



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

Agenda

Planning Committee

Date: **Wednesday 17 April 2019**

Time: **6.00 pm**

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

For any further information please contact:

Cayte Goodall

Democratic Services Officer

0115 901 3961

Planning Committee

Membership

Chair Councillor John Truscott

Vice-Chair Councillor Paul Wilkinson

Councillor Michael Adams
Councillor Pauline Allan
Councillor Peter Barnes
Councillor Chris Barnfather
Councillor Alan Bexon
Councillor Kevin Doyle
Councillor David Ellis
Councillor Meredith Lawrence
Councillor Barbara Miller
Councillor Marje Paling
Councillor Colin Powell
Councillor Alex Scroggie
Councillor Jane Walker
Councillor Henry Wheeler
Councillor Tammy Bisset

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MINUTES PLANNING COMMITTEE

Wednesday 27 March 2019

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor David Ellis
 Councillor Michael Adams Councillor Meredith Lawrence
 Councillor Peter Barnes Councillor Barbara Miller
 Councillor Chris Barnfather Councillor Marje Paling
 Councillor Alan Bexon Councillor Colin Powell
 Councillor Tammy Bisset Councillor Alex Scroggie
 Councillor Jim Creamer Councillor Henry Wheeler
 Councillor Kevin Doyle

Absent: Councillor Pauline Allan and Councillor Jane Walker

Officers in M Avery, C Goodall, F Whyley and K Cartwright
Attendance:

122 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Allan and Walker. Councillors Bisset and Creamer attended as substitutes.

123 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 FEBRUARY 2019

RESOLVED:

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

124 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest, on behalf of all Members, in item 6 of the agenda due to the financial contribution being made to Carlton Le Willows Academy for the football pitches by Gedling Borough Council should the development be granted.

125 APPLICATION NO. 2017/1263 - LAND ADJACENT DARK LANE, CALVERTON

Erection of 57 No. Dwellings and associated works.

The Service Manager – Development Services introduced the report and gave the following updated information to the committee:

The applicant had confirmed that they were content to enter into policy compliant obligations as detailed in the report. Concern had however been expressed in relation to the proposed Local Labour Agreement. The applicant had advised that as a small local company they operate using local sub-contractors, most of who had worked with them for many years. The applicant had also advised that they only directly employ supervisory and management staff. It was however considered that it was possible to enter into a flexible Local Labour Agreement which met the business model of the developer, but also provided a formal commitment to use local labour and to provide the Borough Council with appropriate monitoring targets.

The Service Manager – Development Services informed Members that further to the publication of the report, Calverton Parish Council had raised concern that the proposed planning obligation did not seek a planning obligation for village centre improvements as required in the Calverton NP (Policy G2 – Developer Contributions). He accepted that the report did not specifically address the issue, which was an oversight and provided the following update:

This policy consideration has now been fully considered and I do not consider that the request made by CPC meets the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010, namely that an obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In particular, unlike with the requirements for education and healthcare, there is no quantifiable basis or policy that could be used to set out how a sum of money or a scheme of improvements would be both necessary to make the development acceptable in planning terms or be fairly and reasonably related in scale and kind to either of the developments being proposed. This being the case, if village centre improvements were to be included in the list of S106 requirements, the Borough Council would subsequently have no basis on which to negotiate what form or amount that this would take, notwithstanding the fact that to do so would not meet with the tests I have just outlined. The Parish Council has however suggested that the contribution should be £1,000 per dwelling.

It should also be noted that a planning application to improve the village centre (St Wilfred's Square) has recently been approved and that much of the centre is in private ownership, meaning that it cannot benefit from S106 monies. Likewise, S106 monies should not be used to maintain

existing areas under public ownership, as this too would not meet the tests.

Furthermore, I note that paragraph 52 of the Neighbourhood Plan states that the Community Infrastructure Levy will be used to deliver village centre environmental improvements. Paragraph 53 advises that receipt will also be expended village centre car parking. In light of the fact that a planning obligation would fail to meet with the necessary tests, it is considered to be procedurally correct that the Community Infrastructure Levy instead be used to fund such improvements as required. The Parish element of the CIL receipt, which equates to 25% of the payment, would be approximately £86,000.

RESOLVED:

To Grant Full Planning Permission: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, bus stop improvements, maintenance of open space areas and drainage features and a local labour agreement; 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 following plans:
 - o 001_B
 - o 201_E
 - o 202_E
 - o 203_E
 - o 204_E
 - o 205_E
 - o 206_D
 - o 207_D
 - o 208_D
 - o 209_D
 - o 210_D
 - o 211_D
 - o 212_E
 - o 213_E
 - o 214_E
 - o DLCPD01 REV D

The development shall thereafter be undertaken in accordance with these plans.

- 3 The development shall be constructed using the external materials set out in the Rebuttal Statement received on 9th August 2018.
- 4 Prior to the first occupation of the dwellings hereby approved there shall be submitted to and approved by the Local Planning Authority 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 first occupation 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 Local Planning Authority 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.
- 5 No dwelling shall be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries or divisions within the site, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the dwellings are first occupied and retained as such in perpetuity.
- 6 Prior to any above ground work construction works taking place, plans showing existing and proposed ground levels of the site and details of the finished floor levels of every dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 7 The development shall be undertaken in accordance with the recommendations set out in Section 7.0 of the submitted Preliminary Ecological Appraisal (Report No: RT-MME-127579-02) dated April 2018.
- 8 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance.. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain

'dark' areas and corridors as set out within the Preliminary Ecological Appraisal. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.

- 9 Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice

- Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents
- Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance
- Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours
- Regularly review the Noise and Dust Management Plan.

Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the Local Planning Authority and communicated to all other stakeholders. The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.

- 10 Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) is submitted to and approved in writing by the Local Planning Authority. 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 agreed remediation scheme shall be implemented in accordance with the approved timetable of works. 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 Local Planning Authority.

- 11 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 Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with good practice and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

- 12 All retained trees and hedgerows on the site, as defined by the Arboricultural Survey (RT-MME-127579-01 April 2018) and the Hedgerow Regulations Assessment (RT-MME-127579-03 April 2018), shall be protected for the duration of site preparation and construction works in accordance with the recommendations set out in both reports.
- 13 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall thereafter be implemented in accordance with the approved details.
- 14 No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 15 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 16 No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times during the construction of the development and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 17 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each

dwelling, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.

- 18 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 19
 - a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:
 - i) The programme and methodology of site investigation and recording
 - ii) The programme for post investigation assessment
 - iii) Provision to be made for analysis of the site investigation and recording
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - v) Provision to be made for the archive deposition of the analysis and records of the site investigation
 - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
 - b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a).
 - c) The new dwellings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made for analysis, publication and dissemination of results has been secured.

Reasons

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

- 2 For the avoidance of doubt and to define the terms of this permission.
- 3 In the interests of visual amenity.
- 4 In the interests of visual amenity.
- 5 In the interest of visual amenity.
- 6 In the interests of visual and residential amenity.
- 7 In the interests of protecting ecological interests.
- 8 In the interests of protecting ecological interests.
- 9 In the interests of residential amenity.
- 10 To ensure that land contamination matters are fully addressed.
- 11 To ensure that land contamination matters are fully addressed.
- 12 To ensure that retained trees and hedges are adequately protected.
- 13 To ensure the development is constructed to adoptable standards.
- 14 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 15 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 16 In the interests of Highway safety
- 17 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
- 18 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
- 19 To safeguard any potential archaeological remains.

Reasons for Decision

The proposed development would take place on a site that is identified as a housing commitment with the Local Planning Document and would

be of an acceptable layout, design, density, would not have an undue impact upon residential amenity, designated heritage assets, ecological considerations, existing landscape features or highway safety. The development would therefore accord with the general objectives of the relevant national and local planning policies

Notes to Applicant

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 applicant should note that notwithstanding any planning permission, if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

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. 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. All correspondence with the Highway Authority should be addressed to:- TBH - NCC (Highways Development Control) (Floor 9) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

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

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

proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application.

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

With respect to Condition 18, Severn Trent Water advise that a hydraulic modelling study may be required to determine if the proposed flows from the development can be accommodated in the existing system, and if not to identify what improvements may be required. If surface is drained sustainably, this will only apply to the foul drainage. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to all for these works to be completed before any additional flows are connected. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered.

APPLICATION NO. 2018/0360 - LAND SOUTH OF MAIN STREET, CALVERTON

Outline planning application for up to 79 No. dwellings with all matters reserved except access.

Mr Sunil Vidhani, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report and gave the following updated information to the committee:

The applicant had confirmed that they were content to enter into policy compliant obligations as detailed in the report. Concern had however been expressed in relation to the proposed Local Labour Agreement. The applicant had advised that as a small local company they operate using local sub-contractors, most of who had worked with them for many years. The applicant had also advised that they only directly employ supervisory and management staff. It was however considered that it was possible to enter into a flexible Local Labour Agreement which met the business model of the developer, but also provided a formal commitment to use local labour and to provide the Borough Council with appropriate monitoring targets.

The Service Manager – Development Services informed Members that further to the publication of the report, Calverton Parish Council had raised concern that the proposed planning obligation did not seek a planning obligation for village centre improvements as required in the Calverton NP (Policy G2 – Developer Contributions). He accepted that the report did not specifically address the issue, which was an oversight and provided the following update:

This policy consideration has now been fully considered and I do not consider that the request made by CPC meets the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010, namely that an obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In particular, unlike with the requirements for education and healthcare, there is no quantifiable basis or policy that could be used to set out how a sum of money or a scheme of improvements would be both necessary to make the development acceptable in planning terms or be fairly and reasonably related in scale and kind to either of the developments being

proposed. This being the case, if village centre improvements were to be included in the list of S106 requirements, the Borough Council would subsequently have no basis on which to negotiate what form or amount that this would take, notwithstanding the fact that to do so would not meet with the tests I have just outlined. The Parish Council has however suggested that the contribution should be £1,000 per dwelling.

It should also be noted that a planning application to improve the village centre (St Wilfred's Square) has recently been approved and that much of the centre is in private ownership, meaning that it cannot benefit from S106 monies. Likewise, S106 monies should not be used to maintain existing areas under public ownership, as this too would not meet the tests.

Furthermore, I note that paragraph 52 of the Neighbourhood Plan states that the Community Infrastructure Levy will be used to deliver village centre environmental improvements. Paragraph 53 advises that receipt will also be expended village centre car parking. In light of the fact that a planning obligation would fail to meet with the necessary tests, it is considered to be procedurally correct that the Community Infrastructure Levy instead be used to fund such improvements as required. The Parish element of the CIL receipt, which equates to 25% of the payment, is unable to be confirmed due to this being an outline application and therefore the floor areas are unknown.

RESOLVED:

To Grant Outline Planning Permission with the matter of Access approved: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, bus service improvements, bus stop improvements, maintenance of open space areas and drainage features and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

Conditions

- 1 Approval of the details of layout, scale, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.

- 3 This permission shall be read in accordance with drawing number 002_C (with regard to the site area) and drawing numbers 17-0636-001 Revision A and GA_101_J (with regard to the two access points onto Main Street only). Development shall thereafter be undertaken in accordance with these plans.
- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 6 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has 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 Local Planning Authority. 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 following the site characterisation assessment, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) shall be submitted to and approved in writing by the Local Planning Authority. 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. 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.

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 Local Planning Authority.

- 7 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 Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements set out in Condition 6 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 Local Planning Authority.
- 8 No development shall commence on site in connection with the development hereby approved (including, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:
 - a) Timing and phasing of Arboricultural works in relation to the approved development.
 - b) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges on and adjacent to the site.
 - c) Details of any construction works required within the root protection area of trees, hedges or shrubs on and adjacent to the site, as defined by BS5837:2012.
 - d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

- 9 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each dwelling, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.

- 10 Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:
- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice
 - Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents
 - Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance
 - Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours- Regularly review the Noise and Dust Management Plan.
- Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the Local Planning Authority and communicated to all other stakeholders. The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.
- 11 The development shall be undertaken in accordance with the recommendations set out in Section 6 of the submitted Report of Ecology & Protected Species Surveys (Report No: 2019/01/532) dated January 2019.
- 12 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance.. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain 'dark' areas and corridors. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 13 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided prior to the first occupation of the development hereby approved.

- 14 a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:
- i) The programme and methodology of site investigation and recording
 - ii) The programme for post investigation assessment
 - iii) Provision to be made for analysis of the site investigation and recording
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - v) Provision to be made for the archive deposition of the analysis and records of the site investigation
 - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a).
- c) The new dwellings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made for analysis, publication and dissemination of results has been secured.
- 15 Prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, visibility splays and drainage, precise details of the proposed works shall be submitted to and approved in writing by the Local Planning Authority. All details submitted to the Local Planning Authority for approval shall comply with the Nottinghamshire County Council's current Highway Design and Parking Guides and all works shall thereafter be implemented in accordance with the approved details.
- 16 Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

- 17 No part of the development hereby permitted shall be brought into use until the pedestrian crossing as shown for indicative purposes only on drawing 17-0636-001 Revision A has been provided.
- 18 Occupation of the proposed dwellings shall not take place until their access driveway is fronted by a suitably constructed vehicular crossing.
- 19 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

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 To define the permission, for the avoidance of doubt.
- 4 To ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
- 5 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.

- 6 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 8 To ensure that existing trees and hedges are adequately protected.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
- 10 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 11 In the interests of protecting ecological interests.
- 12 In the interests of protecting ecological interests.
- 13 In the interests of enhancing ecological provision on the site
- 14 To safeguard any potential archaeological remains.
- 15 In the interest of highway safety.
- 16 In the interest of highway safety.
- 17 In the interest of highway safety.
- 18 To ensure that drivers can cross the footway in a safe and controlled manner.
- 19 In the interest of highway safety.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 79 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety, archaeological interests and ecological interests or would cause drainage concerns. It is therefore considered that the

granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents and Calverton Neighbourhood Plan.

Notes to Applicant

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

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. 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.

Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.uk

The pedestrian crossing on Main Street will be constructed within the extents of the public highway. These works shall be provided to the satisfaction of the Highway Authority. You are therefore required to contact licences@viaem.co.uk to obtain the necessary licence prior to works taking place.

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy

(CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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

**127 APPLICATION NO. 2018/0836 - CARLTON LE WILLOWS
ACADEMY, WOOD LANE**

Installation of 3G artificial grass pitch, fencing, hardstanding, flood light system, together with the erection of 1No. single storey pavilion and 1No. storage container.

Mr Michael Davies, the applicant, spoke in support of the application.

The Service Manager – Development Services advised the committee that the indicative location plan provided with the agenda pack was incorrect as it identified the originally proposed location and that the

facility was proposed to be sited between the school buildings and adjacent to Wood Lane as detailed in the report.

RESOLVED:

To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form, Ground Floor Layout 2 Changing Rooms drawing no 928.002-A-20-02 Rev A00, Ground Floor Layout - 4 Changing Rooms drawing no 928.002-A-20-01 Rev A00, Proposed elevations 4 changing rooms drawing no 928.002-A-21-02 Rev A00, Proposed elevations 2/4 changing rooms-Phasing drawing no 928.002-A-21-03 Rev A00, Proposed elevations-2 changing rooms drawing no 928.002-A-21-01 Rev A00, Typical Section drawing no 928.002-A-22-02 Rev A00 received 21st August 2018; Roof Plan - 2 Changing Rooms drawing no 928.002-A-20-12 Rev A00, Roof Plan - 4 Changing Rooms drawing no 928.002-A-20-13 Rev A00 received 12th September 2018; Design & Access Statement received 15th February 2019; Proposed Site Location Plan drawing no 928.002-A-10-01 Rev A03, Site Plan drawing no 928.002-A-10-02 Rev A07, Proposed Floodlighting Drawing no 04 Rev 02, Proposed AGP Layout Drawing no 02 Rev 03, Block Plan drawing no 928.002-A-10-03 Rev A06, Proposed Site Plan drawing no 01 Rev 02 received 27th February 2019. Proposed Elevations Drawing no 03 Rev 02 received 6th March 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 The development hereby approved shall only be available for use by non-school clubs or groups between the hours of 16:00-22:00, Monday to Friday during school term time, or not earlier than 1 hour after the official school day ends if later than 3pm. At any other time the development shall only be available for use between the hours of 0900 and 2200.
- 4 The development hereby approved shall not be bought into use until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the development hereby approved and include details of pricing policy, hours of use, access by non-[educational establishment] users [non-members], management responsibilities and a

mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

- 5 Before development is commenced, there shall be submitted to and approved in writing by the Local Planning Authority, details of the location and specification of the bat boxes specified as a mitigation measures within the Follow-up Aerial Tree Survey - Bats, March 2019. The mitigation measure shall be implemented in accordance with the approved details and shall be retained for the lifetime of the development.
- 6 The flood light system hereby approved shall be implemented in accordance with the Floodlighting Performance Report received on 11/03/2019 and shall be retained for the lifetime of the development.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To reduce the impact upon the highway network on Wood Lane and in the interest of residential amenity.
- 4 To secure well managed and safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.
- 5 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
- 6 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

Reasons for Decision

In the opinion of the Borough Council, the proposed development will result in no undue impact on the amenity of adjacent properties and any undue detriment to the visual amenity of the locality. Very special circumstance justify any harm to the openness or character of the Green Belt. The proposal is also considered to have no adverse effects in terms of highway safety. The proposal accords with; Policy 3 (Green Belt), Policy 10 (Design and Enhancing Local Identity) and Policy 12 (Local Services and Healthy Lifestyles) of the Aligned Core Strategy 2014; LPD19, LPD20, LPD32, LPD35, LPD57 & LPD61 and Part 8

(Promoting healthy communities), Part 12 (Achieving well-designed places and Part 13 (Protecting Green Belt land) of the National Planning Policy Framework.

Notes to Applicant

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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

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.

The Applicants attention is drawn to your obligations to ensure the protection of bats under The Conservation of Habitats and Species Regulations 2010 (as amended). It is therefore recommended to resurvey the trees prior to the flooding lights first coming into use to ensure that no bats are roosting within the trees.

Change of use from Office (B1) to Residential (C3) and side extension of less than 50% of the existing floor area.

Councillor Wilkinson left the meeting.

RESOLVED to:

GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the details within the Application Form, the OS Location Plan and following Drawings 1898-01 "Site Plan", 1898-02 "Existing Floor Plan", 1898-03 "Existing Elevations", 1898-04 "Proposed Floor Plan" and 1898-05 "Proposed Elevations" submitted on the 3rd January 2019 and the email dated 15th February 2019 received from the applicant / agent confirming the description of works. The development shall thereafter be undertaken in accordance with these details.
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 Local Planning Authority.
4. Prior to commencement of any external works, details of the Electric Vehicle charging point to be provided at the hereby approved dwelling, to include the location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.

Reasons

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

2. For the avoidance of doubt and to define the terms of this permission.
3. To ensure any future development does not impact on the openness of the Green Belt or the reasons for including land within it, in accordance with the aims of the National Planning Policy Framework (2019) Policy 3 of the Aligned Core Strategy (2014) and Policies 12 and 13 of the Local Planning Document (2018).
4. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Council's Local Plan.

Reasons for Decision

In the opinion of the Borough Council the proposed development would not cause harm to the openness of the Green Belt, is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highway Safety. The development therefore accords with the objectives of the National Planning Policy Framework, Policies A, 3, 8 and 10 of the Aligned Core Strategy, and Policies LPD 11, 12, 13, 32, 57 and 61 of the Local Planning Document.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). 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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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

detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

129 APPLICATION NO. 2019/0034 - BURNTSTUMP COTTAGE, BURNTSTUMP HILL, ARNOLD, NG5 8PQ

Demolition of existing single storey rear extension, erection of two storey rear extension and conversion of existing garage to en-suite.

The Service Manager – Development Services advised Members that the application had been referred to Planning Committee as the agent was related to a member of staff at Gedling Borough Council and therefore, in accordance with the Council's constitution, the application had been referred to Planning Committee.

RESOLVED:

To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the application form & site location plan, ref: PDL-08-100 Rev 2 received on 22nd January 2019, revised plan submitted on the 4th February 2019, ref: PDL-22-004 Rev 2 and revised block plan received on the 12th February 2019, ref: PDL-22-005 Rev 1. The development shall thereafter be undertaken in accordance with these plans/details.
3. The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling house.

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 details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have any detrimental impact on the openness or character of the Green Belt, and is considered to be appropriate development within the Green Belt. It is also considered that the proposed development will result in no undue impact on the amenity of adjacent properties or on highway safety. The proposal therefore accords with Policy 3, Policy 10 of the Aligned Core Strategy 2014, Policy LPD13, LPD19, LPD32, LPD35, LPD 57 and LPD 61 of the Local Planning Document 2018, Policies 2, 3 & 7 of the Papplewick Neighbourhood Plan as well as the Policies contained within the National Planning Policy Framework (2019) and Policy SPZ 3 of the Greater Nottinghamshire Landscape Character Assessment.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

The 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. 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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported

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

**130 ENFORCEMENT REF. 0072/2018 - LAND AT ROSE COTTAGE,
GOOSEDALE LANE, BESTWOOD**

Cllr Wilkinson joined the meeting.

Unauthorised storage container, material change of use of agricultural land to garden and untidy land.

The Service Manager – Development Services informed the committee that further to the publication of the report, an agent acting on behalf of the owner of the land had advised that the container would be removed by Friday the 5th April and arrangements were currently being made for the rubble to be collected from the site but that his recommendation was unchanged. A further compliance check would be undertaken after the 5th April, and if the breach of planning control had been addressed by the land owner, it would not be necessary to serve a notice.

RESOLVED that:

The Service Manager, Development Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised storage container is removed and the land is tidied and returned to its lawful use.

**131 ENFORCEMENT REF. 0052/2018 - NOTTINGHAM CARE VILLAGE,
168 SPRING LANE, LAMBLEY**

Unauthorised construction of a car park.

RESOLVED:

That the Service Manager, Development Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of

Organisational Development & Democratic Services, proceedings through the courts if required to ensure the car park is removed and the land to be reinstated to its previous undeveloped state.

132 APPEAL DECISION - 218 KENRICK ROAD, MAPPERLEY

The proposed demolition of the existing dwelling on the site and the erection of three dwellings on the site.

RESOLVED:

To note the information.

133 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

134 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

135 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting finished at 7.20 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

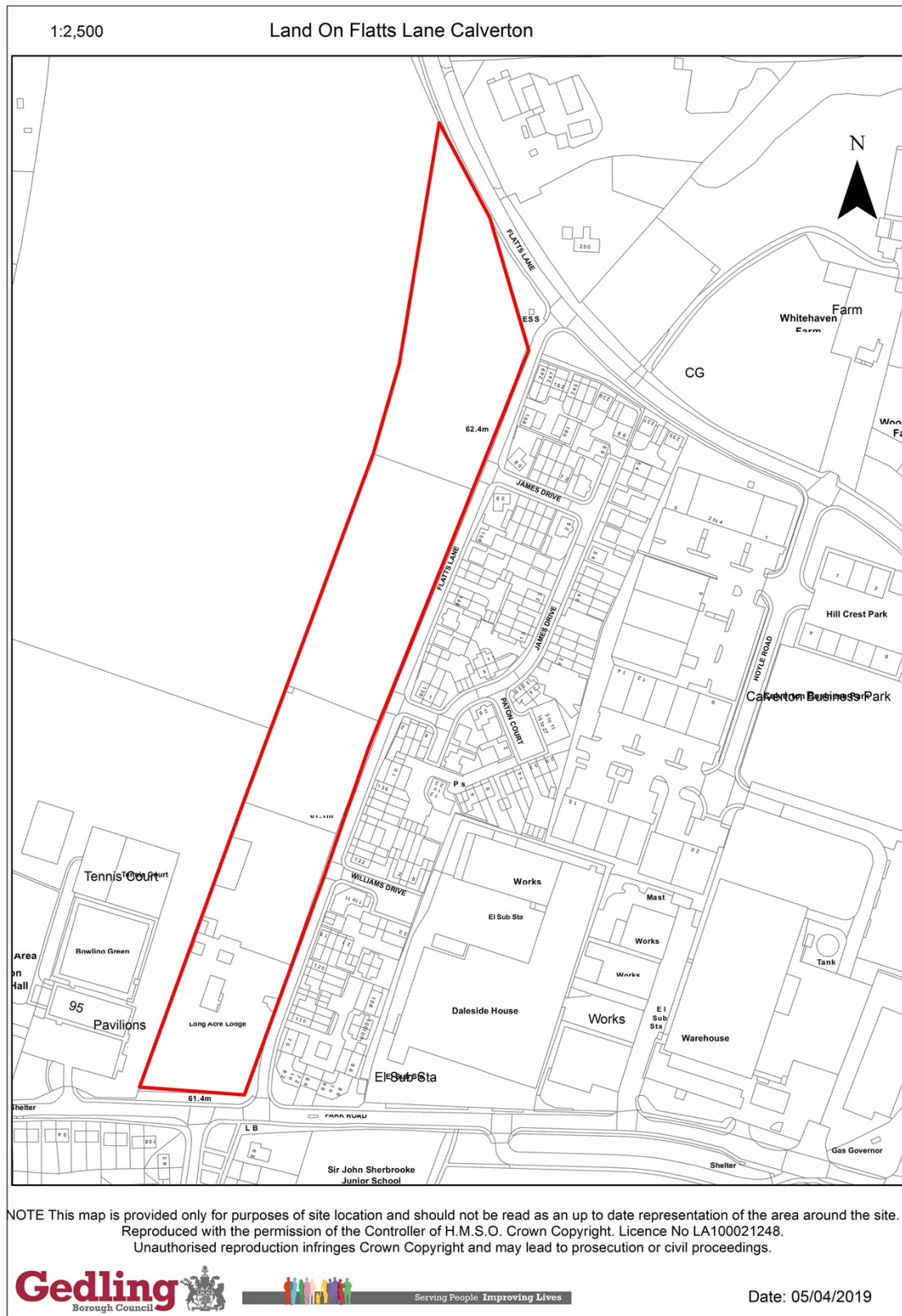
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the 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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Planning Report for 2018/1143



Report to Planning Committee

Application Number: 2018/1143

Location: Land On Flatts Lane Calverton

Proposal: Outline planning application (all matters reserved except for means of access) for the demolition of existing buildings and structures and the erection of up to 84 no. dwellings and associated open space and infrastructure.

Applicant: Metacre Ltd

Agent: Turley

Case Officer: Graham Wraight

1.0 Site Description

- 1.1 The site consists of an area of mostly open land which runs north from Park Road along the west side of Flatts Lane. All of the site boundaries are formed by mature hedging and vegetation. The northern, eastern and southern boundaries are shared with the public highway (Park Road and Flatts Lane) and the western boundary with open land and with Calverton Village Hall and the William Lee Memorial Park. A recent housing development is situated on the eastern side of Flatts Lane.
- 1.2 There is one residential dwelling located with associated outbuildings located within the site, all of which would be demolished as part of the proposed development. There are no significant differences in land levels across the site.
- 1.3 There are two Oak trees on the north-eastern boundary of the site that are protected by a Tree Preservation Order. There is a Scheduled Ancient Monument, (Two Roman Camps 350m North East of Lodge Farm), and a Grade II Listed Building, Lodge Farmhouse and Adjoining Stables, located approximately 200 metres to the north of the site.
- 1.4 The site area is 2.75 hectares.

2.0 Relevant Planning History

- 2.1 None.

3.0 Proposed Development

- 3.1 The application seeks outline planning permission for the erection of up to 84 new dwellings with the matter of access for consideration now and the matters of layout, appearance, scale and landscaping reserved for later consideration.
- 3.2 Access would be taken directly from five points on Flatts Lane and these are shown on a plan submitted in support of the application. This plan also shows indicatively how the proposed dwellings could be laid out on the site.

Consultations

- 4.1 Environment Agency - The site falls in Flood Zone 1 and the Lead Local Flood Authority should be consulted regarding sustainable surface water disposal from the site. No formal comments from the Environment Agency.
- 4.2 Nottinghamshire County Council – Lead Local Flood Authority – No objection but makes reference to a number of surface water considerations.
- 4.3 Historic England - On the basis of the information available to date (including the public open space indicated at the northern end of the site nearest the Scheduled Monument), we do not wish to offer any other comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- 4.4 Gedling Borough Council Conservation Officer – No objection. Recommends that conditions are attached for a full archaeological evaluation using a range of techniques, field walking, trial trenching, geo-physical investigations and watching briefs to inform a reserved matters application. Advises that the impact upon the Scheduled Ancient Monument (two Roman marching camps located 350m north east of Lodge farm) to the north of the site will need consideration at reserved matters stage but the proposed location of the open space is welcomed.
- 4.5 Gedling Borough Council Economic Development – a Local Labour Agreement is required.
- 4.6 Gedling Borough Council Parks and Street Care – comments will be reported verbally at Planning Committee.
- 4.7 Gedling Borough Council Strategic Housing - The affordable housing requirement for this location is 20% of dwellings to be developed as affordable housing. Based on a development of 84 units this would require 16 units to be built as affordable housing. Of these, we require that 11 are for affordable/ social rent and 5 are for intermediate sale.
- 4.8 Gedling Borough Council Scientific Officer - no objection, request conditions relating to land contamination, electric vehicle charging points and a construction management plan. Requests that the Travel Plan be amended.
- 4.9 Forestry Officer – no objection subject to a condition relating to tree protection.

- 4.10 NHS Clinical Commissioning Group - requests a financial contribution of £45,303 towards healthcare provision for 210 people.
- 4.11 Nottinghamshire County Council Highways – no objection subject to conditions relating to details to be submitted at reserved matters stage, details of access junctions, appointment of a Travel Plan Coordinator, Travel Plan monitoring, the hard surfacing of accesses, details of pedestrian crossings and details of a footway on Flatts Lane.
- 4.12 Nottinghamshire County Council Planning Policy - . A contribution towards Bus Stop Improvements/Installations is requested to the value of £10,000. This will be used towards improvements to bus stops to promote sustainable travel or the installation of new bus stops within the vicinity of the site.
- 4.13 Nottinghamshire County Council Education –
- The development would yield 18 primary school places. As a result, the County Council would seek a contribution of £245,808 (18 x £13,656) to mitigate the impact of this development.
- The development would yield 13 secondary school places. As a result, the County Council would seek a contribution of £230,789 (13 x £17,753) to mitigate the impact of this development.
- 4.14 Trent Valley Drainage Board – the design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and the Local Planning Authority.
- 4.15 Calverton Parish Council – Objects on the following grounds:
- ☐ The Local Plan indicated that 60 houses would be built and this proposal is over intensive
 - ☐ Fewer properties should be proposed
 - ☐ The mix of properties does not meet with the requirements of the Calverton Neighbourhood Plan
 - ☐ The Calverton Neighbourhood Plan recommends that development should not exceed 2 storeys and the block of flats at the southern end would not comply with this
 - ☐ The distribution of affordable housing is not in accordance with the Calverton Neighbourhood Plan
 - ☐ The width of Flatts Lane is already a problem and the number of accesses would exacerbate this
 - ☐ The existing hedgerow would have to be removed in several places, one access to the north and one to the south would be preferable
 - ☐ The Calverton Neighbourhood Plan states that there should be a masterplan for the North West quadrant. The application represents piecemeal development and may make a bus connection onto Flatts Lane impossible
 - ☐ The William Lee Park will need a secure boundary and a proposed access to the park from the development is not supported
 - ☐ The hedge on Flatts Lane should be enhanced and thickened

- ☐ More details are required of the planting at the northern end of the site are required to assess the impact on the view from the Scheduled Ancient Monument

4.16 Members of the Public

A press notice was published, three site notices were displayed and neighbour notification letters were posted 7 objections have been received and these are summarised as follows:

- ☐ Loss of sections of hedgerow
- ☐ Impact upon highway safety
- ☐ Number of accesses should be reduced
- ☐ An access should be taken from Park Road
- ☐ Dwellings should be limited to 2 storeys
- ☐ Difficulties in selling existing properties
- ☐ Traffic congestion
- ☐ Encroachment into countryside
- ☐ Flatts Lane should be widened
- ☐ Flatts Lane should be made one way, double yellow lines should be used and the speed limit reduced to 20mph
- ☐ The travel survey is incorrect
- ☐ Impact upon local facilities and services
- ☐ There is no joined up thinking between developments
- ☐ Renewable energy measures should be included
- ☐ Loss of wildlife
- ☐ Existing land and buildings should be re-used
- ☐ Increase in traffic
- ☐ Noise increase
- ☐ Disturbance from car headlights
- ☐ Loss of privacy
- ☐ Parking and turning will become a problem
- ☐ Change in the character of the village
- ☐ Increase in school class sizes

4.17 Following the submission of new plans and additional information which aimed to address concerns raised by the Highway Authority a new period of consultation was undertaken comprising of the posting of neighbour notification letters. Two further representations were received and are summarised as follows:

- ☐ The travel survey is incorrect
- ☐ There is no joined up thinking between developments
- ☐ Impact upon highway safety
- ☐ The ecological survey does not assess parts of the site in private ownership
- ☐ Loss of wildlife
- ☐ No green initiatives are proposed
- ☐ Impact upon local facilities and services
- ☐ Existing land and buildings should be re-used
- ☐ Increase in surface water run-off

5.0 Assessment of Planning Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Development Plan Policies

- 6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework 2019

Sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a sufficient supply of homes), 11 (Making effective use of land) and 12 (Achieving well-designed places) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals

Policy 1: Climate Change – all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.

Policy 2: The Spatial Strategy – states that sustainable development will be achieved through a strategy of urban concentration with regeneration.

Policy 8: Housing Size, Mix and Choice – sets out the objectives for delivering new housing.

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

Policy 17: Biodiversity – sets out the approach to ecological interests.

Policy 19: Developer Contributions – set out the criteria for requiring planning obligations.

6.4 Local Planning Document (Part 2 Local Plan)

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 4: Surface Water Management – sets out the approach to surface water management.

LPD 7: Contaminated Land – sets out the approach to land that is potentially contaminated.

LPD 11: Air Quality – states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.

LPD 19: Landscape Character and Visual Impact – states that planning permission will be granted where new development does not result in a significant adverse visual impact or a significant adverse impact on the character of the landscape.

LPD 21: Provision of New Open Space – sets out that there will be a requirement for public open space on sites of 0.4 hectares in area and above, which could be on-site or off-site.

LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 33: Residential Density – states that planning permission will not be granted for proposals of less than 30 dwellings per hectare unless there is convincing evidence of a need for a different figure.

LPD 35: Safe, Accessible and Inclusive Development – sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.

LPD 36: Affordable Housing – sets out that a 20% affordable housing provision will be required in Calverton but that a lower requirement may be justified provided there is sufficient evidence which takes account of all potential contributions from grant funding sources and a viability assessment has been undertaken by the Council which demonstrates this.

LPD 37: Housing Type, Size and Tenure – states that planning permission will be granted for residential development that provides for an appropriate mix of housing.

LPD 48: Local Labour Agreements – sets out the thresholds where a Local Labour Agreement will be required.

LPD 57: Parking Standards – sets out the requirements for parking.

LPD 61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

LPD 66: Housing Allocations– identifies the application site as housing allocation X4, for approximately 60 new dwellings.

6.5 Calverton Neighbourhood Plan

The Calverton Neighbourhood Plan was adopted by Gedling Borough Council on 31 January 2018. As such the Calverton Neighbourhood Plan forms part of the Development Plan for Gedling Borough.

Policy G2: Developer Contributions – sets out that developer contributions will be sought towards education provision (nursery, primary, secondary, 16-18), primary GP healthcare provision and village centre environmental improvements

Policy G5: Housing Mix – states that development should include a mix of dwelling sizes, that planning permission will be granted for developments which provide bungalow and other types of accommodation for elderly and disabled people, that proposals for major development that do not include a mix of dwelling sizes and tenures and accommodation suitable for elderly and disabled people will be refused, that on all major development schemes, planning permission will be granted for the provision of plots for self-build subject to other policies in the development plan and that affordable housing should be designed and delivered to be indistinguishable from market housing and should be distributed throughout the development as a whole.

Policy ISF1: Sustainable Transport – states that opportunities for the use of sustainable modes of transport must be maximised.

Policy ISF2: Car Parking – states that any new development outside of the Village Centre will only be permitted where it has sufficient parking provision.

Policy ISF3 – Highway Impact – sets out the criteria for assessing highway impact.

Policy ISF4: Infrastructure Provision – states that residential developments will be required to provide the necessary infrastructure, such as education provision, healthcare provision, open space and drainage provision.

Policy BE1: Design & Landscaping – states that all development on the edge of Calverton must provide soft landscaping on the approach into the village and sets out criteria to achieve this.

Policy BE2: Local Distinctiveness and Aesthetics – states that development should be designed to a high quality that reinforces local distinctiveness including that buildings on the fringes of major developments should have variations in height, style and position.

Policy BE3: Public Realm – sets out the approach to the public realm and to landscaping.

Policy BE4: Parking Provision – sets out that adequate parking must be provided.

Policy NE3: Flooding- sets out the approach to preventing flooding and to ensure that adequate drainage is provided.

Policy NE4: Green Infrastructure –sets out the approach to green infrastructure and ecological considerations.

Policy NE5: Biodiversity – sets out the approach to biodiversity.

6.6 Other

Parking Provision for Residential Developments – Supplementary Planning Document 2012– sets out the car parking requirements for new residential development.

Open Space Provision SPG (2001) – sets out the open space requirements for new residential development.

Affordable Housing SPD (2009) – sets out the affordable housing requirements for new residential development.

7.0 **Planning Considerations**

Principle of the development

- 7.1 The site is allocated as housing site X4 by Policy LPD 66 of the Local Planning Document which was adopted in July 2018. Policy LPD 66 identifies the site as providing approximately 60 dwellings. The outline planning application submitted proposes up to 84 dwellings. The indicative plan submitted suggests that the increase in density could be achieved by the siting of an apartment block on the frontage with Park Road. Whilst the scale of the development would be considered at reserved matters stage, the approval of this outline planning application is considered to be in accordance with the development plan and with the objectives of the National Planning Policy Framework and Aligned Core Strategy.

Density

- 7.2 The site area is 2.75 hectares which gives a density of 30.5 dwellings per hectare. Policy LPD 33 states that development in Calverton should be of a minimum density of 25 dwellings per hectare, so the proposed development would meet with this requirement.

Compliance with Calverton Neighbourhood Plan Policy G1 (Comprehensive Development)

- 7.3 Policy G1 states that proposals for residential development in the ‘North-West Quadrant Urban Extension’ will only be permitted where it is accompanied by an overall masterplan illustrating the following aspects:

- A high quality residential environment
- Highway access links including to/from the existing village road network and the feasibility of links to/from the B6386 Oxtun Road

- Off-site highway improvements
- Footpath and Cycle links into the village
- Provision of open space and structural landscaping
- Retention of open frontages between new development and North Green and Park Road
- The inter-relationship between new development and the Community Hall & Sports Pavilion and William Lee Memorial Park
- Housing mix, including starter homes, affordable housing and housing for the elderly
- Ecological corridors
- Health Impact Assessment

- 7.4 An overall masterplan for the North-West Quadrant has not been provided but instead the indicative plan considers how the proposed development could link to future development, for example through the provision of a vehicular access that would of a specification that would allow it to function as a connection to development of land to the west. The development would therefore not prejudice the future access of sites within the North-West Quadrant from Flatts Lane.
- 7.5 It is considered that the information submitted demonstrates that the highway matters and ecological considerations relating to this site have been adequately addressed. Layout and landscaping are reserved matters and would be considered at a later date, which would include details of landscaping and housing mix. Healthcare provision would be addressed by way of a financial contribution. Calverton Parish Council have advised that they would not support a link from the site to William Lee Memorial Park, however one is shown on the indicative plan.
- 7.6 In conclusion it is considered that the approval of this application would not prejudice the development of the North-West quadrant nor would it conflict with the objectives of Policy G1 of the Calverton Neighbourhood Plan. Furthermore, given that the land to the west of the site is safeguarded and not available for development at the current time, it would not be reasonable to prevent the development of this allocated housing site until such time as housing development on the safeguard became policy compliant.

Impact upon visual amenity

- 7.7 As appearance and scale are reserved for later consideration the impact upon visual amenity does not fall to be considered at the present time. It is considered however that a scheme could be presented that would be visually appropriate within the surrounding area and would meet with the relevant planning policies.
- 7.8 Whilst reference has been made to the potential to include three storey flats on the frontage with Park Road and the visual impact that would arise, development of this height would be in keeping with the scale of the recently constructed development on the opposite corner of Flatts Lane and Park Road. This would be considered in detail at the reserved matters stage.

Impact upon residential amenity

- 7.9 It is noted that representations received have raised concerns that the development would have an adverse impact upon residential amenity through loss of privacy.
- 7.10 As the matters of appearance, scale and layout have been reserved for later consideration it is not possible to make a detailed assessment of the impact that the development would have on the adjacent dwellings. The impact upon residential amenity would be assessed in detail at reserved matters stage however it is considered that the number of dwellings proposed by this outline application could be accommodated in a manner that would not cause undue harm to residential amenity.
- 7.11 It is not considered that the development of this site for residential purposes would cause an unacceptable impact on residential amenity due to noise or from car headlights entering and leaving the site.
- 7.12 It is therefore considered that the proposed development of this site could, in principle, be achieved in a manner that would accord with the relevant policies of the Local Development Plan and the Calverton Neighbourhood Plan in terms of the impact upon residential amenity.

Impact upon designated heritage assets and archaeological interest

- 7.13 It is considered that the layout of the development shown on the indicative plan, which sites the public open space to the north of the site, would ensure that there would not be an adverse impact upon the Scheduled Ancient Monument (two Roman marching camps located 350m north east of Lodge farm) to the north. Furthermore, it is noted that Historic England have specifically acknowledged the positioning of the public open space and have not raised an objection to the proposed development. The Conservation Officer has also not raised an objection to the principle of the development.
- 7.14 An Archaeological Assessment has been submitted and it is noted that the conclusion of this assessment is that the archaeological potential of the site is low and therefore no further archaeological work is recommended either pre or post determination of the application. However notwithstanding this, due to the proximity to the Schedule Ancient Monument and the consultation comments received from the Conservation Officer, it is considered reasonable and necessary to impose a condition requiring that further archaeological work be undertaken.

Ecological considerations

- 7.15 An ecological appraisal has been submitted in support of the proposal and this concludes that the development would not have an adverse impact upon protected species or other ecological interests. Mitigation measures include replanting new hedging and planting new grassland adjacent to retained hedgerows, bat friendly lighting, bat and bird boxes and measures to safeguard and provide enhancements for hedgehogs and invertebrates. These matters can be addressed by way of planning conditions relating to

lighting and bat and bird boxes, and a condition which requires that development be undertaken in accordance with the recommendations of the ecological appraisal. Landscaping is a reserved matter and therefore proposed planting would be considered at that stage.

- 7.16 It is therefore considered that the proposal meets with the objectives of the National Planning Policy Framework, Local Planning Document Policy 26 and Calverton Neighbourhood Plan Policy NE5.
Sherwood Forest Special Protection Area
- 7.17 Paragraph 3.17.3 in the Council's Aligned Core Strategy (ACS) (2014) states 'Whilst this is not a formal designation, it does mean that these areas are under consideration by the Joint Nature Conservation Committee, and may be declared a proposed Special Protection Area in due course. The Aligned Core Strategies and Infrastructure Delivery Plan therefore take a precautionary approach and treat the prospective Special Protection Area as a confirmed European Site. The infrastructure Delivery Plan sets out requirements for a range of mitigation measures as recommended in the Habitats Regulation Assessment Screening Record. A decision on the extent of any possible Special Protection Area is not known'.
- 7.18 Natural England's current position in respect of the Sherwood Forest Region is set out in an advice note to Local Planning Authorities (March 2014) regarding the consideration of the likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest Region. While no conclusion has been reached about the possible future classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interests, Natural England advise those affected Local Planning Authorities (LPAs) to be mindful of the Secretary of State's decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats was given significant weight.
- 7.19 In light of this decision the Advice Note recommends a precautionary approach should be adopted by LPAs which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This will help to ensure that any future need to comply with the provisions of the 2010 Regulations is met with a robust set of measures already in place. However unlike the Council's ACS, Natural England's Standing Advice Note does not recommend that the Sherwood Forest Region should be treated as a confirmed European site.
- 7.20 Having regard to evidence submitted to the inquiry in 2010, the site is not located within a core ornithological interest for breeding nightjar and woodlark area but is situated within an indicative 5km buffer zone. An ecology report has however been prepared by the applicant and this does not find any evidence of nightjar or woodlark on the planning application site. The precise extents of any buffer zones are not known and therefore it is considered that the proposal would have a minimal variance with Paragraph 3.17.3 of the Council's ACS and the benefits of the scheme would outweigh any harm identified.
- 7.21 In terms of the legal background, a potential Special Protection Area (pSPA) does not qualify for protection under the Habitats Regulations until it has been

actually designated as a SPA. Furthermore, the site does not qualify for protection under the NPPF as paragraph 176 refers to pSPAs and footnote 59 explicitly states that pSPAs are sites on which the Government has initiated public consultation on the case for designation. This has not occurred and therefore the Sherwood Forest Region does not qualify for special protection and a risk based approach is not necessary to comply with the Habitat Regulations or the NPPF.

- 7.22 It should also be noted that this site is an allocated housing site within the recently adopted (July 2018) Local Planning Document, with Policy LPD 66 identifying it as a housing allocation. The Local Planning Document has been through a Public Inquiry, has been found to be sound and has subsequently been adopted by Gedling Borough Council, meaning that housing development on this site is in full conformity with the Local Planning Document. Against this background and given the fact that no evidence of Woodlark or Nightjar have been found on the site, it is considered that it can be reasonably concluded that the site would not have any adverse effects on the breeding populations of Nightjar and Woodlark in the Sherwood Forest Area and that the development would meet with the objectives of Policy 17 of the Aligned Core Strategy.

Highway matters

- 7.23 The development would be accessed via five access points from Flatts Lane. Additional information and an amended plan has been submitted to address concerns raised by the Highway Authority and to provide a footway on Flatts Lane.
- 7.24 The Highway Authority now raises no objection to the proposal, subject to a number of conditions relating to detailed highway matters. It is considered reasonable to impose conditions relating to the specification of the highway works and pedestrian crossings and a footway on Flatts Lane. It is not considered reasonable or necessary to impose conditions relating to a Travel Plan, given the scale of the development. The internal layout of the site and parking provision would be considered at reserved matters stage.
- 7.25 In light of the fact that there is no objection from the Highway Authority, it is not considered that the proposal would be harmful to highway safety or the surrounding highway network in general, and therefore the proposal would accord with the objectives of the National Planning Policy Framework, Local Planning Document Policy LPD 61 and Calverton Neighbourhood Plan Policy ISF3.

Impact upon trees and hedgerows

- 7.26 The centre of the site is generally devoid of trees and hedgerows. A number of trees are however noted within the curtilage of the existing residential property to the south of the site. A Tree Survey has been submitted and these trees are classified as being either Category B (moderate quality) or Category C (low quality). It is likely that a number of these would need to be removed to facilitate the development and also it would be necessary to remove sections of the hedgerow which fronts onto Flatts Lane.
- 7.27 The Forestry Officer has no objection to the proposal but recommends that a condition relating to tree work and protection be imposed. It is considered

reasonable and necessary to impose such a condition. Landscaping and layout of the development would be considered in details at reserved matters stage. Based on the location of the public open space shown on the indicative plan, the two Oak trees on the north-eastern boundary that are protected by a Tree Preservation Order would not be affected by built development.

Planning obligations

7.28 The development proposed would require that the following planning obligations be met:

- ☐ Affordable Housing, to meet with the requirements of the adopted Affordable Housing Supplementary Planning Document and Policy LPD 36 of the Local Planning Document – based on a development of 84 units this equates to 16 affordable dwellings, of which 11 should be affordable/social rented and 5 of which for intermediate sale. These figures would however be proportionate to the number of dwellings actually proposed at reserved matters stage.
- ☐ The requirements with respect to Public Open Space will be reported verbally to Planning Committee.
- ☐ £245,808 (18 x £13,656) for the provision of primary school places and £230,789 (13 x £17,753) for the provision of secondary school places to mitigate the impact of the development.
- ☐ £45,303 for health facilities as requested by the NHS
- ☐ £10,000 towards bus stop improvements as requested by Nottinghamshire County Council. The contribution would improve the standard of bus stop infrastructure in the vicinity of the development and could be used for, but not limited to; Real Time Bus Stop Poles & Displays including Associated Electrical Connections, Extended Hardstands/Footways, Polycarbonate or Wooden Bus Shelters, Solar Lighting, Raised Boarding Kerbs, Lowered Access Kerbs and Enforceable Bus Stop Clearways. The improvements would be at the nearest bus stops which are situated close to the site or for the installation of new bus stops fronting the site, so are directly related to the development, and are fairly and reasonably related in scale and kind to the development (up to 84 dwellings).
- ☐ Local Labour Agreement to meet with the requirements of LPD Policy 48
- ☐ Maintenance of open space and drainage feature on site not within the residential curtilages or adopted by the Highway Authority.

7.29 These obligations would need to be secured by way of a S106 Planning Obligation which shall be completed prior to determination of the planning application. It is considered that all of the above obligations meets with the tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010.

7.30 It is noted that Policy G2 (Developer Contributions) of the Calverton Neighbourhood Plan makes reference to developer contributions being sought towards village centre environmental improvements, in addition to the education and healthcare requirements set out above. This policy consideration has been fully considered and is not considered to meet the tests set out in Regulation 122 of The Community Infrastructure Levy Regulations 2010, namely that an obligation must be:

- (a) necessary to make the development acceptable in planning terms;

- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

- 7.31 In particular, unlike with the requirements for education and healthcare, there is no quantifiable basis or policy that could be used to set out how a sum of money or a scheme of improvements would be both necessary to make the development acceptable in planning terms or be fairly and reasonably related in scale and kind to either of the developments being proposed. This being the case, if village centre improvements were to be included in the list of S106 requirements, the Borough Council would subsequently have no basis on which to negotiate what form or amount that this would take, notwithstanding the fact that to do so would not meet with the tests outlined.
- 7.32 It should also be noted that a planning application to improve the village centre (St Wildfred's Square) has recently been approved and that much of the centre is in private ownership, meaning that it cannot benefit from S106 monies. Likewise, S106 monies should not be used to maintain existing areas under public ownership, as this too would not meet the legal tests.
- 7.33 Furthermore, it is noted that paragraph 52 of the Neighbourhood Plan states that the neighbourhood portion of the Community Infrastructure Levy will be used to deliver village centre environmental improvements. Paragraph 53 advises that the levy received will also be expended on village centre car parking. In light of the fact that a planning obligation would fail to meet with the necessary tests, it is considered to be procedurally correct that the Community Infrastructure Levy instead be used to fund such improvements as required

Other matters

- 7.34 The scale of the development would be considered at reserved matters stage as would the housing mix and affordable housing location. The potential impact upon the future sale of properties is not a material planning consideration. The application is in outline form and therefore no details of renewable energy measures such as solar panels are available, however a condition will be imposed relating to electric car charging points. Whilst the principle of reusing existing land and buildings is supported, the site has been allocated for housing in the Local Planning Document. The Ecological Assessment and Arboricultural Assessment consider the whole site, including both the existing residential property and the open land. It is recommended that a condition be imposed relating to the submission of drainage scheme. Parking provision will be considered at reserved matters stage, as would housing mix, accommodation for the elderly and disabled and plots for self-build.

8.0 Conclusion

- 8.1 The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 84 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety, archaeological

interests and or ecological interests. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents and Calverton Neighbourhood Plan.

Recommendation: Grant Outline Planning Permission with the matter of Access approved: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, bus stop improvements, maintenance of open space areas and drainage features and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

Conditions

- 1 Approval of the details of layout, scale, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 3 This permission shall be read in accordance with drawing number 10_01 Revision 00 (with regard to the site area only) and drawing number METM3003-01 Revision 01 (with regard to the five access points onto Flatts Lane only). Development shall thereafter be undertaken in accordance with these plans.
- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 6 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has 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 Local Planning Authority. 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 following the site characterisation assessment, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) shall be submitted to and approved in writing by the Local Planning Authority. 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.

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. 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 Local Planning Authority.

- 7 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 Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements set out in Condition 6 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 Local Planning Authority. Any remediation works and verification reports shall be undertaken in accordance with the approved remediation scheme.
- 8 No development shall commence on site in connection with the development hereby approved (including, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:
 - a) Timing and phasing of Arboricultural works in relation to the approved development.
 - b) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges on and adjacent to the site.

c) Details of any construction works required within the root protection area of trees, hedges or shrubs on and adjacent to the site, as defined by BS5837:2012.

d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

- 9 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each dwelling, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.
- 10 Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:

- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice
- Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents
- Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance
- Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours
- Regularly review the Noise and Dust Management Plan. Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the Local Planning Authority and communicated to all other stakeholders.

The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.

- 11 The development shall be undertaken in accordance with the recommendations set out in Section 5 of the submitted Ecological Assessment Report (Document Ref 6710.002) dated October 2018.
- 12 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain 'dark' areas and corridors. The external lighting shall be provided in accordance with

the approved details and shall be retained as such thereafter for the lifetime of the development.

- 13 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided in accordance with the approved details prior to the first occupation of the development hereby approved.
- 14 a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:
- i) The programme and methodology of site investigation and recording
 - ii) The programme for post investigation assessment
 - iii) Provision to be made for analysis of the site investigation and recording
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - v) Provision to be made for the archive deposition of the analysis and records of the site investigation
 - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a).
- c) The new dwellings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made for analysis, publication and dissemination of results has been secured.
- 15 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

- 16 The reserved matters application for the development hereby permitted shall include detailed plans and particulars relating to the following items:(i) A detailed layout plan of the site (for the avoidance of doubt the submitted Layout Plan reference: METM3003-01 Revision 1, shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analyses of an 11.5m long refuse vehicle throughout the proposed highway to become adopted, considering the likelihood of on street parking; (ii) Details of the proposed arrangements and plan for future management and maintenance of the proposed private roads including associated drainage contained within the private part of the development;(iii) Details of the proposed arrangements and plan for future management and maintenance of any hedgerows and other vegetation located between roads, both existing and proposed, and the site boundary;(iv)Bin storage locations at shared private drives. Thereafter, the scheme shall be implemented in full accordance with the approved details.
- 17 Prior to first occupation of the development hereby approved, construction details of the five vehicular site access junctions from Flatts Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed access arrangements shall thereafter be implemented prior to first occupation of the development.
- 18 Prior to first occupation of the development hereby approved details of the two uncontrolled pedestrian crossings, across Flatts Lane, including dropped kerbs and tactile paving, as illustratively shown on drawing reference: "METM3003-01/Revision 1" shall be submitted to and approved in writing by the Local Planning Authority. The crossings shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.
- 19 Prior to first occupation of the development hereby approved construction details of the proposed 2.0m wide footway on the western side of Flatts Lane along the sites frontage, as illustratively shown in outline on plan titled: "METM3003-01/Revision 1", shall be submitted to and approved in writing by the Local Planning Authority. The approved footway arrangement and associated works shall thereafter be implemented prior to first occupation of the development hereby approved.
- 20 Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in

accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.

- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 To define the permission, for the avoidance of doubt.
- 4 To ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
- 5 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
- 6 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 8 To ensure that existing trees and hedges are adequately protected.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
- 10 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan and in the interests of residential amenity.
- 11 In the interests of protecting ecological interests
- 12 In the interests of protecting ecological interests.
- 13 In the interests of enhancing ecological provision on the site.
- 14 To safeguard any potential archaeological remains.
- 15 In the interest of highway safety.
- 16 To ensure the development is designed and constructed to adoptable standards and appropriately maintained.
- 17 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development, along with safe pedestrian access.
- 18 In the interest of sustainable travel.

19 In the interest of sustainable travel.

20 In the interests of highway safety.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 84 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety, archaeological interests or ecological interests. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents and Calverton Neighbourhood Plan.

Notes to Applicant

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

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>

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. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application.

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

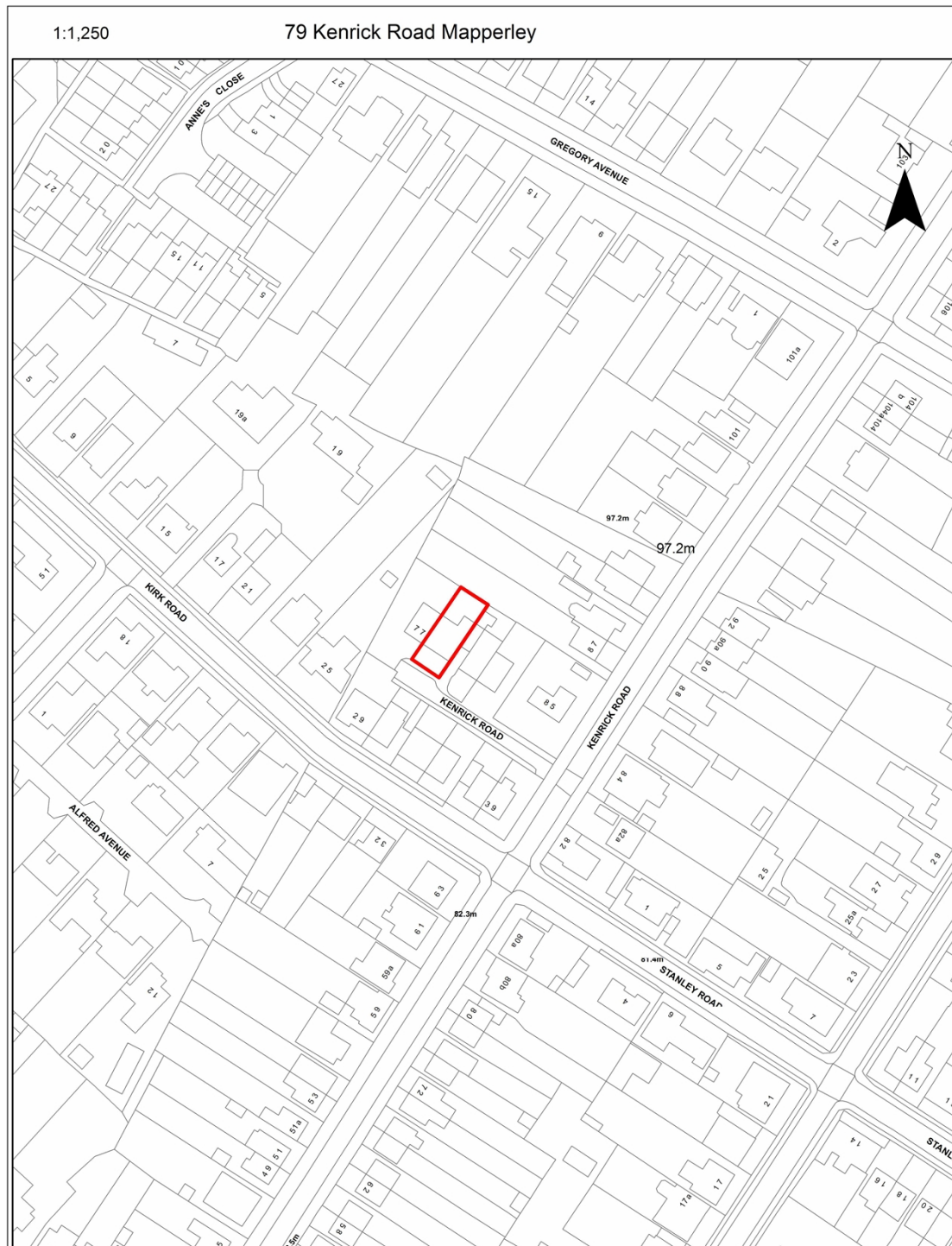
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal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

The comments of the LLFA are attached.

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Planning Report for 2019/0118



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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Serving People Improving Lives

Date: 05/04/2019

Report to Planning Committee

Application Number: 2019/0118

Location: 79 Kenrick Road Mapperley

Proposal: Provision of external lift to front of property and associated external works.

Applicant: Mr Christopher Mellor

Agent: Gedling Borough Council

Case Officer: Lewis Widdowson

Gedling Borough Council is acting as agent for this application therefore, in accordance with the Council's Constitution, this application has been referred to Planning Committee.

1.0 Site Description

- 1.1. The application site relates to 79 Kenrick Road, a semi-detached dwelling which is situated within the established residential area of Mapperley. The property is located to the west of Kenrick Road accessed by an unadopted road which serves three other dwellings.
- 1.2. The dwelling is set approx. 2 metres above the street level accessed via a ramp along the western boundary and steps to the east which run along the front of the property.
- 1.3. The land to the front of the dwelling is currently hard surfaced to allow off street parking for two vehicles. The property shares an open boundary with the neighbouring dwelling to the east whilst an evergreen hedge, approx. 2.5 metres in height delineates the shared boundary to the west.

2.0 Relevant Planning History

- 2.1. On the 20th June 1990 conditional permission was granted for the erection of a "Two storey extension". App Ref: 90/0695.

3.0 Proposed Development

- 3.1. This application seeks planning permission for the installation of an external lift to the front of the property and associated external works.

- 3.2. The proposed lift would be constructed along the western boundary in place of the existing ramp. It would measure approx. 1.5 metres in width, 1.2 metres in depth and would extend approx. 2.3 metres in height.
- 3.3. The associated external works include the excavation and reconstruction of the existing steps and level landing in front of the property using blockwork and brickwork to match the existing property. The level landing would extend approx. 1.2 metres beyond the front elevation of the property and would have a height of approx. 2.3 metres to provide access to the dwelling from the lift. The area of hard surfacing to the front of the property would be levelled off to match the existing street level.

4.0 Consultations

- 4.1. Letters were sent to immediate neighbouring occupiers and a site notice was posted near the application site. To date, no representations have been received.
- 4.2. The statutory consultation period ends on the 12th April 2019. Any comments received following the publication of the report will be reported verbally.

5.0 Assessment of Planning Considerations

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2. The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Relevant Planning Policies

- 6.1. National Planning Policy Framework (NPPF) 2019:

Section 2 – Achieving Sustainable Development.
Section 4 – Decision-making.
Section 12 – Achieving well-designed places.

- 6.2. Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 –

Policy A – Presumption in Favour of Sustainable Development.
Policy 10 – Design and Enhancing Local Identity.

- 6.3. Local Planning Document (LPD) 2018

Policy LPD 32 – Amenity.
Policy LPD 57 – Parking Standards.
Policy LPD 61 - Highway Safety.

- 6.4. The relevant planning policies that need to be considered in relation to highway matters are set out in the Parking Provision for Residential Development SPD. This document outlines that a dwelling within an urban area would need to provide no more than two off street parking spaces.

7.0 Planning Considerations

- 7.1. The main planning considerations in the determination of this application are the visual impact of the proposal on the character and appearance of the locality, the impact on the amenity of neighbouring residential properties and any highway's safety issues which may arise as a result of the development.

8.0 Visual Amenity

- 8.1. At a national level the National Planning Policy Framework (Feb 2019) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Paragraph 124 of the NPPF states that good design is a key aspect of sustainable development creates better places in which to live and work and helps make development acceptable to communities.
- 8.2. Policy 10 of the Aligned Core Strategy goes on to state that all new development should be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment, reinforce valued local characteristics; be adaptable to meeting the changing needs of occupiers and the effects of climate change and reflect the need to reduce the dominance of motor vehicles. Development will be assessed in terms of its treatment of a number of specified elements.
- 8.3. It is considered that the proposed development would not result in any adverse effect on the character or appearance of the locality. The proposed lift would be in keeping, in terms of its scale and bulk, with the existing frontage of the property and in my opinion would not detract from the residential nature of the site. I am mindful that the level landing is already in place and I consider that the associated engineering works would only improve the external appearance of the dwelling. I note that the neighbouring dwelling to the east, no. 81 Kenrick Road, already has a front decking area which extends the full depth of its frontage. Taking the above into account I do not consider that an access lift and level landing area at the application site would result in an incongruous feature. I also consider that the materials proposed, both in relation to the lift and level landing, are acceptable in this location and would complement the existing dwelling.
- 8.4. In light of the above it is my opinion that the development would accord with Part 12 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy.

9.0 Impact upon residential amenity

- 9.1. Policy 32 of the Local Planning Document outlines 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.
- 9.2. Impact upon residential amenity of the surrounding properties has been carefully considered. I am satisfied, given the scale of the proposal and its relationship with neighbouring dwellings, that there would be no undue overbearing or overshadowing impact created by the development. The proposed development would be constructed along the western boundary of the site adjacent to the existing evergreen hedge.
- 9.3. Whilst I note the rear elevations of the dwellings accessed via Kirk Road to the south I do not have any concerns regarding any unduly detrimental overlooking impact created by the development.
- 9.4. It is therefore considered that the proposal meets with the objectives of Policy LPD 32 of the Local Planning Document.

10.0 Highways matters

- 10.1. I am satisfied that the proposed development would retain the existing off street parking provision, by way of the existing hard surfaced area to the front of the building. I do not therefore have any concerns relating to highway safety and consider the development is in accordance with policies 57 and 61 of the Local Planning Document.

11.0 Conclusion

- 11.1. The proposal has been assessed against the relevant national and local planning policies. It is considered that the proposal is considered to be of a high standard of design and would not have an undue impact on the amenity of neighbouring properties or the surrounding highway network.
- 11.2. The proposal therefore meets with the objectives of the National Planning Policy Framework, Policies A and 10 of the Aligned Core Strategy, and Policies 32, 57 and 61 of the Local Planning Document.

12.0 Recommendation GRANT PLANNING PERMISSION subject to the following conditions:-

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the Application Form, Site Location Plan and Block Plan submitted on the 7th of February 2019 and the

Elevation Plan submitted on the 13th February 2019. The development shall thereafter be undertaken in accordance with these details.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highways Safety. The development therefore accords with the objections of the National Planning Policy Framework, Policy A and 10 of the Aligned Core Strategy and Policies 32, 57 and 61 of the Local Planning Document.

Notes to Applicant

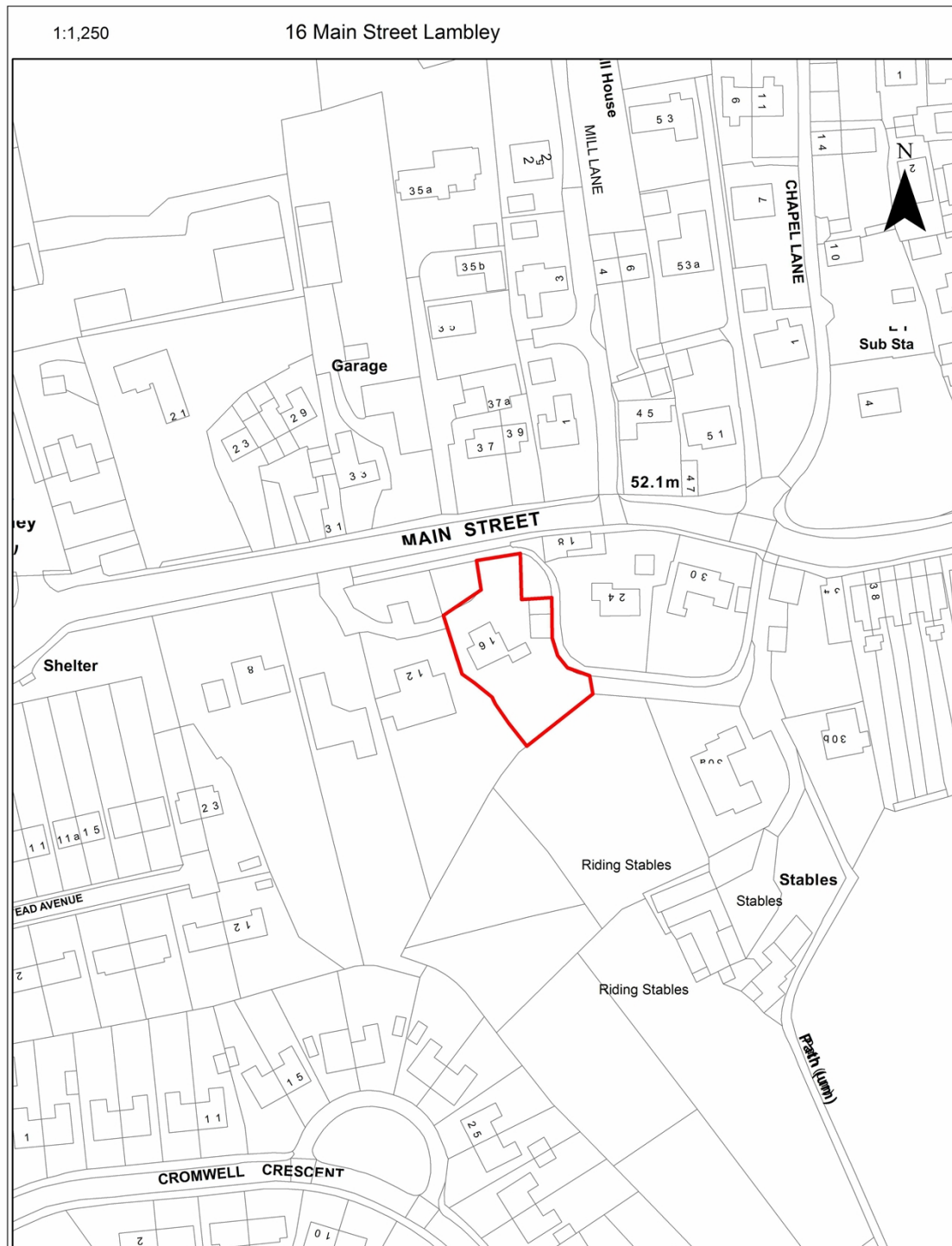
Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

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



Planning Report for 2019/0130



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Serving People Improving Lives

Date: 05/04/2019

Report to Planning Committee

Application Number: 2019/0130

Location: 16 Main Street Lambley NG4 4PN

Proposal: Three storey side extension and convert existing garage to annexe.

Applicant: Mr & Mrs Simon Beckett

Agent: Rick Cobham Design Ltd

Case Officer: Alan Siviter

This application has been referred to Planning Committee by the Planning Delegation Panel to allow Members to consider the impact of the proposed development upon the Conservation Area.

1.0 Site Description

- 1.1. Situated in the village of Lambley, 16 Main Street is a detached split level dwelling set back from the highway and accessed via a private drive. The property sits at a higher level than the highway where the dwelling is three storey, and the rear garden level increases to the south resulting in the rear of the property being two storey.
- 1.2. There is a detached double garage and log store to the side of the dwelling on the plot, and there is off-street parking provision for multiple vehicles.
- 1.3. The eastern boundary is a low 1 metre fence with trees and hedgerow set behind, obscuring any neighbouring properties. Below the property, along the eastern boundary is a brook, however the proposed development site is located in Flood Zone 1. The rear boundary is a 1.8 metre high hedgerow, beyond the rear boundary is rolling countryside. The western boundary shared with 12 Main Street, Lambley consist of a hedgerow with a 1.8m timber fence behind the feature. There is a 10 metre separation gap between the application site and 12 Main Street, Lambley.
- 1.4. The application site is located within the Lambley Conservation Area.

2.0 Planning History

83/0553 – Erect three storey extension. Unconditional Permission 01/06/1983

83/0723 – Erect detached garage. Unconditional Permission 30/06/1983

89/1233 – Extension to porch to provide cloakroom. Unconditional Permission
18/07/1989

2014/0719 - Double garage to the front of the house. Conditional Permission
29/08/2014

2016/1097 - Two storey side extension and conversion of existing garage to annex. Conditional Permission 13/12/2016

3.0 Proposed Development

- 3.1. The application seeks planning permission for a three storey side extension and conversion of the existing detached garage to an annexe. The application is a resubmission of the 2016/1097 planning permission, the differences between the extant permission and the new application is the addition of 2 metres of depth to the first floor extension at the rear and the addition of a 2nd floor balcony off the rear elevation.
- 3.2. The three storey extension would project from the eastern (side) elevation. The footprint of the extension would be approximately 41m², projecting 5.1m from the side elevation and with a depth of 8.1m. The eaves would match the existing dwelling and pitched roof resulting in a ridge height matching the dwelling. The extension would facilitate a lounge and master bedroom, with garage to the ground floor. At the second floor a balcony is proposed off the rear elevation, this balcony area would have a width of 5.1 metres and depth of 2 metres and enclosed by a 1.2 metre high glazed enclosure.
- 3.3. The garage conversion would facilitate ancillary accommodation to include a bedroom/living area and ensuite. External alterations would see the removal of the garage door and replacement to allow two single doorways, window openings and four velux windows in the roof each measuring 0.5 m x 0.9 m.
- 3.4. The walls (render), roof (tiles), windows (UPVC), doors and guttering are all proposed to match the materials used in the existing dwelling.

4.0 Consultations

4.1. Members of the Public

- 4.2. Neighbouring properties were notified, a site notice posted near to the site and a press notice dated 25th February advertised the application. As a result two objections were received. The issues raised are summarised as:

- ☐ Proposals increase the frontage of the house by very nearly 100%, all visible from the road. Overall appearance is stark and unattractive, it is out of character with the rest of the village.
- ☐ Potential for a large amount of construction traffic to cause damage to roads, fences, hedges and plants.
- ☐ View from potential balcony would lead to privacy issues and would not be appropriate in a village conservation area context.
- ☐ Land has flooded due to the brook, conversion of the garage into living accommodation is short-sighted and asking for problems.

- Historic restriction which prohibits development within 6 metres of the beck.
- Concerns regarding the shared access which will be subject to increased use if more residential accommodation permitted.
- Development would have a serious detrimental impact on both the appearance and character of the conservation area. It is out of character, disproportionate and not in keeping with adjacent properties and would lead to some being overlooked. It would result in a loss of openness which would destroy the rural character of the village. Visual amenity would be seriously compromised

4.3. Lambley Parish Council - Object on the grounds that the development is in the conservation area and as such not in keeping with the policy in terms of size and scale.

5.0 Planning Considerations

Assessment of Planning Considerations

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2. The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG)

6.0 Development Plan Policies

6.1. The following policies are relevant to the application:

6.2. National Planning Policy Framework

At the national level the National Planning Policy Framework (February 2019) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Section 12(Achieving well-designed places) and Section 16 (Conserving and enhancing the historic environment) are particularly relevant.

6.3. Greater Nottingham Aligned Core Strategy Part 1 Local Plan

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

6.4. Local Planning Document (Part 2 Local Plan)

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 28: Conservation Areas – states that development proposals should preserve or enhance the character or appearance of Conservation Areas.

LPD 32: Amenity - Planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 43: Extensions to Dwellings Not in the Green Belt – Planning Permission will be granted for extensions or alterations to dwellings provided:-

- a. the appearance of the proposal is in keeping with surrounding character;
- b. conserves any historic significance the building may have; and
- c. the proposal would not cause a significant adverse impact on the amenity of nearby occupiers.

6.5. Other

Parking Provision for Residential Developments –Supplementary Planning Document (2012) – sets out the car parking requirements for new residential development. This document outlines that a dwelling of this size within a rural area should provide a minimum of three off street parking spaces.

Lambley Conservation Area Appraisal (2007)

7.0 **Planning Considerations**

- 7.1. The main planning considerations in the determination of this application are impact on the character of the Conservation Area and residential amenity.

Impact on the Conservation Area

- 7.2. It is noted that the position of the application site results in the property having a prominent appearance on the street-scene despite the minimum distance of 18m from the edge of the highway. LPD 28 identifies that new development in a Conservation Area should be of an appropriate design, use building materials and finishes that are appropriate to local context, retain historically significant boundaries, retain and restore (where relevant) traditional features, not harm important view into, out of or within the conservation area, protect landscape features appropriate to the character and appearance of the conservation area, and where relevant the removal of unsympathetic features. Although the development would be a large three storey extension, due to the existing three storey nature of the dwelling I consider that the scale of the proposal and the use of matching materials would be in-keeping with the existing building, the plot size and the character of the Lambley Conservation Area in this particular location. The original host property has had extensive alterations previously and the design of the proposed development would be in-keeping with the character of the existing built form.
- 7.3. On review of the 2007 Lambley Conservation Area Appraisal I note that the application dwelling is not a building of local interest, does not form a part of any key views or vistas in/out/or within the conservation area and would not affect any key landscape features. It should also be noted that para 4.9 of the appraisal states that “*rendered finishes are common and painted in whites, creams and greys*” as per the development proposal. I consider that the

proposal to extend the existing dwelling and convert the garage would have no undue detrimental visual impact on the historic character of Lambley Conservation Area.

Residential Amenity

- 7.4. The proposed extension is significantly separated from adjoining properties situated to the east and west and no new windows are proposed in the side elevation. With regard to the balcony on the rear elevation, it is separated from adjoining properties and orientated towards the rolling countryside. It is therefore considered that the proposals would not have a significant unduly overlooking, overbearing and overshadowing impact on surrounding dwellings. I am therefore of the opinion that the proposed is in full conformity with policies LPD32, LPD43 and ACS Policy 10.
- 7.5. A condition is proposed to ensure that the proposed garage conversion to annexe is kept as ancillary accommodation only to prevent the intensification and pressure on the shared access of the site, to protect the residential amenity and to protect the character of the area.

Other Matters

- 7.6. A neighbour had raised concerns regarding the potential for the adjoining brook to flood. I do not have any concerns relating to the development given that the development is located within the Environment Agency's Flood Zone 1, the lowest flood risk.
- 7.7. An observation has been received on the basis of a potential legal restriction preventing development with 6 metres of the brook to the side of the property. This restriction may be in the form of a covenant and would be a private legal matter that would not be a material planning consideration. It should however be noted that new build extension shown on the block plan would be constructed 8 metres away from the brook.

8.0 Conclusion

- 8.1. For the reasons set out above, the proposed development accords with Local Planning Document policies LPD28, LPD32 and LPD43, Aligned Core Strategy Policy 10, the NPPF and the Lambley Conservation Area Appraisal. It is therefore recommended that planning permission is granted.

9.0 Recommendation: GRANT PLANNING PERMISSION, subject to the following conditions.

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.

2. This permission shall be read in accordance with the application form, site location plan and drawings Ref: RS/SB/31/01/19/05 (Proposed Ground Floor Plan), Ref: RS/SB/31/01/19/04 (Proposed Elevations, First Floor Plan, Site Block Plan) and Ref: RS/SB/31/01/19/06 REV A (Proposed Second Floor Plan) received 11th February 2019. The development shall thereafter be undertaken in accordance with these plans/details.
3. The annexe hereby approved shall only be used for purposes ancillary to the use of the existing dwelling at No.16 Main Street and not as a separate dwelling unit.
4. The proposed extensions and converted garage shall be rendered in accordance with the approved plans prior to the development hereby approved being brought into first use.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To preserve the amenity of adjoining properties and to ensure that the development accords with Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
4. To ensure a satisfactory standard of external appearance in the Lambley Conservation Area.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on the Lambley Conservation Area or Highways Safety. The development therefore accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policies 28, 32 and 43 of the Local Planning Document.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

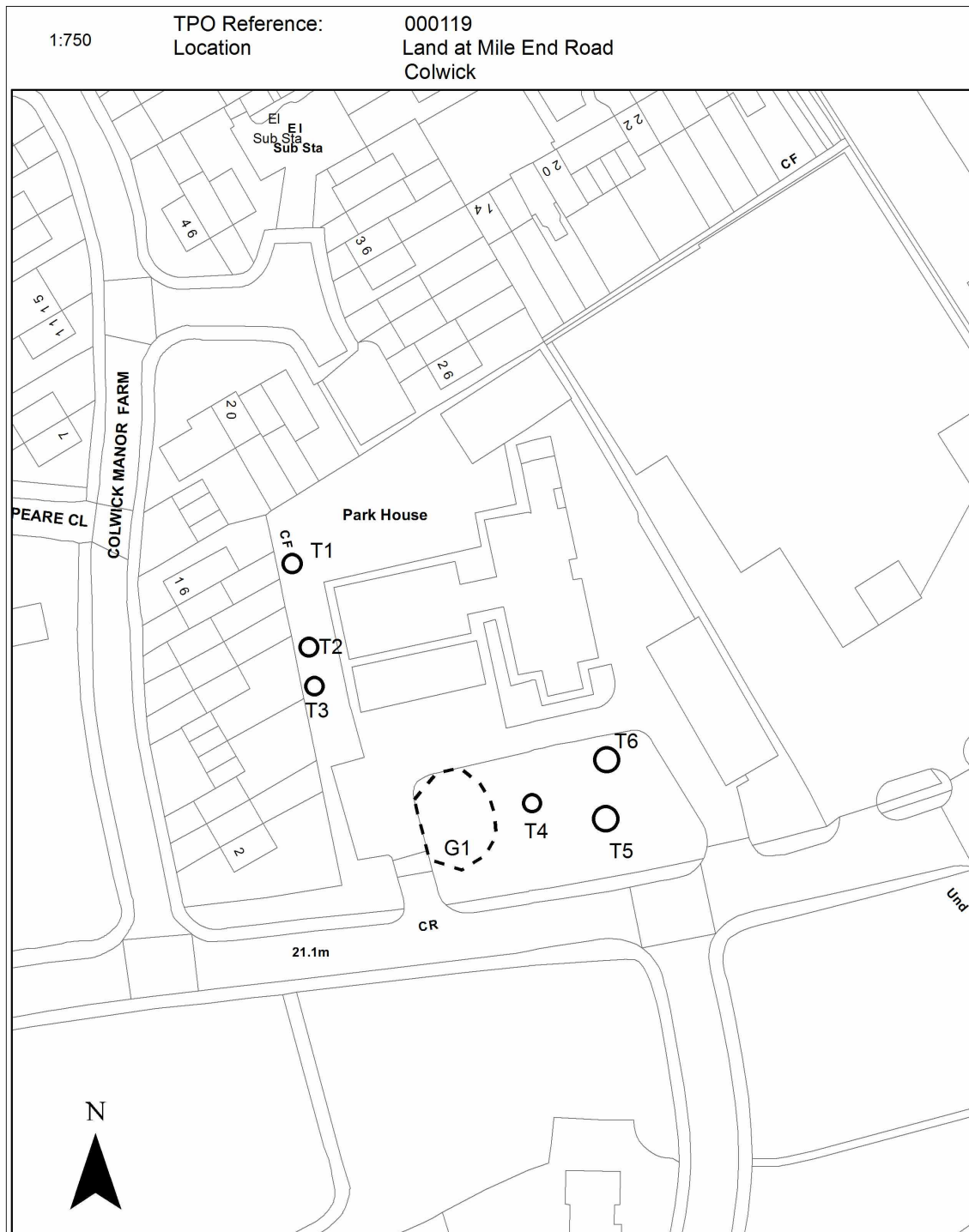
The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been

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

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



Report to Planning Committee



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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Report to Planning Committee

Location: Park House, Mile End Road, Colwick

Proposal: Protection of a group of 10 trees by a Tree Preservation Order (TPO)

Case Officer: Lewis Widdowson

1.0 Purpose

- 1.1. To request authorisation to confirm Tree Preservation Order No. 000119 at Park House, Mile End Road, Colwick without modification.

2.0 Background

- 2.1. On the 7th November 2018 Planning Committee resolved that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated at Park House, Mile End Road.
- 2.2. The order was made on the 8th November 2018. Under the Town and Country Planning (Tree Regulations) (England) 2012 the Council served the required notice along with a copy of the order on the owners and occupiers of the land affected by the proposed Tree Preservation Order. In addition, a site notice was displayed close to the site informing local residents of the Tree Preservation Order. One letter of representation has been submitted in relation to the above order. The main comments are summarised below:
 - Trees T5 (Norway Maple) and T6 (Birch) are in positions which may obstruct future development of the site.
- 2.3. In relation to the above comments I do not consider the TPO would prejudice future residential redevelopment of the site. Given the level of visual amenity provided by the trees protected under the Order it is considered reasonable to require any future development to retain the trees and incorporate measures to ensure that they would not be damaged during construction.
- 2.4. In accordance with the Council's Constitution, Tree Preservation Orders that receive any objections should be referred to Planning Committee to determine whether the Order should be confirmed unmodified, confirmed with modifications or not confirmed at all.

3.0 Proposed Action

- 3.1. Taking the above comments into consideration I do not consider there are any justifiable reasons to not confirm the above Tree Preservation Order. Authority

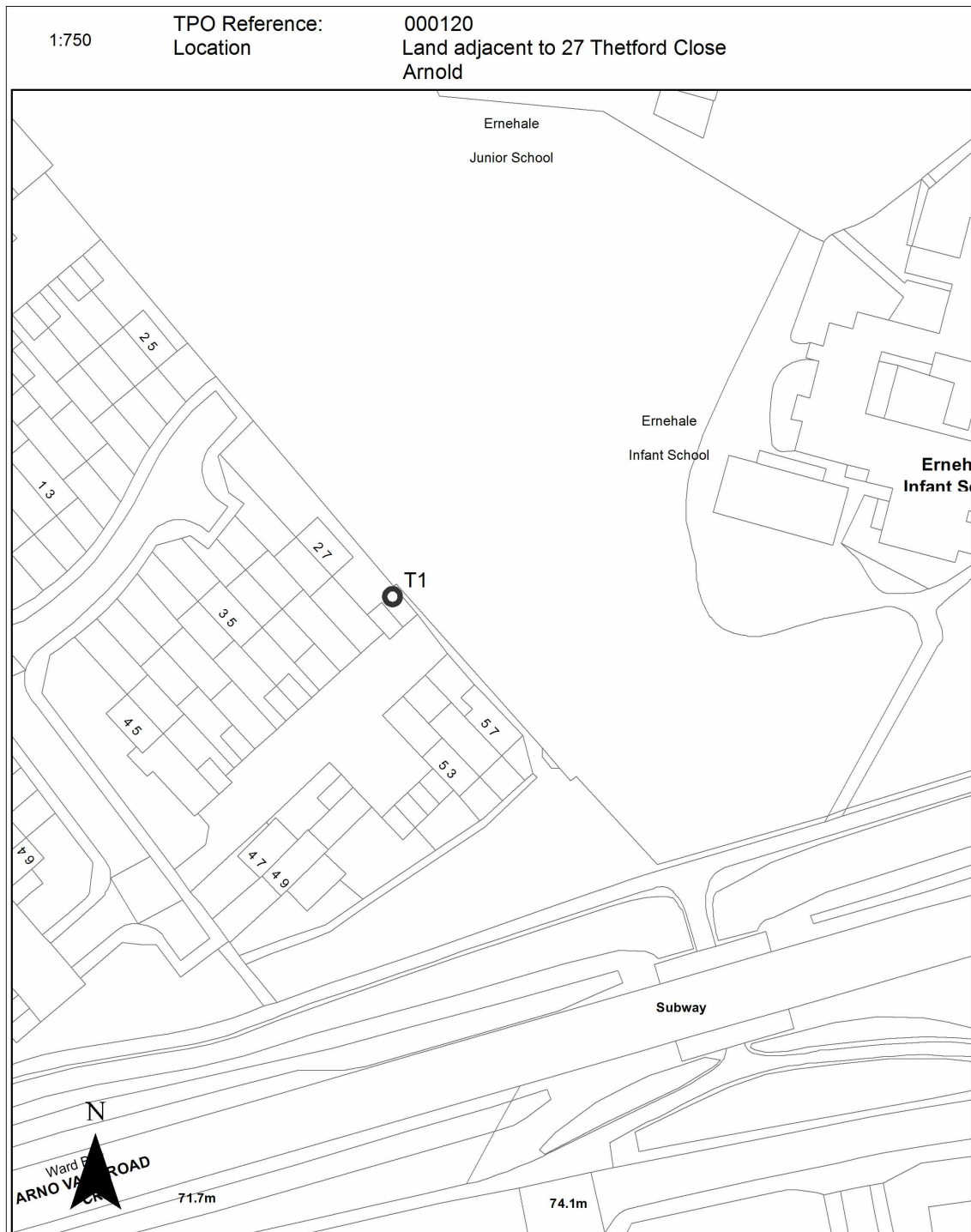
is therefore sought from the Planning Committee to confirm the above order without amendment.

4.0 Recommendation: Confirm Tree Preservation Order 000119 without modification.

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Report to Planning Committee



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Serving People Improving Lives

Date: 08/11/2018

Report to Planning Committee

Location: 27 Thetford Close, Arnold NG5 6PH

Proposal: Protection of Ash tree by a Tree Preservation Order (TPO)

Case Officer: Lewis Widdowson

1.0 Purpose

- 1.1. To request authorisation to confirm Tree Preservation Order No. 000120 on land at 27 Thetford Close, Arnold without modification.

2.0 Background

- 2.1. On the 7th November 2018 Planning Committee resolved that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified tree situated on land at 27 Thetford Close, Arnold.
- 2.2. The order was made on the 8th November 2018. Under the Town and Country Planning (Tree Regulations) (England) 2012 the Council served the required notice along with a copy of the order on the owners and occupiers of the land affected by the proposed Tree Preservation Order. In addition, a site notice was displayed close to the site informing local residents of the Tree Preservation Order. One letter of representation signed by three local residents has been submitted in relation to the above order. The main comments are summarised below:
- The tree is too big for the area,
 - The tree appears dangerous,
 - Leaves and other fallen debris from the tree need constantly clearing,
 - The tree blocks sunlight,
 - The roots of the tree may be overgrown and cause damage to drains and foundations,
 - A Tree Preservation Order will deter anyone from maintaining the tree in the future, and
 - Concerns over liability for damage caused by falling debris.
- 2.3. In relation to the above comments I note that the Arboricultural Officer assessment of the Ash tree states that it appears generally free of defects, showing good health and is likely to reach normal longevity and size for this species. I am mindful of the comments raised by local residents in relation to the clearing of leaves and other debris fallen from the tree, however this is

typical of deciduous trees and is not a justified reason to not confirm the above Order. I also do not have any concerns regarding the loss of light caused by the Ash tree given its location along the northeast boundary of 27 Thetford Close and situated towards the rear boundaries of the back garden. There is no fee for applications seeking permission for works to trees under the protection of Tree Preservation Orders and as such I do not consider this would deter the owner of the land from suitably maintaining the Ash tree. Finally the owner retains responsibility and duty of care to the public for the tree's condition, safety and any damage the tree may cause.

- 2.4. In accordance with the Council's Constitution, Tree Preservation Orders that receive any objections should be referred to Planning Committee to determine whether the Order should be confirmed unmodified, confirmed with modifications or not confirmed at all.

3.0 Proposed Action

- 3.1. Taking the above comments into consideration I do not consider there any justifiable reasons to not confirm the above Tree Preservation Order. Authority is therefore sought from the Planning Committee to confirm the above order without amendment.

4.0 Recommendation: Confirm Tree Preservation Order 000120 without modification.

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ACTION SHEET PLANNING DELEGATION PANEL 22 March 2019

2018/1177

7 Denbury Road, Ravenshead

Single storey front extension and double storey rear extension

The proposed development would have no undue impact on visual amenity, residential amenity or highway safety.

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

Decision to be issued following completion of paperwork.

2019/0014

Land at Burton Road, Carlton

Construct and operate a hand car wash and valeting business to include construction of fixed canopies, office, staff room, store, waiting area/WC, fencing and car sales.

The proposed development would have a detrimental impact on visual amenity.

Insufficient information has been submitted to demonstrate a satisfactory means of access and egress to the site.

Insufficient information has been provided to demonstrate a satisfactory means of drainage for the site.

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

Decision to be issued following completion of paperwork.

Mike Avery and Kevin Cartwright 22nd March 2019

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ACTION SHEET PLANNING DELEGATION PANEL 29th March 2019

2019/0008

5 Celia Drive Carlton NG4 1FQ

Erection of new build dormer bungalow

The proposed development would have no undue impact upon residential amenity or highway safety.

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

Decision to be issued following completion of paperwork.

2019/0079

Sherwood Lodge Sherwood Lodge Drive Arnold

Adaptations to the existing over spill car park and access road - install 9nr new 6m column mounted street lighting to the car park area and access road and install 7nr new column mounted fixed IP CCTV cameras

This application was withdrawn from the agenda.

2019/0080

11 Trentham Gardens Burton Joyce NG14 5AY

Retention of single storey 'log cabin' used as residential annexe in the rear garden to property.

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

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

Decision to be issued following completion of paperwork.

2019/0095

63 Catfoot Lane Lambley NG4 4QF

Demolish bungalow & detached workshop, construct 2 No. five bedroom detached dwellings & create additional drop kerb entrance to plot two

The proposed development would be inappropriate development in the Green Belt and cause detriment to highway safety and the visual amenity of the surrounding area.

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

Decision to be issued following completion of paperwork.

2019/0096

46 Pateley Road Woodthorpe NG3 5QF

Single storey side extension

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

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

Decision to be issued following completion of paperwork.

2019/0128

4 Newcombe Drive Arnold Nottinghamshire

Erect new 3 bedroom dwelling.

The proposed development would have a detrimental impact 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.

2019/0103

47 Florence Road Mapperley NG3 6LJ

Construct detached garage/workshop

The proposed development would have a detrimental impact upon the visual amenity of the surrounding area.

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

Decision to be issued following completion of paperwork.

2019/0146

Westdale Dental 406 - 408 Westdale Lane West Mapperley

Two storey side extension

This application was withdrawn from the agenda.

2019/0130
16 Main Street
Lambley
Three storey side extension and convert existing garage to annexe

The Panel recommended that the application be referred to Planning Committee, to allow further discussion regarding the impact of the proposed development upon the Conservation Area.

Graham Wraight and Kevin Cartwright 29th March 2019

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ACTION SHEET PLANNING DELEGATION PANEL 5th April 2019

2019/0018

Corner of Mansfield Road and Cross Street Arnold

Residential development of 6 No. apartments

The proposed development would have no undue impact on the character and appearance of the street scene, highway safety or residential amenity.

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

Decision to be issued following completion of paperwork.

2019/0053

23 Hazel Grove Mapperley NG3 6DQ

Proposed roof replacement with altered pitched roof arrangement and attic conversion to accommodate new master bedroom with provision of new dormer window to rear of property.

The proposed development would have an undue impact on visual amenity and on the character and appearance of the street scene.

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

Decision to be issued following completion of paperwork.

2019/0070

64 Byron Street Daybrook Nottinghamshire

Proposed house

The proposed development would have an undue impact on the residential amenity of the neighbouring occupier.

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

Decision to be issued following completion of paperwork.

2019/0084

Former G And M Electrics West View Road Carlton

Retention of the existing building, the erection of a first floor extension and a single storey rear extension to form a residential dwelling.

The application was withdrawn from the agenda.

2019/0140

11 Innes Close Carlton Nottinghamshire

Two storey side extension, canopy to front elevation and external alterations

The proposed development would have undue impact on visual amenity and on the character and appearance of the street scene.

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

Decision to be issued following completion of paperwork.

2019/0101

61 Cromwell Crescent Lambley NG4 4PJ

Raise the ridge and eaves height over the existing bedroom to side elevation

The proposed development would have no undue impact on visual amenity or residential amenity of neighbouring occupiers.

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

Decision to be issued following completion of paperwork.

2019/0150

19 Arno Vale Road Woodthorpe NG5 4JH

Two storey side extension with gable roof

The proposed development would have no undue impact on visual amenity or residential amenity of neighbouring occupiers.

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

Decision to be issued following completion of paperwork.

2019/0181

5 Wood Lane Gedling Nottinghamshire

Demolition of existing outbuilding, proposed single storey rear extension

The proposed development would have no undue impact on visual amenity or the residential amenity of neighbouring occupiers.

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

Decision to be issued following completion of paperwork.

5th April 2019

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Report to Planning Committee

Subject: Future Planning Applications

Date: 05/04/2019

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 Management.

App No	Address	Proposal	<u>Possible Date</u>
2018/0817	North Green Calverton	20 Dwellings	19/06/2019
2019/0010	34 Main Street Calverton	Demolition of existing dwelling and erection of 10 dwellings	19/06/2019

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.

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