

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 16 May 2018**

Councillor John Truscott (Chair)

In Attendance:      Councillor Barbara Miller      Councillor      Meredith  
                         Councillor Michael Adams      Lawrence  
                         Councillor Pauline Allan      Councillor Marje Paling  
                         Councillor Chris Barnfather      Councillor Colin Powell  
                         Councillor Alan Bexon      Councillor Paul Stirland  
                         Councillor Kevin Doyle      Councillor Paul Wilkinson  
                         Councillor David Ellis      Councillor Henry Wheeler  
                              Councillor Muriel Weisz

Absent:                      Councillor Bob Collis and Councillor Gary Gregory

Officers in                      M Avery, D Gray, C Goodall, F Whyley  
Attendance:

**118                      APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Collis. Cllr Weisz attended as a substitute.

**119                      TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 18 APRIL 2018.**

**RESOLVED:**

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

**120                      DECLARATION OF INTERESTS**

The Chair declared a non-pecuniary interest in item 7 on the agenda, as the land was in the ownership of Gedling Borough Council.

**121                      APPLICATION NO. 2018/0249 - LAND AT CHASE FARM**

14 plot re-plan including landscape buffer and a retaining wall adjacent to Arnold Lane.

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.**

### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details within the Application Form and Drawings: Design and Access Statement; 102(1) Rev E (External Levels Layout Sheet 1 of 2); 102(2) Rev E (External Levels Layout Sheet 2 of 2); P201 (House Type 955); P204 (House Type 1244); P206 (14 Plot Re-Plan Sections); Site Location Plan; P200 (House Type 954); P202 (House Type 1178); P203 A (House Type 1233); P400 (Materials Plan); P204 A (House Type 1244); P205 (House Type 1244); P101 Rev C (Site Layout Plan); P300 Rev C (Street Scenes); and P101D (Landscape Plan).
- 3 Prior to the occupation of the first dwelling full details of both soft and hard landscape works within the proposed landscape buffer shown on plan no: 17057a-P101 rev D shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall incorporate the mixture of plants contained within the planting schedule and shall also include details of size, species, positions and densities of all trees, hedges and shrubs to be planted. The landscaping shall be implemented in accordance with the approved details within the first planting season following approval. The landscaping shall thereafter be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
- 4 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 3, 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 Local Planning Authority 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.

## **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.
- 4 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.

## **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

## **Notes to Applicant**

Details of the latest proposed highway will be subject to a Technical Appraisal and should be designed in accordance with the Nottinghamshire County Councils Highway Design Guide which can be found at; [www.nottinghamshire.gov.uk/transport/roads/highway-design-guide](http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide)

Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). Payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, and /or 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 after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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 by installing wheel washing facilities on site.

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 applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at; <http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>

Date Recommended: 25th April 2018

## 122      **APPLICATION NO. 2018/0392 - LAND AT CHASE FARM**

Re-elevation of houses and apartments (71 No Plots).

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing,**

**open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.**

### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details within the Application Form and Drawings submitted on the 13th April 2018 drawing no's: 17057C\_P101; 17057C\_P102; 200 (House Types 580T and 1157T); 17057C\_201 (House Type 764T and 891T); 17057C\_202 (House Type 842T and 857T); 17057C\_P203 (House Type 867T and 954T); 17057C\_P204 (House Type 1224v3\_1054); 17057C\_P205 (House Type 1224v3T and 1244T); 17057C\_206 (House Type 1216v1T); 17057C\_P210 (Apartment Block Type 1 - 4 Storey); 17057C\_P211 (Apartment Block Type 3 - 4 Storey); P212 (Apartment Block Type 5 - 4 Storey); 17057C\_P300 (Streetscene 1 and 2); 17057C\_P400 Materials Plan); 17057C\_P100 (Location Plan); Design and Access Statement; and the letter dated 1<sup>st</sup> May 2018 amending materials in connection with drawings 17057C\_P200; 17057C\_P300; 17507C\_P400. The development shall thereafter be undertaken in accordance with these plans / details unless otherwise agreed in writing by the Local Planning Authority.

### **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

## Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS 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)

Date Recommended: 27th April 201

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### **APPLICATION NOS. 2010/0437 AND 2012/1408, VARIATION OF S106 AGREEMENT - LAND AT STOCKINGS FARM, CALVERTON ROAD.**

Variation of s106 Agreement with the Borough Council for Affordable Housing.

The Service Manager – Development Services introduced the report.

**RESOLVED that the Service Manager for Development Services be authorised to instruct the Director of Organisational Development and Democratic Services to undertake the necessary work to prepare and finalise a Deed of Variation amending the definition of 'Chargee' and 'Chargee's Duty' and to amend paragraph 25 of Part 2 of the Schedule as set out above in the original s106 agreement associated to planning applications: 2005/0925, 2010/0437 and 2012/1408.**

**APPLICATION NO. 2018/0162 - KING GEORGES FIELD, GEDLING ROAD**

CCTV camera mounted on a 10m high column.

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

**Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted plans and Planning Supporting Statement received on the 13th June 2018.

**Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To ensure that the details of the development are acceptable, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

**Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The 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).

Date Recommended: 16th May 2018

**125 ENFORCEMENT REF. 0074/2018 - LAND AT 6 MARSHALL HILL DRIVE, MAPPERLEY**

Breach of Planning: Material change of use of residential dwelling to a mixed use of residential dwelling and bicycle sales and repair business and ancillary storage

**RESOLVED that the Service Manager, Development Services, in conjunction with the Director of Organisational Development & Democratic Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts if required to ensure;**

- (a) the cessation of the unauthorised bicycle sales and repair business use; and**
- (b) the removal of bicycles, tools and equipment associated with the business use and not considered to be incidental or ancillary to the domestic residential use of the dwelling.**

**126 ENFORCEMENT REF. 0003/2018 - LAND AT NO. 8 CORNCRAKE DRIVE, ARNOLD**

Breach of Planning: Material change of use of residential dwelling to a mixed use of residential dwelling and office/internet sales business and storage of samples.

**RESOLVED that the Service Manager, Development Services, in conjunction with the Director of Organisational Development & Democratic Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts if required to ensure;**

- (a) the cessation of the unauthorised business use; and**
- (b) the removal of office equipment and sample clothing and any other items not considered to be incidental or ancillary to the domestic residential use of the dwelling**

**127 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**128 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 6.20 pm

Signed by Chair:  
Date: