

PLANNING COMMITTEE

Wednesday, 6th February, 2013

Councillor P.G. Barnes(Chair)

Councillors:

P.A. Allan	C.P. Barnfather
D.N. Beeston MBE	A.S. Bexon(a)
F.J.D. Boot	R.F. Collis
A.M. Ellwood	M. Glover(a)
C.J. Hewlett	S. Hewson
J. Hollingsworth	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

122 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Bexon and Glover.

123 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 9TH JANUARY 2013.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record subject to the following amendment:

1. Minute 117- that the words "in accordance with planning consent 2012/1172" be removed from the Reason for Decision, which should read, "The proposed demolition would allow the re-development of the site."

124 DECLARATION OF INTERESTS.

None.

125 APPLICATION NO. 2012/1295 LINBY HOUSE, LINBY LANE, LINBY

Extension to Linby House to provide a new attached dwelling with associated landscaping.

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 plan nos. ORC/100/01, ORC/100/02/C, ORC/100/03/A, the details within the 'Arboricultural Survey, Report and Method Statement October 2011' submitted as part of this application and the email dated 17th December 2012 which confirmed inter alia that the area shown as grass / new trees between the proposed dwelling and the site boundary will remain in common ownership and will not be allocated as a private amenity space.
3. Prior to the commencement of development precise details of the surfacing of the proposed access and parking areas (including delineation of parking spaces) and the proposed footpath to the north east of the proposed dwelling shall be submitted to and approved in writing by the Borough Council. Once approved, the surfacing of the proposed vehicular access, footpath and parking areas shall be completed in accordance with the approved details prior to the dwelling hereby approved first being occupied and shall be retained thereafter for vehicular access, pedestrian access and the parking of vehicles.
4. Before development commences, precise details of the soft landscaping adjacent to the new parking spaces to the north west of Linby House and the land adjacent to the proposed new dwelling 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 shall be submitted to and approved in writing by the Borough Council.
5. The proposed soft landscaping shown on plan no. ORC/100/03/A the details of which are to be approved under Condition 4 of this consent shall be completed in the first planting season following the substantial completion of development and any planting material which becomes diseased or dies within five years of the completion of development shall be replaced in the next planting season by the applicant or their successors in title.

6. Before development is commenced there shall be submitted to and approved by the Borough Council a sample of the materials to be used in the external elevations of the proposed development. Thereafter the development shall be completed in accordance with the approved details.

7. The landscaped gardens serving Linby House shall remain in shared use and shall not be subdivided into individual gardens at any time.

8. The proposed replacement parking to the north west of Linby House shall be provided prior to works commencing on the dwelling hereby approved.

9. The proposed car port providing access to the side entrance door serving the adjoining property 'The Coach House' shall remain open retaining access to this neighbouring entrance 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 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 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).

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. 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).

7. In order to protect the character and appearance of the site in the Conservation Area setting.

8. In the interests of Highway safety in order to ensure adequate parking provision is provided on the site once works commence on the new

dwelling.

9. In order to ensure a satisfactory development and to retain safe and convenient access for occupiers of the adjoining 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 extension to provide one new dwelling with associated landscaping is of a scale, design and layout which respects the character and appearance of the Conservation Area, retaining important open spaces. The proposal would not erode the open gap between the boundary with the neighbouring property at Linview to such an extent that it would harm the openness of the Green Belt. The proposal would have no undue impacts on neighbouring amenity and there are no Highway implications. The proposal therefore complies with the National Planning Policy Framework (2012) and Policies ENV1, ENV2, ENV15, ENV30 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.

Your attention is drawn to the attached comments of the Nottinghamshire Wildlife Trust which draw your attention to your legal obligations should any bats be found during works to carry of the development hereby approved. The comments also request that to avoid impacts to nesting birds, all tree/shrub removal work be

undertaken outside the bird breeding season (March - September inclusive).

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.).

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 185 to 186 of the National Planning Policy Framework.

**126 ENFORCEMENT ACTION
60 - 62 GEDLING ROAD, CARLTON**

Breach of Planning Control: Change use of car sales garage for hand car wash.

RESOLVED:

1. That the Corporate Director in consultation with the Council Solicitor and Monitoring Officer be authorised to take any appropriate enforcement action including the service of relevant notices.
2. That the Corporate Director in consultation with the Council Solicitor and Monitoring Officer be authorised to take any further legal action following the service of any relevant notices, if such legal action is appropriate.

**127 ENFORCEMENT
6 DIGBY HALL DRIVE, GEDLING**

Breach of Planning Control: Unauthorised erection of 'raised' decking/ platform.

RESOLVED:

1. That the Corporate Director in consultation with the Council Solicitor and Monitoring Officer be authorised to take any appropriate enforcement action including the service of relevant notices.
2. That the Corporate Director in consultation with the Council Solicitor and Monitoring Officer be authorised to take any further legal action following the service of any relevant notices, if such legal action is appropriate.

**128 APPLICATION NUMBER 2012/0866 284 LONGDALE LANE
RAVENSHEAD**

RESOLVED:

To note the report.

**129 APPLICATION NUMBER 2012/0998 14 FARNSFIELD AVENUE
BURTON JOYCE**

RESOLVED:

To note the report.

**130 NOTICE OF APPEAL
APPLICATION NO. 2011/1328
POETS CORNER, NEWSTEAD ABBEY PARK**

RESOLVED:

To note the report.

131 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the report.

132 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the report.

**133 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS
URGENT.**

None.