

**DRAFT MINUTES
PLANNING COMMITTEE**

Wednesday, 13th March, 2013

Councillor P.G. Barnes(Chair)

Councillors:	P.A. Allan	R.D. Allan
	C.P. Barnfather(a)	D.N. Beeston MBE(a)
	A.S. Bexon	F.J.D. Boot
	R.F. Collis	A.M. Ellwood
	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: P. Baguley, N. Morley, F. Whyley, J. Ansell

134 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Barnfather, Beeston MBE and Hollingsworth.

135 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2013.

RESOLVED:

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

136 DECLARATION OF INTERESTS.

All Members disclosed a non-pecuniary interest in Application Numbers 2012/1456 and 2012/1518 as Members of Gedling Borough Council.

**137 APPLICATION NO. 2012/1525
SITE OF WHITE HART, MANSFIELD ROAD**

Variation of Condition 2 (Application No. 2012/1232).

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.

2. The layout and scale of the proposed retail unit to be assessed in any future reserved matters application shall be bound by the following. The building shall:(a) not exceed a gross external floor area of 1,500 square metres (b) be located on the site such that no part of it shall be closer to Mansfield Road than shown by the line marked A - B and no part of it shall be closer to the western boundary of the site than the line marked C - D on Plan no.WH101:1 submitted as part of the application.

3. If the proposed building approved under any subsequent reserved matters submitted in relation to this outline permission exceeds a gross external floor area of 1,111 square metres, the building built under the associated approved reserved matters shall:(i) only be occupied for uses within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987;(ii) be predominantly used for the purposes of sale of convenience goods and not more than 10% of the floor space of the unit shall at any time be used for the display and sale of comparison goods unless otherwise approved in writing by the Borough Council; and (iii) not be subdivided into separate units unless otherwise approved in writing by the Borough Council.

4. If the proposed building approved under any subsequent reserved matters submitted in relation to this outline permission has an external floor area of 1,111 square metres or less, the building built under the associated approved reserved matters shall only be occupied for uses within Use Classes A1 and A3 of the Town and Country Planning (Use Classes) Order 1987.

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

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. The approved means of enclosure shall be implemented before the development hereby permitted is first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.

8. The means of surfacing on the unbuilt on portions of the site shall be completed in accordance with the details approved by the Borough Council before the proposed building is first brought into use.

9. Before development commences the trees on site shown to be retained as part of the development shall be protected in accordance with the recommendations of the 'Report on Trees' and 'Root Protection Area Plan' submitted as part of planning application no.2010/0051 with any alterations to the area to be protected to be prior agreed in writing with the Borough Council. These protection measures shall be retained for the duration of the development.

10. Before development commences method statements shall be submitted to and approved in writing by the Borough Council in respect of any works to provide areas of hard-standing (inc. paths), provision of services or demolition / construction activities likely to impact on any trees shown to be retained within root protection areas. The trees will then be protected in accordance with the approved method statement for the duration of the development.

11. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of any fume extraction / ventilation systems and or chiller units to be installed. Any such installations shall be fitted and operated in accordance with the approved details at all times unless otherwise agreed in writing by the Borough Council.

12. Before development commences details of any external storage areas including provision for bin storage shall be submitted to and approved in writing by the Borough Council. Once approved the development shall be completed in accordance with the approved details.

13. Before development is commenced details of any external lighting shall be submitted to and approved in writing by the Borough Council. Once approved the development shall be completed in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning & Compulsory Purchase Act 2004.
2. To secure a satisfactory development and to ensure that the development is continued to the parameters described in the supporting information submitted with the application and that any future decisions relating to this outline permission are consistent with the accompanying information.
3. To ensure the development does not go beyond the scope of the detail submitted as part of this application which sequentially tests and assesses the trip generation of a Foodstore of up to 1,500 square metres in external floor area.
4. To ensure that the use of a building of this size is consistent with the original planning permission for a replacement building on this site (Planning Application 2010/0051) which permitted these uses and took into account a fallback position in that the previous building could be used for these purposes without requiring formal planning permission.
5. 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).
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. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To ensure a satisfactory development, 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 and to ensure the protection of trees covered by a Tree Preservation Order, in accordance with the aims of Policies ENV1 and ENV47 of the Gedling Borough

Replacement Local Plan (Certain Policies Saved 2008) and BS 5837:2005.

10. In the interests of good arboricultural practice.

11. 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).

12. 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).

13. 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 there are no sequentially preferable sites for a store of 1,500 sq m selling convenience goods and there is no evidence to suggest the proposed retail building would result in harm to the vitality and viability of nearby town centres. The proposal would provide an opportunity for a more significant building in keeping with the site's prominent location and thus a greater opportunity for improving the social and environmental conditions of the area and the way it functions. The Highway Authority is satisfied that the proposal would result in no greater traffic movements than those associated with buildings and uses already permitted on the site. The proposal therefore complies with the National Planning Policy Framework (2012) and Policies ENV1, ENV2, S11 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Notes to Applicant

Your attention is drawn to the attached comments of Severn Trent Water.

Your attention is drawn to the route which the public use on foot across the site from Maidens Dale to Mansfield Road. Although this route is not a definitive right of way it is highly likely that public rights exist which have not yet been recorded. You are strongly advised to assume that this is an unrecorded public right of way and accommodate it along its existing line within your plans for the site. If this is not possible you may apply for a diversion order to Gedling

Borough Council under the Town and Country Planning Act 1990 to divert the route onto a different line within the site.

You are advised that further consents may be required for any advertisements and signage, and you should contact the Borough Council prior to carrying out any such works.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

Decision Statement - The Local Planning Authority has worked with the Applicant in accordance with the requirements of the National Planning Policy Framework paragraphs 186 to 187.

138

**APPLICATION NO. 2012/1518
6 BEECHWOOD ROAD, ARNOLD**

Change of Use to community resource centre.

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. This permission relates to use of the premises as a Community Resource Centre only by the partners set out at point iii) of the letter dated 9th January 2013 by Gedling Community and Voluntary Services in support of the application and for no other purpose (including any other use Under a D2 Use Class) under the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in equivalent provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
3. This permission relates to the email dated 26th February 2013 confirming that the proposal relates to the ground floor of no.6 Beechwood Road only and not to the first floor of the building or the

rear garden within the application site.

4. The premises shall only be used for the purposes hereby approved between the hours of 9.00am and 9.30pm Monday to Friday. Any use of the premises outside these days and hours shall be prior agreed in writing by the Borough Council.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council the proposed change of use to Community Resource Centre will improve community services and facilities in the area. The proposal will have no undue impacts on the adjoining highway or neighbouring residential amenity. The proposal therefore accords with the aims of the National Planning Policy Framework (2012) and Policy C1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Notes to Applicant

Decision Statement - The Local Planning Authority has worked with the Applicant in accordance with the requirements of the National Planning Policy Framework paragraphs 186 to 187.

139

APPLICATION NO. 2012/1408 LAND STOCKINGS FARM, CALVERTON ROAD

Substitution of house types on 24 plots, deletion of 2 plots, site levels & revisions to plots 205 & 360 (Reserved matters Appn No 2010/0437).

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 the approved Lichfield, Worcester, Belfry, Kibworth, Willesley, Packington, Gleneagles & Cadeby house types, & single & double garage plans, deposited on 21st November 2012; Site Planning Layout Phase 3 (12060-01 Rev G, received 5th February 2013; & Street Scenes (12060-02 Rev A), Site Plan with Levels (12060-20 Rev A) & Orton & Wentworth house types, received 21st February 2013.
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 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.
6. 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.
7. The approved means of enclosure & surfacing of the unbuilt on portions of the site shall be completed before the dwellings they serve are first brought into use.
8. No additional windows shall be inserted in the south facing, side elevation, of the Gleneagles house type on plot 225 at any time.

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. 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.
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. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Replacement Local Plan 2005 (Certain Policies Saved 2008).
8. To protect residential amenity in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan 2005 (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, H18, 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.

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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

140

PROTOCOLS FOR PRE- APPLICATION BRIEFINGS AND TECHNICAL BRIEFINGS.

The Service Manager, Planning and Economic Development presented draft protocols for pre application briefings and technical briefings.

Members were informed that the pre application briefings offer developers the opportunity to present development proposals to Members and for Members to contribute their local knowledge, thereby improving the quality of both planning applications and planning decisions.

Members were further informed that the technical briefings aim to improve Members' awareness and the public's awareness of technical issues surrounding planning applications due shortly to be presented to Planning Committee for determination.

RESOLVED:

To adopt the Protocols for Pre-application Briefings & Technical Briefings, subject to the following amendments:

i. Pre-application Briefings – paragraph 4.1, first two bullet points amended to read:

- Chair of Planning Committee
- Vice Chair of Planning Committee

Additional bullet point to include:

- Members of Planning Committee

ii. Pre-Application Briefings- Paragraph 4.9, 'involvement' deleted & replaced with 'attendance'.

iii. Technical Briefings – paragraph 3.2, first two bullet points amended to read:

- Chair of Planning Committee
- Vice Chair of Planning Committee

iv. Paragraph 3.10, 'involvement' deleted & replaced with 'attendance'.

**141 APPEAL DECISION
31 GREEN LANE, LAMBLEY**

RESOLVED:

To note the information.

142 PLANNING DELEGATION ACTION SHEETS

RESOLVED:

To note the information.

143 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

144 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

**145 APPLICATION NO. 2012/1456
GEDLING COUNTRY PARK, SPRING LANE, GEDLING**

Creation of a country park, including a new access road, car park for 40 spaces and surfaced paths.

At the discretion of Chair, the item was moved to the end of the Agenda owing to Officers being engaged in technical discussions during the meeting.

A motion was proposed by the Chair and seconded by Councillor R.

Allan in the following terms:

That the authority to determine Application No. 2012/1456 be delegated to the Corporate Director in consultation with the Planning Committee Chair.

Councillor Powell, seconded by Councillor Miller, requested a named vote on the motion.

For the motion: Councillors Barnes, Miller, P. Allan, Collis, Ellwood, R. Allan, Hewlett, Hope, Lawrence, Paling and Truscott.

Against the motion: Councillors Bexon, Boot, Hewson, Prew-Smith and Powell.

Abstentions: Councillor Tunnicliffe.

RESOLVED:

That the authority to determine Application No. 2012/1456 be delegated to the Corporate Director in consultation with the Planning Committee Chair.