



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

Agenda

Planning Committee

Date: **Wednesday 21 September 2016**

Time: **6.00 pm**

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

For any further information please contact:

Lyndsey Parnell

Senior Elections and Members' Services Officer

0115 901 3910

Planning Committee

Membership

Chair Councillor John Truscott

Vice-Chair Councillor Barbara Miller

Councillor Michael Adams
Councillor Pauline Allan
Councillor Chris Barnfather
Councillor Alan Bexon
Councillor Bob Collis
Councillor Kevin Doyle
Councillor David Ellis
Councillor Gary Gregory
Councillor Meredith Lawrence
Councillor Marje Paling
Councillor Colin Powell
Councillor Paul Stirland
Councillor Paul Wilkinson
Councillor Henry Wheeler

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AGENDA

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- Planning Committee Protocol.**
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MINUTES PLANNING COMMITTEE

Wednesday 24 August 2016

Councillor John Truscott (Chair)

Present: Councillor Barbara Miller Councillor Gary Gregory
Councillor Pauline Allan Councillor Meredith Lawrence
Councillor Chris Barnfather Councillor Colin Powell
Councillor Bob Collis Councillor Paul Stirland
Councillor Jim Creamer Councillor Paul Wilkinson
Councillor Kevin Doyle Councillor Henry Wheeler
Councillor David Ellis

Absent: Councillor Michael Adams, Councillor Alan Bexon
and Councillor Marje Paling

Officers in Attendance: M Avery, A Dubberley, N Morley and F Whyley

23 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Adams, Bexon and Paling. Councillor Creamer attended as substitute.

24 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 20 JULY 2016.

RESOLVED:

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

25 DECLARATION OF INTERESTS

Councillors Gregory and Miller declared pecuniary interests in agenda items 6-14 and 16 as Members of the Gedling Homes Board.

Councillor Barnfather declared a prejudicial interest in agenda item 15 as he was a close personal friend and neighbour of one of the objectors.

Councillors Barnfather and Powell declared personal interests in agenda item 10 as users of Balfour Conservative Club who had objected to the proposal.

The Chair declared collective non-pecuniary interests in agenda items 6, 18 and 19 as Gedling Borough Council was owner of the sites under consideration.

26

APPLICATION NO. 2015/0862- LAND TO THE NORTH OF LIME LANE AND SOUTH OF RAMSDALE PARK GOLF CENTRE, CALVERTON ROAD, ARNOLD, NOTTINGHAMSHIRE.

Erection of a 4MW PV Solar Farm and associated infrastructure.

Ed Jessamine, on behalf of the applicant, spoke in support of the development.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision. Written confirmation of the date when electricity is first exported to the grid from the photovoltaic arrays 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 solar arrays and all ancillary structures shall be removed from the site, and the land restored in accordance with details to be approved in writing under condition 10 below. The site shall be decommissioned in accordance with the details to be approved under condition 10 within 6 months from the date of the last export of electricity.
3. The development hereby permitted shall be constructed in accordance with the following approved plans and documents except insofar as may be otherwise required by other conditions of this planning permission: Planning Statement; Alternative Site Assessment (prepared by NLP); Design and Access Statement (prepared by NLP); Extended Phase 1 Ecology Survey Report (prepared by Lockhart Garrat); Arboricultural Statement (prepared by Lockhart Garrat); Landscape and Visual Impact Assessment (Applied Landscape Design); Glint and Glare Study (Pager Power); Highways Impact Statement (Bancroft Consulting); Agricultural Land Classification Report (Richard Stock); Desk Based Heritage Assessment (RPS); Site Location Plan (ref:GIS/50539/01-22); Site Layout (ref. 1053-A-01 rev -); Topographical Survey (ref 81/01); Solar Array Details (ref. 02); Control Room Details (ref. 03); Inverter Cabin Details (ref. 04); Customer Cabin Details (ref. 05); DNO Switchroom Details (ref.

06); Fence and Gates Details (ref. 07); and Camera Details (ref. 08).

4. Prior to the commencement of development a Biodiversity Management Plan (BMP) shall be submitted to and approved in writing by the local planning authority. The BMP shall include details of the seeding of the site with species rich wildflower grassland mix using native species to the area; the planting of a new native-species hedgerow along the western part of the northern boundary and along the whole western boundary; details of the controls of vegetation clearance; details of the proposed lighting and its direction (away from trees); precise details and locations of the proposed bird and bat boxes; and, details of the measures to be put in place to protect semi-improved grassland field margins, hedgerows and woodland edge. Once approved the BMP shall be complied with and implemented as approved and shall thereafter be maintained or retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
5. Before the development hereby approved is commenced an updated badger survey shall be submitted to and approved in writing by the local planning authority, indicating that 30 metres outside of the site has been surveyed so the full extent of impacts on badgers can be assessed and mitigation secured. The badger survey should be carried out 4 - 6 weeks in advance of works commencing on site. Once approved the development shall be carried out strictly in accordance with the approved details.
6. All construction work associated to the development 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.
7. No part of the development hereby permitted shall be brought into use until the access has been surfaced in a hard bound material (not loose gravel) for a minimum of 10.0 metres. The surfaced area 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 access is constructed with the provision to prevent the unregulated discharge of surface water from the access to the public highway in accordance with details first submitted to and approved in writing by the local planning authority. The approved

provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

9. If the solar farm 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 photovoltaic arrays and any other ancillary equipment (as requested under condition 10 of this approval), 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.
10. 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 improvements, 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.
11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council detailed construction and engineering drawings showing any proposed changes to existing levels and contours across the site in excess of 1 metre. The development shall be constructed in accordance with the approved drawings and the finished levels and contours shall be retained without further alteration for the lifetime of the development.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council. The scheme to be submitted shall demonstrate the utilisation of holding sustainable drainage techniques; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of

drainage calculations; and responsibility for the future maintenance of drainage features.

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 enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
5. In order to safeguard the local badger 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).
6. 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).
7. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
8. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
9. To ensure that the site is decommissioned appropriately should the turbine cease to operate for a continuous period of 6 months.
10. 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.
11. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
12. 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, Policies ENV1 and ENV40 of the Gedling Borough Replacement

Local Plan (Certain Policies Saved 2008) and Policy 1 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.

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

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 requested related to: The 'Very Special Circumstances' that were put forward, Efficiency, and Consideration of Alternative Forms of Renewable Energy, Financial Support for the Farming Enterprise including financial details/accounts and Habitat and Wildlife Surveys.

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 requested related to: The 'Very Special Circumstances' that were put forward, Efficiency, Consideration of Alternative Forms of Renewable Energy, Financial Support for the Farming Enterprise and Farm Diversification, Carbon Emissions Reduction, Landscape and Visual Impact, and Habitat and Wildlife.

27 APPLICATION NO. 2016/0534- 19 KIGHILL LANE, RAVENSHEAD, NOTTINGHAMSHIRE.

Residential development on land to south-east of Kighill Lane to provide 16 No. 2 bedroom retirement bungalows.

The Planning Delivery Manager advised members that a further late letter of representation had been received from the applicant. The letter stated that the applicants would ensure that construction would be commenced within two years, that local residents would be given priority as residents and that a local labour agreement would be put in place. Members were advised that these representations did not address the concerns raised in the report and the recommendation to refuse was unchanged.

RESOLVED:

To refuse outline planning permission for the following reasons:

1. In the opinion of the Borough Council, the proposed development would constitute inappropriate development in the Green Belt by virtue of not serving the five purposes of land within the Green Belt. Therefore, in the absence of any very special circumstances the proposed development would, by definition, be harmful to the Green Belt contrary to the guidance contained within the National Planning Policy Framework (2012).
2. By virtue of its isolated location any residents would be naturally inclined to be heavily reliant on private motor vehicles to access services and facilities. It is the opinion of the Borough Council that the development would therefore not represent sustainable development, contrary to paragraph 55 of the National Planning Policy Framework.
3. In the opinion of the Borough Council the high density of the proposed development would not reflect the pattern of development in the immediate surrounding area and would not add to the overall quality of the area enhancing local identity. The proposal is therefore contrary to Section 7 of the NPPF and Policy 10 of the Aligned Core Strategy (September 2014).

28

**APPLICATION NO. 2016/0788- GEDLING COUNTRY PARK,
SPRING LANE, GEDLING, NOTTINGHAMSHIRE.**

Erection of Visitors Centre for Country Park (sui generis) comprising Cafe and WC building; associated landscaping and external works; new paths; foul and surface water drainage provision; site lighting; external air source heat pump condenser compound; and removal of trees. Creation of 36 space car parking and 2 space coach parking and turning, retention of existing 64 space car parks.

Jayne Green, a neighbouring resident, spoke in objection to the proposed development.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be completed strictly in accordance with the plans and application forms received on 5th July 2016, document no's: Design and Access Statement (First Issue 05/07/2016); Arboricultural Assessment (July 2016); Ecological Appraisal (July 2016); Non-residential Mining Report (51001175308001); Transport Assessment (TPLE61348);

Proposed Site Plan (3100_12_rev C); Block Plan (3100_11_rev C); Site location drawing (3100_10_rev C); Proposed Views (3100_16); Proposed Elevations (3100_15_rev B); Proposed Site Sections (3100_13_rev A); Landscape Strategy (1016 001) and Proposed Plans (3100_14_rev C).

3. Before development is commenced there shall be submitted to and approved by the Borough Council a Landscape and Ecological Management Plan which incorporates detailed landscape design proposals including details of planting and species types, tree protection measures and plans to show any changes to existing levels. Measures to be taken for wildlife protection and habitat enhancement should also be incorporated into the Plan such as precautionary methods of working in relation to reptiles, and a pre-commencement walkover to confirm that the site remains free of badger activity. The Landscape Scheme should include species mixes, establishment methods and maintenance regimes with the use of native species of tree and shrub as well as wildflower seed mixes and wetland planting. A Habitat Creation Strategy should detail the salvage and temporary stockpile of the top 100mm of low-nutrient, seed-bearing substrate in all areas to be affected by the development that currently support semi-improved grassland. The creation of a south-facing 'butterfly bank' using surplus soils, topped with substrate, along the northern side of the new car parking to provide replacement dingy skipper habitat. Once approved the scheme shall be implemented strictly in accordance with the approved details.
4. Before development is commenced precise details of any external lighting including proposed hours of use shall be submitted to and approved in writing by the Borough Council. The lighting scheme should accord with the recommendations made in section 4.14 of the Ecological Appraisal and the Bat Conservation Trust's 2014 publication 'Artificial Lighting and wildlife - Interim Guidance: Recommendations to help minimise the impact of artificial lighting. Once approved the lighting scheme shall then be installed and operated in accordance with the approved details at all times.
5. Notwithstanding the submitted details, before development is commenced a Transport Assessment showing the potential increase in vehicle generation at the junction to the Country Park shall be submitted to the Borough Council. The data should form the base-line when assessing the likely implications associated with the development.
6. Following the submission of the Transport Assessment required by condition 5, should the Highway Authority require mitigation

measures, an improvements plan at the junction from Spring Lane to the Country Park shall be submitted to and approved in writing by the Borough Council. The improvements plan shall be implemented strictly in accordance with the approved details prior to the development being first brought into use and shall be retained as such for the life of the development.

7. In order to mitigate any potential ground gases the development should incorporate the installation of a gas / vapour protection membrane. The membrane should be installed by a suitably qualified person (i.e. NVQ level 2 Diploma in Sub-structure Work Occupations (Construction) - Installed of Gas Membranes, or equivalent), and the installation is inspected by a suitably qualified third party, before any floor finish is placed. A verification report should be submitted to the Council based on the Council's gas membrane proforma (available on request) including photographic evidence. The Verification Report should be submitted to the Borough Council for approval prior to the proposed building first being occupied.
8. Before development is commenced a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water features shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed strictly in accordance with the approved scheme.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the 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).
4. To ensure there is no adverse impacts on the local bat population as a result of the Visitor Centre in line with paragraph 118 of the National Planning Policy Framework (March 2012).
5. In the interests of highway safety.
6. In the interests of highway safety.

7. In order to safeguard against the potential risks from ground conditions in accordance with ENV3 of the Replacement Local Plan (Certain Policies Saved 2014).
8. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the proposed development is in accordance with the fundamental aims of National Planning Policy Framework, the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008), and the Aligned Core Strategy.

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 not payable on the development hereby approved as the development type proposed is zero rated in this location.

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 the Transport Assessment that was submitted in support of the application.

29 APPLICATION NO. 2016/0329- GARAGE SITE 2, DANES CLOSE, ARNOLD, NOTTINGHAMSHIRE.

Councillor Gregory and Miller left the meeting.

Demolition of existing garages and construction of 2 No 2 Bed semi-detached houses and associated external works.

The Planning Delivery Manager introduced the report and explained that the following eight applications were related but must be considered separately by the Committee. He added that further letters of objection had been received which raised no issues not already addressed in the report.

The Chair invited Deborah Higgins, on behalf of the applicants, to speak in support of the developments. He explained that the speaker would be permitted to speak about all eight sites initially and then given the opportunity to address any concerns raised by speakers on each site in

turn. Peter Oliver, a neighbouring resident, spoke in objection to the proposed development.

RESOLVED:

To grant planning permission subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the the application form, Design Statement, received on 10th March 2016, Arboricultural Survey and Assessment and Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey received on 15th June 2016, revised plans, drawing no's SK20.002 rev D and SK90.002 rev H, received on 21st July 2016, and e-mail received on 4th August 2016.
3. The dwellings shall not be occupied/brought into use until the existing radius kerbs/ site access has been reinstated as footway and domestic flush dropped vehicular footway crossings are constructed and available for use in accordance with the Highway Authority specification to the satisfaction of the Borough Council.
4. The dwellings shall not be occupied/brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
5. The dwellings shall not be occupied/brought into use until the access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Borough Council. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
6. Notwithstanding the provisions within the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any revoking or re-enacting of that order) no walls/fences shall be erected or on adjacent to the front boundary of the site.
7. 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 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 of the Borough Council, 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.

8. 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. The landscape scheme shall include only native species of local provenance and ornamental species that attract wildlife as recommended in section 6.3.2 of the Ecology Survey. The recommended bird boxes presented in section 6.4.1 of the Ecology Survey shall be integrated in the landscape scheme. Once approved, the 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.
9. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of Highway safety.
4. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
5. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
6. To enable better manoeuvring into the car parking spaces.
7. The site may be contaminated due to previous activities on site.

8. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
9. To ensure that the development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable; it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable in the streetscene and it is in keeping scale and character with area and the wider locality. The proposal therefore accords with the National Planning Policy Framework (2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

Demolition works should not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing.

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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 applicant's 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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

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

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.

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

NOTTINGHAMSHIRE.

Demolition of existing garages and construction of 2 No 2 Bed houses and 1 No 3 Bed house with associated external works.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the application form, site location plan and Design Statement, received on 11th March 2016, Arboricultural Survey and Assessment and Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey received on 15th June 2016, and revised plans, drawing no's SK20.003 rev D and SK90.003 rev F, received on 21st July 2016.
3. 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 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 of the Borough Council, 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.
4. 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. The landscape scheme shall include only native species of local provenance and ornamental species that attract wildlife as recommended in section 6.3.2 of the Ecology Survey. The recommended bird boxes presented in section 6.4.1 of the Ecology Survey shall be integrated in the landscape scheme. Once approved, the 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.
5. The window to the first floor bathroom on the side elevation of the proposed dwelling on Plot 1, as shown on drawing no. SK 20.003 rev D, shall be obscure glazed to a minimum of Pilkington Level 4

and top opening only at all times following first occupation of the dwelling.

6. Before development is commenced a Tree Protection Plan, as set out within BS5837:2012 including any special measures appropriate with safe tree retention for the proposed works, shall be submitted to and approved in writing by the Borough Council.
7. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. The site may be contaminated due to previous activities on site.
4. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 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).
6. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that the development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable, it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable in the streetscene and it is in keeping scale and character with area and the wider locality. The proposal therefore accords with the National Planning Policy Framework

(2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

Demolition works should not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing.

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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.

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

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.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

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.

31 APPLICATION NO. 2016/0332- GARAGE SITE 2, FALCONERS WALK, ARNOLD, NOTTINGHAMSHIRE.

Demolition of existing garages and construction of 2 No 2 Bed semi-detached houses and associated external works.

The Planning delivery Manager advised members of an error in the report that stated 14 garages were currently vacant. This figure was in fact six.

Michael Evans, a neighbouring resident, spoke in objection to the development.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the application form received on 10th March 2016, Arboricultural Survey and Assessment and Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey received on 15th June 2016, revised plans, drawing no's

SK20.006 rev D and SK90.006 rev L, received on 21st July 2016, and revised Design Statement received on 8th August 2016.

3. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in accordance with the approved details before the development is first brought into use.
4. 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. The landscape scheme shall include only native species of local provenance and ornamental species that attract wildlife as recommended in section 6.3.2 of the Ecology Survey. The recommended bird boxes presented in section 6.4.1 of the Ecology Survey shall be integrated in the landscape scheme. Once approved, the 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.
5. No part of the development hereby permitted shall be brought into use until the parking and turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number SK90.006. The parking and turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking and turning of vehicles.
6. 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 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 of the Borough Council, 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.

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 development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
4. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
6. The site may be contaminated due to previous activities on site.

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable, it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable in the streetscene and it is in keeping scale and character with area and the wider locality. The proposal therefore accords with the National Planning Policy Framework (2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised by letters of representation submitted in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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.

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

Demolition works should not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing.

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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

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.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

32

APPLICATION NO. 2016/0334- GARAGE SITE 1, BESTWOOD LODGE DRIVE, ARNOLD, NOTTINGHAMSHIRE.

Demolition of existing garages and construction of 4 No 1 Bed apartments and associated external works.

John Marshall, a neighbouring resident, spoke in objection to the development.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the the application form and Design Statement, received on 10th March 2016, Arboricultural Survey and Assessment and Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey received on 15th June 2016, and revised plans, drawing no's SK20.007 rev F received on 14th July 2016 and SK90.007 rev K received on 21st July 2016.
3. 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 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 of the Borough Council, 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.
4. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in accordance with the approved details before the development is first brought into use.
5. 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 landscape scheme shall include only native species of local provenance and ornamental species that attract wildlife as recommended in section 6.3.2 of the Ecology Survey. The recommended bird boxes presented in section 6.4.1 of the Ecology Survey shall be integrated in the landscape scheme. Once approved, the 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. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4 x 43m are provided from the proposed access. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6metres in height for the life of the development.
7. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for the new access point and is constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.
8. The dwellings shall not be occupied/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.
9. The dwellings shall not be occupied/brought into use until the access driveway / parking / turning area (s) are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Borough Council. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained 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. The site may be contaminated due to previous activities on site.

4. To ensure that the development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
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).
6. In the interests of Highway safety.
7. In the interests of Highway safety.
8. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
9. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable, it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable in the streetscene and it is in keeping scale and character with area and the wider locality. The proposal therefore accords with the National Planning Policy Framework (2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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 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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

Demolition works should not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing.

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.

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

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

The proposal makes it necessary to relocate a lighting column on the footway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80.to arrange for these works to be carried out.

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.

33

APPLICATION NO. 2016/0335- LAND OFF BESTWOOD LODGE DRIVE, ARNOLD, NOTTINGHAMSHIRE.

Demolition of existing garages and construction of 2 No 2 Bed houses and 2 No 3 bed houses with associated external works.

The Planning Delivery Manager referred to an error in the section of the report describing the proposed development. He confirmed that the proposal was for four dwellings and not two as stated in the report.

Wendy Wheat, a neighbouring resident, spoke in objection to the application.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the application form, site location plan and Design Statement, received on 11th March 2016, Arboricultural Survey and Assessment and Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey received on 15th June 2016, and revised plans, drawing no's SK20.008-01 rev D received on 14th July 2016, SK20.008-02 rev A received on 21st July 2016, SK90.008 rev K received on 4th August 2016, and SK20.008 rev F received on 10th August 2016.
3. No part of the development hereby permitted shall be brought into use until the parking and turning areas are surfaced in a bound material, together with all parking available for use in accordance with drawing number SK090.008 rev K. The parking and turning

areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

4. 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 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 of the Borough Council, 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.
5. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted. The landscape scheme shall include only native species of local provenance and ornamental species that attract wildlife as recommended in section 6.3.2 of the Ecology Survey. The recommended bird boxes presented in section 6.4.1 of the Ecology Survey shall be integrated in the landscape scheme. Once approved, the 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 a Tree Protection Plan, as set out within BS5837:2012 including any special measures appropriate with safe tree retention for the proposed works, shall be submitted to and approved in writing by the Borough Council.
7. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in accordance with the approved details before the development is first brought into use.
8. The window to the first floor bathroom on the side elevation of the hereby approved dwelling on Plot 1, as shown on drawing no. SK 20.008 rev F, shall be obscure glazed to a minimum level of Pilkington Level 4 at all times following first occupation of the dwelling. Any opening units should only be top hung.

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 adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
4. The site may be contaminated due to previous activities on site.
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).
6. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that the development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
8. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable, it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable in the streetscene and it is in keeping scale and character with area and the wider locality. The proposal therefore accords with the National Planning Policy Framework (2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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.

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

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 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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

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.

Demolition works should not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing.

34 APPLICATION NO. 2016/0336- GARAGE SITE 9, HANWORTH GARDENS, ARNOLD, NOTTINGHAMSHIRE.

Demolition of existing garages and construction of 2 No 2 Bed apartments and associated external works.

Helen Saunders, a neighbouring resident, spoke in objection to the development.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the the application form, site location plan and Design Statement, received on 11th March 2016, Arboricultural Survey and Assessment and Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey received on 15th June 2016, and revised plans, drawing no's SK20.009 rev F received on 11th August 2016, and SK90.009 rev K received on 22nd July 2016.
3. No part of the development hereby permitted shall be brought into use until the parking and turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number SK090.009 rev K. The parking and turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
4. 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. The landscape scheme shall include only native species of local provenance and ornamental

species that attract wildlife as recommended in section 6.3.2 of the Ecology Survey. The recommended bird boxes presented in section 6.4.1 of the Ecology Survey shall be integrated in the landscape scheme. Once approved, the 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.

5. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in accordance with the approved details before the development is first brought into use.
6. 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 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 of the Borough Council, 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.
7. Before development is commenced a Tree Protection Plan, as set out within BS5837:2012 including any special measures appropriate with safe tree retention for the proposed works, shall be submitted to and approved in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
4. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

5. To ensure that the development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
6. The site may be contaminated due to previous activities on site.
7. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable, it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable in the streetscene and it is in keeping with the scale and character of the area and the wider locality. The proposal therefore accords with the National Planning Policy Framework (2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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 applicant's 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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

Demolition works should not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing.

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.

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

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

35 APPLICATION NO. 2016/0338- GARAGE SITE, MAIDENS DALE, ARNOLD, NOTTINGHAMSHIRE.

Demolition of existing garages and construction of 2 No 2 Bed houses and 2 No 3 Bed houses and associated external works.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the application form, site location plan and Design Statement, received on 11th March 2016, Arboricultural Survey and Assessment and Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey received on 15th June 2016, and revised plans, drawing no's SK20.010 rev C received on 17th June 2016, SK20.010-01 rev C received on 14th July 2016, and SK90.010 rev H, received on 21st July 2016.
3. No part of the development hereby permitted shall be brought into use until the parking and turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number SK.90.010 Rev H. The parking and turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
4. 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 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 of the Borough Council, 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.
5. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted. The landscape scheme shall include only native species of local provenance and ornamental species that attract wildlife as recommended in section 6.3.2 of the Ecology Survey. The recommended bird boxes presented in section 6.4.1 of the Ecology Survey shall be integrated in the landscape scheme. Once approved, the 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. The window to the first floor bathroom on the side elevation of the hereby approved dwelling on Plot 3, as shown on drawing no. SK 20.010 rev C, shall be obscure glazed to a minimum level of Pilkington Level 4 at all times following the first occupation of the dwelling. Any opening unit should only be to hung.
7. Before development is commenced a Tree Protection Plan, as set out within BS5837:2012 including any special measures appropriate with safe tree retention for the proposed works, shall be submitted to and approved in writing by the Borough Council.
8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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 adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
4. The site may be contaminated due to previous activities on site.
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).
6. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
8. To ensure that the development is provided with satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable, it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable in the streetscene and it is in keeping with the scale and character of the area and the wider locality. The proposal therefore accords with the National Planning Policy Framework (2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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.

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

Demolition works should not be undertaken during the bird breeding season (1st March to the 31st August inclusive). If this cannot be avoided, an ecologist will need to search for active bird nests immediately prior to works commencing.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

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

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The applicant's 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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

36 APPLICATION NO. 2016/0443- GARAGE SITE, MOYRA DRIVE, ARNOLD, NOTTINGHAMSHIRE.

Demolition of existing garages and construction of 4 no.1 bed flats of 2 storeys in two blocks.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the the application form, Design Statement and Site 24 existing site and location plan (drawing no. Job 3680 00.024) received on 18th March 2016 and the Site 24 proposed site and

location plan (drawing no. Job 3680 100.024) received on 20th July 2016.

3. 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 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 of the Borough Council, 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.
4. The apartments shall not be occupied until the car parking spaces have been lined out, as identified on the submitted plan - drawing no Job 3680 100.024, received on 20th July 2016. These car parking spaces shall be retained for this purpose for the life of the development.
5. 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 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 details of the means of enclosure of the site. The approved means of enclosure shall be erected prior to the first occupation of any of the flats hereby approved 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 precise details of any proposed external lighting which shall include siting of the proposed lighting columns or bollards. The proposed lighting shall then be installed in accordance with these details for the life of the development.
8. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. Once approved the scheme shall be implemented in

accordance with the approved details before the development is first brought into use and retained 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. The site has had a history of industrial land uses (in this case, garages); there is then a risk that excavations may reveal material which may be contaminated by historic dumping of materials or spills.
4. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
5. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2014.
6. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2014.
7. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
8. To ensure that the development is provided with satisfactory means of drainage as well as to reduce the risk of creating a flooding problem and to minimise the risk of pollution.

Reasons for Decision

In the opinion of the Borough Council the principle of the residential development is acceptable, it results in no significant undue impact on the amenity of neighbouring properties or the wider area. The proposed development would be visually acceptable and in keeping scale and character with area and the wider locality. The proposal therefore accords with the National Planning Policy Framework (2012), Policies 8 (Housing Size, Mix and Choice) and 10 (Design and enhancing Local Identity) of the Aligned Core Strategy (September 2014), policies ENV1 (Development Criteria) and H7 (Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and the Supplementary Planning Document "Parking Provision for Residential Developments" (May 2012).

Notes to Applicant

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

The Arnold Parish Footpath No 53 runs alongside the northern boundary of the site. The availability of this footpath must not be affected or obstructed in any way by the proposed development unless this is subject to an appropriate diversion or closure order. The Area Rights of Way Officer at Nottinghamshire County Council (tel no. 0115 977 4559) must be consulted regarding any surfacing or gating issues and path users should not be impeded or endangered in any way by the development, during construction or on its completion.

The applicant's 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/merginglocalplan/supplementaryplanningdocuments/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow residents/visitors to charge electric/plug-in hybrid vehicles whilst at the site. 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.

Positive and Proactive 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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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 Borough Council's website. The proposed development has been assessed and it is the Borough 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. 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.

37

APPLICATION NO. 2016/0624- ERNEHALE COURT, CROSS STREET, ARNOLD, NOTTINGHAMSHIRE.

Demolition of the former sheltered accommodation named 'Ernehale Court' for 6 New Build 2B4P 2 Storey Houses and 12 New Build 1B2P Apartments over 3 Storeys.

The Principal Planning Officer advised members that revised plans had recently been received from the applicant which featured slight changes to the design of the building, such as reducing the height by 1 metre, and revised access arrangements. This would result in a new plan reference number being included within condition two. A late representation from the County Council regarding landscaping had also been received, the content of which had been addressed by conditions already proposed.

RESOLVED:

To grant planning permission subject to the following 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 and implemented in accordance with the following approved plans and documents: Proposed Apartment Plans (Sk 20.005 Rev A) and Drainage Strategy (MA10346), received on 13th May, 2016; Proposed House Plans and Elevations, Plots 1 and 2 (Sk 20.009) and Proposed House Plans and Elevations, Plots 3 - 6 (Sk 20.010), received on 26th July, 2016; Proposed Site Plan (Sk 90.003 Rev F), received on 12th August, 2016; and Proposed Apartment Elevations (Sk 20.006 Rev D) and Proposed Site External Material Palette (Sk 40.001 Rev A), received on 16th August, 2016
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.

4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the type of bricks to be used in the external elevations of the proposed flats. Thereafter the development shall be carried out in accordance with approved materials, unless otherwise prior agreed in writing by the Borough Council.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of cycle stands to serve the proposed flats. The cycle stands shall be provided in accordance with the approved details before the development is first brought into use, unless otherwise prior agreed in writing by the Borough Council, and shall be retained for the lifetime of the development.
6. 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. The landscape plan shall incorporate the recommendations made in section 6.2 of the LSC Extended Phase 1 Habitat Survey and Preliminary Protected Species Assessment. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of the planting of any tree or shrub or seeded area, 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.
7. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the provision of bird boxes on or within the fabric of a proportion of the houses; bird boxes should target species such as house sparrow and swallow. The scheme shall be implemented in accordance with the approved details before the development is first brought into use, unless otherwise prior agreed in writing by the Borough Council, and shall be retained for the lifetime of the development.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a bat activity survey of the existing building, as specified in section 6.3 of the LSC Extended Phase 1 Habitat Survey and Preliminary Protected Species Assessment, and any recommended mitigation measures. Any mitigation measures shall be implemented in accordance with the approved details.

9. No removal of trees or shrubs 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.
10. No part of the new access driveway and parking area hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans. The area within the visibility splays referred to in this condition shall thereafter be kept free of any obstructions exceeding 600 mm in height for the lifetime of the development.
11. No part of the development hereby permitted shall be brought into use until the vehicle access, parking and turning areas are provided in accordance with the approved plans, unless otherwise prior agreed in writing by the Borough Council, and shall be retained for the lifetime 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 and to allow a proportionate approach to minor material amendments.
3. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
4. To ensure that the materials to be used in the external elevations of the proposed flats are satisfactory, in accordance with the aims of Policies ENV1 and H7 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure that cycle stands are provided and that the details are satisfactory, in accordance with the aims of Section 4 of the National Planning Policy Framework, Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2014).

6. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
8. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
9. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
10. 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).
11. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

Notes to Applicant

The applicant's 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 the Borough Council might help decrease levels by incorporating mitigation measures into scheme design as standard. (See: <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>) The Borough Council would also ask that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow employees and/or clients/visitors to charge electric/plug-in hybrid vehicles whilst on site. 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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at

www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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

38 APPLICATION NO. 2016/0558- 11 MILTON CRESCENT, RAVENSHEAD, NOTTINGHAMSHIRE.

Councillors Gregory and Miller re-joined the meeting. Councillor Barnfather left the meeting.

New build dwelling.

Charles Bullough, a neighbouring resident spoke in objection to the development.

RESOLVED:

To grant planning permission subject to the following 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 and site location plan received on 26th April 2016, revised plans, RC/RM/02/06/16/02 and RC/RM/02/06/16/01, received on 5th July 2016, and e-mail received on 11th August 2016.
3. The dwelling shall not 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.
4. The dwelling shall not be brought into use until the access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing

by the Borough Council. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. Once approved the development shall be constructed in accordance with these approved details.
6. 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. Once approved, the 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.
7. Before development is commenced a Method Statement, an RPA plan and a Tree Protection Plan, as set out within BS5837:2012, shall be submitted to and approved in writing by the Borough Council. Once approved the means of protection shall be retained until the completion of all building operations unless otherwise agreed in writing by the Borough Council.
8. The window to the first floor bathroom on the north side elevation, as shown on drawing no. RC/RM/02/06/16/01, shall be obscure glazed to a minimum level of Pilkington Level 4 and prior to the first occupation of the hereby approved dwelling. Any opening units shall only be top hung.

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 reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
4. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
5. To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).

6. To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
7. To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
8. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the proposed development is of an acceptable size and design in this setting and would have no significant undue impacts on the visual appearance of the streetscene or on neighbouring amenity and there are no highway safety implications. The proposal therefore accords with Policy 8 (Housing Size, Mix and Choice) and Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy (September 2014), Saved Policy ENV1 (Development Criteria) and Policy H7 (Residential Development on Unidentified Sites Within the Urban area and Defined Village Envelopes) of the Gedling Borough Replacement Local Plan and advice contained within the National Planning Policy Framework 2012.

Notes to Applicant

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

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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

39 APPLICATION NO. 2016/0639- 1 CHEADLE CLOSE, MAPPERLEY, NOTTINGHAMSHIRE.

Councillor Barnfather re-joined the meeting.

Proposed New Dwelling on Land Adjoining 1 Cheadle Close.

Evelyn Casimiro, the applicant, spoke in support of the development.

RESOLVED:

To grant planning permission subject to the following conditions:

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be undertaken in accordance with the details as set out within the application forms, the Design and Access Statement and the plans including drawing numbers 001, 002 revision C, 003 and 004, received on the 17th May 2016.
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of all materials to be used in the external construction of the proposed dwelling. Once these details are approved the dwelling 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 in writing by the Borough Council precise details of the means of enclosure of the site. 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 dwelling is 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 to and approved in writing 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.
6. 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.
7. 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.
8. 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.
9. 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, parking and turning area 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.
10. The first floor side elevation window adjacent to 1, Cheadle Close serving the en-suite shall be obscure glazed to a minimum of Pilkington Level 4. This window unit shall be obscure glazed for the life of the development. Any opening units to this window shall only be top hung in accordance with precise details (including details of restrictors to be fitted to the opening elements), to be submitted to and approved in writing by the Borough Council as Local Planning Authority. Development shall be undertaken in accordance with these details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.

11. Before development is commenced there shall be submitted to and approved in writing a scaled plan showing the provision of two off road car parking spaces to be provided on the frontage of 1, Cheadle Close, (the land outlined in blue on the site location plan hereby approved). The car parking spaces shall be provided in accordance with the approved details, prior to the commencement of the development of the hereby approved dwelling. The car parking spaces shall thereafter be retained for the life of the development.
12. 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 landscaping 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.

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 materials are visually acceptable, in accordance with the aims of Policy ENV1 of the Borough Council Replacement Local Plan (Certain Saved Policies 2014).
6. 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).
7. In the interests of highway safety.

8. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
9. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
10. To ensure that there is no undue overlooking impact onto neighbouring properties, in accordance with the aims of policy ENV1 of the Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure that there is adequate off road car parking to serve the existing dwelling and to prevent any detrimental impact on highway safety, in accordance with the aims of policy ENV1 of the Borough Council Replacement Local Plan. (Certain Saved Policies 2014).
12. 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).

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. 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

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

The 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

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

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.

40

APPLICATION NO. 2016/0738- ARNOLD LEISURE CENTRE, HIGH STREET, ARNOLD, NOTTINGHAMSHIRE.

To install 1 hanging illuminated box sign, 1 illuminated notice board and 2 boards.

RESOLVED:

To grant advertisement consent subject to the following conditions:

1. The development hereby approved shall only be carried out in accordance with the application form and drawing received on the 17th June 2016, unless otherwise agreed in writing by the Borough Council.
2. The illumination shall be as shown on the approved drawing, listed in Condition 1 above, and the means of illumination must not be intermittent, pulsing or flashing kind.
3. The consent to display advertisements is for a period of 5 years commencing on the date of this decision.

4. All advertisements displayed, and any site used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Borough Council.
5. Any hoardings or similar structure, sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
6. Where any advertisement is required under the Regulations to be removed, the removal, thereof, shall be carried out to the reasonable satisfaction of the Borough Council.

Reasons

1. To define the permission, for the avoidance of doubt.
2. In the interest of highway safety.
3. To comply with the requirements of the Town and Country Planning [Control of Advertisements] Regulations.
4. To comply with the requirements of the Town and Country Planning [Control of Advertisements] Regulations
5. To comply with the requirements of the Town and Country Planning [Control of Advertisements] Regulations.
6. To comply with the requirements of the Town and Country Planning [Control of Advertisements] Regulations.

Reasons for Decision

In the opinion of the Borough Council the signage will result in no undue impact on the amenity of adjacent properties or the area in general and is acceptable from a highway safety viewpoint. The proposal is therefore in accordance with the National Planning Policy Framework (March2012) and the 2007 Advertisement Regulations.

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.

41

APPLICATION NO. 2016/0745- LAND TO THE REAR OF 94 PHOENIX AVENUE, GEDLING, NOTTINGHAMSHIRE.

Change of use of land from open space to residential curtilage.

RESOLVED:

To defer consideration of the item pending clarification of the arrangements for transfer of the land and any associated future planning permissions.

42 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

43 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

44 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 8.15 pm

Signed by Chair:
Date:

PLANNING COMMITTEE PROTOCOL

Introduction

1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be reached, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is empowered by the Borough Council, as the democratically accountable decision maker, to determine planning applications in accordance with its constitution. In making legally binding decisions therefore, it is important that the committee meeting is run in an ordered way, with Councillors, officers and members of the public understanding their role within the process.
3. If a Councillor has any doubts about the application of this Protocol to their own circumstances they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.
4. This protocol should be read in conjunction with the Council's Member's Code of Conduct, Code of Practice for Councillors in dealing with Planning Applications, briefing note on predetermination and the Council's Constitution.

Disclosable Pecuniary and Non- Pecuniary Interests

5. The guidance relating to this is covered in the Council's Member's Code of Conduct and Code of Practice for Councillors in dealing with Planning Applications.
6. If a Councillor requires advice about whether they need to declare an interest, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

Pre-determination and Predisposition

7. Councillors will often form an initial view (a predisposition) about a planning application early on in its passage through the system whether or not they have been lobbied. Under Section 25(2) of the Localism Act 2011 a Councillor is not to be taken to have had, or to have appeared to have had, a closed mind when making a decision just because the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take in relation to a matter, and, the matter was relevant to the decision.
8. This provision recognises the role of Councillors in matters of local interest and debate, but Councillors who are members of the Planning Committee taking part in a decision on a planning matter should not make up their minds how to vote prior to consideration of the matter by the Planning Committee and therefore should not

comment or make any commitment in advance as to how they intend to vote which might indicate that they have a closed mind (predetermination).

9. If a Councillor has made up their mind prior to the meeting, or have made public comments which indicate that they might have done, and is not able to reconsider their previously held view, then they will not be able to participate on the matter. The Councillor should declare that they do not intend to vote because they have (or could reasonably be perceived as having) judged the matter elsewhere. The Councillor will be then not be entitled to speak on the matter at the Planning Committee, unless they register to do so as part of the public speaking provision. For advice on pre-determination and predisposition, Councillors should refer to the Code of Practice for Councillors in dealing with Planning Applications in the Council's Constitution, and seek the advice of the Council Solicitor and Monitoring Officer.

Lobbying

10. The guidance relating to this is covered in the Code for dealing with Planning Applications.
11. If a Councillor requires advice about being lobbied, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

Roles at Planning Committee

12. The role of Councillors at committee is not to represent the views of their constituents, but to consider planning applications in the interests of the whole Borough. When voting on applications, Councillors may therefore decide to vote against the views expressed by their constituents. Councillors may also request that their votes are recorded.
13. The role of Officers at Planning Committee is to advise the Councillors on professional matters, and to assist in the smooth running of the meeting. There will normally be a senior Planning Officer, plus a supporting Planning Officer, a senior Legal Officer and a Member Services Officer in attendance, who will provide advice on matters within their own professional expertise.
14. If they have questions about a development proposal, Councillors are encouraged to contact the case Officer in advance. The Officer will then provide advice and answer any questions about the report and the proposal, which will result in more efficient use of the Committees time and more transparent decision making.

Speaking at Planning Committee

15. Planning Committee meetings are in public and members of the public are welcome to attend and observe; however, they are not allowed to address the meeting unless they have an interest in a planning application and follow the correct procedure.
16. Speaking at Planning Committee is restricted to applicants for planning permission, residents and residents' associations who have made written comments to the Council

about the application and these have been received before the committee report is published. Professional agents representing either applicants or residents are not allowed to speak on their behalf. Anyone intending to speak at Committee must register to do so in writing, providing name and contact details, by 5pm three working days before the Committee meeting. As most Committee meetings are currently held on Wednesdays, this is usually 5pm on the Friday before. A maximum of 3 minutes per speaker is allowed, unless extended at the Chair of the Committee's discretion, so where more than one person wishes to address the meeting, all parties with a common interest should normally agree who should represent them or split the three minutes between them. No additional material or photographs will be allowed to be presented to the committee, and Councillors are not allowed to ask questions of speakers.

17. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
18. Where members of the public wish to leave the chamber before the end of the meeting, they should do so in an orderly and respectful manner, refraining from talking until they have passed through the chamber doors, as talking within the foyer can disrupt the meeting.

Determination of planning applications

19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the application, a vote will be taken.
20. Whilst Officers will provide advice and a recommendation on every application and matter considered, it is the responsibility of Councillors, acting in the interests of the whole Borough, to decide what weight to attach to the advice given and to the considerations of each individual application. In this way, Councillors may decide to apply different weight to certain issues and reach a decision contrary to Officer advice. In this instance, if the Officer recommendation has been moved and seconded but fails to be supported, or if the recommendation is not moved or seconded, then this does not mean that the decision contrary to Officer advice has been approved; this needs to be a separate motion to move and must be voted on. If, in moving such a motion Councillors require advice about the details of the motion, the meeting can be adjourned for a short time to allow members and Officers to draft the motion, which will include reasons for the decision which are relevant to the planning considerations on the application, and which are capable of being supported and substantiated should an appeal be lodged. Councillors may move that the vote be recorded and, in the event of a refusal of planning permission, record the names of Councillors who would be willing to appear if the refusal was the subject of an appeal.

Oct 2015

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Application Number: 2016/0745
Location: Land To The Rear Of 94 Phoenix Avenue, Gedling, Nottinghamshire.



NOTE:

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Report to Planning Committee

Application Number:	2016/0745
Location:	Land To The Rear Of 94 Phoenix Avenue, Gedling, Nottinghamshire.
Proposal:	Change of use of land from open space to residential curtilage.
Applicant:	Mr John Daft
Agent:	
Case Officer:	Lewis Widdowson

Members will recall that consideration of this application was deferred by the Planning Committee on 24 August 2016 pending comments from the Council's Estates Team. Comments have now been received and these are detailed in the consultations section of the report.

Site Description

Located within the urban residential area of Gedling, the application site is an area of unused land to the rear of 94 Phoenix Avenue, adjacent to a public footpath connecting Phoenix Avenue to Mountbatten Grove. The site comprises of incidental open space and is currently in the ownership/control of the borough council. The site has a boundary with 94 Phoenix Avenue delineated by concrete and timber fencing of up to 2 metres in height and wooden picket fencing of approximately 1 metre in height. The site has a steep gradient, sloping upwards from east to west.

Proposed Development

The application seeks planning permission for the change of use of land from incidental open space to residential curtilage. The applicant is owner/occupier of 94 Phoenix Avenue, and the change of use of this area of land would provide an extension to the rear garden area of the property of approximately 90m² in area. The remaining area of incidental open space would measure approximately 270m².

Consultations

Neighbouring properties were notified and a site notice was displayed – No letters of representation were received.

Nottinghamshire County Council Highways were consulted – No concerns or objections were raised.

Gedling Borough Council Estates Team - No objection to the application in principle. The Council's approach to selling land is that if there is no permission in place for the intended use, the Council would not sell. In this particular instance a planning application has been made to change the use of the council owned land from incidental public open space to garden land. If permission is granted and the Council takes the decision to sell the land, a covenant would be placed on the land sale to the effect that we share the uplift in value of the land should it ever be developed for a more valuable use.

Planning Considerations

In my opinion, the main planning considerations in the determination of this application are the impact on residential amenity of neighbouring properties and visual impact of the proposal on the character and appearance of the locality. At the national level, the National Planning Policy Framework (March 2012) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

The following policies are relevant to the application:

National Planning Policy Framework:

Part 7 – Requiring good design

Gedling Borough Council Replacement Local Plan (Saved Policies 2008):

ENV1 – Development Criteria

Gedling Borough Council Aligned Core Strategy 2014:

Policy 10 – Design and Enhancing Local Identity

In accordance with Local Plan saved policies, development should be in keeping with the scale and character of the existing dwelling and its wider setting and should not cause unacceptable harm to the amenity of neighbouring residents.

The proposal would lead to the loss of a small area of incidental public open space; however, this would not have a harmful impact on the character of the area due to the steep gradient and small area of the site which means that it is of limited public benefit.

I am therefore satisfied that the increase of residential curtilage to 94 Phoenix Avenue would cause no harm to the character of the locality.

In terms of impact upon residential amenity of neighbouring dwellings, the proposed development is not considered to have adverse impact as the development would be separated from nearby residential curtilages by the remaining area of incidental open space which would remain in the ownership / control of the Borough Council.

The proposed development would not have any impact on an existing right of way to the south east of the site. Suitable boundary treatments are however required. This matter may be controlled by way of a planning condition; and is proposed.

For the reasons set out above, I am satisfied the proposed development accords with Saved Policies ENV1 of the Gedling Borough Replacement Plan as well as the NPPF. It is therefore recommended that planning permission is granted.

Recommendation:

Grant Planning Permission subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the following plan: 'Land at Phoenix Avenue Gedling' received by the Local Planning Authority on 27 June 2016. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Borough Council.
3. Prior to the commencement of development, details of the proposed boundary treatments shall be submitted to and approved in writing by the Borough Council. The development shall be undertaken in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of this permission.
3. In the interest of visual amenity and in accordance with Saved Policy ENV1 of the Gedling Borough Replacement Plan.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities, and results in no unduly detrimental harm to the character and setting of the locality. The proposal therefore accords with Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014 and saved Policies ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan.

Notes to Applicant

You are advised that planning permission does not override any private legal matters

which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

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.

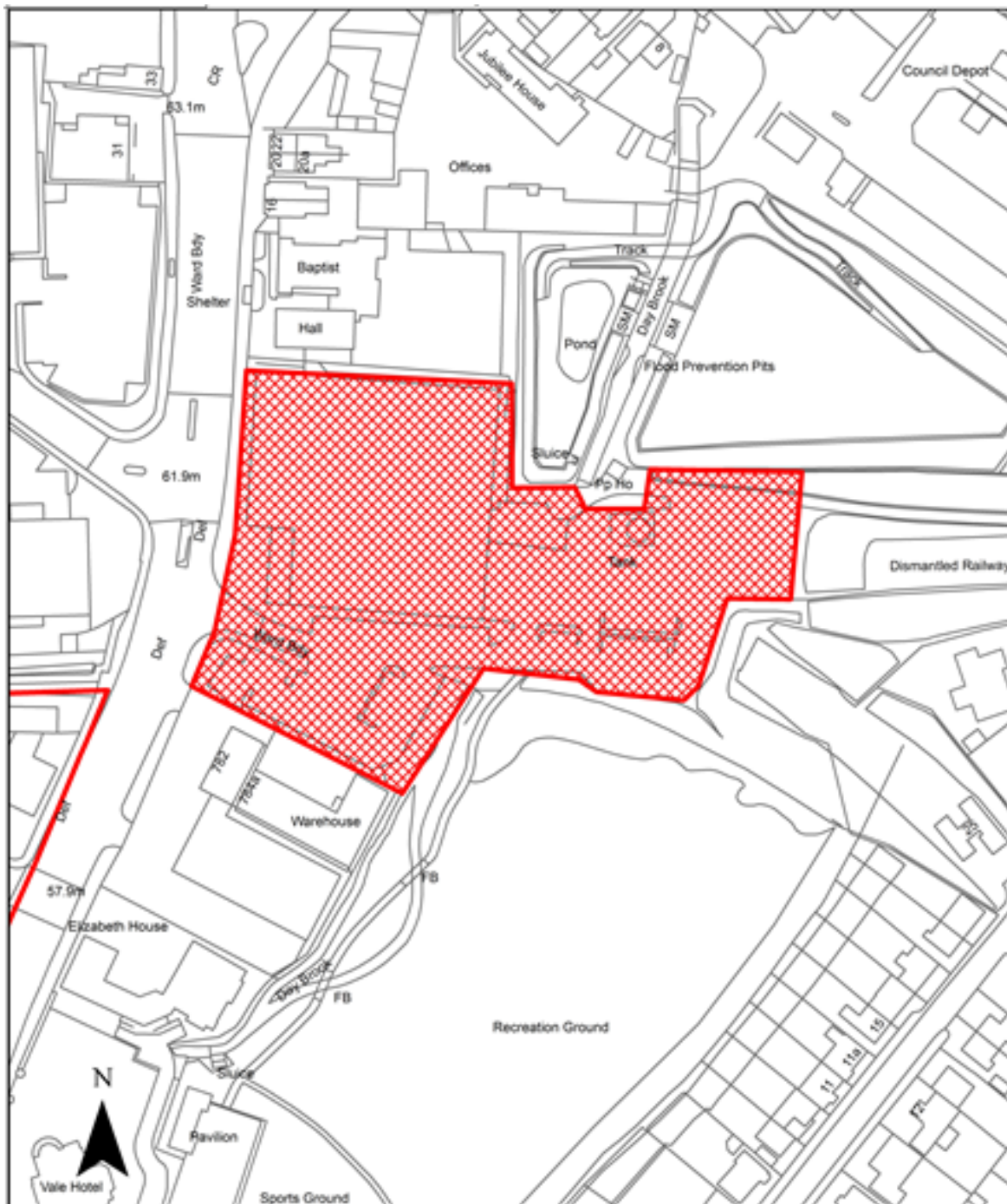
The applicant is advised that all planning permissions granted on or 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that there is no net additional increase of floorspace as a result of the development.

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Application Number: 2016/0808
786 Mansfield Road, Daybrook, NG5 3GG.

Location:



NOTE:
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Report to Planning Committee

Application Number:	2016/0808
Location:	786 Mansfield Road, Daybrook, NG5 3GG.
Proposal:	Installation of a mezzanine floor to measure 1,115 sq m for use as retail floor space
Applicant:	CML Investments & Go Outdoors
Agent:	Mr Michael Mills
Case Officer:	Cristina Dinescu

Site Description

No.786 is a large retail unit located to the eastern side of Mansfield Road (A60), to the south west of Arnold Town Centre and to the north of the City of Nottingham.

The application site is approximately 1.02 hectares (2.54 acres) in size and currently accommodates a large retail unit and associated car parking area. The retail unit was originally a single store occupied by B & Q, it has subsequently been subdivided into two units, B & Q occupying the larger and Carpetright occupying the smaller. The B & Q unit now being vacant.

Vehicular access to the application site is to the south with pedestrian access provided from Mansfield Road. There is a pedestrian crossing to the west of the entrance which provides access to the retail units on the western side of Mansfield Road and the wider residential area.

Relevant Planning History

83/0355 – Planning permission was granted for DIY warehouse/Garden Centre + 465 sq m of space for electrical goods, gas appliances etc. (no food). Condition 3 of the Permission restricted the use of the building for DIY goods, electrical and electronic goods and gas appliances and a back-up stock area.

97/0618 – Planning Permission was granted to amend Condition 3 of planning permission 83/0355 to permit a wider range of non-food goods. Condition 2 of the Permission relates to the types of goods permitted to be sold from the premises: carpets, floorcovering, DIY, builders merchants and home improvement goods, including fitted kitchens and bathrooms, furniture and home and soft furnishings, beds and bedding products, electrical and electronic goods, bicycles and spare parts and motor accessories and goods ancillary thereto.

2016/0245 – Planning Permission was granted to vary condition 2 (Planning Ref : 97/0618) to extend the range of goods able to be sold from the premises.

2016/0155 – Planning Permission was granted to install a mezzanine floor measuring 999sqm to be used as retail floor space.

Proposed Development

The proposal seeks Planning Permission to install a mezzanine floor to measure 1115sqm. This application is a re-submission of a previously approved development under ref. no. 2016/0155.

A Supporting Statement, a Sequential Test and a Transport Statement were submitted with the application.

The Supporting Statement provides information regarding the tenant; Go Outdoors, a principally “bulky goods” operator, providing tents, camping, caravanning and outdoor pursuit equipment and associated clothing.

The Sequential Test sets out the criteria for choosing this retail unit: the size of the unit, provision of off-street car parking, accessibility to local community and adequate servicing facilities.

Consultations

The Highway Authority (Notts County Council) – This application proposes to install a mezzanine floor with an area of 1,115sqm as retail floor area. This application proposes an increase in the mezzanine floor area to that granted on the previous application reference 2016/0155.

There is car parking to the existing site and the surrounding highway network in the vicinity of the A60 Mansfield Road is controlled by on-street parking restrictions.

Regarding the Transport Statement, we can confirm that various scenarios have been considered with regard to the permitted uses and proposed additional goods that may be sold at the store. We agree that there could be a material impact regarding traffic if the whole of the existing unit is occupied by a DIY store and the proposed mezzanine floor is utilised for ‘general display’.

To control this scenario it is suggested that the use of the development is controlled by implementing the following:

Condition:

No part of the mezzanine floor, hereby permitted, shall be utilised as retail sales floorspace, only bulky items, if the existing building and mezzanine are utilised as a DIY store.

Reason:

To ensure that the traffic generated by the proposed development would not result in an unacceptable increase in danger to the users of the highway due to increased

use of the existing access

Lead Local Flood Authority – No comments as the application site falls within the low risk area.

Adjoining Neighbours have been notified and a Site and Press Notice were posted and no letters of representation were received in return.

Planning Considerations

In my opinion the main planning considerations involved in the determination of this application are whether the proposed addition of floor area would have a material impact on the vitality and viability of Local Centres and any highway safety issues.

At national level policy 2- “Ensuring the vitality of Town Centres” of the NPPF is relevant.

Paragraph 19 of the National Planning Policy Framework (NPPF) (March 2012) states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 27 of the NPPF states that planning applications should be refused where it fails to satisfy the sequential test or is likely to have a significant adverse impact for main town centre uses not in an existing centre.

I note a Sequential Test has been submitted with the application. The test highlights the unit has a large retail floor space above 2000sq m in a restricted A1 use, the ability to accommodate sufficient parking spaces to serve the proposed development in accordance with parking standards, it is highly accessible to the local community and would provide adequate servicing facilities; requirements which no other units within Arnold or the immediate surrounding area can meet. As such I am satisfied no other units are available in a town centre or edge of centre location and therefore an out of centre location, accessible and well connected to the town centre, would be acceptable in this instance.

I note the comments received from the Highway Officer with regards to the Transport Statement submitted and the various scenarios considered for the installation of the mezzanine floor, in particular, the highway implications that could result should the retail unit be utilised for the sale of DIY goods that are non-bulky. Given the potential highway impacts due to the sale of DIY products, I consider it reasonable to remove DIY products from the schedule of goods allowed to be sold from the Mezzanine. I consider this approach would have the same effect as the suggested condition from the Highway Authority.

In conclusion I am satisfied that the proposed addition of a mezzanine floor would not result in a significant impact on the vitality and viability of existing centres or on highway safety and would accord with the aims and objectives of national policy supporting sustainable economic development.

Should planning permission be forthcoming an informative would be attached to any approval advising that any signage on the external elevations may require advertisement consent and the advice of the Borough Council should be sought before development commences.

Having regard to the above considerations I am of the opinion that the proposal is in accordance with the advice contained within the National Planning Policy Framework (2012).

Accordingly I recommend that planning permission be granted.

Recommendation:

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 hereby permitted shall be implemented in accordance with the application form, site location plan, Supporting Statement, Sequential Test and drawing no. 01 "Existing site plan", received on 11th July 2016, and revised drawing no. 02 "Proposed site plan" received on 09th September 2016, and Transport Statement received on 2nd August 2016.
3. Unless otherwise agreed in writing by the Borough Council, this permission shall only permit the sale of tents, camping and caravanning equipment and accessories, outdoor pursuit equipment and accessories (including walking, climbing, skiing, cycling, fishing, running and horse riding) along with associated clothing and footwear, carpets, floorcovering, builder's merchants and home improvement goods, fitted kitchens and bathrooms, furniture and home and soft furnishings, beds and bedding products, homewares, electrical and electronic goods, bicycle and spare parts, motor accessories and goods ancillary thereto, domestic hire shop and ancillary cafe.
4. This permission shall be restricted in respect of retail floorspace to units of not less than 500 sq m gross floorspace each, unless otherwise agreed in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the proposal is in accordance with the aims of the National Planning Policy Framework (2012).

4. To ensure the proposal is in accordance with the aims of the National Planning Policy Framework (2012).

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have a significant impact on the vitality and viability of existing centres or on highway safety and would accord with the aims and objectives of the National Planning Policy Framework (2012).

Notes to Applicant

Positive and Proactive 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 Borough Council had to seek a solution in relation to this application.

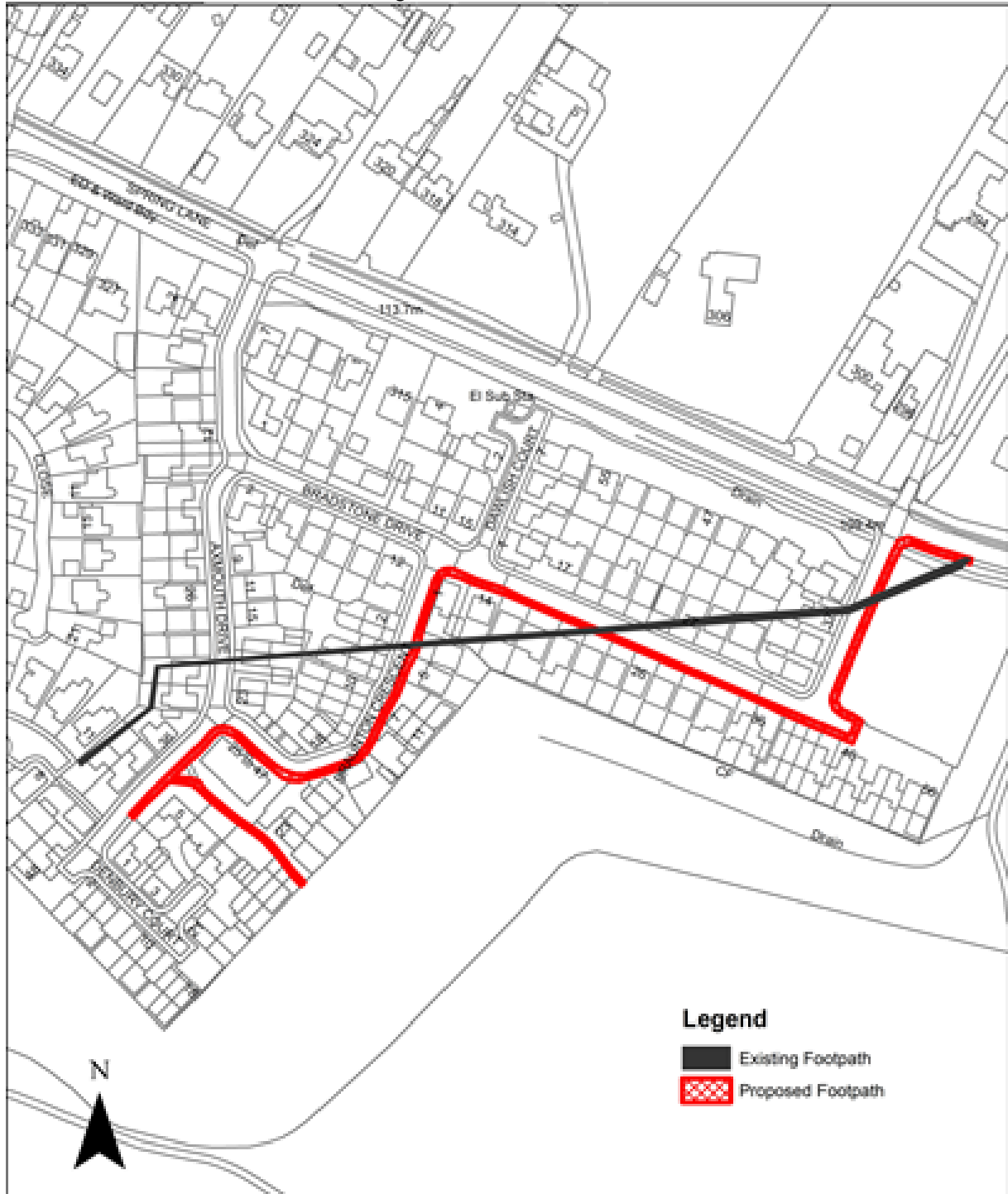
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

It is brought to your attention that any external changes to the front of the retail unit may require planning permission and the advice of the Borough Council should be sought before implementing any changes.

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 given that the development comprises a retail mezzanine(s) which is to be located in an existing retail property.



Application Number: 2014/1149
Location: Land Surrounding 315 Spring Lane, Mapperley, Nottinghamshire.



NOTE:

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Report to Planning Committee

Application Number: 2014/1149

Location: Land Surrounding 315 Spring Lane, Mapperley, Nottinghamshire.

Proposal: Diversion of Carlton Footpath No.1 Mapperley. The footpath proceeding from a point SK6069 4451, to a point SK6102 44 59, identified by the bold continuous line on plan TWY007/LOCO3 C.

Applicant: Taylor Wimpey East Midlands Ltd

Agent:

Case Officer: David Gray

Purpose of Report

This item is brought to Committee to request authorisation from Planning Committee to make an order diverting Carlton Footpath No.1, pursuant to Section 119 of the Highways Act 1980, in respect to land surrounding 315 Spring Lane, Mapperley.

Site Description

The application relates to Carlton footpath 1 located on land at surrounding 315 Spring Lane, Mapperley. The affected part of Footpath 1 measures approximately 350 metres in length.

Relevant Planning History

Outline Planning Permission for a residential development was granted in September 2010 (Planning ref. 2007/0748) The principle to divert Carlton Footpath no.1 was established at outline planning permission stage.

Subsequently reserved matters were approved in March 2011 for the erection of 147 dwellings under planning ref: 2010/1022. The development of the site for 147 dwellings under planning ref.2010/1022 was subsequently commenced.

As part of the reserved matters approval an area of Public Open Space was approved as well as a 'green link' footpath between former colliery land to the south east and Ashwater Drive to the north-west boundary. The Rights of Way Officer was consulted as part of the application and concluded that the proposed layout was acceptable in terms of the public footpath (Carlton Footpath no.1) which passes through the site.

An application to divert Carlton Footpath No.1 was brought to Committee on 8th May 2013 to make an order to divert the footpath to enable an authorised development to commence (under the Town and Country Planning Act 1990, s257). The Committee resolved to reject the proposed diversion on the grounds that it would be contrary to public safety and would not be an accessible route which would promote public transport. The application was subsequently withdrawn.

A further application to make an order divert the footpath was brought to the Committee in July 2013; again this was to divert to enable an authorised development to commence under the under the Town and Country Planning Act 1990, s257). The Committee resolved to approve the order. On receipt of representation under the provisions of the act the application was referred to the Planning Inspectorate. The order could not be confirmed as the development was considered to be substantially complete.

In July 2014 (ref: 2014/0431) an application for permission to retain the as-built alignment of the footpath connecting Taylor Wimpy development onto Ashwater Drive. In the opinion of the Borough Council the retention of the open space and footpath link would be acceptable from a highway safety viewpoint and would have no undue impact on the amenities of nearby residential properties.

Proposed Route

The Borough Council has received a revised application for the diversion of Carlton Footpath 1 under the Highways Act 1980, s119.

The proposed diversion would result in Footpath 1 taking a route mainly aligned with the new highway through the residential development 'Lime Tree Gardens'. The footpath would exit Ashwater Drive at Grid Reference: SK6069 44 51 and would follow the footpath link on the approved planning layout through the development (Shown by a dashed line) and would enter onto Spring Lane at Grid Reference: SK6102 44 59. The route would provide the same level of access to public transport as the previous route.

The plans also show a green footpath link to the future Country Park which does not form part of this application.

Consultations

Nottinghamshire County Council (Highway Authority) – There are no Highway Authority Objections.

Nottingham County Council (Rights of Way) – The proposed diversion is acceptable.

Ramblers Association – The ramblers association have requested that the footpath is not diverted along a footway through an estate but be diverted along a footway through the Gedling Country Park along a planned cycle/walking route.

Planning Considerations

Members are reminded that the previous two applications to divert the footpath have been made under the Town and Country Planning Act referenced in the Planning History above. The proposed footpath diversion (ref: 2014/0431) could not be confirmed as it was the opinion of the inspector that the development had been substantially completed. Instead an application needed to be submitted under the Highways Act 1980 to allow for the diversion of a footpath.

Section 119 of the Highways Act 1980 allows for a diversion of a footpath where it is in the interests of the owner or occupier of the land and it is expedient that the line of the path should be diverted. Once the order is made, the diversion is advertised and later confirmed by the Council who made the order (if there are no objections) or the Secretary of State (if there are objections). An order under this section is referred to as a 'public path diversion order'.

The diversion order should not alter the start/end points onto the public highway other than in specified circumstances. These do not apply since the route through the development starts at SK6069 44 51 and ends at SK6102 44 56, as before. I note that the spur from the footpath to the Country Park (the 'green link') is not included in this application.

I would note that the proposed development and new footpath route was considered at reserved matters (ref: 2010/1022). Given that the approved development has been substantially complete it is my view that it is in the interest of the owner of the land that the line of the path or way, should be diverted by way of 'public path diversion order' made by the Council. Given that the route of the current footpath runs through properties already built (or about to be built) it is also expedient (i.e. suitable, appropriate) that the footpath be diverted.

I note that the revised route for the footpath (approved under planning application reference: 2014/0431) would have the same access and egress points onto Ashwater Drive and Spring Lane as Carlton Footpath no.1. Whilst I note that the revised route would still cross the highway adjacent to the footpath link to Ashwater Drive the crossing point is to the end of the development on a straight section of road with good visibility where vehicle movements would be at a minimum. I would also note that the route continues onto Ashwater Drive where the same level of pedestrian vehicle conflict would be present for members of the public walking to Spring Lane. I note that the revised footpath route would incorporate an alternative section that redirects the footpath away from the vehicle driveway access to no.11 Ashwater Drive. As already noted the new route would offer the same level of access to public transport as the previous footpath. As mentioned above the principle to divert Carlton Footpath no.1 was established and accepted at reserved matters stage in relation to application reference 2010/1022. I am therefore satisfied that the diversion would not be substantially less convenient to the public in consequence of the diversion

Whilst I note the comments from the Ramblers Association, the Country Park falls outside of the application site and is not in control of the developer. I also note that the diversion does incorporate a pedestrian link to the Country Park that could be used for walking members of the public. I am satisfied that the proposed diversion

would not have a significant impact on the public enjoyment of the path and the new pedestrian link to Gedling Country Park would give walking members of the public convenient access to the Country Park (once completed).

In conclusion I am satisfied it is in the interests of the owner of the land and expedient that Carlton Footpath No 1 should be diverted, and that the proposed route does not alter the start/end point of the path. In addition, on the information to hand, I am satisfied that the proposed diversion would not be substantially less convenient to the public. However, this last point will have to be considered further when the Order comes forward for confirmation (whether by the Council or the Planning Inspectorate).

Members are reminded that on making the order to divert Carlton Footpath 1 notification of the order must be posted in the Local Press, site notices posted, statutory bodies consulted and neighbouring properties must be consulted. If no objections are received by any statutory bodies or neighbouring properties then the application must be presented, further to another report, to committee to confirm the order. If objections are received following consultation the Borough Council can attempt to settle concerns and get them withdrawn. If the concerns cannot be addressed by the Borough Council and the objections withdrawn, then the matter would be referred to the Secretary of State for determination.

I recommend that the Borough Council's Solicitor and Monitoring Officer be authorised to make the necessary order for the diversion of Carlton footpath 1 as it is in the interests of the owner and expedient to do so.

Recommendation:

That Members Authorise the Council Solicitor and Monitoring Officer to make an order that Carlton footpath 1 be diverted in accordance with the plan submitted with the application

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Application Number: 2015/0913

Location: Sainsburys Local, 1 Nottingham Road, Ravenshead, Nottinghamshire.



NOTE:

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Report to Planning Committee

Application Number: 2015/0913

Location: Sainsburys Local, 1 Nottingham Road, Ravenshead, Nottinghamshire.

Proposal: Demolition of existing car showroom (use class sui generis) and erection of convenience store (use class 1) with associated landscaping, car parking and servicing.

Applicant: Sainsburys Supermarkets Limited

Agent: Turley

Case Officer: David Gray

Site Description

The application site is located at the junction of Nottingham Road and Main Road, Ravenshead. The application site has recently been redeveloped into an A1 Convenience Store. A car sales business previously occupied the site. The site slopes steeply down to the south and west.

Residential properties are located opposite the site on Nottingham Road and Larch Farm Public House is located opposite the site on Main Road. The site has existing vehicular access to both Nottingham Road and Main Road.

The site is located within the Ravenshead Village envelope and Ravenshead Special Character Area as indicated on the Proposals Map for the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Relevant Planning History

Planning application 89/1437 – Conditional Planning Permission was granted in October 1989 to ‘Extend workshop, demolish front wall and form car parking area.’

Planning application 92/0392 – Planning Permission was refused in May 1992 for ‘Proposed extension to existing car showroom building and erection of first floor office accommodation’ given the office accommodation was located outside an area of allocation for office uses; there would be inadequate space for the parking and manoeuvring of vehicles; and over intensification of development.

Planning permission 92/1391 – Conditional Planning Permission was granted in

March 1993 for 'Proposed extension to existing car showroom building and erection of first floor office accommodation'. This permission was never implemented.

Planning permission 2012/1449 – Conditional Planning Permission was granted in January 2013 for 'Proposed conversion and change of use of existing garden centre building into a restaurant with single storey side extension, and front glazed extension' at the adjoining site, No. 3 Nottingham Road.

Planning Permission 2013/0563 – Planning Permission was refused for the demolition of a car showroom and the erection of a convenience store (Use Class A1). The application was subsequently 'Allowed' at appeal and received conditional planning permission.

The Inspectors Decision included a condition to deal with offsite Highway works; Condition 3 of Appeal Decision APP/N3020/A/14/221883 states that:

Notwithstanding any details shown on plan numbers VN30200-200 Revision B and drawing numbers 13/W14215 200 revision B and 201 revision B, no development shall commence until details of a scheme of offsite highway safety improvements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following measures:

- i. Details of gateway signs on the southbound A60, to the north of the site, and eastbound B6020, to the west side, including the design of the gateway signs and their exact location;*
- ii. Details of the design, location, and extent of dragon's teeth markings on the carriageway adjacent to the gateway signs;*

2015/0228DOC – Conditions attached to 2013/0563 were partially discharged. Condition 3i) and ii) could not be formally discharged.

Proposed Development

Following the Inspectors Decision for the erection of the Convenience Store the applicant sought to discharge the planning conditions.

A letter was sent to the applicant's agent partially discharging conditions apart from condition 3i) and ii).

Condition 3 related to works to be approved on the public highway via a 278 agreement with the Highway Authority.

This application seeks to remove condition 3i) and ii) of planning approval 2013/0563 as these works were not deemed necessary to make a satisfactory development in consultation with the Highway Authority.

Consultations

Ravenshead Parish Council – The application is for the removal of conditions imposed by the Planning Inspectorate as part of the decision to Allow an Appeal against Gedling Borough Council.

Object on grounds that insufficient information has been provided. The Inspector imposed off site highway improvements that have not been undertaken. There is no explanation in the application of why parts 3i) and ii) are not required by Sainsbury's.

Nottinghamshire County Council (Highway Authority) –

This application seeks to remove condition 3i and ii. Under Section 278 of the Highways Act 1980 an Agreement is to be entered into with the Highway Authority to allow highway improvement works to be carried out in the existing highway.

Part of the process is to obtain Technical Approval of the submitted Drawings. It was considered by the Highway Authority that 3i) the gateway signs were not required and 3ii) the Dragons Teeth markings were not necessary for this scheme, therefore, the Highway Authority have no objections.

A gateway feature has to meet technical criteria for such an implication. This involves such things as existing speed limits, accident figures and the benefit of the introduction of such a feature, the gateway proposal and Dragons Teeth do not meet the requirements.

The Highway Authority also consider there to be future maintenance implications and that the requirement of the condition would lead to the introduction of further street furniture that is not required.

Neighbouring Properties were notified and a Site Notice posted and 2 letters of representation were received as a result. The comments can be outlined as follows: -

- ☐ Various improvements to the proposed off site Highway Works have been put forward including: improved lighting, banks man, and improved signage;
- ☐ The application site will make the original application twice the size;
- ☐ Widening and easing the access and egress for vehicles on Nottingham will pose a greater danger to pedestrians;
- ☐ The application does not address the problems caused by inadequate car parking;
- ☐ The revisions still allow for a right turn from Nottingham Road directly into the site. This would have highway safety implications.

Planning Considerations

The main planning considerations in the determination of this application relate to whether there would be any increased undue highway safety implications as a result of omitting gateway signs and dragon's teeth from the offsite highway improvements.

I note that the principle of development has already been approved under Appeal APP/N3020/A/14/221883 and that the development has been completed in accordance with the approved plans. The only part of the development under consideration with this application is the variation to condition outlined above to omit the Dragon's Teeth and Gateway Signs. Following completion of the works the developer was required to enter into a section 278 agreement with the Highway

Authority for offsite highway improvements and receive technical approval.

I note that all the works to the Highway have been approved under a Section 278 agreement and the Highway Authority consider the works required under Condition 3 i) and ii) do not meet the technical criteria required for approval. The offsite highway works, now completed, have all received technical approval from the Highway Authority.

Whilst I am mindful that the Highway Authority objected to the development approved under appeal APP/N3020/A/14/221883 the Highway Authority now raise no objections to the proposal from a highway safety viewpoint.

I note the comments received from neighbouring residents relating to insufficient car parking, the size of the retail unit, the widening of the access, and the potential to right turn from Nottingham Road, however, the highways implications relating to these matters have already been considered and the application received planning permission under Appeal APP/N3020/A/14/221883.

I therefore consider that there would be no highway safety implications to removing Condition 3i) and ii) and recommend that the variation of condition is granted.

Recommendation:

Grant Planning Permission, subject to the following conditions:

Conditions

1. Notwithstanding any indication given in relation to the proposed off-site highway works, which shall be implemented in accordance with the terms of condition 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Wallbrook Management Plans 13/W14215: 200 revision B (site plan), 201 revision B (location plan), 204 (proposed ground floor plan), 205 (proposed first floor plan), 210 (proposed elevation A), 211 (proposed elevation B), 212 (proposed elevation C), 213 (proposed elevation D, 217 (proposed plant detail), 218 (proposed sections), and 219 (existing and proposed street scenes). Vectos Plan VN30200-200 revision B (general arrangement) and drawing number 1058-02 (soft landscape proposals) prepared by Arthur Amos Associates, as amended by the details submitted with application 2015/0284NMA drawing no.'s: 2001 Rev D, 2002 Rev D, 2003 Rev B, 2004, 2005, 2006, 2007, 2008, 2010 Rev C, 2011 Rev C, 2012 Rev C, 2013 Rev C, 2014, 2015 Rev D, 2020 Rev C, 2021 Rev C, 2022 Rev C, 2025 Rev A and 2030 and the details submitted with applications: 2014/1368DOC and 2015/0228DOC.
2. The off-site highway works hereby approved shall be completed in accordance with the approved S278 Highway Improvement Plans received on 13 July 2015 drawing no's: VD14226-D001, VD14226-D002, VD14226-D003, VD14226-D004 and VD14226-D005.

3. The use hereby permitted shall not be open to customers outside the following hours: 0700hrs to 2300hrs.
4. The net sales floorspace of the convenience store (defined as the sales area within the building excluding checkouts, fitting rooms, lobbies, concessions, customer toilets and walkways behind the checkouts) shall not exceed 254 sq m, of which no less than 85% shall be used for the sale of convenience goods (defined as food and non-alcoholic beverages, tobacco, alcoholic beverages, newspapers and periodicals, and nondurable household goods) and no more than 15% may (be) used for the sale of comparison goods (defined as clothing materials & garments, shoes & other footwear, materials for maintenance & repair of dwellings, furniture & furnishings, carpets & other floor coverings, household textiles, major household appliances whether electric or not, small electric household appliances, tools & miscellaneous accessories, glassware, tableware & household utensils, medical goods & other pharmaceutical products, therapeutic appliances & equipment, bicycles, recording media, games, toys & hobbies, sport & camping equipment, musical instruments, gardens, plants & flowers, pets & related products, books & stationery, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches & clocks, other personal effects).
5. The external areas of the site shall be landscaped, in accordance with the details shown on plan number 1058-02, within the first planting season following the store being first brought into use. Thereafter, any trees, shrubs or plants that die or become seriously diseased within five years following the implementation of the landscaping scheme shall be replaced in the next available planting season with plants of a similar size and variety.

Reasons

1. For the avoidance of doubt.
2. For the avoidance of doubt
3. To protect the amenity of nearby residents and to ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
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. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the minor material amendment to amend the off-site highway works would not result in any significant undue highway safety implications.

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ACTION SHEET PLANNING DELEGATION PANEL 12th August 2016

2016/0027

4 Northcliffe Avenue Mapperley Nottinghamshire

Proposed Two Storey Side Extension and Single Storey Rear Extension.

Application withdrawn from agenda.

2016/0648

10 Wood Grove Calverton Nottinghamshire

To build a 3 bedroom house.

Application withdrawn from agenda.

2016/0716

87 Main Road Gedling Nottinghamshire

Residential development, three dwellings, adaptation of an existing dwelling and new private driveway.

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

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

Decision to be issued following completion of paperwork.

2016/0723

199 Mansfield Road Daybrook NG5 6GZ

2 x illuminated freestanding signs, 3 x illuminated fascia signs.

The proposed advertisements would have no undue impact on the amenity of adjacent properties or the wider area or on highway safety.

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

Decision to be issued.

2016/0749

257 Main Street Calverton Nottinghamshire

Single and two storey rear extension and front porch.

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

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

Decision to be issued.

Parish to be notified following issue of decision.

SS

2016/0741

33 Sandfield Road Arnold Nottinghamshire

Proposed One and a Half Storey Side Extension to Residential Dwelling

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

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

Decision to be issued.

2016/0759

18 Main Street Linby Nottinghamshire

Removal and replacement of windows.

The proposed development would preserve and enhance the appearance of these Grade II Listed cottages.

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

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

**N Morley, Principal Planning Officer
12th August 2016**

ACTION SHEET PLANNING DELEGATION PANEL 19th August 2016

2016/0736

25 Main Street Linby NG15 8AE

Change of Use of existing dwelling to two dwellings with car parking provisions, demolition of front elevation single storey flat roofed building and construction of a single storey rear extension.

Application withdrawn from the agenda

2016/0751

Site At Manor Cottage Wood Lane Gedling

Conversion and extension of incomplete double garage with first floor studio to provide three bedroom dwelling.

Application withdrawn from the agenda

2016/0746

Silverwood Newstead Abbey Park Nottingham Road Ravenshead

Proposed Garage and Annex extension At Silverwood, Newstead Abbey, Nottinghamshire.

The proposed development by virtue of its size would be contrary to national and local Green Belt policies and would set a precedent for further similar developments in the immediate locality.

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

Decision to be issued following completion of paperwork.

2016/0763

Hall Farm Main Street Linby

Construction of stable and hay barn and all weather horse exercise area

While the site is situated within the Green Belt, given the use of the proposed development, it is considered to be an exception, permitted by local and national planning policies. Furthermore, the proposed development, by reason of its design and appearance would have a low impact on the open character of the Green Belt.

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

Decision to be issued following completion of paperwork.

2016/0764
48 Northcliffe Avenue Mapperley NG3 6DA
Residential development - 2 no. family houses

Application withdrawn from the agenda

2016/0766
86 Sheepwalk Lane Ravenshead NG15 9FB
Proposed removal of existing roof and erection of 1st floor extension with new roof at new pitch. Proposed rear ground floor extension, detached garage and internal alterations.

Application withdrawn from the agenda

2016/0775
17 Main Street Papplewick NG15 8FD
Demolition of the existing rear single storey building forming the kitchen, conservatory and cks. Construction of a rear single storey extension forming kitchen, dining, utility and en-suite. Removal of a ground floor wall.
Addition of a first floor bathroom.

The objection raised by Historic England is noted, however on balance, the proposed extension, as amended, would not have a harmful impact on the character of the listed building given the presence of similar sized extensions erected at adjacent properties.

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

Decision to be issued following completion of paperwork.

2016/0780
33 Yew Tree Lane Gedling Nottinghamshire
2 storey rear extension and alterations, porch to front elevation

The proposed development would have an overbearing impact on adjacent properties and lead to additional overlooking.

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

Decision to be issued following completion of paperwork.

2016/0810
8 Lambley Avenue Mapperley Nottinghamshire

Two storey rear extension.

The proposal is subservient to the existing dwelling and would not have an adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent residential properties.

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

Decision to be issued following completion of paperwork.

**Mike Avery, Planning Delivery Manager
19th August 2016**

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ACTION SHEET PLANNING DELEGATION PANEL 26th August 2016

2016/0101

West Lodge Station Avenue Newstead

Retrospective permission for demolition and rebuilding of former outbuilding and garden features including crushed stone driveway, oil tank, external heating boiler, pond and sunken hot tub.

The proposed development, as amended, would have no undue impact on the setting of the Grade II Listed Building, the Grade II Registered Park & Grade I Listed & Scheduled building or the openness of the Green Belt.

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

Decision to be issued following completion of paperwork.

Applicant to be notified to remove unauthorised works within a specified period or formal enforcement action will be instigated.

EC/CJ

Parish to be notified following issue of decision.

SS

2016/0185

West Lodge Station Avenue Newstead

Retrospective consent to demolish and rebuild the former outbuilding plus new roof together with the erection of wooden fence and gateway to drive and side access and erection of refurbished original metal gateway to driveway.

The proposed development, as amended, would have no undue impact on the setting of the Grade II Listed Building, the Grade II Registered Park & Grade I Listed & Scheduled building or the openness of the Green Belt.

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

Decision to be issued following completion of paperwork.

Applicant to be notified to remove unauthorised works within a specified period or formal enforcement action will be instigated.

EC/CJ

Parish to be notified following issue of decision.

SS

2016/0420

2 Victoria Street Gedling NG4 3JE

Two Storey Annex

The proposed development would have no undue impact on the residential amenity of adjacent properties or on the character & appearance of the property.

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

Decision to be issued following completion of paperwork.

2016/0698

Proposed 32 And 34 Norman Road Carlton

To demolish existing builders workshop. Erect 1 pair of semi detached 2 1/2 storey houses.

The proposed development would be over-intensive for the site & would have a detrimental appearance on the character of the area.

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

Decision to be issued following completion of paperwork.

2016/0778

214 Oakdale Road Carlton Nottinghamshire

Single storey side extension with flat roof

The proposed development would have no undue impact on the residential amenity of adjacent properties or on the character & appearance of the property.

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

Decision to be issued following completion of paperwork.

2016/0781

388 Gedling Road Woodthorpe NG5 6PD

Retrospective change of use from residential to offices and treatment room associated with ground floor D1 use and change of use of landscaped area to car parking

Application withdrawn from agenda.

**Nick Morley,
26th August 2016**

ACTION SHEET PLANNING DELEGATION PANEL 2nd September 2016

2015/1395

121 Main Street Woodborough Nottinghamshire

Proposed double garage and new access drive.

The proposed development would not have a harmful impact on the character and appearance of the conservation area.

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

Decision to be issued following completion of paperwork.

2016/0789

Land Adjacent The Vicarage 12 Lingwood Lane Woodborough

Outline planning application with all matters reserved for a proposed dwelling.

The development of the site with 1No. dwelling would be in keeping with the character of the area, subject to satisfactory details in respect of scale and appearance.

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

Decision to be issued following completion of paperwork.

2016/0806

Land At Rear Of 26 Baker Avenue Arnold

Construct 4 bedroom detached chalet bungalow with rooms in basement.

The proposal would result in an over-development of the site due to the scale and massing of the dwelling. The proposal would also result in unacceptable levels of over-looking onto adjacent properties.

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

Decision to be issued following completion of paperwork.

2016/0827

90 Sheepwalk Lane Ravenshead Nottinghamshire

Proposed front extension & removal of existing roof and proposed new steeper roof with bedrooms to the new roof space.
Change of access to private drive.

Withdrawn from the agenda

Mike Avery
Planning Delivery Manager
2nd September 2016



Report to Planning Committee

Subject: Future Planning Applications

Date: 21 September 2016

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

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

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2014/0273	Land at corner Longdale Lane & Kighill Lane, Ravenshead	Site for residential development	19/10/16
2015/1009	Bestwood Lodge Hotel, Bestwood	Granite memorial to 9th Duke of St Albans	19/10/16
2016/0306	Glebe Farm, Glebe Drive, Burton Joyce	Outline application for up to 45 new residential dwellings	19/10/16
2016/0414	Adjacent 64 Byron Street, Daybrook	Erection of 21 residential apartments	23/11/16
2014/1343	Westhouse Farm, Moor Road, Bestwood Village	New single storey primary school	19/10/16

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

Recommendation:

To note the information.