

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 3 February 2016**

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller      Councillor Gary Gregory  
Councillor Michael Adams      Councillor Meredith Lawrence  
Councillor Peter Barnes      Councillor Marje Paling  
Councillor Sandra Barnes      Councillor Paul Stirland  
Councillor Chris Barnfather      Councillor Paul Wilkinson  
Councillor Bob Collis

Absent: Councillor Pauline Allan, Councillor Alan Bexon,  
Councillor Sarah Hewson and Councillor Colin Powell

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

**118 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Allan, Bexon and Powell. Councillors Doyle, Ellis and Parr attended as substitutes.

**119 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 JANUARY 2016.**

**RESOLVED:**

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

**120 DECLARATION OF INTERESTS**

The Chair declared a non-pecuniary interest on behalf of all Members on application numbers 2015/1255 on the grounds that the land is in the ownership of Gedling Borough Council.

The Chair declared a non-pecuniary interest on behalf of all Members on application numbers 2015/1421 on the grounds that the land is in the ownership of Gedling Borough Council and the applicant is Gedling Borough Council.

**121 APPLICATION NO. 2015/0424- MILL FIELD CLOSE, BURTON JOYCE.**

Outline Planning Permission for Residential Development.

The Service Manager, Planning introduced the report for outline planning permission all matters reserved, clarifying that while the land is safeguarded, as the Borough has not identified a five year land supply the need to meet short term housing need outweighs medium term need.

Councillor Stirland entered the meeting.

Mrs Johnson, resident objector, spoke against the application.

**RESOLVED that the Borough Council GRANTS 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 Public Transport, Educational Facilities and Affordable Housing; and subject to the following conditions:**

#### **Conditions**

1. Application for the Approval of the Reserved Matters shall be made to the Borough Council not later than three years from the date of this permission. Details of Access, Appearance, Landscaping, Layout and Scale (hereinafter called the Reserved Matters) for the development shall be submitted to and approved in writing by the Borough Council before any development begins and the development shall be carried out as approved. The development hereby permitted shall commence no later than two years from the date of approval of the last Reserved Matters to be approved.
2. This permission relates to the approved plans received on the 7th May 2015: - Topographical Survey - Drawing number - 14100cv-01- Site location plan scale 1:2500
3. Before any development is commenced there shall be submitted to and approved in writing by the Borough Council details of the improvement of the access to and at the junction with Nottingham Road and a footway along the site frontage, the parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays, and drainage (hereinafter referred to as reserved matters) . 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.

4. There shall be a maximum of 23 dwellings erected on this site.
5. Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in strict accordance with the recommendations contained within the approved Flood Risk Assessment reference FW655/FRA/001 v2 submitted with the application.
6. Prior to the commencement of development hereby approved a Construction Environmental Management Plan (CEMP) for the development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details: (1) the hedgerow and tree protection measures that shall be implemented for all retained woodland, trees and hedgerows approved as part of the landscaping details to be submitted as part of the reserved matters pursuant to this application. A statement shall also be provided which details how the protection measures shall be implemented so as to minimise damage and disturbance to habitats within the vicinity and the species they support. The protection measures shall accord with current British Standards in relation to design, demolition and construction (BS5837:2012 or any subsequent revision); (2) the measures that shall be implemented during the construction of the development so as to minimise water runoff and works pollution entering watercourses; and (3) the measures that shall be implemented so as to avoid any disturbance to nesting birds during construction.(4) details of traffic routes for Heavy Goods Vehicular movements during the construction of the development. (5) details of wheel washing facilities to be used by vehicles entering and leaving site during the construction of the development ; (6) details of how the principle of Best Practicable Means shall be applied in relation to minimising impact on the surrounding area during the construction of the development in relation to noise and vibration and safeguarding air quality and (7) details on protecting the adjacent Network Rail land, services and infrastructure in respect of the issues raised by Network Rail in their email dated 01 September 2015 from Matthew Leighton. The approved CEMP(s) and all details therein shall be implemented in accordance with the approved details throughout the construction period of the development.
7. Prior to the commencement of development hereby approved there shall be submitted to and approved in writing by the Borough Council a site level survey plan for the development showing existing and proposed site levels. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.

8. Before development is commenced on site 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.
9. Before development is commenced 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 and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
10. 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, unless otherwise prior agreed in writing by the Borough Council.
11. No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist, and any refugia which could be used by reptiles have been subject to hand searches. If any reptiles are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council. The mitigation measures shall be implemented in accordance with the approved details before development commences.
12. No development shall commence on site until a detailed survey of Protected Species and their habitats has been conducted and the report and conclusions and recommendations for mitigation measures, including protection measures to be put in place to prevent accidental ingress and damage, and including timings, has been submitted to and approved in writing by the Local Planning Authority. The report shall include: (1) Updated ecological surveys, in the event that 2 years has elapsed since the date of the original survey: (2) Details relating to the protection of retained vegetation, to included trees and hedgerows: (3) A working methodology to minimise impacts on

common toad, a Section 41 species (i.e. national conservation priority) recorded on site during the reptile surveys: (4) A detailed landscaping plan, to provide details of planting mixes and establishment regimes and to ensure the use of locally-appropriate native tree and shrub species on the site boundaries: (5) Details of any water attenuation facility, to ensure that this is multifunctional and designed to maximise its biodiversity value: (6) A detailed lighting scheme, in the event that lighting is required, to be designed to minimise its impacts on nocturnal wildlife: (7) Other biodiversity enhancement measures, such the incorporation of integrated bird and bat boxes into the fabric of the new buildings, measures to provide bird and bat breeding boxes within the site area in accordance with details to be agreed in writing with the Local Planning Authority. The report shall include measures for the prevention of light spillage to adjacent habitats from the development. The detailed layout and other plans submitted at the Reserved Matters stage shall incorporate all the measures identified including stand-offs and other similar measures to protect the habitat of Protected Species. The mitigation measures identified in the approved details shall be fully implemented in accordance with the approved timings at all times and in their entirety.

13. The detailed plans and particulars to be submitted as reserved matters 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 agreed in writing by the Borough Council.
14. The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) 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 (d) 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.
15. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters 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.

16. Unless otherwise agreed by the Borough Council, development must not commence until details relating to the following have 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 Borough Council. 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 Borough Council. 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. The scheme shall be implemented in accordance with the approved details.
17. 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 under condition 3 above. 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 Borough Council.
18. 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 once the Borough Council 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 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 Borough Council. The Remediation Scheme shall be implemented as approved.

## **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 roads of the proposed development are designed to an adoptable standard, to ensure adequate vehicular access to the highway network and to ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
4. In order to define the permission and to allow the Local Planning Authority to control the development in the interests of good planning, residential amenity and design.
5. To prevent the increased risk of flooding in accordance with the National Planning Policy Framework, Section 10.
6. To ensure a satisfactory development in accordance with the aims of Sections 10 and 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy Submitted Documents.
7. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To 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 Submission Documents.
9. To ensure the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with the National Planning Policy Framework and Policy 1 of the Gedling Borough Aligned Core Strategy Submission Documents.
10. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
11. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

12. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
13. To ensure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
14. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
15. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
16. 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 2008).
17. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
18. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the adopted Local Plan and Emerging Aligned Core Strategy, where appropriate. In the opinion of the Borough Council the proposed development accords with the relevant policies of these frameworks and plans.

### **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](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.

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

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 these works you will need to enter into an agreement under Section 278 of the Act. Please contact Matt Leek on 0300 500 8080 for details.

The developer is advised that Severn Trent has a public sewer within the application site which is protected under the provisions of the Water Industry Act 1991. The developer is advised to contact Severn Trent on 0116 234 3834 before submitting the detailed plans for the site.

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**APPLICATION NO. 2014/0169- GEDLING CARE HOME, 23 WAVERLEY AVENUE, GEDLING.**

Revised Plans (Resubmission) Demolition of the care home and construction of 14 apartments, car parking and associated landscaping.

The Service Manager, Planning, introduced the report informing Members that one additional letter had been received raising no new issues and that Members would have received two additional letters via email. The Service Manager outlined that the application had been

considered and approved by Committee in December 2015 and was being returned to Committee due to two inaccuracies within the report concerning plan numbers and the number of parking spaces to be provided on the development. The Service Manager advised Members that it was important to consider only the amended information, namely the amended provision of parking on site, when reaching their decision.

Councillor Wilkinson entered the meeting.

Mr Rodrigues, resident objector, spoke against the application.

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

**For the motion:**

Councillor Sandra Barnes

Councillor Bob Collis

Councillor Meredith Lawrence

Councillor Marje Paling

Councillor Paul Wilkinson

Councillor Peter Barnes

Councillor Gary Gregory

Councillor Barbara Miller

Councillor John Truscott

Councillor David Ellis

**Against the motion:**

Councillor Michael Adams

Councillor Paul Stirland

Councillor John Parr

Councillor Chris Barnfather

Councillor Kevin Doyle

**RESOLVED to GRANT CONDITIONAL PLANNING PERMISSION, subject to the applicant entering into a s.106 Agreement with the County Council as education authority for the provision of financial contributions towards Educational Facilities, 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 permitted shall be constructed in accordance with the following approved plans: - 108/02/A, 108/03/A, 108/07/C- 108/05/C- 108/04/C- 108/06/C Received November 2015 - Location Plan Received 13 February 2014.
3. 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.

4. Before development is commenced, 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.
5. Before development is commenced, 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.
6. Before development is commenced, 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.
7. 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.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details and samples of the materials to be used in the external elevations of the proposed dwellings. Once approved the development shall be constructed in accordance with these approved details unless otherwise agreed in writing by the Borough Council.

9. 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.
10. No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossing has been extended and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
11. No part of the development hereby permitted shall be brought into use until the access 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.
12. The proposed access, parking and turning facilities shall be surfaced in permanent materials in accordance with details, including plans of the facilities showing their precise location, to be approved in writing by the Borough Council as local planning authority before the development hereby permitted is first occupied. The access, parking and turning facilities shall be maintained as approved for the lifetime of the development and shall not be used for any purpose other than the manoeuvring and parking of vehicles.
13. No part of the development hereby permitted shall be occupied until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and which never exceeds 1 in 12 thereafter, in accordance with details to be approved in writing by the Borough Council as local planning authority.
14. The development hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision D, prepared by SCC Consulting Engineers in September 2015 and in particular the following mitigation measures detailed within the FRA: 1. The internal finished floor levels shall be set no lower than 300mm above the existing ground levels. 2. The design and layout of the building shall incorporate an 8.0m wide unobstructed easement from the top embankment of the Ouse Dyke. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may

subsequently be agreed, in writing, by the Local Planning Authority.

15. The development hereby permitted shall not be commenced until such a time as a scheme to ensure that there is no loss of floodplain storage and that the existing overland flood flow routes are not compromised as a result of the redevelopment of the site has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by, the Local Planning Authority.
16. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first occupied. The scheme to be submitted shall: - undertake infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site;- demonstrate that the surface water drainage system is designed in accordance with CIRIA C697 and C687 and the National SUDS Standards;- 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 the Greenfield runoff rates for this 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;- Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments';- 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 plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.
17. Before development is commenced there shall be submitted to and approved by the Borough Council details of the height of proposed floor levels of the proposed building(s) relative to existing levels.

18. All balconies shall be fitted with privacy screens in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The privacy screens shall be implemented in accordance with the approved details before the development is first occupied and shall be maintained thereafter for the lifetime of the development.
19. Prior to the development hereby approved first being brought into use, individual parking spaces shall be clearly marked out on site in accordance with the approved plan reference 'Site Plan' (108/02/A). Parking spaces shall be kept unallocated and available for parking in association with the development thereafter.

### **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 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).
4. 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).
5. 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 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).
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 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 satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).
10. In the interests of road safety, in accordance with the aims of policies ENV1 and T10 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).
11. In the interests of road safety, in accordance with the aims of policies ENV1 and T10 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).
12. To ensure that adequate off-street parking provision is made to reduce the possibilities of the development leading to on-street parking in the area.
13. In the interests of road safety, in accordance with the aims of policies ENV1 and T10 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).
14. To reduce the risk of flooding to the proposed development and future occupants and to allow future maintenance and emergency activities relating to Ouse Dyke to be undertaken without obstruction.
15. To prevent flooding elsewhere by ensuring there is no loss of flood plain storage and that the existing overland flood flow routes are not compromised as a result of the redevelopment of the site.
16. 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.
17. To ensure that the details of the development are acceptable , in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
18. To prevent the overlooking of neighbouring properties in accordance with Policy H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
19. In the interests of 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, the area in general, on flood risk 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 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.

Your attention is brought to comments received from Severn Trent Water. For any new connection(s), into the public sewer or the reuse of an existing sewer connection(s), you will need to apply under Section 106 Water Industry Act 1991 as amended by the Water Act 2003. Severn Trent New Connection Team currently processes Section 106 applications and can be contacted on 0800 707 6600 for an application pack and guidance notes (or visit [www.stwater.co.uk](http://www.stwater.co.uk)). Applications to make such connections should be made separately from any application for adoption of the related sewers under Section 104 Water Industry Act 1991 as amended by the Water Act 2003.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

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 these works you will need to enter into an agreement under Section 278 of the Act. Please contact Matt Leek on 0300 500 8080 for details.

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application to address adverse impacts identified by officers and the Highway Authority 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).

**123 APPLICATION NO. 2015/1301- 130B MAIN ROAD, RAVENSHEAD.**

The item was withdrawn prior to the meeting of Committee.

**124 APPLICATION NO. 2015 1255- RECREATION GROUND, BRECK HILL ROAD, WOODTHORPE.**

Siting of a 20ft Shipping Container onto an unused area of the recreation ground. This will act as storage to support the existing use of the site.

**RESOLVED to GRANT PLANNING PERMISSION subject to 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 carried out in accordance with the application form, site location plan and details, received on 30th October 2015.
3. The shipping container hereby approved shall be removed from site in the event of being not in use for a period in excess of 6 months, and the site returned to its original condition, unless otherwise agreed in writing by the Borough Council.
4. The shipping container hereby approved shall be finished in a natural coloured green finish for the life of the development.

**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 (September 2014).

4. To ensure a satisfactory development in accordance with 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 would have no undue impact on neighbouring residential amenity or the locality in general and it would not affect the streetscene. The proposal is ancillary to the use of the site as a playing field and would not adversely affect the quantity or quality of pitches or their use. The development therefore complies with Policies ENV1 and R1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), Policies 10 and 16 of the Aligned Core Strategy (September 2014) and advice contained with the NPPF.

### **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 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.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

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).

**125**

### **APPLICATION NO. 2015/1421- GARAGES, PERLETHORPE DRIVE, GEDLING.**

To build a pair of semi-detached residential properties on the site.

**RESOLVED to GRANT PLANNING PERMISSION, subject to the following conditions:**

**Conditions**

1. An application for approval of all the reserved matters (access, design, layout, scale, landscaping) shall be made to Gedling Borough Council before the expiration of three years from the date of this permission.
2. The development hereby approved shall be begun within two years from the date of the approval of the last reserved matter to be approved.
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council detailed plans, sections and elevations of the proposed dwellings.
4. The proposed dwellings shall not be brought into use until the details approved as part of the plans and particulars to be submitted for the application for the approval of reserved matters referred to in condition 1, 2 and 3 above have been implemented, unless other timescales are 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 the materials proposed to be used in the external elevations of the proposed dwelling. The development shall then be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
6. 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. The approved means of enclosure shall be erected before the dwelling is first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a site layout plan and details of the means of surfacing of the unbuilt on portions of the site. The approved means of surfacing shall be implemented before the dwelling is first occupied.
8. The development shall have a minimum access width of 5.25m for the provision of both dwellings, along with 1 off street car parking space for each 2 bedroom dwelling or 2 off street car parking spaces for 3 bedroom dwellings.

9. Before development is commenced there shall be submitted to and approved in writing 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. The development shall then be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
10. 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 and details of the height of proposed floor levels of the proposed dwelling relative to the existing levels.
11. The dwelling shall not be occupied until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for minimum of 5.5m behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such bound material for the life of the development.
12. The formal written approval of the Local Planning Authority is required prior to the commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, visibility splays and drainage (hereinafter referred to as reserved matters.) All details submitted to the Local Planning Authority for approval shall comply with the County Council's current 6Cs Highways Design and shall be implemented as approved and maintained in perpetuity for the lifetime of the development.
13. No works permitted under Class A, B, C, D or 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.
14. In the event that contamination is found at any time when carrying out the approved development 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 of the Local Planning Authority, 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. The development shall then be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

## 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. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
4. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
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6. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
7. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
8. To ensure a satisfactory development in accordance with the aims of Policy T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the SPD "Parking Provision for Residential Developments (2012).
9. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014
10. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
11. To reduce the possibility of deleterious material being deposited on the public highway (loose stoned etc.).
12. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

13. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014)
14. To ensure any potential land contamination issues are dealt with accordingly to ensure a satisfactory development.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development will result in no undue impact on the amenities of neighbours, the character and appearance of the area or on highway safety. The application is therefore in accordance with Policies 8 and 10 of the Aligned Core Strategy (September 2014) and Policies ENV1 and H7 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2014, as well as the Policies contained within the NPPF.

### **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

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](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).

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.

The applicants attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how we might help decrease levels by incorporating mitigation measures into scheme design as standard. (See <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>)We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point per dwelling; to allow future residents to charge electric/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

**126 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**127 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The Chair informed Members that the Service Manager, Planning, would be leaving the authority, thanked him for his service and wished him all the best for the future.

The meeting finished at 7.00 pm

Signed by Chair:  
Date: