

PLANNING COMMITTEE

Wednesday, 12th December, 2012

Councillor B.S.R. Miller(Chair)

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

Officers in Attendance: J. Cole, A. Jackson, L. Parnell, F. Whyley

98 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Barnes, Beeston MBE and Hewson.

99 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2012.

RESOLVED:

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

100 DECLARATION OF INTERESTS.

All Members declared a non-pecuniary interest in Items 6 and 7 as Members of Gedling Borough Council.

101 APPLICATION NO. 2012/0840 BURNTSTUMP LANDFILL OLLERTON ROAD CALVERTON

Installation comprises one 11kW wind turbine, 18m to hub, 24.5m to tip. Turbine is mounted on free standing lattice mast in galvanised steel. Turbine is twin bladed with rotor diameter of 13m. Foundation is concrete, 5m x 5m.

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 carried out and completed in accordance with the site location plan (scale 1:10,000), block plan (1:500), drawing no.GAIA-WIND 18-1L and Structural Calculations (25th August 2011) submitted as part of this application.

3. The wind turbine shall not exceed the ETSU-R-97 noise limits set out under paragraph 3.09 of the Noise Impact Assessment dated 18th April 2012 submitted as part of this application.

4. Before development is commenced precise details of a 20 metre buffer between the proposed wind turbine and the nearest trees (measured from the tip of the wind turbine blade to the tops of the future likely height of the nearest trees) shall be submitted to and approved in writing by the Borough Council. The details will include a tree survey with species and approximate full maturity height of the trees and a plan showing the 20 metre buffer.

5. Once the details required by Condition 4 of this permission have been approved, the approved 20 metre buffer shall be retained at all times and a report produced and submitted to the Borough Council every 2 years following the date of this permission together with any necessary works required to retain the 20 metre buffer. Any works required to retain the 20 metre buffer shall be carried out in accordance with details to be submitted to and agreed in advance in writing with the Borough Council.

6. Prior to the commencement of any works, a Construction Method Statement shall be submitted to and approved in writing by the Borough Council. The Construction Method Statement shall include the details set out in the letter from the Environment Agency dated 27th September 2012. Once approved the wind turbine shall be carried out and maintained in accordance with the approved Construction Method Statement.

7. If the turbine hereby permitted ceases to operate for a period of 6 consecutive months, the turbine shall be dismantled and removed from the site within a period of 3 months and the land reinstated to its former condition within 9 months.

8. Before development commences a landscape management plan for vegetation planting along existing tracks to encourage habitats shall be submitted to and approved in writing by the Borough Council. Once approved any planting shall be carried out in accordance with the details and timescales set out within the landscape management plan.

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 a satisfactory development and protect neighbouring amenity.

4. In the interests of Nature Conservation in accordance with ENV36 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

5. In the interests of Nature Conservation in accordance with ENV36 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

6. To prevent any undue risks to the environment or human health.

7. In order to protect the openness of the Green Belt.

8. In the interests of Nature Conservation in accordance with ENV36 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council very special circumstances have been demonstrated which outweigh the potential harm to the openness of the Green Belt. It has been demonstrated that the proposal would have no significant impacts on the visual amenity of the landscape or on

local wildlife and habitats. The proposal would not result in any undue impact on nearby residential amenity. The proposal therefore accords with the aims of the National Planning Policy Framework (March 2012) and Policies ENV5, ENV26 and ENV36 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).

Notes to Applicant

In order to avoid impacts to ground nesting birds 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).

Your attention is drawn to the attached letter from the Environment Agency (dated 27th September 2012) which should be read in conjunction with Condition 5 of this consent.

Your attention is drawn to the attached letter from the Ministry of Defence (M.O.D.) requesting that the M.O.D. is informed of construction start and end dates, maximum height of construction equipment and latitude and longitude of the turbine. It would assist the M.O.D. if you could supply them with this information or alternatively provide the information to the Borough Council who will forward it to the M.O.D. on your behalf.

102

**APPLICATION NO: 2012/1101
73 BENNETT ROAD MAPPERLEY**

Loft Conversion.

A motion to defer consideration of the application to a later meeting of the Planning Committee was proposed by Councillor Boot and seconded by Councillor Prew-Smith. The motion was put to the vote and was not carried.

The original motion was put to the meeting and it was carried and it was:

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

Conditions

1. This permission relates to the approved plans Ref. PP-02193779 received by the Borough Council on the 13th September 2012.

2. The rooflights serving the en-suite and bedroom 4 as detailed on the approved plan Ref. PP-02193779 shall remain obscure glazed and fixed shut at all times.

Reasons

1. For the avoidance of doubt.
2. In order to protect the privacy of the adjoining dwellings, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2008).

Reasons for Decision

The development results in no significant impact on the amenities of neighbouring residential properties and has no material impact on the character or appearance of the site or the wider street scene. The development therefore accords with Policy H10 (Extensions) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

103

APPLICATION NO 2012/1227 GROUNDS MAINTENANCE, GEDLING BOROUGH COUNCIL, JUBILEE HOUSE

Proposed external alterations to main stores building (opposite Jubilee House/adjacent Jubilee Depot) for use as ancillary office accommodation.

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 built in accordance with drawing number G12/JHS/002A deposited on the 16th October 2012.

3. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used in the external elevations of the building, including the colour of the replacement roofing, render and window frames. Once approved the development shall be carried out in accordance with these details.

Reasons

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

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

3. 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 external alterations are visually acceptable and will have no undue impact on neighbouring residential amenity or the locality in general. The development therefore complies with the National Planning Policy Framework (2012) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

You are advised that a separate planning application will be required for any photo-voltaic panels.

104

APPLICATION NO. 2012/1193 SITE OF DRUIDS TAVERN 109 HIGH STREET, ARNOLD

Change of use of land to surface car park.

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 revised plan (Drawing no.G11/CP1/HSA02A) deposited on the 27th November 2012.

3. Before development is commenced there shall be submitted to and approved in writing 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. 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.

4. No part of the development hereby permitted shall be brought into use until the boundary wall hereby approved is erected in accordance with details indicated on the revised plan drg. no. G11/CP1/HSA02A deposited on the 27th November 2012.

5. No development shall commence on any part of the application site until such time details of construction and surfacing materials to be used has been submitted to and approved in writing by the Borough Council. Works shall be completed in accordance with the approved plans.

6. No part of the development hereby permitted shall be brought into use until access/exit arrangements including modification to the existing one (as shown for indicative purposes only on revised plan reference G11/CP1/HSA02A deposited on the 27th November 2012) are available for use and constructed in accordance with the Highway Authority specifications to the satisfaction of the Borough Council. The access/exit arrangements shall be maintained as such for the lifetime of the development.

7. No part of the development hereby permitted shall be brought into use until all drives, parking and turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives, parking and turning areas shall then be maintained in such hard bound material for the life of the development.

8. Prior to the development hereby approved first being brought into use, individual parking spaces shall be clearly marked out on site in accordance with the approved revised plan reference G11/CP1/HSA02A deposited on the 27th November 2012. The parking spaces shall be kept available for parking in association with the development thereafter.

9. No development shall commence on any part of the application site until a pedestrian refuge in the close proximity of the site together with associated road markings and length of Grey anti-skid surfacing from the access point back to the Cross Street 'slip road' on High Street have been provided in accordance with details first submitted to and approved in writing by the Borough Council.

10. Pedestrian visibility splays of 2.0 metres x 2.0 metres shall be provided on each side of the vehicle access and exit points. These measurements are taken from edge of and along the highway boundary. The areas of land forward of these splays shall be maintained free of all obstructions at all times.

11. No part of the development hereby approved shall be brought into use until pedestrian footways have been provided within the hatched area adjacent to the entrance and exit points of the car park in accordance with details to be submitted to and approved in writing by the Borough Council. The pedestrian footways shall thereafter be retained for the lifetime of the development.

12. No part of the development hereby permitted shall be brought into use until the access driveway/parking/turning area is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking area 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 life of the development.

13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details including a plan showing Lux levels and luminaire schedule to assess the impact of the lighting, precise details of the proposed lighting columns, including their height and precise details of light shields to be fitted to the lighting hoods. The lighting shall then be implemented and maintained in accordance with these details unless otherwise agreed in writing by the Borough Council.

14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a plan showing the position of cycle bays. These shall then be provided in accordance with these details unless otherwise agreed in writing by the Borough Council.

15. Before the development hereby approved is commenced precise details of any proposed CCTV cameras shall be submitted to and

approved in writing by the Borough Council. The CCTV cameras shall be installed in accordance with the approved details before the use hereby permitted is first commenced and 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. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
5. In the interests of highway safety.
6. In the interests of highway safety.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. In the interests of highway safety.
11. In the interests of pedestrian safety.
12. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
13. To safeguard the amenity of neighbouring residential properties in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 and to protect drivers from uncontrolled light sources near the public highway.
14. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

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.

Reasons for Decision

In the opinion of the Borough Council, the proposed development is appropriate in this location and would have no undue impacts on neighbouring amenity or the street scene. There are no Highway safety implications. The proposal therefore complies with the National Planning Policy Framework (2012) and Policies ENV1, S4, S6 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 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. 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 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.

You must ensure that during the construction period there will be no mud or debris transported onto the adjacent roads. 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.

In order to carry out alterations to the existing vehicular access and to construct a new access at a different location on High Street the applicant will be undertaking work in the public highway, on land over which you have no control. In order to undertake the works the applicant will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council (Paul Ghattaora on

telephone number 0115 9772117) at an early stage. You should also contact Paul Ghattaora at an early stage to discuss the appropriate process with regards to any other works within the public highway such as provision of new pedestrian crossing (pedestrian refuge) on High Street together with associated road markings, implementation of anti-skid surface which is normally carried out by our specialised team.

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

**105 BREACH OF CONDITION NOTICE
375 CAVENDISH ROAD**

RESOLVED:

To note the report.

**106 APPEAL DECISION
5 GROVER AVENUE, MAPPERLEY**

RESOLVED:

To note the report.

**107 APPEAL
APPLICATION NO.2012/0866
284 LONGDALE LANE, RAVENSHEAD**

RESOLVED:

To note the report.

**108 APPEAL
APPLICATION NO. 2012/0998
14 FARNSFIELD AVENUE, BURTON JOYCE**

RESOLVED:

To note the report.

109 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the report.

110 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the report.

111 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.