

PLANNING COMMITTEE

Wednesday, 21st November, 2012

Councillor P.G. Barnes(Chair)

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

Officers in Attendance: J. Cole, L. Parnell, M. Russell, F. Whyley

86 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Hollingsworth.

87 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 31 OCTOBER 2012.

RESOLVED:

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

88 DECLARATION OF INTERESTS.

All Members declared an interest in Agenda Item 6 as Members of Gedling Borough Council.

**89 2012/0941
LAND MAIN STREET AND HOLLINWOOD LANE, CALVERTON**

Reserved matters application further to Outline Application No 2012/0057 (Erection of 113 dwellings)

RESOLVED to GRANT APPROVAL of RESERVED MATTERS, as specified below:

Approve the Reserved Matters under planning application no: 2012/0941 relating to the Appearance, Landscaping, Layout and Scale of the proposed development, subject to the following conditions:

Conditions

1. The development hereby approved shall be built in accordance with the approved Wall & Fence Details (54); Garages (56 Rev A); & House Types A (01), B (02-2), F (06 Rev A), G (07 Rev A), H (08-1 & 08-2), J (09), K (10), L (11-1 Rev A, 11-2, 11-3, 11-4 & 11-5), M (12-1 & 12-2), N & P (13-1 & 13-2), R (17), X (14), Y (15-1 Rev A & 15-2) & Z (16), deposited on 23rd July 2012; House Types B (02-1 Rev B), C (03 Rev B), D (04 Rev B) & E (05 Rev A), received on 6th November 2012; & DAS Addendum (Rev E); Streetscenes (51 Rev B); Planning Layout (100 Rev K); Landscaping Layout (101 Rev G); & External Works Layout (110 Rev G), received on 8th November 2012.

2. Before the 100th of the dwellings hereby permitted is first occupied there shall be submitted to and approved in writing by the Borough Council details of any areas of open space within the site which are not to be adopted or conveyed to individual plots, including details of how they are to be managed & maintained thereafter. These areas of open space shall be managed and maintained in accordance with the approved details for the lifetime of the development.

Reasons

1. For the avoidance of doubt.

2. To accord with Policy ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 & to support the need for the appropriate management & maintenance of existing & created habitats in accordance with Policy 17 of the Gedling Borough Aligned Core Strategy - Publication Version, June 2012.

Reasons for Decision

The principle of developing this safeguarded site for residential purposes & the provision of access from Collyer Road has been established through the grant of outline planning permission under application no: 2012/0057. The proposed development meets with the fundamental aims of the National Planning Policy Framework & Policies

ENV1, ENV2, H8 & H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008. It also accords with the aims of Policies 1, 8, 10 & 17 of the Gedling Borough Aligned Core Strategy - Publication Version, June 2012.

Notes to Applicant

The conditions imposed on this Approval of Reserved Matters should be read in conjunction with the conditions set out in planning permission no: 2012/0057.

As a consequence of the details approved as part of this Reserved Matters application, the details required by Conditions 3, 4, 6, 7, 8, 9, 10 & 21 of planning permission no: 2012/0057 in respect of density, scale parameters, masterplan, hedge & tree protection, layout, landscaping & geophysical survey have been discharged. The pre-commencement elements of Conditions 1, 5 and 11 of planning permission no: 2012/0057 in respect of reserved matters, levels, sections & materials enable these conditions to be partially discharged.

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.

Your attention is drawn to the attached highway & arboricultural comments from Nottinghamshire County Council.

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2012/0800 LAND AT STOCKINGS FARM, CALVERTON ROAD

Substitution of house types plots 76-136, and deletion of plots 102 and 127 (59 houses)(Reserved matters Appn No 2010/0437).

RESOLVED to GRANT PLANNING PERMISSION subject to the following amended 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 built in accordance with

the approved House Types DH302GE-2, DH304GE-2, DH313CD-2, DH313CE-2, DH319C-2, DH320GE-2, DH320GI-2, DH330G-2, DH410GR-2, DH413G-2, DH416C-2, DH417G-2, DH204GE/GI-2 & DSF2; Garage Types DG1S, DG13S & DG2-S, deposited on 29th June 2012; House Type DH419G-2 (Rev A), received on 19th October 2012; House Type DH428G-2, received on 29th October 2012; House Type DH418G-2 (Rev 03) & Planning Layout (ER/1042-02 Rev S), received on 7th November 2012; & Materials Plan & External Works (E311/D93F, D94F, D95F), received on 12th November 2012.

3. All details approved by pre-commencement condition, or conditions requiring pre-occupation details, under application nos: 2005/0925 & 2010/0437, other than details being dealt with by condition under this application, shall remain applicable and of effect. 4. No part of the development hereby approved shall be first occupied until a planning obligation pursuant to Section 106 of the Town & Country Planning Act 1990 has been entered into by all persons with a relevant interest in the site & lodged with the Borough Council to re-apply, as appropriate, the terms of the original planning obligation attached to outline planning permission no: 2005/0925 & the Borough Council as local planning authority has notified in writing the persons submitting the same that they are to the Borough Council's approval.

5. Before any part of the development hereby approved is first occupied there shall be submitted to & approved in writing by the Borough Council details of the means of enclosure, including retaining walls, to the individual plot boundaries. The development shall then be completed in accordance with the approved details.

6. Before any part of the development hereby approved is first occupied there shall be submitted to & approved by the Borough Council details of the proposed means of surfacing of the access roads, private drives, pathways & other unbuilt on portions of the site. The development shall then be completed in accordance with the approved details.

7. Before any part of the development hereby approved is first occupied 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.

8. 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.

9. Prior to first occupation of any of the dwellings hereby approved the scheme for dealing with contamination approved under condition 2 of 2005/0925 shall have been implemented & the measures required shall be monitored & certified as being in compliance with the approved scheme of works by a firm of consulting engineers who shall carry suitable & sufficient professional indemnity insurance & whose appointment has been previously agreed in writing by the Borough Council. The consultants certificate shall be given to the developer & to the Council & in so certifying the consultants shall confirm that they owe a duty of care to both parties.

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.
4. To secure the provision of contributions towards public open space, affordable housing, health care facilities, education facilities & integrated transport measures in accordance with Policies T1, H2, C2, R3 & H18 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 & the Supplementary Planning Documents in relation to Open Space Provision & Affordable Housing.
5. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
6. In the interests of visual amenity, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
7. In the interests of visual amenity, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
8. In the interests of visual amenity, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
9. To ensure a satisfactory development, 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 substitution of house types & reduction in house numbers would achieve an effective & efficient use of land that would have regard to the appearance of the area & would have no significant adverse impact on highway safety or residential amenity. The proposed development meets with the fundamental aims of the National Planning Policy Framework & Policies ENV1, C2, H2, H4, H8, H16, R3 & T1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008. It also accords with the aims of Policies 8 & 10 of the Gedling Borough Aligned Core Strategy - Publication Version, June 2012.

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**2012/1193
DRUIDS TAVERN, 109 HIGH STREET, ARNOLD**

Change of use of land to surface car park.

RESOLVED:

To defer the application, for consideration at a later meeting of the Planning Committee.

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**2012/1009
THE CHERRY TREE, COLLYER ROAD, CALVERTON**

Proposed development with 4No 3 bedroom terraced houses, 2No 3 bedroom semi-detached houses, 1No 4 bedroom town house, 5No 2 bedroom apartments, & 2No 1 bedroom apartments.

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 shall be built in accordance with the approved plans Ref. 183 P01, 183 P02, 183 P03, 183 P04, 183 P05, 183 P06, 183 P06C Rev A, 183 P08 and the Design and Access Statement dated the 11th August 2012 as well as the revised car parking layout plan Ref. 183 P07 Rev B.

3. Prior to the commencement of development at the site there shall be submitted to and approved in writing by the Borough Council, the following details; (a) proposed finished levels or contours of the site and finished floor levels of the proposed buildings; (b) the proposed means of enclosure to individual plots and also along the site boundaries, together with details of the location of means of enclosure, the size, colour and appearance ;(c) precise details of the entrance gates as indicated on the plans including size, colour, style, mechanism for opening and closing along with details of how the gates are to be managed and maintained for the life time of the development; (d) details of the materials proposed to be used to surface the communal car parking area, the area to the rear of the apartments and to the Collyer Road and Mews Lane frontage of the buildings; (e) details of lighting to the rear car parking area and buildings, in terms of the appearance of the proposed lights, the luminance levels of the proposed lighting and the precise location of lights within the car parking area and building, together with details of the management and maintenance of the proposed lighting scheme over the life time of the development; and (f) details of the size, species, positions and density of trees, shrubs and other planting proposed to be planted as part of the development. Thereafter the development shall be carried out in accordance with the approved details.

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

5. The development shall be constructed using the materials approved under condition 4 above, unless otherwise prior agreed in writing by the local planning authority. Any rendering proposed to the external elevations of any building shall be applied prior to the first occupation of the development or to a timetable to be agreed in writing with the local planning authority.

6. The development shall be built in accordance with the details submitted in relation to condition 5 above.

7. Before development is commenced there shall be submitted to and approved by the Borough Council cross sections through the site showing the relative levels of the proposed development and existing

adjoining development.

8. The development shall be built in accordance with the details submitted in relation to condition 7 above.

9. No part of the development hereby permitted shall be brought into use until the dropped kerb vehicular crossings are available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.

10. The development shall not be occupied until the communal car parking areas have been surfaced and drained to prevent surface water discharging onto the public highway and the individual parking spaces have been clearly marked out in accordance with drawing 183.P01 . The car parking spaces shall be kept available for car parking thereafter.

11. No part of the development hereby permitted shall be brought into use until the vehicular access points and car parking areas to the Mews Lane and Collyer Road frontages have been surfaced in a hard bound material (not loose gravel). The shared surfaces shall be maintained in such hard bound material for the life of the development.

12. No part of the development shall be brought into use until the access driveways are constructed with provision to prevent the unregulated discharge of surface water from the driveways to the public highway in accordance with details first submitted to and approved in writing by the Borough Council. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the lifetime of the development.

13. Prior to the commencement of development a car park management plan shall be submitted to and approved in writing by the Borough Council. A layout drawing shall also be submitted as part of the management that indicates which car parking spaces are to be allocated to which proposed unit and the spaces that are to remain unallocated. The management plan to be submitted shall also include details of how the unallocated spaces are to be managed and the information that shall be provided to future occupants regarding the use of unallocated spaces. The car parking management plan shall be implemented in accordance with the approved details and retained for the life time of the

development.

14. 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 in writing by the Borough Council. The scheme shall be implemented in accordance with the approved details prior to the development being first brought into use.

15. Prior to the commencement of development details of measures to enhance the wildlife value of the site shall be submitted to and approved in writing by the Borough Council. The approved measures shall be implemented in accordance with the approved details prior to the development being first occupied and shall be retained thereafter.

16. The first floor windows on the east elevation serving plots 9 and 10 as shown on the approved drawing 183.P06 facing 134 Collyer Road shall be obscure glazed at all times.

17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Borough Council) shall be carried out until the developer has submitted, and obtained written approval from the Borough Council for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The implementation strategy shall be implemented as approved.

18. Prior to the commencement of the development details of any solar panels or other form of green technology that could affect the appearance of the development shall be submitted to and approved in writing by the Borough Council. Any green technologies that could affect the appearance of the development that are to be provided as part of the development shall be installed in accordance with the approved details prior to the development being first brought into use.

19. Notwithstanding the approved details the indicative car parking layout shown on the approved Ground Floor Plan Ref. 183 P01 does not form part of this application.

20. The first floor windows serving bedroom 1 on Plot 7 and bedroom 2

of Plot 10 as shown on plan Ref. 183. P02 shall be obscure glazed and fixed shut at all times.

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 secure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.
4. To secure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.
5. For the avoidance of doubt.
6. For the avoidance of doubt.
7. To secure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.
8. For the avoidance of doubt.
9. To secure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.
10. To secure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.
11. In the interests of highway safety.
12. In the interests of highway safety.
13. To ensure that the car parking associated with the proposed development is utilised in an appropriate manner in the interests of highway safety.
14. To ensure that the proposed development is provided with a

satisfactory means of drainage so as to accord with Policy ENV42 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.

15. To enhance the wildlife value of the site.

16. To ensure a satisfactory development and to safeguard the residential amenity of 134 Collyer Road.

17. protect ground water and to accord with Policy ENV42 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.

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

19. For the avoidance of doubt so that it is clear that the car parking layout to be provided should accord with plan number 183.PO7 Rev B.

20. In order to protect the amenity of future occupants in accordance with the aims of Aligned Core Strategy – Publication Version Policy 10 and the NPPF.

Reasons for Decision

In the opinion of the Borough Council the site is considered to be suitable for residential development, the development would also be of a high standard of design that uses land effectively and efficiently and would respond appropriately to the context of Calverton. The form and layout of the development would not give rise to any adverse impact on the amenity of neighbouring properties or have an adverse affect on future residents. It is also considered that an appropriate level of car parking would be provided as part of the development and that the development would not cause any highway implications. The development would have no adverse impact on nature conservation interests in the area and would not adversely affect the quality of groundwater. The proposed development would accord with paragraphs 50, 56, 57, 65 of the National Planning Policy Framework (NPPF) and the following policies of the local plan C4, H7, ENV1, H16 and ENV42.

Notes to Applicant

The development makes it necessary to construct vehicular crossing/s and amendment to existing access 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

Customer Services to arrange for these works on telephone 0844 9808080.to arrange for these works to be carried out. The development also makes it necessary to relocate the School sign and utilities box which is located on the footway of the public highway. These works shall be undertaken by and to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0844 9808080.to arrange for these works to be carried out

In order to avoid impacts to nesting birds we request that all work be undertaken outside of the bird-breeding season (March – September inclusive). If works are to be carried out during this time then a suitably qualified ecologist should be on site to survey for nesting birds. All birds' their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended). Should bat/s be found under any other aperture during the works, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice. Alternatively FPCR Ecologists should be contacted directly on (01509) 672772 and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife & Countryside Act 1981 and the Conservation (Natural Habitats) Regs 1994 which makes it an offence to kill, injure or disturb a bat or destroy any place used for rest or shelter by a bat. The Countryside Rights of Way Act (CROW) 2000 strengthens the protection afforded to bats by covering 'reckless' damage or disturbance to a bat roost.

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**2012/0234
ROSEDALE LANE, RAVENSHEAD**

Works to improve Rosedale Lane and construct six two bedroom properties with associated parking and gardens – Additional conditions to be attached to draft decision

RESOLVED:

To approve the following additional conditions to any planning permission following the resolution to grant planning permission subject to a Section 106 Agreement for planning application no.2012/0234:

24. Before development commences a detailed remediation scheme shall be submitted to and approved in writing by the Borough Council. The scheme must include all works to be undertaken, proposed

remediation objectives and remediation criteria, and a timetable of works and site management procedures and the work must be carried out in accordance with the approved remediation scheme.

25. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Borough Council.

26. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, an assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council.

**94 0054/2012
20 FREDA AVENUE, GEDLING**

Breach of Planning Control: Erection of means of enclosure adjacent to highway without planning permission

RESOLVED:

To authorise the Corporate Director to close the enforcement investigation without taking enforcement action in relation to the Town and Country Planning Act 1990.

**95 TREE PRESERVATION ORDER
30 KIGHILL LANE, RAVENSHEAD**

RESOLVED:

To note the information.

**96 APPEAL DECISION
54 NOTTINGHAM ROAD, RAVENSHEAD**

RESOLVED:

To note the information.

97 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

98 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

99 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.