



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

Agenda

Planning Committee

Date: **Wednesday 1 April 2015**

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

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MINUTES PLANNING COMMITTEE

Wednesday 4 March 2015

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller
Councillor Pauline Allan
Councillor Roy Allan
Councillor Peter Barnes
Councillor Denis Beeston MBE
Councillor John Boot
Councillor Bob Collis
Councillor Andrew Ellwood
Councillor Cheryl Hewlett
Councillor Jenny Hollingsworth
Councillor Mike Hope
Councillor Marje Paling
Councillor Lynda Pearson
Councillor Colin Powell
Councillor Suzanne Prew-Smith

Absent: Councillor Chris Barnfather, Councillor Alan Bexon,
Councillor Ged Clarke and Councillor Meredith
Lawrence

Officers in Attendance: P Baguley, D Gray, L Mellors, L Parnell and F Whyley

283 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Barnfather, Bexon, Clarke and Lawrence.

The Chair informed Members of the recent passing of Councillor Clarke's partner and asked Members to observe a minute's silence.

284 DECLARATION OF INTERESTS

None.

285 APPLICATION NO. 2014/1109- LAND ADJACENT NEWSTEAD ABBEY PARK

Formation of six glamping cabins and supporting ancillary accommodation, within the existing context of the site.

The Service Manager, Planning and Economic Development, introduced applications no. 2014/1109 and 2014/1110, outlining the reasons for Officers' recommendation to grant conditional planning permission and listed building consent.

Councillor Hewson entered the meeting.

Mr. Nigel Hawkins, on behalf of the applicant, Nottingham City Council, spoke in favour of the application.

Ms. Ann McCauley, a resident objector, spoke against the application.

RESOLVED To GRANT CONDITIONAL PLANNING PERMISSION:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be built in accordance with the submitted plans, Design and Access Statement and application forms received on 29th September 2014 drawing no's: 4393 (20) 253 (Proposed Service Location Plan), 11107/ENV/001 (Existing Drainage Layout), 4393 (20) 250 (Proposed Site Plan), 4393 (20) 252 (Site Plan), 4393 (40) 455 (Toilet Cabin Elevation), 4393 (30) 353 (WC Floor Plans and Elevations), 4393 (30) 352 (Floor Plans), 4393 (30) 351 (Floor Plans), 4393 (20) 251 (Site Plan), and 4393 (00) 001.
3. The glamping cabins hereby permitted shall be used as holiday accommodation and shall not be occupied continuously by any person or persons for a period in excess of 28 days in any one single letting. There shall be no consecutive lettings beyond four weeks to the same person, family or group and a written record of lettings shall be kept and made available for inspection by the Local Planning Authority at their reasonable request.
4. The temporary car parking for the unloading and loading of vehicles shall use the area marked on the plan received on 12th February 2015 drawing number: 4393 (20) 250 Revision E. The loading and unloading of vehicles shall operate in accordance with the email received on 12th February 2015. The loading and unloading of vehicles shall only occur between the hours of 09:00hrs and 21:00hrs and will only accommodate a maximum of 2 vehicles at any time. The maximum period to use this area shall be 1hr for each vehicle.
5. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used on the external elevations of the proposed development. The development shall be carried out in accordance with the approved details.
6. The development hereby approved shall be carried out in accordance with the recommendations of the Arboricultural Implications Assessment and Arboricultural Method Statement,

BS 5873: 2012, Dated 3 September 2014 revised 16 September 2014.

7. The proposed bird and bat boxes shall be sited in the locations as indicated on the plan received by email on 2nd February 2015 and all works shall be carried out in accordance with the recommendations of sections 5 and 6 of the Protected Species Survey dated September 2014. The bird and bat boxes shall be installed before the development is first brought into use.
8. Before development hereby permitted is commenced there shall be submitted to and approved in writing precise details of the proposed external lighting on the cabins (together with the luminance levels and an estimated lux plot of the luminance). The lighting shall be implemented in accordance with the approved details.
9. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the proposed external meter cubicle (shown on plan no: 4393 (20) 250) adjacent to the rear wall of the Glamping Cabin WC. The development shall be carried out in accordance with the approved details.
10. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the proposed bin area including the type and stain of the wooden fencing. The development shall be carried out in accordance with the approved details. The bin store shall be constructed within the parameters set out in the email dated 12th February 2015 and the plan received on 12th February 2015 drawing no: 4393 (20) 250.
11. The application site shall only be used for holiday accommodation in the 6 approved cabins and no other camping or caravanning shall be operated on the site other than the provisions permitted within The Town and Country Planning (General Permitted Development) 1995 - Part 4 and Part 5 (or any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order).

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the use of the cabins is effectively restricted to tourist accommodation as the introduction of a permanent residential

use would be contrary to paragraph 89 of the National Planning Policy Framework (March 2012).

4. To ensure that car parking serving the development is directed to the main car park serving the site. In order to protect the amenity of nearby residential properties and protect the open character of the area in line with the aims and objectives of Policy ENV1, ENV21, ENV25, ENV36 and ENV37 and the aims and objectives of the National Planning Policy Framework (March 2012).
5. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and with the aims of policy ENV1, ENV21, ENV25, and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To minimise the arboricultural impact of the proposed 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).
7. To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.
8. To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.
9. To ensure that the proposed works do not impact on the fabric or setting of a Listed Building and Registered Garden in accordance with the aims and objectives of Policy ENV21, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation) Act 1990.
10. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and with the aims of policy ENV1, ENV21, ENV25, and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure the use of the cabins is effectively restricted to the tourist accommodation proposed and not as a permanent campsite or caravan site.

Reasons for Decision

In the opinion of the Borough Council the proposed development would result in no significant undue impact on the character and setting of a Listed Building and Registered Park and Garden, and would not have an adverse impact on the amenities of neighbouring residential properties.

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 Council Replacement Local Plan (Certain Policies Saved 2014), where appropriate. It is the opinion of the Borough Council that where the development conflicts with the Development Plan that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact to the setting of the Listed Building and Registered Park and Garden.

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.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

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.

286

APPLICATION NO. 2014/1110- LAND ADJACENT NEWSTEAD ABBEY PARK

Formation of six glamping cabins and supporting ancillary accommodation, within the existing context of the site.

RESOLVED To GRANT LISTED BUILDING CONSENT:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be built in accordance with the submitted plans, Design and Access Statement and application forms received on 29th September 2014 drawing no's: 4393 (20) 253 (Proposed Service Location Plan), 11107/ENV/001 (Existing Drainage Layout), 4393 (20) 250 (Proposed Site Plan), 4393 (20) 252 (Site Plan), 4393 (40) 455 (Toilet Cabin Elevation), 4393 (30) 353 (WC Floor Plans and Elevations), 4393 (30) 352 (Floor Plans), 4393 (30) 351 (Floor Plans), 4393 (20) 251 (Site Plan), and 4393 (00) 001.
3. Prior to any development taking place a full recording and written specification of the surfacing and ground condition of the route of the proposed (electric, water and foul) services along with a method statement for the works required to connect the services should be submitted to and approved by the Local Planning Authority. Details should include the methodology and dig technology to be used and must include a comprehensive scheme to return the proposed routes to the original written specification once the development has been completed. The proposed works and decommissioning of the site shall be implemented in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that the proposed works do not impact on the fabric or setting of a Listed Building and Registered Garden in accordance with the aims and objectives of Policy ENV21, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation) Act 1990.

Reasons for Decision

In the opinion of the Borough Council the proposed development would result in no significant undue impact on the character and setting of a Listed Building and Registered Park and Garden. 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 Council Replacement Local Plan (Certain Policies Saved 2014), where appropriate. It is the opinion of the Borough Council that where the development conflicts with the Development Plan that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact to the setting of the Listed Building and Registered Park and Garden.

**287 APPLICATION NO. 2014/1356- ARNOLD HILL ACADEMY,
GEDLING ROAD, ARNOLD**

Demolition of existing school buildings and erection of a new school building with associated access, plant, parking, landscaping and sports pitch.

The Service Manager, Planning and Economic Development, introduced the application, informing Members of an additional letter received from local residents following publication of the agenda. The Service Manager also drew Members' attention to a proposed revised condition, as circulated prior to the meeting, and an amendment to condition 13 to remove reference to condition 10.

Mr Bradley, Governor at Anold Hill Academy spoke in favour of the application.

RESOLVED To GRANT PLANNING PERMISSION, subject to the amended conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

- 2 The development hereby permitted shall be constructed in accordance with the following approved plans: Revised Illustrative Master Plan (ALA231L00) received on 19th February 2015; Revised General Layout Plan (ALA 231 L02) received on 20th February 2015; Ground Floor Plan (1330-PL-01), First Floor Plan (1330-PL-02), Second Floor Plan (1330-PL-03), Roof Plan (1330-PL-04), Elevations (1 of 2) (1330-PL-05), Elevations (2 of 2) (1330-PL-06), Sections (1 of 2) (1330-PL-07), Sections (2 of 2)

(1330-PL-08), External Views (1 of 2) 1330-PL-09, External Views (2 of 2) (1330-PL-10), Internal Views (1330-PL-11), Sixth Form Centre - Existing Plans Elevations (1330-PL-12), Sixth Form Centre - Proposed Plans Elevations (1330-PL-13), Site Sections (ALA231L03), BB103 Plans _ Areas (ALA231L04), Fencing Arrangement (excluding the bin store location) (ALA231L05), Detailed Plan 1 of 3 (ALA231L07), Detailed Plan 2 of 3 (ALA231L08), Detailed Plan 3 of 3 (ALA231L09), Sports Pitch Analysis (ALA231 L12), Site Circulation (ALA231 L13), Tree Retention and Removal (ALA231L07), Planning Application Boundary (ALA231L15), Planting Plan (ALA231L16), External Lighting Philosophy Proposed Site Plan (EX-100-03), Preliminary Ecology Appraisal (July 2014), Transport Statement (Curtins Ref: TPLE1149/TS), Geothermal Desk Study (July 2014), Acoustic Feasibility Report by Matt MacDonald (September 2014), and The Travel Plan, all received on 6th December 2014.

- 3 Within 10 weeks from the date of this approval there shall be submitted to and approved by the Borough Council precise details of the materials to be used in the external elevations of the proposed development. Once approved the development shall be carried out in accordance with these details unless otherwise agreed in writing by the Borough Council.
- 4 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must 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. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- 5 In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation

carried out) must be submitted and approved in writing by the Local Planning Authority.

- 6 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 Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements set out in condition 4 and 5 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 7 Unless otherwise agreed by the Local Planning Authority, development shall not commence until a Dust Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan should be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). Once approved the demolition and construction shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Borough Council.
- 8 Before development is commenced, including vegetation clearance or ground works, the existing trees and hedgerows to be retained shall be protected in accordance with the details specified in the Arboricultural Survey Report (July 2014) by Matt MacDonald and the Arboricultural Impact Assessment and Method Statement by fcpr, dated December 2014. The means of protection shall be implemented in accordance with the approved details for the duration of the construction period, unless otherwise prior agreed in writing by the Borough Council.
- 9 The proposed bin store shown on General Arrangement Plan (ALA231L02) shall be installed using no dig technology as outlined in Appendix D of the Arboricultural Impact Assessment and Method Statement dated December 2014 unless otherwise agreed in writing by the Borough Council.
- 10 The removal of existing surfaces shall be carried out in accordance with section 4.6 of the Arboricultural Impact Assessment and Method Statement by fcpr, dated December 2014.
- 11 Within 10 weeks of the date of this approval, an assessment of the quality of the existing grass playing fields identified as E2, E7 and E8, on drawing: Sports Pitch Analysis (ALA321 L12),

received on 6th December 2014, shall be submitted to and approved in writing by the Borough Council.

- 12 Within 6 months of commencement of development, design details of: a) replacement playing field construction (which shall be to a standard at least equivalent to the baseline assessment provided in compliance with Condition 11); shall be submitted to and approved in writing by the LPA. Replacement playing field and new areas of hard play shall be provided in accordance with the approved details prior to the development first being brought into use or in accordance with a timetable that shall first be agreed in writing with the Borough Council. The sports pitches and any area of open space shall be retained in accordance with these approved details for the life of the development.
- 13 The proposed pitch identified as P1 on drawing: Sports Pitch Analysis (ALA231 L12) shall be provided within the first 9 months of the date of this permission. The replacement playing field construction shall be to a standard at least equivalent to the baseline assessment provided in compliance with Condition 10 and Condition 11. The replacement playing field shall be provided in accordance with the approved details, and retained thereafter for the life of the development, unless otherwise agreed in writing by the Borough Council.
- 14 The proposed bin store shall be erected in accordance with the proposed details received by email on 10th of February (2.0 metres high close boarded solid timber fencing with lockable gates) and the plan received on 23rd February 2015 (ALA231SK15).
- 15 The development hereby approved shall be carried out in accordance with the phases plans received on 20th February 2015 unless otherwise agreed in writing by the Borough Council prior to the commencement of a particular phase.
- 16 Before the development of the external canopies and terraced seating area (shown on the Landscape General Arrangement Plan (ALA231L02) received on 20th February 2015) is commenced there shall be submitted to and approved by the Local Planning Authority scale plans and elevations of this element. Once approved the development shall be constructed in accordance with these approved details unless otherwise 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 For the avoidance of doubt.
- 3 To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 4 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).
- 5 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).
- 6 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).
- 7 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).
- 8 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 9 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 10 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 11 To provide an appropriate baseline assessment of playing pitch quality that would be impacted by the development.

- 12 To ensure the provision of a replacement playing field area is fit for purpose.
- 13 In order to minimise disruption and provide a replacement pitch as soon as possible.
- 14 For the avoidance of doubt.
- 15 To provide a degree of flexibility to assist the delivery of the site, that also enables the Borough Council to monitor and manage the phases of development.
- 16 To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Gedling Aligned Core Strategy (September 2014) and policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with 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 proposal 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.

Notes to Applicant

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its

future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

The proposed development lies within a coal mining area which may contain unrecorded 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 186 to 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 achieving amendments to the scheme following consultation responses; additional information or drawings in response to issues raised; and providing updates on the application's progress.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

The Borough Council requests that the applicant considers incorporating enhancement of the natural world. Consideration should be given to the findings of Appendix G of the ecological report listing possible enhancements which would be suitable for the proposed development.

The Borough Council requests that the applicant considers incorporating provision (with dedicated parking) for dedicated outside electric power points, to allow to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

Date Recommended: 20th February 2015

288 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

289 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

290 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.00 pm

Signed by Chair:

Date:

**MINUTES
PLANNING COMMITTEE**

Wednesday 11 March 2015

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller 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 Bob Collis

Absent: Councillor Pauline Allan, Councillor Roy Allan, Councillor Ged Clarke,
 Councillor Andrew Ellwood, Councillor Jenny Hollingsworth and
 Councillor Suzanne Prew-Smith

Officers in P Baguley, J Cole, H Lee, L Mellors and F Whyley
Attendance:

291 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Pauline Allan, Roy Allan, Clarke and Hollingsworth.

Councillor Parr attended the meeting as a substitute for Councillor Prew-Smith, who gave apologies.

**292 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 18 FEBRUARY 2015.**

RESOLVED:

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

293 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest in Application No. 2014/0856 on behalf of all Members as Gedling Borough Council own the land and in Application No. 2014/0740, as Gedling Borough Council have a leasehold interest in part of the land.

Councillor Beeston MBE declared a pecuniary interest in the authorisation for a deed of variation to the section 106 agreement at Park Road, Bestwood, as a Member of Bestwood Parish Council.

294 APPLICATION NO. 2014 0856- 21 ETHEL AVENUE, MAPPERLEY

The Chair informed the Committee that Application No. 2014 0856 – 21 Ethel Avenue, Mapperley had been withdrawn from the agenda.

295 APPLICATION NO. 2014/1349- THE GROVE PUBLIC HOUSE, DAYBROOK.

Proposed erection of 18 flats and 2 houses.

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 permitted shall be constructed in accordance with the following approved plans: Flats - First Floor (2265/P 103 A), Flats - Second Floor (2265/P 104 A), and Roof Plan (2265/P 105 A), received on 3rd December 2014; Proposed Site Plan (2265/P 101 B), and Flats - Ground Floor (2265/P 102 B), received on 13th January 2015; and Flats - Elevations 1 (2265/P 106 C), Flats - Elevations 2 (2265/P 107 E), Flats - Elevations 3 (2265/P 108 D) and House Plans & Elevations (2265/P 109 A), received on 23rd February, 2015.
3. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council a design scheme for a mechanical ventilation system. The air for the required mechanical ventilation system shall be drawn from the rear of the property and all windows along the Mansfield Road elevation shall be sealed and un-openable at all times. The design scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
4. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a sound insulation scheme. The sound insulation scheme shall include the glazed areas and any associated acoustical ventilation scheme. The sound insulation scheme shall also include third octave band analysis and all

assumptions made (e.g. glazing and façade areas) and should be designed to achieve the following internal noise levels: (1) Not exceeding 30 dB LAeq,8hr and not exceeding NR 25 in bedrooms between 23:00 and 07:00; and (2) Not exceeding 35 dB LAeq,16hr and not exceeding NR30 for bedrooms and living rooms between 07:00 and 23:00. The sound insulation scheme shall be implemented in accordance with the approved details before the development hereby permitted is first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

5. Prior to the commencement of the development hereby approved, excluding the demolition of the existing buildings, 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.
6. In the event that remediation is required to render the development suitable for use, a written remediation scheme 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 being first occupied, 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.
7. 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 of condition 5 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.
8. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The plan shall be implemented in accordance with the approved details.

9. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of measures to prevent the deposit of debris upon the adjacent public highway. The approved measures shall be provided before development is commenced and shall be maintained in working order at all times during the construction period and shall be used by every vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
10. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of surface water and foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
11. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site. The means of enclosure shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
13. No part of the development hereby permitted shall be first occupied until the private drive, parking and turning areas are surfaced in a hard bound material in accordance with drawing number 2265/P 101 B, behind the highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
14. No part of the development hereby permitted shall be first occupied until details of a dropped vehicular footway crossing have been submitted to and approved in writing by the Borough Council. The dropped vehicular footway crossing shall be constructed in accordance with the approved details before the development hereby permitted is first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

15. No part of the development hereby permitted shall be first occupied until details of the proposed means of closure of the existing site access and re-instatement of the access crossing as footway have been submitted to and approved in writing by the Borough Council. The existing site access shall be permanently closed and the access crossing reinstated as footway in accordance with the approved details before the development hereby permitted is first occupied and shall be retained as approved for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
16. No part of the development hereby permitted shall be first occupied until the cycle parking layout indicated on drawing no: 2265/P 101 B has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
17. The proposed means of surfacing shall be implemented before the development hereby permitted is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
18. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise 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. For the avoidance of doubt.
3. To protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
4. To protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
5. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies

ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

6. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. 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).
9. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure the development is provided with a satisfactory means of drainage and to minimise the risk of pollution, in accordance with Section 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
11. 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).
12. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
13. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
15. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

16. To promote sustainable transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 1 of the Gedling Borough Aligned Core Strategy Submitted Documents.
17. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
18. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

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.

Notes to Applicant

The development makes it necessary to construct and alter a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Highways Office to arrange for these works to be carried out.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

The development makes it necessary to relocate an existing bus stop in the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Public Transport Office to arrange for these works to be carried out.

Should any bats be found during demolition, work must stop immediately. If the bats do not voluntarily fly out, the aperture shall be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust (08451 300228) or an appropriately qualified ecologist should be contacted immediately for further advice and any advice must be followed before any further demolition work takes place.

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 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.

**296 AUTHORISATION FOR ENFORCEMENT NOTICE- LINBY HOUSE,
LINBY LANE**

Breach of Planning Control, unauthorised development.

RESOLVED:

That the Corporate Director be authorised in Consultation with the Council Solicitor and Monitoring Officer to take any necessary enforcement action including service of notices and issuing/defending legal proceedings if required.

**297 APPLICATION NO. 2014/0740- LAND ADJACENT BRADSTONE
DRIVE, SPRING LANE, LAMBLEY.**

Hybrid Planning application comprising: Part A Full planning application for creation of temporary access and enabling earth works to create development platform, Part B Outline planning application for residential development of up to 150 houses with associated access, landscaping and public open space. Approval sought for access. All other matters reserved.

Mr Stuart Ashton, the applicant, spoke in favour of the application.

The Service Manager, Planning and Economic Development, informed the Committee that in negotiations with the County Council, as the local Highway Authority, the council had requested a contribution to the Gedling Access Road as part of the Section 106 Agreement.

RESOLVED To GRANT FULL AND OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards Affordable Housing, Open Space, Healthcare Facilities, Highways, Educational and Library Facilities; and subject to the following conditions:

Conditions

1. The development hereby permitted for the creation of a temporary access and enabling earthworks must be begun not later than three years beginning with the date of this permission.
2. Application for the approval of reserved matters relating to the residential development (appearance, landscaping, layout and scale) shall be made not later than three years beginning with the date of this permission and the development shall be begun not later than 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.
3. The development hereby granted full planning permission for the creation of a temporary access and enabling earthworks, and outline planning permission for the residential development, shall be constructed in accordance with the following approved plan: Proposed Access Junction Layout (ADC1040/001 Rev A) and Cut and Fill Volumetrics (10-02 Rev P1), received on 19th June, 2014, except where further details are required for approval by other conditions of this planning permission.
4. The temporary access hereby permitted shall be provided on Spring Lane in accordance with the details shown on drawing number ADC1040/001 Rev A, prior to the commencement of the enabling works. The temporary access shall be retained for the duration of the enabling works, unless otherwise prior agreed in writing by the Borough Council.
5. The temporary access hereby permitted shall be completed and surfaced in a bound material for a minimum distance of 15.00 metres behind the highway boundary, prior to the commencement of the enabling works. The temporary access shall be retained for the duration of the enabling works, unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced on the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council a Materials Management Plan. The development would require significant earth movements and these

should be identified within the Materials Management Plan, which would need to be well developed and integrated within the Construction Environmental Management Plan, given the potential for contamination release during excavations. The stability issues of the spoil tip itself should also be considered, such that the stability of the slopes of the spoil tips are not compromised. The enabling earthworks shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.

7. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council: (1) cross-sections and contour plans showing details of the existing and proposed site levels in relation to adjacent properties, including finished floor levels for the residential development, for each of these phases; and (2) an assessment of any site slope stability issues the development may have with respect to the creation of ponds and any special stabilisation measures that are required to mitigate slope stability issues for each of these phases. Each phase of the development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
8. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development hereby permitted, 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.
9. In the event that remediation is required to render the development suitable for use in any phase, a written remediation scheme and timetable of works for that phase 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, including a review of the soil sampling results and the proposed areas for residential development, refining the conceptual site model and ensuring the whole of the site is suitable for use, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action) must be submitted to and approved in writing by the Borough Council.

10. 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 of condition 8 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.
11. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of a scheme to treat and remove suspended solids from surface water run-off during construction works for each of these phases. The approved scheme shall be implemented prior to any other works (excluding those required by conditions 12 and 13) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
12. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan for each of these phases. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The approved plan shall be implemented in accordance with the approved details prior to any other works (excluding those required by conditions 11 and 13) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
13. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of measures to prevent the deposit of debris upon the adjacent public highway. The approved measures shall be implemented prior to any other works (excluding those required by conditions 11 and 12) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
14. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the

Borough Council details of a surface water drainage scheme for each of these phases. The surface water drainage scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme to be submitted shall: (1) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C697 and C687, or the National SuDS Standards, should the later be in force when the detailed design of the surface water drainage system is undertaken; (2) Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to ideally the Greenfield runoff rates for the site. As a minimum, the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site; (3) Demonstrate the provisions of surface water run-off attenuation storage in accordance with the 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 system 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; and (5) Confirm how the on-site surface water drainage systems will 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, unless otherwise prior agreed in writing by the Borough Council.

15. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, a written Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Borough Council for each of these phases. The CEMP 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 period of development, together with details of any site lighting and compound lighting; (3) details of the proposed area for the storage of soil and other materials during the period of development, 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 the period of development; (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, including translocation measures, in relation to flora and

fauna that could be affected during the period of development (the ecological interest to be covered shall include amphibians, badgers, bats, birds, insects, reptiles, trees, hedgerows and grassland); 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 development 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 CEMP shall be implemented in accordance with the approved details for each of these phases and the proposed mitigation measures shall be retained in accordance with approved details.

16. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, a written Ecological Management Plan (EMP) for the retained and created habitats, including any appropriate mitigation measures, shall be submitted to and approved in writing by the Borough Council for each of these phases. The EMP 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 site clearance for the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council a Tree Protection Plan and Method Statement for each of these phases. The Tree Protection Plan and Method Statement shall be implemented in accordance with the approved details for the duration of each phase.
18. Prior to the commencement of the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council: (1) details of a new hedgerow, which shall consist of native species, along the new alignment of the visibility splays to Spring Lane; and (2) details of how the existing hedgerow to Spring Lane is to be managed, including the planting up of gaps and laying. The new hedgerow and any management works to the existing hedgerow to Spring Lane shall be implemented in accordance with the approved details in the first planting season following the completion of the temporary access and enabling earthworks and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
19. Prior to the commencement of the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council an assessment of the practicality of prior extraction of brick clay from the site. In the event that the assessment demonstrates that the prior extraction of brick clay is feasible, the development

hereby permitted shall not commence until the prior extraction of brick clay has been completed.

20. Before development is commenced on the residential development, there shall be submitted to and approved in writing by the Borough Council details of the parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage. All details submitted to the Borough Council for approval shall comply with the County Council's Highway Design and Parking Guides which are current at the time the details are submitted. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
21. Before development is commenced on the residential development there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use, unless otherwise prior agreed in writing by the Borough Council.
22. Before development is commenced on the residential development, there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
23. Before development is commenced on the residential development there shall be submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting, avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat. The scheme shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
24. Before development is commenced on the residential development, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the incorporation of integrated bird and bat boxes within the fabric of a proportion of the houses; bird boxes should target species such as house sparrow, swallow and swift. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
25. No removal of hedgerows, trees, shrubs or grassland shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks,

including transects and vantage points in areas of rough vegetation to search for the presence of ground nesting birds, have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council. If birds are found to be nesting once development has commenced, works must be halted in the vicinity until the young have fledged.

26. During the construction of the temporary access, the enabling earthworks and construction of the residential development, if any trenches are left open overnight, they should be left with a sloping end or ramp to allow badgers or other mammals that may fall into the excavation to escape, and any pipes over 150 mm in diameter should be capped off at night to prevent mammals from entering them.
27. The detailed plans and particulars to be submitted as reserved matters for the residential development in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
28. The detailed plans and particulars to be submitted as reserved matters for the residential development in relation to landscaping shall include: (1) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (2) details of the boundary treatments, including those to individual plot boundaries, which shall retain and incorporate the strips of plantation woodland and peripheral hedgerows into the proposed scheme; (3) typical cross-sections, showing areas to be planted and how they will reduce the visual impact of the development from the Country Park; (4) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (5) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
29. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters for the residential development in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same

species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

30. The existing pedestrian link in the north-western corner of the application site at its junction with Spring Lane, and its associated footpath to the Country Park, shall be retained as part of any design layout for the residential development of the site, unless otherwise prior agreed in writing by the Borough Council.
31. Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards. The garage doors shall be retained to this specification for the lifetime of the development, unless otherwise 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 comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
3. For the avoidance of doubt.
4. To ensure adequate means of access to the site for initial construction traffic in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure a full rotation of vehicle wheels to prevent mud and detritus being deposited on the highway in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure a satisfactory development and 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure a satisfactory development in accordance with the aims of 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).
8. 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

9. 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To reduce the risk of surface water contamination during the construction phase, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. 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).
13. To prevent mud and detritus being deposited on the highway in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. 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 the 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).
15. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
16. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
17. To minimise the arboricultural impact of the proposed 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).

18. To ensure that the landscaping of the proposed 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).
19. To ensure that there will be no unnecessary sterilisation of mineral resource, in accordance with Section 13 of the National Planning Policy Framework.
20. To ensure that the roads of the proposed development are designed to an adoptable standard, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
21. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
22. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
23. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
24. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
25. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
26. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
27. To ensure a satisfactory development in accordance with the aims of 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).
28. To ensure that the landscaping of the proposed 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).

29. 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).
30. To retain pedestrian links to the Country Park, in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
31. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

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.

Notes to Applicant

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

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 roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design

calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

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 Highway Authority for details.

The Environment Agency advises that condition 14 should not be altered without its prior notification to ensure that the above requirements can be incorporated into an acceptable drainage scheme that reduces the risk of flooding.

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

The Environment Agency advises that SuDS involve a range of techniques, including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques. Support for the SuDS approach is set out in the NPPF.

The Environment Agency notes that the application proposes a number of culvert crossings to access the site. The Environment Agency recommends that preference be given to clear span bridges to limit the loss of channel capacity, risk of blockages and the loss of bank habitat. If clear span bridges are not feasible, then the culverts should be designed to convey up to the 100 year plus climate change flows. Consent for culverting the ordinary watercourses will be required from the Lead Local Flood Authority (LLFA) and therefore the Environment Agency recommends that the applicant contacts the LLFA as early as practically possible.

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both

the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

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 to discuss issues raised, 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.

298 AUTHORISATION FOR DEED OF VARIATION TO S106- PARK ROAD, BESTWOOD.

Variation of Section 106 Agreement to provide for Off Site Financial Contribution associated with proposed development of 175 dwellings, public open space and associated works.

RESOLVED:

To give authorisation to the Corporate Director to instruct the Council's Solicitor and Monitoring Officer to make a deed of variation to the Section 106 associated with Planning Application 2005/0928 to enable an off-site contribution of £55,000 (to be paid to the Parish Council) to be made in lieu of the full provision on site of a formal ball court/kick about area on the Park Road Development.

299 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

300 FUTURE PLANNING APPLICATIONS

The Chair requested that, if possible, application nos. 2011/0523, Woodborough Park, and 2012/0616 Land North of the Lighthouse, Catfoot Lane, be considered at separate meetings of the Planning Committee.

RESOLVED:

To note the information.

301 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.40 pm

Signed by Chair:
Date:

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.

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Application Number: 2014/1159

Location: 94 Sheepwalk Lane, Ravenshead, Nottingham, NG15 9FB.



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.
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Report to Planning Committee

Application Number:	2014/1159
Location:	94 Sheepwalk Lane, Ravenshead, Nottingham, NG15 9FB.
Proposal:	Proposed demolition of existing dwelling and erection of 4 no. detached dwellings with garages and private drive access.
Applicant:	Abbey Stone Development
Agent:	Mrs Rachael Walton
Case Officer:	David Gray

Site Description

The application site relates to an existing bungalow situated within a plot measuring a maximum 27.0m width x 72.0m depth. The site has undulating topography, with the existing bungalow set at a lower level to the adjoining highway and is set back from the front boundary of the site by some 30.0m. Adjoining properties consist of a dormer bungalow at no.96 Sheepwalk Lane, a split-level property at no.90 Sheepwalk Lane and a two storey dwelling at 96a Sheepwalk Lane. Dwellings to the rear of the application site on Linwood Crescent are situated at a higher level to the application site. No.90 Sheepwalk Lane is set at a higher level than the application site.

Existing boundary treatments include silver birch and hedges to the front part of the boundary with no.90 Sheepwalk Lane. The remaining boundary with no.90 Sheepwalk Lane is formed by a 4 metre high conifer hedge. There is 1.5 metre high fencing and hedges to the boundary with no.96a Sheepwalk Lane and a 1.8 metres high hedge to the boundary with the highway. To the rear boundary of the site is another 4 metre high conifer hedge.

The site is not located within the Ravenshead Special Character Area.

Relevant Planning History

In March 2008 (ref: 2008/0050) Full Planning Permission was granted to demolish the existing dwelling and erect 3no. detached dwellings with garages and to create a new vehicle access. The development consisted of a detached property to the front of the site and two detached properties to the rear of the site.

Proposed Development

Full planning permission is sought to demolish the existing dwelling and to erect 4no.

detached dwellings with garages. The proposal also includes private drive access.

The development would involve splitting the site, with plots 1 and 2 to the front of the site and plots 3 and 4 to the rear of the site. The development would incorporate a central access leading to a hardstanding area and garages serving plots 3 and 4 at the rear and access to hardstanding to the fronts of plots 1 and 2.

Plots 1 and 2 to the front of the site would incorporate dwellings with elevations that mirror each other. The dwellings would have 4 to 5 bedrooms with the internal layout having the option for a self-contained annex or a larger kitchen at lower ground floor level. The individual dwellings would be of a contemporary design and would have a similar alignment to the existing property at no.96 Sheepwalk Lane. The maximum footprint dimensions of the dwellings would be 10.5 metres x 13 metres. The dwellings would be set over split levels with a front elevation ridge height of 14 metres and a eaves height of 4.0 metres. The rear elevation ridge would be 19 metres and the eaves height would be 13 metres. The front elevation incorporates an integral garage. The rear elevation of the properties would incorporate a balcony at first floor level. All other windows are located on the front and rear elevation.

Plots 3 and 4 to the rear of the site would also incorporate dwellings with elevations that mirror each other. The dwellings would have 4 bedrooms with an attached garage forward of the front elevation and a forward facing gable projection. The properties would have a maximum footprint dimension of 13 metres x 11 metres. The front facing gable would project forward of the main elevation by some 3 metres with a width of 4.8 metres the ridge and eaves would be some 7.3 metres and 4.7 metres respectively. The properties would have hipped roofs sloping away from the boundaries with the ridge and eaves heights being 8.6 metres and 4.6 metres respectively. The proposed garages would project forward of the gable at the front by 5.7 metres with a width of 6.5 metres, with ridge and eaves heights of 6 metres and 3.7 metres respectively.

A Design and Access Statement and an Arboricultural Survey were submitted in support of the application.

During the processing of the application revised plans have been received addressing concerns raised by Officers and the Highway Authority.

Consultations

Ravenshead Parish Council – Object to the application due to infill. The new development is not in fitting with the character of the area.

Nottinghamshire County Council (Highway Authority) –

In response to the revised plans: The Highways Authority would have no concerns in principle, subject to conditions relating to the widening of the access and the surfacing of the driveway and turning areas.

Environment Agency – The application is a low risk application. No comment from the EA.

Wildlife Trust – It is recommended that a bat survey is carried out prior to the demolition of the bungalow. If this is not requested an informative should be attached to any approval to make the applicant aware of their legal obligations regarding bats that might be found during demolition.

Nottinghamshire County Council (Arboricultural Officer) – None of the trees are of such significance to warrant the protection of a TPO and are otherwise inconsequential in terms of size and appearance. The loss of the trees can be mitigated by replacement planting.

Severn Trent Water – No objection subject to an informative regarding the public sewer located within the application site.

Neighbouring Properties were notified and a Site Notice posted and 5 letters of representation from 3 different addresses were received as a result. The comments can be outlined as follows: -

Section D on plan VED394/23/C confirms that the relationship between the application site and no.96 is only diagrammatic as it has been confirmed that the neighbouring site has not been surveyed.

The properties would be overbearing and overshadowing on neighbouring amenity.

The balconies from Plots 1 and 2 could overlook neighbouring dwellings.

Building operations adjacent to the boundary could give rise to land slippage.

The proximity of the dwellings on plots 3 and 4 to the neighbouring properties and the relationship with the neighbouring property being lower would result in an undue overshadowing and overbearing impact on neighbouring amenity.

The tandem development would be inappropriate and detrimental to houses on virtually any site.

The development fails to take account of local context contrary to Policy 10.4 of the ACS.

Whilst it is accepted that there has been development in depth along Sheepwalk Lane, the size and number of houses, together with the driveways, the central access road and double garages means there would be very little green space left with little opportunity for replacement planting.

The proposed buildings are bulky, and are of poor design with large blank side elevations and awkward roofs. The design takes no account of neighbouring dwellings.

The development does not represent sustainable development.

Requests the application is considered at Planning Committee.

Should the hedge be cut at the rear of the site the properties on Linwood Crescent would overlook the application site.

The development would be out of keeping with the surrounding area and would be an incongruous feature in the streetscene.

The proposal would result in highway safety implications as there is a sharp bend to the south.

Planning Considerations

The relevant national planning policy guidance in respect of this application is set out in the National Planning Policy Framework (March 2012). The core planning principles set out in the guidance is a presumption in favour of sustainable development. In particular the following chapters are relevant in considering this application:

6. Delivering a wide choice of quality homes
7. Requiring good design

Section 6 of the NPPF states inter-alia that housing applications should be considered in the context of the presumption in favour of sustainable development. Section 7 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings...decisions should aim to ensure developments, amongst other things, respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

At local level, Gedling Borough Council at its meeting on 10th September approved the Aligned Core Strategy (ACS) and this now forms part of the Development Plan along with certain policies saved contained within the Gedling Borough Council Replacement Local Plan referred to in Appendix E of the GBACS. The GBACS is subject to a legal challenge under section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts. The challenge to the GBACS is a material consideration and must be taken account of. The decision maker should decide what weight is to be given to the GBACS. In this instance considerable weight has been attached to the GBACS as the policies reflect the guidance in the NPPF.

Policy 10 - Design and Enhancing Local Identity.

Appendix E of the ACS refers to the Saved Policies from Adopted Local Plans. The following policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2014 are relevant: -

- ENV1 – Development Criteria
- H7 – (Residential Development On Unidentified Sites Within the Urban Area and the Defined Village Envelopes)
- H16 (Design of Residential Development)

Criterion a, c. and d. of Policy ENV1 of the Replacement Local Plan are also relevant in this instance. These state that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and incorporate crime prevention measures in the design and layout.

Design and layout are also considered in criterion a. and b. of Policy H7 and criterion c. of Policy H16 of the Replacement Local Plan. These policies state inter alia that permission will be granted for residential development, including conversions and the change of use of buildings to residential use within the urban area and the defined village envelopes provided it is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials and that it would not result in the loss of buildings or other features including open space which make an important contribution to the appearance of the area.

Policy 10 of the ACS also looks at design and enhancing local identity and reflects the guidance contained in both the NPPF and the Replacement Local Plan policies.

In respect to car parking, regard should be had to the Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

In my opinion the main planning considerations in the determination of this application are: -

1. The principle of development;
2. The design, scale, mass, and layout of development;
3. The impact of the development upon the residential amenity of the occupiers of neighbouring properties;
4. Highway Safety;
5. Other considerations;
6. Conclusion.

The principle of development

The site is located within the existing village envelope of Ravenshead within an established residential area. The proposal is for the demolition of an existing bungalow for a residential development of 4 units.

I note that one of the core planning principles of the NPPF is to encourage the effective use of land that has been previously developed (brownfield land), provided it is not of high environmental value.

The NPPF's definition of brown field land is 'previously developed land that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface or surface infrastructure.' This excludes 'land in built-up areas such as private residential gardens.' This advice is reflected in the ACS Policy 10 – 3.10.4 which goes on to state:

'Although now considered to be greenfield sites, gardens can provide sustainable locations for new homes, and reduce the need to develop land within Green Belt and or the country side. However, it can also change the characteristics of areas, and may damage biodiversity. In accordance with this policy and the NPPF, subsequent Local Development Documents may seek to restrict development to avoid areas of special character and to protect the amenity value of private gardens.'

I note that the application site is not in Ravenshead Special Character Area and is

not in an area of special character or specific ecological or landscape character.

Whilst I note that there was a previous approval for residential development of the site in 2008, there have been changes in guidance in relation to the definition of garden land, which is no longer considered to be brownfield land. Whilst I note the change in definition, I do not consider that paragraph 3.10.4 of the ACS precludes development on such sites. The key aspects that need to be considered are whether the proposed development would be in a sustainable location, would adversely affect the characteristics of the area or damage biodiversity. I do not consider that biodiversity is an issue in this instance. In my opinion the development would be in a sustainable location given its location within a village and its proximity to services. For the reasons set out in section 2 of this report I do not consider that the proposed development would adversely affect the characteristics of the area. The redevelopment of the site in my opinion is therefore acceptable in principle and would accord with Policy 10 of the ACS.

The design, scale, mass, layout of development.

The Government attaches great importance to the design of the built environment.

Section 7 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings...decisions should aim to ensure developments, amongst other things, respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policies ENV1, H7 and H16 of the Replacement Local Plan require development to be of a high standard of design. The policies require regard to be given to the appearance of the surrounding area, the provision of safe and convenient access and circulation of pedestrians and vehicles, and incorporating crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance, and defensible space and well considered layouts and landscaping.

I note that the surrounding area is characterised by a mix of property styles on varying plot sizes. I also consider that the application site is of sufficient width and depth to occupy the 4 dwellings with the layout proposed without appearing cramped or over intensive.

Given the mixture of styles in the immediate vicinity and the size of the application site I consider that the development, designed around a central access, has taken this opportunity to create a sense of place. I also consider that incorporating contemporary design principles and materials would add to the architectural mix in the area and would result in a positive feature in the immediate streetscene.

I consider, given the undulating topography of the land, the mixture of two storey and single storey dwellings in the area, and that there is back land development in the immediate surrounding area, that the scale of the properties would be in keeping with the existing properties on the north side of Sheepwalk Lane.

Should planning permission be forthcoming appropriate landscaping, materials, means of enclosure, and surfacing would be secured by condition to ensure a satisfactory appearance on completion.

Having considered the overall design of the development and the constraining factors of the site, it is my opinion that the proposal would satisfy the design and landscaping criteria of Policies ENV1 of the RLP and Policy 10 of the ACS. I also consider that the proposed development accords with the broad design aims of the NPPF, which states that good design is key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

The impact of the development upon the residential amenity of the occupiers of neighbouring properties

I am mindful that that there has been a previous approval (planning permission 2008/0050) which incorporated two detached dwellings to the rear of the site with a ridge height that matches the proposed dwellings. I am also mindful that the previous approval incorporated a dormer bungalow with a gable projection adjacent to the shared boundary with no.96a Sheepwalk Lane. I note the comments received with regards to the heights of the proposed dwellings in relation to the existing property at 96a Sheepwalk Lane. I also note the heights of the proposed dwellings on plots 3 and 4 reflect the heights of the previous approval on the site. This application also takes into account the approved plans for 96a Sheepwalk Lane which were used to establish the height of the neighbouring property.

I note that on the current proposal, during the processing of the application, Plot 3 has been moved 2 metres from the shared boundary and incorporates a hipped roof that slopes away this shared boundary. In my opinion the current proposal would improve the relationship with 96a in terms of overshadowing and overbearing when compared to the previous approval on the site. I also note that during the processing of the application the window on the rear elevation adjacent to the shared boundary with no.96a Sheepwalk Lane was removed. I am therefore satisfied, given the relationship between the two properties and the existing boundary treatments, that the proposal would not result in any undue overlooking impact on no.96a. I am mindful that a window has been omitted from the rear elevation and that under permitted development rights rear windows could be inserted in the rear elevation of dwellings without planning permission. Should planning permission be forthcoming I would suggest removing permitted development rights via condition to prevent any undue overlooking impact in the future.

When assessing the impact of the proposal on the amenity of no.92 Sheepwalk Lane and properties on Linwood Crescent I am satisfied that there would be no undue overlooking, overbearing or overshadowing impact given that the properties are all in elevated positions above the application site and a sufficient boundary treatment that exists. I am also satisfied that the location of windows serving the proposed dwellings would be located so not to overlook these properties.

When assessing the impact on no.96 Sheepwalk Lane, I am satisfied given the

distances between Plot 1 and no.96, the position of windows, the heights of the proposed dwellings, and that the roofs would slope away from the shared boundary that there would be no undue overlooking, overshadowing or overbearing impact on neighbouring amenity. I note that during the processing of the application a 1.8 metre high timber screen was added to the north side boundary of the balcony serving Plot 1 and I am satisfied that this measure is sufficient to mitigate any undue overlooking onto neighbouring properties. Should planning permission be forthcoming I would suggest attaching a condition to any approval requiring a 1.8 metre high screen on the north elevation balcony of Plot 1 and south elevation of Plot 2 to mitigate any future overlooking impact from these balconies.

Given the above I consider that the proposed development would have an acceptable relationship with neighbouring dwellings and would result in no significant undue impact on neighbouring residential amenity.

Highway Safety

I note the comments from the Highway Authority and, subject to the suggested conditions, I am satisfied that the proposed development would have no undue impact on highway safety.

When considering car parking provision for new residential development the adopted Parking Provision for Residential Development Supplementary Guidance (SPD) May 2012 is relevant. When referring to the car parking SPD the proposed development 4 bedroom dwellings in a rural location would require off street car parking for 3 vehicles. Each proposed property has a minimum of 3 off street car parking spaces. I am therefore satisfied that the design layout and vehicle hardstanding proposed is sufficient to satisfy the requirements of the SPD.

Other Considerations

I note the comments from the Arboricultural Officer and as such I am satisfied that no trees of any significance would be lost as a result of the development. Should planning permission be forthcoming appropriate landscaping and planting would be secured by attaching a condition to any approval.

I note the comments received with regards to the fir trees which define the rear boundary of the site. I also note that the plans indicate that the fir trees would be retained. I am satisfied that the proposed means of enclosure and the planting can be secured by condition and that the retention of suitable boundary treatments to the rear can be secured by condition.

I note the comments from the wildlife trust; given the dwelling is still occupied I am satisfied that an informative instructing the applicants legal duty with regards to bats is sufficient to mitigate any potential impact on bats during demolition.

Conclusion

I am of the opinion that the proposed development would comply with the relevant planning policies that are set out above and that planning permission should be

granted.

Recommendation:

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 plans and application forms received on the 13th October 2014, drawing no: Existing Site Plan (VED394 01), Site Location Plan (VED394 02) and The Impact Assessment Trees, the revised plans received on 7th February 2015 drawing no: Plots 3 and 4 Elevations (VED394 31 D), and the revised plans received on 5th March 2015: drawing no's: Plots 1 and 2 Layout & Elevation (VED394 30 E), Fire Appliance Vehicle Tracking (VED394 26), Proposed Site Sections (VED394 23D), and Proposed Site Plan (VED394 22 G).
3. No part of the development hereby permitted shall be brought into use until the access has been widened to 5.25m in width and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
4. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
5. Before development is commenced 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 and including where appropriate details of existing trees to be felled and retained.
6. The approved landscape scheme, approved under condition 5, 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. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used in the external elevations of the proposed development. Once approved the development shall be completed out in accordance with these details.
8. 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. Once approved the development shall be carried out in accordance with the approved details.

9. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of enclosure of the site and for each of the individual plot boundaries. The approved means of enclosure shall be erected before the dwellings they serve are first occupied, and shall be retained thereafter unless alternative means of enclosure are agreed in writing by the Borough Council.
10. No additional windows or openings to those shown on the approved plans shall be inserted in the external elevations of the proposed dwellings at any time, unless express consent has been given by the Borough Council.
11. The proposed 1.8 metre high timber screens to the first floor balconies, shown on the plan received on 5th March 2015 drawing no: Plot 1 & 2 Layout and Elevations (VED394 30 E) shall be provided before the balconies are first brought into use and shall thereafter be retained at all times for the life of the development.
12. No works permitted under Class A, B, C and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the express consent of the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of Highway safety.
4. In the interest of Highway Safety.
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 (2005).
6. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
7. 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 ensure a satisfactory development, in accordance with the aims of policy

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

9. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To prevent the overlooking of the adjoining property, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (2014).
11. To prevent the overlooking of the adjoining property, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (2014).
12. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2014.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, the area in general and is acceptable from a highway safety viewpoint. The proposal therefore accords with Policy 10 of the Aligned Core Strategy (2014) and H7, H16 and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014)

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.

Your attention is brought to the fact there is a public sewer that runs through the site. The advice of Severn Trent water should be sought before development commences. You may wish to apply to Severn Trent Water to divert the sewer in accordance with Section 185 of the Water Industry Act 1991.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to

provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application and during Pre Application discussions to address adverse impacts identified by officers to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

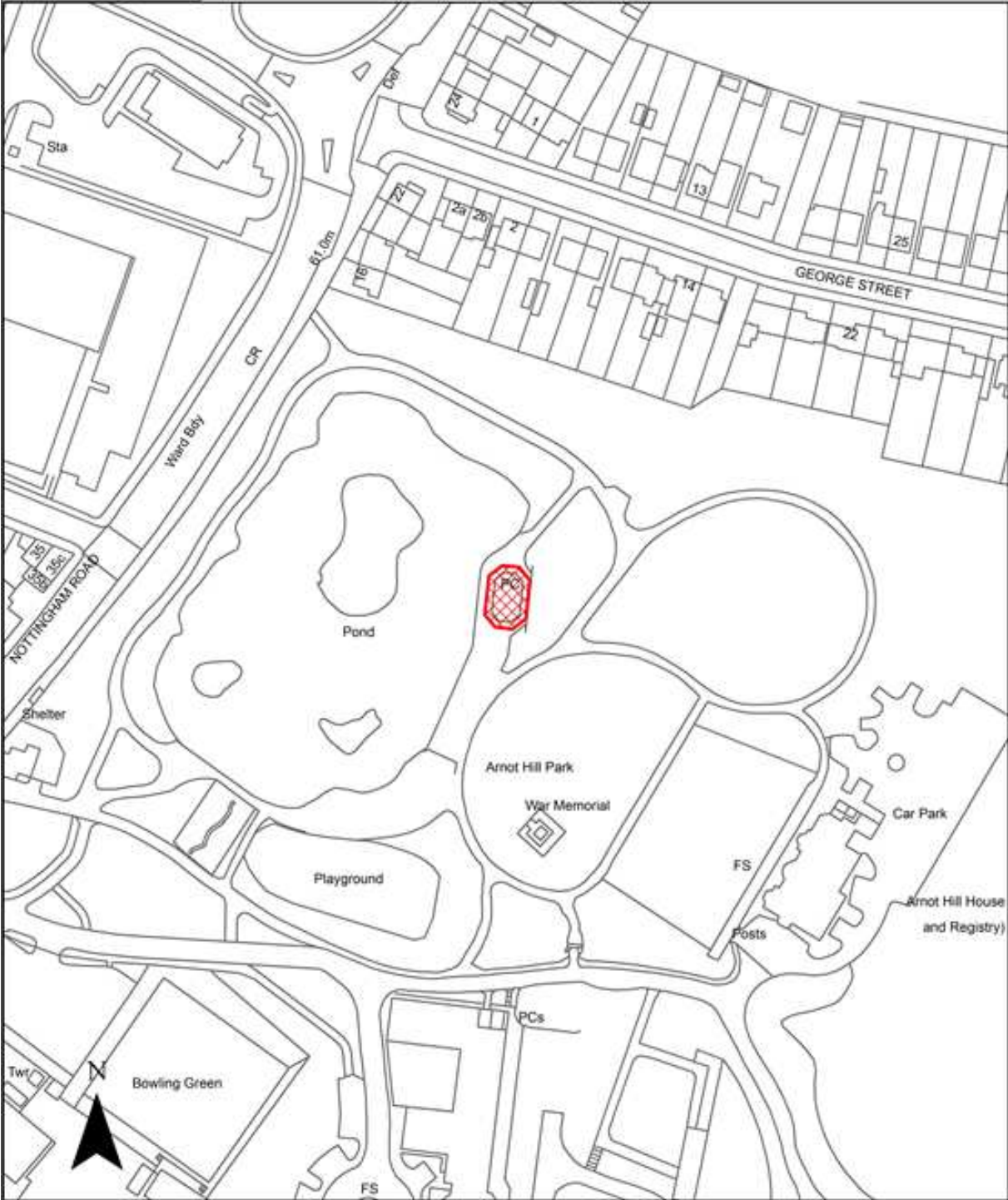
The proposal makes it necessary to widen the access and vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

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Application Number: 2015/0051

Location: Kiosk, Arnot Hill Park, Arnold, Nottinghamshire.



NOTE:
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Report to Planning Committee

Application Number:	2015/0051
Location:	Kiosk, Arnot Hill Park, Arnold, Nottinghamshire.
Proposal:	Minor alterations to existing cafe building
Applicant:	Miss Kelly Charlseworth
Agent:	Mr Craig Gould
Case Officer:	Elizabeth Campbell

This application is brought to the Planning Committee because it relates to a Council owned building – The Kiosk in Arnot Hill Park, Arnold.

Site Description

The Kiosk is a single storey modern octagonal building in Arnot Hill Park near the lake. The building contains a take away cafe with service to an outside seating area and the public toilets. The building stands within Protected Open Space and on land, potentially at risk of flooding. Arnot Hill House is a grade II Listed building but the café does not form part of the listing as it was not built when Arnot Hill House was listed in 1987.

Proposed Development

The development, which is described as minor alterations, comprises the insertion of a window, 1600mm deep x 2400mm wide, facing the lake in connection with the creation of an area inside the building, currently part of a store room, for use as a café. The opening would have a vertically sliding security shutter with aluminium window behind to match the existing. The existing service hatch, which has a vertically sliding security shutter, would have a side sliding service window behind.

Consultations

A Site Notice has been posted and no representations have been received

Public Protection – no observations

Planning Considerations

In my opinion the main consideration in the determination of this planning application is the visual impact of the proposal on the surrounding area and the setting of the

listed building.

At the national level the National Planning Policy Framework (NPPF) (March 2012) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

Paragraphs 132-141 (setting of a listed building) also applies.

Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan referred to in Appendix E of the GBACS. The GBACS is subject to a legal challenge under Section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts. The challenge to the GBACS is a material consideration and of which the Council must take account. The decision maker should decide what weight is to be given to the GBACS. In this instance significant weight has been given to the GBACS. However, should the GBACS be quashed I do not consider that a different recommendation would be reached given that the policies reflect the guidance contained within the NPPF. The following policy is relevant: -

Policy 10 – Design and Enhancing Local Identity

This policy reflects the guidance contained in the NPPF and Replacement Local Plan policies (see below)

Policy 11 – The Historic Environment

Policy 13 – Culture, Tourism and Sport – (d) which states that “where appropriate, existing tourism facilities will be protected and their further development will be supported”

Appendix E of the GBACS refers to the following saved relevant policy contained within the Gedling Borough Replacement Local Plan (certain policies saved) 2014:-

ENV1 (Development Criteria);
R1 (Protection of open space)

With respect to the visual impact on the character and appearance of the area the proposed alterations will match the existing and are considered appropriate. There are no residential properties nearby and it is not considered that the work will affect the setting of Arnot Hill House. The proposal will improve the café facility in this well frequented Public Park and enable it to be used for longer and throughout the year. The proposal will ensure that the open space is protected since the work only affects the existing building.

Taking these considerations into account, I conclude that the proposed development is visually acceptable and protecting this open space and a tourist facility and that it will not impact the amenities of any residential properties or affect the setting of a listed building. For these reasons I support this application.

Recommendation:

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 new opening to the west shall have a profile, a reveal, a surround and shutters that shall match those within the existing openings.
3. This permission relates to the planning application, location plan (Rev 0) and existing elevations and layout plan (Rev 0) received on 20th January 2015 and the revised proposed elevations and layout plan received by email together with the additional information contained in the email both of which was received on 13th March 2015.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory development in accordance with the aims of Policies 10, 11 and 13 of the Aligned Core Strategy for Gedling Borough and Policies ENV 1 and R1 of the Gedling Borough Replacement Local Plan (certain policies saved) 2014
3. For the avoidance of doubt as to what is permitted

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have an undue impact on the locality or a listed building and both protect a tourist facility and support its development. It would also help to protect this open space. The proposal therefore complies with ENV1 and R1 of the Gedling Borough Replacement Plan (certain policies saved) 2014 and Policies 10,11 and 13 of the Aligned Core Strategy for Gedling Borough (September 2014)

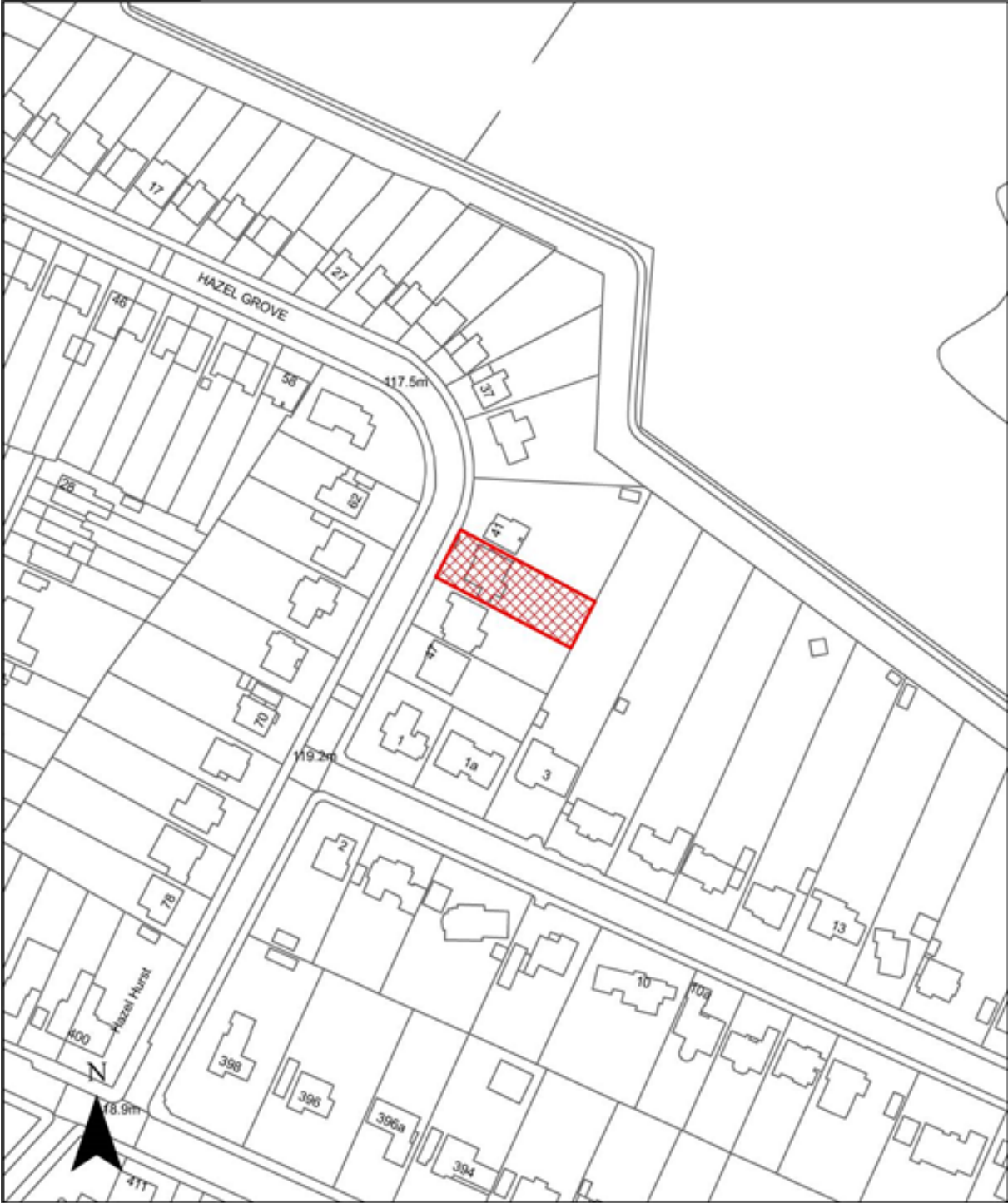
Notes to Applicant

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



Application Number: 2015/0099

Location: 43 Hazel Grove, Mapperley, Nottinghamshire, NG3 6DQ.



NOTE:
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Report to Planning Committee

Application Number:	2015/0099
Location:	43 Hazel Grove, Mapperley, Nottinghamshire, NG3 6DQ.
Proposal:	Single storey rear extension, and creation of additional first floor bedroom on top of existing ground floor footprint.
Applicant:	Mr Jonathan Heath
Agent:	
Case Officer:	Alison Jackson

This application is being brought to Committee due to the applicant being related to a member of staff at Gedling Borough Council.

Site Description

43, Hazel Grove, Mapperley is a two storey detached property which is set back from the road. The frontage of the property is hard surfaced providing an off road car parking area. There are single storey extensions to either side of the property together with single storey rear extensions. There is a rear garden area to the property which is set at a slightly lower level than the floor level of the dwelling. There is 2 metre high hedging and walling to the side boundaries of the rear garden area. There are two first floor windows to the side elevation of the immediate neighbouring property, no. 41, which are obscure glazed.

Proposed Development

Planning permission is sought for the following:

The erection of a single storey rear extension to the property measuring at its maximum 3.5 metres by 5.97 metres with an overall height of 4.51 metres;
and

The erection of a first floor extension to the side/rear of the property above the existing single storey side and rear elements of the existing property. This extension would measure at its maximum 5.32 metres by 4.15 metres and would have an overall height of 7.76 metres.

The materials proposed for the construction of the extensions are specified to match those of the existing dwelling.

Consultations

Local residents have been notified of the proposal by letter – I have received no letters of representation as a result.

Planning Considerations

In my opinion the main considerations in the determination of this planning application are the impact of the proposal on neighbouring properties and on the streetscene. The proposals do not raise any highway safety implications given that off road car parking will remain unaffected by the proposal.

At the national level the National Planning Policy Framework (March 2012) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

Gedling Borough adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September 2014 and this now forms part of the Development Plan along with certain policies saved contained within the Gedling Borough Council Replacement Local Plan referred to in Appendix E of the GBACS. The GBACS is subject to a legal challenge under section 113 of the Planning and Compulsory Purchase Act 2004 to quash certain parts. The challenge to the GBACS is a material consideration and must be taken account of. The decision maker should decide what weight is to be given to the GBACS. In this instance significant weight has been given to the GBACS however, should the GBACS be quashed I do not consider that a different recommendation would be reached given that the policies mirror the guidance contained within the NPPF.

Policy 10 - Design and Enhancing Local Identity.

The following policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2014 are relevant: -

ENV1 – Development criteria
H10 – Extensions

Under the Local Plan, development should be in keeping with the scale and character of the existing dwelling and should not cause unacceptable harm to the amenity of neighbouring residents.

In my opinion the proposed side/rear extension will be visually acceptable when viewed within the streetscene and from neighbouring properties.

In addition, I consider that the proposed rear extension will be visually acceptable when viewed from neighbouring properties.

I am satisfied that the proposed first floor side/rear extension will result in no undue overlooking, overbearing or overshadowing impact on neighbouring properties, given its relationship with neighbouring properties. I note that the proposed extension would come in close proximity to the first floor windows to the immediate

neighbouring property at no. 41 and consider, given that these windows are obscure glazed and appear to serve secondary rooms, the extension would not affect the residential amenity of this neighbouring property.

In respect to the proposed rear extension I am satisfied, given the single storey nature of this proposed extension and the existing boundary treatments to the side boundaries of the rear garden area, the extension will not result in a detrimental overbearing, overshadowing or overlooking impact onto neighbouring properties.

Accordingly, I recommend that planning permission be granted.

Recommendation:

To GRANT PLANNING PERMISSION, subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be built in accordance with the details as set out within the application forms received on the 1st February 2015 and the plans received on the 1st February 2015, drawing numbers JH01, JH02, JH03, JH04 and JH05.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable and results in no significant impact on neighbouring residential properties. The proposal therefore accords with policies H10 (Residential Extensions) and ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2014), the National Planning Policy Framework 2012 and Policy 10 of the Aligned Core Strategy (2014).

Notes to Applicant

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

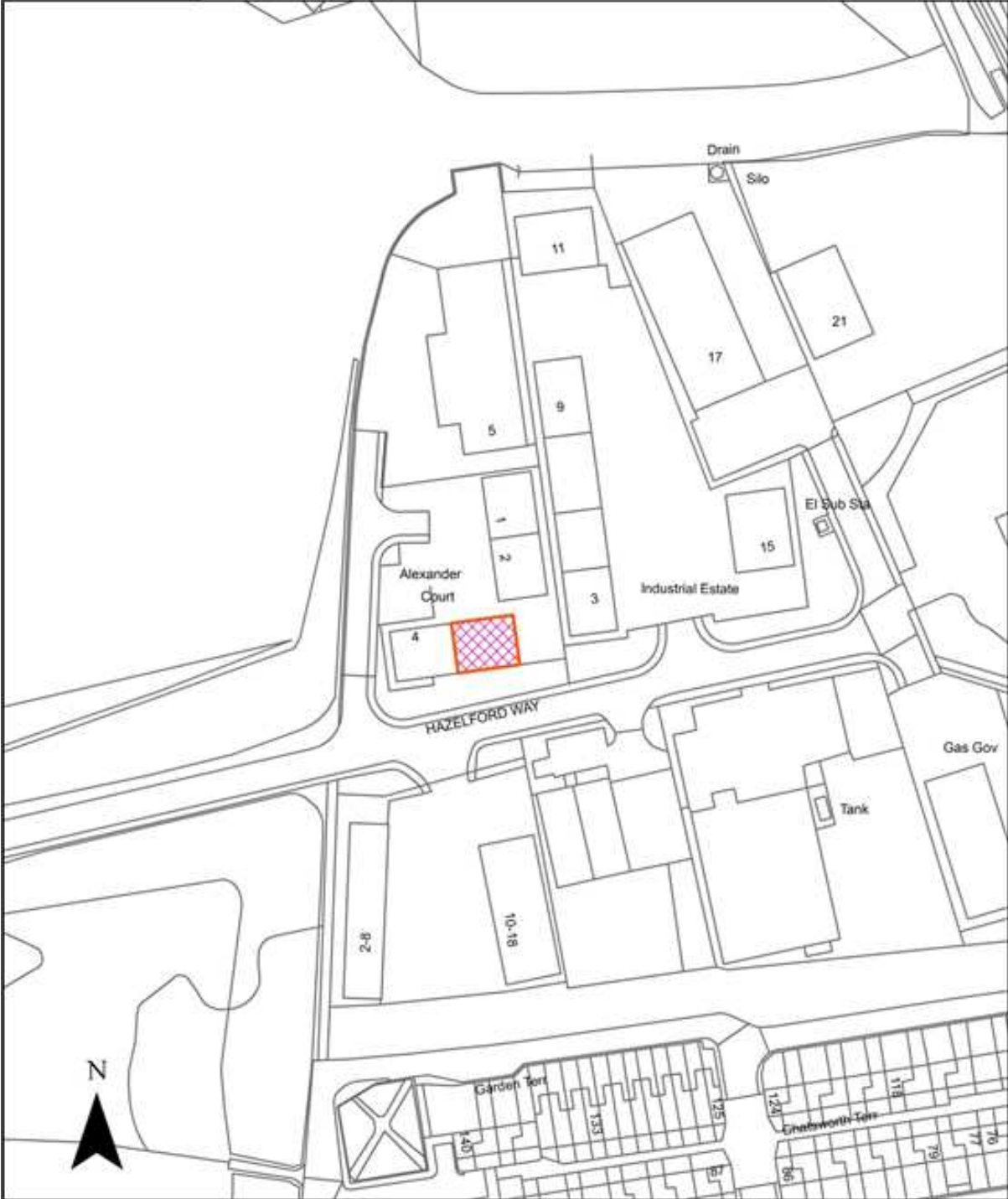
Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

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.

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Planning Enforcement: 0151/2013
Unit 3 Alexander Court, Hazelford Way, Newstead NG15
Location: 0DQ



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Report to Planning Committee

Planning Enforcement Reference: 0151/2013

Location: Unit 3 Alexander Court, Hazelford Way, Newstead NG15 0DQ

Breach of Planning Control: Unauthorised change of use from B1/B8 to car sales (sui generis)

Case Officer: David Spencer

Site description

Unit 3 Alexander Court is a purpose built industrial unit, located on the industrial estate to the north of Newstead Village.

Relevant Planning History

Planning permission was granted under reference 90/0648 for the redevelopment of former allotments to become industrial/warehouse units. A further permission 2003/2855 was granted 18 February 2004 giving permission for Industrial & Commercial development falling within Use Classes B1(c), B2 and B8- 4 small units and 1 larger unit which covers this part of the industrial estate.

Breach of planning control

It was reported to the Council in August 2013 that Unit 3 was being used for car sales, which is a use class sui generis, which requires a planning permission for change of use from any other use class.

The operator of the site has been informed that there is no permission for use as car sales and was advised to either cease the use or apply for a planning permission for a change of use. To date neither action has taken place and the breach in respect of unauthorised change of use remains.

Planning Considerations

Part VII of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) outlines the actions that a local planning authority may take if breaches of planning control occur.

However before taking any enforcement action local planning authorities are advised to consider the guidance contained with the National Planning Policy Framework and Planning Practice Guidance Notes.

Paragraph 207 of the NPPF advises that:-

Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.

Paragraph 005 of the National Planning Practice Guidance Notes advises that:-

Effective enforcement is important to:

- tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area;
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

The continued unauthorised use as car sales generates parking issues as cars that are for sale are parked not only at the site but also on the access roads which makes access to other premises at the location difficult, which has an effect on amenity.

Recommendation:

That the Corporate Director be authorised in Consultation with the Council Solicitor and Monitoring Officer to take any necessary enforcement action including service of notices and issuing/defending legal proceedings if required

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ACTION SHEET PLANNING DELEGATION PANEL 27th February 2015

2014/1159

94 Sheepwalk Lane Ravenshead Nottingham

Proposed demolition of existing dwelling and erection of 4 no. detached dwellings with garages and private drive access

WITHDRAWN FROM AGENDA

2014/1228

7 Parklands Close Bestwood Nottinghamshire

Retention of larger velux windows to side roof slope, 2 additional velux windows to rear and amendments to design of fenestration.

The proposed development would have no undue impact on neighbouring amenity

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

Decision to be issued following completion of paperwork

Parish to be notified of Decision **SS**

2014/1326

74 Main Street Lambley Nottingham

Change of Use to Residential (C3) and External Alterations.

Panel referred the application to Planning Committee

2014/1327

322 Spring Lane Lambley Nottinghamshire

Single storey rear extension

The proposed development would be contrary to Green Belt Policy

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

Decision to be issued following completion of paperwork

Parish to be notified of decision **SS**

2014/1355

9 Tennyson Avenue Gedling Nottinghamshire

Two storey side and front extension, single storey rear extension

WITHDRAWN FROM AGENDA

2015/0027

16 Cottage Meadow Colwick Nottinghamshire

Replace hip roof with gable roof and balcony.

The proposed development would have an undue impact on the streetscene

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

Decision to be issued following completion of paperwork
Parish to be notified of Decision **SS**

2015/0009

Oxclose Hotel Oxclose Lane Arnold

Change of use of public house to community uses (Classes A4 and D1), demolition of outbuilding, erection of restaurant with drive-through facility and car park

The proposed development would have undue impact on a Heritage Asset

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

Decision to be issued following completion of paperwork **SS**

2015/0010

Oxclose Hotel Oxclose Lane Arnold

2 no. 1 door, 2 panel, wall mounted pre-order menu units. 1 no. wall mounted 1628mm high, 4 door, 8 panel, main-order menu unit. 1 no. wall mounted disclaimer sign. 11 no. site signs.

The proposed development would have undue impact on a Heritage Asset

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

Decision to be issued following completion of paperwork **SS**

2015/0011

Oxclose Hotel, Oxclose Lane Arnold

Demolition of outbuilding, erection of restaurant with drive-through facility and car park with site signs within curtilage

The proposed development would have undue impact on a Heritage Asset

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

Decision to be issued following completion of paperwork **SS**

27th February 2015

ACTION SHEET PLANNING DELEGATION PANEL 6th March 2015

2014/0620

1 Byron Crescent Ravenshead Nottingham

Application for Reserved Matters following approval of Outline Planning Application 2013/0274 for the erection of one private dwelling house

The proposed development would have no undue impact on the locality in general or the amenities of adjacent properties.

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

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2014/1355

9 Tennyson Avenue Gedling Nottinghamshire

Two storey side and front extension, single storey rear extension

The application would have an undue impact on the Streetscene.

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

Decision to be issued following completion of paperwork.

2014/1386

1 Main Street Woodborough Nottinghamshire

Erection of a new detached double garage with dormer window (resubmission of 2014/0888)

The proposed development would have no undue impact on the Conservation Area, the amenity of adjacent properties, or the area in general.

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

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2015/0002

Fairview Farm Stud Main Road Ravenshead

Conversion and Change of Use of the Existing Stable Building to create two holiday lets to provide overnight accommodation for disabled riders and their carers.

The proposed development would have no undue impact on the Green Belt or the rural setting of the site.

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

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

DG - 9th March 2015

ACTION SHEET PLANNING DELEGATION PANEL 13th March 2015

2014/1126

45 Coronation Road Nottingham NG3 5JS
Rear extension to enlarge kitchen and lounge

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

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

Decision to be issued.

2014/1159

94 Sheepwalk Lane Ravenshead Nottingham
Proposed demolition of existing dwelling and erection of 4 no. detached dwellings with garages and private drive access

The proposed development raises complex backland & residential amenity issues.

The Panel recommended that the application be determined by the Planning Committee.

2014/1343

Westhouse Farm Moor Road Bestwood
New single storey primary school (up to form entry) with playing field, access and car parking

The proposed development raises complex Green Belt, infrastructure & planning policy issues.

The Panel recommended that the application be determined by the Planning Committee.

2015/0006

The Good Shepherd Primary School Somersby Road Woodthorpe
Extension to replace timber framed classrooms and toilet block. Provision of cycle store

Application withdrawn from agenda.

2015/0072

Building Plot Vicarage Drive Burton Joyce

Erect three bedroomed prefabricated house, double garage and carport, designed and manufactured by Kager Hisa, Ptuj, Slovenia. House components to be imported and assembled on site.

The proposed development would have no undue impact on the residential amenity of adjacent properties, highway safety, or on the visual amenity of the site & wider area.

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

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

NM

13th March 2015



Report to Planning Committee

Subject: Future Planning Applications

Date: 1 April 2015

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>
2011/0523	Woodborough Park, Foxwood Lane, Woodborough	The turbine has a hub height of 50.09m and blade length of 16.7m. Ancillary development comprises a permanent access track and crane pad	TBC
2013/1010	Georges Lane Burial Ground Calverton	Change of use of agricultural field to create natural burial ground with associated car park	TBC
2014/0273	Land at corner Longdale Lane and Kighill Lane, Ravenshead	Site for residential development	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
2014/0559	The Cavendish Pub Cavendish Road Carlton	38 residential units	TBC
2014/1180	Colwick Business Park Road no 2 Colwick	Construction of 3 storey office building and landscaping	TBC

2014/1110	Newstead and Annesley Country Park Tilford Road Newstead Abbey	Erection of Wind Turbine	TBC
2012/0616	Land North of the Lighthouse Catfoot Lane	Crematorium and associated works	22 nd April
2015/0043	214 Oakdale Road, Carlton	Loft conversion to form roof space	22 nd April
2014/1326	74 Main Street, Lambley Nottingham	Change of Use to Residential (C3) and External Alterations	22 nd April

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.

Recommendation:

To note the information.