

PLANNING COMMITTEE

Wednesday, 26th September, 2012

Councillor P.G Barnes(Chair)

Councillors:	P.A. Allan	C.P. Barnfather (a)
	D.N. Beeston MBE	A.S. Bexon
	F.J.D. Boot(a)	R.F. Collis
	A.M. Ellwood(a)	M.S. Glover
	C.J. Hewlett	S. Hewson(a)
	J. Hollingsworth(a)	M. Hope(a)
	M. Lawrence	B.S.R. Miller
	M. Paling	C.J. Powell
	S.J. Prew-Smith(a)	J. Truscott (a)
	G.G. Tunncliffe	

Officers in attendance: L. Sugden, L. Parnell, J. Cole, M. Russell

57 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Barnfather, Boot, Ellwood, Hewson, Hollingsworth, Hope, Prew-Smith and Truscott.

58 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 22 AUGUST 2012.

RESOLVED:

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

59 DECLARATION OF INTERESTS.

None.

60 APPLICATION NO: 2012/0234 LAND AT ROSEDALE LANE, RAVENSHEAD

Works to improve Rosedale Lane and construct six two bedroom properties with associated parking and gardens.

RESOLVED to GRANT PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the County

Council as Highways Authority which requires the applicant to set up a management company for the future maintenance of the access road within the application site and subject to the following conditions:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.

2. The development shall be built in accordance with Plan nos.(02) 01 B, (08) 07 A, (08) 02, (08) 03 D, (08) 05 A, (08) 10 A, (08) 11 A, (08) 12 A, (08) 13 A, (08) 14 A.

3. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of enclosure of the site and the individual plot boundaries.

4. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted and including where appropriate details of existing trees to be felled and retained.

5. Before development is commenced there shall be submitted to and approved by the Borough Council details of the materials to be used in the external elevations of the proposed buildings.

6. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site.

7. Before development is commenced precise details shall be submitted of any changes in level on the application site and details of any retaining structures to be erected.

8. Before development is commenced precise details of the proposed gate to Rosedale Lane including operating method, appearance and the

timescale for implementation shall be submitted to and approved in writing by the Borough Council.

9. Before development is commenced precise details of the bin collection point including any means of enclosure shall be submitted to and approved in writing by the Borough Council.

10. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Borough Council.

11. The means of enclosure approved under Condition 3 shall be erected before the dwellings they serve are first occupied, and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.

12. The approved landscape scheme shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

13. The development shall be completed in accordance with the materials approved under condition 5 above.

14. The approved means of surfacing of the unbuilt on portions of the site shall be completed before the dwellings hereby approved are first occupied.

15. Any approved changes in levels to the site and/or retaining features shall be completed in accordance with the details to be approved under condition 7 above; any such changes or retaining features shall be completed before the dwellings hereby approved are first occupied.

16. The approved gates shall be erected in accordance with the details to be approved under condition 8 above and in accordance with the approved timescale.

17. The bin collection point and means of enclosure approved under Condition 9 shall be completed before the dwellings hereby approved are first occupied.

18. The development shall be completed in accordance with drainage plans approved under Condition 10 before the dwellings are first occupied.

19. No clearance of vegetation shall occur on the site during bird-nesting season (between 1st March and 31st August inclusive in any given year) unless supervised by an appropriately qualified ecologist.

20. No part of the development hereby permitted shall be brought into use until the access has been constructed and surfaced in a bound material in accordance with drawing number (08) 03 Rev D.

21. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are provided in accordance with the approved plan drawing number (08) 03 Rev D. The parking, turning and servicing areas shall not be used for any purpose other than the parking, turning & loading and unloading of vehicles.

22. No additional windows other than those shown on drawing (08) 13 A shall be inserted in the side elevation of unit 1 facing the neighbouring dwelling at 'Sonray' Rosedale Lane at any time.

23. The second floor windows in the side elevation of Unit 1 facing the neighbouring dwelling at 'Sonray' Rosedale Lane shall at all times be obscure glazed and either fixed or fixed with a small top hung opening light only.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt.

3. To ensure the details of the development are satisfactory in

accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

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8. To ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

9. To ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

10. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

11. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

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15. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

16. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

17. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

18. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

19. To prevent harm to breeding birds.

20. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

21. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

22. In order to protect the amenity of the neighbouring dwelling in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

23. In order to protect the amenity of the neighbouring dwelling in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed development is of a size, design and layout in keeping with the character of the area. The proposal would have an acceptable relationship with the amenity of neighbouring properties. There are no highway implications. The proposal therefore complies with the National Planning Policy Framework (March 2012) and Policies ENV1, ENV2, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Notes to Applicant

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The development makes it necessary to alter and improve a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Highways Area Office tel. 0115 9772117 to arrange for these works to be carried out.

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require any further information please contact Severn Trent Water on 0116 2343834.

This decision is subject to a Section 106 Agreement.

Additional Informative to be added on advice of Officers to ensure that developer and any other interested parties in the Decision Notice are aware of the Local Highway Authority comments in relation to allowing more than 5 dwellings off a private driveway.

61

APPLICATION NO: 2012/0750
80 BRIDLE ROAD, BURTON JOYCE

Single Storey Flat Roof Extension.

RESOLVED to GRANT CONDITIONAL PLANNING PERMISSION, subject to the following conditions and an additional condition as set out below:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be carried out in accordance with plan Ref. 3A2, the revised plan Ref 2A2 Revised and plan Ref. 3a4.
3. The Shed/Store building shown on the approved plan Ref. 2a2 Revised shall be removed from the site in its entirety no later than 60 days from the date of this permission.
4. Prior to the first occupation of the extension hereby approved, the external elevations of the extension shall be rendered in accordance with the approved plan Ref. 3a2.
5. No works permitted under Class A, B, C, D, E and F of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re- enacting that Order) shall be undertaken without the prior written permission of the Borough Council as local planning authority.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In order to safeguard the impact on the Green Belt in accordance with paragraph 89 of the NPPF and Policy ENV28 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2008).

5. To protect the openness of the Green Belt.

Reasons for Decision

In the opinion of the Borough Council the nature and form of the proposed extension and the loss of an existing outbuilding would outweigh the potential conflict with Green Belt Policy and as a result there would be no adverse impact on the openness of the Green Belt. The Borough Council is also satisfied that the proposal would not result in any material impact on the residential amenity of neighbouring properties or have any material impact on the character and appearance of the site or wider locality. The proposal is therefore in the spirit of Paragraph 89 of the NPPF and Policy ENV28 of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2008.

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

62

APPLICATION NO: 2012/0848 POET'S CORNER, NEWSTEAD ABBEY PARK

Change of use of land to garden.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:-

Conditions

1. This permission relates to the land outlined in red on the location plan P101 Revision A and location plan with photo P102 received by the Borough Council on 22nd August 2012.

2. No works permitted under Class E or F of Schedule Two Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re- enacting that Order) shall be undertaken within the areas edged in red or blue on Plan no.P101 Revision A without the written permission of the Borough Council as Local Planning Authority.

3. No works permitted under Class A of Schedule Two Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re- enacting that Order) shall be undertaken within the areas edged in red or blue on Plan no.P101 Revision A without the written permission of the Borough Council as Local Planning Authority.

Reasons

1. For the avoidance of doubt.
2. In order to protect the openness of the Green Belt.
3. In order to protect the openness of the Green Belt.

Reasons for Decision

In the opinion of the Borough Council the proposed change of use of Green Belt land to residential curtilage, whilst inappropriate by definition, by reason of its form and layout does not significantly impact on the openness of the Green Belt in this instance, which the Council considers in itself to be a very special circumstance. The impact on the Historic Park and Gardens is less than substantial and there is no adverse impact on the setting of the Historic Park and Gardens as a result of the design and use of the land. The proposal therefore complies with the National Planning Policy Framework (March 2012) and Policies ENV1, ENV25 and ENV26 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

63

APPLICATION NO: 2012/0894 70B FRONT STREET, ARNOLD

Change of use to fish and chip shop (use class A5).

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance

with the approved plans (drg no. AMQ 148 and 148 (2)).

3. The fume extraction and ventilation system hereby approved shall be installed in accordance with drawing no. AMQ148(2) and the Ducting Construction details and specifications by Hopkins deposited on the 30th August 2012 before the use hereby permitted is first commenced. A fume extraction and ventilation system that accords with the submitted details and specifications shall thereafter be retained in working order at all times for the lifetime of the development.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council the proposed change of use from A1 (Retail) to A5 (Hot food takeaway) would result in no significant impact on the Arnold Primary Shopping Centre, the amenity of the surrounding area or on highway safety. The proposal therefore accords with the National Planning Policy Framework (2012) and policies S2 and S5 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

Notes to Applicant

If you wish to serve hot food between 11pm and 5am you are required to hold a Premises License under the Licensing Act 2003. For more information please contact the Licensing Section on Tel: 0115 901 3804 or 901 3859 or by email: licensing@gedling.gov.uk

You are reminded of the attached comments of Food, Health, Safety and Housing.

It is brought to your attention that any external changes to the shop front may require planning permission and the advice of the Borough Council should be sought before implementing any changes.

RESOLVED:

That the information be noted.

- 65 APPEAL DECISION
22 PLOUGHMANS AVENUE WOODBOROUGH**

RESOLVED:

That the information be noted.

- 66 PLANNING DELEGATION PANEL ACTION SHEETS**

RESOLVED:

That the information be noted.

- 67 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS
URGENT.**

None.