Nottingham, NG16 2SS

This major application which was first brought before Planning Committee on 24 July 2019 had been called in by Councillor S Easom.

Members were asked to consider the late items for the application which included one objection relating to traffic issues, a representation stating that the latest plan submitted showed development outside of the defined boundary and an objection from Kimberley Town Council.

Councillor S Easom (Ward Member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The detail should be brought back before the Committee if the application was approved.
- The amount of dwellings was far too many for the size of the site.
- Different access was needed for the site as Noel Street was too narrow.
- No opposition to the principle of development but more details would have to be submitted to show how the development would work.

RESOLVED that planning permission be refused, with the precise wording of the refusal to be delegated to the Head of Neighbourhoods and Prosperity in consultation with Chair of the Planning Committee.

Reason

The proposal constitutes over intensive development of the site and the application has failed to demonstrate that 14 dwellings could be satisfactorily accommodated. Furthermore, the additional traffic generated by the proposed development would result in an unacceptable increase in danger to the users of the highway due to the increased use of the existing sub-standard access road from Noel Street. Accordingly, the proposal is contrary to the aims of saved policy H7 of the Broxtowe Local Plan (2004), Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Draft Broxtowe Part 2 Local Plan (2018), and there are no other material considerations that justify treating the proposal as an exception to these policies.

45.9 19/00493/REM

Construct 3 retail units (Class A1), care home (Class A2), day nursery (Class D1) and public house (Class A4) (approval of reserved matters relating to planning ref: 17/00131/ROC - layout and access only)

Land to The West of Toton Lane, Stapleford, Nottinghamshire

The application was brought to the Committee as it was a major application and contrary to the Draft Part 2 Local Plan.

Members were asked to consider the late items for the application which included a letter from the planning agent in support of the application and comments from the Area Rights of Way Officer, the Lead Local Flood Authority, Broxtowe Borough Council Environmental Health, HS2 Ltd and Nottingham Express Transit.

There were no public speakers.

Members debated the application and stated that the development would be of benefit to the town.

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

- 1. The development hereby permitted shall be carried out in accordance with the Site Location Plan received by the Local Planning Authority on 31 July 2019 and drawing numbered P0402 – 111 Revision E received by the Local Planning Authority on 1 August 2019.**
- 2. No building shall be first brought into use until:**
 - The respective parking and servicing areas, as shown on drawing P0402 – 111 Revision E, have been provided.**
 - The respective access points have been provided and surfaced in a hard bound material with appropriate drainage to prevent the discharge of surface water onto the public highway.**

Reasons

- 1. For the avoidance of doubt.**
- 2. In the interests of highway safety.**

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application by working to determine it within the 13-week determination timescale.**
- 2. The reserved matters approval relates only to layout and access.**
- 3. You are reminded of the need to submit details of appearance, landscaping and scale.**
- 4. The applicant should note that, if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guidance and specification for roadworks.**
- 5. The applicant is advised to contact the Council's Waste and Recycling Department regarding refuse arrangements (0115 9 173189).**

45.10 19/00418/FUL

**Change of use from agricultural field to recreational use and erect four buildings
Greasley Castle Farm, 120 Church Road, Greasley, Nottinghamshire, NG16 2AB**

The application, which sought permission to change the use of the site from agricultural to outdoor recreation for use for an archery club, was called in by Councillor M Handley.

There were no late items.

Mr Steven Radomski (on behalf of the applicant) addressed the Committee prior to the general debate.

Members debated the application and stated that although the archery club was good for the community, there would be no desire to have permanent structures in the Green Belt.

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

1. The development hereby permitted shall be retained and carried out in accordance with the drawings numbered GAC007 Rev A (1:50), GAC006 Rev A (1:50), GAC005 Rev A (1:50), GCA-001Rev A (1:1000), GCA-002 Rev A (1:500), GAC005 (1:50), GCA-003 Rev A (1:200); received by the Local Planning Authority on 25 July and 2 August 2019.
2. Within 6 months of the date of decision, a written scheme for highway improvement works to the Church Road access shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of hard surfacing and a timescale for carrying out the works. The access shall be maintained in accordance with the approved scheme for the lifetime of the development.
3. The permission for the 4 buildings hereby approved shall be for a limited period of 5 years expiring on 10 October 2024 when the building works carried out under this permission shall be removed and the land reinstated to the satisfaction of the Local Planning Authority unless prior permission has been obtained in writing from the Local Planning Authority for their retention.

Reasons

1. For the avoidance of doubt.
2. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) and to ensure surface water from the site is not deposited on the public highway causing dangers to road users.
3. The buildings by virtue of their construction and appearance are not suitable for permanent retention.

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the eight-week determination timescale.

2. 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
3. The development makes it necessary to improve the vehicular crossing 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>

(Having declared an interest in the item Councillor M Radulovic MBE left the meeting for the item before discussion or voting thereon.)

45.11 19/00503/FUL

Change of use to from spa and beauty salon to school (Class D1)
Durban House Heritage Centre, Mansfield Road, Eastwood, NG16 3DZ.

The application, which sought permission to change the use of Durban House to a school, was brought before the Committee as the Council is the owner of the site.

There were no late items.

Ms Julie Hadler-Forman (on behalf of the applicant) addressed the Committee prior to the general debate.

Members debated the application and the following comments were amongst those noted:

- The building was important to the heritage of Broxtowe.
- There were concerns over increased traffic.
- It would be a suitable building for schoolchildren.

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

1. The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the Site Location Plan and Block Plan received by the Local Planning Authority on 6 August 2019, the proposed Basement, Ground Floor And First Floor Layout Plans received by the Local Planning Authority on 13 August 2019 and the Site Layout Plan received by the Local Planning Authority on 11 September 2019.

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.

Notes to Applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the eight-week determination timescale.
2. The planning permission relates only to the change of use. Any external alterations to the building or to the site may require separate planning permission.
3. The proposal makes it necessary to provide "School Keep Clear" markings fronting the site. This will require a Traffic Regulation Order. You are required to contact the County Council's Customer Services Team to liaise with the Highway Improvement Team to arrange for these works to be carried out on telephone 0300 500 80 80.

(Having declared an interest in the item Councillor M Radulovic MBE left the meeting for the item before discussion or voting thereon.)

45.12 19/00477/REG3

Construct 3 Industrial Units (Class B2)
Mushroom Farm Court, Meadowbank Way, Eastwood, Nottinghamshire

The application for the construction of three additional industrial units on an existing site was brought before the Committee as the Council is the owner.

There were no late items.

Mr Andy Meakin (objector) addressed the Committee prior to the general debate.

Members debated the application and stated that a site visit would be beneficial to assess the nature of the application.

RESOLVED that consideration of the application be deferred.

45.13 19/00317/MMA

Minor material amendment to planning reference 19/00047/MMA to alter the highway access

Land north of Common Lane and west of Common Farm, Common Lane, Watnall

This item was moved from 5.10 in the agenda to accommodate public speakers in attendance for other applications.

The application, called in by Councillor J M Owen, was a minor material amendment that sought to amend the position of the approved junction on Main Road serving the development.

There were no late items or public speakers.

Members debated the application and the following comments were amongst those noted:

- The application was controversial when it was first submitted and the only benefit was the provision of the pedestrian refuge which was proposed to be omitted. The pedestrian refuge should remain.
- Representations could be made to the County Council to ensure the refuge remains, these could be made by members of the Planning Committee who were also representatives of the County Council.
- The recommendation should include reference to the inclusion of a pedestrian refuge in the middle of the road toward the north of the site.

RESOLVED that planning permission be granted subject to the inclusion of a pedestrian refuge and the following conditions:

- 1. The development hereby permitted shall be commenced before the expiration of three years from the date of permission reference 18/00176/FUL, namely before 24th July 2021.**
- 2. Application for approval of reserved matters in respect of Phase 2 must be made no later than the expiration of five years beginning with the date on which this permission is granted, and the development of Phase 2 must not begin later than five years from the final approval of the reserved matters for Phase 2 or, in the case of approval on different dates, five years from the final approval of the last such matters to be approved.**
- 3. Phase 2 of the development hereby permitted shall not be commenced until approval of the details for appearance, layout, landscaping and scale for Phase 2 (the reserved matters) has been obtained from the Local Planning Authority.**
- 4. The development hereby permitted shall be carried out in accordance with drawing numbers:**
 - Location Plan
 - 170926-031-09 Site Layout
 - 170926-034-02 Layout
 - 170926-035-01 Roof
 - 170926-036.03 Elevations 1 of 2
 - 170926-037-02 Elevations 2 of 2
 - 8232-L-01E Landscaping
 - 8232-L-02E Landscaping
 - 8232-L-03E Landscaping
 - SK01 REV P3 Access Junction Layout.

- 5. The development shall be carried out in accordance with the materials detailed at page 8 of the Design and Access Statement January 2018.**
- 6. The approved landscaping scheme shall be carried out no later than the first planting season following the substantial completion of Phase 1 or occupation of the building, whichever is the sooner and any trees or plants which within a 5 year period, 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.**
- 7. Prior to the first occupation of the unit, the boundary treatment shall be carried out in compliance with the approved details and shall be retained in this form for the life of the development.**
- 8. Development shall be carried out in accordance with the full drainage strategy approved 9th July 2019 prior to the first use of the building hereby approved and shall thereafter be so maintained.**
- 9. The hedge protection measures approved 9th July 2019 shall be maintained throughout the construction phase.**
- 10. Before the development is occupied, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first use of the building hereby approved.**
- 11. Deliveries by commercial vehicles shall only be made to or from the site between 0700- and 2100 hours Monday to Saturday and 0900 and 1800 hours on Sundays, Bank Holidays and other public holidays, unless the prior agreement in writing from the Local Planning Authority has been obtained.**
- 12. The total rating level resulting from the use of any plant, machinery or equipment hereby installed pursuant to this permission, shall not exceed the existing day time or night time background sound levels when measured according to British Standard BS4142:2014 at a point one metre external to the nearest noise sensitive premises.**
- 13. Development shall be carried out in accordance with the waste audit for the construction phase approved 9th July 2017.**
- 14. The building hereby approved shall be first occupied by Aero Fabrications.**
- 15. No part of the development shall be brought in use until the new right turn facility and zebra crossing have been provided on main road, as shown on drawing referenced sk01 rev p3, to the satisfaction of the Local Planning Authority.**

16. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.
17. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are constructed with provision to prevent the unregulated discharge of surface water from the parking/turning/servicing areas to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
18. The development shall be carried out in accordance with the approved Travel Plan (Document No. 170926-044.01).
19. The travel plan coordinator shall within 6 months of occupation, produce or procure a detailed travel plan that sets out final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Interim Travel Plan to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives, including implementation dates, to the satisfaction of the Local Planning Authority.
20. The travel plan coordinator shall submit reports in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the Local Planning Authority in accordance with the Travel Plan monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where Travel Plan targets are not being met, including implementation dates, to be approved in writing by the Local Planning Authority.
21. The routing of construction traffic, including proposed construction site access arrangements, shall be carried out in accordance with the details approved 9th July 2019 and no other access points for construction traffic shall be used unless otherwise agreed in writing by the Local Planning Authority.
22. Development shall take place in accordance with the wheel-washing facilities as approved 9th July 2019. These facilities shall be provided prior to development commencing and shall be maintained on site during the period of construction. All commercial vehicles shall have their wheels washed before entering the public highway.

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. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
3. To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
4. For the avoidance of doubt.
5. To ensure a satisfactory external appearance in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
6. To ensure a satisfactory external appearance and to integrate the development into the surroundings in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
7. No such details were submitted with the application and to ensure a satisfactory form of boundary treatment in accordance with Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Draft Local Plan Part 2.
8. To ensure adequate justification is provided not to use infiltration as the primary form of drainage in accordance with the aims and objectives of Policy 1 of the Aligned Core Strategy (2014).
9. To ensure adequate protection for retained hedges.
10. In order to ensure a satisfactory external appearance and to protect residential amenity in accordance with Policy 10 of the Aligned Core Strategy (2014).
11. To protect the residential amenities of nearby residents from excessive delivery noise.
12. To protect existing residents from excessive plant noise.
13. In order to reduce waste during the operational phase in accordance with Policy 1 of the Aligned Core Strategy (2014).
14. Permission is granted only due to the very special circumstances of the applicant in accordance with Policy E8 of the Local Plan (2004) and Policy 3 of the Aligned Core Strategy (2014).
15. In the interest of highway safety, to ensure adequate pedestrian and vehicular access is provided to serve the development in accordance with Policy 14 of the Aligned Core Strategy (2014).
16. In the interest of highway safety, to ensure adequate parking and turning provision is provided to the proposed development.
17. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

- 18. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).**
- 19. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).**
- 20. To promote sustainable travel in accordance with Policy 14 of the Aligned Core Strategy (2014).**
- 21. In the interest of highway safety and to protect the amenity of residential areas.**
- 22. To reduce the possibility of deleterious material (loose stones etc.) being deposited on the public highway.**

Notes to Applicant

- 1. The Council has acted positively and proactively in the determination of this application in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework, by securing revised plans where required.**
- 2. Greasley Footpath 18 abuts the site. This footpath shall not be encroached upon and shall remain open, unobstructed and be kept on its legal alignment at all times. Vehicles shall not be parked on the public right of way or materials unloaded or stored on the public right of way so as to obstruct the path. The safety of the public using the path shall be observed at all times. Structures cannot be constructed on the line of the right of way without the prior authorisation of the Nottinghamshire County Council Rights of Way Team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.**
- 3. No clearance of vegetation shall be conducted during the bird breeding season (March to August inclusive), except under the guidance of a suitably qualified and experienced ecologist.**
- 4. The lighting scheme shall take account of Artificial Lighting And Wildlife Interim Guidance: Recommendations To Help Minimise The Impact Of Artificial Lighting in order to ensure the lighting scheme is bat sensitive.**
- 5. Where possible consideration should be given to the provision of a range of birds and bat boxes across the site. These may be positioned on suitable retained trees or on new buildings.**
- 6. In order to carry out the off-site works required, you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (As Amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact the County Highway Authority for details.**

45.14 19/00054/ENF

Unauthorised development
235 Derby Road, Beeston, Nottinghamshire, NG9 3AZ

The development was brought before the Committee by Councillor D K Watts as compliance checks had revealed that breaches of planning control had taken place. The original recommendation suggested that it was expedient for enforcement action to be taken against an unauthorised balcony and the first floor windows in the east side elevation and west side elevation to remedy the breach of planning.

There were no late items or public speakers.

An amendment was proposed by Councillor D K Watts and seconded by Councillor J W McGrath that enforcement action against all breaches be taken providing that Legal Services was satisfied as to the positive outcome of enforcement action. On being put to the meeting, the amendment was carried.

RESOLVED that enforcement action be taken against all breaches providing that the Council's legal department being satisfied as to the positive outcome of enforcement action.

45.15 18/00013/ENF

Unauthorised advertisement board
Basfords Ltd, Nottingham Road, Attenborough, Nottingham, NG9 6DP

This matter, which was brought to the Committee by Councillor E Kerry, was initially brought to the Council's attention in January 2018. The advertisement board is large and dominant in appearance. During initial contact with the business, the Council gave the option to either permanently remove the sign or to apply for advertisement consent to retain the sign. There were no late items or public speakers.

RESOLVED that enforcement action be taken to secure the removal of the unauthorised advertisement.

46 INFORMATION ITEMS

46.1 APPEAL STATISTICS - UPDATE REPORT ON APPEAL STATISTICS IN RELATION TO THE CRITERIA FOR DESIGNATION OF LOCAL PLANNING AUTHORITIES

The Committee noted that the position remained unchanged from that reported at its meeting on 4 September 2019. The Council was not therefore currently at risk of special measures based on the figures reported to the Committee on the aforementioned date.

46.2 DELEGATED DECISIONS

The delegated decisions were noted.