

**MINUTES
PLANNING COMMITTEE**

Wednesday 14 October 2015

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller Councillor Sarah Hewson
 Councillor Michael Adams Councillor Meredith Lawrence
 Councillor Peter Barnes Councillor Marje Paling
 Councillor Sandra Barnes Councillor Paul Stirland
 Councillor Alan Bexon Councillor Paul Wilkinson
 Councillor Gary Gregory

Absent: Councillor Pauline Allan, Councillor Chris Barnfather,
 Councillor Bob Collis and Councillor Colin Powell

Officers in Attendance: P Baguley, C Goodall, D Gray, L Parnell and
 L Sugden

68 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Allan, Barnfather, Collis and Powell.

Councillors Parr and Doyle attended as substitutes for Councillors Barnfather and Powell.

69 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2015.

RESOLVED:

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

70 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest, on behalf of all Members, in application no. 2015/0954 as Gedling Borough Council are the owners of the site.

71 APPLICATION NO. 2014/0242- LAND ADJACENT 4 NORTHCLIFFE AVENUE, MAPPERLEY, NOTTINGHAMSHIRE.

Construct 4 New Detached Dwellings.

Mr Howie, local resident, spoke against the application.

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 shall be built in accordance with the details as set out within the application forms received on the 27th February 2014 and the plans received on the 27th February 2014.
3. Before development is commenced there shall be submitted to and approved by the Borough Council precise details and samples of all materials to be used in the external construction of the proposed dwellings and the garage. Once these details are approved the dwellings and garage shall be built in accordance with these details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
4. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the means of enclosure of the site and the individual plot boundaries. Once these details are approved the development shall be carried out in accordance with the approved details. The proposed means of enclosure shall be erected before the dwellings are first occupied, and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council as Local Planning Authority.
5. Before development is commenced there shall be submitted and approved by the Borough Council precise details relating to the landscaping of the site. This shall include the position, type and planting size of all trees and shrubs proposed to be planted. The approved landscape scheme shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.
6. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the means of surfacing of the unbuilt on portions of the site. Once these details are approved the development shall be carried out in accordance with the approved details and be completed in accordance with the approved details before the dwelling is first occupied.

7. No works permitted under Class A, B, C, D and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council as local planning authority.
8. The shared private driveway shall be laid out to a width of not less than 5.25 metres for at least 5.0 metres back from the nearside edge of carriageway and 4.8 metres thereafter and shall provide for vehicle parking and turning areas in accordance with details first submitted to and approved in writing by the Borough Council as Local Planning Authority. The vehicle parking and turning areas shall not be used for any purpose other than the turning and parking of vehicles.
9. No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossing has been widened and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
10. 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 and the parking areas retained thereafter.
11. No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway in accordance with details first submitted to and approved in writing by the Borough Council as Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
12. The gates to the refuse store shall open inwards only, and not onto the private driveway.
13. The first floor side elevation windows serving the stairwells to the end two dwellings shall be obscure glazed and either fixed shut or have small top hung opening windows at all times.
14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of

the enclosure of the refuse storage area, this shall include details of the materials to be used in the construction of the refuse storage area. Once these details are approved the development shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.

15. The first floor front elevation windows serving the en-suites to Plot 1 shall be obscure glazed at all times.
16. No part of the development shall be brought into use until the tree located within the highway to the front of the site has been felled and removed in its entirety.

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 materials to be used in the construction of the dwelling are appropriate, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan. (Certain Saved Policies 2014).
4. To ensure that the means of enclosure of the site are appropriate in terms of appearance and protect the privacy of the proposed and neighbouring dwellings, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan. (Certain Saved Policies 2014).
5. To ensure that the site appears visually acceptable, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan. (Certain Saved Policies 2014).
6. To ensure that the materials are visually acceptable, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan. (Certain Saved Policies 2014).
7. To protect the amenity of adjoining and nearby dwellings, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local plan (Certain Saved Policies 2014).
8. In the interests of highway safety.
9. In the interests of highway safety.
10. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)

11. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
12. To ensure that the driveway width is not reduced, and allows 2 cars to pass side by side.
13. To ensure that the proposal results in no undue overlooking impact onto neighbouring properties, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan. (Certain Saved Policies 2014).
14. To ensure that the means of enclosure of the storage area appropriate in terms of appearance and protect the privacy of the proposed and neighbouring dwellings, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan. (Certain Saved Policies 2014).
15. To ensure that the proposal results in no undue overlooking impact onto neighbouring properties, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan (Certain Policies Saved 2014).
16. In the interests of highway safety.

Reasons for Decision

The proposed development of the site would result in no undue impact on undue impact on neighbouring properties, the area in general and there are no highway safety implications arising from the proposal. As the highway tree is proposed to be felled the proposal will result in no undue impact on any trees. The proposal therefore accords with policies ENV1, H7 and H16 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014), the National Planning Policy Framework March 2012 and the Aligned Core Strategy for Gedling Borough.

Notes to Applicant

You are advised to contact the Arboricultural Team at Nottinghamshire County Council on 0300 500 80 80 to arrange for a replacement tree to be planted along Northcliffe Avenue.

The proposal makes it necessary to widen the 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.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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 drawn to the attached letter from the Nottinghamshire Wildlife Trust.

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.

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APPLICATION NO. 2014/1168- NEWSTEAD AND ANNESLEY COUNTRY PARK, TILFORD ROAD, NEWSTEAD.

Wind turbine with a maximum tip height of 100m, associated infrastructure to include control building and crane hardstanding.

The Service Manager, Planning, introduced the application providing Members with an overview of the issues to be considered. The Service Manager also introduced a minor amendment to the proposed conditions to remove the word "restricted" in condition 23, and replace with the word "terminated".

Charles Baker, trustee of RCAN (the applicant), spoke in favour of the application.

Kris Von Wollan, local resident, spoke against the application.

RESOLVED to GRANT CONDITIONAL PLANNING PERMISSION:

Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision. Written confirmation of the date when electricity is first exported to the grid from the wind turbine hereby permitted (First Export Date) shall be submitted to the Borough Council within one month of the date of this taking place.
2. This permission shall endure for a period of 25 years from the First Export Date (of electricity to the grid), after which the use shall cease, and the turbine, ancillary structures, crane erection and lay down areas shall be removed from the site, and the land restored in accordance with details to be approved in writing under condition 18 below. The site shall be decommissioned in accordance with the details to be approved under condition 18.
3. The development hereby permitted shall be carried out in accordance with the following approved plans except insofar as may be otherwise required by other conditions of this planning permission: Newstead and Annesley Wind Turbine Environmental Report dated October 2014 received on 14th October 2014; The Planning Statement dated November 2014; The Design and Access Statement received on 14th October 2014; and the GLM Ecology - The Newstead 3 Addendum dated 16th September 2015.
4. Before development hereby approved is first commenced, precise details and elevations of the proposed wind turbine and transformer cabin housing shall be submitted to and approved in writing by the Borough Council. The wind turbine shall be of a 3-blade configuration and not exceed an overall height of 100 metres measured from ground level to the tips of the turbine blades. The blades of the wind turbine shall not have a rotor diameter of more than 77 metres. The hub height of the turbine shall be no more than 61.5 metres measured from ground level to the top of the hub. The transformer cabin shall have the following parameters: No wider than 4.5 metres, no longer than 10.5 metres, and it shall have a ridge height no more than 3 metres. The development shall be implemented in accordance with the written approval.
5. Before the development hereby approved is commenced, and any associated materials transported to the site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Borough Council. The Plan shall include the following: (i) A comprehensive study of the agreed delivery route to the application site including identification of the route where highway accommodation works will be required including the clearance of any vegetation and removal of street furniture; (ii) A schedule indicating the time for off peak construction deliveries; (iii) Details of measures to be taken to manage and control

construction traffic on the agreed construction route and site access to include advance notification signage, abnormal load traffic warning signs and any temporary speed limits/traffic regulation orders; (iv) Details of measures to be taken to manage the proposed hedge and tree cutting including signage. (vi) details specifying how any damage caused by construction traffic to the highway along the agreed route shall be made good. The Construction Traffic Management Plan shall thereafter be implemented as approved prior to any construction works taking place on site and as required during the construction of the development.

6. Before the development hereby approved is commenced, and any associated materials transported to the site, precise details of the hardstanding for construction traffic and details of improvements to the access track for the turbine delivery vehicles shall be provided in accordance with the plans to be first submitted to and approved in writing by the Borough Council. The hardstanding and servicing areas as approved shall thereafter be retained for the life of the development and decommissioned in accordance with details submitted under condition 19 of this approval.
7. Before the development hereby approved is commenced, a habitat management plan to deal compensatory area to be managed specifically for woodlarks shall be submitted to and approved in writing by the Borough Council (as indicated in the GLM Ecology Addendum 3). The schedule shall contain the precise location of the mitigation area outside of the 50 metre buffer zone of the blade overhang, details of the works to be undertaken and a timescale for the works to be carried out. Ecological site enhancement works shall be completed in accordance with the approved schedule. Mitigation should not compromise features which give the site botanical interest within the Local Wildlife Site boundary.
8. All construction work associated to the installation shall be undertaken outside of the bird-breeding season (March - September inclusive). Should works be carried out during this time, a suitably qualified ecologist shall be on site to survey for nesting birds, with a copy of the survey undertaken and any works required at the site to be submitted to and approved in writing by the Borough Council prior to the commencement of development at the site. Works shall be completed in accordance with the approved details.
9. Prior to the erection of the wind turbine, details of the colour finish of the turbine tower, nacelle and blades shall be submitted to and approved in writing by the Borough Council. Development shall thereafter be carried out in accordance with the approved details.

10. Prior to the erection of the substation, details of the colour and type of materials to be used for the external walls and roof shall be submitted to and approved in writing by the Borough Council. The size of the substation shall be in accordance with the parameters set out in condition 4 above. Development shall thereafter be carried out in accordance with the approved details.
11. Before development hereby approved is first commenced, precise details, including depths of the proposed wind turbine foundations to be constructed shall be submitted to and approved in writing by the Borough Council. The foundations as approved shall thereafter be retained for the life of the development and decommissioned in accordance with details submitted under condition 19 of this approval.
12. All cables within the development site from the turbine to the substation shall be set underground.
13. Prior to the First Export Date, a scheme providing a protocol for the investigation and alleviation of any electro-magnetic interference to terrestrial television caused by the operation of the wind turbine shall be submitted to and approved in writing by the Borough Council. The protocol shall also include full contact details of who to contact in relation to the development should the Borough Council receive a complaint from a local resident within 12 months of the first export date. The protocol shall provide for the investigation by a qualified independent television engineer of any complaint of interference with television reception at a lawfully occupied dwelling (defined for the purposes of this condition as a building within Use Class C3 and C4 of the Use Classes Order) which lawfully exists or had planning permission at the date of this permission, where such complaint is notified to the developer by the Borough Council within 12 months of the first export date. Where impairment is determined by the qualified television engineer to be attributable to the development, mitigation works shall be carried out in accordance with the protocol which has been approved in writing by the Borough Council
14. The Applicant must notify East Midlands Airport in writing that the wind turbine is in operation. This shall be done within 1 month, of the turbine commencing operation and the Borough Council shall be sent a copy of the notification made to East Midlands Airport.
15. The rating level of noise from the wind turbine (including the application of any tonal penalty) when calculated in accordance with the method described in the guidance document 'ETSU-R-97: The Assessment and Rating of Noise from Wind Farms' shall not exceed 35dBa for daytime and 43dBa for night time at the

nearest residential property (Foundry Terrace: Grid Reference easting 452,079 Northing 353,048).

16. Within 28 days from the receipt of a written request from the Borough Council, following a substantiated complaint to it, the wind turbine operator shall, at its expense, employ an independent consultant approved by the Borough Council to assess the level of noise generated by the wind turbine, following the method described in ETSU-R-97 referred to in condition 15. Within 60 days of appointing the independent consultant, unless agreed otherwise in writing with the LPA, the ETSU-R-97 noise assessment shall be completed and submitted to the Borough Council. Prior to the commencement of the noise measurement and assessment the monitoring locations shall be agreed in writing with the Borough Council. If wind turbine Noise levels are measured and found to exceed those levels set out in Condition 15 the necessary corrective action should be taken within 30 days to reduce the levels to those set out in condition 15 and further noise assessment carried out to ensure compliance with condition 15. Copies of the results on noise assessments made after remedial action has been taken should also be submitted to the Borough Council. A complaint shall be considered 'substantiated' where the Borough Council has conducted a preliminary investigation and taken into consideration the data requested as per condition 15 and judged that the complaint warrants further investigation by the operator to demonstrate that the noise limits are not being breached.
17. The wind turbine operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1 (d) of ETSU-R-97. These data shall be retained for a period of not less than 24 months. The wind farm operator shall provide this information in the format set out in Guidance Note 1 (e) to the Borough Council on its request, within 14 days of receipt in writing of such a request.
18. If the wind turbine hereby approved ceases to operate for a continuous period of 6 months unless otherwise approved in writing by the Borough Council, a scheme for the decommissioning and removal of the wind turbine and any other ancillary equipment, including a timetable for its removal, shall be submitted to and approved in writing by the Borough Council, within 3 months of the end of the 6 month cessation period. The approved scheme shall thereafter be implemented in accordance with the approved details.
19. Prior to the decommissioning of the site a scheme setting out a programme of works required to undertake decommissioning works, together with details of any access widening required, alteration to junctions, details of the abnormal load routes

together with details of how any required off-site traffic management measures along the proposed route of decommissioning traffic, details of how the site shall be restored and landscaped once structures have been removed and a schedule of works required and timescales for undertaking the restoration shall be submitted to and approved in writing by the Borough Council. The site shall be decommissioned in accordance with the approved details.

20. Prior to the first export of electricity a legally binding agreement between Rural Community Action Nottinghamshire (RCAN) and the Friends of Newstead, who will manage the annual £7.5k annual community fund, shall be submitted to and approved in writing by the Borough Council. Rural Community Action Nottinghamshire shall provide the £7.5k fund annually in line the terms of the legally binding agreement. The agreement shall be adhered to for the life of the development unless otherwise agreed in writing by the Borough Council.
21. Before the development hereby approved is commenced, a reptile mitigation management plan should be submitted to and approved by the Borough Council which meets the criteria for designation as a herptile Local Wildlife Site. The reptile mitigation plan should include details of the habitat to be created and its location. Any reptiles found during the construction and decommissioning of the development should be removed to the receptor area that is suitably fenced to prevent them from re-entering the proposed construction area.
22. Prior to the commencement of the development hereby approved, a scheme setting out a monitoring programme in relation to Bats shall be submitted to and approved in writing by the Local Planning Authority. The monitoring programme shall cover a period of three years from the first export date of electricity to the grid. A minimum of 3 transect surveys per year between April and October including 1 dawn survey shall be carried out. The findings and the results of the surveys, together with any proposed mitigation measures and timescales for carrying out any mitigation shall be submitted as a report to the Local Planning Authority and shall be approved in writing by the Borough Council. The reports shall be submitted within three months of each survey being undertaken. Any further mitigation required shall be carried out in accordance with the approved details in relation to each survey undertaken.
23. Should Newstead and Annesley Country Park cease to operate and access to the open space for the general public be terminated then the wind turbine shall be decommissioned within 6 months of the date of the closure of the Country Park in accordance with details submitted under Condition 19 above.

24. Prior to the first export of electricity the formal approval from NATS with regards to the approved mitigation measures shall be submitted to and approved by the Borough Council in writing. The wind turbine installation shall conform with the mitigation measures approved for the life of the development.
25. The applicant must notify the Ministry of Defence (MOD) the date that construction starts and ends; the maximum height of the equipment and the latitude and longitude of the turbine. Prior to development commencing the Borough Council shall be sent a copy of the notification made to the MOD.
26. Before the development hereby approved is commenced, a plan indicating a 50 metres buffer from the rotor swept area, showing the extent of tree and shrub removal required (calculated with reference to Natural England's Technical Information Note TIN051 and taking into account of the adjacent topography) shall be submitted to and approved in writing by the Borough Council. The 50 metre buffer zone shall be provided in accordance with the approved details before the first generation of electricity from the wind turbine. Once approved the trees and shrubs within this area shall be stump treated (to prevent re-growth) and the area shall be maintained as grassland for the life of the development.
27. The development hereby permitted shall be carried out in accordance with the mitigation measures outlined in sections 1.78 and 1.80 of the GLM Ecological Assessment dated 2014 with regards to the protection of badgers, reptiles and amphibians.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. This is a temporary permission and condition 2 is attached for the avoidance of doubt.
3. For the avoidance of doubt.
4. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. In the interests of highway safety
6. For the avoidance of doubt.
7. 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).

8. In order to safeguard the local bird population in accordance with the requirements of Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
9. To ensure a satisfactory development in accordance with the aims of of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure a satisfactory development in accordance with the aims of of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure that the precise details of the turbine are defined in order for the Borough Council to control the nature of the development in accordance with the aims of of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. To safeguard the appearance of the site in accordance with the aims of of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
13. To ensure that any adverse impacts on terrestrial television reception in the area is appropriately mitigated.
14. To ensure that East Midlands Airport are advised that the turbine has commenced operation
15. In order to safeguard the aural amenity of the site and neighbouring residential properties in accordance with the guidance contained within EN-3, paragraph 2.7.6.
16. In order to safeguard the aural amenity of the site and neighbouring residential properties in accordance with the guidance contained within EN-3, paragraph 2.7.6.
17. To enable the Borough Council to monitor noise impacts and to monitor against condition 18.
18. To ensure that the site is decommissioned appropriately should the turbine cease to operate for a continuous period of 6 months.
19. To ensure that when the site ceases operation at the time stated within condition 2 above that decommissioning works take place in an appropriate manner and that the site is restored to a suitable condition.

20. In order to secure the financial public benefit of the scheme with the relevant stakeholders in the community.
21. 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).
22. 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).
23. To ensure the site is decommissioned appropriately should the Country Park cease to operate for the benefit of the local community.
24. In order to safeguard potential impacts on air traffic in the local area.
25. In order to ensure the MOD have received the requested information relating to the development.
26. To ensure there is no adverse impacts on the local bat population as a result of the wind turbine in line with paragraph 118 of the National Planning Policy Framework (March 2012).
27. To ensure there is no adverse impacts on the local wildlife populations, 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).

Reasons for Decision

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

Notes to Applicant

For the purpose of good public relations you are advised that it would be beneficial if a letter drop was undertaken to residents of Tilford Road asking that they park on one side of the carriageway on the date of the abnormal load to ensure adequate passage. You are advised to contact the Highway Authority Network Coordination Officer with regards to the abnormal load to check for road closures and road works.

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included seeking additional information in order to assess the application and its impacts. Further information was sought with regards to mitigation measures required given the Local Wildlife designation of the application site and the requirements of NATS with regards to air traffic.

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

73 APPLICATION NO. 2015/0941- 231 MAPPERLEY PLAINS, ARNOLD.

Variation of Condition 2 and removal of Conditions 4 and 8 of Application 2013/1003 (Erect two storey house following demolition of existing bungalow) relating to amended plans, landscaping and tree protection measures.

Peter Elliot, on behalf of the applicant at the Chair's discretion, spoke in favour of the application for a variation of conditions.

RESOLVED to Grant Removal/Variation of Condition:

Conditions

1. This permission relates to the approved plans Ref. 214-377-P01 'Location Plan', 214-377-P02 'Floor Plans', 214-377-P03 'Elevations', 214-377-P04 'Sections AA + BB', 214-377-P05 'Site Plan', 214-377-P06 'Boundary Wall', 214-377-P07 'Flat Roof Layout', the details contained in the Application Form, the email received on 8th September 2015 with regard to construction materials and the detail of the 'feature wall tiling' and the email received on 10th September 2015 attaching the 'Planting Plan', the 'Landscape Layout - Isometric' and the 'Landscape Layout' all dated 6th November 2014.
2. Prior to the dwelling being first occupied, the means of enclosure as shown on drawing ref. 214-377-P06 'Boundary Wall' and 214-377-P05 'Site Plan' shall be erected.
3. No works permitted under Class A, B, C, or D of Part 1 Schedule 2 of the Town & Country Planning (General Permitted

Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council.

4. Notwithstanding the approved plans, there shall be no access to the garage flat roof from the first floor of the proposed dwelling.
5. The approved 'Landscape Plan' dated 6th November 2014 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.
6. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
7. No part of the development hereby permitted shall be brought into use until the driveway is surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the highway boundary. The surfaced driveway shall then be maintained in such hard bound material for the life of the development.
8. No part of the development hereby permitted shall be brought into use until the driveway is constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
9. The access hereby approved onto Gedling Road shall serve one dwelling only.
10. The illumination of the 'feature walls' identified on drawing numbers PR-01 and PR-02 comprising part of the email received on 8th September 2015 shall not exceed a level of 305.5 candelas, and the means of illumination must not be intermittent, pulsing or flashing kind.

Reasons

1. For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved.

2. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) and Policy 10 of the Aligned Core Strategy (September 2014).
3. In order to protect the residential amenity of the site and adjoining dwellings, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) and Policy 10 of the Aligned Core Strategy (September 2014).
4. In order to protect the amenity of neighbouring properties in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) and Policy 10 of the Aligned Core Strategy (September 2014).
5. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) and Policy 10 of the Aligned Core Strategy (September 2014).
6. In the interests of highway safety.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. In the interest of neighbouring amenity and highway safety.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, and introduces no highway concerns. The proposal therefore accords with the requirements of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy (2014) and ENV1, H7 and H16 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

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. During consideration of the planning application the changes made since the original approval (2013/1003) were clarified with the Applicant's Agent for the avoidance of doubt. The Applicant was also given the opportunity to submit a landscaping scheme during the processing of the application to ensure

that a pre-commencement condition is not imposed. Moreover, as it became apparent that two street scene facing elevations would contain an element of 'feature wall tiling' backlit with LED's the level of illuminance was sought to ensure no adverse impact on amenity.

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 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.

74

APPLICATION NO. 2015/0954- GEDLING COUNTRY PARK, SPRING LANE.

Create snack van hard standing area in Gedling Country Park.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the plans and details received by the Local Planning Authority on 2nd October 2015. The development shall thereafter be undertaken in accordance with these plans and details unless otherwise agreed in writing by the Local Planning Authority.

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 define the terms of this permission.

Reasons for Decision

In the opinion of the Borough Council the proposed development would help facilitate a use that would enhance recreational opportunities within the Borough and would not unduly impact upon the amenity of local residents, the visual amenity or character of the area. The proposal therefore accords with the National Planning Policy Framework (2012) and policies ENV1, R1 or R2 of the Gedling Borough Replacement Local Plan (Saved Policies 2008).

Notes to Applicant

This application is associated with Planning Approval 2014/0650 'To allow the change of use of land from Public Car Park (Sui Generis) to a pitch for the siting of an ice cream van (A1 use)'

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. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

75 UPDATED PLANNING COMMITTEE PROTOCOL AND CODE OF PRACTICE

The Service Manager, Planning, introduced the report, which had been circulated prior to the meeting, seeking approval of the updated Planning Committee protocol, revised Code of Practice for Councillors in dealing with Planning Applications and the Planning Delegation Panel arrangements.

RESOLVED to:

1. Adopt the Protocol for use at committee meetings;
2. Agree the revised version of the Gedling Borough Council Code of Practice for Councillors in dealing with Planning Applications and refer it to Council for approval and insertion into the Constitution; and
3. Agree the revised arrangements for the Planning Delegation Panel and refer it to Council for approval and insertion into the Constitution.

76 DEVELOPMENT MANAGEMENT IMPROVEMENT PLAN

The Service Manager, Planning, presented the report, which had been circulated prior to the meeting, seeking Members' comments on the draft Development Management Improvement Plan, produced following the recent independent service review.

A number of comments were made by Members for noting by the Service Manager.

RESOLVED:

To note the report.

77 APPEAL DECISION- 16 COTTAGE MEADOW, COLWICK.

Replace the hipped roof to the property with a partially hipped roof in order to provide accommodation within the roof space together with the erection of a dormer to the front elevation roof slope.

RESOLVED:

To note the report.

78 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the report.

79 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the report.

80 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.05 pm

Signed by Chair:
Date: