

## **PLANNING COMMITTEE**

**22 MARCH 2017**

Present: Councillor M Handley, Chair

Councillors: D Bagshaw	L A Ball BEM
J S Briggs	T P Brindley
M Brown	D A Elliott (substitute)
A Harper	R I Jackson
R D MacRae	J K Marsters
P J Owen	M Radulovic MBE
R S Robinson	

An apology for absence was received from Councillor G Marshall.

### 50. **DECLARATIONS OF INTEREST**

Councillor T P Brindley declared a non-pecuniary interest in item number 6.5 since he lives in close proximity to the property the subject of the application, minute no. 54.5 refers. Councillor R D MacRae declared a non-pecuniary interest in item 6.5 since he knew one of the developers, minute no. 54.5 refers.

### 51. **MINUTES**

The minutes of the meeting held on 8 February 2017 were confirmed and signed.

### 52. **NOTIFICATION OF LOBBYING**

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

### 53. **PUBLIC PATH DIVERSION ORDERS**

#### 53.1 **Proposed diversion of Stapleford Footpath No. 11 Nottingham Road, Stapleford**

The Council had received an application for a Public Path Diversion Order at the site of the Pinfold Trading Estate and Nags Head, Nottingham Road, Stapleford. The Committee was requested to resolve the making of a diversion Order to Stapleford Footpath No. 11 pursuant to s257 of the Town and Country Planning Act 1990.

**RESOLVED that the public path diversion Order be made in accordance with the plans submitted with the application.**

53.2 Proposed diversion of Giltbrook Footpath No. 54  
Land off Smithurst Road, Giltbrook

The Council had received an application for a public path diversion Order to stop up part of Giltbrook Footpath No. 54 and create an alternative highway.

In response to a member's comments regarding the condition of the footpath traversing the recreation ground, officers advised that the matter fell between two public authorities and therefore Broxtowe had no powers to undertake the works requested. It was, however, noted that ward members were in contact with the County Council to try and seek resolution to footpath flooding issues.

**RESOLVED that the public path diversion Order be made in accordance with the plans submitted with the application.**

54. DEVELOPMENT CONTROL

54.1 16/00646/FUL

Construct 16 dwellings, access road and associated landscaping including demolition of the Victory Club  
Eastwood and District Victory Club, Walker Street, Eastwood NG16 3EN

The application had previously been considered by the Committee on 8 February 2017 when it had been resolved to defer the decision to allow the developer to submit revised plans due to members' concerns over the scale and design of the proposals.

The Committee was referred to the summary of late items which advised of four letters of objection received from five different properties, a letter raising no objections and an email from the Rights of Way Officer making observations on the amended plan concerning the siting of the proposed properties in relation to the footpath.

Mr Winfield (objecting) and Mr Hodgkinson (applicant) addressed the Committee prior to the general debate.

Members debated the item and the following comments were noted:

Some members had attended a presentation by the developers during which questions were raised as to the 'right to light' and clarification was sought by members on this issue. Officers responded that the 'right to light' sometimes referred to a legal right which had no direct bearing on planning decisions and that any development was bound to have some impact on neighbouring properties and that, in this instance, this was within acceptable parameters.

Members also requested further clarification concerning discussions at the meeting called by the applicant. It was stated that the applicant's decision to hold a meeting inviting members of the local community in order to address their questions was not part of the formal consultation process conducted by the Council. Members were referred to the late items list for comments relating to formal consultation and it was on that basis that members should make their decision regarding the application.

Although the current application had changed marginally by the reduction of dwellings from 17 to 16, the proposals were still considered to be over-intensive. The development did not meet County parking standards and the applicant's mitigation that parking was available nearby was considered to be of little merit since it was not connected to the development.

The impact on nearby residents due to loss of amenity and the allegedly dangerous location on Walker Street were not ideal. It was stated that an ideal development opportunity would be for 12 bungalows to be constructed on the site and that this had not come to fruition since the site kept being sold on.

Although there were traffic problems associated with the location, development of the site would provide much needed housing for people living in Eastwood. The site in its current state was an eyesore and the provision of housing, including social housing, should be welcomed.

A recorded vote was proposed by Councillor M Radulovic MBE and seconded by Councillor D Bagshaw. The voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
L A Ball BEM	D Bagshaw	R D MacRae
J S Briggs	D A Elliott	
T P Brindley	J K Marsters	
M Brown	M Radulovic MBE	
M Handley	R S Robinson	
A Harper		
R I Jackson		
P J Owen		

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

- (i) the prior completion of an agreement under section 106 of the Town & Country Planning Act 1990, 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 numbered EKV01836 – 001 RevA, EKV01836 – 002 RevA, EKV01836 – 100 RevB, EKV01836 – 101 RevB, EKV01836 – 102 RevC, EKV01836 – 104 RevB, EKV01836 – 200 RevC, EKV01836 – 201 RevC, EKV01836 – 202 RevC and EKV01836 – 204 RevO, received by the Local Planning Authority on 12 December 2016, EKV01836 – 205 RevB, received by the Local Planning Authority on 18 January 2017 and EKV01836 – 004 RevJ, EKV01836 – 103 RevF, EKV01836 – 203 RevF and EKV01836 – 003 RevK received by the Local Planning Authority on 23rd February 2017.**
- 3. No building operations, above the existing ground level shall be carried out until details of the manufacturer, type and colour of the materials to be used in 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.**
- 4. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:
  - (a) trees, hedges and shrubs to be retained and measures for their protection during the course of development.**
  - (b) numbers, types, sizes and positions of proposed trees and shrubs.**
  - (c) proposed boundary treatments**
  - (d) proposed hard surfacing treatment**
  - (e) proposed lighting details**
  - (f) planting, seeding/turfing of other soft landscape areas**
  - (g) proposed bin and cycle store facilities**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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no extensions shall be constructed to the rear of the properties hereby approved.**

7. No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
8. None of the dwellings hereby approved shall be occupied until the existing site access that has been made redundant as a consequence of this permission and as shown on plan no. EKV01836-003 RevK is permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
9. Each of the dwellings hereby permitted shall not be first occupied unless its respective access and driveway/parking area has been constructed in a hard bound material (not loose gravel) with provision to prevent the unregulated discharge of surface water from the driveways and parking 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.
10. No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the LPA. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.

### 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, in the interests of the appearance of the development and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Draft Aligned Core Strategy. The requirement is to be satisfied before new construction begins in order that potentially abortive works is avoided, if unacceptable materials are used.
4. No such 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 H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy 2014. The requirement is to be satisfied before new construction begins in order that protection measures are put in place and potentially abortive works are avoided, if unacceptable materials and planting is proposed.

5. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy.
6. In the interests of residential amenity and in accordance with policy H7 of the Broxtowe Local Plan 2004 and Policy 10 of the ACS.
7. No such details were submitted, in the interests of the appearance of the development and highway safety and in accordance with the aims of Policy H9 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Draft Aligned Core Strategy. The requirement is to be satisfied before new construction begins in order that potentially abortive works are avoided, and all measures to ensure that the road meets adoptable standards are implemented from the start of construction.
8. In the interests of Highway safety and in accordance with the aims of Policy 10 of the Broxtowe Draft Aligned Core Strategy. The requirement is to be satisfied before the new dwellings are occupied to ensure that all measures that avoid any highway conflict and therefore improve highway safety are in place, creating a safe highway network.
9. 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.
10. No such details were submitted with the application and in the interests of Highway safety, wheel washing facilities shall be in place prior to the commencement of the development to ensure that any mud, dirt or other debris does not leave to the site, ensuring that highway safety is not compromised.

**Notes to applicant**

1. This permission has been granted contemporaneously with an Agreement under Section 106 of the Town and Country Planning Act 1990, and reference should be made thereto.
2. The decision has been reached taking into account the guidance in paragraphs 186-187 of the National Planning Policy Framework (NPPF) 2012. The Council has worked proactively to engage directly with the developer at the earliest opportunity to discuss concerns,

request further information, find solutions and negotiate amended plans which improve the design and layout of the scheme.

3. The development makes it necessary to relocate the street lighting column and telegraph pole outside the site on Walker Street. These works should be carried out at the expense of the applicant and it is essential that you contact the Highways Department at Nottinghamshire County Council on 03005008080 to arrange for these works.
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 the County Council Highways team for details on Tel: 0115 9772210.
5. 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.
6. This consent will require approval under Section 19 of the Nottinghamshire County Council Act 1985 and where the new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works.
7. The applicant should note that notwithstanding any planning permission 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 the Nottinghamshire County Council's current highway design guidance and specification for roadworks.
8. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.
9. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction

**drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.**

54.2 16/00854/FUL  
Construct single dwelling  
Land adjacent 73 Maple Drive, Nuthall NG16 1FS

Councillor J M Owen had called in the application which sought to split the residential curtilage of No. 73 Maple Drive to create a new plot to accommodate a detached 3 bedroom dwelling.

There were no late items submitted in respect of this application.

Councillor M Radulovic MBE, not having had prior knowledge of Mr Gall's intention to speak at Committee, declared that he knew the objector and left the Chamber prior to the debate and did not speak or vote on the item.

Mr Tyrone Gall (objecting), Mr Allan Joyce (applicant) and Councillor J M Owen (ward member) addressed the Committee prior to the general debate.

Members debated the application and the following comments were noted:

The original property had had a substantial well-kept garden which had enhanced the area. Since the garden the subject of the application had been sold off, numerous planning applications to develop the land had been rejected on the grounds of over-intensification. Objections in respect of over-intensification had been upheld by the Planning Inspector.

The design proposals were out of keeping with the area. Residents did not object to development of the site in principle, although were desirous of a much smaller dwelling than that proposed since it was considered that the plot was too small for the house proposed.

The development proposals were inappropriate and would be out of keeping with the street scene.

The proposals to build a house on the land were a good proposed use of land and would provide a home for a family on an ideal plot.

**RESOLVED that planning permission for the proposed dwelling be refused. The precise wording for refusal to be delegated to the Head of Neighbourhoods and Prosperity in conjunction with the Chair of the Planning Committee.**



## Reason

The proposed dwelling would appear out of keeping with the rhythm of properties along the street and would therefore harm the character of the area. Accordingly, the proposal is contrary to the aims of Saved Policy H7 of the Broxtowe Local Plan 2004, Policy 10 of the Aligned Core Strategies 2014 and the National Planning Policy Framework (NPPF) 2012 and there are no other materials considerations that justify treating this proposal as an exception.

### 54.3 16/00808/FUL

Change of use from residential (Class C3) to mixed use of residential (Class C3) and internet distance selling pharmacy located within converted garage  
21 Cirrus Drive, Watnall NG16 1FS

Councillors J M Owen and R S Robinson had requested that the application, which sought permission for a change of use to incorporate an online pharmacy business within the curtilage of the premises, be determined by Committee.

The Committee was referred to the summary of late items which stated that a letter of objection had been received from an adjoining neighbour.

Mr Keith Jardine (applicant) and Councillor J M Owen (ward member) addressed the Committee prior to the general debate.

Members debated the item and the following comments were noted:

It was considered that some objections raised were disproportionate to the activities proposed. However, members sought assurances and clarification about traffic generation and the risks relating to storage of drugs. Members were also mindful that planning permission, if granted, should be made personal to the current applicant so that the business could not be expanded in a manner likely to cause problems to neighbours in the future. Members also expressed concerns regarding HGVs delivering to the property due to the narrow road layout and stated that a restriction on permitted development rights to prevent over-development at the premises should be considered.

Officers stated that conditions could be imposed to prevent staff being employed on the premises by restricting employees to residents of the property only and also in relation to size limits of vehicles delivering to the property. It would also be possible to restrict the proposed business to the specifics of the planning permission relating to the garage itself.

Councillor R I Jackson proposed an amendment to the recommendation, seconded by Councillor M Radulovic MBE, that additional conditions be included relating to employees, size limits on vehicles and permitted

development rights as discussed during the debate. The amendment, on being put to the meeting, was carried.

**RESOLVED** that planning permission be granted subject to the following conditions and subject to the inclusion of the additional conditions contained within the amendment referred to above:

- 1. The development hereby approved shall be carried out in accordance with the Amended Site Location Plan at scale 1:1250 received by the Local Planning Authority on 19 January 2017 and Proposed Floor Plan at scale 1:100 received by the Local Planning Authority on 24 November 2016.**
- 2. The premises shall not be used for the online pharmacy business hereby approved except between 08:30 – 17:00 hours Monday to Friday.**
- 3. The online pharmacy business hereby permitted shall be carried out only in conjunction with the residential occupation of 21 Cirrus Drive, Watnall, Nottinghamshire, NG16 1FS.**
- 4. The online pharmacy business hereby approved shall not be brought into first use until the site is assessed by the Force Architectural Liaison Officer & Design out Crime Officer from Nottinghamshire Police Force to ensure that appropriate levels of security are provided, which may include new door locks, installation of CCTV or the addition of an alarm system. The agreed security measures shall be installed prior to first use of the business and shall thereafter be adequately maintained as such for the life of the development.**

**Reasons:**

- 1. For the avoidance of doubt.**
- 2. To protect nearby residents from excessive operational noise and disturbance at unreasonable hours and in accordance with the aims of Saved Policies H8 & E34 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategies (2014).**
- 3. In accordance with the terms of the application and as to permit an independent business activity would be likely to adversely affect the residential character of the area. This condition also accords with the aims of Saved Policy H8 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategies (2014).**
- 4. In the interests of designing out crime and to ensure that the development creates a safe environment in accordance with Policy 10 of the Aligned Core Strategies (2014) and Section 7 of the National Planning Policy Framework (2012).**

### Note to Applicant

The decision has been reached taking into account the guidance in paragraphs 186-187 of the National Planning Policy Framework (NPPF) 2012. The Council has worked proactively to engage directly with the applicant to request additional information which was reasonably required.

#### 54.4 17/00025/FUL

Construct dwelling following demolition of existing dwelling  
4 Steven Close, Toton NG9 6JX

The Committee was requested to determine the application, as detailed above, since a member of the Council was related to the applicant.

The Committee was referred to the summary of late items which referred to a roof plan, the submission of which would necessitate an amendment to condition no. 2.

Mr Alan Kee (applicant) addressed the Committee prior to the general debate.

**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 plan and drawing numbered PL2068 05 received by the Local Planning Authority on 16 January 2017 and drawings numbered: PL2068 01 E, PL2068 02 E, PL2068 03 D, PL2068 01 E received by the Local Planning Authority on 3 March 2017 and drawing numbered PL2068 06 A received by the Local Planning Authority on 9 March 2017.**
- 3. No building operations shall be carried out until details of the manufacturer, type and colour 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.**
- 4. No development shall be carried out until a demolition and construction method statement (outlining the potential impact on the TPO trees on the site and the proposed mitigation measures to be undertaken) has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out only in accordance with those details.**

5. **No development 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) **trees, hedges and shrubs to be retained and measures for their protection during the course of development**
  - (b) **numbers, types, sizes and positions of proposed trees and shrubs**
  - (c) **proposed hard surfacing treatment**
  - (d) **planting, seeding/turfing of other soft landscape areas**

The approved scheme shall be carried out strictly in accordance with the approved details.
6. **The approved 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. **The dwelling hereby approved shall not be first occupied until the parking and turning area has been constructed in a hard bound material (not loose gravel) and so as to prevent the unregulated discharge of surface water therefrom onto 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.**

### **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, in the interests of the appearance of the development and in accordance with the aims of Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Broxtowe Aligned Core Strategy. The requirement is to be satisfied before new construction begins in order that potentially abortive work is avoided, if unacceptable materials are used.**
4. **No such details were submitted and to ensure that there is no adverse impact on the TPO trees on the site and neighbouring site and in accordance with Policy E24 of the Broxtowe Local Plan (2004). The requirement is to be satisfied before new construction**

begins in order that potentially abortive works are avoided and to ensure that the TPO trees are adequately protected.

5. No such 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 H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014). The requirement is to be satisfied before new construction begins in order that potentially abortive works are avoided and to ensure that any important tree or plant species are adequately protected.
6. To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy H7 of the Broxtowe Local Plan (2004) and Policy 10 of the Aligned Core Strategy (2014).
7. To ensure that deleterious materials and surface water from the site is not deposited on the public highway, in the interests of highway safety.

**Note to Applicant**

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 entering into negotiations with the Applicant to arrive at a more satisfactory design.

54.5 17/00082/FUL

Construct single storey side, rear and front extension  
18 Chesham Drive, Bramcote NG9 3FB

The application, as detailed above, had been brought to Committee for determination as the applicant was related to a member of staff in the Planning Department.

Councillor M E Plackett (ward member) addressed the Committee on behalf of the applicant.

**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 Location Plan (1:1250) and Proposed Block Plan (1:500) received by the Local Planning Authority on 13 February 2017 and drawing number: D.CD.02A received by the Local Planning Authority on 14 February 2017.

## **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 in line with the guidance contained within paragraphs 186 and 187 of the National Planning Policy Framework by working to determine this application within the eight week determination timescale.**
- 2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. For further information please see: <https://www.broxtowe.gov.uk/for-you/planning-building/coal-authority/>**

54.6 17/00020/ADV

Erect sign

Hickings Lane Medical Centre 120 Ryecroft Street, Stapleford NG9 8PN

The application seeking Advertisement Consent to display a sign had been brought to Committee as the applicant was a Borough Councillor.

**RESOLVED that consent be granted subject to the following conditions:**

- 1. (a) Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**  
**(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**  
**(c) Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.**  
**(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.**

(e) No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

2. The development hereby permitted shall be carried out in accordance with the Location Plan (1:1250), Block Plan (1:500) and Proposed North West Elevation received by the Local Planning Authority on 12 January 2017.

### Reasons

1. In the interests of amenity and public safety.
2. For the avoidance of doubt.

### Note to Applicant

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 working to determine this application within the agreed determination timescale.

- 54.7 14/00247/ENF  
Untidy condition of garden  
1 Roxley Court, Wollaton Road, Beeston NG9 2NU

The matter had been brought to Committee since, following non-compliance with a Section 215 Notice and the subsequent prosecution of the property owner, remedial works had not been undertaken to improve the condition of the gardens.

**RESOLVED that direct action be taken and that works be carried out in default in accordance with the requirements of the Section 215 Notice issued by the Council on 22 May 2015.**

## 55. INFORMATION ITEMS

### 55.1 Appeal decisions

- 55.1.1 15/00841/REM  
Field Farm, Ilkeston Road

The Committee noted the Planning Inspector's decision to allow the applicant's appeal in respect of the above application. Members expressed disappointment at the Inspector's decision which set a precedent and appeared to say the Council did not have a five year land supply. The Leader of the Council suggested that a cross-party motion be brought to Council to

achieve a unanimous decision to put before government to confirm that Broxtowe was planning positively.

55.1.2 16/00165/FUL

Land north of Home Farm Cottage and Park View Cottage  
Main Street, Strelley

The Committee noted the Planning Inspector's decision to dismiss the applicant's appeal in respect of the above application.

55.1.3 16/00083/FUL

Abel Collins Homes, Derby Road, Beeston

The Committee noted the Planning Inspector's decision to dismiss the applicant's appeal in respect of the above decision.

55.1.4 14/00677/OUT

Bramcote Hills Golf Course

The Committee noted the Planning Inspector's decision to allow the applicant's appeal in respect of the above application. Members expressed disappointment at the Inspector's decision which set a precedent and appeared to say the Council did not have a five year land supply. The Leader of the Council suggested that a cross-party motion be brought to Council to achieve a unanimous decision to put before government to confirm that Broxtowe was planning positively.

55.2 Appeal Statistics

The Committee noted the appeal statistics in relation to the designation criteria, commonly known as 'Special Measures'.

55.3 Delegated decisions

The Committee noted the decisions determined under delegated powers between 7 January and 24 February 2017.