

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 3 June 2015**

Councillor John Truscott (Chair)

In Attendance:

Councillor Barbara Miller	Councillor Gary Gregory
Councillor Michael Adams	Councillor Sarah Hewson
Councillor Pauline Allan	Councillor Meredith Lawrence
Councillor Peter Barnes	Councillor Marje Paling
Councillor Sandra Barnes	Councillor Colin Powell
Councillor Chris Barnfather	Councillor Paul Stirland
Councillor Alan Bexon	Councillor Paul Wilkinson
Councillor Bob Collis	

Officers in Attendance: S Bray, P Baguley, T Dillarstone, N Morley, L Parnell and L Sugden

**1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

None received.

**2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 22 APRIL 2015.**

**RESOLVED:**

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

**3 DECLARATION OF INTERESTS**

None.

**4 APPLICATION NO. 2012/0616 - LAND NORTH OF THE LIGHTHOUSE, CATFOOT LANE, LAMBLEY, NOTTINGHAMSHIRE.**

The Service Manager, Planning and Economic Development, presented the report, which had been circulated prior to the meeting, providing background and context to the application. The Service Manager informed Members of an additional four letters of objection received following the publication of the report.

The applicant Mr Richard Evans, spoke in favour of the application. Mr Evans addressed issues relating to the appropriateness of the site, need, the anticipated number of services and traffic.

Ms. Dawn Edwards, Parish Councillor, spoke in objection on behalf of Lambley Parish Council. Ms. Edwards discussed the appropriateness of the site, the suitability of the development within the Green Belt and need.

Mr Franz Johnston, a resident objector, spoke in objection, highlighting issues of highway safety.

After discussion and on the requisition of two Members the motion was put to a named vote and the motion was carried.

**For the Motion:**

Councillor Pauline Allan	Councillor Sandra Barnes
Councillor Peter Barnes	Councillor Bob Collis
Councillor Gary Gregory	Councillor Meredith Lawrence
Councillor Barbara Miller	Councillor Marje Paling
Councillor John Truscott	Councillor Paul Wilkinson

**Against the Motion:**

Councillor Michael Adams	Councillor Chris Barnfather
Councillor Alan Bexon	Councillor Sarah Hewson
Councillor Colin Powell	Councillor Paul Stirland

**RESOLVED to GRANT PLANNING PERMISSION, subject to the applicant entering into a Section 106 planning obligation with the County Council towards the provision of bus stop infrastructure; and 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 Elevations (04 Rev 4), Floor Plan (05), Floral Tribute Plans and Elevations (06) and Sections (M052.D.LS02) drawings, deposited on 23rd May 2012; Proposed Footway drawings (SCP/11100/D01 APPENDIX 4 Rev B), received on 31st July 2012 and Site Layout drawing (GD01\_P(0)001 REV A), received on 6th October 2014.
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the materials to be used in the external elevations of the proposed building. Thereafter the development shall be carried out in accordance with approved materials, unless otherwise prior agreed in writing by the Borough Council.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the

means of enclosure of the site. Thereafter the development shall be carried out in accordance with approved means of enclosure, unless otherwise prior agreed in writing by the Borough Council.

5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of any proposed alterations to the existing ground levels of the site, other than those shown on Sections drawing (M052.D.LS02). Thereafter the development shall be carried out in accordance with approved details, unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced there shall be submitted to and approved writing by the Borough Council details of the means of surfacing of the access road, driveways, car parking areas, turning and servicing areas and other unbuilt on portions of the site. The access road, driveways, car parking areas, turning and servicing areas and other unbuilt on portions of the site shall be provided and completed in accordance with the approved details before the development is first brought into use and the parking, turning and servicing areas shall not be used for any other purpose other than the parking, turning, loading and unloading of vehicles.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the proposed access gates, which shall open inwards only and be set back a minimum of 5.00 metres from the highway boundary. The gates shall be provided 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.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of any means of surfacing or enclosure on the remaining land on the northern and eastern part of the site, beyond the new hedgerows. Any surfacing or enclosure shall be provided in accordance with the approved details and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed

in writing by the Borough Council. The scheme to be submitted shall demonstrate the utilisation of holding sustainable drainage techniques; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and responsibility for the future maintenance of drainage features.

10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external plant, including extract units, air conditioning systems, flues, fans & vents. The external plant shall be provided 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 there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination, to be provided on the proposed building or elsewhere within the site. The external lighting shall be provided 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 there shall be submitted to and approved in writing by the Borough Council details of cycle stands for staff and visitors. The cycle stands shall be provided 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.
13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a landscape plan of the whole site showing the position, type, planting size and seed mix of all trees, shrubs, grassland and meadow areas proposed to be planted and sown, including details of proportions, establishment methods and the maintenance regime and, where appropriate, details of any existing trees and hedges to be felled, removed or retained. The landscape plan shall include native species of local provenance. 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 the 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.

14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council an ecological enhancement plan of the whole site showing the inclusion of badger gates within any proposed fences, the installation of bird, bat and bug boxes and the creation of a wildlife friendly pond. The ecological enhancement plan shall be implemented in accordance with the approved details and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
15. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a landscape and ecological management plan, detailing how habitats retained and created as part of the landscaping scheme will be managed and maintained, in order to maximise their value. The landscape management plan shall be implemented in accordance with the approved details and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
16. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme for the protection of the existing hedgerows and hedgerow trees which form the boundaries of the site. The scheme shall be implemented in accordance with the approved details and shall be retained until all construction works have been completed.
17. Before development is commenced, an updated badger survey shall be undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any badgers are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences.
18. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no: SCP/11100/D01 APPENDIX 4 Rev B have been provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.90 metres in height.

19. No operation of the use hereby permitted shall commence on any part of the application site unless or until the vehicular access and footway on the south side of Catfoot Lane has been provided between the site access point and the B684 Mapperley Plains, together with the provision of a pedestrian island on the B684, as shown for indicative purposes only on drawing no: SCP/11100/D01 APPENDIX 4 Rev B.
20. No part of the development hereby permitted shall become operational until a Travel Plan has been submitted to and approved in writing by the Borough Council. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to reduce the traffic and environmental impacts of the development and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan and shall subsist for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
21. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for 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.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to allow a proportionate approach to minor material amendments.
3. To ensure that the materials to be used in the external elevations of the proposed building are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To ensure that the means of enclosure of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure that any alterations to the existing ground levels of the site are satisfactory, in accordance with the aims of Policy ENV1

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

6. To ensure that the means of surfacing of the development are satisfactory and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that the details of the proposed access gates are satisfactory and 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).
8. To ensure that any means of surfacing or enclosure on the remaining land on the northern and eastern part of the site is satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
9. To ensure the provision of a satisfactory surface water drainage scheme; 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 aims of Section 10 of the National Planning Policy Framework, Policies ENV1 and ENV40 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
10. To ensure that the details of external plant are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure that the details of external lighting are satisfactory in the interests of visual amenity and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. To ensure that cycle stands are provided and that the details are satisfactory, in accordance with the aims of Section 4 of the National Planning Policy Framework, Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2014).
13. To ensure the provision of an appropriate landscape plan for the whole site in the interests of visual amenity and to enhance biodiversity, in accordance with the aims of Section 11 of the National Planning Policy Framework, Policies 10 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014)

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

14. To ensure the provision of ecological enhancements to enhance biodiversity, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To ensure the provision of a landscape management plan to maximise the value of new habitats and enhance biodiversity, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
16. To ensure the provision of a scheme for the protection of the existing hedgerows and hedgerow trees, to minimise any potential impacts on biodiversity and the landscape in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
17. To ensure the provision of an updated badger survey to minimise any potential impacts on biodiversity, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
18. To ensure that visibility splays are provided 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).
19. To ensure that the vehicular access and footway on the south side of Catfoot Lane are provided 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).
20. To ensure the traffic and environmental impacts of the development are mitigated and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
21. To minimise any potential impacts on biodiversity in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).

#### **Notes to Applicant**



The Environment Agency advises that condition 9 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 above ground sustainable drainage should be used.

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 there should be no siting of the package sewage treatment plant within 50 metres or upslope of any well, spring or borehole used for private water supply. It should be noted that the private treatment plants may require a separate permit from the Environment Agency. This would be additional to planning permission.

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](http://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](http://www.groundstability.com).

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

**5 APPLICATION NO. 2015/0212 - 34 HEREFORD ROAD, WOODTHORPE, NOTTINGHAMSHIRE.**

The application was withdrawn, by the applicant, prior to the commencement of the Committee meeting.

**6 PLANNING DELEGATION PANEL ACTION SHEETS.**

**RESOLVED:**

To note the information.

**7 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

**8 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 7.45 pm

Signed by Chair:

Date: