



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Planning Committee

Date: **Wednesday 10 December 2014**

Time: **6.00 pm**

Place: **Council Chamber, Civic Centre.**

For any further information please contact:

Lyndsey Parnell

Senior Elections and Members' Services Officer

0115 901 3910

Planning Committee

Membership

Chair Councillor John Truscott

Vice-Chair Councillor Barbara Miller

Councillor Pauline Allan
Councillor Roy Allan
Councillor Peter Barnes
Councillor Chris Barnfather
Councillor Denis Beeston MBE
Councillor Alan Bexon
Councillor John Boot
Councillor Ged Clarke
Councillor Bob Collis
Councillor Andrew Ellwood
Councillor Cheryl Hewlett
Councillor Jenny Hollingsworth
Councillor Mike Hope
Councillor Meredith Lawrence
Councillor Marje Paling
Councillor Lynda Pearson
Councillor Colin Powell
Councillor Suzanne Prew-Smith

AGENDA

Page

- 1 Apologies for Absence and Substitutions.**
- 2 To approve, as a correct record, the minutes of the meetings held on 19 November 2014 and 27 November 2014.** 1 - 26
- Planning Committee Protocol.**
- 3 Declaration of Interests**
- 4 Application no. 2014/0916 - Gedling House, Wood Lane, Gedling.** 29 - 38
- 5 Planning Delegation Panel Action Sheets** 39 - 42
- 6 Future Planning Applications** 43 - 44
- 7 Any other items which the Chair considers urgent.**

This page is intentionally left blank

MINUTES PLANNING COMMITTEE

Wednesday 19 November 2014

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller Councillor Cheryl Hewlett
 Councillor Pauline Allan Councillor Jenny Hollingsworth
 Councillor Roy Allan Councillor Meredith Lawrence
 Councillor John Boot Councillor Marje Paling
 Councillor Ged Clarke Councillor Colin Powell
 Councillor Bob Collis Councillor Suzanne Prew-Smith
 Councillor Andrew Ellwood

Absent: Councillor Peter Barnes, Councillor Denis Beeston
 MBE, Councillor Alan Bexon, Councillor Mike Hope
 and Councillor Lynda Pearson

Officers in Attendance: P Baguley and L Parnell

241 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Barnes, Beeston MBE, Bexon, Hope and Pearson.

242 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 29 OCTOBER 2014

RESOLVED:

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

1. That Councillor Ellwood be marked absent.

243 DECLARATION OF INTERESTS

None.

244 APPLICATION NUMBER 2014 0559 - THE CAVENDISH PUB, CAVENDISH ROAD, CARLTON, NOTTINGHAM

Application 2014/0559 was withdrawn prior to the meeting, at the request of the applicant, following the receipt of additional information.

245 PLANNING DELEGATION ACTION SHEETS

RESOLVED:

To note the information.

246 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

247 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

The Chair reminded Members of the extraordinary meeting of Planning Committee, scheduled to take place on the 27 November 2014 at 6pm.

The meeting finished at 6.10 pm

Signed by Chair:
Date:

**MINUTES
PLANNING COMMITTEE**

Thursday 27 November 2014

Councillor John Truscott (Chair)

In Attendance:	Councillor Barbara Miller	Councillor Bob Collis
	Councillor Pauline Allan	Councillor Andrew Ellwood
	Councillor Roy Allan	Councillor Cheryl Hewlett
	Councillor Peter Barnes	Councillor Mike Hope
	Councillor Chris Barnfather	Councillor Meredith Lawrence
	Councillor Denis Beeston MBE	Councillor Marje Paling
	Councillor Alan Bexon	Councillor Lynda Pearson
	Councillor John Boot	Councillor Colin Powell
	Councillor Ged Clarke	Councillor Suzanne Prew-Smith

Absent: Councillor Jenny Hollingsworth

Officers in Attendance: F Whyley, P Baguley, J Cole, A Dubberley, L Mellors and N Morley

241 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Hollingsworth.

242 DECLARATION OF INTERESTS

None.

243 APPLICATION NO. 2014/0915- A612 BURTON ROAD/B684 MAPPERLEY PLAINS, GEDLING/ARNOLD, NOTTINGHAMSHIRE.

Construction of a 3.8km long road linking A612 Burton Road and B684 Mapperley Plains Road (Gedling Access Road).

The Service Manager for Planning and Economic Development introduced the report and reported that 13 additional representations had been received from local residents which had raised similar points to those outlined in the report as well as one representation which stating that the County Council's landscaping opinions should be published online. One representation made reference to the development on Clementine Drive stating that the developer wouldn't have known about the road's route as he wouldn't have modified the design of the properties so that they were three storeys making the view of the road more prominent. One representation received from Burton Joyce Parish

Council stated that the Parish was considering withdrawing their objections to the proposal at their next meeting.

An additional letter had been received from solicitors acting on behalf of Carlton Le Willows School asking for deferral of the application to allow further consultation to take place

The Committee was advised that extensive consultation had taken place with the school and more was planned and that proposed condition 5 would give the school the opportunity to be involved with the design of the section of the road in the vicinity of the school. The Service Manager for Planning and Economic Development did not feel it was necessary to defer consideration of the application.

In conclusion the Service Manager for Planning and Economic Development advised that the late representations did not give officers reason to alter their recommendation for approval.

The Chair explained that due to the scale of the proposed development he had agreed to extend the time allocated for public speaking and that he would be allowing separate contributions from residents in the Mapperley Area, Gedling Area and the area to the South of the proposed development.

Speakers in support

Alan Bishop, Area Manager Homes and Communities agency, spoke on behalf of the applicants for the development.

Francis Rodrigues on behalf of Gedling Preservation Society spoke in support of the application.

Speakers in objection

David Sandercock, a resident of the Mapperley area, spoke in objection to the application.

Colin Weaver, Headteacher of Carlton Le Willows School, spoke in objection to the application.

RESOLVED to:

Grant Planning Permission subject to the conditions below and the applicant giving a unilateral undertaking under s106 of the Town and Country Planning Act 1990 to the Borough Council in relation to (1) a Traffic Regulation Order associated with speed limits on Arnold Lane, (2) details of wheel washing and means of access and routes of construction traffic, (3) details of proposed new setts and barn owl nest boxes, details of translocation of Open Mosaic Habitat and badgers to the Gedling Country Park, (4) details of

mitigation measures to compensate for the loss of land at Carlton Le Willows Academy and Woodthorpe (St Marks) Scout Group, (5) details of a travel plan co-ordinator and travel plan monitoring in relation to the operational phase of the GAR, (6) details for monitoring of traffic conditions during the operational phase of the GAR and mechanisms for implementing mitigation measures and (7) details of a local labour agreement for the construction of the GAR.

Proposed Conditions

The conditions that are recommended to be attached to the planning application for the Gedling Access Road are set out below.

A time limit condition specifying when the first phase and second phase of the GAR shall be constructed by is considered necessary as a result of the Environmental Statement (ES) that has been submitted. Following the time limit condition it is proposed that there should be a condition setting out the plans and documents that are to be approved as part of this application.

Given the form of the ES it is considered necessary to condition the manner in which the GAR shall be opened to the public. It is proposed that the 5-arm roundabout should be opened first and that the rest of the GAR should be opened in one entire phase (except for the roundabout and arms of the GAR proposed on Lambley Lane). An exception is made for Lambley Lane, because this part of the GAR will need to be brought into use in order to retain vehicular access through this part of the Borough.

Details of how pedestrian and traffic movement shall be managed during the construction and post construction prior to the opening of the phases of the GAR is also proposed to be conditioned. This will assist in ensuring that adequate measures are put in place so as to avoid any adverse socio-economic impacts that could be caused as a result of temporary alterations to the road network caused by the construction of the GAR.

A public transport strategy is also requested to cover both phases of the development and also to cover the three time periods of construction, post construction and prior to the opening of each phase and then post opening. This information is required in order to ensure that there is no disruption to public transport.

Highways have requested a condition to ensure that any proposed security lighting will not have any adverse impact on other road users.

Two Construction Environmental Management plans are sought, the first would be required prior to site clearance of Phase 1 and the second would be sought prior to the site clearance of Phase 2. These CEMPs would secure the mitigation measures proposed within Chapter 9 of the

Ecology Chapter to reduce any adverse impacts on wildlife whilst the GAR is under construction. The CEMPs would be supplemented by the proposed s106 agreement details in relation to the open mosaic habitats and sites for badgers and owls.

The next set of conditions relate to the need to submit a surface water drainage scheme and a detailed highway design code. The surface water drainage condition would assist in preventing flooding and adverse impacts on water quality, whilst the highway design code would ensure that once the GAR is constructed and is operational that it would be of adoptable standard.

Following on from the highway and drainage conditions it is proposed that there should be conditions requiring the submission of tree protection measures, landscaping scheme, dust management scheme and a noise assessment.

An Environmental Management Plan to cover the post construction protection and enhancement of wildlife which would secure the measures set out in section 9.7.60 to 9.7.76 of the Chapter 9 of the Ecology Chapter. Again, the s106 agreement details in relation to the open mosaic habitats and sites for badgers and owls would also assist in terms of the post construction protection and enhancement of wildlife.

The remaining conditions relate to dealing with contamination, the demolition of Glebe Farm, the walled garden at Gedling House and the required diversion of the public right of way (Carlton Footpath No.2).

Public Consultation on Approval of details required by Conditions

It is considered that the approval of details required by the conditions set out below should be subject to wider public consultation (including other relevant parties such as the Carlton Le Willows Academy) as the detail that would be contained within the information will be of wider public interest. The consultation period in relation to these details would be 21 days and similar to statutory consultation and notification time frames. It is proposed that the approval of the details submitted in relation to the conditions set out below should be referred to Planning Committee.

- Condition 4 and 5 in relation to the management of traffic and pedestrian movement during the construction of the GAR and post construction but prior to the opening of each phase.
- Condition 6 in relation to the management of public transport during the construction of the GAR and post construction but prior to the opening of each phase and after the construction of each phase.
- Condition 7 in relation to temporary lighting whilst the GAR is being constructed.

- Condition 11 in relation to the proposed Highway Design Code.
- Condition 12 and 13 in relation to retention of trees and landscaping.
- Condition 15 in relation to pre-commencement noise assessment and proposed mitigation measures.
- Condition 21 in relation to the details for the rebuilding of the Gedling House Wall garden
- Condition 22 in relation to the diversion of the Carlton Footpath No.2.

Due to the technical nature of the surface water drainage scheme and the need to ensure adequate protection is given to nature conservation interests, it is recommended that conditions relating to these aspects should be dealt with in the usual manner and that consultation should take place with the appropriate technical bodies. Approval of details associated with these conditions would be delegated to the Corporate Director.

Conditions

1. The Gedling Access Road hereby approved shall be constructed in two phases. Phase 1 shall cover the construction of the five arm roundabout off Arnold Lane, which shall be completed by 31st December 2015. Phase 2 shall cover the construction of the rest of the Gedling Access Road, which shall be completed by 31st December 2019.
2. Phase 1 and Phase 2 of the Gedling Access Road shall be built in accordance with the following plans: Red Line Boundary Climbing Lane Option, Sheets 1-3 (drawing numbers GAR02-1, GAR02-2 and GAR02-3), deposited on 14th August 2014; Proposed Scheme Layout Climbing Lane Design, Sheets 1-3 (drawing numbers GAR17, GAR18 and GAR19), deposited on 9th October 2014; and Additional Cross Sections for Planning Application (drawing number Design Sketch GR1), deposited on 10th October 2014.
3. Phase 1 of the Gedling Access Road hereby approved shall be made available for use by the public first and the rest of the Gedling Access Road shall be made available for use by the public once Phase 2 has been completed in its entirety (except in relation to the proposed alterations to Lambley Lane).
4. Prior to the commencement of site clearance in relation to Phase 1 of the Gedling Access Road hereby approved, precise written

details and plans of how traffic and pedestrian movement shall be managed during and after the construction of the 5-arm roundabout onto Arnold Lane but prior to Phase 1 being made available to the public, shall be submitted to and approved in writing by the Borough Council. Traffic and pedestrian movement shall be managed in accordance with the approved details during and after the construction of 5-arm roundabout prior to the opening of Phase 1 of the Gedling Access Road.

5. Prior to the commencement of site clearance in relation to Phase 2 of the development hereby approved, precise written details and plans of how traffic and pedestrian movement shall be managed during and after the construction of the following junctions but prior to Phase 2 being made available to the public, together with a timetable for implementation shall be submitted to and approved in writing by the Borough Council. These must include: (1) the junction of the Gedling Access Road onto Mapperley Plains Road and the other proposed highway alterations; (2) the proposed roundabout on Lambley Lane and the construction of the northern and eastern arms of the Gedling Access Road onto Lambley Lane; and (3) the junction of the Gedling Access Road onto Trent Valley Way and Burton Road/Nottingham Road at Burton Joyce and the other proposed highway alterations. Traffic and pedestrian movement shall be managed in accordance with the approved details during and after the construction of these junctions prior to the opening of Phase 2 of the Gedling Access Road.
6. Prior to the commencement of site clearance of Phase 1 and also prior to the commencement of site clearance of Phase 2, a public transport strategy shall be submitted in writing each time and approved in writing by the Borough Council. The strategy shall include details of how public transport shall be managed and accessed during the construction of each phase of development, and after the construction of each phase of development but prior to that phase being made available for use by the public, and once each phase is brought into use. The strategy shall provide precise locations of temporary and permanent bus stops, the design of both temporary and permanent bus stops together with the design of pavements to assist access to buses (including for wheelchairs and pushchairs) and shall contain a programme of implementation and a timetable to cover construction, after construction but prior to the opening of each phase of the Gedling Access Road and then after each phase is brought into use. Public transport shall be managed and accessed in accordance with the approved details.
7. Prior to the commencement of site clearance of Phase 1, and prior to the commencement of site clearance of Phase 2, there shall be submitted to and approved in writing by the Borough

Council written details of any temporary security lighting/floodlighting (together with a lux plot of the estimated luminance) to be installed during the construction of that phase, which shall be designed, located and installed so as not to cause a nuisance to users of the highway. The security lighting/floodlighting shall be implemented in accordance with the approved details and shall be removed prior to the opening of phase 1 and phase 2 of the Gedling Access Road.

8. Prior to the commencement of site clearance of Phase 1 of the Gedling Access Road hereby approved a written Construction Environmental Management Plan shall be submitted to and approved in writing by the Borough Council. The Construction Environmental Management Plan shall include the following: (1) details of an ecological clerk who shall be employed to oversee ecological mitigation and to gain necessary licences to undertake ecological mitigation; (2) details of the proposed hours of working during the construction of Phase 1, together with details of any construction site lighting and compound lighting; (3) details of the proposed area for the storage of soil and other materials during the construction of Phase 1, together with details of how dust, noise, incidental damage and spillages will be monitored and dealt with; (4) details of the proposed means of access of construction vehicles during Phase 1 construction; (5) details of a methodology and programme of site clearance of vegetation; (6) details of a methodology and mechanism for the surveying, recording and reporting together with the provision of a programme and timetable for the implementation of mitigation measures in relation to flora and fauna that could be affected by the construction of Phase 1 (the ecological interest to be covered shall include amphibians, insects, bats, badgers, and birds, trees hedgerows, and the Mapperley Tunnel); and (7) details of planting schemes indicating the location, size, species and density of all planting proposed to compensate for the loss of habitat during construction of Phase 1 and a schedule of implementation and timetable of the proposed planting and a management plan including long term design objectives, management responsibilities and maintenance schedules covering the construction phase. The Construction Environmental Management Plan shall be implemented in accordance with the approved details and the proposed mitigation measures shall be retained in accordance with approved details.
9. Prior to the commencement of site clearance of Phase 2 of the Gedling Access Road hereby approved, a written Construction Environmental Management Plan shall be submitted to and approved in writing by the Borough Council. The Construction Environmental Management Plan shall include the following: 1) details of an ecological clerk who shall be employed to oversee ecological mitigation and to gain necessary licences to undertake

ecological mitigation; (2) details of the proposed hours of working during the construction of Phase 2, together with details of any construction site lighting and compound lighting; (3) details of the proposed area for the storage of soil and other materials during the construction of Phase 2, together with details of how dust, noise, incidental damage and spillages will be monitored and dealt with; (4) details of the proposed means of access of construction vehicles during Phase 2 construction; (5) details of a methodology and programme of site clearance of vegetation; (6) details of a methodology and mechanism for the surveying, recording and reporting together with the provision of a programme and timetable for the implementation of mitigation measures in relation to fauna and flora that could be affected by the construction of Phase 2 (the ecological interest to be covered shall include amphibians, great crested newts, Gedling House Wood (LNR), bats, badgers, dingy skippers and any other invertebrates, birds, trees and hedgerows, Mapperley Tunnel, the Pepperpots and Glebe Farm); and (7) details of a management strategy to include methods of mitigation, compensation and enhancement in order to protect local wildlife habitats, the strategy shall include demarcation of permanent fencing to protect Local Wildlife Sites; methods, locations and timing for translocation of notable habitat described as pioneer community which forms part of the mosaics of habitat recorded within the development; plant seed mixes; the design and planting of new water bodies to improve their ecological value; methods for managing and avoiding the spread of invasive species; methods to protect protected and notable species during removal of fire ponds and during vegetation clearance; seed harvesting and larval food plant translocation methods from the existing vegetation to an agreed receptor site; it shall also include details for monitoring and where necessary details of remedial measures for reseedling and habitat management during the construction phase. The Construction Environmental Management Plan shall be implemented in accordance with the approved details and the proposed mitigation measures shall be retained in accordance with approved details.

10. Prior to the commencement of site clearance of Phase 1 and prior to the commencement of site clearance of Phase 2, there shall be submitted and approved in writing by the Borough Council, written details of a surface water drainage scheme for each phase of development. The surface water drainage scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of each phase of development shall be provided. The surface water drainage scheme to be submitted shall; (1) demonstrate that the scheme has been designed in accordance with CIRA C697 and C687 or the National SUDS standard (whichever is in force at the time that the scheme is designed); (2) limit the discharge rate generated by

all rainfall events up to and including the 100 year plus 20% allowance for climate change critical rain storm to Greenfield runoff rates for the site; (3) demonstrate the provision of rainwater run-off attenuation storage in accordance with requirements specified in Science Report SC030219 Rainfall Management for Developments; (4) demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed scheme for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods; (5) include a programme of implementation and a timetable for the provision of each element of the surface water drainage scheme; and (6) shall confirm how the on-site surface water drainage systems shall be adopted and maintained in perpetuity to ensure long term operation at the designed parameters. The surface water drainage scheme shall be implemented in accordance with the approved details at the time that each phase is constructed and shall be retained in accordance with the approved details for the lifetime of the development.

11. Prior to the commencement of site clearance of Phase 1 and prior to the commencement of site clearance of Phase 2, a written Highway Design Code shall be submitted to and approved in writing by the Borough Council. The Design Code shall cover the operational phase of Phase 1 and Phase 2 and shall include detailed coding for the: (1) street type/function; (2) the principal dimensions of the Gedling Access Road for each phase of development including specific details of boundary treatments, details of sight lines (visibility splays and gradients) at junctions onto and off the Gedling Access Road for each phase, and details of the Gedling Access Roads gradients and the design of embankments and their gradients in relation to each phase of development; (3) junctions and types of traffic calming; (4) treatment of major junctions, bridges and public transport links; (5) street lighting and street furniture specifications and locations; (6) specifications for tunnels and details of the locations that they are to be provided at in order to assist the movement of fauna within the surrounding area; (7) specifications, including locations of trees and planting adjacent to the highway, and details for the long term management of such planting together with maintenance schedules covering a minimum period of 25 years; (8) specifications and location of drainage and rainwater run off systems, including SUDS; (9) routeing and details of public utilities; (10) arrangements for maintenance and servicing including refuse collection/bin storage; (11) a strategy to enable the periodic review and, if necessary, revision of the Design Code once Phase 1 and Phase 2 are operational. The Highway Design

Code shall be implemented in accordance with the approved details.

12. Prior to the commencement of site clearance of Phase 1 and prior to the commencement of site clearance of Phase 2, there shall be submitted to and approved in writing by the Borough Council a full written Arboricultural Impact Assessment and Tree Constraints Plan for each phase of development which shall indicate the loss of trees required to facilitate the Gedling Access Road and a full planting mitigation solution and shall set out a programme of implementation and timetable for the provision of mitigation measures and their removal if appropriate. The Arboricultural Impact Assessment and Tree Constraints Plan to be submitted in writing shall detail and consider all supporting infrastructure, such as underground utilities, drainage proposals, street lighting, safety cameras and signage that will be required within the Gedling Access Road and the location of such structures within the red line plan defining the boundary of this Gedling Access Road planning application hereby approved. The Tree Constraints Plan shall be implemented in accordance with the approved details for the duration of that phase of the construction period and the proposed mitigation measures shall be implemented in accordance with approved details.
13. Prior to the commencement of site clearance of Phase 1 and prior to the commencement of site clearance of Phase 2 there shall be submitted to and approved in writing by the Borough Council a written landscape plan for that phase of the site. The detailed plans and particulars to be submitted shall include details of the size, species, positions and density of all trees, ground cover flora and shrubs to be planted, which shall consist of native species, ideally of local provenance where possible, and shall include details of existing trees to be felled and retained. A written programme and timetable for the implementation of the landscaping scheme shall also be submitted as part of the landscape plan. The landscaping scheme shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
14. Prior to the commencement of site clearance of Phase 1 and prior to the commencement of site clearance of Phase 2, there shall be submitted to and approved in writing by the Borough Council a written Dust Management Plan for that phase, produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The plan for each Phase shall be implemented in accordance with the approved details.
15. Prior to the commencement of site clearance of Phase 1 and prior to site clearance of Phase 2, a written methodology for

undertaking a noise assessment shall be submitted to and approved in writing by the Borough Council. A noise assessment shall then be carried out in accordance with the approved details and findings of the noise assessment together with mitigation measures, a programme of implementation and the length of time that measures are to be retained for shall be submitted in writing to and approved in writing by the Borough Council prior to the commencement of site clearance of Phase 1 and prior to site clearance of Phase 2. The mitigation measures and programme of implementation shall cover the period of construction, after construction and prior to the opening of each phase and once each phase has become operational. The mitigation measures shall be implemented in accordance with the approved details.

16. Prior to the commencement of construction of Phase 1 and prior to the construction of Phase 2, a written Environmental Management Plan shall be submitted to and approved in writing by the Borough Council. The Environmental Management Plan shall include the following: (1) details of a long term management strategy covering a minimum period of 25 years for the long term enhancement of water bodies, translocated habitats and other habitats (including areas of planting) created as part of the Phase 1 and Phase 2 Construction Environmental Management Plan. The long term management strategy shall set out the proposed means of management and maintenance schedules for each habitat created as part of the development and shall identify the roles and responsibilities of various parties and stakeholders associated with each site and the strategy shall also include details of how habitats will be reviewed in terms of condition and the appropriateness of management practices and alterations made to management practices; (2) details of a lighting scheme for all sensitive locations along the route of the Gedling Access Road, in order to reduce any adverse impacts on nocturnal species, which shall make use of the measures outlined in section 9.7.55 of chapter 9 Ecology of the Environmental Statement; (3) details of how invasive species such as Japanese Knotweed and New Zealand Stone Crop/Pygmy weed shall be surveyed and monitored within habitats created as part of the development and measures that will be taken to manage and treat invasive species; and (4) precise details of the mitigation and monitoring measures and a programme and timetable of implementation in relation to assisting amphibians, badgers, bats, breeding birds and invertebrates during the construction and operational phases of the Gedling Access Road, as set out in Section 9.7 of Chapter 9 Ecology of the Environmental Statement and in the letter dated 11th November 2014 from White Young Green. The Environmental Management Plan shall be implemented in accordance with the approved details and the proposed mitigation measures shall be retained in accordance with the approved details.

17. Prior to the commencement of construction of Phase 1 and prior to the commencement of construction of Phase 2 of the development hereby approved a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Borough Council. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site.
18. In the event that remediation is required to render the development suitable for use in any phase, a written remediation scheme for that phase and timetable of works shall be submitted to and approved in writing by the Borough Council. The scheme shall then be implemented in accordance with the approved details. Prior to the development for that phase being first brought into use, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Borough Council.
19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council an assessment of contamination must be undertaken in accordance with the requirements above in relation to condition 17 above. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.
20. Prior to the demolition of the non-designated heritage asset of Glebe Farm, a historic building recording shall take place to level 3 of Understanding Historic Buildings 2006 and shall be submitted to Nottinghamshire County Council Historic Environment Record.
21. Prior to the partial demolition and rebuilding of the garden wall for Gedling House, a full recording of the existing wall along with a written specification and method statement for its demolition and precise details of the location and materials for the erection of the proposed new wall together with a programme of works and a timetable for the construction of the new wall shall be submitted in

writing to and approved in writing by the Borough Council. The scope of mitigation must include a comprehensive scheme of repair of the garden wall in addition to the basic re-building of the demolished east wall. Phase 2 of the Gedling Access Road in the vicinity of the wall and the erection of the new wall shall be implemented in accordance with the approved details.

22. The development will require the diversion of a public right of way (Carlton Footpath No.2) and no part of the development hereby permitted or any temporary works or structures shall obstruct the public right of way until a Diversion Order has been secured and the diversion has been constructed in accordance with a detailed design and specification which shall be submitted to and approved in writing by the Borough Council.

Reasons

1. To ensure that the development is constructed in accordance with the scope of the impacts defined within the submitted Environmental Statement.
2. For the avoidance of doubt and to ensure that the Gedling Access Road is constructed in accordance with the above plans.
3. To ensure that the development is constructed in accordance with the scope of the impacts defined within the submitted Environmental Statement.
4. To ensure that traffic and pedestrian movement is adequately managed during and after construction of Phase 1 of the Gedling Access Road prior to its opening in the interests of highway safety and to accord with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure that traffic and pedestrian movement is adequately managed during and after construction of Phase 2 of the Gedling Access Road prior to its opening in the interests of highway safety and to accord with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure that public transport is adequately managed during and after construction of both Phases 1 and 2 of the Gedling Access Road and prior to the opening of each Phase, in the interests of highway safety and to support the use of public transport and to accord with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To protect drivers from uncontrolled light sources near the public highway and to ensure a satisfactory development, in accordance

with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

8. To protect and enhance ecology interest in the area during the construction of Phase 1 and to accord with paragraph 109 of the National Planning Policy Framework and to ensure that the measures outlined in section 9.7.2 to 9.7.52 of Chapter 9 Ecology of the Environmental Statement are secured.
9. To protect and enhance ecology interest in the area during the construction of Phase 2 and to accord with paragraph 109 of the National Planning Policy Framework and to ensure that the measures outlined in section 9.7.2 to 9.7.52 of chapter 9 Ecology of the Environmental Statement are secured.
10. To prevent the increased risk of flooding, to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
11. To ensure that the Gedling Access Road is constructed to highway adoption standards, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. To minimise the arboricultural impact of the Gedling Access Road and to ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
13. To ensure a satisfactory development and that the landscaping of the development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

16. To protect and enhance ecological interests that could be affected during the operation of the Gedling Access Road and to ensure that the measures outlined in section 9.7.53 to 9.7.76 of Chapter 9 Ecology of the Environmental Statement can be secured, and to accord with paragraph 109 of the National Planning Policy Framework.
17. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
18. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
19. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
20. To ensure that an accurate record of the historic building is retained.
21. To ensure that an accurate record of the historic building is retained and that the mitigation works are in accordance with the aims of the National Planning Policy Framework.
22. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

Your attention is drawn to the attached correspondence from Nottinghamshire County Council, the Environment Agency, Severn Trent Water, Nottinghamshire Wildlife Trust, Natural England, National Grid and the Borough Council's Public Protection Section.

With regard to condition 1, in order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact the County Council for details.

With regard to condition 11, the applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for road works.

With regard to condition 22, in cases where a Diversion Order has yet to be secured, it should be noted that the grant of planning permission does not permit the obstruction of the public right of way and that separate statutory approval for the Stopping Up or Diversion Order will be required under the provisions of the Highways Act 1980 or the Town and Country Planning Act 1990 or any other statutory provision.

The proposed off-site traffic management works require a Traffic Regulation Order before the development is first brought into use to provide safe off-site mitigating works. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the applicant should contact the County Council at an early stage to discuss this matter further.

No infiltration of surface water drainage into the ground is permitted other than that covered by the surface water drainage condition set out above. Any deviation from the approved surface water drainage scheme shall require the express written consent of the Borough Council, either through the submission of a non-material amendment to the approved scheme or through the approval of a section 73 planning application.

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.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant and agent to discuss consultation responses; providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised and providing updates on the application's progress.

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

244 APPLICATION NO. 2014/0556- BARRACKS FARM, FOREST LANE, PAPPLEWICK, NOTTINGHAMSHIRE

Erection of a 500kw wind turbine with a tip height up to 77m along with transformer station at base, access track from farm to turbine and access improvements at junction of farm access and Forest Lane.

The Service Manager for Planning and Economic development introduced the report and advised that no further representations had been received.

Councillor Powell, seconded by Councillor Clarke proposed a motion to defer consideration of the application to allow the committee to be briefed on the technical aspects of wind energy. The motion was put to a vote and was defeated.

Robert Marshall, the applicant, spoke in support of the application and Brent Nicholls a neighbouring resident, spoke in objection to the application.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision. Written confirmation of the date when electricity is first exported to the grid from the wind turbine hereby permitted (First Export Date) shall be submitted to the Borough Council within one month of the date of this taking place.
2. This permission shall endure for a period of 25 years from the first export date (of electricity to the grid), after which the use shall cease, and the turbine, ancillary structures, crane erection and lay down areas shall be removed from the site, and the land restored in accordance with details to be approved in writing under condition 18 below. The site shall be decommissioned in accordance with the details to be approved under condition 18.

3. The development hereby permitted shall be carried out in accordance with the following approved plans except insofar as may be otherwise required by other conditions of this planning permission: Site Layout Plan (L-MAR-064-SLPX); Site Layout Plan Proposed (L-MAR-064-SLPP); Wind Turbine Boundaries Plan (L-MAR-064-BP); Elevations (drawing no: 1000900); Ecological Walkover Survey Report (424.03643.00010 dated March 2014); Landscape and Visual Impact Assessment (dated December 2013); Noise Impact Assessment (Ref: 1632 Papplewick Wind Turbine); Shadow Flicker Assessment (Project L MAR 064); Technical and Operational Assessment (NAT ref: W(F) 18624); Volume 1 - The Planning Statement (dated April 2014); Planning Supporting Statement Addendum - Green Belt Special Circumstances Justification (August 2014); Supplementary Nightjar and Woodlark Report (SLR ref: 424.03643.00010 August 2014); and Further Detail with Respect to Very Special Circumstances (02.11.2014).
4. Before development hereby approved is first commenced, precise details and elevations of the proposed substation housing shall be submitted to and approved in writing by the Borough Council. The substation shall have the following parameters: No wider than 3.5 metres, no longer than 6.5 metres, and it shall have a ridge height no more than 3 metres. The development shall be implemented in accordance with the written approval.
5. Before the development hereby approved is commenced, and any associated materials transported to the site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Borough Council. The Plan shall include the following: (i) A comprehensive study of the agreed delivery route to the application site including identification of the route where highway accommodation works will be required including the clearance of any vegetation and removal of street furniture; (ii) A schedule indicating the time for off peak construction deliveries; (iii) Details of measures to be taken to manage and control construction traffic on the agreed construction route and site access to include advance notification signage, abnormal load traffic warning signs and any temporary speed limits/traffic regulation orders; (iv) Details of measures to be taken to manage the proposed hedge and tree cutting including signage. (vi) details specifying how any damage caused by construction traffic to the highway along the agreed route shall be made good. The Construction Traffic Management Plan shall thereafter be implemented as approved prior to any construction works taking place on site and as required during the construction of the development.
6. Before the development hereby approved is commenced, and any associated materials transported to the site, precise details of

the hardstanding for construction traffic and details of improvements to the access track for the turbine delivery vehicles shall be provided in accordance with the plans to be first submitted to and approved in writing by the Borough Council. The hardstanding and servicing areas as approved shall thereafter be retained for the life of the development and decommissioned in accordance with details submitted under condition 19 of this approval.

7. Before the development hereby approved is commenced, a schedule of ecological site enhancement including hedgerow pruning works, shrub removal and bracken management shall be submitted to and approved in writing by the Borough Council (as indicated para 4.4 of the supplementary Nightjar and Woodlark Report SLR ref: 424.03643.00010). The schedule shall contain details of the works to be undertaken and a timescale for the works to be carried out. Ecological site enhancement works shall be completed in accordance with the approved schedule.
8. All construction work associated to the installation shall be undertaken outside of the bird-breeding season (March - September inclusive). Should works be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds, with a copy of the survey undertaken and any works required at the site to be submitted to and approved in writing by the Borough Council prior to the commencement of development at the site. Works shall be completed in accordance with the approved details.
9. Prior to the erection of the wind turbine, details of the colour finish of the turbine tower, nacelle and blades shall be submitted to and approved in writing by the Borough Council. Development shall thereafter be carried out in accordance with the approved details.
10. Prior to the erection of the substation, details of the colour and type of materials to be used for the external walls and roof shall be submitted to and approved in writing by the Borough Council. The size of the substation shall be in accordance with the parameters set out in condition 4 above. Development shall thereafter be carried out in accordance with the approved details.
11. Before development hereby approved is first commenced, precise details, including depths of the proposed wind turbine foundations to be constructed shall be submitted to and approved in writing by the Borough Council. The foundations as approved shall thereafter be retained for the life of the development and decommissioned in accordance with details submitted under condition 19 of this approval.

12. All cables within the development site from the turbine to the substation shall be set underground.
13. Prior to the first export date, a scheme providing a protocol for the investigation and alleviation of any electro-magnetic interference to terrestrial television caused by the operation of the wind turbine shall be submitted to and approved in writing by the Borough Council. The protocol shall also include full contact details of who to contact in relation to the development should the Borough Council receive a complaint from a local resident within 12 months of the first export date. The protocol shall provide for the investigation by a qualified independent television engineer of any complaint of interference with television reception at a lawfully occupied dwelling (defined for the purposes of this condition as a building within Use Class C3 and C4 of the Use Classes Order) which lawfully exists or had planning permission at the date of this permission, where such complaint is notified to the developer by the Borough Council within 12 months of the first export date. Where impairment is determined by the qualified television engineer to be attributable to the development, mitigation works shall be carried out in accordance with the protocol which has been approved in writing by the Borough Council
14. The Applicant must notify East Midlands Airport in writing that the wind turbine is in operation. This shall be done within 1 month, of the turbine commencing operation and the Borough Council shall be sent a copy of the notification made to East Midlands Airport.
15. The rating level of noise from the wind turbine (including the application of any tonal penalty) when calculated in accordance with the method described in the guidance document 'ETSU-R-97: The Assessment and Rating of Noise from Wind Farms' shall not exceed 35dBa for daytime and 43dBA for night time at nearby dwellings. At Barracks Farm the upper level of 36.5dBa daytime shall not be exceeded.
16. Within 28 days from the receipt of a written request from the Borough Council, following a substantiated complaint to it, the wind turbine operator shall, at its expense, employ an independent consultant approved by the Borough Council to assess the level of noise generated by the wind turbine, following the method described in ETSU-R-97 referred to in condition 14. Within 60 days of appointing the independent consultant, unless agreed otherwise in writing with the LPA, the ETSU-R-97 noise assessment shall be completed and submitted to the Borough Council. Prior to the commencement of the noise measurement and assessment the monitoring locations shall be agreed in writing with the Borough Council. If wind turbine Noise levels are measured and found to exceed those levels set out in Condition 14 the necessary corrective action should taken within 30 days to

reduce the levels to those set out in condition 14 and further noise assessment carried out to ensure compliance with condition 14. Copies of the results on noise assessments made after remedial action has been taken should also be submitted to the Borough Council. A complaint shall be considered 'substantiated' where the Borough Council has conducted a preliminary investigation and taken into consideration the data requested as per condition 11 and judged that the complaint warrants further investigation by the operator to demonstrate that the noise limits are not being breached.

17. The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1 (d) of ETSU-R-97. These data shall be retained for a period of not less than 24 months. The wind farm operator shall provide this information in the format set out in Guidance Note 1 (e) to the Borough Council on its request, within 14 days of receipt in writing of such a request.
18. If the wind turbine hereby approved ceases to operate for a continuous period of 6 months unless otherwise approved in writing by the Borough Council, a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment, including a timetable for its removal, shall be submitted to and approved in writing by the Borough Council, within 3 months of the end of the 6 month cessation period. The approved scheme shall thereafter be implemented in accordance with the approved details.
19. Prior to the decommissioning of the site a scheme setting out a programme of works required to undertake decommissioning works, together with details of any access widening required, alteration to junctions, details of the abnormal load routes together with details of how any required off-site traffic management measures along the proposed route of decommissioning traffic, details of how the site shall be restored and landscaped once structures have been removed and a schedule of works required and timescales for undertaking the restoration shall be submitted to and approved in writing by the Borough Council. The site shall be decommissioned in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. This is a temporary permission and condition 2 is attached for the avoidance of doubt.

3. For the avoidance of doubt.
4. For the avoidance of doubt.
5. In the interests of highway safety
6. For the avoidance of doubt.
7. To safeguard the appearance of the site
8. In order to safeguard the local bird population.
9. To ensure that the precise details of the turbine are defined in order for the Borough Council to control the nature of the development
10. To ensure that the precise details of the substation are defined in order for the Borough Council to control the nature of the development
11. To ensure that the precise details of the turbine are defined in order for the Borough Council to control the nature of the development
12. To safeguard the appearance of the site
13. To ensure that any adverse impacts on terrestrial television reception in the area is appropriately mitigated
14. To ensure that East Midlands Airport are advised that the turbine has commenced operation
15. In order to safeguard the aural amenity of the site and neighbouring residential properties.
16. In order to safeguard the aural amenity of the site and neighbouring residential properties.
17. To enable the Borough Council to monitor noise impacts and to monitor against condition 18.
18. To ensure that the site is decommissioned appropriately should the turbine cease to operate for a continuous period of 6 months.
19. To ensure that when the site ceases operation at the time stated within condition 2 above that decommissioning works take place in an appropriate manner and that the site is restored to a suitable condition.

Reasons for Decision

Paragraph 98 of the NPPF advises that when determining planning applications for renewable energy schemes, local planning authorities should approve the application if its impacts are, or can be made acceptable. In the opinion of the Borough Council it has been demonstrated that the impacts of the proposal are acceptable.

Notes to Applicant

There is an international civil aviation requirement for all structures of 300 feet (91.4 metres) or more to be charted on aeronautical charts. In the interests of Aviation safety, the Civil Aviation Authority requests that any feature/structure 70 feet in height, or greater, above ground level is notified to the Defence Geographic, including location(s) height(s) and lighting status of the feature/structure, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, at least 6 weeks prior to the start of construction to allow for the appropriate notification to the relevant aviation communities.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

245

ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.40 pm

Signed by Chair:
Date:

This page is intentionally left blank

Agenda Annex

PLANNING COMMITTEE PROTOCOL

1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is a quasi-judicial body, empowered by the Borough Council to determine planning applications in accordance with its constitution. In making legally binding decisions therefore, it is important that the committee meeting is run in an ordered way, with Councillors, officers and members of the public understanding their role within the process.
3. In terms of Councillors' role at the Planning Committee, whilst Councillors have a special duty to their ward constituents, including those who did not vote for them, their over-riding duty is to the whole borough. Therefore, whilst it is acceptable to approach Councillors before the meeting, no opinion will be given, as this would compromise their ability to consider the application at the meeting itself. The role of Councillors at committee is not to represent the views of their constituents, but to consider planning applications in the interests of the whole Borough. When voting on applications, Councillors may therefore decide to vote against the views expressed by their constituents. Members may also request that their votes are recorded.
4. Planning Committee meetings are in public and members of the public are welcome to attend and observe; however, they are not allowed to address the meeting unless they have an interest in a planning application and follow the correct procedure.
5. Speaking at Planning Committee is restricted to applicants for planning permission, residents and residents' associations who have made written comments to the Council about the application and these have been received before the committee report is published. Professional agents representing either applicants or residents are not allowed to speak on their behalf. A maximum of 3 minutes per speaker is allowed, so where more than 1 person wishes to address the meeting, all parties with a common interest should normally agree who should represent them. No additional material or photographs will be allowed to be presented to the committee.
6. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chairman will bring the meeting to order. In exceptional circumstances the Chairman can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
7. After Councillors have debated the application, a vote will be taken. If Councillors wish to take a decision contrary to Officer recommendation, a motion to do so will be moved, seconded and voted upon. Where the decision is to refuse permission contrary to Officer recommendation, the motion will include reasons for refusal which are relevant to the planning considerations on the application, and which are capable of being supported and substantiated should an appeal be lodged. The Chairman may wish to adjourn the meeting for a short time for Officers to assist in drafting the reasons for refusal. The Chairman may move that the vote be recorded.
8. Where members of the public wish to leave the chamber before the end of the meeting, they should do so in an orderly and respectful manner, refraining from talking until they have passed through the chamber doors, as talking within the foyer can disrupt the meeting.

This page is intentionally left blank



Application Number: 2014/0916

Location: Gedling House, Wood Lane, Gedling, Nottingham



NOTE:

This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 078026
Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings

Report to Planning Committee

Application Number:	2014/0916
Location:	Gedling House, Wood Lane, Gedling, Nottingham
Proposal:	Partial demolition and rebuilding of garden wall.
Applicant:	Mr Alan Bishop
Agent:	Mr David Alderson

Site Description

This application relates to the walled garden of Gedling House, a Grade II Listed Building, located to the north east of the house. The house and garden are set within large grounds, accessed via a private drive from Wood Lane. The Walled Garden is constructed of predominately red brick of varying heights and thicknesses and is located adjacent to Gedling Wood.

The western part of the walled garden is currently utilised as a hard surfaced parking area associated with Gedling House, with grass to the eastern part of the garden.

The site falls within the Nottinghamshire Green Belt and Mature Landscape Area, as identified in the Proposals Map of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) (GBRLP).

Planning History

This application has been submitted in conjunction with a full planning application (2014/0915) seeking permission for the construction of the Gedling Access Road (GAR), which is allocated as safeguarded land in the adopted GBRLP and which is required to facilitate the redevelopment of the former Gedling Colliery site for residential and employment uses.

The Borough Council resolved to support the grant of planning permission for the GAR at a special meeting of the Planning Committee on 27th November 2014

Proposed Development

Listed Building Consent is sought for the partial demolition and rebuilding of the garden wall to enable the construction of the Gedling Access Road. The proposal would result in the demolition of 12.5 metres of the perimeter wall, with a loss of 22.5

sq.m of the land. It is proposed to rebuild the eastern part of the wall on a new alignment 4m back from its original position and immediately adjacent to the proposed GAR, utilising reclaimed materials from the demolished sections.

The application is accompanied by a site plan showing the sections of the existing wall to be retained and those to be demolished together with the position of the realigned wall and the proposed GAR. A Heritage Statement (including a photographic addendum), Design Access Statement and a tree survey have also been deposited with the application.

The applicant has deposited the following further information:-

Concerns are noted with regards to the area by Gedling House and the adjacent locally designated ridge line. Assessment of these areas is included within the Dumbles Rolling Farmland Policy Zone (para.7.5.51). The high sensitivity of the ridgeline, Gedling House, Gedling House Wood and Gedling House Meadow Local Nature reserves is acknowledged as is the transition nature of the landscape adjoining this policy zone. The LIVA acknowledges the adverse change to the landscape in this transitional area. In mitigation, landscaping adjacent to the carriageway would reduce the extent of the channel created by the GAR, although it is acknowledged that a gap would be created in the woodland along the ridgeline and lighting would be a noticeable feature. Woodland planting is also proposed to the road by Gedling House which would contribute to softening the interface between the GAR, the listed building and the walled garden.

Consultations

Local Residents, Landowners & Businesses - have been notified by letter, a site notice has been posted and the application has been publicised in the local press.

I have received 1 email from a local resident, which questions how can permission be given for the road to go through Gedling House walled garden, if this is listed.

Burton Joyce Parish Council – no comments or objections.

Lambley Parish Council – no objections.

Public Protection – no comments.

English Heritage – does not wish to offer any comments, but recommends that the application should be determined in accordance with national and local policy guidance, and on the basis of the Borough Council's expert conservation advice.

Nottinghamshire County Council (Conservation) – has made the following built historic environment comments on the concurrent application no: 2014/0915 for the Gedling Access Road, which would require the partial demolition and rebuilding of the garden wall at Gedling House, and which necessitates this application for listed building consent:

The application is complete in so far as the information it supplies regarding the impacts of the proposals on the built cultural heritage of the proposals. As such, the County Council is content that the application is in accordance with the NPPF and that no further information is required to enable it to comment on the potential impact of the proposals.

The assessment of the impacts of the proposals covers the built heritage assets likely to be affected and follows appropriate methodology for assessing impacts, including reference to the appropriate English Heritage guidance.

Regarding the conclusions of the assessment of impact of the partial demolition of the garden wall, the mitigation and overall impacts are correct.

However, the information provided for the partial demolition and rebuilding of the garden wall is insufficient to ensure that this would be carried out in an appropriately sensitive manner. At the very least, a full recording of the existing wall along with a specification and method statement for the demolition and erection of the new wall should be required prior to demolition. This should be submitted for the agreement of a suitably qualified historic buildings conservation officer. The scope of mitigation must include a comprehensive scheme of repair of the garden wall in addition to the basic re-building of the demolished east wall.

With regard to the applicant's response to the above points on the built historic environment, the County Council notes that it has been acknowledged that there would be negative impacts on the setting of Gedling House grade II listed building.

Those effects arising during the construction phase of the road scheme that are required for that phase only would be temporary and are of no long-term consequence. As such, in accordance with the NPPF, it is fair to consider these harmful effects to be balanced by the public benefits of the scheme.

The permanent harmful effects to the setting of the house have also been acknowledged.

From the perspective of the NPPF paragraph 133, it is likely that some mitigation for the permanent effects could be achieved through detailed design and that this could provide a level of balance for the harmful impacts. The County Council would not agree that a planting scheme alone would be sufficient, rather it would be essential that the extent and form of lighting, signage and road markings is considered with the aim of minimising impact on the setting of Gedling House in mind. This may be achievable post planning permission, subject to a very robust condition and the enforcement of that, but this issue would most likely only be fully dealt with effectively if it were addressed prior to a planning decision.

Nottinghamshire Building Preservation Trust – have made comments of the impact of the road but have not specifically commented on this application.

The Borough Council has also notified the Ancient Monuments Society, the Council for British Archaeology, the Society for the Protection of Ancient Buildings, the Georgian Group, Victorian Society and the Twentieth Century Society of the

proposal. Any comments received will be reported verbally to Committee.

Planning Considerations

The main issues involved in the determination of this application are whether the proposal would have a detrimental impact on the character and historic fabric or the setting of the Listed Building, Gedling House.

Relevant Policies

The most relevant planning policy guidance at the national level comes from the National Planning Policy Framework (March 2012). In particular the following Chapter is relevant in considering this application:-

12. Conserving and enhancing the historic environment.

Paragraph 132 of the NPPF states:

‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.’

Paragraph 133 of the NPPF adds that where development would lead to substantial harm to a designated heritage asset then consent should be refused unless it can be demonstrated that such harm is necessary to achieve substantial public benefits that would outweigh that harm.

Gedling Borough Council at its meeting on 10th September approved the Aligned Core Strategy for Gedling Borough (GBACS) (September 2014) which is now part of the development plan for the area. It is considered that the following policies are relevant:

Policy 11 - (The Historic Environment);

The GBACS is subject to a legal challenge under Section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts of the GBACS. The Claimant seeks an order quashing the GBACS so far as it relates to the quantum and distribution of new housing in the Council’s area and so far as it provides for the review of Green Belt boundaries. The Borough Council is vigorously defending against this challenge. The challenge is largely to GBACS Policy 2 (The Spatial Strategy, which sets out housing targets and broad locations for new housing) and Policy 3 (The Green Belt). The hearing date is set for March 2015 with the outcome not expected until later in the spring and so, of course, the outcome of the legal

challenge is uncertain at the present time.

Both the GBACS, and the current challenge to it, are material considerations. The Borough Council is entitled to give what weight it considers appropriate and rational to the GBACS, bearing in mind that it forms part of the development plan. With regard to the current legal challenge, again, the Borough Council must decide what weight this should be given, as it is a material consideration.

GBACS Policy 11 is consistent with the policy guidance set out in the NPPF and is underpinned by evidence contained within the Nottinghamshire Historic Environment Record (HER). The Inspector considered whether the ACS would protect and enhance the historic environment and concludes in paragraph 140 of her report that: "Policy 11: The Historic Environment and Appendix A of the ACS, which includes strategic site schedules and plans, are the subject of a number of changes in response to representations from English Heritage [CD/REG/02]. I attach significant weight to the changes, because they resulted in the body withdrawing its earlier objections to the ACS, and because they indicate that this body has looked closely at the implications of the Plan for safeguarding heritage assets and their settings. Ideally, heritage should have been included more explicitly in the earlier version of the ACS and the sustainability appraisal. However, it is clear from the text of the latter [CD/REG/06] that it has been properly considered".

Given this endorsement from the Inspector, the sound evidence base and the consistency between GBACS Policy 11 and the NPPF section 12 then I consider that GBACS Policy 11 should be given limited weight in this case, with greater weight attached to the NPPF policies.

The main heritage considerations are the potential impact of the proposed development on nearby Conservation Areas and Archaeology. In this respect, the relevant planning policies that need to be considered are set out in Policy 11 of the GBACS and Section 12 of the NPPF.

Policy 11 of the GBACS states, amongst other things, that proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and enhanced in line with their interest and significance.

Paragraph 126 of the NPPF states, amongst other things, that local planning authority should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

Paragraph 132 of the NPPF states that when considering the impact of the proposal on the heritage asset, great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Any harm to loss of the asset should require clear and convincing justification.

Paragraph 133 of the NPPF adds that where a proposal would lead to substantial harm or total loss of a heritage asset then consent should be refused unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits which outweigh that harm or loss.

I am mindful that the Walled Garden is no longer used for its original purpose but that part of the garden is in use as a car park serving the Grade II Listed Building at Gedling House. I am also mindful that the Walled Garden does not immediately

adjoin Gedling House and is not individually listed nor shown to fall within the Listed Building Curtilage on the Council's records. However, notwithstanding this, I am of the view that, given that historic plans show Gedling House and the Walled Garden to be the only buildings present at that time, the Walled Garden was and still is, ancillary to this primary Listed Building and therefore should be considered as a listed structure.

Whilst I note the comments of the County Council's Heritage Officer with regards to the level of impact of the proposed road on the Listed Gedling House, this application relates to the walled garden only. The report for the GAR application has dealt with the setting of the Listed Building. The key issue is whether the partial demolition of this listed structure and its rebuilding is acceptable in planning terms. Paragraph 133 of the NPPF is the most relevant policy to this application. This requires the LPA to consider whether the loss of a section of the walled garden is outweighed by substantial public benefit.

The GAR is a proposal of strategic importance within the County of Nottinghamshire. Given this strategic importance I consider that, on balance, the partial demolition of the walled garden is outweighed by the public benefit of the GAR.

Notwithstanding this, I consider it reasonable that, should permission be granted, a condition be attached to any consent requiring the submission and written approval of precise details of the proposed mitigation measures to ensure that such measures are appropriate and effective.

I am therefore satisfied that the proposed development would accord with the aims of Policy 11 of the GBACS and Section 12 of the NPPF and recommend that this application is approved.

Recommendation: GRANT LISTED BUILDING CONSENT 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 plan (Drawing annotated Fig 3).
3. The partial demolition and rebuilding of the garden wall to which this application relates shall only be carried out on the commencement of Phase 2 of the Gedling Access Road (as defined by planning application 2014/0915).
4. Prior to the partial demolition and rebuilding of the garden wall for Gedling House, a full recording of the existing wall along with a written specification and method statement for its demolition and precise details of the location and materials for the erection of the proposed new wall together with a programme of works and a timetable for the construction of the new wall shall be submitted in writing to and approved in writing by the Borough Council. The scope of mitigation must include a comprehensive scheme of repair of the

garden wall in addition to the basic re-building of the demolished east wall. The new wall shall be implemented in accordance with the approved details and shall be retained thereafter.

Reasons

1. In order to comply with Section 18 of the Listed Building and Conservation Areas Act 1990.
2. For the avoidance of doubt.
3. To avoid unnecessary demolition.
4. To ensure that an accurate record of the historic building is retained and that the mitigation works are in accordance with the aims of the National Planning Policy Framework.

Reasons for Decision

In the opinion of the Borough Council the proposed partial demolition and rebuilding of the garden wall will result in no undue impact on the character or historic fabric of the Listed Building, Gedling House, and will not have any material impact on the amenities of neighbouring properties. The application is therefore in accordance with the National Planning Policy Framework (2012) and Policy 11 of the Gedling Borough Aligned Core Strategy (September 2014).

Notes to Applicant

This consent should be read in conjunction with the corresponding application relating to the Gedling Access Road (application no. 2014/0915).

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the Listed Building Consent. This has been achieved by providing the applicant and agent with details of consultation responses, seeking additional information or drawings in response to issues raised and providing updates on the application's progress.

This page is intentionally left blank

ACTION SHEET PLANNING DELEGATION PANEL 7th November 2014

2014/0947
18 Forest Road Calverton Nottingham
Loft conversion with dormer window

Application to be reported back to Panel following further discussions with agent

2014/0972
14 Newlands Drive Gedling Nottingham
Proposed Ground floor front and side extension, first floor side extension. New front porch.

The proposed development would have no undue impact on the streetscene, the residential amenity of adjacent properties or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

2014/1019
117 Sandfield Road Arnold Nottingham
No.1 2 Bedroom Bungalow

The proposed development would have no undue impact on the streetscene, the residential amenity of adjacent properties or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

2014/1040
18 Monsell Drive Redhill Nottingham
Retain ground floor extension, new garage roof and front canopy roof as built (material amendment to that approved under 2012/1243)

The proposed development would have no undue impact on the streetscene, the residential amenity of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

2014/1119

4 Adbolton Avenue Gedling Nottinghamshire

Demolish existing bungalow and construct 2no. 3 bed dwellings. Retain existing front and side boundary walls.

The proposed development would have no undue impact on the streetscene, the residential amenity of adjacent properties or highway safety

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

7th November 2014

ACTION SHEET PLANNING DELEGATION PANEL 14th November 2014

2014/1065TPO

4 High Leys Drive, Newstead

Removal of Sycamore Trees to allow for creation of a private play area in garden

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork

2014/1052

27 Shelt Hill, Woodborough

Proposed two-storey extension

The proposed development would have no undue impact on the streetscene, the residential amenity of adjacent properties or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork

14th November 2014

ACTION SHEET PLANNING DELEGATION PANEL 21st November 2014

2014/0955

5 Hickling Road

First floor side and rear extension with new pitched roof to accommodate proposed loft conversion. Flat roof dormer to rear elevation and 3no dormer windows to front elevation

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork

2014/1004

30 The Spinney, Bestwood Village

Erection of 3-bedroom detached dwelling.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork

2014/1082

42 Cliff Road, Carlton

Detached 4 car garage, rear extension and alterations to dwelling

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork

14th November 2014



Report to Planning Committee

Subject: Future Planning Applications

Date: 10 December 2014

The following planning applications or details have been submitted and are receiving consideration. They may be reported to a future meeting of the Planning Committee and are available for inspection online at: <http://pawam.gedling.gov.uk:81/online-applications/>

Alternatively, hard copies may be viewed at Gedling1Stop or by prior arrangement with Development Control.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2013/1010	Georges Lane Burial Ground Calverton	Change of use of agricultural field to create natural burial ground with associated car park	TBC
2014/0169	Gedling Care Home, 23 Waverley Avenue, Gedling	Demolition of care home and construction of 14 apartments, car parking and associated landscaping	TBC
2014/0273	Land at the corner of Longdale Lane and Kighill Lane Ravenshead	Site for residential development (31 dwellings)	TBC
2014/0950	Top Wighay Annesley Road Linby	Residential Development 38 Units	TBC
2014/0559	The Cavendish Pub Cavendish Road Carlton	38 residential units	7/1/15
2014/1109	Land Adjacent Newstead Abbey, Newstead Abbey	Camping Ground	7/1/15
2014/1118	Former Electricity Substation Rectory Road Colwick	13 Residential Units	7/1/15

2014/1153	Land at Colwick Industrial Estate Road No3 Colwick	Variation of conditions Public House and Drive Through Restaurant	7/1/15
-----------	--	---	--------

Please note that the above list is not exhaustive; applications may be referred at short notice to the Committee by the Planning Delegation Panel or for other reasons. The Committee date given is the earliest anticipated date that an application could be reported, which may change as processing of an application continues.

* Please note that the meeting on the 27th November is a special planning committee.

Recommendation:

To note the information.