



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

# Agenda

## Planning Committee

Date: **Wednesday 19 April 2017**

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Time: **6.00 pm**

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

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For any further information please contact:

**Lyndsey Parnell**

Senior Democratic Services Officer

0115 901 3910

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# 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

## **AGENDA**

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1. **Apologies for Absence and Substitutions.**
2. **To approve, as a correct record, the minutes of the meeting held on 22 February 2017.** 5 - 30
- Planning Committee Protocol.**
3. **Declaration of Interests**
4. **Application No. 2016/0875- Earl Of Chesterfield, 37 Carlton Hill, Carlton, Nottinghamshire.** 35 - 62
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## MINUTES PLANNING COMMITTEE

Wednesday 22 February 2017

Councillor John Truscott (Chair)

In Attendance:

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

Officers in Attendance: M Avery, D Gray, S Oleksiw, L Parnell and F Whyley

### **24 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

None received.

### **25 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 25 JANUARY 2017.**

#### **RESOLVED:**

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

### **26 DECLARATION OF INTERESTS**

The Chair declared a non-pecuniary interest, on behalf of all Councillors, in application no. 2016/1062 as Gedling Borough Council is the owner of the site and applicant.

### **27 APPLICATION NO. 2016/0306- LAND AT GLEBE FARM, GLEBE DRIVE, BURTON JOYCE, NOTTINGHAMSHIRE.**

Revised Plans, Revised Red Line Plan and Revised Description: Outline Application with All Matters Reserved (except access) for up to 14 New Residential Dwellings with the demolition of existing structures and retention of the existing farm house and outbuildings; provision of access to the site, associated infrastructure works.

Mr Johnson, the applicant, spoke in favour of the application.

The Service Manager, Development Services, introduced the application informing Members that, contrary to the report, the application was subject to referral to the Secretary of State. The Service Manager also introduced an additional condition requiring the provision of five public car parking spaces within the application site.

**RESOLVED that the Borough Council GRANT OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority, with the County Council education authority for the provision of, or financial contributions towards, Educational Facilities, Healthcare and Public Open Space and subject to the Borough Council receiving notification that the Secretary of State does not wish to call in the application and the following amended conditions:**

### **Conditions**

1. The First application for the Approval of the Reserved Matters shall be made to the Borough Council not later than three years from the date of this permission. Details of Appearance, Landscaping, Layout and Scale (hereinafter called the Reserved Matters) for the development shall be submitted to and approved in writing by the Borough Council before any development begins and the development shall be carried out as approved.
2. The development hereby permitted shall commence no later than two years from the date of approval of the last Reserved Matters to be approved.
3. The submission of all reserved matters and the implementation of the development shall be carried out in substantial accordance with the plans and documents received on the 7th March 2016: - Application Forms; Planning Statement; Landscape and Visual Appraisal; Highways Report (ADC Infrastructure); Ecological Reports; Flood Risk Assessment; Archaeological Assessment; and Contaminated Land: Phase 1 Desk Top Study. The Revised Illustrative Masterplan Rev B (October 2016); Site Location Plan (November 2016); Revised Design and Access Statement (November 2016); and the email received on 2nd February 2016 (Termination of Farm Traffic from Glebe Drive).
4. The formal written approval of the Local Planning Authority is required prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage. All details submitted to the LPA for approval shall comply with the County Council's current Highway Design and Parking Guides (The 6'cs Design Guide) and shall be implemented as approved.

5. Prior to the commencement of development precise details of the works to the carriageway on Glebe Drive required for technical approval by the Highway Authority are to be submitted to and approved in writing by the Local Planning Authority. The precise details are to be in line with the indicative details on drawing ADC1354/001B. Once approved, no part of the development hereby permitted shall be brought into use until works to increase the footway and carriageway widths (as shown for indicative purposes only on drawing ADC1354/001B) have been completed to the satisfaction of the Local Planning Authority.
6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
7. Prior to the commencement of development hereby approved there shall be submitted to and approved in writing by the Borough Council a site level survey plan for the development showing existing and proposed site levels. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced on site there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

10. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.
11. No development shall commence on site until a detailed survey of Protected Species and their habitats has been conducted and the report and conclusions and recommendations for mitigation measures, including protection measures to be put in place to prevent accidental ingress and damage, and including timings, has been submitted to and approved in writing by the Local Planning Authority. The report shall include: (1) Updated ecological surveys, in the event that 2 years has elapsed since the date of the original survey: (2) Details relating to the protection of retained vegetation, to included trees and hedgerows: (3) A working methodology to minimise impacts on common toad, a Section 41 species (i.e. national conservation priority) recorded on site during the reptile surveys: (4) A detailed landscaping plan, to provide details of planting mixes and establishment regimes and to ensure the use of locally-appropriate native tree and shrub species on the site boundaries: (5) Details of any water attenuation facility, to ensure that this is multifunctional and designed to maximise its biodiversity value: (6) A detailed lighting scheme, in the event that lighting is required, to be designed to minimise its impacts on nocturnal wildlife: (7) Other biodiversity enhancement measures, such the incorporation of integrated bird and bat boxes into the fabric of the new buildings, measures to provide bird and bat breeding boxes within the site area (8) Pre Start Badger Survey (9) A precautionary survey in relation to owls; in accordance with details to be agreed in writing with the Local Planning Authority. The report shall include measures for the prevention of light spillage to adjacent habitats from the development. The detailed layout and other plans submitted at the Reserved Matters stage shall incorporate all the measures identified including stand-offs and other similar measures to protect the habitat of Protected Species. The mitigation measures identified in the approved details shall be fully implemented in accordance with the approved timings at all times and in their entirety.
12. The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to appearance



shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Borough Council.

13. The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
14. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.
15. Unless otherwise agreed by the Borough Council, development must not commence until details relating to the following have been complied with: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Borough Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme shall be implemented in accordance with the approved details.

16. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works under condition 14 above. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Borough Council.
17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and once the Borough Council has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above and, where remediation is necessary, a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.
18. The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to layout shall include precise details of how the agricultural access from Woodside Road would be utilised for commercial / farm vehicles and the access to Glebe Drive terminated for commercial / farm vehicles. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Borough Council.
19. The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to layout shall include precise details of the additional 5 public car parking spaces to be provided for visitors to Glebe Drive within the application site adjacent to the existing farm access. The development shall be implemented in accordance with the approved details, and the car parking spaces shall be retained and left available for the parking of vehicles for the lifetime of the development.

### **Reasons**

1. To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990
2. To comply with the provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

3. To define the scope of this permission.
4. In the interest of Highway Safety.
5. In the interest of Highway Safety, to ensure adequate width is provided on Glebe Drive to accommodate the additional pedestrian and vehicle movements associated with the development.
6. In the interest of Highway Safety, to ensure construction works do not interfere with the safe operation of the Public Highway.
7. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
9. To ensure the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with the National Planning Policy Framework and Policy 1 of the Gedling Borough Aligned Core Strategy Submission Documents.
10. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
11. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
12. To ensure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
13. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
14. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords

with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

15. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
16. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
17. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
18. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
19. To ensure a satisfactory development and that the layout complies with the very special circumstances forwarded by the applicant to support the application, in accordance with Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

### **Notes to Applicant**

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of

the land fronting a private street on which a new building is to be erected. Prior to making any application of Building Regs approval. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact (name and telephone number of appropriate person) for detail

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

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to  $Q_{bar}$  for the entire site;- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;- include an exceedance check using microdrainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;- demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

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

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

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

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

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**APPLICATION NO. 2016/0989- 284 LONGDALE LANE,  
RAVENSHEAD, NOTTINGHAMSHIRE, NG15 9AH.**

The retention of the equestrian and residential access, the change of use of land from agricultural to equestrian and the erection of boundary treatment.

The Service Manager, Development Services, introduced the application informing Members that planning application no. 2016/0989, referred to within the report, had been approved and was not yet to be determined as stated.

**RESOLVED to GRANT CONDITIONAL PLANNING PERMISSION:**

**Conditions**

1. The development hereby approved shall be retained in accordance with the submitted Block Plan of Site, Application Forms, Planning Statement (ref: MJD/ROOD/16/1482) and Location Plan submitted to the Borough Council on 9th September 2016
2. The application site shall be used only for domestic equestrian purposes in connection with no.284 Longdale Lane as shown on the location plan received on 9th September 2016 and no livery/riding school, business, or commercial use is permitted unless otherwise agreed in writing by the Borough Council.

**Reasons**

1. For the avoidance of doubt.
2. This is to restrict the volume of traffic entering and leaving the site.

**Reasons for Decision**

In the opinion of the Borough Council, the proposed development is acceptable in terms of Green Belt policy and would have no adverse impact on the openness of the Green Belt. The proposal will have no undue impact on the amenity of neighbouring residential properties. The proposal therefore complies with Policies ENV1 and R11 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014) and advice contained within the NPPF (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. Negotiations have taken place before the submission of the application in connection to an ongoing enforcement investigation.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining

feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

The 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.

**29 APPLICATION NO. 2016/1011- 42 BANK HILL, WOODBOROUGH, NOTTINGHAMSHIRE, NG14 6EF**

Adaptation of an existing attached stable building into two levels of living accommodation with associated raised roof works and dormer windows, central ground floor infill structure to house, adaptation of existing garage to living accommodation with associated roof works, replacement dormer windows, new hard landscaping works, and over cladding of the existing external walls.

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

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be undertaken in accordance with the details as set out within the application forms received on the 16th September 2016, the plans received on the 16th September 2016, drawing numbers P-03, P-04 and the additional plan received on the 3rd February 2017, drawing number P-04.
3. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council as Local Planning Authority.

**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 protection of the Green Belt, in accordance with the aims of policy ENV28 of the Replacement Local Plan (Certain Policies Saved 2014).

### **Notes to Applicant**

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

The 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 at [www.gedling.gov.uk](http://www.gedling.gov.uk). 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 gross internal area of new build is less 100 square metres

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.

**30 APPLICATION NO. 2016/1033- 2 SANDFORD ROAD, MAPPERLEY, NOTTINGHAMSHIRE, NG3 6AL.**

Demolition of Existing Dwellings at 2 and 2A Sandford Road and Erection of Building to Provide 10no. Dwellings with Associated Access, Parking and Rear Amenity Space. Renewal of Planning Permission Ref: 2010/0936.

The Service Manager, Development Services, introduced the application informing Members that plans mirror those submitted with the original application for planning permission, which had recently expired.

**RESOLVED to GRANT PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the County**

**Council for a contribution towards primary education and subject to the following conditions:**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted, other than the means of enclosure of the site and the details of new tree planting adjacent to the boundary with Porchester Road shown on the submitted plans, shall be constructed and implemented in accordance with the following approved plans and documents: Location Plan and Block Plans (0001 Rev A), Proposed Lower Ground Plan (0003 Rev D), Proposed Ground Plan (0004 Rev C), Proposed First Floor Plan (0005 Rev B), Proposed Second Floor Plan (0006 Rev A), Proposed South and East Elevations (0009 Rev C), Proposed Section 1-1 (0010 Rev C), Section BB (0011 Rev B) and Visibility Splay Plan (2000 Rev A), received on 26th September 2016; and Proposed West, North & South Rear Elevations (0008 Rev B), received on 5th January 2017.
3. Before development is commenced a sample of the materials to be used in the external elevations of the building, including to the exterior wall of the proposed vehicular access ramp, shall be submitted to and approved in writing by the Borough Council. Thereafter the development shall be carried out in accordance with approved materials, unless otherwise prior agreed in writing by the Borough Council.
4. Before development is commenced precise details of the materials to be used in the surfacing of external areas outside of the building, including anti-skid surfacing to the proposed ramp, shall be submitted to and approved in writing by the Borough Council. The development shall be constructed in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
5. The development hereby permitted shall not commence until drainage plans for the disposal of surface water (including to the proposed car park and vehicular access ramp) and the disposal of foul sewage from the site and buildings/structures have been submitted to and approved by the Borough Council. The development shall be constructed in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

6. Before development commences a method statement setting out measures to ensure the safe removal of the trees to the boundary with Porchester Road shall be submitted to and approved in writing by the Borough Council. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
7. Before development is commenced, and notwithstanding the details of enclosure shown on the approved plans, there shall be submitted to and approved by the Borough Council precise details of the means of enclosure to the site, including any works to the hedge to the boundary with 7 Hilton Road. The development shall be constructed in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing precise details of retaining structures adjacent to neighbouring boundaries; the position, type and planting size of all trees and shrubs proposed to be planted, including where appropriate details of existing trees to be felled and retained; a schedule indicating how the proposed soft landscaping is to be maintained, which should cover a minimum period of five years; and details of how any invasive plants (such as Japanese Knotweed) are to be removed from the site. 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, 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.
9. Before development commences precise details of internal and external lighting to the proposed car park and access ramp shall be submitted to and approved in writing by the Borough Council. The internal and external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
10. Before development is commenced, details of an access ramp with balustrade to facilitate pedestrian access onto Porchester Road shall be submitted to and approved in writing by the Borough Council. The development shall be constructed in accordance with the approved details, which shall be retained for

the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

11. Before development is commenced precise details of the proposed access gates, which shall be electronic and shall open into the site, together with details of CCTV to monitor access and egress, shall be submitted to and approved in writing by the Borough Council. The approved details shall be installed prior to the occupation of the first dwelling, and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a Preliminary Ecological Appraisal of the site, including any recommended mitigation measures. Any mitigation measures shall be implemented in accordance with the approved details.
13. The works to trees on the site shall take place outside the bat activity and bird nesting season (March to October inclusive), unless pre-commencement checks for bats and nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any bats or 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.
14. 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.
15. Before development commences precise details of salt and grit boxes to be provided as part of the development, and the proposed location of these features, shall be submitted to and approved in writing by the Borough Council. The salt and grit boxes shall be provided in accordance with the approved details prior to the first occupation of the development hereby approved and shall be retained thereafter in accordance with the approved details for the lifetime of the development.

16. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Labour Agreement to cover the construction of the development hereby permitted. The Local Labour Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
17. No part of the development hereby permitted shall be first occupied until details of a dropped vehicular footway crossing have been submitted to and approved in writing by the Borough Council. The dropped vehicular footway crossing shall be constructed in accordance with the approved details before the development hereby permitted is first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
18. No part of the development hereby permitted shall be first occupied until details of the proposed means of closure of the existing site access on Sandford Road and re-instatement of the access crossing as footway with full height kerbs have been submitted to and approved in writing by the Borough Council. The existing site access shall be permanently closed and the access crossing reinstated as footway in accordance with the approved details before the development hereby permitted is first occupied and shall be retained as approved for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
19. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4 metres by 43 metres in both directions, as shown on drawing no: 0004 Rev C, are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of any obstructions exceeding 600 millimetres in height for the lifetime of the development.
20. No part of the development hereby permitted shall be brought into use until the access to the car parking areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking or turning areas shall thereafter be maintained in such hard bound material for the lifetime of the development.
21. No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5 metres from the rear of the highway boundary, and never exceeding 1:12 thereafter, as shown on drawing no: 0004 Rev C.
22. No part of the development hereby permitted shall be brought into use until the motorcycle and cycle parking facilities, as indicated

on drawing no: 0003 Rev D, have been provided. The motorcycle and cycle parking facilities shall not thereafter be used for any purpose other than the parking of motorcycles and cycles.

23. No part of the development hereby permitted shall be brought into use until the car parking area has been surfaced and drained, and the individual parking spaces have been clearly marked out, as indicated on drawing no: 0003 Rev D. The spaces shall be kept available for unallocated parking in association with the development thereafter. The car parking area shall not thereafter be used for any purpose other than the parking of motorcycles and cycles.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to allow a proportionate approach to minor material amendments.
3. To ensure that the materials to be used in the external elevations of the proposed building are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To ensure that the means of surfacing of the development, and in particular the ramp (which should have a rough surface), are satisfactory and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure that the development is provided with a satisfactory means of drainage, and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with the aims of Section 10 of the National Planning Policy Framework, Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
6. In the interests of public safety and to ensure the structural stability of the adjoining highway is retained, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure a satisfactory means of enclosure of the site, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

8. 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).
9. In order to protect neighbouring amenity and 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 2014).
10. In order 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 2014).
11. In the interests of crime prevention and in order 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 2014).
12. 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).
13. 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).
14. In order to compensate for the loss of trees and shrubs to be removed and 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).
15. In the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
16. To 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).
17. 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).

18. In the interests of pedestrian and highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
19. In the interests of pedestrian and highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
20. To reduce the possibility of deleterious material being deposited on the public highway, in the interests of pedestrian and highway safety and in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
21. In the interests of pedestrian and highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
22. To promote a sustainable development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
23. To ensure in the interests of highway safety that there is adequate off-street parking provision to reduce the possibilities of the proposed development leading to on-street parking in the area, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

### **Notes to Applicant**

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

The proposal makes it necessary to construct a vehicular crossing and re-instatement of redundant 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 on 0300 500 80 80, in order to arrange for these works to be carried out.

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

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by 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.

**31 APPLICATION NO. 2016/1062- GEDLING COUNTRY PARK, SPRING LANE, GEDLING, NOTTINGHAMSHIRE.**

Variation of Condition 2 (2016/0788): 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, 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.

The Service Manager, Development Services, introduced the application.

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

**Conditions**

1. The development must be begun not later than three years beginning with the date of 15th August 2016.
2. The development hereby approved shall be completed strictly in accordance with the original plans 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) and the plans, details and application forms received on 29th September 2016: Job Number 3100 - document no's: 10 (Site Location Plan) Rev E; 11 (Block Plan) Rev E; 12 (Proposed Site Plan) Rev F; 13 (Site Sections) Rev D; 14 (Proposed Plans) Rev F; 15 (Proposed Elevations) Rev E; 16 (Proposed Views) Rev C; 1016 002 (Sheet Layout); 1016 003 (Landscape Soft Works West); 1016 004 (Landscape Soft Works East); and 1016 005 (Landscape Soft Works South).
3. The development hereby approved shall be completed strictly in accordance with the Landscape and Ecology Management Plan dated 19th September 2016 and drawing no's: 1016 002 (Sheet Layout); 1016 003 (Landscape Soft Works West); 1016 004 (Landscape Soft Works East); and 1016 005 (Landscape Soft Works South).
4. The development hereby approved shall be completed strictly in accordance with the details contained within the External M&E Services Plan prepared by ABSN, dated 29th July 2016, drawing no: NT0205-AG-DR-ME-4001.
5. The development hereby approved shall be completed strictly in accordance with the details contained within the Transport Statement prepared by Curtains: ref TPLE61348.
6. Condition deleted/removed.
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. The development hereby approved shall be completed strictly in accordance with the drainage plans received in relation to application reference 2016/1028DOC dated July 2016 drawing no: SK401 Rev P1-1.

### **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. Condition Removed.
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**

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.

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.

**32 PLANNING ENFORCEMENT REFERENCE 0029/2014- LAND AND BUILDINGS AT 8 SHORWELL ROAD, CARLTON, NG3 7HG.**

Material change of use of residential dwelling and garden to a mixed use of residential dwelling and garden and a sales business and the storage of items in connection with that business.

**RESOLVED:**

That the Service Manager, Development Services be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts in conjunction with the Director of Organisational Development & Democratic Services to ensure (a) the cessation of the unauthorised business use (b) the removal of the sheds and other associated structures and items not considered incidental or ancillary to the domestic use of the dwelling be removed from the land.

**33 PLANNING ENFORCEMENT REFERENCE 0010/2017- 1 CENTRAL AVENUE SOUTH, ARNOLD. NG5 6NG.**

Land detrimental to the amenity of the area.

The Service Manager, Development Services, introduced the report and provided Members with the following Officer recommendation which had been omitted from the report circulated:

“That the Service Manager, Development Services be authorised in conjunction with the Director of Organisational Development & Democratic Services to serve a Notice under s215 of the Town and Country Planning Act 1990 and any proceedings through the courts.”

**RESOLVED:**

That the Service Manager, Development Services be authorised in conjunction with the Director of Organisational Development & Democratic Services to serve a Notice under s215 of the Town and Country Planning Act 1990 and any proceedings through the courts.

**34 APPEAL DECISION 2013/0836- CORNWATER FIELDS, LONGDALE LANE, RAVENSHEAD.**

**Resolved:**

To note the information.

**35 APPEAL DECISION 2016/0534- 19 KIGHILL LANE, RAVENSHEAD.**

**Resolved:**

To note the information.

**36 PLANNING DELEGATION PANEL ACTION SHEETS**

**Resolved:**

To note the information.

**37 FUTURE PLANNING APPLICATIONS**

**Resolved:**

To note the information.

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

None.

The meeting finished at 7.55 pm

Signed by Chair:  
Date:

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## **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.

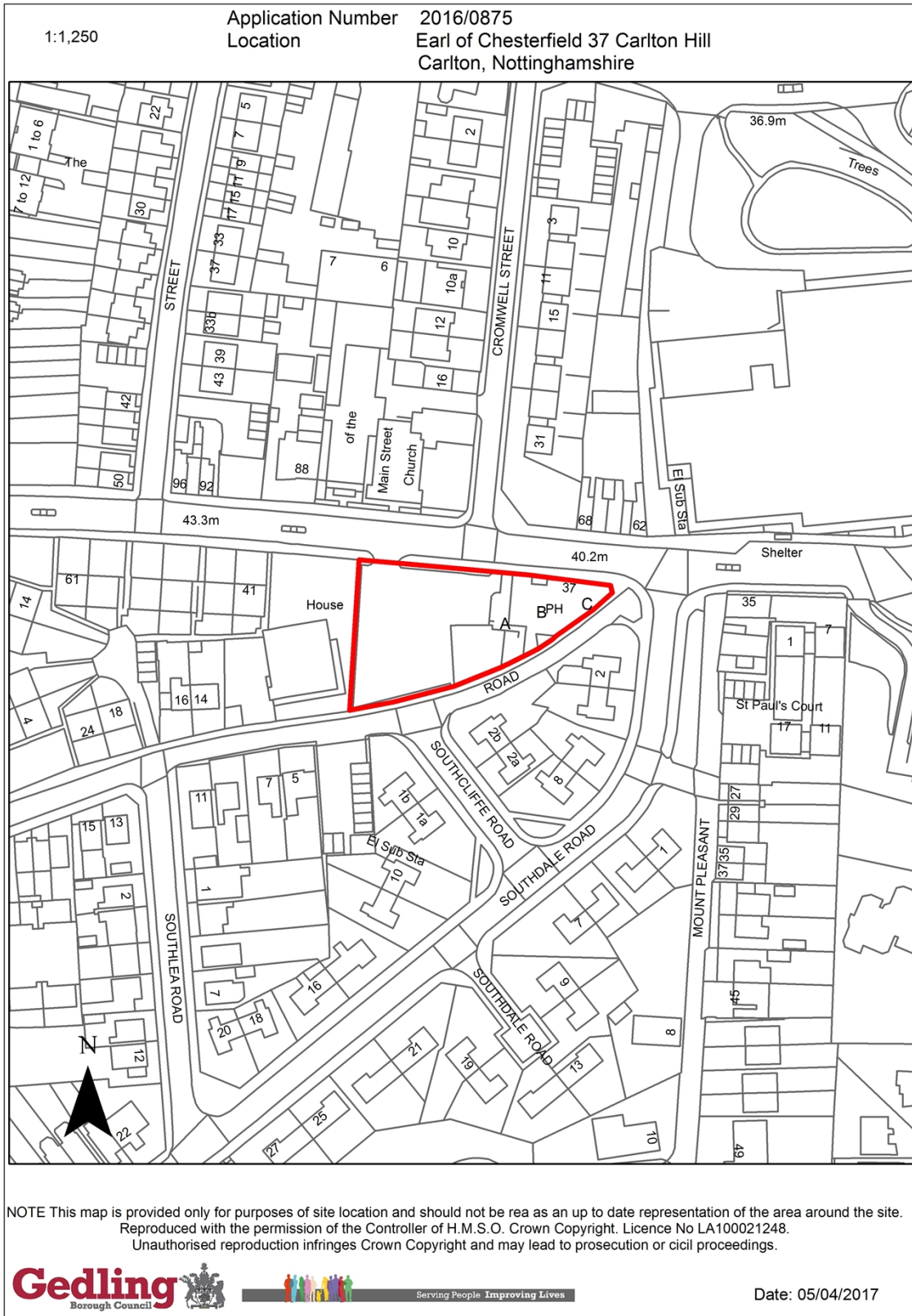
17. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee 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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**Report to Planning Committee**

<b>Application Number:</b>	2016/0875
<b>Location:</b>	Earl Of Chesterfield 37 Carlton Hill Carlton Nottinghamshire
<b>Proposal:</b>	Demolition of an existing pub building, replaced with a three storey mixed use building consisting of 3 x A1 (Shops) or A5 (Hot Food Takeaway) retail units and 14 x 2-bed flats
<b>Applicant:</b>	Mr Murphy
<b>Agent:</b>	Mr Robert Haynes
<b>Case Officer:</b>	Nick Morley

**Site Description**

The application site relates to the Earl of Chesterfield Public House, which has been closed for approximately 20 months and is situated on the corner of Carlton Hill and Southcliffe Road. The site is triangular in shape and has an area of 0.18 hectares. It falls gently in level from east to west and from south to north.

There is an existing car park to the rear of the premises, with vehicular access off Carlton Hill and a pedestrian access off Southcliffe Road.

To the north of the site on Carlton Hill are two churches and a small group of shops; whilst diagonally opposite to the north-east is the existing Tesco store, which is located within the Carlton Square District Shopping Centre. To the east, there is a commercial property at the junction of Southdale Road with Carlton Hill.

To the south and west of the site is a group of bungalows and flats, providing sheltered accommodation for the elderly. Directly to the west of the car park is Carlton House, a two storey property which, in addition to containing more flats, also serves as a community centre for the adjacent sheltered accommodation, which is operated by Gedling Homes. The bungalows on Southcliffe Road are situated at a higher level than the site.

The site contains a number of semi-mature trees along the Southcliffe Road boundary and a small group of conifers to the rear of the existing building.

**Proposed Development**

Full planning permission is sought for the demolition of the existing pub building and the erection of a three storey, mixed use, building consisting of 3 retail units and 14

two bedroom flats.

The proposed development would primarily front onto Carlton Hill, returning around the corner at the junction with Carlton Hill and Southdale Road.

The proposed development would be three storeys in height, with a flat roof having a height ranging between 10.5 metres to 11.5 metres.

The three ground floor retail units would be for either Class A1 (Shops) or Class A5 (Hot Food Takeaways). Unit 1 would have a floor area of 370 square metres (4,000 square feet) and Units 2 and 3 would each have a floor area of 93 square metres (1,000 square feet).

Parking facilities and services would be located behind the main frontage and towards Southcliffe Road. 14 public parking spaces are proposed to serve the retail units, which would be accessed from the existing vehicular entrance point on Carlton Hill. 14 private parking spaces are proposed for the residential tenants, with a separate shared surface parking area, in buff concrete paviors, to the back of the proposed retail units. Service yards for the retail units and a refuse store would be sited alongside Southcliffe Road. There are no new proposed points of vehicular access, although pedestrian access and refuse collection would be retained from Southcliffe Road.

Public access to retail Unit 1 would be from within the site, via the retail car park, and retail Units 2 and 3 would be accessed from Carlton Hill. Access to the proposed flats would be from the rear of the building.

The proposed building would be clad in a mid-tone, mixed blend brick, with areas of contrasting dark weatherboard cladding. Close-boarded timber fencing would be used at the boundary along Southcliffe Road.

The Design and Access Statement states, inter alia, that:

- The existing building would not readily suit conversion to a new use and there has been little interest in re-opening it as a public house.
- The site has been vacant for over 12 months, detracts from the area, as well as potentially attracting anti-social behaviour and fly-tipping.
- Access to public transport is good, with a bus stop directly outside the site, and Carlton Square is less than a five minute walk away.
- The sites excellent transport links and central location within Carlton make it ideal for both retail and residential uses.
- The scheme has been designed to enliven the Carlton Hill street scene, whilst providing sufficient facilities for shoppers and residents, and to perform a landmark role.
- The proposed retail car park would be surfaced in black tarmac with concrete kerbs and blue concrete paviors to the pavements.

- The residents' car park is proposed to be a shared surface and would be finished in buff concrete paviors.
- External parking areas and residential access points would be lit at night to ensure safe levels of illumination.

The following revised drawings and additional documents have been submitted for consideration during processing of the application:

- Revised Site Plan, Floor Plans and Roof Plan, and Elevations drawings.
- Materials and Context Statement.
- Drainage Strategy Report.
- Addendum to Sequential Test.

### **Consultations**

Local Residents - have been notified by letter, site notices have been posted and the application has been publicised in the local press.

I have received 7 letters and emails from local residents, in respect of the application as originally submitted, the contents of which can be summarised as follows:

- It is sensible to make good use of an unsightly plot, but shops are not viable or needed in this location, so the development should be wholly for residential use, particularly social housing.
- The proposed development is inappropriate for this small site and show a disregard for the surrounding bungalows and two storey apartments, which are in close proximity. A three storey development onto the pavement of Carlton Hill is not in keeping with surrounding properties.
- The scale of the proposed new building is intrusive to the existing properties and an over-intensive use of the land.
- The modern design of the proposed building is at odds with existing properties and would look alien and out of keeping at the junction of Carlton Hill and Southdale Road.
- The access to the loading area to the rear of the proposed shops is very limited, with not enough space given over for vehicular access. Residents parking would prevent access to the service area.
- There appears to be vehicular access to the site from Southcliffe Road to the rear of the proposed development. This road is narrow with a tight cul-de-sac turning area.
- The proposed development would generate additional traffic and a shortage of parking spaces in the development would increase traffic and parking problems on Southcliffe Road.
- Car parking on Southcliffe Road and around the area causes access problems, blocks pathways and makes it difficult to cross the road, particularly when parents

are transporting their children to and from school.

- The proposed development would increase traffic in the area, and increase the number of speeding vehicles, which is of concern for people in the area with mobility difficulties.
- Construction and delivery traffic is likely to park on this narrow part of Southcliffe Road, causing difficulties for local residents and restricting vehicles visiting existing properties.
- A proposed fence on the perimeter would close off the walkway through the existing public house car park, which has been in existence for 20-30 years. This would affect the safety of many elderly residents who use this access.
- The proposed nature of the business units, including takeaway food outlets, is likely to create noise and disturbance into the night, and raise issues about security.
- The bin area appears to be insufficient for all the proposed properties, with the increasing use of recycling for waste. This gives rise to concerns about noise, litter and smell and that inappropriate use would lead to safety issues for those with reduced mobility.
- It is disappointing to see proposals to develop the site with no regard to surrounding properties or the demographics of its near neighbours. A development of bungalows would be more sympathetic and in keeping with the area.
- The proposed development would detract from the quality of life of elderly local residents.

### *Revised Drawings & Additional Documents*

In response to re-consultation on the revised drawings and additional documents, I have received one further email, which re-iterates previous comments above and which makes the following additional comments:

- The Computer Generated Image (CGI) appears to be out of scale with the stone walls of the bungalows.
- The existing bungalows to the rear of the proposed development would lose light, be overshadowed and overlooked.
- The immediate area around the Earl of Chesterfield public house is made up of old peoples bungalows and flats, with space around them. There are no three storey buildings built directly on to the pavement in this area. Two blocks of flats further up Carlton Hill are set back from the pavement to reduce the impact of their height and none are in the vicinity of single storey dwellings. The majority of buildings in this area are two storeys high and constructed of traditional materials.
- The proposed use of grey weatherboard cladding is extensive and the CGI of the proposed development shows it to be ugly with a lack of design flair. The

proposed development is unattractive and does not enhance the area. New build can enhance an area and look attractive, by using materials more suitable to the surroundings and in keeping with existing buildings. The weatherboard houses shown in the submitted photographs are not in close proximity to the site and some images highlight poor planning decisions of the past, which do not enhance the area around Carlton Square.

- Traffic is already congested in the area, with vehicles queuing to exit Southdale Road on to Carlton Hill several times a day.

Carlton House Community Centre Club – makes the following comments:

1. The height of the proposed building would have an imposing impact on nearby neighbours.
2. It is doubtful if further commercial units are needed in this area, so the development should be wholly for residential use.
3. It appears on the submitted plans that the pedestrian route from Southcliffe Road to Carlton Hill is to be removed and access would only be from a busy road and/or steep steps to reach the bus stop. This has been used for 25-30 years by the public in agreement with the landlord of the time. There are many elderly residents from Southdale and Southcliffe Roads which use that route due to their mobility and sight problems, which would endanger their passage to the bus stop in question. This has been drawn to the attention of the County Council's Rights of Way section.
4. Parking would be a major problem on Southcliffe Road in particular, as it serves the local school, therefore early mornings and mid-afternoons there is already congestion on Southcliffe Road and surrounding roads. On the short section of road at the lower end of Southcliffe Road, if anyone has parked a vehicle, no other vehicle of any size would have access, thereby large vehicles serving the proposed development would be causing further congestion in the area and a risk to public safety.

Nottinghamshire County Council (Highway Authority) – notes the revised plans, showing refuse collection points and delivery bays from Southcliffe Road.

The existing access point would be utilised to serve the retail units and parking areas for the retail units and apartments.

The Highway Authority would have no further concerns to the submitted proposal, subject to the imposition of conditions regarding the surfacing of parking, turning and servicing areas, and these being constructed to prevent the discharge of surface water onto the public highway.

Nottinghamshire County Council (Education & Libraries) – A development of 14 dwellings would yield an additional 3 primary places and 2 secondary places.

The County Council would therefore wish to seek an education contribution of



£34,365 to provide primary provision and £34,520 to provide secondary provision to accommodate the additional pupils projected to arise from the proposed development.

In terms of libraries, contributions are only requested on schemes for 50 dwellings or more. As this application is below this threshold, the County Council would not be seeking a contribution for libraries provision.

Environment Agency – no comments, but the Borough Council may wish to consult the Lead Local Flood Authority regarding surface water disposal.

Nottinghamshire County Council (Lead Local Flood Authority) – whilst the site itself is not affected by fluvial flooding, it is in an area affected by fluvial flooding. Further details have been requested to show how surface water is to be managed to prevent flood risk.

Following submission of the Drainage Strategy Report, the LLFA has confirmed that it has no objections to the proposed development.

Nottinghamshire County Council (Forestry Officer) – agrees that the trees currently present are of low visual amenity. The four most prominent trees are mature Swedish whitebeams and two of them are now in decline.

The proposed replacement planting and soft landscaping within the parking areas is relatively insignificant and does not specify trees or shrubs to further enhance the current site.

Nottinghamshire Wildlife Trust (NWT) – notes that the proposed demolition of an older building with a pitched slate roof would impact on bats, should they be using the building.

Good Practice Guidelines for Ecologists recommends that the demolition of certain buildings should trigger a requirement to carry out a bat survey, as all bat species are statutorily protected.

Given the age and type of this building, the NWT recommends that in order to ensure that all material considerations have been addressed the Borough Council requests that a Preliminary Roost Assessment (bat survey) is carried out before the application is determined.

The NWT draws attention to Government guidance in 2005, which states that planning conditions should only be used to secure ecological surveys in exceptional circumstances.

## Public Protection

### *Land Contamination*

Whilst former public houses are not particularly high risk, from the point of view of potential to contaminate the ground, the site has been dormant for some time now and there is potential for issues, particularly around the car parking area.

It is recommended, therefore, that a standard condition be attached to any permission with regard to unexpected contamination.

### *Air Quality*

Whilst the proposed development is unlikely to impinge on the Air Quality Management Area, Public Protection would ask that the applicant is mindful of Section 124 of the NPPF; in particular sustaining ‘...compliance with and contribute towards EU limit values...’. Public Protection would recommend an informative is placed on the decision notice to encourage the applicant to consider mitigation in the form of electric vehicle charging infrastructure.

### *Noise*

Due to the close proximity to Carlton Hill, Public Protection is concerned about noise from traffic on the future occupiers and particularly when using bedrooms to sleep at night. It is recommended that pre-commencement conditions be attached to any permission requiring the submission, approval, implementation and verification of environmental noise assessment and sound insulation schemes. Details of the scope of these and informatives have also been provided.

## **Planning Considerations**

In addition to the over-arching planning policy and sustainable development considerations, the main planning considerations in relation to this application are its impact on Carlton Square and Carlton Hill District Shopping Centres; the provision of community facilities; the impact of the proposed development on residential amenity and highway safety; and the design of the proposed development.

The proposal also raises other planning issues in relation to ecological considerations.

These planning considerations are assessed below, as are other issues raised.

## **Relevant Policies & Background Information**

### *National Planning Policies*

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development. With regard to delivering sustainable development, the following core planning principles of the NPPF are most relevant to this planning application:

- NPPF Section 2: Ensuring the vitality of town centres (paragraphs 23-27)
- NPPF Section 4: Promoting Sustainable Transport (paragraphs 29-41)
- NPPF Section 6: Delivering a wide choice of high quality homes (paragraphs 47-55)
- NPPF Section 7: Requiring good design (paragraphs 56-68)
- NPPF Section 8: Promoting Healthy Communities (paragraphs 69-78)
- NPPF Section 10: Meeting the challenge of climate change, flooding and coastal

change (paragraphs 100-104)

- NPPF Section 11: Conserving & enhancing the natural environment (paragraphs 109-125)

With regard to plan-making and decision-taking, the following sections of the NPPF are most relevant to this planning application:

- NPPF: Ensuring viability and deliverability (paragraphs 173-177)
- NPPF: Planning conditions and obligations (paragraphs 203–206)

In March 2014, National Planning Practice Guidance (NPPG) was published. This provides guidance on how to apply policy contained within the NPPF.

### *Local Planning Policies*

Gedling Borough Council, at its meeting on 10th September, adopted the Aligned Core Strategy (ACS) for Gedling Borough (September 2014), which is now part of the development plan for the area.

It is considered that the following policies of the ACS are most relevant to this planning application:

- ACS Policy 1: Climate Change
- ACS Policy 2: The Spatial Strategy
- ACS Policy 6: Role of Town and Local Centres
- ACS Policy 10: Design and Enhancing Local Identity
- ACS Policy 12: Local Services & Healthy Lifestyles
- ACS Policy 14: Managing Travel Demand
- ACS Policy 17: Biodiversity
- ACS Policy 18: Infrastructure
- ACS Policy 19: Developer Contributions

The Gedling Borough Replacement Local Plan (RLP) should now be referred to as the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014). The following policies of the RLP are most relevant to this proposal:

- RLP Policy ENV1: Development Criteria
- RLP Policy H7: Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes
- RLP Policy T10: Highway Design and Parking Guidelines
- RLP Policy C1: Community Services General Principles
- RLP Policy C4: Loss of Community Facilities

Additionally, the Parking Provision for Residential Developments SPD (2012) and the 6C's Design Guide, which deals with highways and transportation infrastructure for new developments, are relevant.

Most recently, the Local Planning Document Publication Draft (LPD) has been in preparation, published and subject to examination.

Paragraph 216 of the NPPF sets out that from the day of publication, weight may be given to relevant policies in emerging plans depending on how advanced the Plan is and whether there are extant objections. At the present time, it is considered that the following LPD policies are relevant and may be given moderate or limited weight, depending on whether or not there are unresolved objections:

- LPD 32: Amenity (moderate weight)
- LPD 35: Safe, Accessible and Inclusive Development (limited weight)
- LPD 39: Housing Development on Unallocated sites (moderate weight)
- LPD 48: Retail Hierarchy and Town Centre Boundaries (moderate weight)
- LPD 51: Impact Assessment Threshold (moderate weight)
- LPD 54: Fast Food Takeaways (limited weight)
- LPD 56: Protection of Community Facilities (moderate weight)

### Sustainability Considerations

The most relevant policies for this site that need to be considered in relation to sustainability are set out in Sections 4 and 10 of the NPPF, Policies 1, 2 and 14 of the ACS, Policy H7 of the RLP and Policy 39 of the LPD. Whilst Policy 35 of the LPD is also relevant, only limited weight should be given to this, as there are unresolved objections.

Section 4 of the NPPF states at paragraph 32 that plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up and whether safe and suitable access to the site can be achieved for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Section 4 of the NPPF also requires at paragraph 34 that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 35 of the NPPF then states that developments should be located, where practical, to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities and should consider the needs of people with disabilities by all modes of transport.

Section 10 of the NPPF steers new development to areas with the lowest probability of flooding.

Policy 1 of the ACS states that all development proposals will be expected to deliver high levels of sustainability in order to mitigate against and adapt to climate change, and to contribute to national and local targets on reducing carbon emissions and energy use.

Policy 2 of the ACS seeks to provide most development in or adjoining the main built up area.

Policy 14 of the ACS states that the need to travel, especially by private car, will be reduced by securing new developments of appropriate scale in the most accessible locations.

Policy H7 of the RLP sets the approach for dealing with residential development within the urban area and states that planning permission should be granted, subject to a number of specific criteria, which are assessed in detail under the Design Considerations.

Policy 35 of the LPD states, amongst other things, that proposals should provide spaces that provide direct, clear, safe and attractive links to existing routes, local and wider services, amenities and facilities, including public transport.

Policy 39 of the LPD states, amongst other things, that planning permission will be granted for residential development on unallocated sites that are not within the Green Belt, provided that:

1. The proposal is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials; and
2. The proposal would not result in the loss of buildings or other features including open space which makes an important contribution to the appearance of the area; and
3. The proposal would not cause a significant adverse impact on the amenity of nearby residents and occupiers; and
4. Appropriate provision for parking is made.

#### *Principle of Development*

Policy 2 of the ACS promotes a strategy of urban concentration with regeneration and seeks to provide most development in or adjoining the main built up area and that Policy 39 of the LPD supports residential development on unallocated sites in the urban area. The supporting criteria for Policy 39 are considered in detail in the design, residential amenity and highway considerations below.

I note that this is a previously developed public house site, which is located within the urban area and on the edge of the Carlton Square District Centre.

As such, I am satisfied that the proposed development accords with the aims of Policy 2 of the ACS, Policy H7 of the RLP and Policies 35 and 39 of the LPD.

#### *Sustainable Design*

The Design and Access Statement indicates that the proposed flats would be constructed with high levels of acoustic separation in the party walls and would be highly thermally insulated to minimise energy losses.

Steps would be taken to ensure that the proposed retail units function with minimal disruption to the residential flats above. Ventilation extracts would be concealed within the building envelope and exhaust away from openings.

### *Transport & Accessibility*

I note that the Highway Authority has no objection to the proposals on highways grounds, with the existing access point on Carlton Hill being utilised to serve the retail units and parking areas and refuse collection points and delivery bays being accessed from Southcliffe Road.

There is a bus stop directly outside the site on Carlton Hill, and on either side of the road outside the nearby Tesco store, with regular services linking the site to and from Nottingham city centre.

Carlton Square District Centre is less than a five minute walk away and Carlton railway station is just over a ten minute walk away.

There is adequate space within the site to provide a reasonable level of parking provision, enabling staff, customers and residents (including those requiring accessible spaces) to park adjacent to the proposed building. Secure cycle parking can also be achieved by the imposition of an appropriate condition.

The proposed development would therefore provide good opportunities for the use of alternative modes of transport.

The Design and Access Statement states that all the retail units would be accessible in line with DDA standards, with level thresholds to all public entrances. Disabled parking bays would also be provided in both the retail and residential parking areas.

### *Flood Risk*

I note that the Lead Local Flood Authority has no objection to the proposed development, and that the site itself is at low probability of flood risk, falling within Flood Zone 1.

As such, I am satisfied that the proposed development accords with the aims of Section 10 of the NPPF.

### *Conclusion*

I am satisfied, therefore, that the proposed development can be considered to be sustainable in accordance with Sections 4 and 10 of the NPPF, Policies 1, 2 and 14 of the ACS, Policy H7 of the RLP and Policy 35 of the LPD.

### Retail & Community Facility Considerations

The most relevant policies that need to be considered in relation to retail planning policy and the provision of community facilities are set out in Section 2 and 8 of the NPPF, Policies 6 and 12 of the ACS, Policies C1 and C4 of the RLP and Policies 48, 51, 54 and 56 of the LPD.

Section 2 of the NPPF seeks to promote the vitality and viability of town centres and requires the sequential test to be applied to retail and main town centre uses, which favours in centre sites, followed by edge of centre sites and lastly out of centre sites. Paragraph 26 also requires that out of centre schemes submit an Impact Assessment if they are over 2,500 square metres or a locally set threshold.

Section 8 of the NPPF identifies at paragraph 70 that planning decisions should guard against the unnecessary loss of valued facilities, particularly where this would reduce the community's ability to meet its day to day needs. This requirement is repeated in policy C4 and LPD 56.

Policy 6 of the ACS adopts a similar approach to the NPPF, with proposals having to demonstrate compliance with the Sequential and Impact Tests.

Policy 12 of the ACS states, amongst other things, that new community facilities will be supported where they meet a local need. Community facilities should:

- a) be located within the City Centre, town centre or other centres, wherever appropriate; or
- b) be in locations accessible by a range of sustainable transport modes suitable to the scale and function of the facility; and
- c) where possible, be located alongside or shared with other local community facilities.

Policy C1 of the RLP states that planning permission will be granted for proposals to improve community services and facilities provided that:

- a) they are not detrimental to the amenity of adjoining and nearby property; and
- b) their location is within or near to local/district centres or easily accessible to local residents.

Policy C4 of the RLP repeats the requirement of paragraph 70 of the NPPF and sets out that planning permission will not be granted if the loss of a community facility, such as a public house, leads to an increase in car journeys.

Policy 48 of the LPD sets out the network and hierarchy of town centres to be promoted and re-designates Carlton Square as a Local Centre, due to the way in which it functions.

Policy 51 of the LPD set out that development proposals for Class A1 uses of 500 square metres or more, and not within a Town or Local Centre, should be supported by an Impact Assessment.

Policy 54 of the LPD sets out that planning permission will not be granted for new A5 uses within 400 metres of a secondary school. This site does not fall within 400 metres of a secondary school and Policy 54 of the LPD does not apply in this instance.

Policy 56 of the LPD repeats the requirement of paragraph 70 of the NPPF and sets out that planning permission will not be granted unless:

- a) alternative provision with sufficient capacity is reasonably accessible;
- b) alternative provision will be provided; or
- c) it is demonstrated that the community facility is no longer economically viable, feasible or practical.

The proposed development is located on the edge of Carlton Square District Centre, and a Sequential Test has been submitted, as required by Section 2 of the NPPF and Policy 6 of the ACS.

The Sequential Test indicates that whilst other sites are available in Carlton Square or Carlton Hill District Centres, including the former Windsor Castle public house and 330-332 Carlton Hill, or in the immediate vicinity, including 35 and 137 Carlton Hill these have been discounted as none would be suitable nor viable for the proposed development in terms of their size, accessibility or availability.

I am satisfied, therefore, that it has been demonstrated that there are no other sites or units within, or on the edge of, an existing town centre that are suitable, available or viable for the proposal. The proposed retail development therefore meets the Sequential Test required by the NPPF.

As the proposed retail units meet the Sequential Test, their potential viability is not a relevant consideration in this instance.

With regards to the need for an Impact Assessment, I note that the proposal includes a total of 557 square metres across three units. However, the application form indicates that one of the two smaller units proposed (93 square metres) would be occupied by a Class A5 use, meaning that only 464 square metres would be occupied by Class A1 uses. As this is below the locally identified threshold, an Impact Assessment is not required under Policy 51 of the LPD in this instance, although I would recommend the imposition of an appropriate condition on any permission to ensure that this remains the case.

This edge of centre location should also help encourage linked shopping trips to the adjoining Carlton Square District Centre and help sustain its vitality.

I note that Policy 48 of the LPD proposes to amend the boundary of the Carlton Square District Centre, meaning that the site is no longer immediately adjacent to this Centre. However, taking account of the distance to the closest primary frontage in Carlton Square (considered to be the pedestrian access to Tesco) and the location of crossing points across the road, it is considered that the site can be considered edge of centre.

With regard to community facilities, I note that although the proposed development would result in the loss of a disused public house, three new retail units would be provided. Whilst this would not result in a like for like replacement of community



facilities, there are other Class A4 drinking establishments in close proximity to the site. I am satisfied that these would be able to service the community's needs in this respect and would not lead to any significant increase in car journeys or undue impact on residential amenity, in accordance with Section 8 of the NPPF, Policies C1 and C4 of the RLP and Policy 56 of the LPD.

The site is also accessible by a range of sustainable transport modes, including public transport, cycling and walking, as required by Policy 12 of the ACS.

As this site does not fall within 400 metres of a secondary school, Policy 54 of the LPD does not apply in this instance.

As such, I consider that the proposal accords with the aims of Sections 2 and 8 of the NPPF, Policies 6 and 12 of the ACS, Policies C1 and C4 of the RLP and Policies 48, 51, 54 and 56 of the LPD.

### Design & Layout Considerations

The relevant planning policies which need to be considered in relation to the design of a proposed development of this scale are set out in Sections 6 and 7 of the NPPF, Policy 10 of the ACS and Policies ENV1, H7 and T10 of the RLP. The 6C's Design Guide and the Parking Provision for Residential Development SPD are also relevant.

Section 6 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that local planning authorities should plan for a mix of housing.

Section 7 of the NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; respond to local character and history; and are visually attractive as a result of good architecture and appropriate landscaping.

Policy 10 of the ACS requires all new development to be designed to a high standard and sets out in detail how this should be assessed. All new development should make a positive contribution to the public realm and sense of place and create an attractive, safe, inclusive and healthy environment. The most relevant design elements in this instance include the layout; density and mix; impact on the amenity of nearby residents and the incorporation of features to reduce opportunities for crime and anti-social behaviour.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it is of a high standard of design which has regard to the appearance of the area and does not adversely affect the area by reason of its scale, bulk, form, layout or materials. Policy ENV1 also states that development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles.

Policy H7 of the RLP sets the approach for dealing with residential development within the urban area. It states planning permission should be granted provided:

- a) It is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials;
- b) It would not result in the loss of buildings or other features, including open space, which make an important contribution to the appearance of the area; and
- c) It is not contrary to other policies in the Local Plan.

Policy T10 of the RLP states that in considering proposals for new development, reference will be made to the Highway Authority's design and parking guidelines.

The application site is within the main built up area of Carlton and would not result in the loss of buildings or features which make an important contribution to the appearance of the area.

In my opinion, the proposed scheme would enliven the street scene along Carlton Hill and allows for good accessibility to the retail units, whilst providing sufficient parking facilities for both shoppers and residents. The primary frontage runs along Carlton Hill and turns to address the prominent corner of the site at its junction with Southdale Road.

It would perform a landmark role when viewed from Carlton Square towards Carlton Hill and would present an active street frontage and the proposed use of mid-tone mixed blend brick with areas of contrasting dark weatherboard cladding would break up the massing of the building. In addition, the different roof heights create a graduated roofline which also adds more interest to the massing.

Whilst the proposed development has a contemporary design, with a flat roof, it is not out of character with other buildings in or adjacent to Carlton Square District Centre, such as the Tesco store diagonally opposite the site, the DBH Business Centre and the Walton Court flats.

As noted in the Materials and Context Statement, there are also a number of nearby developments which feature areas of cladding or render to contrast the red brick, similar to the proposed development. I note that the Highway Authority is satisfied with the proposed layout and that off-street parking provision would be provided in accordance with the Parking Provision for Residential Development SPD.

In my opinion, the proposed development would not represent over-intensive development of the site, as adequate provision has been made for access, parking, servicing and landscaping.

I am satisfied, therefore, that the proposed development has regard to the appearance of the area and would make a positive contribution to the public realm and create an attractive, safe, inclusive and healthy environment for both shoppers and residents, in accordance with Policy 10 of the ACS.

In my opinion, the proposed development is of a high standard of design, which has regard to the appearance of the area and does not adversely affect the area by

reason of its scale, bulk, form, layout or materials, in accordance with Policy ENV1 of the RLP.

It is considered, therefore, that the design of the proposed development would be in accordance with Sections 6 and 7 of the NPPF, Policy 10 of the ACS and Policies ENV1, H7 and T10 of the RLP and the 6C's Design Guide and the Parking Provision for Residential Development SPD.

### Residential Amenity Considerations

The relevant planning policies which need to be considered in relation to residential amenity are set out in Policy 10 of the ACS, Policy ENV1 of the RLP and Policy 32 of the LPD.

Policy 10 of the ACS states, amongst other things, that development will be assessed in terms of its treatment of the impact on the amenity of nearby residents and occupiers.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated. This is reflected more broadly in Policy 10 of the ACS.

Policy 32 of the LPD states, amongst other things, that planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures; including consideration of the following issues:

- Overshadowing;
- Overbearing;
- Overlooking;
- Noise;
- Level of activity on site;
- Traffic;
- Residential visual amenity;
- Other forms of pollution;
- Impact on amenity space; and
- Impact on renewable energy generation.

With regard to residential amenity, I note that there are existing bungalows on Southcliffe Road in relatively close proximity to the site. However, the orientation of these is such that the nearest bungalow is separated from the proposed development by a distance of some 10 metres at its closest point and is also sited at a higher level, which mitigates the impact of the scale and massing of the proposed development on these properties. In addition, the application site is located to the north of Southcliffe Road, with the proposed parking and servicing areas located to

the rear, adjacent to Southcliffe Road, which reduces any potential undue impacts further.

I am satisfied, therefore, that the layout and scale of the proposed development would not have any unduly detrimental impact on existing residential properties on Southcliffe Road, Carlton Hill or Cromwell Street in terms of overlooking, overshadowing or overbearing issues, nor by reason of the level of activities on the site or the level of traffic generated.

Whilst I appreciate the concerns of local residents with regard to increased traffic and parking problems on Southcliffe Road to the rear of the site, I note that the Highway Authority has no objections to the proposed parking and servicing arrangements for the retail units and flats. However, I do consider it would be appropriate to impose a condition on any permission requiring a Parking Management Plan, to ensure that the proposed parking areas for the flats remain available for use by the occupants.

With regard to noise, I consider it would be appropriate to impose a condition on any permission to safeguard occupants of the proposed flats, as recommended by Public Protection. Noise, or other nuisance, which may be generated by the proposed development can be controlled under other legislation.

I am also mindful that this is an existing Class A4 Drinking Establishment, which could be re-opened or re-developed for similar purposes. In my opinion, the proposed retail units are unlikely to generate more noise or other nuisance to local residents than the existing use.

The proposed development would have no impact on amenity space or renewable energy generation.

In my opinion, the proposed development would not have an unduly detrimental impact on the amenity of nearby residents in accordance with the aims of Policy 10 of the ACS, Policy ENV1 of the RLP and Policy 32 of the LPD.

### Highway Considerations

The relevant planning policies that need to be considered in relation to highway matters are set out in Policies ENV1 and T10 of the RLP and the Parking Provision for Residential Development SPD.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development if it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of the level of activities on the site or the level of traffic generated. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and that, in this regard, particular attention will be paid to the needs of disabled people, cyclists, pedestrians and people with young children.

Policy T10 of the RLP refers to highway design and parking guidelines and states, amongst other things, that developers will not be required to provide more parking spaces than they consider necessary unless failure to provide enough off-street parking would harm road safety or prejudice the flow and management of traffic on nearby streets.

Whilst I appreciate the comments made by local residents with regard to increased traffic and parking issues, I note that, subject to the imposition of appropriate conditions, the Highway Authority has no objections to the proposed development; with the existing access off Carlton Hill serving the retail units and parking areas for the retail units and flats, and refuse collection points and delivery bays from Southcliffe Road.

The revised layout plan confirms that there is no vehicular access to the site from Southcliffe Road, but there is scope to retain pedestrian access as part of the proposed means of enclosure.

The proposed parking provision for the proposed development meets the Borough Council's Parking Provision for Residential Developments SPD, in that it provides 1 allocated off-street parking space for each of the two bedroom and the requirement for a further 6 unallocated spaces can be accommodated either within the adjacent retail parking areas or on-street in the vicinity.

It is considered, therefore, that the proposed development would provide access, parking and turning arrangements in accordance with Policies ENV1 and T10 of the RLP and the Parking Provision for Residential Development SPD.

### Ecological Considerations

The relevant planning policies that need to be considered in relation to ecological matters are set out in Section 11 of the NPPF and Policy 17 of the ACS.

Section 11 of the NPPF advises, at paragraph 118, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including the encouragement of opportunities to incorporate biodiversity in and around developments. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Policy 17 of the ACS states that development on or affecting non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that there is an overriding need for the development and that adequate mitigation measures are put in place.

Whilst I note the recommendation of the Nottinghamshire Wildlife Trust that a Bat Survey be undertaken prior to the application being determined, I am satisfied that the imposition of an appropriate condition would be acceptable in this instance. In particular, I am mindful that waiting for the optimum time for such a survey (May to

September), would unnecessarily delay determination of what is otherwise a sustainable development.

I am satisfied, therefore, that the proposed development would protect existing areas of biodiversity interest and that the landscaping of the proposed development would provide new biodiversity features to mitigate those which would be lost.

As such, I consider that the proposed development would accord with the aims of Section 11 of the NPPF and Policy 17 of the ACS.

### Planning Obligations

The relevant planning policies which need to be considered in relation to S106 planning obligations for infrastructure and local services are set out in Policies 12, 18 and 19 of the ACS and paragraphs 173-177 and 203-205 of NPPF in relation to plan-making and decision-taking.

Policy 12 of the ACS states that where appropriate, contributions will be sought to improve existing community facilities provision, where the scale of residential development does not merit developers providing community facilities provision directly.

Policy 18 of the ACS requires new development to be supported by the required infrastructure (including any necessary community facilities) and that contributions will be sought from developers for infrastructure needed to support the development. This is in line with the planning obligations tests set out in paragraph 204 of the NPPF.

Policy 19 of the ACS states that all development will be expected to:

- Meet the reasonable cost of new infrastructure required as a consequence of the proposal;
- Where appropriate, contribute to the delivery of necessary infrastructure to enable the cumulative impacts of developments to be managed, including identified transport infrastructure requirements; and
- Provide for the future maintenance of facilities provided as a result of the development.

Paragraph 173 of the NPPF states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and

- Fairly and reasonably related in scale and kind to the development.

With regard to educational facilities, I note that the County Council has requested financial contributions towards primary and secondary education. I consider that this is necessary, reasonable and related to the proposed development, in that it is calculated from the number of primary and secondary school places which the proposed development is expected to generate and the capacity of existing schools in the area.

### Conclusion

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014), the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Planning Document Publication Draft, where appropriate.

In my opinion, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is my opinion that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

The proposed development would bring this disused site back into use for community and residential purposes, close to Carlton Square District Centre and its existing facilities and amenities.

If Members are minded to accept my recommendation, a Planning Obligation will be sought in accordance with the requirements of the NPPF.

It will not be necessary to refer the application to the Secretary of State for Communities and Local Government under the Town and Country Planning (Consultation) (England) Direction 2009.

### Recommendation:

**To GRANT PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the County Council for a contribution towards primary and secondary education and subject to the following conditions:**

### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed and implemented in accordance with the following approved plans and documents: Design and Access Statement (Means of Surfacing and Ventilation Extracts), received on 29th July 2017; Proposed GA Floor Plans and Roof Plan (20-006 Rev A), Proposed Elevations (20-007 Rev A), and Drainage Strategy Report, received on 9th February 2017; and Proposed Site Plan (70-003 Rev D), received on 20th February 2017.

3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The remediation scheme shall be implemented as approved.
4. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council an environmental noise assessment and details of a sound insulation scheme. The environmental noise assessment shall include the impact of any transportation noise, and noise from people on the street, and shall be carried out whilst any premises and/or activities in the vicinity that are likely to have an adverse effect on noise levels are operating. In addition, it shall include predicted noise levels for any plant and equipment which would form part of the development, octave band analysis and all assumptions made (e.g glazing and facade areas). The sound insulation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any complementary acoustical ventilation scheme and be designed to achieve the following internal noise levels: (1) Not exceeding 30 dB LAeq (1 hour) in bedrooms for any hour between 23.00 and 07.00; (2) Not exceeding 35 dB LAeq (1 hour) for bedrooms and living rooms for any hour between 07:00 and 23:00; (3) Not more than 45 dB LAmax (5 minutes) in bedrooms (measured with F time weighting) between the hours of 23.00 and 07.00. Before the development hereby permitted is first occupied, verification that the approved sound insulation scheme has been implemented in accordance with the approved details and is fully operational shall be submitted to and be approved in writing by the Borough Council. The sound insulation scheme shall thereafter be retained for the lifetime of the development, 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 cross-sections through the site showing details of the existing and proposed site levels in relation to adjacent properties, including finished floor levels. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Parking Management Plan,



which shall demonstrate how bays 1 to 14 of the proposed resident's parking area will remain available for use by the occupants of the flats at all times. The Plan shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of cycle stands to serve the proposed retail units and flats. The cycle stands shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme to prevent the unregulated discharge of surface water from the access and egress routes, parking, turning and servicing areas onto the public highway. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external plant, including extract units, air conditioning systems, flues, fans & vents. The external plant shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination, to be provided on the proposed building or elsewhere within the site. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the materials to be used in the external elevations of the proposed building. Thereafter the development shall be carried out in accordance with approved materials, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site, which shall include provision for pedestrian access from Southcliffe Road. The means of enclosure shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

13. 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, hedges, shrubs or seeded areas proposed to be planted. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.
14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council 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.
15. 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 and any recommended mitigation measures. Any mitigation measures shall be implemented in accordance with the approved details.
16. The access and egress routes, car parking areas, turning and servicing areas and other unbuilt on portions of the site shall be provided and completed in accordance with the approved details specified in condition 2 above before the development is first brought into use and the parking, turning and servicing areas shall not be used for any purpose other than the parking, turning, loading and unloading of vehicles, for the lifetime of the development.
17. Before the development hereby permitted is first brought into use, the individual parking spaces shall be clearly marked out on site in accordance with the approved plan. The parking spaces shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
18. The retail units hereby permitted shall only be used for purposes falling within Class A1 (Shops) or Class A5 (Hot Food Takeaways) of the Town and Country Planning (Use Classes) Order 1987, or any Order revoking and re-enacting that Order, as specified in the email from the applicant's agent on 16th February 2017. Only two of the three retail units hereby permitted shall be used for purposes falling within Class A1 (Shops) at any time, unless otherwise prior agreed in writing by the Borough Council.

## **Reasons**

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

2. For the avoidance of doubt and to allow a proportionate approach to minor material amendments.
3. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
5. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure a satisfactory development and in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To promote sustainable transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 14 of the Aligned Core Strategy for Gedling Borough (September 2014).
8. To ensure surface water from the site is not deposited on the public highway, causing dangers to road users, 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).
9. To ensure that the details of external plant are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure that the details of external lighting are satisfactory in the interests of visual amenity and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure that the materials to be used in the external elevations of the proposed building are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
13. To 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).

14. 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).
15. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
16. In the interests of highway safety 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).
17. 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).
18. For the avoidance of doubt and to ensure compliance with Policy 51 of the Local Planning Document Publication Draft (Part 2 Local Plan), May 2016.

## **Reasons for Decision**

### **Notes to Applicant**

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

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 environmental noise assessment shall be suitable and sufficient, where appropriate shall consider the impact of vibration, and shall be undertaken by a competent person having regard to BS 7445: 2003 Description and Measurement of Environmental Noise and any other appropriate British Standards. The internal noise levels referred to are derived from BS 8233: 2014 Sound Insulation and Noise Reduction for Buildings. The approved sound insulation scheme must be maintained and, in the case of mechanical ventilation, must be maintained, serviced and operated in accordance with manufacturer's recommendations.

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

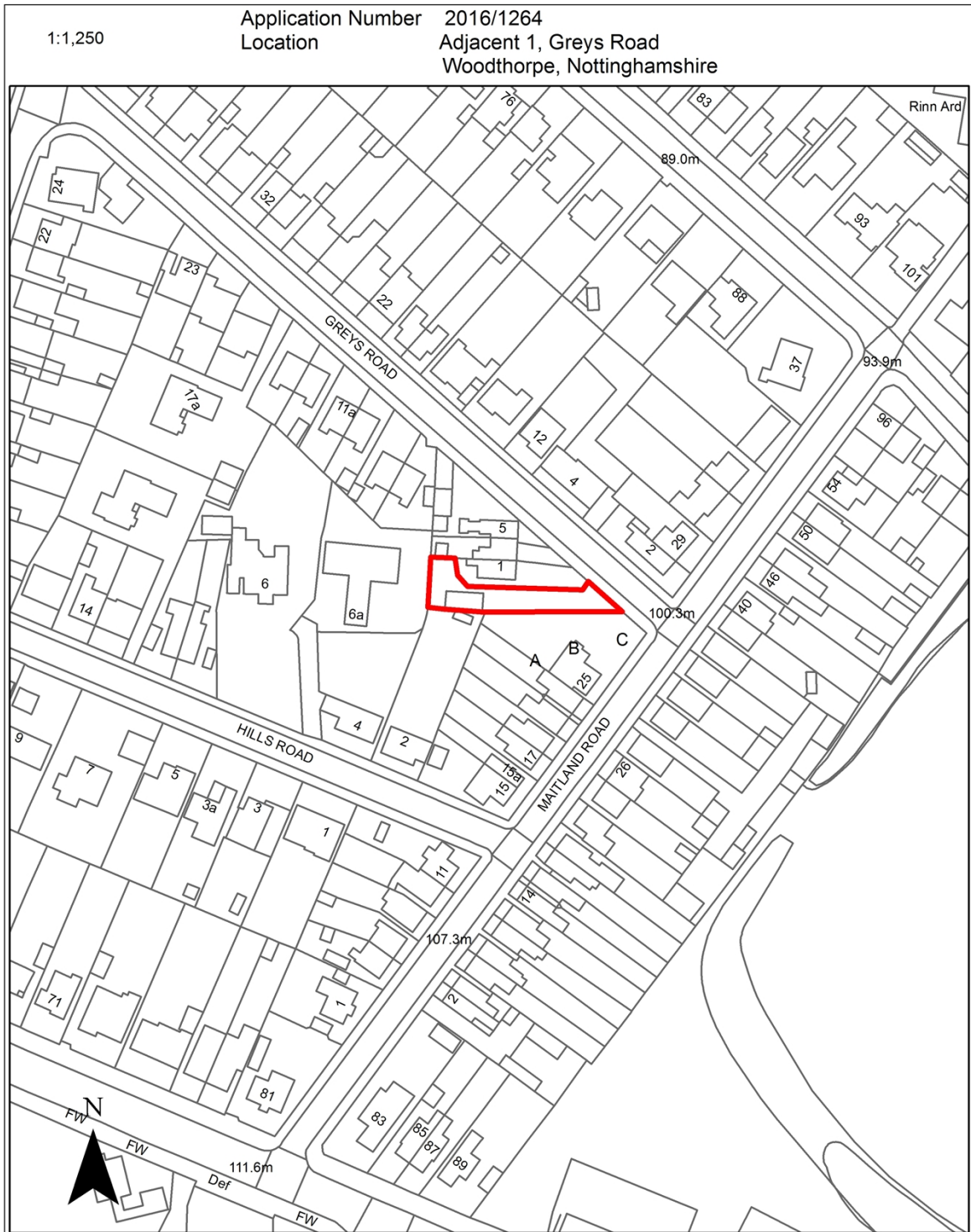
incorporating mitigation measures into scheme design as standard.(See: <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/> )The Borough Council would also ask that the developer considers the commitment to incorporate provision for an EV (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](http://www.coal.decc.gov.uk).Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

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

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

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NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright. Licence No LA100021248. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Date: 07/04/2017

## **Report to Planning Committee**

<b>Application Number:</b>	2016/1264
<b>Location:</b>	Adjacent 1 Greys Road Woodthorpe Nottinghamshire
<b>Proposal:</b>	Proposed two storey house & single storey extension connected by a lobby
<b>Applicant:</b>	Mr & Mrs Ron & Julie Spence
<b>Agent:</b>	Plan Ahead
<b>Case Officer:</b>	Cristina Dinescu

### **Background**

The application is being referred to the Planning Committee at the request of the Delegated Members Panel.

### **Site Description**

The application site, land adjacent to no.1 Greys Road, is part of the plot currently being occupied by an end of terrace two-storey dwelling. A detached brick garage that serves no.1 Greys Road is present on the application site, adjoining the south side boundary.

Adjoining properties are comprised of the end of terrace dwelling at no.1 Greys Road on the north side, a semi-detached property at no.25 Maitland Road on the south side and detached property to the rear at no.6 Hills Road.

The adjoining terraced properties at no's 1, 3 and 5 Greys Road occupy narrow plots with limited rear gardens and deep front gardens. These properties are finished in white render and have dual pitched roofs.

The properties on Maitland Road are finished in render and red brick and have large rear gardens.

On the south side shared boundary there is a stone retaining wall separating the application site from the adjoining property at no.25 Maitland Road and 2 Hills Road. The wall increases in height from front to rear, varying between 1-3 metres, leaving the application site in a lower position than the rear garden of the adjoining properties.

Mature trees and hedges are present within the neighbouring properties.



The existing detached garage has dual pitched roof with front and rear gables and is accessed via a driveway off Greys Road. It is set adjacent to the stone wall at approximately 30 metres from the highway boundary.

### **Relevant Planning History**

No relevant planning history.

### **Proposed Development**

The proposal seeks Planning Permission to demolish the existing detached garage and construct a three bedroom dwelling comprising a two-storey element at the front linked through a glazed lobby to a single storey element at the rear.

The two-storey element at the front would be set back from the highway boundary by approximately 27.5m and it would be set in line with the existing dwelling at 1 Greys Road. It would have dual pitched roof with a half hipped element on the front gable. This element would have maximum footprint dimensions of 10.0m in depth by 5.85m in width, would measure 4.5m at eaves height and 7.6m at ridge height from ground level. It would comprise one bedroom with dressing and en-suite, lobby and lounge at ground floor, and study, two bedrooms and bathroom at first floor. High level roof lights would serve the study. The proposed finishes to the elevations are render at ground floor and timber cladding at first floor. Windows are shown on all elevations.

The single storey element to the rear would have dual pitched roof and would accommodate an open plan kitchen / dining area and a utility room. It would have maximum footprint dimensions of 7.7m in depth by 4.8m in width, would measure 2.3m at eaves height and 5.1m at ridge height. The proposed finish would be white painted re-used brick from the existing garage. Windows are shown on all elevations except the one facing the stone wall. Two high level roof lights would serve the kitchen facing towards the adjoining property at no.25 Maitland Road.

The glazed link between the two elements of the unit would measure 2.0m in depth, 3.2m in width, 4.8m at ridge height and 2.2m at eaves height from ground level.

2 off-street parking spaces are proposed at the front of the proposed dwelling and one parking space is proposed immediately behind the existing hedge, on the right hand side of the application site for the existing dwelling at no.1 Greys Road.

A Design and Access Statement has been submitted in support of the application.

### **Consultations**

The Highways Authority – No concerns to the proposal subject to conditions.

The Arboricultural Officer – satisfied that trees on site and neighbouring trees would not be directly/indirectly affected by the proposed works.

Adjoining Neighbours have been notified and a Site Notice was posted and 10 letters of representation were received as a result. The concerns raised can be outlined as follows:

- Not in keeping with the countryside “feel”;

- Adjoining properties no's 3 and 5 Greys Road are not shown on the plans;
- The stability of the existing retaining wall would be affected by the demolition of the garage;
- No drainage or provision for excavation for drainage proposed;
- The proposed gap between the new dwelling and the existing retaining wall is too small;
- Bird species, bats, foxes and squirrels have been spotted in the area;
- Neighbouring trees have been omitted from the plans;
- Noise and disruption during demolition and construction works;
- Discrepancies in the plans submitted and the application form;
- Works have started;
- Overlooking and overbearing impact;
- Impact on neighbouring trees;
- Would change the nature of the driveway;
- The garden area would be reduced as a result;
- Several Construction Regulations listed;
- The historic value of the three cottages would be reduced;
- Not in keeping with the character of the area;
- Over-development of the site;
- Detrimental visual impact;
- Impact on residential amenity;
- Overshadowing;
- A bat survey should be undertaken;
- No protected species survey;
- No tree survey submitted;
- Unacceptable size of rear garden;
- Absence of details regarding parking provision;
- No details regarding boundary treatment;
- Dangerous access.

Following submission of revised drawings residents have been re-consulted and 6 letters of representation were received as a result:

- The revised drawings still show errors;
- The demolition of the stable could destabilise the retaining wall;
- Ill-conceived and misleading planning application;
- Previous concerns still stand;
- Facts regarding the style and importance of the stable, now garage;
- Overlooking, overbearing and overshadowing impact;
- Negative impact on pedestrian and road traffic safety;
- Excavation works could affect the roots of a large silver birch tree;
- The old stable is a bat roost and its demolition would destroy their habitat; a survey should be carried out;
- Not in keeping with the character of the area;
- Overdevelopment of the site.

### **Planning Considerations**

The main planning considerations in the determination of this application are the principle of the development, the scale and design of the proposed dwelling, the impact on the appearance of the site and the wider area, any undue impacts on the

amenity of neighbouring properties, any highway safety implications and off-street parking provision.

At national level the National Planning Policy Framework (March 2012) chapters 6 and 7 are relevant in considering this application: -

- 6. Delivering a wide choice of high quality homes (paragraphs 47 – 55)
- 7. Requiring good design (paragraphs 56 – 68)

Gedling Borough Council at its meeting on 10th September approved the Aligned Core Strategy (ACS) for Gedling Borough (September 2014) which is now part of the development plan for the area. The following policies are relevant: -

- Policy 8 - Housing size, mix and choice; and
- Policy 10 - Design and Enhancing Local Identity.

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

- ENV1 (Development Criteria);
- H7 (Residential Development on Unidentified Sites Within the Urban area and Defined Village Envelopes).

The Government attaches great importance to the design of the built environment. Section 7 of NPPF states inter alia that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architecture and appropriate landscaping.

Policy 10 – 1 of the ACS states inter-alia that development should be designed to:

- a) make a positive contribution to the public realm and the sense of place;
- b) create attractive, safe, inclusive and healthy environment;
- c) reinforce valued local characteristics;
- d) be adaptable to meet changing needs of occupiers and the effects of climate change; and
- e) reflect the need to reduce the dominance of motor vehicles.

Policy 10 – 2 of the ACS sets out the criteria that development will be assessed including: - plot sizes, orientation, positioning, massing, scale, and proportion. Criterion f) of the ACS refers to the impact on the amenity of nearby residents.

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

pedestrians and vehicles and incorporate crime prevention measures in the design and layout.

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

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

#### Principle of development

I note the proposal is for a new dwelling within the residential curtilage of an existing dwelling, in the built up area of Woodthorpe where there are no objections in principle to residential developments.

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

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

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

I note that the application site is not in not in an area of special character or specific ecological or landscape character.

I note the changes in guidance in relation to the definition of garden land, which is no longer considered to be brownfield land. Whilst I note the change in definition, I do not consider that paragraph 3.10.4 of the ACS precludes development on such sites. The key aspects that need to be considered are whether the proposed development would be in a sustainable location, would adversely affect the characteristics of the area or damage biodiversity. I do not consider that biodiversity is an issue in this instance given that the development would not impact on mature vegetation and would be located predominantly in the location of existing buildings and hardstanding. In my opinion the development would be in a sustainable location given its location within a built up area and its proximity to services. The

development of the site in my opinion is therefore acceptable in principle and would accord with Policy 10 of the ACS subject to the design of the proposal being in keeping with the characteristics of the area, which is considered in more detail below.

### Design and Layout

I note that adjoining properties are comprised of two-storey dwellings whether in terrace formation, semi-detached or detached with varying plot sizes. The submitted drawings show that the proposed dwelling would be set in line with the adjoining dwelling at no.1 Greys Road and the ridge line would reflect the same height as the adjoining row of terraced dwellings. I also note the proposed design incorporates features found in the design of properties in the area like a dual pitched roof; brick arched lintels and render finish.

Greys Road is defined by a mixture of architectural styles including semi-detached dwellings, detached bungalows and more modern detached dwellings. Whilst I note the proposal includes timber cladding as an external finish on the first floor of the two-storey element of the dwelling, I consider the introduction of this design feature would not be harmful to the character of the area. I am satisfied, as the proposed dwelling would be set back from the highway boundary, in line with the existing terraced dwellings at no's 1, 3 and 5 Greys Road, the proposal would be visually acceptable in the streetscene and would be in keeping with the scale and size of existing dwellings in the area.

I am mindful about the comments received with regards to the over-development of the site, however, I note that the surrounding area is characterised by a mixture of properties on various plot sizes. It is my opinion that the plot width and depth is sufficient to accommodate a dwelling of the size proposed without appearing cramped or over intensive. I am also of the opinion the proposed residential plot would be in keeping with the character of the area.

I note that the amenity area to no.1 Greys Road has already been reduced using Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2016 for means of enclosure. Whilst the resulting rear amenity area serving this dwelling is now limited it does benefit from a large amenity area to the front, due to being set back considerably from the adjoining highway. I am therefore satisfied that no.1 Greys Road would have sufficient curtilage to adequately serve as private amenity.

I note the comments with regards to the lack of details regarding proposed means of enclosure. However, precise details on means of enclosure would be sought by attaching a condition to any approval.

### Neighbouring Amenity

I note the proposal is for a two-storey dwelling with a single storey element at the rear. I am mindful that the adjoining properties on Maitland Road and Hills Road sit in a higher position. I am satisfied, given the significant difference in level between the application site and adjoining properties, the plot orientation and separation distances, the proposed dwelling would not result in a significant overlooking, overbearing and overshadowing impact on any adjoining property. Furthermore I am

of the opinion the properties on Maitland Road and Hills Road, due to the application site being in an approximately 2.0m lower position with no windows on the side elevations, would have an acceptable relationship with the first floor of the proposed dwelling.

Given the plot orientation and the configuration of the proposed dwelling in relation to the existing dwelling at no.1 Greys Road, I am of the opinion the proposal would not result in a significant undue overlooking, overbearing and overshadowing impact on this adjoining property and its amenity. I would recommend however a condition be attached, should planning permission be forthcoming, requiring the first floor window serving the bathroom on the side elevation to be obscurely glazed and top opening only in order to prevent an overlooking impact onto no.1 Greys Road.

I note the comments with regards to the proposed roof lights on the southern slope of the proposed roof, however, I am satisfied these roof lights would not result in an undue overlooking impact on adjoining property due to the roof lights being set at approximately 1.7 metres above floor level. I consider this height would be sufficient to mitigate any undue overlooking impact on neighbouring dwellings.

#### Highway Safety

I note the plans illustrate that the proposed dwelling and the existing dwelling at no.1 Greys Road would utilise the existing access point together with the existing driveway. I also note that parking for one car is proposed for the existing dwelling and a hardstanding area at the front of the proposed dwelling would accommodate 2 cars. Given that the Residential Car Parking SPD requires new dwellings with 3 bedrooms or more in built up areas to have provision for 2 off-street parking spaces, I am of the opinion the proposal would comply with the requirements of paragraph 4.2 of the Borough Councils parking SPD. I am also of the opinion the proposal for one parking space for the existing dwelling at no.1 Greys Road is satisfactory to comply with the requirements of the SPD for a 2 bedroom dwelling in built up area.

I am mindful that the Highway Authority have raised no objection to the proposal subject to conditions, I therefore consider there would be no highway safety implications as a result of the development.

#### Trees and Vegetation

I am mindful about the comments received from neighbours regarding the impact on existing neighbouring trees. However, the Arboricultural Officer has advised that the proposed development would not directly or indirectly impact on trees on the site or neighbouring trees. I am therefore satisfied the existing trees on site and in neighbouring properties would not be adversely affected by the proposed development.

#### Other Considerations

I note the comments received from adjoining neighbours with regards to the stability of the stone wall and excavations, however matters dealing with structural integrity would be dealt with under Building Regulations.

I note the comments received with regards to drainage; however, should planning permission be forthcoming a condition would be attached to any approval requesting detailed drainage plans to be submitted to the Borough Council for approval and these matters would be dealt with in consultation with Severn Trent Water through the Discharge of Condition process.

I am mindful about the comments regarding the presence of bats in the area which are potentially roosting in the existing garage, proposed to be demolished. However, the building is still in use and is located in an urban area. Therefore I consider an informative, advising the applicant to contact the Bat Conservation Trust in the event that bats are found during demolition, would be sufficient to deal with this matter in this instance.

I note the comments with regards to the historic importance of the garage and the cottages; however the garage and cottages are not Listed Buildings and are not within a Conservation Area with any statutory protection as heritage assets. I am therefore satisfied that the redevelopment of the garage would not have an adverse impact on the heritage of the area or the character of the area. I would also note that there are examples of more contemporary dwellings on the opposite side of Greys Road and in my opinion the dwelling as proposed would add to the architectural mix of the area.

### Conclusion

Having regard to the above considerations I am of the opinion that the proposal is in accordance with Policy 8 (Housing Size, Mix and Choice) and Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014 and 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.

Accordingly I recommend that planning permission be granted.

### Recommendation:

**To Grant Planning Permission, subject to the following conditions:-**

#### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be carried out in accordance with the application form, site location plan and Design and Access Statement, received on 5th December 2016, e-mail received on 11th January 2017, and revised plans, drawing no's RS 100-04 rev A, RS 100-03 rev A, RS 100-01 rev A and RS 100-02 rev A, received on 13th January 2017.
3. The dwelling shall not be occupied until the shared private driveway is laid out to a width of not less than 5.25m in width.

4. The dwelling shall not be occupied until the dropped vehicular footway crossing has been widened and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.
5. The dwelling shall not be occupied until the driveway/ 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.
6. The bathroom window to the first floor north elevation facing no.1 Greys Road shall be obscurely glazed to a minimum of Pilkington Level 4. Any opening unit shall be top hung.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the materials to be used in the external elevations of the development. Once approved the development shall be carried out in accordance with these details.
8. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of enclosure of the site. The approved means of enclosure shall be erected before the dwellings are first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. The approved means of surfacing shall be erected before the dwelling is first occupied.
10. 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 details 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.
11. Before development commences drainage plans for the disposal of surface water and foul sewage shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

## **Reasons**

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



2. For the avoidance of doubt.
3. To enable vehicles to enter and leave the public highway in a slow and controlled manner and in the interests of general Highway safety.
4. In the interests of Highway safety.
5. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
6. To ensure the details of the development area satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
8. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
9. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
10. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
11. To ensure that the development is provided with satisfactory means of drainage as well as 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 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, advice contained within the National Planning Policy Framework 2012, and the Parking Provision for Residential developments SPD (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 PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

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

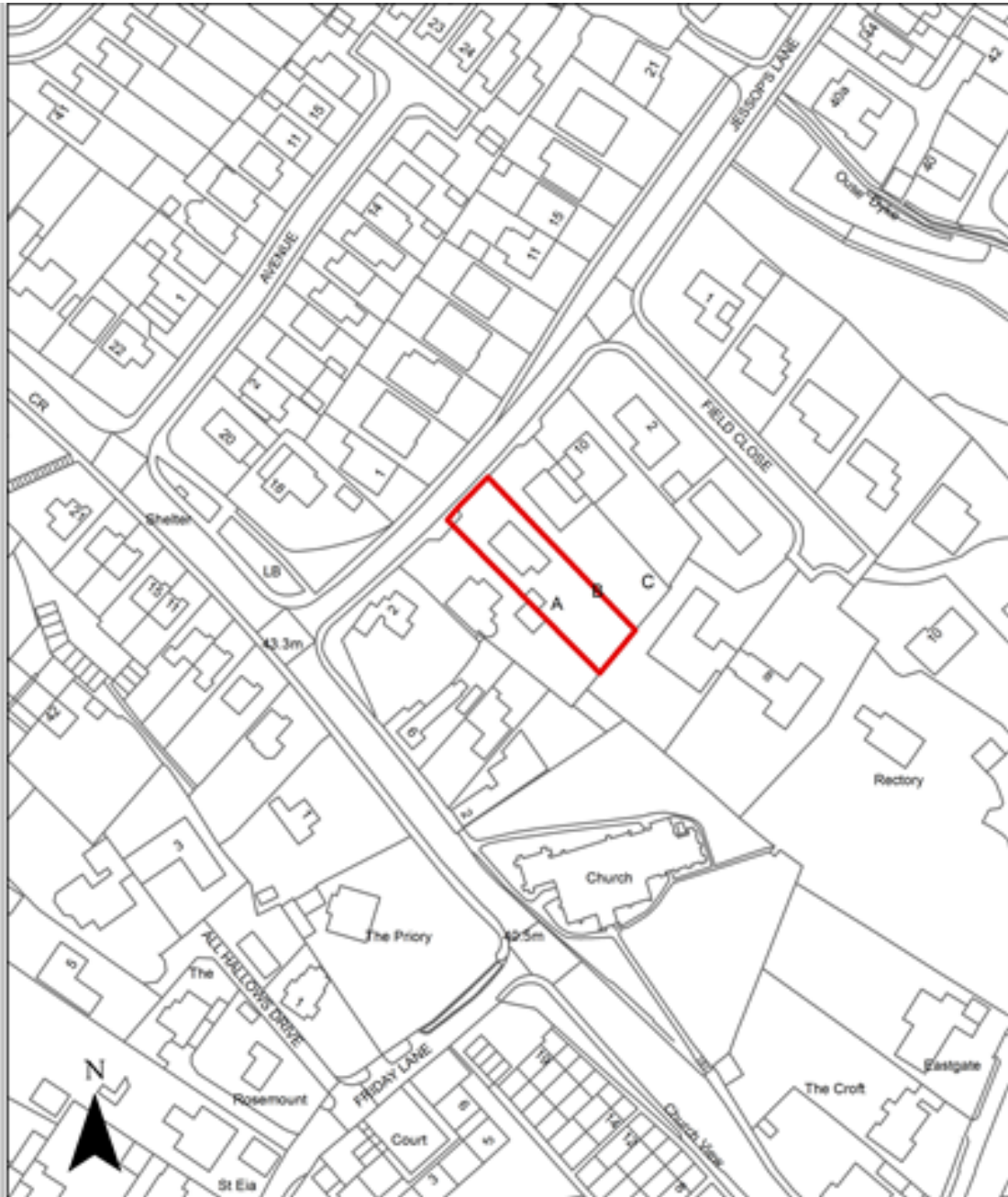
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal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

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

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



**Application Number:** 2017/0154  
**Location:** 6 Jessops Lane Gedling Nottinghamshire NG4 4BQ



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.  
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Date: 05/04/2017

**Report to Planning Committee**

**Application Number:** 2017/0154

**Location:** 6 Jessops Lane Gedling Nottinghamshire NG4 4BQ

**Proposal:** Variation of condition 2 (approved plans) - 2016/0148  
(ground & first floor extensions, and a detached garage)  
Repositioning of garage towards front boundary, and  
minor alterations to dwelling

**Applicant:** Mr Jamie Gleeson

**Agent:**

**Case Officer:** Amy Cockayne

**Site Description**

Located within the urban area of Gedling, the application site formally comprised of a detached bungalow set back from the boundary with the highway by approximately 10m. The land level of the site is set approximately 1m above the level of the road.

The levels in and around the site fall to the north-east, setting the application site at a higher level than the neighbouring property, 8 Jessops Lane (a detached bungalow) and lower than the neighbouring property 4 Jessops Lane (a two storey detached dwelling). All Hallows Church borders the site to the south-east.

The boundaries of the site are delineated by a 1m brick wall to the boundary with the highway, 1.8m close-board timber fencing and 2m brick wall to the boundary with the church grounds at the rear.

The original permission for the extensions and alterations to the existing property was granted on 10<sup>th</sup> June 2016 for ground and first floor extensions and a detached garage (planning ref. 2016/0148). This permission allows a two storey dwelling on the site. Works started on site around September 2016. An enforcement case was opened in October 2016 after a complaint was received that the garage to the front of the dwelling was not being built in accordance with the approved plans.

As of March 2017, building works are not completed and the works to the main dwelling are still being carried out at the site.

**Proposed Development**

The application seeks to vary Condition 2 of the original permission 2016/0148 in relation to the positioning of the garage to the front of the dwelling and alterations to

the single storey aspect rear of the dwelling. As works have commenced, permission is sought retrospectively.

The detached single garage has been built forward of the position approved. The garage is set-back approximately 1.2m from the front boundary with the highway. The garage has a footprint of 5.5m x 3.95m. The roof is dual pitched with gabled front and rear elevations. The eaves are 2.59m, and maximum ridge height of 3.87m.

The alterations to the single storey projection to the rear of the property include an increase of the width of the ground floor by 0.5m to the north-eastern elevation. The original flat roof is proposed to be altered to a double gable to a maximum ridge height of 4.2m. It was established through a site visit in March 2017 that this element of the development has not been constructed in accordance with the original permission or the revised plans, and the roof of the single storey extension includes a single gable and mono-pitch design.

### **Consultations**

Neighbours were notified and a site notice posted near to the site. Five letters of objection were received (two letters from the same address) in relation to the garage. The grounds of objection include the following:-

- Overpowering in size and height
- Out of character
- Intrusive appearance
- Untidy/chaotic appearance on street-scene
- Overshadowing
- Applicant has a disregard for planning process
- Materials should be brick not render

In addition, one letter in support of the application has been received with grounds of support summarised as:-

- Structure will remain in clear view from each position, all be it 200cm further from the road
- 'Uneven' appearance in respect of street-scene
- Moving garage back would be poor decision

### **Planning Considerations**

The main planning considerations in the determination of this application are the visual impact of the proposal on the character and appearance of the property and the locality, off-street parking provision and the impact on neighbouring residential properties.

At the national level, the NPPF is relevant. At the heart of the NPPF there is a presumption in favour of sustainable development. The following policies are relevant to the application:

National Planning Policy Framework:

- Part 7 – Requiring good design

Gedling Borough Council Aligned Core Strategy 2014:

- Policy 10 – Design and Enhancing Local Identity

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

- ENV1 – Development Criteria
- H10 – Extensions

Most recently, the Local Planning Document Publication Draft (LPD) has been in preparation, published and subject to examination.

Paragraph 216 of the NPPF sets out that from the day of publication, weight may be given to relevant policies in emerging plans depending on how advanced the Plan is and whether there are extant objections. At the present time, it is considered that the following LPD policies are relevant and may be given moderate or limited weight, depending on whether or not there are unresolved objections:

- LPD 32: Amenity (moderate weight)
- LPD 35: Safe, Accessible and Inclusive Development (limited weight)

### *Single Storey Rear Extension*

The alteration of the dwelling from a bungalow to a two storey dwelling has been established through the previous permission granted in June 2016. There are no policy implications through the publication of the Local Planning Document that would suggest that this development is no longer acceptable. The proposed alterations to the development relate to the single storey element to the rear of the development and include a slight enlargement and double roof gable. As noted previously in this report, the development has been constructed to include a single gable and mono-pitch design.

In relation to the impact upon the visual amenity of the locality and impact to residential amenity of neighbouring properties, I am satisfied the alterations to the main dwelling accord with Saved Policies ENV1 and H10 of the Replacement Local Plan and NPPF Part 7 which refers to good design.

### *Garage*

Gedling's SPD: Parking Provision for Residential Development is relevant. As with the original permission for the development at 6 Jessops Lane, I consider there is provision for off-street parking for up to three vehicles, including within the detached garage. This would accord with the requirements of the SPD. The current access serving the site from the highway would not change and there are therefore no concerns in relation to impact upon highway safety or the highway network.

I am of the opinion that the revised positioning of the garage to the front of the dwelling results in an unduly prominent feature within the street-scene. The prominence of the garage building is considered to be particularly dominant upon the approach along Jessops Lane from the south-west and when viewed from opposite the property.

Saved Policy ENV1 of the Replacement Local Plan states that proposals should not adversely affect the area by reason of its form and layout. The garage is considered to have an incongruous appearance and poor relationship with the surrounding

properties, which is exacerbated by the variation in height of the land levels in and around the application site (the garage is approximately 1m above the adjacent highway level). The side elevation of the garage building currently partially built on the site is situated approximately 1.2m from the front boundary with the highway, along with its elevated position above the adjoining highway land it is my opinion that the development does not make a positive contribution to the public realm and sense of place as required by Policy 10 of the Aligned Core Strategy.

It is therefore considered that the proposed development at 6 Jessops Lane, in relation to the repositioning of the garage to the front of the dwelling, does not accord with Saved Policy ENV1 of the Replacement Local Plan, Policy 10 of the Aligned Core Strategy for Gedling (2014) and the emerging Policy LPD 35 of the Local Planning Document (published 2016) which states that development should establish a setback that relates to the street alignment.

Therefore due to the reasons set out above, I consider that the development does not accord with the aims of the above policies and recommend that planning permission be refused on the grounds of the proposal resulting in an unduly prominent and incongruous feature in the street-scene.

**Recommendation:**

**To REFUSE PLANNING PERMISSION.**

1. In the opinion of the Borough Council, the garage element of the development results in an unduly prominent and incongruous feature in the street-scene due to the elevated position of the garage in very close proximity to the highway boundary. As such, the proposed development would be contrary to Policy ENV1 of the Replacement Local Plan (Certain Policies Saved 2014), Policy 10 of the Aligned Core Strategy for Gedling Borough, NPPF Part 7 'Requiring good design' as well as the Policy LPD 35 'Safe, Accessible and Inclusive Development' of the emerging Local Planning Document.

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## **ACTION SHEET PLANNING DELEGATION PANEL 10th February 2017**

2016/1303

40 Foxhill Road Burton Joyce NG14 5DB

Proposed Two Storey Rear Extension and Internal Alterations.

The proposed development would have no undue impact on the amenity of neighbouring properties or on the character or appearance of the streetscene.

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

Decision to be issued following completion of paperwork.

2016/1305

103 Broadfields Calverton NG14 6JQ

Demolition of existing garage.

New 2 storey side extension, single storey front extension, single storey rear extension and internal alterations.

**Withdrawn from Agenda.**

2016/1313

2 Broadway East Carlton NG4 1AG

Outline consent to construct chalet bungalow in rear garden.

The proposal of a residential chalet bungalow is acceptable in principle subject to detailed design and impact on neighbouring amenity. Reserved matters should consider the omission of rear dormers to protect neighbouring amenity.

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

Decision to be issued following completion of paperwork.

2016/1316

5 Olive Grove Burton Joyce NG14 5FG

Proposed garage conversion & external remodelling

The proposed development would have no undue impact on the character and appearance of the area or on the amenity of adjoining residential properties.

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

Decision to be issued following completion of paperwork.

2016/1317

40 Shelt Hill Woodborough NG14 6DG

Demolition of one building, renovation of a second building with extensions to create a large passive house family home.

**Withdrawn from Agenda.**

2016/1325

18 Sheepwalk Lane Ravenshead NG15 9FE

Demolish existing bungalow and replace with 5 bedroom executive house

The proposed development would be acceptable in principle subject to the reserved matters accounting for the detailed design and impact on neighbouring residential amenity.

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

Decision to be issued following completion of paperwork.

2016/1332

31 Weaverthorpe Road Woodthorpe NG5 4ND

Single storey extensions to front, rear and side. Detached outbuilding.

The proposed development would have no undue impact on the amenity of neighbouring residential properties or on the character and appearance of the streetscene.

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

Decision to be issued following completion of paperwork.

**David Gray - 10th February 2017**

## **ACTION SHEET PLANNING DELEGATION PANEL 17th February 2017**

2016/1099

Land Adjacent 21 Lowdham Lane Woodborough  
Proposed new dwelling

The principle of residential development has already been established by the extant planning permission. The amended dwelling proposed is considered to be acceptable in terms of its overall design and relationship to existing properties.

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

Decision to be issued following completion of paperwork. Parish to be notified.

2016/1279

31 Chapel Lane Ravenshead NG15 9DA  
Form first floor to existing bungalow, garage conversion, rear extension & new build garage.

The proposed development would be acceptable within the street scene and would not have a significantly adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent properties.

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

Decision to be issued following completion of paperwork. Parish to be notified.

2016/1308

102 Nottingham Road Ravenshead NG15 9HL  
Erect Replacement Dwelling

The principle of residential development has already been established by the extant planning permission and development has commenced on site. The design and appearance of the revised dwelling which now incorporates a pitched roof is considered to be acceptable.

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

Decision to be issued following completion of paperwork. Parish to be notified.

Mike Avery  
Service Manager – Development Services  
**17th February 2017**

**ACTION SHEET PLANNING DELEGATION PANEL 3rd March 2017**

2016/1301

10 Ruffles Avenue Arnold NG5 6PA

Remove existing truss roof and replace with attic truss roof to form first floor bedrooms. Together with internal and elevation alterations.

The proposed development would have a satisfactory design and would have no undue impact on the amenity of adjoining residential neighbours.

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

Decision to be issued following completion of paperwork.

2016/1309

19 Conway Avenue Carlton NG4 2PY

Outbuilding in rear garden to include; garage and studio at ground floor, and office space at first floor

The proposed development would have no undue impact on the amenity of adjoining neighbours or on the character and appearance of the area.

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

Decision to be issued following completion of paperwork.

2017/0139

8 Station Avenue Gedling NG4 3GZ

Single storey rear extension

The proposed development would have no significant undue impact on the amenity of adjoining residential properties when considered against similar development that would be permitted under the General Permitted Development Order (England) 2015.

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

Decision to be issued following completion of paperwork.

2017/0144

4A Broadmead Burton Joyce Nottinghamshire

Demolition of existing garage, excavation work, erection of new garage & gabion wall and associated external alterations.

**The panel requested to defer the application until Delegated Panel Meeting 10<sup>th</sup> March 2016 to allow for the Parish Council comments to be received and considered.**

2017/0145

5A Broadmead Burton Joyce Nottinghamshire

Demolition of existing garage, excavation work and associated external alterations. New garage with office and terrace above to be erected.

**The panel requested to defer the application until Delegated Panel Meeting 10<sup>th</sup> March 2016 to allow for the Parish Council comments to be received and considered.**

**David Gray - 3rd March 2017**

## **ACTION SHEET PLANNING DELEGATION PANEL 10th March 2017**

2010/0316

6 Kenrick Road Mapperley Nottinghamshire  
Change of use from valeting business to sales

The proposed development would result in no significant increase in impact on the residential amenity enjoyed by the occupiers of nearby properties. There would be no undue impact on Highway Safety subject to the attachment and compliance with appropriate conditions.

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

Decision to be issued following completion of paperwork.

2014/0197

Manor House Mile End Road Colwick  
Replacement of farmhouse, creation of 3 No houses and 2 apartments, retention of barn and conversion to B1/Heritage centre/cafe

There is insufficient information to comply with the requirements of NPPF paragraph 100 regarding inappropriate development in areas at risk of flood. The proposal fails to accord with the requirements of the Gedling Borough Council Car Parking SPD.

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

Decision to be issued following completion of paperwork.

2014/0199

Manor House Mile End Road Colwick  
Residential Development - 7 dwellings comprising 2 houses and 5 bungalows

There is insufficient information to comply with the requirements of NPPF paragraph 100 regarding inappropriate development in areas at risk of flood.

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

Decision to be issued following completion of paperwork.

2016/0987

The Riding Stables Main Street Lambley

Outline permission for the redevelopment of existing stables to provide 1no. dwelling.

The proposed development would involve the re-development of 'Previously Developed Land' and would represent an appropriate form of development within the Green Belt subject to the precise details being sought through reserved matters.

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

Decision to be issued following completion of paperwork.

2016/1040

13 Marshall Hill Drive Mapperley NG3 6FY

Two-storey side extension, single storey rear extension and dormer windows to rear.

The proposed development would be acceptable within the street scene and would not have a significantly adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent properties.

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

Decision to be issued following completion of paperwork.

2016/1248TPO

19 Chestnut Grove Burton Joyce Nottinghamshire

Remove a tree at the boundary of property.

The removal of the Tree is considered unnecessary in terms of good Arboricultural practice and its removal would have an undue impact on the visual amenity of the area.

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

Decision to be issued following completion of paperwork.



2016/1317

40 Shelt Hill Woodborough NG14 6DG

Demolition of one building, renovation of a second building with extensions to create a large passive house family home.

**Application withdrawn from agenda.**

2017/0004TPO

12 Stoke Lane Gedling Nottinghamshire

Proposal to fell to ground level, grind out the stump of Robinia tree on the front drive of property and re-plant Lime Tree in its stead.

The Arboricultural officer is satisfied that the tree is of poor health and recommends its removal subject to a suitable replacement being planted in its place.

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

Decision to be issued following completion of paperwork.

2017/0063

40 Grange Road Woodthorpe NG5 4FW

Single storey side and two storey rear extension, new canopy to front elevation and replacement rendering.

The proposed development would be acceptable within the street scene and would not have a significantly adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent properties.

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

Decision to be issued following completion of paperwork.

2017/0091

Rose Cottage Goosedale Lane Bestwood

Retain existing open sided car port.

The proposed development would have no undue impact on the openness of the Green Belt or the amenity of nearby residential properties.

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

Decision to be issued following completion of paperwork.

2017/0092

Rose Cottage Goosedale Lane Bestwood

Retain extension to rear of garage for workshop.

The proposed development would have an undue impact on the openness of the Green Belt by virtue of its size and design resulting disproportionate addition to a curtilage building.

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

Decision to be issued following completion of paperwork.

2017/0130

3 Fearn Chase Carlton NG4 1DN

Resubmission of 2016/0066 - Single storey side extension, garage extension and internal alterations, addition of front balcony

The proposed development would be acceptable within the street scene and would not have a significantly adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent properties.

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

Decision to be issued following completion of paperwork.

2017/0144

4A Broadmead Burton Joyce Nottinghamshire

Demolition of existing garage, excavation work, erection of new garage & gabion wall and associated external alterations.

The proposed development would be acceptable within the street scene and would not have a significantly adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent properties.

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

Decision to be issued following completion of paperwork.

2017/0145

5A Broadmead Burton Joyce Nottinghamshire

Demolition of existing garage, excavation work and associated external alterations. New garage with office and terrace above to be erected.

The proposed development would be acceptable within the street scene and would not have a significantly adverse impact on the residential amenities currently enjoyed by the occupiers of nearby properties.

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

Decision to be issued following completion of paperwork.

**David Gray - 10th March 2017**

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## **ACTION SHEET PLANNING DELEGATION PANEL 24th March 2017**

2015/1274

Kighill Poultry Farm Grays Drive Ravenshead  
Change of use of land to store 10 caravans.

The proposed development would have no additional undue impact on the openness of the Green Belt and would support economic growth in a rural area (paragraph 28 NPPF).

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

Decision to be issued following completion of paperwork.

2015/1275

Kighill Poultry Farm Grays Drive Ravenshead  
Variation of condition- Condition 2 of 7/30/89/1148 Storage of 25 caravans-variation to allow storage of 33 caravans

The proposed development would have no additional undue impact on the openness of the Green Belt and would support economic growth in a rural area (paragraph 28 NPPF).

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

Decision to be issued following completion of paperwork.

2016/0993

Bottom House Farm Mansfield Road Bestwood  
Conversion of agricultural barn into a gym and games room with changing room, shower and w/c, together with a new plunge pool extension.

The proposed development would not result in a disproportionate addition to an existing dwelling and therefore would not result in an undue impact on 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.

2016/1165  
93 Highfield Drive Carlton NG4 1PN  
Rear Extension

The proposed development would have no undue impact on the amenity of adjoining residential properties or the character and appearance of the streetscene.

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

Decision to be issued following completion of paperwork.

2016/1285  
Lodge Farm Oxton Road Calverton  
Construction a new stables.

The proposed development would have no undue impact on the openness of the Green Belt and would represent an appropriate building for the purpose of sport and leisure.

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

Decision to be issued following completion of paperwork.

2016/1317  
40 Shelt Hill Woodborough NG14 6DG  
Demolition of one building, renovation of a second building with extensions to create a large passive house family home.

The proposed development would have no undue impact on the openness of the Green Belt and the principle of residential development is acceptable.

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

Decision to be issued following completion of paperwork.

2017/0072  
117 Woodthorpe Drive Woodthorpe Nottinghamshire  
Retention of the operation of a Childminding business

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

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

Decision to be issued following completion of paperwork.

2017/0106  
16 Main Road Ravenshead Nottinghamshire  
Single storey extension to rear (playroom & outside W.C) Single storey entrance porch to front elevation.

The proposed development would have no undue impact on the character of the area or on the residential amenity of nearby residential properties.

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

Decision to be issued following completion of paperwork.

2017/0116  
25 Lascelles Avenue Gedling NG4 4GB  
Two storey side extension

The proposed development would have an undue overshadowing and overbearing impact on the amenity of the adjoining residential property.

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

Decision to be issued following completion of paperwork.

2017/0143  
Arnold Police Station 101 High Street Arnold  
Demolition of existing structures (Arnold Police Station) for the erection of a 3 pump (6 filling position) Petrol Filling Station, canopy, underground storage tanks, jet wash facilities and reconfiguration of the site access/egress.

**The application was withdrawn from the agenda.**

2017/0149  
15 Summercourt Drive Ravenshead NG15 9FT  
Hip to gable loft conversion

The proposed development would have no undue impact on the character of the area or on the residential amenity of nearby residential properties.

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

Decision to be issued following completion of paperwork.

2017/0154  
6 Jessops Lane Gedling Nottinghamshire  
Variation of condition 2 (approved plans) - 2016/0148 (ground & first floor extensions, and a detached garage) Repositioning of garage towards front boundary, and minor alterations to dwelling.

**The Panel recommended that the application be determined at Planning Committee.**

2017/0194  
Land West Of Beeston Close Bestwood  
Erection of 4 No. detached, split level dwellings and formation of public open space.

**Withdrawn from Agenda.**

**David Gray - 24th March 2017**



## **ACTION SHEET PLANNING DELEGATION PANEL 31st March 2017**

2015/0709

Linby House Linby Lane Linby

Retention of small welfare facility and Secure Store. Retention of relocated Refuse Store

### **Application withdrawn from the agenda**

2016/1159

Dairy Farm Mansfield Road Arnold

Proposed change of use and alterations of farm buildings to residential use to form 4 n. new units and an extension to the main dwelling. Buildings subject to conversion are not listed but are within the curtilage of the listed dairy.

The proposed development would utilise existing buildings on the site and would not have an adverse impact on the openness of the Green Belt. There are no adverse residential amenity considerations.

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

Decision to be issued following completion of paperwork.

2016/1243

30 Grange Road Woodthorpe Nottinghamshire

Loft conversion including side dormer and rear gabled roof extension. New hipped roof over existing flat roof 2 storey extension. Rear single storey extension with lantern roof light. Side single storey extension forming storeroom and a new driveway.

The scale and appearance of the proposed extensions are considered to be acceptable and should not have a significant adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent properties.

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

Decision to be issued following completion of paperwork.

2017/0143

Arnold Police Station 101 High Street Arnold

Demolition of existing structures (Arnold Police Station) for the erection of a 3 pump (6 filling position) Petrol Filling Station, canopy, underground storage tanks, jet wash facilities and reconfiguration of the site access/egress.

### **Application withdrawn from the agenda.**

2017/0171TPO

21 Ethel Avenue Mapperley Nottinghamshire

Proposed removal of the Larch tree.

**Application withdrawn from the agenda.**

2017/0177

Vale Hotel Mansfield Road Daybrook

The installation of a new timber framed covered pergola structure and new external fixed seating with built-in planters with faux planting. New gates to either side of proposed garden. New faux planting troughs to top of flat roof extension. The trimming and tidying up of the existing planting and trees.

The proposed development would have an unacceptable impact on the setting of the listed building.

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

Decision to be issued following completion of paperwork.

2017/0186

Vale Hotel Mansfield Road Daybrook

Installation of new signage as per attached drawing

The proposal would result in an unnecessary proliferation of signage and would therefore have an unacceptable impact on the appearance of the listed building.

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

2017/0188

Vale Hotel Mansfield Road Daybrook

Installation of new signage

The proposal would result in an unnecessary proliferation of signage and would therefore have an unacceptable impact on the appearance of the listed building.

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

Decision to be issued following completion of paperwork.

**31st March 2017**

Mike Avery

Service Manager – Development Services



## Report to Planning Committee

**Subject:** Future Planning Applications

**Date:** 19 April 2017

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>
2016/1033	Metallifactory Ltd, Mansfield Road	Erection of 72 dwellings and new vehicular access from Mansfield Road.	17/5/17

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.

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