

PLANNING COMMITTEE

WEDNESDAY, 22 JULY 2020

Present: Councillor D K Watts, Chair

Councillors: D Bagshaw
L A Ball BEM
T A Cullen
D Grindell
R I Jackson
R D MacRae
J W McGrath (Vice-Chair)
P J Owen
D D Pringle
R D Willimott

Apologies for absence were received from Councillor M Handley.

13 **DECLARATIONS OF INTEREST**

Councillor D Bagshaw declared a non-pecuniary interest in agenda item 5.1 due to knowing a resident neighbouring the application site and visiting their property as part of the site visit process, minute number 16.1 refers.

Councillor P J Owen declared a non-pecuniary interest in agenda item 5.5 due to the applicant being a former member of Nuthall Parish Council, minute number 16.5 refers.

Councillor L A Ball BEM declared a pecuniary interest in agenda item 5.1 due to being employed by the applicant, minute number 16.1 refers.

14 **MINUTES**

The minutes of the meeting held on 24 June 2020 were approved as a correct record and signed.

15 **NOTIFICATION OF LOBBYING**

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

16 DEVELOPMENT CONTROL

16.1 19/00756/ROC

Variation of Conditions 2, 3 and 11 (approved drawings, details of materials and landscape scheme) of planning reference 15/00010/FUL (Construct 67 dwellings) to substitute house types, amend layout and remove plots, change external materials and amend landscaping scheme.

Land Off Acorn Avenue Giltbrook Nottinghamshire

This application sought planning permission for the variation of Conditions 2, 3 and 11 (approved drawings, details of materials and landscape scheme) of planning reference 15/00010/FUL (Construct 67 dwellings) to substitute house types, amend the layout and remove plots, change external materials and amend the landscaping scheme. The application was brought to the Committee due to the original permission to which this application relates being determined by Planning Committee.

Members considered the late items for the application which included a further 7 objections raising concern over drainage and loss of amenity.

Mr Matthew O'Donnell (objector) submitted a formal written representation that was read to members of the Committee, Councillor M Handley addressed the Committee as ward member.

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

- that there was an unacceptable loss of neighbour amenity.
- that the development was overbearing and over intensive for the area.
- the development is not being built in accordance with the plans.

RESOLVED that the application be deferred.

(Having declared a disclosable pecuniary interest in the item Councillor L A Ball BEM left the meeting before discussion or voting thereon.)

16.2 20/00293/FUL

Change of use from a nursing and residential care home (Class C2) to four Houses of Multiple Occupation (Class C4) (revised scheme)

The Gables 169 – 171 Attenborough Lane Attenborough

This application sought planning permission for the change of use from a nursing and residential care home (Class C2) to four Houses of Multiple Occupation (Class C4) (revised scheme) and had been brought before the Committee at the request of Councillor E Kerry.

Members considered the late items for the application which included the Environment Agency raising no objection to the scheme, an additional condition requiring the development to be undertaken in accordance with the submitted flood risk assessment and a letter of objection.

Mrs J Lawrance (objector) submitted a formal written representation that was read to members of the Committee, Mr A Harding (applicant) submitted a formal written representation that was read to members of the Committee. Additionally, Councillor E Kerry addressed the Committee as ward member.

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

- that the scheme is acceptable for the area following a decision made by the Planning Inspectorate.

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 (C/201 rev C) and drawings numbered C/200 rev H and C/101 rev O received by the Local Planning Authority on 04.05.20; C/100 rev Q, C/105 rev J and C/106 received by the Local Planning Authority on 30.06.20**
- 3. Prior to first occupation, the bin store shall be constructed in accordance with material details which shall have first been submitted to and approved in writing by the Local Planning Authority.**
- 4. Prior to first occupation, a landscaping scheme shall first have been submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following details:**
 - (a) Proposed boundary treatments**
 - (b) Proposed hard surfacing treatment**
 - (c) Planting, seeding / turfing of other soft landscaping areas**

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

- 5. The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building(s), whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.**
- 6. No part of the development hereby permitted shall be brought into use until the parking areas have been surfaced in a bound material, with the parking bays clearly delineated in accordance with drawing number C/200 Rev H, and constructed with provision to prevent the unregulated discharge of surface water onto the public highway. The parking areas shall be**

maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of vehicles.

- 7. No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority specification.**
- 8. The new window serving the en-suite to bedroom 4 of House 1 on the first floor rear elevation on drawing no. C/105 rev J 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.**
- 9. The development shall be carried out in accordance with the submitted flood risk assessment (FRA - Flood Risk Assessment, The Gables, IDOM, FRA-MER01486-18-76, 29/03/2020, R1; Addendum - Flood Risk Assessment, The Gables, 22066-XX-RP-D-001, IDOM, 30/04/2020, R1, Technical Note; Gable Nursing Home 169-171, TN-22066-20-273, Rev-00, 1st of July, IDOM) and the following mitigation measures it details:**

- Finished floor levels shall be set no lower than 27.645 metres above Ordnance Datum (AOD) for the Eastern side and 27.719m AOD for the Western side as stated within the Technical Note.

- Flood Resistant Measures are implemented up to a height no lower than 28.33 metres above Ordnance Datum (AOD) as stated within the Technical Note.

- Flood Resilience Measures are implemented up to a height no lower than 28.33 metres above Ordnance Datum (AOD) as stated within the Technical Note.

- A Safe Refugee area is provided which has a minimum finished floor level no lower than 28.33 metres above Ordnance Datum as stated within the Technical Note.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

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. Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

4. Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
5. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
6. To ensure adequate parking is available within the site, in the interests of highway safety and amenity and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. In the interests of highway safety and in accordance with Policy 10 of the Aligned Core Strategy (2014).
8. In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
9. To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 1 of the Aligned Core Strategy (2014) and Policy 1 of the Broxtowe Part 2 Local Plan (2019).

Notes to applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2. The applicant is advised to ensure that sound insulation to limit the transmission of noise between each property achieves the minimum requirements as contained in the current version of British Standard Approved Document E.
3. Given the proximity of residential properties, it is advised that contractors limit noisy works to between 08.00 and 18.00 hours Monday to Friday, 08.00 and 13.00 hours on Saturdays and no noisy works on Sundays and Bank Holidays. There also should be no bonfires on site at any time.
4. The development makes it necessary to construct / improve the vehicular crossings 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>

16.3 19/00465/FUL

Erection of 11 dwellings and provision of infrastructure works to facilitate the creation of a community park
Bramcote Ridge Open Space, Sandgate, Beeston

This application sought planning permission for the erection of 11 dwellings and provision of infrastructure works to facilitate the creation of a community park and had been brought before the Committee as a major development.

Members considered the late items for the application which included additional information on the removal of Japanese Knotweed, access arrangements and an additional 67 representations.

Mr Winslow (objector) submitted a formal written representation that was read to members of the Committee, Mr Patel (supporting) submitted a formal written representation that was read to members of the Committee. Additionally, Councillors B C Carr, S Carr and H Land addressed the Committee as ward members.

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

- The proposed 11 properties would not benefit the existing green infrastructure of the area.
- The site owner has an obligation to remove the Japanese Knotweed.

A recorded vote was proposed by Councillor D K Watts and seconded by Councillor D Grindell. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
B Bagshaw		
L A Ball BEM		
T A Cullen		
D Grindell		
R I Jackson		
R D MacRae		
J W McGrath		
G Marshall		
P J Owen		
D Pringle		
D K Watts		
R D Willimott		
H Khaled MBE		

RESOLVED that planning permission be refused for the following reasons:

Reasons

The proposed housing development, by virtue of the built development and the loss of habitats, would result in an unacceptable harm to the Green Infrastructure Asset and would result in a net loss to biodiversity. No benefits

which clearly outweigh this harm have been demonstrated. Accordingly, the development is contrary to the aims of Policies 28 and 31 of the Broxtowe Part 2 Local Plan (2019), Policy 16 of the Broxtowe Aligned Core Strategy (2014) and Section 15 of the National Planning Policy Framework (NPPF) 2019.

Note to applicant

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

16.4 19/00631/FUL

Construct three storey apartment block comprising 9 flats and dropped kerb
Land to the rear of Clayton Court, Queens Road, Nottinghamshire

This application sought planning permission to construct a three storey apartment block comprising 9 flats and dropped kerb and had been brought before the Committee at the request of Councillor T A Cullen.

There were no late items for this application.

Councillor T A Cullen addressed the Committee as ward member.

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

- The level of parking was sufficient.
- The area was large enough to accommodate the development.
- Section 106 contributions are no longer required as the scheme had been reduced in size.

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 drawing numbers:

Received by Local Planning Authority on 1 October 2019:

- 001

Received by Local Planning Authority on 15 June 2020:

- 003 Rev G
- 004 Rev G
- 005 Rev D

Received by Local Planning Authority on 25 June 2020:

- 002 Rev H
- 007 Rev F

Received by Local Planning Authority on 30 June 2020:

- 006 Rev J
- 008 Rev J
- 009 Rev B

3. 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.
4. 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 and shrubs
 - b. details of boundary treatments;
 - c. proposed hard surfacing treatment;
 - d. 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 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.

5. Prior to the first occupation of the apartments hereby approved, the development shall be constructed in accordance with the submitted Flood Risk Assessment Rev A prepared by Swish Architecture dated June 2020. Flood resilient measures and resistance measures shall be used as detailed in Section 6 and the finished floor levels shall be set no lower than 28.15m AOD. These mitigation measures shall be maintained and retained for the lifetime of the development.
6. The apartments hereby approved, shall not be first occupied until:
 - all driveways and parking areas have been surfaced in a hard, bound material (not loose aggregate) and designed to prevent the unregulated discharge of surface water onto the public highway;
 - each car parking space has been clearly delineated as shown on drawing 008 Rev J;
 - visibility splays are provided in accordance with drawing 008 Rev J and retained for the lifetime of the development;
 - dropped vehicular footway crossings on Grove Street and Queens Road are constructed and available for use;

- the existing dropped vehicular footway crossing on Grove Street is extended and made available for use and
- the cycle store and bin store as shown on drawing 008 Rev J are constructed and available for use.

The surfaced drives, parking areas, delineated spaces and dropped vehicular crossings shall then be maintained in such form for the lifetime of the development.

7. 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. No such 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).
4. 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 17 of the Part 2 Local Plan (2019) and Policy 10 the Broxtowe Aligned Core Strategy (2014).
5. To reduce the risk of flooding and in accordance with the aims of Policy 1 of the Part 2 Local Plan (2019) and Policy 1 of the Broxtowe Aligned Core Strategy (2014).
6. In the interests of highway safety to mitigate the impact of the development on the highway network, to ensure the bin and cycle store are available for use and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).
7. In the interests of the amenities of nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).

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 prospective building manager/occupants should register to receive flood warnings <https://www.gov.uk/sign-up-for-flood-warnings>
3. Any discharge of surface water from the site should look at: 1) infiltration 2) watercourse 3) sewer, as the priority order for discharge location. SUDS should be considered where feasible and consideration given to ownership and maintenance of any SUDS proposals for the lifetime of the development.
4. It is an offence under Sections 148 and 151 of the Highways Act 1980 to deposit mud onto the public highway and appropriate measures should be in place to avoid this. You are advised to contact the Nottinghamshire County Council as Highways Authority on telephone number: 0300 500 80 80.
5. The applicant is advised to contact the Council's Waste and Recycling Section (0115 917 7777) to discuss waste and refuse collection requirements.
6. The development makes it necessary to construct a dropped kerb crossing over a 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>
7. No waste shall be burnt on site at any time.

16.5 20/00334/MMA

Minor material amendment to reference 17/00285/FUL to make minor changes to elevation details

51a Mill Road Newthorpe Nottinghamshire

This application sought planning permission for a minor material amendment to reference 17/00285/FUL to make minor changes to elevation details and had been brought before the Committee at the request of Councillor J P T Parker.

There were no late items for this application.

There were no written representations for this application. Councillor J P T Parker addressed the Committee as ward member.

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

- There was a loss of neighbour amenity.

RESOLVED that the item be deferred.

16.6 19/00728/FUL

Retain front extension, windows and doors in rear extension, juliet balcony, rear extension roof and conservatory
235 Derby Road, Beeston, Nottinghamshire, NG9 3AZ

This application sought planning permission to retain a front extension, windows and doors in rear extension, juliet balcony, rear extension roof and conservatory and had been brought before the Committee at the request of Councillor D K Watts.

There were no late items for this application.

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

- that there was an unacceptable loss of neighbour amenity.
- that the development was overbearing and over intensive for the area.
- retrospective planning applications required approval or refusal on the individual merit.

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

- 1. The development hereby permitted shall be retained in accordance with drawings:**

Received by the Local Planning Authority on 3 December 2019:

- **Site Location Plan (1:1250)**

Received by the Local Planning Authority on 27 May 2020:

- **Proposed Ground Floor Plans**
- **Proposed First Floor Plans**
- **Proposed Side (West) Elevation**
- **Proposed Front (North) Elevation**
- **Proposed Block Plan**

Received by the Local Planning Authority on 8 July 2020:

- **Proposed Side (East) Elevation**
- **Proposed Rear (South) Elevation**

- 2. The first floor window in the east (side) elevation of the first floor rear extension shall be retained with glazing of Pilkington Level 4 or 5 (or equivalent) and remain fixed shut and retained in this form for the lifetime of the development.**

- 3. The Juliet balcony doors in the west (side) elevation of the first floor rear extension shall be retained with glazing of Pilkington Level 4 or 5 (or equivalent) and retained in this form for the lifetime of the development.**

4. **No part of the flat roof beyond the Juliet balcony shown on the block plan shall be used as a balcony, sun terrace or similar amenity space.**

Reasons

1. **For the avoidance of doubt.**
2. **In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
3. **In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**
4. **In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019) and Policy 10 of the Broxtowe Aligned Core Strategy (2014).**

16.7 20/00193/FUL

Retain boundary fence and gate
Gin Farm Hall Lane Brinsley Nottinghamshire NG16 5BJ

This application sought planning permission to retain a boundary fence and gate had been brought before the Committee as the proposal constitutes a material departure from policy.

Members considered the late items for the application which related to amendments to the original report.

Mrs L Berry (objector) submitted a formal written representation that was read to members of the Committee, Mr Clarke (applicant) submitted a formal written representation that was read to members of the Committee.

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

- the fence had no impact of the Green Belt.
- concern over the use of the gate and its impact on the Green Belt.
- an additional condition should be imposed in relation to keeping the gate closed.

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

1. **The hereby permitted fence and gates shall be retained in accordance with drawing(s) numbered Site Location Plan 1: 1250, Site Plan, 1: 200 and Fence Plan/Elevations, TDB003/01 received by the Local Planning Authority on 26 March 2020.**

2. The gate hereby approved shall remain closed, except when required for the safe access and egress of vehicles.

Reasons

1. For the avoidance of doubt.
2. In the interests of privacy 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, through an early visit to the site to appreciate whether any amendments needed to be sought and thus afford sufficient time to negotiate these should it have been the case.

16.8 20/00299/ROC

Variation of condition 21 (named first occupant) of application reference 18/00268/FUL (Construct 75 bed care facility; 30 supported living apartments (Class C2); bistro; gym/spa; hairdressers; bin, cycle and scooter stores; emergency generator; substation, car parking and landscaping)
Myford Ltd, Wilmot Lane, Beeston, NG9 4AF

This application sought planning permission for the variation of condition 21 (named first occupant) of application reference 18/00268/FUL (Construct 75 bed care facility; 30 supported living apartments (Class C2); bistro; gym/spa; hairdressers; bin, cycle and scooter stores; emergency generator; substation, car parking and landscaping) and had been brought before the Committee at the request of Councillor R I Jackson.

There were no late items for this application.

There were no written submissions for this application.

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

- the scheme was acceptable for the area
- the condition should be varied to relate to a registered care provider.

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

1. The development hereby permitted shall be commenced before 10 January 2022.
2. The development hereby permitted shall be carried out in accordance with drawing numbers: P4693_111 Planning - Proposed Façade Details received by the Local Planning Authority on 18 April 2018; P4693 001 Location Plan,

P4693_121 Rev A Planning - External Bin and Generator Store, P4693_122 Rev A Planning - External Cycle and Buggy Store and P4693_123 Planning - Substation Drawing received by the Local Planning Authority on 18 May 2018; P4693_106 Planning - Proposed GA Elevations - Sheet 1, P4693_108 Planning - Proposed GA Elevations - Sheet 3, P4693_109 Planning - Proposed GA Elevations - Sheet 4, 1072 003 Rev A Landscape Strategy and P4693_112 Planning - Proposed Household Façade Details received by the Local Planning Authority on 21 May 2018; M2715(69)001 Rev P1 received by the Local Planning Authority on 2 July 2018; P4693_SK112 Barrydale Avenue Boundary Sections received by the Local Planning Authority on 25 July 2018; P4693_110 Rev A Planning - Proposed GA Elevations - Sheet 5 and P4693_124 Rev A Planning - Car Park Sections received by the Local Planning Authority on 3 August 2018; P4693_113 Rev B Planning - GA Sections received by the Local Planning Authority on 13 November 2018; P4693_102 Rev B Planning - Proposed First Floor, P4693_103 Rev B Planning - Proposed Second Floor, P4693_104 Rev A Planning - Proposed Third Floor, P4693_105 Rev A Planning - Proposed Roof Plan, P4693_114 Rev C Planning - Proposed Street Elevations and P4693_107 Rev A Planning - Proposed GA Elevations - Sheet 2 received by the Local Planning Authority on 4 December 2018 and P4693_101 Rev B Planning - Proposed Ground Floor and P4693_100 Rev D Planning - Proposed Site Plan received by the Local Planning Authority on 11 December 2018.

- 3. No development shall commence until a plan to show the location of protective fencing for the trees shown to be retained on drawing number P4693_100 Rev B has been submitted to and agreed in writing by the Local Planning Authority. The erection of fencing for the protection of these retained trees shall be undertaken in accordance with the agreed details before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.**
- 4. No development shall commence until details of the location of the construction compound, construction site access and parking arrangements for construction vehicles have been submitted to and approved in writing by the Local Planning Authority. The siting of the compound, construction access and parking shall take place in accordance with the agreed details.**
- 5. No development above slab level shall be carried out until samples of the materials to be used in the facing walls (including windows and doors) and rainwater goods 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.**
- 6. No development above slab level 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 and shrubs,**

- (b) proposed hard surfacing treatment,**
- (c) planting, seeding/turfing of other soft landscape areas,**
- (d) proposed boundary treatments including details of the gate access to the British Legion social club**
- (e) a timetable for implementation.**

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

- 7. The approved landscaping shall be carried out not later than the first planting season following the practical 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.**
- 8. No building to be erected pursuant to this permission shall be occupied or brought into use until:
 - (i) All necessary gas and vapour barrier and clean cover remediation measures have been completed in accordance with Remediation Method Statement (Ref 12292A June 2018) and;**
 - (ii) It has been certified to the satisfaction of the Local Planning Authority that the remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified.****
- 9. No deliveries or collections by commercial vehicles (excluding the delivery of urgent medical supplies) shall be made to/from the site except between the hours of 07:00 - 22:00 on any day.**
- 10. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the prior written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. For areas where penetrative foundations are permitted, a methodology for reducing noise and vibration impact on neighbouring buildings and residents shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the piling activity. The activity shall be carried out in accordance with the approved details.**
- 11. 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.**
- 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 background sound level when measured according to British Standard BS4142:2014, at a point one metre external to the nearest noise sensitive premises.**

13. The building shall be constructed and the glazing and ventilation installed in accordance with the specification details in the Azymuth Acoustics UK report Ref AA0050, dated February 2018.
14. The development shall not be occupied until the redundant vehicular crossings on Ellis Grove have been removed and replaced with full kerbs and the footpath reinstated to the Highway Authority specification.
15. The building shall not be first occupied until the parking, turning and servicing facilities have been provided in accordance with the approved plans and constructed so as to prevent the unregulated discharge of surface water therefrom onto the public highway. These facilities shall thereafter be retained in the agreed form for the lifetime of the development and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.
16. The building shall not be first occupied until a Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority.
17. The Automatic Opening Vents in the north east elevation of the apartments shall only be opened in the event of a fire and 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.
18. The hereby approved apartments shall not be occupied other than by persons who have attained the age of 55 years, together with the spouse or partner of such persons, including a widow or widower who may be under 55 years of age.
19. The building hereby approved shall be first occupied by a registered care provider with registered charitable status.
20. The site access shall be provided in accordance with the approved drawings before the development is first occupied.

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. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are satisfactory, in the interests of retaining the trees on the site boundary with Barrydale Avenue and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014).
4. No such details were submitted with the application and the development cannot proceed satisfactorily without the outstanding matters being agreed in advance of development commencing to ensure the details are

satisfactory, in the interests of highway safety, to avoid conflict with the tram and to protect residential amenity and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

5. Full details were not submitted, in the interests of the appearance of the development and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
6. No such/insufficient details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area, to ensure a satisfactory standard of amenity 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. To ensure the development presents a more pleasant appearance in the locality and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
8. In the interests of public health and safety and in accordance with the aims of Policy 19 of the Part 2 Local Plan (2019).
9. To protect nearby residents from excessive noise and in accordance with the aims of Policy 10 of the Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
10. To protect groundwater from contamination and nearby buildings and residents from noise and vibration in accordance with the aims of Policies 17 and 19 of the Part 2 Local Plan (2019).
11. 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) and Policy 17 of the Part 2 Local Plan (2019).
12. To protect residents from excessive plant noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
13. To protect future occupiers from excessive environmental, commercial and industrial noise and in accordance with the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).
14. In the interest of pedestrian safety and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).
15. In the interests of highway safety to ensure satisfactory access, servicing and parking arrangements are provided and in accordance with the aims of Policy 17 of the Part 2 Local Plan (2019).
16. To promote sustainable travel and in accordance with the aims of Policy 14 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) and Policy 17 of the Part 2 Local Plan (2019).
18. In accordance with the terms of the application and in relation to S106 contribution requirements.
19. In accordance with the terms of the application and in relation to S106 contribution requirements.
20. In the interests of highway safety to ensure a satisfactory access is provided and in accordance with aims of Policy 17 of the Part 2 Local Plan (2019).

Notes to applicant

1. The Council has acted positively and proactively in the determination of this application by working to determine it within the 13 week determination timescale.
2. It is not permitted for any vehicles to obstruct the tramway at any time and consideration should be given to erecting a warning sign at the construction site exit point to warn of overhead lines. Please contact the Nottingham Express Transit (NET) Project Office for further information (0115 876 4095).
3. 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 hdc.south@nottscc.gov.uk for details.
4. 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.

16.9 20/00255/FUL

Construct single storey rear/side extension and lower rear garden level
10 Wimpole Road Beeston Nottinghamshire NG9 3LQ

This application sought planning permission to construct a single storey rear/side extension and lower the rear garden level and had been brought before the Committee at the request of Councillor S J Carr.

Members considered the late item for the application which was a supporting statement e-mail from the planning agent.

There were no written submissions for this application.

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

- that there was an unacceptable loss of neighbour amenity.
- that the development was overbearing and over intensive for the area.

RESOLVED that the application be refused with the precise wording of the refusal to be delegated to the Interim Head of Planning and Economic Development in consultation with the Chair of the Planning Committee:

The scale of the proposed extension would result in overdevelopment of the plot, resulting in a substandard level of amenity for existing and future occupiers, and be out of keeping with the character of properties in the locality. Accordingly, the proposed development would be contrary to the aims of Policy 10 of the Broxtowe Aligned Core Strategy (2014) and Policy 17 of the Part 2 Local Plan (2019).

16.10 20/00267/FUL

Retain 4 lamp posts in garden
Woodend, Kimberley Road, Nuthall, NG16 1DA

This application sought planning permission to retain 4 lamp posts in a garden and had been brought before the Committee as the proposal constitutes a material departure from policy.

There were no late items for this application.

Mrs J Regan (objector) submitted a formal written representation that was read to members of the Committee, Mrs A Kaur (applicant) submitted a formal written representation that was read to members of the Committee.

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

- The application was appropriate for the area.
- It is appropriate for the lights to be controlled by infra-red.

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

- 1. The development hereby permitted shall be retained in accordance with the drawings numbered 19-187(02)S01 (1:1250), 19-187(08)001 (1:500) and 19-187(08)002 (1:20); received by the Local Planning Authority on 29 April 2020.**
- 2. The light source shall be obscured so as to prevent illumination of adjoining properties to the north and west, and be operated by a Passive infrared (PIR) switch for the duration of the permission.**

Reasons

- 1. For the avoidance of doubt.**
- 2. To prevent light nuisance to immediate properties.**

Note to applicant

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

17 **INFORMATION ITEMS**

17.1 **APPEAL DECISIONS**

The Committee noted the appeal decisions.

17.2 **DELEGATED DECISIONS**

The Committee noted the delegated decisions.