

PLANNING COMMITTEE

Wednesday, 6th October, 2010

Councillor F.J.D. Boot (Chairman)

Councillors:	J.O. Tanner	P.G. Barnes
	C.P. Barnfather (a)	A.G. Barton (a)
	D.N. Beeston	A.S. Bexon (a)
	W.J. Clarke (a)	A.M. Ellwood
	R.J. Goodwin	B.S.R. Miller
	J.M. Parr	W.A. Peet
	C.J. Powell	S.J. Prew-Smith
	M. Roach	M.A. Shepherd
	R.J. Tait	G.G. Tunnicliffe
	M.A. Wright	

Officers in attendance: P Baguley, N Morley, L Sugden, G Spurr.

63 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barnfather, Barton, Bexon and Clarke.

64 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 15 SEPTEMBER 2010

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record and signed by the Chairman.

65 DECLARATION OF INTERESTS

Councillor Shepherd declared a personal, non-prejudicial interest in agenda item 5 - Application for a Certificate of Appropriate Alternative Development, because he is a County Councillor.

66 APPLICATION NO. 2010/0555 PATCHINGS FARM ART CENTRE, OXTON ROAD

Change of Use of existing log cabin from educational use to residential/business use

Mr C Wood, applicant, spoke at the meeting

RESOLVED:

To defer the application.

67 2010/0657 LAND BETWEEN COLWICK LOOP ROAD AND VICTORIA RETAIL PARK - APPLICATION FOR A CERTIFICATE OF APPROPRIATE ALTERNATIVE DEVELOPMENT

The Head of Planning and Environment reported that the application was for a Certificate of Appropriate Alternative Development (under S17 of the Land Compensation Act 1961) for land compulsorily purchased by Nottinghamshire County Council to allow construction of the A612 Link Road. The application had been made by Grantchester Properties (Nottingham) Limited.

The sole purpose of the certification procedure was to provide a basis for determining the development value to be taken into account in assessing the compensation payable on compulsory acquisition. The Certificate did not in itself create value and was one of several considerations the Lands Tribunal would take into account when establishing a value for the land and the amount of compensation payable by the County Council.

Officers verbally reported the receipt of a letter regarding the application.

RESOLVED:

That:

1. A Certificate of Appropriate Alternative Development under Section 17 of the Land Compensation Act 1961 is issued, on the basis that the following classes of development, in addition to the use for which the land was acquired, and no others would have been likely to have been granted planning permission as at 3rd September 2004:

- Industrial/Warehouse
- Trade Park
- Car showroom
- Hotel
- Health and fitness club
- Restaurant
- Offices

2. The Certificate of Appropriate Alternative Development also includes the following class of development, which would have been likely to have been granted planning permission but not before 25th August 2005:

- Non-food retail

3. The Certificate of Appropriate Alternative Development includes the conditions below.

Reasons

The reason that the additional use (offices) has been considered appropriate is due to the location and size of the application site, in that it is located close to the urban edge and adjoining existing retail and employment uses.

The reason that the additional use (non-food retail) has been considered appropriate, but at a later date, is due to the appeal decision dated 25th August, 2005.

The reasons why the recommendation is made contrary to the representations made by the County Council are:

- The Borough Council considers that the subject site, at the relevant date, would have been treated as an unallocated site within the urban area. No site specific policies would have applied to the site and the principle of each class of development, proposed or suggested, has been assessed in detail within the report.
- The Borough Council considers that the capability of the site to be accessed and serviced adequately, including from the surrounding highway network, would have been overcome by engineering solutions.

General Planning Conditions

1. Before development is commenced there shall be submitted to the Planning Department and approved by the Borough Council details of materials, means of enclosure, surfacing, external lighting and landscaping and these shall be implemented in accordance with the approved details.
2. The development permitted shall not be brought into use until details of a Staff Commuter Plan have been submitted to and approved by the Local Planning Authority.
3. The proposed car and cycle parking spaces, servicing and manoeuvring areas, and boundary treatment, shall be completed before the development is first brought into use.
4. The landscaping scheme shall be carried out in the first planting season following the substantial completion of the development.
5. The finished floor levels of all of the buildings shall be no lower than 22.07m AOD(N) unless otherwise agreed by the Local Planning Authority.

Retail Planning Conditions

6. The goods sold from the non-food retail units shall not include food and shall consist primarily of building, decorating and home improvement materials and equipment, furniture, floor coverings, garden goods and equipment, car parts, spares and maintenance goods and equipment, caravans, camping equipment, and boats, cycles, carpets, electrical goods and equipment, toys, curtains, household textiles, soft furnishings, bedding and light fittings and pet food and pet supplies.
7. Any future sub-division of the non-food retail units hereby permitted shall be restricted to units of not less than 1000sqm.

Leisure Planning Condition

8. Any retail sales shall remain ancillary to the leisure uses hereby permitted.

S106 Contributions

Contributions towards the provision of Integrated Transport Measures and any necessary off-site highway works required to provide the appropriate highway infrastructure for each class of development.

**68 PLANNING ENFORCEMENT REFERENCE: 0186/2009
12 ALLENS WALK, ARNOLD**

The Head of Planning and Environment reported that following a complaint it was noted that the gates at the above property opened directly onto the highway. Following a letter outlining the requirement for Planning Permission, the gates had been altered to open inwards. This solution had resolved the reason for the initial complaint.

RESOLVED:

That the Head of Planning and Environment be authorised to close the enforcement investigation without taking enforcement action in relation to the Town and Country Planning Act 1990.

69 APPEAL DECISION: LAND AT 90 PROSPECT ROAD, CARLTON

RESOLVED:

To note that the appeal had been dismissed.

**70 APPEAL DECISION:
THORNEYWOOD HOUSE, FOXWOOD LANE, WOODBOROUGH**

RESOLVED:

To note that the appeal had been dismissed.

71 PUBLIC ACCESS AWARENESS TRAINING

RESOLVED:

To note the information.

**72 PLANNING DELEGATION PANEL ACTION SHEETS 3 - 17 SEPTEMBER
2010**

RESOLVED:

To note the information.

73 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

The meeting closed at 7.25pm.