



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

Agenda

Planning Committee

Date: **Wednesday 4 September 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 Peter Barnes
Councillor Chris Barnfather
Councillor David Ellis
Councillor Andrew Ellwood
Councillor Mike Hope
Councillor Rosa Keneally
Councillor Meredith Lawrence
Councillor Barbara Miller
Councillor Marje Paling
Councillor John Parr
Councillor Alex Scroggie
Councillor Henry Wheeler
Councillor Rachael Ellis

AGENDA

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1. **Apologies for Absence and Substitutions.**

2. **To approve, as a correct record, the minutes of the meeting held on 7 August 2019.** 5 - 29

- Planning Committee Protocol.**

3. **Declaration of Interests**

4. **Application No. 2017/1571 - Development Site Chase Farm Arnold Lane Gedling** 35 - 58

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12. **Appeal Decision Ref: APP/N3020/W/19/3227512 - 7 Station Road, Carlton** 101
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MINUTES PLANNING COMMITTEE

Wednesday 7 August 2019

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Meredith Lawrence
Councillor Chris Barnfather Councillor Ron McCrossen
Councillor Jim Creamer Councillor Barbara Miller
Councillor David Ellis Councillor Marje Paling
Councillor Rachael Ellis Councillor John Parr
Councillor Andrew Ellwood Councillor Sam Smith
Councillor Mike Hope Councillor Henry Wheeler
Councillor Rosa Keneally

Absent: Councillor Michael Adams, Councillor Peter Barnes and
Councillor Alex Scroggie

Officers in Attendance: M Avery, K Cartwright, C Goodall and S Pregon

13 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Adams, Barnes and Scroggie. Councillors Creamer, McCrossen and Smith attended as substitutes.

14 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 19 JUNE 2019.

RESOLVED:

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

15 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest in items 7 and 8 on the agenda as the land was in the ownership of Gedling Borough Council.

Councillor Rachael Ellis declared a non-pecuniary interest in item 7 on the agenda as a member of the Warren Action Group.

PLANNING APPLICATION 2018/0607 - LAND NORTH WEST, PARK ROAD, CALVERTON.

Outline planning application for up to 365 No. dwellings with all matters reserved except access, with access served from Park Road and Collyer Road.

George Breed, a representative of the applicant, spoke in support of the application.

The Service Manager – Development Services clarified that the report stated that the bus service improvements were to enhance the 747 service and recommended that this was amended to also permit the contribution to be expended on any alternative bus service serving the site.

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

For the Motion:

Councillor C Barnfather
Councillor D Ellis
Councillor A Ellwood
Councillor M Lawrence
Councillor B Miller
Councillor J Parr
Councillor J Truscott

Councillor J Creamer
Councillor R Ellis
Councillor R Keneally
Councillor McCrossen
Councillor M Paling
Councillor S Smith
Councillor P Wilkinson

Against the Motion:

Councillor M Hope

Abstentions:

Councillor H Wheeler

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 spaces, healthcare facilities, education, bus stop improvements, bus service improvements, maintenance of open space areas and drainage features not adopted or within the curtilage of the dwellings 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 Site Location Plan drawing no 7043-L-01 Rev A; Illustrative Layout drawing no 7403-L096 Rev J (With regards to the accesses onto Park Road and Collyer Road and new proposed footway along Park Road only); Proposed Park Road Access and Fire Appliance Swept Path Analysis drawing no 001 and Proposed Collyer Road Access and Fire Appliance Swept Path Analysis drawing no 002 received 25th June 2019. 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, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the 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.

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 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.

- 7 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 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.

- 8 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.
- 9 Prior to commencement of the development a site specific Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be implemented throughout the construction works undertaken on site.
- 10 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.
- 11 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.
- 12 The reserved matters application for the development hereby permitted shall include detailed plans and particulars relating to the hedgerow replanting scheme to compensate for the loss of any existing hedgerow within the site. Details of the proposed arrangements for future management and maintenance of any hedgerows shall also be submitted. Thereafter, the scheme shall be implemented in full accordance with the approved details.

- 13 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 a statement of significance and research objectives; 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.
- 14 Prior to first occupation of the development hereby approved construction details of the proposed 2.0m wide footway on the northern side of Park Road along the sites frontage, as illustratively shown in outline on plan titled Illustrative Layout drawing no 7403-L-06 Rev J, 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.
- 15 The development shall not be brought into use until the new junctions to serve the proposed development, as shown for indicative purposes only on Park Road and Collyer Road plans reference 'A114074 - 001 and 002 have been provided in accordance with detailed plans which are first to be submitted and approved in writing to the satisfaction of the Local Planning Authority.
- 16 No above ground works shall take place until a Travel Plan has been submitted and approved in writing with the Local Planning Authority. The Travel Plan shall be implemented upon commence

of the development hereby approved in with the provisions and timescales set out with the Travel Plan.

17. No part of the development of any phase shall begin until details of the proposed landscaping and highway verges have been submitted and approved in writing by the Borough Council. Details shall include location, species, size, a written specification including, grass seed mix, cultivation and grass establishment as well as measures to prevent ingress of roots into the adjacent highway construction. Any trees shall be located such that they do not obscure visibility to vehicles accessing or using the adjacent highway.
18. No development, including any demolition and site clearance, shall take place 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:
 - a) the means of access for demolition and construction traffic;
 - b) parking provision for site operatives and visitors;
 - c) the loading and unloading of plant and materials;
 - d) the storage of plant and materials used in constructing the development;
 - e) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
 - f) wheel washing facilities (including full details of its specification and siting)
 - g) measures to control the emission of dust and dirt during construction; and
 - h) a scheme for recycling/disposing of waste resulting from and construction works.
 - i) a traffic management plan including lorry routeing, access and signage for the construction period
19. No buildings shall be occupied until the associated parking areas and manoeuvring areas have been provided, drained and surfaced in accordance with the details that have been previously submitted to and approved in writing by the Borough Council. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles, unless otherwise agreed in writing by the Local Planning Authority.

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 that existing trees and hedges are adequately protected.
- 8 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration paragraph 35 of the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 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 the National Planning Policy Framework and policy LPD11 of the Councils Local Plan
- 10 In the interests of protecting ecological interests
- 11 In the interests of protecting ecological interests.
- 12 In the interests of enhancing ecological provision on the site.
- 13 To safeguard any potential archaeological remains.
14. In the interest of sustainable travel.
15. In the interest of highway safety, and to ensure sufficient junction capacity to serve the development
16. In the interest of sustainable travel.

17. To ensure the proposed landscaping works do not compromise road safety
18. In the interests of highway safety and to protect the amenities of the area
19. To ensure adequate off-street parking provision is provided in connection with the development and to ensure surface water from the site is not deposited on the public highway.

Notes to Applicant

It is the responsibility of the developer to ensure that the provision of EV 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.

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. You may obtain copies of current guidance notes and application forms from their website (www.stwater.co.uk). Should you require any further information please contact Severn Trent Water directly.

The availability of the rights of way adjacent to and within the site must not be affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders.

Western Power Distribution has electricity network within close proximity to this development, a full diversion would be required of the electricity assets at site.

With regards to the any future reserved matters application regarding landscaping, the proposed landscaping scheme should include the mitigation measures outlined within section 4 of the Ecological Appraisal dated May 2018.

With regards to condition 9, the CEMP must be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition.

Any security lighting / floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway. The details of any such lighting shall be submitted to and approved by the Local Planning Authority (together with a lux plot of the estimated luminance).

Reason: To protect drivers from uncontrolled light sources near the public highway

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

The grant of planning permission for this development does not authorise the obstruction or the stopping up or diversion of this highway and an unlawful obstruction to the right of way/highway is a criminal offence and may result in the obstructing development being required to be removed

An application to stop up the highway can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the County Highway Authority for details.

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.

No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.

PLANNING APPLICATION 2018/0347 - LAND BETWEEN MANSFIELD ROAD AND CALVERTON ROAD ARNOLD.

Outline planning application for up to 148 No. dwellings with all matters reserved except access.

Steve Wright, a local resident, spoke in objection to the application.

The Service Manager – Development Services, introduced the report and informed Members of an error at paragraphs 4.2 and 7.33 regarding the education contributions, which incorrectly stated the contribution for secondary provision was £540,480,072. This should read "... and a sum of £540,480 is sought for the cost of expansion of secondary school places at Redhill Academy – there would be a need for 24 new places at a cost of £22,520 per place."

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, maintenance of open space areas and drainage features not adopted or within the curtilage of the dwellings, healthcare facilities, education, bus stop improvements 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 Amended Site Location Plan drawing no 002_A; Indicative Site Layout (with regards to the proposed access and realigned Arch Hill); Amended Proposed Access Arrangements General Arrangements & Signalised Junction drawing no 17-0622/002 Rev B and Proposed Site Access

Arrangements General Arrangement & Priority Accesses drawing no 17-062/003 (attached at Appendix B of Transport and Drainage Matters-Designers Response) received 26th November 2018.

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 thereby approved (including demolition works, 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 adjacent to the site.
- c) Details of any construction works required within the root protection area of trees, hedges or shrubs 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. No above ground works shall commence until a proposed replacement tree planting scheme has been submitted to and approved in writing by the Local Planning Authority to mitigate for the loss of any existing tree within the site. The specification shall include number, size, species, pit specification and positioning of all trees to be planted, how they will be planted and protected and when planting will occur. The tree planting shall be carried out in accordance with the approved scheme. Any of the trees planted in accordance with the approved specification which within 5 years from the completion of the development are

removed or serious become damaged or diseased shall be replaced within the next planting season.

10. The reserved matters application for the layout of the development 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 the indicative site layout reference GA_101_E, 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 any proposed private roads;

(iii) Details of the proposed arrangements and plan for future management and maintenance of any hedgerows and other vegetation not within the curtilages of the proposed dwellings;

(iv) Any bin storage proposals located on any shared private drives.

Thereafter, the scheme shall be implemented in full accordance with the approved details.

11. No dwelling shall be occupied until such time as access to that dwelling has been provided in a bound material and the associated parking spaces have been provided in in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

12. Prior to commencement of any external 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.

13. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works

on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

14. 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. 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.

15. 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.

16. The development hereby approved and any subsequent reserved matters application shall be designed and completed in accordance with section 3 of the Confidential Badger Report relating to landscaping buffer and proposed habitats, protection measures and Monitoring.

17. Prior to first occupation of the development hereby approved, construction details of the site access junction from the A60 Mansfield Road, as show in outline on plan titled: "Proposed Site Access Arrangements General Arrangements + Priority Accesses", reference: 17-0622/003, shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed access arrangement shall thereafter be implemented prior to first occupation of the development.

18. Prior to the construction of the 68th dwelling of the development hereby approved, construction details of the revised traffic signal controlled site access junction on the A60 Mansfield Road, as show in outline on plan titled: "Proposed Site Access Arrangements General Arrangements + Signalised Jct", reference 17-0622/002 Revision B, shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed traffic signal controlled access arrangement shall thereafter be implemented prior to construction of the 68th dwelling.

19. No above ground works shall take place until a Travel Plan has been submitted and approved in writing with the Local Planning Authority. The Travel Plan shall be implemented upon commence

of the development hereby approved in with the provisions and timescales set out with the Travel Plan.

20. No dwelling shall be occupied until such time as access to that dwelling has been provided in a bound material and the associated parking spaces have been provided in in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.
21. Prior to first occupation of the development hereby approved details of future pedestrian connections between the site and Felton Way, and Hadstone Drive to the east of the site shall be submitted to and approved in writing by the Local Planning Authority. The connections shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.
22. Prior to first occupation of the development hereby approved construction details of the widening of the existing footway on the eastern side of Mansfield Road from the proposed site entrance to a point roughly 50m north of the rear boundary of 48 Georgia Drive Lodge Close, including improvement to the lighting of this route, shall be submitted to and approved in writing by the Local Planning Authority. The approved footway widening arrangement and associated works shall thereafter be implemented prior to first occupation of the development hereby approved.
23. Prior to first occupation of the development hereby approved construction details of Improvements to the Rights of Way, specifically footpath 14/20/22, shall be submitted to and approved in writing by the Local Planning Authority. The approved improvements shall thereafter be implemented prior to first occupation of the development hereby approved.
24. 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. 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. This pre-commencement condition is necessary to ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings
5. This pre-commencement condition is necessary to ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
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 are adequately protected.
9. To ensure the replacement of the existing trees that are protected by a TPO
10. To ensure the development is designed and constructed to adoptable standards and appropriately maintained.
- 11 To ensure appropriate access and parking arrangements are available.

- 12 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.
13. 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 the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
14. In the interests of protecting ecological interests.
15. In the interests of enhancing ecological provision on the site.
16. In the interests of protecting ecological interests.
17. In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 18 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
19. In the interest of sustainable travel.
20. To ensure appropriate access and parking arrangements are available.
21. In the interest of sustainable travel.
22. In the interest of sustainable travel
23. In the interest of sustainable travel by means of improving access to existing neighbourhoods and their facilities.
24. To safeguard any potential archaeological remains.

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 148 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk 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.

Notes to Applicant

The comments of Nottinghamshire County Council's Rights of Way Officer are enclosed.

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 comments of the Lead Local Flood Authority are enclosed.

No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.

The Applicants attention is drawn to the Governments Guidance regarding Japanese Knotweed which can be found at:
<https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading>

The Applicants attention is drawn to NCC comments regarding landscaping which should be taken into consideration within the Reserved Matters Application.

With reference to condition 15 the submission of a bat-sensitive lighting scheme, should be developed in accordance with to be developed in accordance with Bat Conservation Trust publication "*Artificial Lighting and Wildlife – Interim Guidance: recommendations to help minimise the impact of artificial lighting*" dated June 2014.

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

18 PLANNING APPLICATION 2018/0823 - LAND WEST OF WESTHOUSE FARM MOOR ROAD BESTWOOD.

Outline planning application for up to 365 No. dwellings with all matters reserved except access, with access served from Park Road and Collyer Road.

Jack Ashworth, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report.

RESOLVED to:

Grant approval of reserved matters subject to the following conditions:

1. This permission shall be read in accordance with the following plans:

MRBDR07-SBP-P1 Rev B
MRBDR06-SLP-P1 (landscaping)
13152/100-01 Rev f (levels only)
Materials Schedule 19.07.2019 Rev A

Housetypes:

A1/2018, A2/2018, B6/2017, BGA4/2018, C8/2018, C9/2018, DA3/2018, E20/2018, F5/2018, G7/2018, HA/2018, JD/2018, KA2/2018, KB1/2018, T20/2018, VA/2018, XAA/2018, YAB/2018, Y2/2018, Z4/2018, and X3.

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

Reason: To define the permission, for the avoidance of doubt

2. Notwithstanding the submitted details, prior to the occupation of plots 13-28, precise details of the rear boundary treatment of these plots along the common boundary with The Spinney shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved plans.

Reason: To ensure a satisfactory form of development and in the interests of residential amenity.

**19 PLANNING APPLICATION 2019/0549 - RECREATION GROUND
MUIRFIELD ROAD BESTWOOD.**

Installation of a climbing unit in the play area.

RESOLVED:

**That the Borough Council GRANTS FULL PLANNING PERMISSION,
subject to conditions.**

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the application form and elevation details of the climbing frame received 4th June

2019, Site Location Plan received 12th June 2019 and Proposed Equipment Layout Plan drawing reference Q-23378-J7S7-C Rev O received 12th July 2019. The development shall thereafter be undertaken in accordance with these plans/details.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council the proposed development would enhance and improve the recreational potential or quality of the site and would be visually acceptable in the streetscene. The proposal would not result in a significant undue impact on the amenity of neighbouring properties. Therefore the proposed development would be in accordance with the advice contained within the NPPF (2019), Policy 10, 13 and 16 of the ACS (2014) LPD 20 & LPD32 of the Local Planning Document (2018).

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 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 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 APPLICATION 2019/0226 - 43 BROOK AVENUE
ARNOLD NG5 7HL.**

**Change of use of land to facilitate vehicular access to
dwellinghouse.**

RESOLVED to:

GRANT PLANNING PERMISSION subject to conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the application form received on 8th March 2019 and the site location plan received on 26th March 2018. The development shall thereafter be undertaken in accordance with these plans/details.
3. The driveway shall not be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.
4. The driveway shall not be brought into use until the drive/ parking areas are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard-bound material for the life of the development.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of Highway safety.
4. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

Reasons for Decision

By virtue of the size of the grass verge and the nature of the proposed development, the proposal would not result in any highway safety issues whilst ensuring off-street parking provision for no.43 Brook Avenue, it would not result in a detrimental impact on the visual amenity of the area nor on neighbouring residential amenity. The proposal is in accordance with the advice contained within the NPPF, Policy 10 of the Aligned Core Strategy and policies LPD 32, LPD 57 and LPD 61 of the Local Planning Document.

Notes to Applicant

Positive and Proactive 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 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/cil. The proposed development has been assessed and it is the Council's view that the development hereby approved is not CIL Liable as the development is for a use that is not chargeable on Gedling Borough Council's Community Infrastructure Levy Charging Schedule.

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

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

21

APPEAL DECISION VALE ROAD COLWICK

Section 73 application to amend Condition 12 (approved plans) on 2008/0287 (demolish offices, car parking & storage areas & erection of 44 dwellings with associated roads & sewers) and amend previously agreed Section 106 planning obligation to omit the integrated transport

and public open space contributions, and reduce the education contribution from £120,820 to £75,000 on viability grounds.

RESOLVED:

To note the information.

22 GEDLING BOROUGH HOUSING DELIVERY ACTION PLAN AND FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2019

To note the Gedling Borough Housing Delivery Action Plan and the Five Year Housing Land Supply 2019 Assessment which has been updated.

RESOLVED:

To note the information.

23 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

24 FUTURE APPLICATIONS

RESOLVED:

To note the information.

25 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

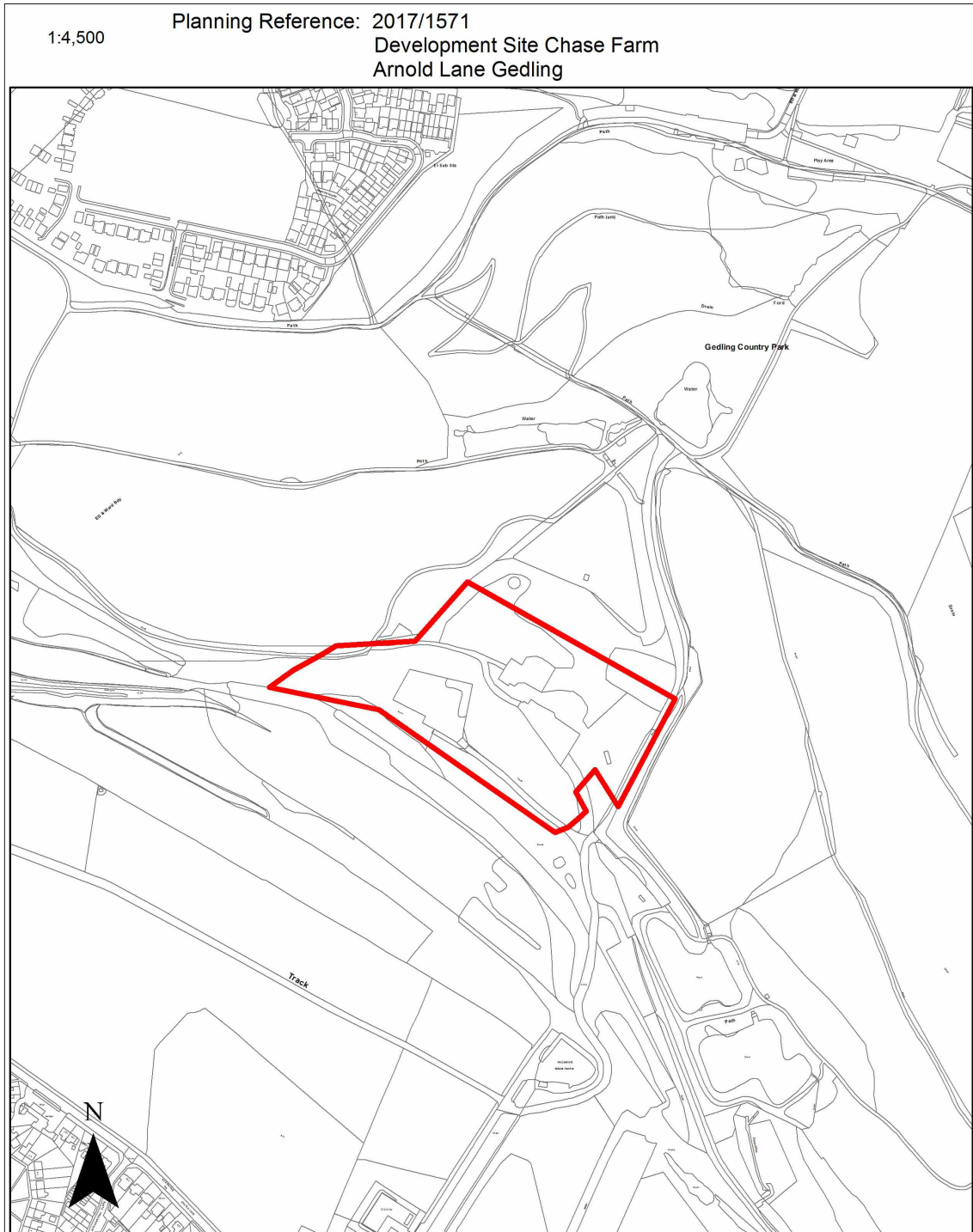
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the 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 2017/1571



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: 19/10/2018

Report to Planning Committee

Application Number:	2017/1571
Location:	Development Site Chase Farm Arnold Lane Gedling
Proposal:	Erection of employment units (Class B1c/B2/B8 Use), Pub/Restaurant (Class A3/A4 Use) and Drive Thru (Class A3 Use), together with associated parking, servicing and landscaping.
Applicant:	Harworth Group Ltd
Agent:	Pegasus Planning Group
Case Officer:	Paula Daley

This application was presented to Planning Committee on 7th November 2018 for determination and it was resolved that the Borough Council would grant outline planning permission with matters relating to Appearance, Landscaping, Scale, and Layout reserved for subsequent approval; subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway authority for the provision of, or financial contributions towards a Management Company, Integrated Transport Facilities, Translocation of Habitat and a Local Employment Agreement (in accordance with Section 14.0 of the report), and subject to conditions.

During the completion of the Section Agreement, it transpired that in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, the correct notice had not been served on one of the land owners of the application site. The correct Article 13 Notice was subsequently served on the land owner on 3rd June 2019 and a new planning application form was submitted for consideration. Following the receipt of the above, new site notices, a press notice and relevant neighbour consultations were undertaken. No amended comments have been received to date. The application has not been amended in any other way and therefore the recommendation remains as per the 7th November 2018 Planning Committee Report with the which is reproduced in full below with the exception to an amendment to condition 3 which amends the date of the receipt of the amendment planning application form.

1.0 Site Description

- 1.1 The application site is situated to the north west of Lambley Lane, north of Gedling, and approximately 6.5km north east of the centre of Nottingham. The application site is to the north of Carlton, southeast of Arnold and west of Burton Joyce.
- 1.2 The site has an overall area of approximately 4.12ha and is located at the former Gedling Colliery. The site slopes generally from north to south, with the highest part located in the northern corner.
- 1.3 Gedling Colliery opened in 1899 and closed in 1991. The land occupied by the colliery extends between the A6211 Arnold Lane, Spring Lane and Lambley Lane. To the north is Gedling Country Park, which opened in March 2015, along with the recently opened visitor centre, café, children's play area, and solar park. To the south and south west is a residential led development known as Chase Farm. To date there has been 53 properties completed.
- 1.4 The site lies to the north, and would be accessed from the proposed Gedling Access Road (GAR) which has an extant planning approval reference: 2015/1033.
- 1.5 The application site is previously developed land which is now mostly reclaimed by grassland and areas of hardstanding remaining from the previous industrial uses.
- 1.6 The site is an Employment Allocation under Policy LPD71 in the Local Planning Document.
- 1.7 The site is covered by a Local Wildlife Site – the Gedling Colliery and Dismantled Railway LWS which includes Open Mosaic Habitat on previously developed land.
- 1.8 The site is located within Flood Zone 1 and not at risk of fluvial flooding. The flood risk assessment identifies that the site currently drains via a system of land drains to two existing lagoons located to the southeast of the site, which then drain into the nearby Ouse Dyke.
- 1.9 There is currently an energy plant run by Alkane Energy Limited in the northwest area of the site.

2.0 Relevant Planning History / Site Background

Relevant Planning History

- 2.1 In December, 2014, full planning permission was granted under application no: 2014/0915 for the GAR, the construction of which was proposed to be carried out in two phases.
- 2.2 In February, 2015, planning permission was granted under application no: 2015/0110 for a variation of condition 2 attached to planning permission no: 2014/0915 to amend the details of the approved plans so as to also refer to

additional drawings, showing limited vegetation clearance to allow gas main re-alignment and preparation for an interim roundabout, which would otherwise have constituted a commencement of development and require a wide range of pre-commencement conditions to be discharged at that stage.

- 2.3 In June, 2016, planning permission was granted under application no: 2015/1033 for a variation of condition 1 attached to planning permission no: 2014/0915 to enable to the construction of the GAR to take place as a single construction programme, instead of two distinct, timed phases. The two phases would remain but there would be no restriction as to the order the phases are commenced.
- 2.4 On the 3rd March 2017 Conditional Permission was granted for the “Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road.” *app ref: 2015/1376.*

Site Background

- 2.6 The Gedling Borough Replacement Local Plan (adopted July 2005), now superseded by the adopted Local Planning Document (July 2018), provided a housing and employment strategy for the area which identified the former Gedling Colliery site as an allocated housing site for future development under H3 and the current application site as an allocation of employment land under RLP Policy E1. The Gedling Borough Local Planning Document (July 2018) provides an employment strategy for the site under Policy LPD 71 where the site is allocated for employment-led mixed use development. This is in recognition that a wider range of employment uses is required to help facilitate the development of the former colliery site. The development is reliant on the future construction of the GAR.
- 2.7 The construction of the GAR would follow a southern route from a new junction with the B684 created at Mapperley Plains, running parallel with the A6211 Arnold Lane, through the centre of the former Gedling Colliery site, to the east of which is Gedling Country Park. From the former colliery site, the GAR would cross a number of arable and pastoral fields, Glebe Farm and a section of the walled garden at Gedling House, which is a Grade II Listed Building, and a small section of the Carlton Academy grounds. The route would terminate at a new junction created with the A612 Burton Road, Burton Joyce. The proposed route of the GAR follows the route indicated on the Local Planning Document.
- 2.8 The GAR is a 3.8km road which unlocks the Gedling Colliery / Chase Farm site. The principle objectives of the GAR are twofold:
1. to facilitate the redevelopment of the Gedling Colliery / Chase Farm site and accommodate additional traffic generated; and

2. to provide a 'bypass' link around Gedling, linking the area with the wider strategic road network to help ease traffic congestion on local roads.
- 2.9 Nottinghamshire County Council is undertaking the land acquisition, design and construction of the GAR and have overall responsibility for its delivery, working in partnership with the Homes England, Gedling Borough Council, and Keepmoat. Compulsory Purchase Orders (CPOs) to secure land required by the road; are being managed by Nottinghamshire County Council and implemented as Local Highway Authority. In 2013, a Transport Modelling Appraisal established the basis for a phased programme of development. This allows the development of a maximum of 315 dwellings on the Gedling Colliery / Chase Farm site prior to completion and opening of the GAR.

3.0 Proposed Development

- 3.1 Outline Planning Permission is sought with all matters; except access, reserved for subsequent approval.
- 3.2 The application seeks permission for the erection of employment units (Use Class: B1c (Business) / B2 (General Industry) / B8 (Storage and Distribution)), a Pub / Restaurant (Use Class A3 / A4) and a Drive Thru (Class A3 Use), together with associated car parking, servicing and landscaping.
- 3.3 Access into the site would be provided via a connection to the GAR. All the proposed buildings, car parking and service areas would be accessed via a new access road that would run through the centre of the site.
- 3.4 Outline Planning Permission is sought for the erection of five units and a car park with the indicative parameters indicated below:
- Drive Thru (Class A3 use) – approximately 280sqm;
 - Public House / Restaurant (Class A3 / A4 use) – approximately 800sqm;
 - Employment Units (Class B1c / B2 / B8 use) – 60,000sqft (5,574sqm) split across three 20,000sqft (1,858sqm) units; and
 - An overflow car park for the site measuring 0.15ha.
- 3.5 Access into the site would be via a new four-arm roundabout from the Gedling Access Road (GAR), the northern arm of which would be 7.3m wide.
- 3.6 A foul sewage pumping station is proposed to be discussed with Nottinghamshire County Council outside of the application site.
- 3.6 Various studies and reports have been submitted in support of this application and these are listed below:
- Planning Statement (Pegasus Group);
 - Master planning (Harris Partnership);
 - Flood Risk Assessment and Drainage Strategy (Rodgers Leask);
 - Transport Assessment and Travel Plan (ADC Infrastructure);
 - Extended Phase 1 Habitat Survey Report (Applied Ecological Services);
 - Bat Survey Report (Applied Ecological Services);

- Breeding Bird Report (Applied Ecological Services).

3.7 The Design and Access Statement outlines the surface water strategy is to discharge runoff to the lagoons via a new on-site sustainable drainage networks incorporating water treatment.

3.8 The accompanying Transport Assessment demonstrates that the site is in a sustainable location with opportunities to travel by all sustainable modes of transport. The proposed new Gedling Access Road has been designed to accommodate the vehicle trips from both Chase Farm and the proposed development.

3.9 The development is located 800m from the nearest bus stop on Shelford Road; however, on completion of Chase Farm, a bus service would be rerouted close to the proposed development.

4.0 Application Publicity and Procedures

4.1 The application was publicised for representation on 10th January 2018 in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Five Site Notices advertising the application were displayed at Arnold Lane, Lambley Lane Recreational Ground, Glebe Farm View, Gedling Country Park, and Braunton Crescent. The required Press Notice has also been advertised in the Nottingham Post.

4.2 Neighbour Consultation and General Publicity Responses

4.2.1 The comments below were made in respect of this application. Three letters of representation were received as a result. One letter came from a member of the general public, one letter was received from the group 'Friends of Gedling Country Park' and, one letter was from 'Alkane Energy' a tenant at the site. Comments can be outlined as follows:

4.2.2 Landscape and Visual

- The development would not be in-keeping with the area.
- The proposed Industrial units would be harmful to the areas natural beauty and that of Gedling Country Park.

4.2.3 Highway Safety

- The proposed development would increase traffic of the GAR which is designed to reduce traffic.

4.2.4 Principle of Development

- Industrial development is not right for the area with the country park so near. It would be more suited to brown field land in Netherfield next to the retail park.
- The application form describes the land as vacant grassland, however, Alkane Energy operate from part of the site with a long term lease.

4.2.5 Land Contamination / Flood Risk / Pollution

- The application states that the surface water drainage for the site would be to two lagoons. It is intended for the surface water drainage from the site to be via these lagoons. These lagoons are important wildlife habitats and it is requested that planning permission is not granted until an alternative drainage strategy is agreed to protect the ponds.
- All new surface water drainage should use the attenuation proposed for the GAR.
- Surface water drainage into the existing ponds would result in unacceptable pollution.
- Consideration should be given to alternative drainage within the applicant's site which is not to be developed to prevent surface water from the higher areas entering the lagoons.
- The proposed foul sewage pumping plant is outside of the application site and within the Country Park which is in the ownership of Gedling Borough Council. The installation of the proposed pumping station would cause noise disturbance.

4.2.6 Ecology

- The site accommodates Dingy Skipper Butterfly and this is a registered species of importance for conservation in England under section 41 of the NERC Act (2006). It is also listed as a species of conservation concern under Nottinghamshire's Local Biodiversity Action Plan (LBAP) a Priority Species in the UK Biodiversity Action Plan. The proposal should incorporate a butterfly bank as way of mitigation from the proposed development.
- Mitigation measures to deal with the destruction of vascular plant habitat should be sought. Translocation of habitats would be welcomed to ensure no loss of habitat as a result of the development.

4.2.7 Loss of Amenity

- The site will require street lighting and premises lighting (no details provided). The proposal would result in potential light pollution adversely affecting bats, insects, birds and other wildlife. A detailed lighting strategy should be sought.
- Gedling County Park is very popular and the paths along the western and eastern edges are well used. The following could be considered adverse impacts to the amenity of users of the park:
 - Noise pollution from the employment uses.
 - The loss of visual amenity unless the building heights are restricted.
 - The formation of a bank on the north boundary of the development raises stability concerns due to the steep slope above the development. The problem could be mitigated by stabilising the slope by planting a variety of native species and shrubs on the bank.

- The proposed public house and coffee shop could be used by visitors to the park. Concerns are raised about the increase in litter which should be mitigated by the installation of litter bins on the application site.

4.3 Consultation Responses Received from Technical Bodies

4.3.1 Nottinghamshire County Council (Highway Authority (HA))

The development proposal is located to the North East of the Proposed Gedling Access Road (GAR). Main construction in relation to this road is due to commence in summer 2019 with completion anticipated late 2020. The proposal cannot be occupied or utilised until it has a suitable access to the GAR and this will not be available until GAR is completed.

The Transport Assessment has been reviewed for the site and the HA have compared the forecast traffic generation in the TA for the Employment, PH and Drive Thru against the traffic assumptions made in the traffic modelling for the Gedling Access Road planning application. The GAR junction design calculations assumed that the Chase Farm development site was used entirely for a mix of B1/B2 and B8 uses only. The hour generations used for the GAR junction design exceed those now forecast for the planning application site. In this case we can advise that the roundabout junction of GAR with the employment site would operate satisfactorily and with significant amount of spare capacity in both the GAR opening (2020) and design years (15 years after opening).

A planning condition would be necessary on this application which restricts the use of any part of the application site (2017/1571) until the Gedling Access Road is built and open to traffic in its entirety.

Parking provision has been assessed based on the proposed uses and is considered acceptable for this development. Displacement of parking is not likely to occur as the GAR will have a clearways order which will prohibit parking in the vicinity of the proposed development.

Servicing to plots is acceptable from the proposed new access road and areas within the plots have been reserved for turning vehicles.

4.3.2 Nottinghamshire County Council (Travel and Transport)

The closest bus stops would be in excess of 550 metres from the centre of the site, not 400 metres as stated in the Planning Statement. The local bus service contribution requested would enable the development to be served by bus and for this site, situated on an incline, to be sustainable in planning terms. The level of contribution is derived from the Council's Local Bus Service Funding Model and would support provision of a local bus service to serve the site, with a view to the service being sustainable at the end of the funding term. A summary of the factors used for the model includes the following: size of site; number of projected trips/ridership; gross vehicle cost; local bus modal share; average fare / yield per trip; build out projections.

For this site the Planning Statement states that the scheme could result in the region of 133 – 203 direct jobs (dependent on the eventual end users), and

also refers to an estimated additional 21 public transport trips in the average peak hour. The funding requested is based upon a projected level of 62 daily two-way trips from all users of the development (124 trips per day).

Using the above assumptions gives a local bus service contribution of £100,000, which would provide a service to serve the development and for at least two years, subject to review, based on usage and revenue. No contingency or inflation is applied. The level of the bus service contribution would be reviewed using the Local Bus Service Funding Model should there be a significant change to the scope of the Outline application submitted for the proposed development / numbers of jobs.

In terms of the total contributions sought, the Transport and Travel Services response dated 19/1/18 refers to a Public Transport contribution of £100,000, and a separate request for a bus stop contribution via a Section 106 agreement for bus stop improvements to the value of £26,000 to provide two new bus stops in the vicinity of the site or to provide upgrades to the closest available bus stops. As such the combined funding contribution requested is £126,000.

4.3.3 Nottinghamshire County Council (Waste and Minerals)

4.3.3.1 *Minerals*

The site is not within a minerals safeguarding and consultation area.

The site incorporates the whole area of the operational Gedling Energy Park; a site generating electricity from coal mine methane drained from historic mine workings under NCC planning references 7/2010/1033NCC and 7/2013/1212NCC until 4th August 2021. Nottinghamshire County Council are considering a further two applications to vary conditions to extend the life of the development until 2037. The extraction of mine gas is supported in the Nottinghamshire Minerals Local Plan policy M13.5.

The applicant is encouraged to discuss with the operator of the Energy Park how the current application will relate to the current permitted use as a Methane Drainage Site. Clarification should be sought on how these two uses would operate together and how the safe drainage of methane could be achieved should this development be approved.

In the planning statement emphasis is on the principles of sustainable development and the transition to a low carbon economy, and if the Energy Park were to be removed then this would remove a purpose-built facility which specifically contributes to these aims and objectives.

4.3.3.2 *Waste*

There are no existing waste sites within the vicinity of the site where by the development would cause a safeguarding issue.

4.3.4 Nottinghamshire County Council (Arboricultural Officer)

The application shows very little in terms of explaining how existing trees and vegetation are to be retained and nor does it explain fully what the proposed landscaping will consist of post development.

4.3.4.1 *Tree and Scrub Retention*

It would be recommended that a tree constraints plan (TCP) is produced showing the proposed development and identifying trees, hedges and wooded areas which are to be retained and removed.

A tree protection plan should also be overlaid to graphically show root protection areas for retained trees and hedges including locations of tree protection barriers in accordance with BS 5837:2012

4.3.4.2 *Replacement tree planting*

It would be recommended that a landscape plan is provided to graphically show the level of landscaping and details of all tree planting species and specifications in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations or as amended.

4.3.5 Nottinghamshire County Council (Ecology)

The application is supported by an Extended Phase 1 Habitat Survey, Bat Survey and Breeding Bird Survey.

The site sits within Gedling Colliery and Dismantled Railway Local Wildlife Site (LWS) (5/211), described as a ‘former colliery with a notable plant assemblage and of faunal interest’, the reasons for designation are listed as Botanical and Butterfly.

The site is correctly identified as supporting Open Mosaic Habitat on Previously Developed Land (OMH), which is a Habitat of Principle Importance in England (a ‘priority’ habitat) and its enhancement and protection is important. Of particular concern is the fact that the extent of the OMH habitat affected by the development has not been quantified, and no mitigation or compensation is proposed for its loss.

In summary, NCC objects to this application, and request that GBC defer a decision until the following matters have been addressed:

- The provision of further information in relation to the loss of Open Mosaic Habitat on Previously Developed Land, including mitigation and/or compensation measures and quantification of losses/gains using an ecological accounting approach.
- The undertaking of further surveys and/or assessment in relation to badger, common toad, grass snake and butterflies.
- A consideration of the combined impacts of this development when coupled with other adjacent developments (GAR and Keepmoat)
- The provision of more detailed mitigation and landscaping proposals in relation to dingy skipper.

4.3.6 Nottinghamshire County Council (Rights of Way)

No definitive paths are affected by the development.

4.3.7 Nottinghamshire County Council (Lead Local Flood Authority)

The information submitted is incomplete and does not allow for a detailed understanding of the applicants proposed methods of managing surface water.

4.3.8 Environment Agency

No objections subject to a condition for a remediation strategy to deal with the risks from contamination.

4.3.9 Severn Trent

No comments received.

4.3.10 Gedling Borough Council (Scientific Officer)

As it appears there is no desktop study / preliminary risk assessment has been submitted prior to, or with the planning application, it is requested phased contamination conditions are attached to any planning consent.

4.3.11 Gedling Borough Council (Parks and Street Care)

Parks and Street Care would welcome the transfer of Open Mosaic Habitat from the site to Gedling Country Park.

4.3.13 Gedling Borough Council (Economic Development)

The size of the development meets the thresholds for an Employment and Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board and the National Skills Academy for Construction's "Client Based Approach; Local Client Guidance for England" to be implemented during the term of the build to deliver employment and training activities – including work experience, jobs, apprenticeships and training.

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 other material considerations indicate otherwise'.

5.2 The most relevant national planning policy guidance in the determination of this application are contained within the National Planning Policy Framework (NPPF) (July 2018) and the additional information provided in the National Planning Practice Guidance (NPPG).

5.3 National Planning Policies

The following parts of the NPPF are of relevance to the principle of this application:

- Part 6 – Building a strong, competitive economy;
- Part 7 – Ensuring the vitality of town centres; and
- Part 15 – Conserving and Enhancing the Natural Environment.

5.4 Development Plan Policies

On the 10th September 2014 Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) which now forms part of the

development plan. It is considered that the following GBACS policies are relevant: -

- ACS Policy 2 – The Spatial Strategy;
- ACS Policy 4 – Employment Provision and Economic Development;
- ACS Policy 6 – The Role of Town and Local Centres;
- ACS Policy 7 – Regeneration; and
- ACS Policy 10 – Design and Enhancing Local Identity.

5.5 Local Planning Document – Part 2 – Local Plan

In July 2018 Gedling Borough Council adopted the Local Planning Document Part 2. The following LPD policies are relevant to this application:

- Policy LPD4 – Surface Water;
- Policy LPD7 – Contaminated Land;
- Policy LPD10 – Pollution;
- Policy LPD11 – Air Quality;
- Policy LPD18 – Protecting and Enhancing Biodiversity;
- Policy LPD35 – Safe, Accessible and Inclusive Development;
- Policy LPD48 – Local Labour Agreements;
- Policy LPD 32 – Amenity;
- Policy LPD 43 – Retention of Employment Uses;
- Policy LPD 71 – Employment Allocations;

5.6 In considering this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this application are as follows: -

- Principle of Development
- Transport and Connectivity
- Masterplan and Design
- Water Resources, Flood Risk and Drainage
- Land Contamination
- Meeting the challenge of climate change
- Ecology
- The Impact on Neighbouring Amenity
- Heritage and Archaeology
- Other Material Considerations

6.0 Principle of Development

6.1 At the heart of the NPPF there is a presumption in favour of sustainable development with paragraph 80 stating significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and the wider opportunities for development.

6.2 ACS Policy 2 (clause 4) makes provision for significant new employment development at Gedling Colliery Chase Farm. ACS Policy 4 elaborates where clause 4 e) enables the promotion of significant new economic development as part of sustainable Urban Extensions at Gedling Colliery/Chase Farm. ACS Policy 4 does recognise the need to cater for the full range of employment uses. ACS Policy 7 clause e) identifies Gedling Colliery / Chase Farm as focus for regeneration.

- 6.3 Policy LPD 71 Employment Allocations allocates the application site for employment-led mixed use development. The supporting text states inter-alia: *10.3 'The land to the north of Gedling Access Road is allocated for 5 hectares of employment-led mixed use development. This is recognition that a wider range of employment uses is required to help facilitate the development of this former colliery through an element of "pump priming" as the site has remained undeveloped for a number of years. It also recognises that the site's location adjoining the newly opened Gedling Country Park presents new opportunities for visitor related facilities that could provide significant levels of employment. The types of employment led mixed uses that the Borough Council would consider acceptable include an element of food and drink, such as pub/diner and coffee shop or other facilities connected with the Country Park. It is considered that the amount of pump priming development can be determined through the detailed planning process taking into account site viability. The site would be developed predominantly for suitable business (B1), storage and distribution (B8) and general industry (B2) uses, subject to the latter being appropriate in this location (which may require the imposition of suitable conditions on any planning permission).'*
- 6.4 It goes on to state: *10.4 'The employment allocation will provide sustainable employment opportunities close to the new housing provision and also contribute towards meeting the overall employment requirements for Gedling Borough. This site will have direct access to the new road making the site highly accessible'.*
- 6.5 Given that the site falls within a site allocated for the employment uses proposed there are no limitations in place in respect of its redevelopment for a mixture of B1 c, B2, B8 and A4 and A5 uses as proposed. The A4 and A3 uses are a small proportion of the overall floor areas proposed. The principle of the redevelopment of the site is acceptable subject to the detailed consideration of the following matters.

7.0 Transport and Connectivity

- 7.1 I note the comments from the Highway Authority which raise no objections to the proposed development subject to conditions relating to the submission of a Travel Plan and surfacing of the parking and turning areas.
- 7.2 I concur with the comments received and consider that the development would be acceptable in terms of highway safety and appropriate car parking provision.
- 7.3 I note that details relating to the access are being sought for detailed approval and the Highway Authority has not objected to the detailed plans. I am satisfied that the details of access are acceptable in this instance.
- 7.3 I note the comments from Strategic Highways in relation to the bus stop and redirected bus routes. In my view given the location of the development away from main town centres and good public transport linkages the contributions to support direct bus links to the employment site are reasonable in this instance to support the development. Contributions would be sought that are

proportionate to the development under the current NCC obligations strategy (detailed in section 14).

8.0 Masterplan and Design

- 8.1 Policy 10 of the Aligned Core Strategy requires all new development to 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 characteristics; be adaptable to meet evolving demands and the effects of climate change; and reflect the need to reduce the dominance of motor vehicles.
- 8.2 Part 12 of the NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; respond to local character and history; and is visually attractive as a result of good architecture and appropriate landscaping.
- 8.3 The proposed development would be located to the north of the proposed Gedling Access Road a major piece of infrastructure to support the growth in the Borough. The north of the proposal is currently Gedling Country Park that rises in level steeply to the north.
- 8.4 Matters relating to Appearance, Landscaping, Layout, and Scale, are being reserved for subsequent approval. This application has been submitted with Access being considered in detail at this outline stage.
- 8.5 Whilst only indicative a layout has been submitted in support of this application that indicates that a development of 5 employment plots with the floor areas indicatively proposed can be accommodated on the site without appearing over intensive. The layout illustrates that front facing development can be achieved adjacent to the proposed Gedling Access Road. The submitted planning statement also indicates that the development would create building fronts with areas of soft landscaping including trees and hedgerows. The layout plan illustrates how the deliveries and back of house functions of the employment uses could be serviced from the centre of the site rather than the edges looking towards Gedling Country Park. It also indicates that established trees and hedgerows to the site boundaries could be retained.
- 8.6 Overall, given the sites employment allocation, it is considered that an imaginative design can be achieved that reflects the developments context to the existing Country Park and the Gedling Access Road. I am content that an appropriate design can be achieved at reserved matters stage, using the illustrative layout as a guide, which would closely relate to existing features on the site and the surrounding area. I am therefore satisfied that the application accords with the broad aims of the NPPF, Policy 10 of the ACS, and LPD35.

9.0 Water Resources, Flood Risk and Drainage

- 9.1 Policy LPD4 – Surface Water Management requires all development proposals to include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems

in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.

- 9.2 I note the application site is located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding.
- 9.3 I note the comments from the EA with regards to the control of contaminated waters and should permission be forthcoming the suggested conditions would be attached to any approval.
- 9.4 I note the comments from the LLFA with regards to the submission of a Surface Water Drainage Scheme, however, as this is an outline planning application with matters relating to landscaping and layout being reserved for future consideration I am satisfied that an appropriate surface water drainage scheme can be sought via a condition which may be discharged once the layout and landscaping proposals have been progressed.
- 9.5 Subject to the precise details being approved at reserved matters stage I am satisfied that the development accords with LPD4.

10.0 Land Contamination and Health and Safety

- 10.1 The relevant planning policies which need to be considered in relation to land contamination and pollution are set out in Section 15 of the NPPF and LPD7, LPD10 and LPD11.
- 10.2 Section 15 of the NPPF as reinforced by local policy which requires development to contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from levels of soil, air, water or noise pollution.
- 10.3 I note that Gedling Borough Public Protection have no objections in principle to the proposed development, but recommends the imposition of appropriate conditions to ensure that contamination is monitored and mitigated against. Subject to conditions it is my opinion, therefore, that the proposed development would accord with Section 15 of the NPPF and Policies LPD7 and LPD10.
- 10.4 I note the comments received from the operator of Alkane Energy, whom state they operate from the site on a long term lease, and the potential for a conflict of interest between the competing uses. However, should the development go ahead, whether the current operator would have to vacate the site would be a private legal matter between the land owner and the operator of Alkane Energy and would not be material planning consideration that would carry enough weight to warrant the refusal of this application.

11.0 Meeting the challenge of climate change

- 11.1 Part 14 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated

infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

- 11.2 I note that, following correspondence with the Scientific Officer it was recommended that that scheme should incorporate provision for an EV (electrical vehicle) charging point. Should planning permission be forthcoming an informative would be attached to encourage any future developer to address the need of meeting climate change by providing sustainable transport options for employees in line with the requirements of Paragraph 93 of the NPPF. There is currently no LPD Policy that would support the requirement to provide EV charging points.

12.0 Ecology

- 12.1 The relevant planning policies that need to be considered in relation to ecological matters are set out in Section 15 of the NPPF, Policy 17 of the ACS and LPD18.
- 12.2 I also note the subtext of LPD 72 specific to this employment allocation which states at paragraph 10.5 *'A Local Wildlife Site is located on the employment land but the need for employment and the aim of supporting regeneration by providing jobs on the Gedling Colliery/Chase Farm site are, on balance, considered to outweigh any adverse impact on the Local Wildlife Site. This position is subject to mitigation and the scope to compensate any loss through translocation of habitat to the adjoining Gedling Country Park.'*
- 12.3 I note the comments from NCC ecology who object to the proposal due to the lack of information and suitable mitigation and compensation. I also note that the whole of the application site was considered during the process of preparing the LPD and it has already been considered that the loss of the LWS is outweighed by the need for employment. I also note the comments received with regards to inappropriate lighting impacting on wildlife.
- 12.4 Policy LPD18 (Protecting and Enhancing Biodiversity) sets out that development proposals affecting designated sites and priority habitats and species should only be permitted if there is no significant harm to the biodiversity of the site. Any harm should be avoided, and where this is not possible the impacts should be mitigated. The policy goes on to state that lastly, residual impacts should be compensated. As the application is outline with all matters relating to layout and landscaping reserved for later approval I consider that matters raised by NCC ecology can be addressed with the suitable studies and reports and a detailed landscaping scheme being sought by planning condition.
- 12.5 I note the comments with regard to the 'Open Mosaic Habitat' (OMH) that is present on the site and the potential for this to be lost as a result of the development. I also note that LPD72 states that any loss should be compensated through the translocation of habitat to the adjoining Gedling Country Park. The translocation of OMH to Gedling Country Park is supported by Parks and Street Care. It is my opinion that should the results of the updated ecology/biodiversity reports and approved landscaping plans (sought through reserved matters) give rise to the requirement to compensate and

translocate OMH this can be secured by way of s106 obligation between Gedling Borough Council (Landowner of the Country Park) and the Developer.

13.0 The Impact on Neighbouring Amenity

- 13.1 Given the substantial distances to the nearest neighbouring properties, the location of the Gedling Access Road inbetween the development and the Chase Farm housing development I consider there to be no undue impact on residential amenity arising from this development.
- 13.2 The nearest buildings that could be affected are those on the new housing development at Chase Farm. In my view the impacts of the construction activities could be managed through a Construction Environmental Management Plan (CEMP) which would ensure that working hours, traffic management, control of pollution, waste management, noise, dust and vibration are all managed and controlled to acceptable standards. The CEMP and the requirements it needs to cover would be secured through condition.

14.0 Planning Obligations

14.1 Travel and Transport Contributions

A contribution through s106 would be sought towards Public Transport (£100,000) to provide a service to serve the development for at least 2 years.

A contribution towards bus stop improvements of £26,000 would be sought.

14.2 Economic

I note the comments from the economic development officer, the size of the site and the numbers of dwellings to be built meet the Council's thresholds to implement the Construction Industry Training Board (CITB) to create work and opportunities during the term of the build. Should planning permission be forthcoming CITB would form part of the s106.

14.3 Open Space and Ecology Mitigation

Given that the development would result in an access roads, car parking, loading areas and incidental landscaped open space (to compensate the loss of habitat), should planning permission be forthcoming details of a Management Company responsible for the upkeep of the non-adopted areas and the open space would be sought via Section 106 Agreement to retain acceptable surfacing and biodiversity mitigation associated with the development.

An obligation between Gedling Borough Council and the Landowner would be sought to address the translocation of any identified Open Mosaic Habitat to Gedling Country Park.

14.4 Community Infrastructure Levy (CIL)

The application is CIL liable. The CIL would only apply to the elements that are identified for A3 and A4 uses. A borough-wide charge of £64.69sqm currently applies to retail floorspace of over 100sqm. A zero charge applies for employment uses at this time. The actual amount of CIL payable would be

calculated when a decision is made on the subsequent reserved matters application.

15.0 Other Material Considerations

- 15.1 I note the comments with regards to the steep bank proposed on the north boundary of the site and the potential for its stabilising using native plants. I concur with this view and any detailed landscaping and ecology mitigation would be sought as part of any reserved matters application could address this issue.
- 15.2 I note that the development is reliant on the completion of the Gedling Access Road and therefore consider that extending the time limit in which to the applicant can submit the reserved matters to five years rather than three years from the date of the permission would be reasonable in this instance.

16.0 Conclusion

- 16.1 The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Plan Part 2 where appropriate.
- 16.2 In my opinion, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is my opinion that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.
- 16.3 Planning obligations are being sought in accordance with the requirements of the NPPF.

- 17.0 Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance, Landscaping, Scale, and Layout reserved for subsequent approval; subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway authority for the provision of, or financial contributions towards a Management Company, Integrated Transport Facilities, Translocation of Habitat and a Local Employment Agreement (in accordance with Section 14.0 of the report), and subject to the following conditions:**

Conditions

- 1 Approval of the details of Appearance, Landscaping, Layout and Scale (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 five 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 The submission of all reserved matters and the implementation of the development shall be carried out in accordance with the plans and documents received on the 22nd December 2017: -; Extended Phase 1 Habitat Survey; Bat Survey Report; Breeding Bird Surveys; Design and Access Statement (P17-1794_200); Drainage Strategy (P15-157 - 202A); Planning Statement (Dec 2017 - SLR/ST - P17-1794); Overall Proposed Site Plan (14005-102); Overall Proposed Site Plan (14005-103); Existing Location Plan (14005-100); Existing Location Plan (14005-101); Framework Travel Plan (ADC1616-B); Indicative Zoning Plan (14005-105); and Indicative Design Site Section (14005-104) and Amended Application Forms received on 11th June 2019.
- 4 No part of the development hereby permitted shall be occupied until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan.
- 5 No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking areas shall then be maintained in such hard bound material for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until the Gedling Access Road is built and open to traffic in its entirety.
- 7 No development shall take place until a Construction Environmental 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.
- 8 Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The surface water drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development.
- 9 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority, (1) A tree / hedge

protection plan to graphically show the locations of any tree / hedge and root protection barriers. A tree protection plan should be overlaid to graphically show root protection areas in accordance with BS 5837:2012; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement (AMS). The AMS provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees / hedges. The approved measures of protection shall be implemented in accordance with the approved details for the duration of the construction period.

- 10 Before development is commenced, there shall be submitted to and approved in writing by the Local Planning Authority a Desktop Study for Existing Ecological Information, to include: (1) Consultation with the Nottinghamshire Biological and Geological Records Centre (NBGRC); (2) An Extended phase 1 Habitat Survey; (3) Details of avoidance, mitigation and compensation measures, and opportunities for enhancements (4) Further surveys and/or assessment in relation to badger, common toad, grass snake and butterflies, and (5) Further information in relation to the loss of Open Mosaic Habitat, including mitigation and/or compensation measures and quantification of losses/gains using an ecological accounting approach. The development shall be implemented strictly in accordance with the approved details.
- 11 The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted (in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape), which shall consist of native species, ideally of local provenance, where possible; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties (d) details of the mitigation and compensation for the loss of Open Mosaic Habitat (e) details of the mitigation and landscaping proposals in relation to dingy skipper (butterflies) and (f) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
- 12 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 13 The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented in accordance with the approved details.
- 14 The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the

external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development.

- 15 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, a detailed remediation scheme (to bring the condition suitable for the intended use by removing unacceptable risks to critical receptors) should 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.
- 16 In the event that remediation identified in the Remediation Scheme 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.
- 17 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the 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. Prior to the first occupation of the development an Assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

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 For the avoidance of doubt.

- 4 To promote sustainable travel.
- 5 In the interest of Highway safety.
- 6 There is no alternative access from the highway.
- 7 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 8 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 9 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy LPD18 (July 2018).
- 10 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling (September 2014) and Policy LPD18.
- 11 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 12 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 13 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 14 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 15 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.
- 16 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.
- 17 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Local Planning Document 2017, where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted.

Notes to Applicant

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

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

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

No removal of hedgerows, trees or shrubs shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-

commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council.

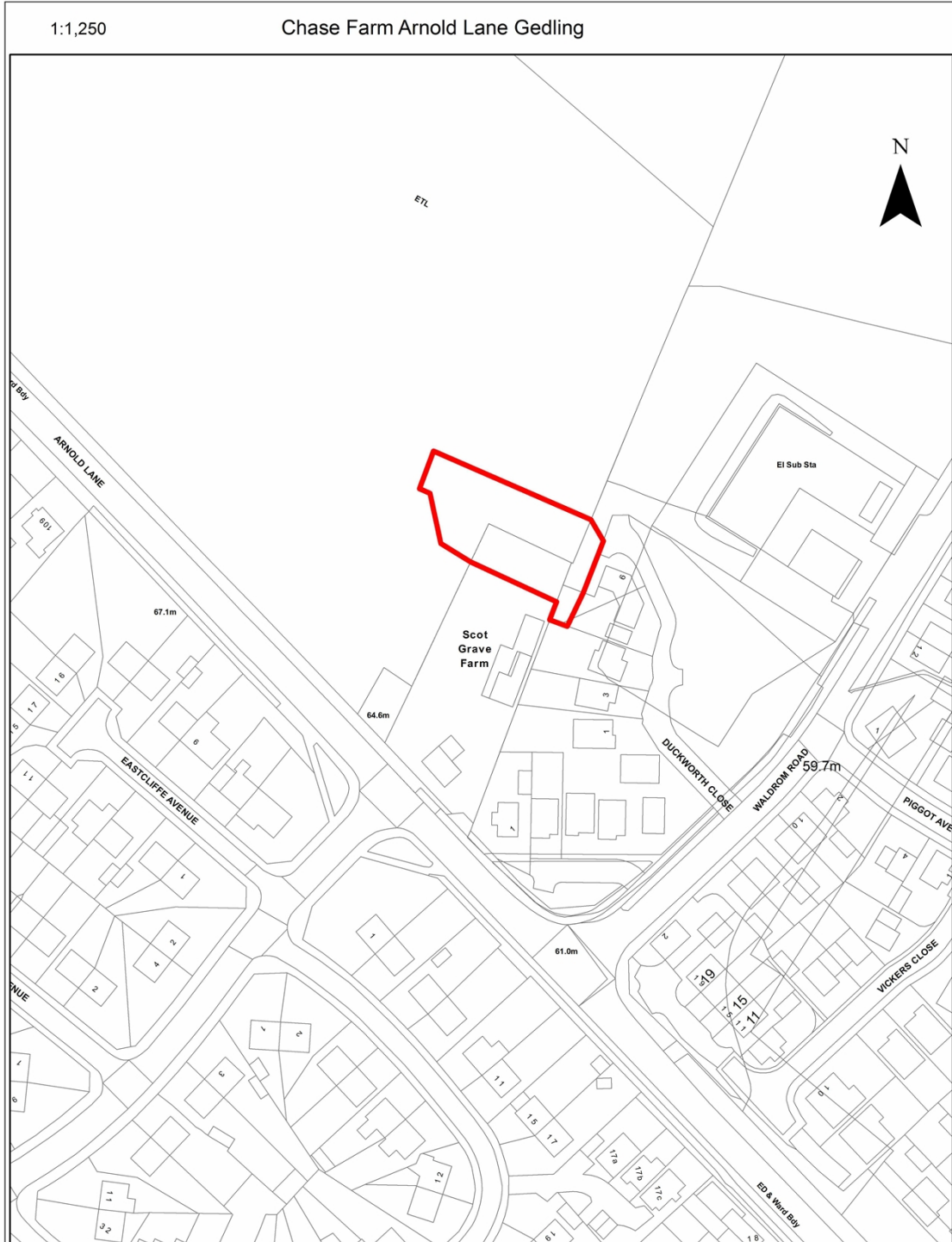
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal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

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). 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 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.



Planning Report for 2019/0304



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Date: 20/08/2019

Report to Planning Committee

Application Number: 2019/0304

Location: Land At Chase Farm (Former Gedling Colliery),
Adjacent To Arnold Lane And Land Off Lambley Lane

Proposal: 3 plot re-plan of plots 229,230 and 231.

Applicant: Keepmoat Homes Ltd.

Agent:

Case Officer: Alison Jackson

This application has been referred to Planning Committee to accord with the Constitution as a deed of variation amending an existing Section 106 Agreement is required.

1.0 Site Description

1.1 The application site relates to area of land within the large scale major residential development fronting Arnold Lane which falls within the previously approved 'Chase Farm' development (Planning Reference 2015/1376) currently under construction.

2.0 Relevant Planning History

- 2.1 On the 3rd March 2017 Conditional Permission was granted for the "Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road." *app ref: 2015/1376.*
- 2.2 In September 2017 a Non Material Amendment was granted for Plots 218 – 228 substituting brickwork and plots 38 – 47 window alterations. Ref: 2017/0927NMA
- 2.3 In September 2017 a Non Material Amendment was granted for changes to external elevations of plots 112, 114 and 156. Ref: 2017/0928NMA.

- 2.4 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee to replace 01, 02, 03, 169, 170 and 171 with alternative house types. Ref: 2017/1018 subject to a deed of variation on the s106.
- 2.5 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee for the repositioning of plots 5, 6 & 7(rotation through 90 degrees). Ref: 2017/1076 subject to a deed of variation on the s106.
- 2.6 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee for the re-elevation of 110 plots. Ref: 2017/1076 subject to a deed of variation on the s106.
- 2.7 In May 2018 resolution to grant Full Planning Permission was given by Planning Committee for the re-elevation of 71 no. plots 2018/0392 subject to a deed of variation on the s106.
- 2.8 In September 2018 resolution to grant Full Planning permission was given by the Planning Committee for the substitution of house types in respect to 30 plots (329 – 358) with amended house types and layouts, Ref: 2018/0684 subject to a deed of variation on the s106.
- 2.9 In June 2019 an application was submitted for the substitution of the house type to plot 329, reference 2019/0586. This application is pending consideration and appears elsewhere on the agenda.

3.0 Proposed Development

- 3.1 Planning permission is sought for amendments to the layout of three plots (229, 230 and 231) approved under planning permission 2015/1376. The house types remain as previously proposed.
- 3.2 The dwellings to plots 229 and 230 under planning permission 2015/1376 were a pair of semi-detached properties, it's is now proposed that the dwellings to these plots would be two detached properties with plot 230 benefitting from a detached garage adjacent to the dwelling and plot 229 retaining a pair of tandem parking spaces. The dwellings to these plots would be slightly re-positioned but the house types would remain as previously proposed (842 and 1216 house types).
- 3.3 The dwelling to plot 231 would remain as a detached dwelling with the same house type (1216) as previously proposed with the dwelling being repositioned within the plot and retaining a single garage.
- 3.4 The private drive serving plots 229 and 230 would be re-designed to accommodate the parking for plot 230. A turning facility has been provided in the private drive to enable both plots manoeuvring space to exit the private drive in a forward gear.

4.0 Consultations

- 4.1 Nottinghamshire County Council Highways – no objections.

4.2 Local residents were notified by letter and a site notice was posted near to the application site – No objections or representations were received as a result.

5.0 Planning Considerations

5.1 The principle of the development has already been established through planning application 2015/1376. The Council granted full planning permission for the erection of 506 dwellings in phase 1 of the Chase Farm development. This new application relates to 3 plots of the 506 dwellings approved under the previous application. This new application effectively amends the layouts of these 3 plots from that previously granted.

5.2 The main considerations therefore in the determination of this application are the impact of the revised layout and re-positioning of dwellings on neighbouring properties and their appearance within the streetscene.

5.3 I consider that the revised layout of these three plots together with the re-positioning of the dwellings would not impact on key views and vistas within the development and there are no parking or highway safety implications arising.

5.4 I also consider this proposal would result in an acceptable relationship with the adjacent plots in terms of overbearing, overlooking and overshadowing impacts.

5.5 For the reasons set out above, the proposed development accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policy 32 of the Local Planning Document.

6.0 Planning Obligations

6.1 The application site falls within the wider Chase Farm development which is subject to a Section 106 agreement. The triggers for the obligations are dependent on completion of a specified number of dwellings on the approved Chase Farm development. The proposed development would not alter the number of dwellings; however, the original Section 106 agreement would need to be amended to account for the minor changes highlighted above as the grant of this application would result in a new planning permission being issued for revised layout of 3 plots.

7.0 Recommendation:

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

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details within the Application Form received on the 17th April 2019, the Design and Access Statement received on the 27th March 2019 and the plans received on the 27th March 2019, drawing numbers P100, P101, P102, P103, P104 and P105.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impact on highway safety. The proposed development therefore accords with Policy LPD32 of the Local Planning Document, Policy 10 of the Aligned Core Strategy 2014, and the aims set out in the National Planning Policy Framework 2019.

Notes to Applicant

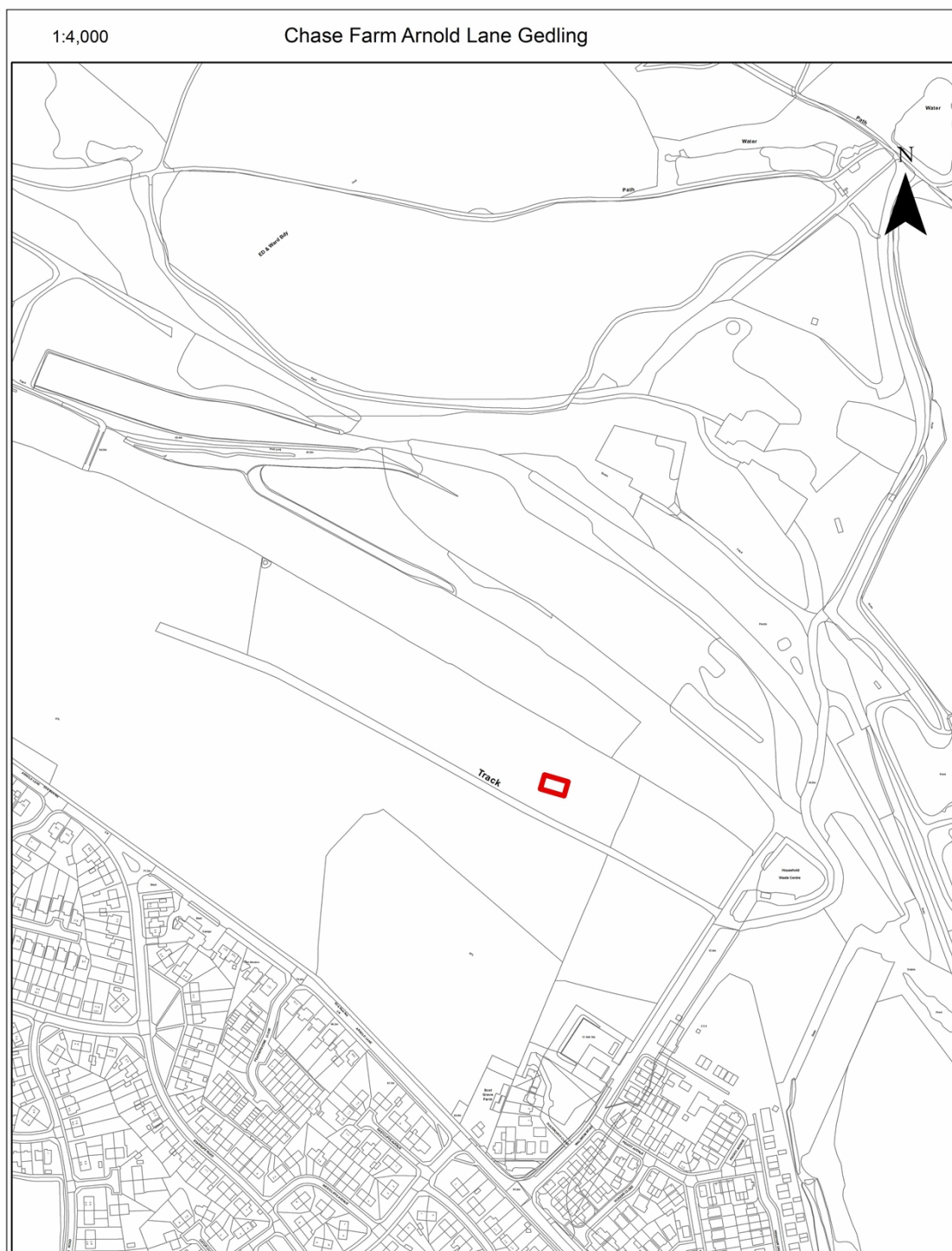
The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE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

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).

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Planning Report for 2019/0586



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Date: 23/08/2019

Report to Planning Committee

Application Number:	2019/0586
Location:	Land At Chase Farm (Former Gedling Colliery), Adjacent To Arnold Lane And Land Off Lambley Lane
Proposal:	Plot 329 substitution from ILKE house type to a traditionally built house type (1233).
Applicant:	Keepmoat Homes Ltd.
Agent:	Armstrong Burton Architects
Case Officer:	Alison Jackson

This application has been referred to Planning Committee to accord with the Constitution as a deed of variation amending an existing Section 106 Agreement is required.

1.0 Site Description

1.1 The application site relates to area of land within the large scale major residential development fronting Arnold Lane which falls within the previously approved 'Chase Farm' development (Planning Reference 2015/1376) currently under construction.

2.0 Relevant Planning History

2.1 On the 3rd March 2017 Conditional Permission was granted for the "Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road." *app ref: 2015/1376.*

2.2 In September 2017 a Non Material Amendment was granted for Plots 218 – 228 substituting brickwork and plots 38 – 47 window alterations. Ref: 2017/0927NMA

2.3 In September 2017 a Non Material Amendment was granted for changes to external elevations of plots 112, 114 and 156. Ref: 2017/0928NMA.

- 2.4 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee to replace 01, 02, 03, 169, 170 and 171 with alternative house types. Ref: 2017/1018 subject to a deed of variation on the s106.
- 2.5 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee for the repositioning of plots 5, 6 & 7(rotation through 90 degrees). Ref: 2017/1076 subject to a deed of variation on the s106.
- 2.6 In February 2018 resolution to grant Full Planning Permission was given by Planning Committee for the re-elevation of 110 plots. Ref: 2017/1076 subject to a deed of variation on the s106.
- 2.7 In May 2018 resolution to grant Full Planning Permission was given by Planning Committee for the re-elevation of 71 no. plots 2018/0392 subject to a deed of variation on the s106.
- 2.8 In September 2018 resolution to grant Full Planning Permission was given by the Planning Committee for the substitution of house types in respect to 30 plots (329 – 358) with amended house types and layouts, Ref: 2018/0684 subject to a deed of variation on the s106.
- 2.9 In June 2019 an application was submitted for amendments to the layout of three plots (229, 230 and 231) approved under planning permission 2015/1376. The house types are proposed to remain as approved, reference 2019/0304. This application appears elsewhere on the agenda.

3.0 Proposed Development

- 3.1 Planning permission is sought to substitute the dwelling to plot 329 as approved under planning permission reference 2018/0684 from an ILKE house type (pre-fabricated using modern methods of construction) back to a more traditional style house type, this being house type 1233 which is a two and a half storey dwelling and is approved elsewhere on the site.
- 3.2 The dwelling would also be re-positioned on the plot (rotation through 90 degrees).
- 3.3 Two off road car parking spaces are proposed to be provided to the rear of the dwelling and the private garden area is enclosed to the side.

4.0 Consultations

- 4.1 NCC Highway Authority – no objections.
- 4.2 A site notice was posted near to the application site – No objections or representations were received as a result.

5.0 Planning Considerations

- 5.1 The principle of the development has already been established through planning applications 2015/1376 and 2018/0684. The Council granted full planning permission for the erection of 506 dwellings in phase 1 of the Chase

Farm development (2015/1376) and subsequently granted permission to amend 30 plots (329–358) on this part of the site to facilitate modern methods of construction (2018/0684). This new application relates to 1 plot approved under the most recent application. This new application effectively amends the layout and house type to this one plot from that previously approved.

- 5.2 The main consideration therefore in the determination of this application is the impact of the substitution house type and the layout of this plot on the approved layout together with any potential impact of the dwelling onto neighbouring plots and within the streetscene.
- 5.3 I consider that the proposed substitution house type to this plot together with the re-positioning of the dwelling would not impact on key views and vistas within the development and there are no parking or highway safety implications arising. I therefore consider the substitution house type and amended layout would have no adverse impact on the overall streetscene as the proposed dwelling has been approved elsewhere within the development.
- 5.4 I also consider this proposal would result in an acceptable relationship with the adjacent plots in terms of overbearing, overlooking and overshadowing impacts.
- 5.5 For the reasons set out above, the proposed development accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policy 32 of the Local Planning Document.

6.0 Planning Obligations

- 6.1 The application site falls within the wider Chase Farm development which is subject to a Section 106 agreement. The triggers for the obligations are dependent on completion of a specified number of dwellings on the approved Chase Farm development. The proposed development would not alter the number of dwellings; however, the original Section 106 agreement would need to be amended to account for the minor changes highlighted above as the grant of this application would result in a new planning permission being issued for the substitution house type and amended layout to plot 329.

7.0 Recommendation:

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

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details within the Application Form received on the 20th June 2019, the plans received on the 20th June 2019, drawing numbers P100, P102, P103 and P200 and the additional plan received on the 20th August 2019, drawing number P104.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impact on highway safety. The proposed development therefore accords with Policy LPD32 of the Local Planning Document, Policy 10 of the Aligned Core Strategy 2014, and the aims set out in the National Planning Policy Framework 2019.

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).

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

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Planning Report for 2019/0553



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Date: 22/08/2019

Report to Planning Committee

Application Number:	2019/0553
Location:	10 Cavendish Avenue Gedling NG4 4FZ
Proposal:	Change of use of existing garage from residential to residential and childcare business (retrospective).
Applicant:	Mr & Mrs Peters
Agent:	JLK Architectural Design LLP
Case Officer:	Alison Jackson

This application has been referred to Planning Committee by the Planning Delegation Panel to allow Members to consider the impact of the operation of the child care business on neighbouring properties and the area in general.

1.0 Site Description

1.1 10, Cavendish Avenue, Gedling is predominately a bungalow but with a two storey element to the side elevation. The ground floor to the two storey element was previously used as a garage, with this having now been converted to a habitable room which is used as part of the residential dwelling and in connection with an unauthorised child care business which is currently being operated from the site. There is a parking area to the frontage of the site. There is a patio area to the rear of the dwelling with the garden area set at a lower level. The properties to the rear are set at a lower level than the application site.

2.0 Relevant Planning History

2.1 A Planning and Building Regulations Questionnaire form was submitted in 2018, reference EQ/0165/2018, relating to the proposed conversion of the existing garage at the property and the operation of a child care business from the converted garage. The owner of the property was advised that planning permission and building regulations approval was required for the works. A planning application was not submitted following this enquiry but the works to convert the garage were undertaken and the child care business commenced operating from the garage.

2.2 A planning application was submitted in March 2019, reference 2019/0174, for the proposed conversion of loft space including the addition of front and rear dormer windows and the change of use of converted garage space to

accommodate a child care business and family use (Retrospective). This application was subsequently withdrawn.

- 2.3 Planning permission was granted in August 2019, reference 2019/0569, for a proposed loft conversion to the property which included the insertion of two dormers to the front elevation roof slope and one large dormer to the rear elevation roof slope of the dwelling.

3.0 Proposed Development

- 3.1 Permission is sought retrospectively for the change of use of the garage to accommodate a child day care business. The converted garage is also used as part of the family home.
- 3.2 The existing patio area to the rear of the dwelling is used as outdoor space serving the day care business and this area is also used as part of the family home.
- 3.3 It is proposed that up to 12 children would be looked after at the premises by two full time members of staff at any time between the hours of 7.30am to 17.30pm. The applicant has advised that the business has been operating at the site since 2013 with up to 16 children. One member of staff resides at the property and the other member of staff is an employee and does not reside at the property.
- 3.4 There are approximately four off road car parking spaces to the frontage of the site.
- 3.5 The applicant's agent has advised that designated drop off and pick up times could be arranged in order to alleviate any concerns in respect to parking. The agent has also stated that the business is a valued resource to the community.

4.0. Consultations

- 4.1 Nottinghamshire County Council Highways – the application is retrospective, with the garage already having been converted and parking spaces provided on the frontage of the site. Therefore no objections are raised.
- 4.2 Adjoining neighbours have been notified and a Site Notice has been posted at the site - 1 letter of objection has been received from a neighbouring occupier and concerns were raised with regards to:
- Loss of privacy.
 - Overlooking impact.
 - Impact on the value of neighbouring properties.
 - Could trees be planted at the site to reduce the overlooking impact and mitigate against noise.

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 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

Policy 12: Local Services and Healthy Lifestyles – states that new community facilities should be located in designated centres or be in locations accessible by a range of sustainable transport modes and where possible located alongside or shared with other local community facilities.

6.3 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 32: Amenity – states that planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 41: Live Work Units – states that planning permission will be granted for live work units provided the development is in an appropriate location, does not cause an adverse impact on the amenity of nearby residents or highway safety and appropriate provision of parking is made.

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.

7.0 Planning Considerations

Principle of development

- 7.1 The NPPF emphasises the need to support sustainable economic growth. Both the NPPF and the ACS (Policy 6) seek to apply the sequential approach to steer main town centre uses to locations within centres before more peripheral locations are considered. However, nurseries are not defined as a main town centre use within the glossary of the National Planning Policy

Framework or in the ACS glossary and therefore are not subject to the sequential approach. ACS Policy 12 however, seeks to locate such uses within town and local centres where appropriate as these tend to be inherently accessible or alternatively this policy directs such community facilities to locations accessible by a range of sustainable transport modes.

- 7.2 The use of the property can also be considered as a live to work unit as the child care business is operated from the converted garage but this area together with the rest of the property is also used as part of the residential dwelling when the child care business is not in operation.
- 7.3 The site is located within a residential area which is accessible for local residents by walking, cycling and the site is in close proximity to a bus route. The operation of the child care business from this residential property can be reasonably described as a live work unit, given that when the child care business is not in operation the entire property is used for residential purposes. The operation of the child care business in principle therefore accords with the objectives of policy 12 of the Aligned Core Strategy and policy LPD 41 of the Local Planning Document.

Impact upon Residential Amenity and the Area in General

- 7.4 Whilst therefore a child care business could be operated from a residential property in a location such as this, this has to be weighed against the impact of the use on neighbouring residents, the area in general and whether there are any highway safety implications arising.
- 7.5 The numbers of children being cared for at the property, in terms of the intensity of the use has to be assessed in accordance with criteria (d) and (e) of Policy LPD41, as the numbers of children being cared for at the property can result in adverse impact on the amenity of neighbouring properties in terms of both noise and activity associated with the number of children being present at the property together with the comings and goings to and from the site in connection with the business.
- 7.6 In my opinion, I consider that the proposed maximum number of children (12) that could be cared for at the premises, would result in an adverse impact on the amenity of neighbouring properties and the area in general given the noise and activity associated with such a use.
- 7.7 The property is located within a residential area and close to neighbouring residents and an outdoor amenity space can also be used in association with the child care business. I consider therefore, that as up to 12 children could be cared for at the property at any one time and the outdoor amenity space could be utilised by the children and staff, this would result in a detrimental impact on the amenity of neighbouring residents, in terms of noise and activity associated with the operation of the business.
- 7.8 I do not consider that any measures could be put in place to mitigate against the noise and disturbance caused to neighbouring properties as a result of the operation of the child care business.

- 7.9 I also consider that when children are being taken to the property to be looked after, together with the collection of children from the property, the potential noise from the children, their parents/carers and vehicles when arriving at and leaving the property, would be detrimental to the amenity currently afforded to neighbouring properties in terms of noise and activity associated with the operation of the child care business.
- 7.10 I am also mindful that the property operates between the hours of 7.30 am and 5.30 pm and consider it reasonable to expect that the majority of comings and goings to and from the site would be at the start and the end of these periods, which would concentrate the comings and goings to and from the site at the beginning and the end of the day, which in my opinion results in an adverse impact on neighbouring properties and the area in general.
- 7.11 I note that the applicant's agent has stated that designated drop off and pick up times could be arranged, however I do not consider that this would be enforceable. It is likely that cars visiting the property when collecting and dropping off children would park at the side of the road for convenience, which in my opinion adversely affects the area in terms of noise and activity and results in inconvenience for neighbouring residents.
- 7.12 The operation of the child care business therefore fails to accord with policy LPD 41 and LPD 32 of the Local Planning Document 2018 in that the operation of the business results in a significant adverse impact on the amenity of neighbouring residents and the area in general.

Highway Safety/Car Parking

- 7.13 Policy LPD57 requires car parking for non-residential development to be provided in accordance with the standards set out in Appendix D of the Local planning Document, or as otherwise agreed by the Local planning Authority. The requirement is one space per member of staff, plus one additional space for shift changes. There are approximately 4 spaces at the property and therefore this requirement is met.
- 7.14 I note that the Highway Authority has raised no objections to the operation of the child care business or car parking provision. I am therefore satisfied that the proposal would not have an adverse impact upon highway safety and therefore the proposal is in conformity with policy LPD61.

8. Conclusion

- 8.1 Having regard to the above considerations, the operation of the child care business results in a significantly detrimental impact on neighbouring residents and the area in general owing to the level of activity associated with the use of the site for a commercial child care business of the scale proposed.

Recommendation: REFUSE PLANNING PERMISSION

Reasons

1. The use of the property for the operation of a commercial child care business would result in an adverse impact upon residential amenity given the commercial activity associated with the business. The operation of the commercial child care business therefore fails to meet with the objectives Policies LPD 32 and LPD 41 of the Local Planning Document (2018).

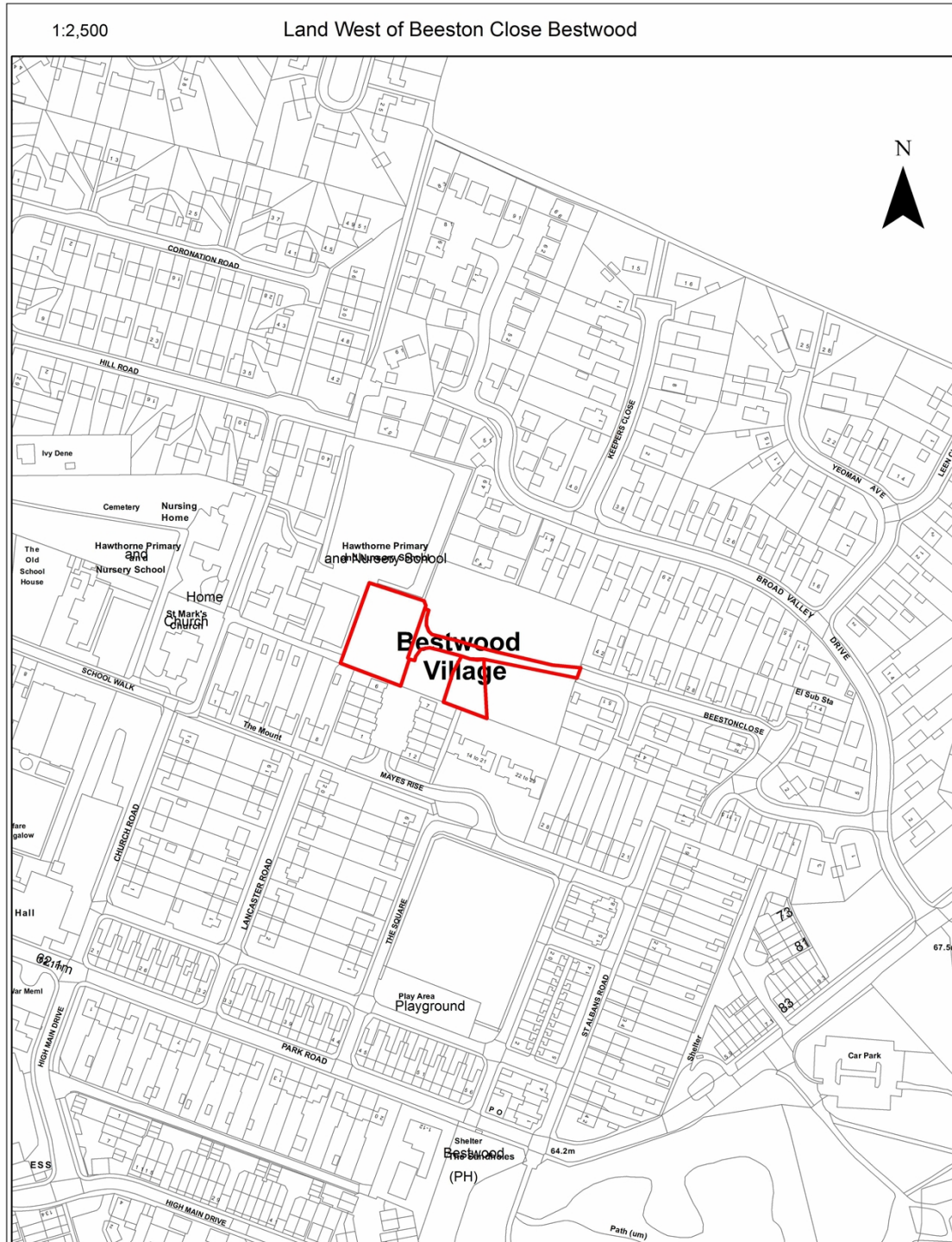
Notes to Applicant

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). However, the operation of the commercial child care business of the scale proposed, is considered to be unacceptable, for the reason set out.

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Planning Report for 2019/0401



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Date: 23/08/2019

Report to Planning Committee

Application Number:	2019/0401
Location:	Land West Of Beeston Close Bestwood
Proposal:	Re-orientation of dwellings on Plots 4 & 5 and additional dwelling to Plot 8 (between plots 2 and 3).
Applicant:	Mr John Webster
Agent:	Carlton Design Architecture
Case Officer:	Cristina Dinescu

This application has been referred to Planning Committee to accord with the Constitution as a deed of variation amending the existing Section 106 Agreement is required.

1.0 Site Description

- 1.1 The application site is located within the residential area of Bestwood Village and within Bestwood Village Conservation Area. Planning permission has previously been granted for 7 detached dwellings (ref: 2017/0194) and development has commenced on site.
- 1.2 The site is adjoined to the north and west by the Hawthorne Primary School. Existing dwellings/flats on Mayes Rise adjoin the site to the south and Beeston Close adjoins the site to the east.

2.0 Relevant Planning History

- 2.1 2017/0194 – Planning permission was granted for 7 detached, split level dwellings subject to a Section 106 Agreement seeking contributions for off-site open space and private management and maintenance of the access road.
- 2.2 2018/1187DOC – Details reserved by conditions 2, 3, 4, 5, 6, 7 and 8 of planning consent no. 2017/0194 were considered acceptable by the Borough Council.
- 2.3 2019/0385DOC – Roof tiles details relating to condition 5 of planning consent no. 2017/0194 were considered acceptable by the Borough Council.
- 2.4 2019/0499NMA – Non-material amendments made to approved details under ref. no. 2017/0194. The amendments consist of design changes to plots 1, 2, 3, 6 and 7.

3.0 Proposed Development

- 3.1 Planning permission is sought to re-orientate and amend the dwellings on Plots 4 and 5, create an additional dwelling (Plot 8) and form a hammer head at the western end of the previously approved access.
- 3.2 The design of the dwellings on Plots 4 and 5 would be similar to the plans approved under ref. no. 2017/0194, with the exception of a dormer window unit, which is now proposed to the rear elevation.
- 3.3 The dwelling proposed on Plot 8 would be identical to the approved dwelling on Plot 3.

4.0 Consultations

- 4.1 Bestwood Village Parish Council – No comments received.
- 4.2 Highways Authority (NCC) – It is recommended that the carriageway should comply with Building Regulations for a turning head for an 8.5m fire engine to be able to turn and exit the site in a forward gear or a sprinkler system would be required to be installed. Recommended conditions regarding a dropped vehicular footway crossing, access gradient, hard surfacing, discharge of surface water, bin collection point and the management and maintenance of the private road.
- 4.3 Arboricultural Officer – Satisfied the retained trees would not be affected. A condition is recommended that all tree protection methods described within the tree survey/arboricultural method statement submitted are adhered to prior to any construction activities. Further information is required regarding infill works to the boundary hedge.
- 4.4 Neighbouring properties have been notified and a Site Notice posted. Two letters of representation were received as a result. The concerns raised are as follows:
- concerns over remaining trees on site and impact on wildlife;
 - the tree survey should be reviewed by an independent specialist.
- 4.5 Following submission of a revised house type (a 'handed' layout) on plot 8, neighbouring properties have been re-consulted. No further letters of representation were received as a result.

5.0 Relevant Planning Policies

- 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 other material considerations indicate otherwise'.
- 5.2 The following policies/documents are relevant to this proposal:

- National Planning Policy Framework (2019): 5. Delivering a sufficient supply of homes; 12. Achieving well-designed places;
- Gedling Borough Aligned Core Strategy: Policy 8 – Housing Size, Mix and Choice; Policy 10 – Design and Enhancing Local Identity; Policy 11 – The Historic Environment;
- The Borough Council’s Supplementary Planning Document ‘Parking Provision for Residential Developments’ (May 2012).

5.3 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;
- LPD 32 – Amenity;
- LPD 35 – Safe, Accessible and Inclusive Development;
- LPD 40 – Housing Development on Unallocated Sites;
- LPD 57 – Parking Standards;
- LPD 61 – Highway Safety.

6.0 Planning Considerations

6.1 The principle of residential development has already been established through planning application reference 2017/0194. The Council granted full planning permission for the erection of 7 dwellings and associated access road. This new application proposes to re-orientate and amend the dwellings on plots 4 and 5, one additional dwelling (Plot 8) and the creation of a new hammer head to the west of the approved access road.

6.2 The main considerations therefore in the determination of this application are the impact of these amendments upon adjoining properties, the character of the area, existing trees and highway safety.

Amendments to Plots 4 & 5 and the proposed access road turning head

6.3 The re-orientation of the dwelling on Plot 4 parallel with the adjoining property at 6 Mayes Rise and would form a better relationship with this property which would ensure there would be no undue impact on the residential amenity.

6.4 The re-orientation of Plots 4 & 5 and changes to layout of the turning head of the access road would take the built form further away from the large mature Oak tree (T35) that has been assessed as having high amenity value. This increase in separation would further safeguard this tree.

6.5 The comments received from the Arboricultural Officer are noted in relation to hedge infilling; however, the hedge falls outside the application site and therefore works to this hedge as part of the proposed development are not considered to be reasonable.

6.5 The proposed changes to Plot 4 & 5 would not affect off-street parking provision and would retain the previously approved four off street car parking spaces at each property, which exceeds the requirements of the Council’s Car Parking SPD, which requires the provision of 3 spaces in a rural location.

- 6.6 The relationship between the rear elevations of the proposed dwellings to Hawthorn Primary school is considered to be acceptable and would not result in any additional undue overlooking.
- 6.7 The comments received from the Highways Officer are noted and as such it is considered the conditions recommended are reasonable. Fire safety matters would be controlled through the Building Regulations and the installation of a sprinkler system is an option, should the access not meet fire tender requirements. The only amendment to the access is the addition of a turning head. The gradient of the approved access road would not be affected as it would need to be implemented in accordance with the details approved under the extant planning permission (2017/0194).

Proposed Plot 8 and its impact on character of the site, the wider area, residential amenity and off-street parking provision

- 6.8 It is noted the proposed design of the dwelling on Plot 8 is identical to the design of the dwelling on Plot 3 which was approved under ref. no's 2017/0194 and 2019/0499NMA. The additional plot would reduce the width of Plots 2 & 3 whilst retaining separation distances similar to those between Plots 1 & 2 and reconfigured Plots 4 & 5. It is therefore considered the proposed Plot 8 would be acceptable within the overall design of the wider site and the Bestwood Village Conservation Area.
- 6.9 The proposed dwelling on Plot 8 would have a patio area to the rear. The patio area would face the garden area serving the block of flats on Mayes Rise. Given the separation distance, the topography of the site and that this area was approved as the residential gardens of Plots 2 & 3 under planning reference 2017/0194, it is considered the additional plot would result in no further undue impact on neighbouring residential amenity.
- 6.10 With regards to off-street parking provision, I am satisfied the proposed Plot 8 would have acceptable car parking provision. Four off-street parking spaces in the form of a double garage and a driveway at the front of the garages are proposed, which exceeds the requirements of 3 spaces required by the Council's Car Parking SPD for a dwelling with 4 or more bedrooms in a rural area.

Planning Obligations

- 6.11 The application site falls within the wider land to the West of Beeston Close development which is subject to a Section 106 agreement. The proposed development would not alter the off-site open space contribution requirement (£46,924.50), however, the original Section 106 agreement would need to be amended as the grant of this application would result in a new planning permission being issued for the proposed amendments and additional dwelling.

Conclusion

- 6.12 In conclusion, the proposal would be acceptable in terms of the wider site layout approved under planning reference 2017/0194, relationship with neighbouring properties and impact on the character of the Bestwood Village Conservation

Area. The proposal is therefore in accordance with the advice contained within the NPPF, Policies 8, 10 and 11 of the Aligned Core Strategy and policies LPD 28, LDP 32, LPD 35, LPD 40, LPD 57 and LPD 61 of the Local Planning Document.

7.0 Recommendation: GRANT FULL PLANNING PERMISSION subject to the applicant entering into a deed of variation amending original Section 106 Agreement to planning approval: 2017/0194 with the Borough Council as Local Planning Authority for the provision of a financial contribution to be expended on offsite Public Open Space, and the provision of a Management Company for the maintenance of the access road and areas of open space not within residential curtilages; 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 application form, site location plan, Section 6.0 of Arboricultural Report, Tree Protection Method Statement and deposited plans, drawing no's JWS/BCBR/PP5 rev A and JWS/BCBR/PP4 rev A, received on 16th April 2019 and deposited plans, drawing no's JWS/BCBR/PP8 rev B, JWS/BCB/SECT/1 rev D and JWS/BCBR/EW/1 rev C, received on 21st June 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to drawing no. JWS/BCBR/EW/1 rev C received on 21st June 2019, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.
- 4 Hours of construction including deliveries to the site shall be limited to: 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturday. No works or deliveries of materials shall be undertaken on Sundays or Public Holidays.
- 5 The development hereby approved shall be implemented in accordance with the approved Dust Management Plan as per planning reference 2018/1187DOC.
- 6 No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 7 No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and never exceeds 1:12

thereafter, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

- 8 No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
- 9 No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 10 No part of the development hereby permitted shall be brought into use until a bin collection point is provided within 15.0m of the public highway in accordance with details first submitted to, and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the details so approved and shall be retained as such thereafter.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development in accordance with the aims of policy LPD 10 of the Aligned Core Strategy.
- 4 In the interest of residential amenity, in accordance with the aims of policy LPD 32 of the Local Planning Document.
- 5 In the interest of residential amenity, in accordance with the aims of policy LPD 32 of the Local Planning Document.
- 6 In the interests of Highway safety.
- 7 In the interests of Highway safety.
- 8 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
- 9 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 10 To allow the refuse team to pull the bins within pulling distance to the public highway, as the refuse lorry will not enter a private development.

Reasons for Decision

The proposed development, by virtue of the design, scale and relationship with adjoining properties, would be visually acceptable in the streetscene and would result in no significant undue impact on the amenity of neighbouring residential properties and amenities and would have no undue impact on highway safety. The proposal is in accordance with the NPPF, Policies 8, 10 and 11 of the Aligned Core Strategy and policies LDP 28, LPD 32, LPD 35, LPD 40, LPD 57 and LPD 61.

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. 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 as the development type proposed is zero rated in this location.

Your attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how to decrease levels by incorporating mitigation measures into scheme design as standard. (see:

<http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

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

Your attention is brought to the implications of the private drive for future occupiers if the roads are not adopted. (i) Future maintenance liabilities; (ii) Public liabilities; (iii) Street cleansing; (iv) Lack of pedestrian facilities; (v) Lack of / or poor standard of lighting and drainage; (vi) Nottinghamshire County Council have no powers under the Highways Act; (vii) The police have no powers to remove obstructions.

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.

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised by letters of representation submitted in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

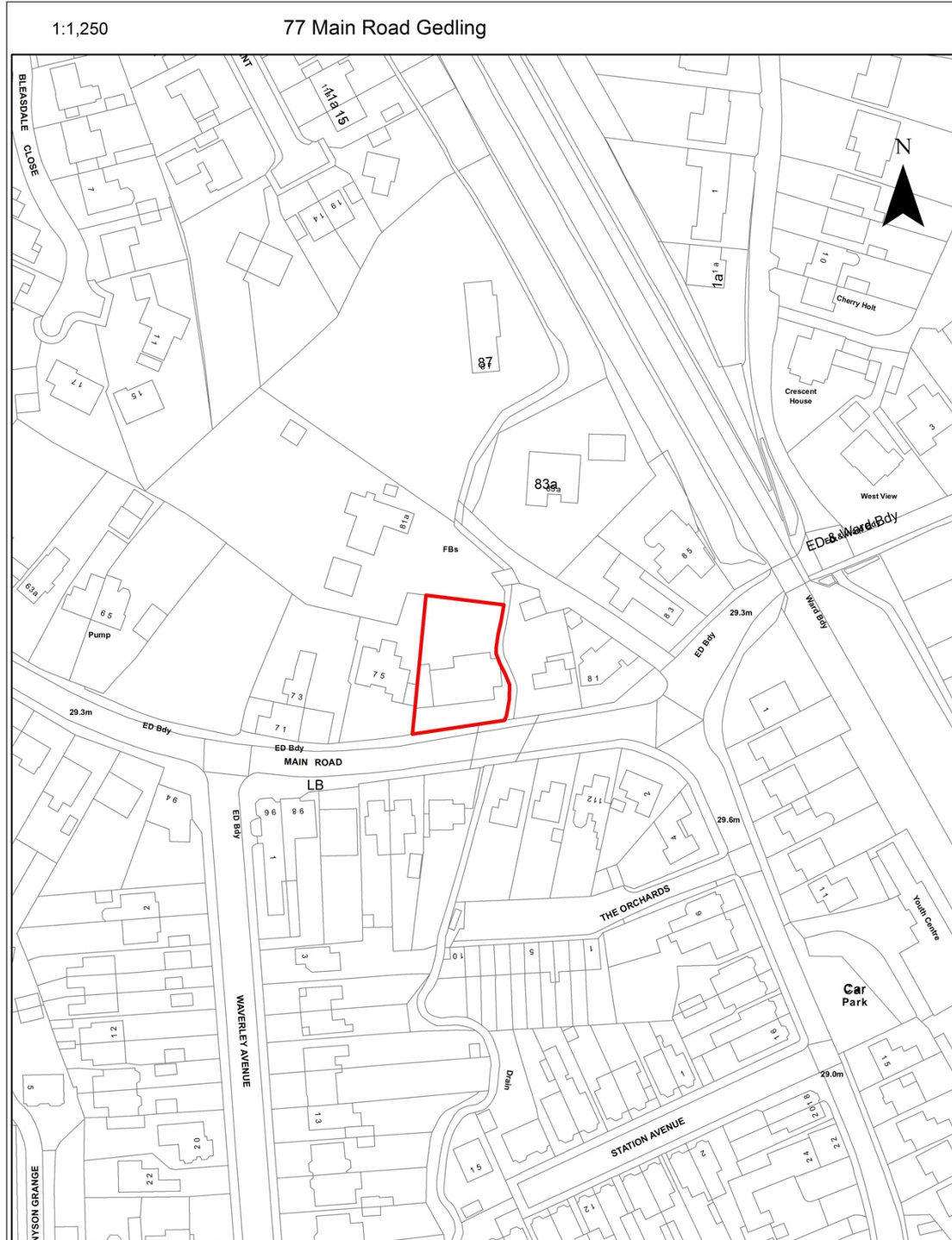
No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

Date Recommended: 19th August 2019

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Planning Report for 2019/0324



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Date: 20/08/2019

Report to Planning Committee

Application Number: 2019/0324

Location: 77 Main Road Gedling NG4 3HD

Proposal: Remove existing roof, increase eaves and ridge height to provide loft conversion, construct dormer windows to front and dormer windows & balcony to rear elevations and construct new entrance to front elevation.

Applicant: Mr Chris Hollingsworth

Agent: Mr Alasdair Tilson

Case Officer: Paula Daley

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 character of the area.

1.0 Site Description

1.1 The application site relates to 77 Main Road, Gedling which consists of a single storey dwelling that is attached to no 75 Main Road via a car port and attached garage. The site is located within a primarily residential area which consists of predominantly two storey dwellings of varying architectural ages and styles. To the east of the site is the Ouse Dyke.

1.2 The dwelling presently incorporates a single storey flat roof garage which is attached to the main dwelling. The main dwelling is formed with a pitched roof that measures 4.2m in height. The site is accessed via a dropped kerb off Main Road which leads onto a front driveway which is blocked paved. The front boundary adjacent to Main Street is formed by a low boundary wall. To the rear of the property is residential garden land which is mainly laid to grass with ornamental planting.

2.0 Relevant Planning History

2.1 No planning history

3.0 Proposed Development

3.1 Planning permission is sought for the removal of the existing roof and an increase in the ridge height of the dwelling from 4.2m to 6m in order to provide

rooms within the roof. To the front elevation of the dwelling will be two dormer windows and 1 Velux window. To the front elevation within the centre of the dwelling is a new two storey porch which measures 0.45 x 2.3m and extends to 6m in height. The porch has been amended to include a pitch roof as opposed to a flat roof and the porch will incorporate a full height glazed frontage.

- 3.2 To the rear elevation is two further dormer windows one of which leads onto an enclosed balcony area above an existing flat roof projection which is screened to the eastern side elevation with a solid wall.
- 3.3 The entire dwelling is proposed to be formed in off white render and the roof is proposed to be formed in a Marley Modern Smooth Grey tile with the dormers being formed in a dark grey GRP covering to match the colour of the windows and soffits and fascia. The internal walls of the balcony is to be formed in timber cladding

4.0. Consultations

4.1 Adjoining neighbours have been notified and a Site Notice has been issued. 2 letters of objection have been received from the neighbouring occupier and concerns were raised with regards to:

- The addition of a floor to ceiling glass window would not be in keeping with the area.
- The area is a conservation village, all buildings on Main Road are similar style and a brick and glass frontage would make it at odds with the rest of the houses.
- Part of two bungalows together to same height and therefore raising roof would look out of place.
- Wood style building to the rear is at odds with buildings in the area.
- Effect on wildlife on the dyke which would cut out light due to the height to the rear.
- The scale of front and rear are not in proportion.
- The plans do not state the height which makes it impossible to gauge the height of the roof.
- Height would impact on light of dwelling to south of site
- Privacy is a concern
- Plans and visuals are not the same
- Glass front will overlook dwelling to south

4.2 Amended plans were received on 10th July 2019 which amended the roof of the two storey porch from a flat roof to a pitch roof and a 14 day reconsultation was undertaken. 1 letter of objection was received which stated:

- Amendments are minimal and do not alleviate our concerns regarding privacy and design.

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 2 (Achieving Sustainable Development) Part 12 (Achieving Well Designed Places) and Part 14 (Meeting the challenge of climate change, flooding and coastal change) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local

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 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 Policy 3: Managing Flood Risk – planning permission will be granted for development in areas where a risk of flooding exists provided that the development is a minor development and where development in areas of flood risk are acceptable, proposals should include mitigation measures to protect the site and include flood resistance/resilience measures.

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 Policy 43: Extensions to dwellings not in the Green Belt – planning permission will be granted for extensions within existing built up areas provided the appearance is in keeping with surrounding character and the proposal does not cause a significant adverse impact on the amenity of neighbouring occupiers.

7.0. Planning Considerations

Principle of development

- 7.1 The site is located within the main urban area and within a primarily residential area. In the context of this application, Policy LPD43 identifies that extensions to dwellings not within the green belt will be approved subject to consideration of visual amenity and the impact upon the amenity of nearby occupiers.

Flood Risk

- 7.2 The site falls within an area at risk of flooding and therefore the development should be built in accordance with the Environment Agencies Standing Advice. The Standing Advice states that the floor levels of the extension should be set are either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level. During the processing of the application, the applicant's agent has confirmed that the floor levels of the extension will be set no lower than the floor level of the existing dwelling. I am therefore satisfied that there are no flood risk issues arising in this instance and the development is in compliance with the Environment Agencies Standing Advice.

Visual Amenity

- 7.3 Policy LPD43 identifies that within the main built up areas, planning permission will be granted for extensions or alterations to dwellings, provided that the appearance of the proposal is in keeping with the surrounding character in terms of height, built form and general design.
- 7.4 Objection has been raised with regards to the impact of the proposal upon the character of the area with regards to the increased roof height and the front porch extension.
- 7.5 It is noted that the site is not located within a conservation area. The area in which the site is located consists of a primarily residential area with dwellings of varying styles, designs and ages with no consistent or dominant design.
- 7.6 The application dwelling is currently single storey and is attached to the adjacent single storey bungalow via a carport and attached garage. The site is located on a main vehicular route through Gedling and is set back from the road although is visually prominent.
- 7.7 Although the height of the dwelling will be increased, I am of the opinion that the increase in roof height would not be detrimental to the character of the area. The majority of the dwellings within the area consist of two storey dwellings and this scale of development would not be out of character with the form of development within the street scene.
- 7.8 Although the dwelling is adjacent to a single storey bungalow which is attached to the application property by a flat roof garage, the single storey flat roof garage will be retained thereby retaining some degree of separation between the two dwellings. Although the two bungalows are of a similar design, it is not considered that the bungalows are of any architectural merit that needs to be preserved.

- 7.9 The proposed alterations to the dwelling will provide a modern design with render and glazed features. With the dwellings within the locality being of varying designs, the provision of modern alterations to the dwelling are considered acceptable. There are rendered properties within the vicinity although the glazed frontage will be a unique feature of this property. On balance however, it is considered that the proposed alterations are acceptable.
- 7.10 The application also incorporates a rear extension in the form of dormer windows and an enclosed balcony that will incorporate a flat roof. These proposals are to the rear of the property although there will be glimpses of the rear extension from within the street. The extensions will not be prominent and would not in my opinion have a detrimental impact upon the character of the area.
- 7.11 In light of the above I therefore consider that the application accords with Part 12 of the NPPF and ACS Policy 10 and Policy LPD43 and is acceptable in this regard.

Residential Amenity

- 7.12 The impact upon neighbouring properties has been given careful consideration. The rear elevation incorporates a dormer window which leads onto an enclosed balcony. The eastern side elevation of the balcony is formed by a solid wall which ensures that the proposal will not overlook the existing dwellings to the east. The western side elevation of the balcony will be set 10m from the common side boundary with no 75 Main Road. It is considered that an adequate separation distance is provided to ensure that the balcony will not overlook the adjacent property.
- 7.13 Objection is raised with regards to the overlooking from the proposed glazed porch to the dwellings to south of the site. The porch will consist of the property stairwell and will not consist of a principle habitable room. There will be 23m between the porch and the front elevation of the dwellings to the south of the site. The porch and the front elevation of the adjacent properties are also separated by Main Road. It is not considered that the porch will lead to overlooking to the adjacent properties due to the degree of separation and the nature of the extension.
- 7.14 I am satisfied that given the location of the proposed development in relation to the adjacent properties, the application proposals will not have a detrimental impact in terms of overlooking, over shadowing, or over bearing impact. In this regard, it is considered that the proposal is in accordance with LPD32 and LPD43.

Other issues

- 7.15 Objection is raised to with regards to the effect of wildlife on the dyke due to the loss of light caused by the rear extensions. In my opinion it is not considered that the extensions to the rear would have an undue impact upon ecology that would justify either further examination or a refusal of an application.

7.16 Comment is made with regards to the submitted plans and visual images not being the same. It is noted that the plans have been amended and the visuals reflect the originally submitted scheme. Therefore the two do not match but the visual images do not form a plan to be approved by this application. In terms of the measurements of the height, the submitted plans are to scale.

8. Conclusion

8.1 Having regard to the above considerations, on balance I am of the opinion that the proposal is on accordance with the National Planning Policy Framework, Policy 1 & 10 of the Aligned Core Strategy 2014, policies LPD3, LPD32 and LPD43 of the Local Planning Document 2018.

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; Existing Floor Plans drawing no 2006.016.004; Proposed First Floor Plan drawing no 2006.016.001 Rev D and Proposed Ground Floor Plans drawing 2006.016.002 received 4th April 2019; Site Location Plan drawing no 2006.016.006 Rev B and Existing Elevation drawing no 2006.016.005 received 19th April 2019 and Proposed Elevations drawing no 2006.016.003 Rev G received 10th July 2019 and emails from the Applicants Agent regarding the proposed roofing and dormer window materials received 30th July 2019. The development shall thereafter be undertaken in accordance with these plans/details.
3. The floor level of the porch extension hereby approved shall be set no lower than the floor level of the existing dwelling.

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 risk of flooding to the proposed extended dwelling and its occupants.

Reasons for Decision

In the opinion of the Borough Council the proposed development would be visually acceptable in the streetscene and in keeping with the character of the property and

the area. The proposal would not result in a significant undue impact on the amenity of neighbouring properties and is acceptable in terms of flood risk. Therefore the proposed development would be in accordance with the advice contained within the NPPF (2019), Policy 1 & 10 of the ACS (2014) LPD3, LPD32 & LPD43 of the Local Planning Document (2018).

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). 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 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

Application Number: 2018/0628 – Appeal Ref: APP/N3020/W/18/3218826

Location: 12 Bank Hill, Woodborough, Nottinghamshire, NG14 6EF

Proposal: Replacement dwelling (resubmission of 2018/0026)

Case Officer: Helen Johnson

Planning permission was refused by the Borough Council on the 4th October 2018 on the following grounds:

1. The proposed replacement dwelling, by virtue of its design, would result in an incongruous development, out of keeping with the prevailing character and appearance of neighbouring properties, causing harm to the streetscene and setting of the adjacent Woodborough Conservation Area as a designated heritage asset, contrary to Paragraphs 124, 127, 130, 131, 192 & 193 of the National Planning Policy Framework, Policies 10 & 11 of the Aligned Core Strategy and Policies LPD14, LPD15 & LPD28 of the Local Planning Document.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been Dismissed. The Inspector concluded that the scheme, by virtue of its design, would appear at odds with the surrounding context and would not reinforce local distinctiveness or local character. It was therefore concluded that the proposal would be contrary to Policy 10 of the Greater Nottingham Aligned Core Strategy and Policies LPD14 and LPD15 of the Gedling Local Planning Document Part 2 Local Plan.

In addition the Inspector noted that the application site is adjacent to the Woodborough Conservation Area. The Inspector determined that the proposed scheme would result in less than substantial harm to the heritage asset by way of its visual impact on important views and vistas in and out of the Conservation Area. In the Inspectors opinion there was insufficient evidence provided which demonstrates that the public benefits provided by the scheme outweigh any potential harm to the Conservation Area. Therefore the proposal was deemed contrary to the Framework, Policy LPD28 of the Local Planning Document and Policy 11 of the Aligned Core Strategy.

Recommendation: To note the information.

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Report to Planning Committee

Application Number: 2018/1155 – Appeal Ref: APP/N3020/W/19/3223336

Location: 12 Bank Hill, Woodborough, Nottinghamshire, NG14 6EF

Proposal: Replacement dwelling (resubmission of 2018/0026 and 2018/0628)

Case Officer: Lewis Widdowson

Planning permission was refused by the Borough Council on the 15th February 2019 on the following grounds:

1. The proposed replacement dwelling, by virtue of its design, would result in an incongruous development, out of keeping with the prevailing character and appearance of neighbouring properties, causing harm to the streetscene and setting of the adjacent Woodborough Conservation Area as a designated heritage asset, contrary to Paragraphs 124, 127, 130, 131, 192 & 193 of the National Planning Policy Framework, Policies 10 & 11 of the Aligned Core Strategy and Policies LPD14, LPD15 & LPD28 of the Local Planning Document.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been Allowed and permission has been granted with conditions. The Inspector considered that the proposed replacement dwelling would be of a similar height to the neighbouring dwelling to the north, No. 14 Bank Hill. In addition the Inspector states that the proposal would represent a fresh confident entity which would contrast positively with its neighbours. The details and materials proposed were both positive aspects of the application and it was not considered that the development would harm the character and appearance of the village.

In this instance the Inspector was of the opinion that the application site is sufficiently secluded from the Woodborough Conservation Area by virtue of the distance the proposed dwelling would be set back from the adjacent highway, and by way of the mature trees and vegetation fronting onto Bank Hill. Taking account of the above, the Inspector concluded that the development would not cause harm to the significance of the Conservation Area.

Recommendation: To note the information.

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Report to Planning Committee

Application Number: 2019/0012 – Appeal Ref: APP/N3020/W/19/3227512

Location: 7 Station Road, Carlton, Nottingham, NG4 3AT

Proposal: Single bedroom residential unit on land within the grounds of 7 Station Road

Case Officer: Lewis Widdowson

Planning permission was refused by the Borough Council on the 6th March 2019 on the following grounds:

1. The development does not constitute an acceptable form of residential development and has, by virtue of its design, resulted in an incongruous feature that is out of keeping with the prevailing character and appearance of neighbouring properties and as such causes harm to the streetscene and the locality. The development is therefore contrary to Part 2 and 12 of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policies 34 and 40 of the Local Planning Document.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been Dismissed. The Inspector considered that the structure is clearly visible from the public realm given its elevated position within the streetscene. The structure is distinctly different in terms of its design, scale and massing to the prevailing form of development within the area. It appears as an incompatible feature within the streetscene, which contains some attractive and classically proportioned two and three storey brick built properties. Given the incongruous design and prominent position of the structure it was determined that the development results in significant harm to the character and appearance of the appeal site and its surrounding area. The proposal is therefore deemed contrary to Paragraph 127 of the National Planning Policy Framework, Policy 11 of the Aligned Core Strategy and Policy LPD34 and Policy LPD40 of the Local Planning Document.

Recommendation: To note the information.

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Report to Planning Committee

Subject: Future Planning Applications

Date: 23/08/2019

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.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2019/0010	34 Main Street Calverton	Demolition of existing dwelling and erection of 10 dwellings	2/10/2019
2019/0152	Land North of Teal Close Netherfield	Reserved matters application for the erection of 367no. dwellings	2/10/2019
2019/0560	Land At Teal Close Netherfield	Reserved matters application for the erection of 264no. dwellings	2/10/2019
2019/0479	5 Station Road Carlton	Outline Planning Application for the demolition of The Cottage to the rear of 5 Station Road and the erection of 12 No. x C3 Apartments and 2 dormer bungalow	2/10/2019
2019/0648	Sherwood Lodge Sherwood Lodge Drive Arnold	Police, Fire and Rescue Headquarters	2/10/2019

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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ACTION SHEET PLANNING DELEGATION PANEL 2nd August 2019

2016/0372

Epperstone Park Hatcheries Epperstone By Pass Woodborough

Convert existing agricultural storage building and extensions to create farm managed dwelling.

The application was withdrawn from the agenda.

2019/0359

88 Hilton Road Mapperley Nottinghamshire

Demolition of existing outbuildings. Construction of new single storey rear extension and raised decking area.

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

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

Decision: Grant Planning Permission with conditions.

2019/0324

77 Main Road Gedling NG4 3HD

Remove existing roof, increase eaves and ridge height to provide loft conversion, construct dormer windows to front and dormer windows & balcony to rear elevations and construct new entrance to front elevation

The application is to be considered at planning committee.

2019/0389

22 Onchan Drive Carlton Nottinghamshire

Extension to existing pantry. Remove shed roofs and extend existing terrace over with timber decking surface and concrete block perimeter wall.

The proposed development would have no undue impact on residential amenity.

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

Decision: Grant Planning Permission subject to conditions.

2019/0451

Land Off Teal Close Netherfield

Three-Storey, Sixty-Six Bedroom Residential Care Home for Older People (Use Class C2) with Associated Access, Parking & Landscaping

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

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

Decision: Grant Planning Permission subject to conditions.

2019/0553

10 Cavendish Avenue Gedling NG4 4FZ

Resubmission of application No: 2019/0174

Change of use existing garage space to be converted to accommodate day care business and family use.

Number of in children in childcare reduced.

The application is to be considered at planning committee.

2019/0569

10 Cavendish Avenue Gedling Nottinghamshire

Two gable dormer windows to the front elevation and a flat roof dormer window to the rear elevation to create habitable rooms in the existing loft space.

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

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

Decision: Grant Planning Permission subject to conditions.

Mike Avery – Service Manager

Kevin Cartwright – Principal Planning Officer

2nd August 2019

ACTION SHEET PLANNING DELEGATION PANEL 9th August 2019

2016/0372

Epperstone Park Hatcheries Epperstone By Pass Woodborough
Convert existing agricultural storage building and extensions to create farm managed dwelling.

The proposal would have no undue harm on the openness of the Green Belt. Very special circumstances in relation to agricultural need have been demonstrated.

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

Decision: Grant Planning Permission with Conditions.

2018/1117

105 Wighay Road Linby NG15 8AH
Single storey flat roof extension and internal alterations to form suitable ground floor living accommodation for disabled person

The proposed development would have no undue harm to the openness of the Green Belt. Very special circumstances have been demonstrated.

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

Decision: Grant Planning Permission with Conditions.

2019/0395

105 Cross Street Arnold NG5 7AX
Two storey side extension, single storey rear 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: Grant Planning Permission with Conditions.

2019/0600

24 Mapperley Orchard Arnold NG5 8AG
Extension to front of dwelling

The proposed development would have an undue impact on the host property and the character and appearance of the area.

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

Decision: Refuse Planning Permission.

9th August 2019

**Kevin Cartwright
Principal Planning Officer**

ACTION SHEET PLANNING DELEGATION PANEL 23rd August 2019

2018/0217

The Folly Park Lane Lambley

Erection of link extension to existing dwelling house and conversion of stables & workshop to additional living accommodation together with associated parking and landscaping works

The application was withdrawn from the agenda.

2018/1127

3 St Lukes Way Stoke Bardolph Nottinghamshire

Full planning application for the demolition of an existing single storey side extension and the erection of one residential dwelling including new access and parking for existing dwelling.

The proposed development would have no undue impact on the character and appearance of the area, residential amenity, highway safety or openness of the Green Belt.

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

Decision: Grant Planning Permission with Conditions.

2019/0131

Land Off Teal Close Netherfield

Reserved matters application for the erection of a 1-form entry primary school with a 26 place nursery with associated external play areas, car parking and associated landscaping and infrastructure pursuant to outline planning permission 2017/0999.

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

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

Decision: Grant Approval of Reserved Matters.

2019/0232

8 Pilkington Road Mapperley NG3 6HL

Extension to increase the height of the property and form an additional storey, convert existing garage into a living space and external alterations

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

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

Decision: Refuse Planning Permission.

2019/0434
142 Nottingham Road Ravenshead NG15 9HL
Construction of Detached Garage

The proposed development would have no undue impact on the character and appearance of the host property or openness of the Green Belt.

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

Decision: Grant Planning Permission.

2019/0508
79 Main Road Gedling NG4 3HD
Erection of a two-storey rear extension and loft conversion including new roofs and dormer windows to front and rear. Decking to rear of property.

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

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

Decision: Refuse Planning Permission.

2019/0518
185 Burton Road Gedling NG4 2QF
2no. Single storey side extensions with raised patio area to main dwelling. Convert one garage to games room and construct an upper level to provide annexe/home office.

The proposed development would have no undue impact on the character and appearance of the host property, street scene or residential amenity of neighbouring occupiers.

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

Decision: Grant Planning Permission with Conditions.

2019/0595

Nottingham Sun Club Brackenwood Newstead Abbey Park
Extension to existing lodge no.28.

The proposed development would have an undue impact on the openness of the Green Belt.

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

Decision: Refuse Planning Permission.

2019/0602

35 Lynton Gardens Arnold NG5 7HA
Construction of granny annex

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: Grant Planning Permission.

2019/0635

151 Main Street Woodborough Nottinghamshire
Alterations, including two storey extension, loft conversion and new driveway entrance

The proposed development would have no undue impact on the character and appearance of the conservation area/street scene, highway safety or amenity of neighbouring occupiers.

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

Decision: Grant Planning Permission with Conditions.

2019/0616

7 Robin Grove Ravenshead NG15 9ED
Single Storey Front Extension

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

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

Decision: Refuse Planning Permission.

2019/0663

35 Ashdale Road Arnold Nottinghamshire

Two storey and single rear extension and associated internal and external alterations.

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

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

Decision: Grant Planning Permission with Conditions.

**Kevin Cartwright
Principal Planning Officer
23rd August 2019**