

**MINUTES
PLANNING COMMITTEE**

Wednesday 17 June 2020

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Mike Hope
 Councillor Peter Barnes Councillor Meredith Lawrence
 Councillor Chris Barnfather Councillor Ron McCrossen
 Councillor Jim Creamer Councillor Marje Paling
 Councillor David Ellis Councillor Alex Scroggie
 Councillor Rachael Ellis Councillor Sam Smith
 Councillor Andrew Ellwood Councillor Henry Wheeler

Absent: Councillor Michael Adams, Councillor Rosa Keneally,
 Councillor Barbara Miller and Councillor John Parr

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

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

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

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 FEBRUARY 2020

RESOLVED:

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

3 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest in item 5 on the agenda as Gedling Borough Council was the leaseholder of part of the land and in item 9 as the applicant and land owner.

Councillor Creamer declared a prejudicial interest in items 4 and 5 on the agenda as he had been actively involved with residents in opposing both of the developments and he stated that he would leave the meeting for those applications.

Councillor Creamer left the meeting.

4

**APPLICATION NO. 2019/0152 - LAND NORTH OF TEAL CLOSE
NETHERFIELD**

Reserved matters application for the erection of 354no. dwellings (C3), including 18 affordable units, and the associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999.

Chris Gowlett, Land & Planning Manager, Persimmon Homes (The Applicant) spoke in support of the application.

The Assistant Director of Planning and Regeneration informed members that the application sought approval of reserved matters for 353 dwellings and not 354, as an amended plan was received following the registration of the application which resulted in the omission of a two bedroom apartment. The description of the proposal had therefore been updated, as was the schedule of accommodation provided at paragraph 3.2 of the report and the overall figures provided at paragraph 7.3. The plans listed in proposed condition 1 were correct.

He added that further to the publication of the report, 2 representations had been received from members of the public which raised the following summarised issues:

- The ecology assessments submitted with the application for outline planning permission were out of date as habitats in the area had changed since the survey work had been undertaken.
- The ecological works plan and ecology management plan had not been approved and there was no ecology committee, as required by the s.106 agreement.
- No action had been taken by the Borough Council to enforce the non-compliance of the agreement.
- Since an initial meeting of the Ecology Committee, organised by Gedling Borough Council in July 2019, there had been no follow up or attempt to form the Committee.
- The development would have a significant impact upon the adjacent Netherfield Lagoons Local Nature Reserve.
- Given the current breaches of the s.106 Agreement, the current application should be rejected or suspended, pending compliance with the s.106 agreement.

In response to those comments, he provided the following update:

The extant outline planning permission and the s.106 agreement cannot be revisited, unless revised proposals are advanced by the developer. While there may have been ecological changes on parts of the site – the

developer is still required to meet their obligations under the Wildlife and Countryside Act.

Officers had been working actively with Persimmon Homes to set up an Ecology Committee to provide a forum for the local community to discuss the management of the Ecology Park. The responsibility for establishing the Ecology Committee rests with Persimmon Homes but officers had ensured consultation took place with members of the group, which included the Gedling Conservation Trust.

The first informal face to face meeting of the Ecology Committee was held in July 2019 and officers played an active role in helping draft the terms and conditions of the group, which were now being finalised.

Officers expected the next meeting of the Ecology Committee to take place next month and were committed to working with all members of the group and the local community to further progress plans for the Ecology Park and Ecology Management Plan. Enforcement of the agreement would not, therefore be expedient at this time.

While there is a technical breach of the s.106 agreement, this does not preclude the Local Planning Committee from determining this application for approval of reserved matters, which is made pursuant to an extant permission.

The principle of residential development and the access arrangements has been established through the grant of the outline permission. This application has been made pursuant to the extant outline permission and seeks approval of matters relating to appearance, layout, scale and landscaping.

The development is a continuation of the first 199 units approved in phase one and the layout and landscaping proposals were in full conformity with the approved masterplan. The proposals had been advanced by the same house builder and the scale and appearance of the dwellings were in keeping with those currently under construction. There were however some new house types, including an apartment block to add further interest to the new street scenes. Building heights were varied in the development, particularly at key locations to provide focal points and end stops to street views and vistas.

He concluded by stating that the application was considered to comply with relevant planning policies and that approval for the development was still recommended.

RESOLVED:

To Grant Approval of Reserved Matters subject to the following conditions:

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

Planning Layout Drawing No. TGDP/TCG/PH2/PL1 Rev K

House Types:

Apartment Elevation A, B, C, D.

Apartment Ground Floor/First Floor/Second Floor

1096 Rosebery, 1187 Leicester, 1190 Kendal, 1190 Kendal 1, 1220 Lumley, 1222 Chedworth, 1277 Winster 1, 1277 Winster 2, 1414 Corfe, 1414 Corfe 1, 1570 Edlingham, 1623 Marylebone 1, 163 Marylebone 2, 638 Alnwick, 643 Alnmouth, 761 Hanury, 762 Mosley, 811 Danbury, 870 Rufford, 960 Yarm, 969 Hatfield, 985 Brickleigh, 999 Glyston.

Landscaping Plans Sheets 1-9

Materials/Boundary Treatments Charter Plan Layout Sheet 1-2 and 2-2.

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

Reason: To define the permission and for the avoidance of doubt.

2. No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

Reason: To reduce the possibility of deleterious material being deposited on the public highway.

3. No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reason: To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

5 APPLICATION NO. 2020/0190 - LAND AT TEAL CLOSE, NETHERFIELD, NOTTINGHAMSHIRE

Modification of Section 106 Agreement in relation to planning permission 2017/0999 in relation to the wording of the affordable housing clauses

The Assistant Director of Planning and Regeneration introduced the report.

RESOLVED:

That the Assistant Director of Planning and Regeneration be authorised to instruct the Service Manager of Legal Services to undertake the necessary work to prepare and finalise a Deed of Variation amending the Section 106 Agreement associated to planning applications 2013/0546 and 2017/099 as outlined in this report.

Councillor Creamer joined the meeting.

6 APPLICATION NO. 2019/0696 - PHASE 1B, LAND AT CHASE FARM, ARNOLD LANE GEDLING, NOTTINGHAMSHIRE

Section 73 application to remove Condition 2 of planning permission 2015/1376 to remove the construction cap of 315 dwellings and to allow building within Phase 1B prior to the completion of the Gedling Access Road.

The Assistant Director of Planning and Regeneration introduced the report.

RESOLVED:

To grant removal of planning condition 2 of planning permission 2015/1376 subject to the applicant entering into a deed of variation with the Borough Council as Local Planning Authority and with the County Council as Highway and Education Authority amending the Section 106 Agreement associated with 2015/1376 for the provision of, or financial contributions towards Affordable Housing, Open Space, Healthcare Facilities, Highways, Education, Air Quality, a Local Labour Agreement and a contribution towards Arnold Library.

Conditions

- 1 Development within Phase 1B hereby permitted shall be begun no later than 6 years from the grant of planning 2015/1376 or within six months of the completion of the Gedling Access Road, whichever is the later.
- 2 Development of Phase 1a and 1b shall be carried out in accordance with the following drawing numbers and documents and such other plans, and documents as may be approved pursuant to the conditions of this planning permission unless otherwise agreed in writing by the local planning authority:
Location Plan (14052_P100 - Rev A); SITE MASTER PLAN (14052_P101 - Rev J); DETAILED SITE PLAN 1-3 (14052_P102 - Rev J); DETAILED SITE PLAN 2-3 (14052_P103 - Rev G); DETAILED SITE PLAN 3-3 (14052_P104 - Rev G); SITE SECTIONS A B & C (14052_P105 - Rev A); STREET SCENES 1 2 3 & 4 (14052_P106 - Rev A); SITE BOUNDARY TREATMENT/PLAN (14052_P107 - Rev A); STOREY HEIGHTS PLAN (14052_P108 - Rev A); LANDSCAPE STRATEGY PLAN (14052_P109 - Rev B); HOUSE TYPE 580-651 (14052_P200 - Rev A); HOUSE TYPE 651-752 (14052_P201 - Rev A); HOUSE TYPE 764-891 (14052_P202 - Rev A); HOUSE TYPE 849-857 (14052_P203 - Rev A); HOUSE TYPE 867-930 (14052_P204 - Rev A); HOUSE TYPE 955-1054-1272 (14052_P205 - Rev A); HOUSE TYPE 1154-1157 (14052_P206 - Rev A); HOUSE TYPE 1178-1216 (14052_P207 - Rev A); HOUSE TYPE 1224-1244 (14052_P208 - Rev A); HOUSE TYPE 1393-1650 (14052_P209 - Rev A); GARAGE TYPE G1 G2 & G3 (14052_P210 - Rev A); APARTMENT BLOCK 1 (14052_P211 - Rev A); APARTMENT BLOCK 2 (14052_P212 - Rev A); APARTMENT BLOCK 3 (14052_P213 - Rev A); APARTMENT BLOCK 4 (14052_P214 - Rev A); APARTMENT BLOCK 5 (14052_P215 - Rev A); APARTMENT BLOCK 6 (14052_P216 - Rev A); PHASING PLAN (14052_P2 - Rev A); Soft Landscaping (L6011/01 - Rev A);

Soft Landscaping (L6011/02 - Rev A); Soft Landscaping (L6011/03 - Rev A); Soft Landscaping (L6011/04 - Rev A); Soft Landscaping (L6011/05 - Rev A); Soft Landscaping (L6011/06 - Rev A); Soft Landscaping (L6011/07 - Rev A); Soft Landscaping (L6011/08 - Rev A); Soft Landscaping (L6011/09 - Rev A); Soft Landscaping (L6011/10 - Rev B); Soft Landscaping (L6011/11 - Rev A); Soft Landscaping (L6011/12 - Rev B); Soft Landscaping (L6011/13 - Rev A); Soft Landscaping (L6011/14 - Rev A); Soft Landscaping (L6011/15 - Rev A); Soft Landscaping (L6011/16 - Rev B); Soft Landscaping (L6011/17 - Rev B); Urban Park Hard Landscape (L6011/20 - Rev A); Urban Park Hard Landscape (L6011/21 - Rev A); Urban Park Hard Landscape (L6011/22 - Rev A); Urban Park Hard Landscape (L6011/23 - Rev A); Urban Park Hard Landscape (L6011/24 - Rev A); Urban Park Hard Landscape (L6011/25 - Rev A); Urban Park Hard Landscape (L6011/26 - Rev A); Urban Park Hard Landscape Image Pallet (L6011/27 - Rev A); PARAMETERS PLAN (14052_P110 - Rev C); Engineering Appraisal Layout Phase 1 (21410_02_SK_001); Engineering and Tree Overlays (21410_00_sk_001); Refuse Vehicle Tracking Phase 1 (21410_02_sk_002 - Rev A); Phase 2 Tracking Sheet 1 of 2 (21410_02_sk_004a); Phase 2 Tracking Sheet 2 of 2 (21410_02_sk_005a) and the Landscape Strategy Report (November 2015).

- 3 Application(s) for approval of all reserved matters for Phase 2 shall be made to the local planning authority no later than 8 years from the grant of planning permission 2015/1376, and the development hereby authorised for Phase 2 shall be begun no later than 10 years from the grant of planning permission 2015/1376 or 2 years from the date of the final approval of reserved matter, whichever is the later.
- 4 The development hereby approved in outline for Phase 2 of the development shall not exceed a total residential floorspace of 52,000 sqm.
- 5 No development for Phase 2 shall commence until a phasing programme for Phase 2, including timings for development of the neighbourhood centre, public open space, education provision and off-site highways works, has been submitted to and approved in writing by the local planning authority.

- 6 Before any part of Phase 2 of the development hereby approved is commenced approval shall be obtained from the Local Planning Authority with respect to reserved matters, namely, the appearance, landscaping, layout and scale and internal access roads for the relevant part.
- 7 No part of the development in Phase 2 shall be occupied or brought into use unless or until details of the internal layout for the development as indicated on the illustrative Site Master Plan Ref 1 4052-P101 REV J have been submitted to and approved in writing by the LPA. These shall be designed in accordance with the principles set out in 'Manual for Streets' and the 6C's Highway Design Guidance. The development shall thereafter be implemented strictly in accordance with the approved details.
- 8 No dwelling shall be occupied within a Phase unless the measures set out in the agreed Travel Plan (21410/12-15/4153 REV B (March 2016)) are in place and a Travel Plan Coordinator has been appointed. A monitoring period will be required from first occupation to the date 5 years from 50% occupation of a Phase. A review must take place with the local planning authority and the highway authority after three years from first occupation within the monitoring period. The Travel Plan Coordinator shall produce an Annual Monitoring Report during the course of the monitoring period commencing on the first anniversary of first occupation of a Phase, and shall issue this to the local planning authority and the highway authority. Survey forms for residents shall be created in liaison with the highway authority with the first surveys to be conducted 3 months from the date of first occupation of a Phase.
- 9 No development shall be occupied unless or until footway and pedestrian/cycle crossing points as shown for indicative purposes only on the plan drawing reference 21410_08_010_01 have been provided to the satisfaction of the Local Planning Authority.
- 10 No development shall commence on any part of the site unless and until details of Traffic Calming on ROAD01 and ROAD06 (Drawing No: 21410_02_SK_003) and a timetable for implementation have been submitted to and approved by the Local Planning Authority. The details approved shall thereafter be implemented in accordance with the approved timetable.
- 11 Prior to Public Transport servicing of the development, bus infrastructure in the form of raised bus kerbs/shelters/bus stops/lighting/timetable information is to be implemented. Details (including a programme for construction/installation) of any such infrastructure are to be submitted and approved by the Local Planning Authority. Once approved the development shall be

constructed strictly in accordance with these details and retained as such for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

- 12 Phase 1A shall be undertaken in accordance with the Construction Environmental Management Plan approved by planning reference 2017/0323DOC.

Prior to the commencement of any other Phase of the development, (including remediation works) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority for that phase. The CEMP shall include details of: a named contact for the developer/construction firm should a complaint be received; the limit and height of stockpiling of materials and interim ground treatment; Storage of building materials, equipment and plant; Temporary landscaping; Construction drainage; Measures to control vibration, noise and dust emissions; Measures to protect retained vegetation, protected and other species and the control of invasive species; Full details of all materials to be imported to, or exported from the site including measures to manage soil movement; Fencing for the duration of site works; Proposed routing of construction traffic, including proposed site access arrangements and access points for construction traffic; Loading and unloading of materials and plant; Storage of materials and plant and materials for use during construction; Details of method to treat and remove suspended solids from surface water run-off during construction; Provision of wheel cleaning facilities; a Construction workers compound; and parking areas including oil and petrol separators. The approved scheme shall be implemented in full for the duration of that phase of the development and no construction activity or work on site shall be undertaken except during the following times: Monday to Friday 0700 to 1800 hours and Saturday 1000 to 1600 hours.

- 13 Phase 1A shall be undertaken in accordance with the surface water drainage scheme approved by planning reference 2017/0331DOC.

No other Phase of development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented strictly in accordance with the approved details before occupation of that phase of development and shall be retained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

- 14 Phase 1A shall be undertaken in accordance with the foul sewage drainage plans approved by planning reference 2017/0331DOC.

No development within any other phase of the development shall commence until drainage plans for the disposal of foul sewage within that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details prior to occupation of that phase of development.

- 15 Phase 1A shall be undertaken in accordance with the contamination assessment approved by planning reference 2017/0331DOC.

Plots 219-228 shall be undertaken in accordance with the contamination assessment approved by planning reference 2017/0013DOC.

Unless otherwise agreed in writing by the Local Planning Authority, development within any other Phase must not commence until 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. The assessment 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.

Where any contamination assessment indicates that contamination may be present, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) for the development 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.

- 16 In the event that remediation is required to render the development suitable for use, the remediation scheme approved pursuant to condition 15 shall be Implemented strictly 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 to 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. An assessment must be undertaken in accordance with the requirements of condition 22 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. The approved scheme shall thereafter be implemented strictly in accordance with the approved timetable.
- 18 No part of the development hereby approved shall be commenced until amended soft landscaping proposals have been submitted to and approved by the Local Planning Authority, in relation to sheet 16 and 17 (L6011/16 and L6011/17), to incorporate essential habitat mitigation works and amend the Marginal Planting Within Wetland Meadow Mix to omit omit *Ranunculus baudotti*, *Carex disticha* and *Carex divisa* and to replace these with other, locally characteristic species. The development shall be completed strictly in accordance with these details unless otherwise approved in writing by the Borough Council.
- 19 Phase 1A shall be undertaken in accordance with the submitted tree works details approved by planning reference 2017/0331DOC.

In any other Phase:

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out strictly in accordance with British Standard [3998 (Tree Work)].

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken strictly in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority

- 20 Any trees or other plants, which die, are removed or become seriously damaged or diseased within the first five years following planting shall be replaced during the next planting season with others of similar size or species unless otherwise agreed in writing by the Local Planning Authority.

- 21 Phase 1A shall be undertaken in accordance with the earthworks details approved by planning reference 2017/0331DOC.

No development within any other phase shall take place until details of earthworks for that phase have been submitted to and approved in writing by the Local Planning Authority.

(1) The details shall include the proposed grading and mounding of land areas including the finished levels across the site (including finished floor levels, path and road levels and height of retaining walls) and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform; and

(2) an assessment of any site slope stability issues the development may have with respect to the creation of ponds and any special stabilisation measures that are required to mitigate slope stability issues for that phase. Dwellings either side of an access road should have a floor slab level at least 300mm above the adjacent access road. The development shall thereafter be implemented strictly in accordance with the approved details.

- 22 The development shall be undertaken in accordance with the Written Scheme of Investigation and Geophysical Survey Report approved by planning reference 2017/0332DOC.
- 23 Prior to the commencement of development in Phase 1B or Phase 2 an updated Ecological Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include and updated Phase 1 Habitat Survey and protected species surveys for the site area. Thereafter works shall be undertaken strictly in accordance with the mitigation recommended within the EcIA for the Phase.
- 24 No site clearance or removal of any trees, shrubs or other vegetation shall be carried out during the period 1 March to 31 August inclusive unless otherwise agreed in writing in advance with the Local Planning Authority. Any clearance works within this period must be supervised by an Ecological Clerk of Works and the works agreed in writing by the Local Planning Authority prior to the works commencing.
- 25 No development shall commence within a Phase until a landscape management plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of enhancements to retained habitats on the site, and also provide details of the long-term management of the retained habitats of the site. Thereafter such works shall be undertaken strictly in accordance with the approved landscape management plan for the relevant phase unless otherwise agreed in writing by the Local Planning Authority.
- 26 No Phase of the development shall be occupied unless glazing and ventilation mitigation for that phase has been implemented in line with the strategy outlined in Chapters 6 and 7 of the Noise Assessment (November 2015). This shall include the adoption of the enhanced glazing and ventilation to those properties outlined in sketch plans SK05 and SK05b.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.

4. In order to set the top parameter of floor space for the purpose of calculating CIL, to ensure the scheme remains viable within the limits available finance.

5. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.

6. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990

7. In the interests of highway safety.

8. To ensure that sustainable travel is encouraged and implemented in accordance with the aims of the National Planning Policy Guidance.

9. In the interests of pedestrian and cycle safety.

10. In the interests of highway safety.

11. In order to secure adequate public transport linkages to the site and promote sustainable transport.

12. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough.

13. 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 sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).

14. To ensure adequate measures are in place to deal with foul sewage on the development site.

15. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters.

16. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters.

17. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters.

18. To ensure a satisfactory development and that the landscaping of the development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014)

19. In the interests of good Arboricultural practice.
20. In the interests of good Arboricultural practice.
21. 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 sustainable drainage structures.
22. To ensure a satisfactory programme of archaeological work has been approved to ensure that the development is constructed in accordance of the impacts defined within the Environmental Statement.
23. To protect and enhance ecology interest in the area.
24. To protect and enhance ecology interest in the area.
25. To protect and enhance ecology interest in the area.
26. 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).

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 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.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on

the public highway and as such you should undertake every effort to prevent it occurring.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority.

The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the

Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

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

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 Highway Authority for details.

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 micro-drainage software to simulate the drainage system for the 100 year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas;
- demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;
- demonstrate detailed design (plans, network details and calculations) in support of

any surface water drainage scheme, including details of any attenuation system, and outfall arrangements.

Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods;

- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

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

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

Councillor Smith joined the meeting.

7 APPLICATION NO. 2020/0235 - 14 TENNYSON AVENUE, GEDLING, NOTTINGHAMSHIRE

Demolition of existing building and construction of new replacement dwelling

The Assistant Director of Planning and Regeneration introduced the report.

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 following plans;-Application forms, received 10th March 2020 Drawing no. 351 Ex01 showing site location plan and existing bungalow, received 10th March 2020 Drawing no. 351 P05B showing proposed new dwelling, received 10th March 2020
- 3 The development hereby permitted shall be constructed in accordance with the materials identified on the approved drawings and application form.
- 4 From the date of first occupation the property built on the site shall be provided with access to an electric vehicle (EV) charge point. The charge point must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the terms of this permission.
- 3 To ensure the character of the area is respected and to comply with policy ASC10.
- 4 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies. The design of the proposal is considered to be acceptable and does not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site are unaffected by the proposal. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Parts 2, 5, 11 and 12), Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 40, 57, 61 and Appendix D of the LPD.

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. 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 developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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

8

APPLICATION NO. 2020/0110 - 14 BRAUNTON CRESCENT, MAPPERLEY, NOTTINGHAMSHIRE

Convert integral garage into open plan lounge/kitchen/dining room.

RESOLVED:

To Grant Planning Permission subject to conditions:

Conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development shall be undertaken in accordance with the application form received on 6th February 2020 and the following plans titled: Proposed Front Elevation & Proposed Layout received on 26th February 2020.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building in terms of type, colour and texture, size, profile and bonding pattern.

9

APPLICATION NO. 2020/0035 - HILL CREST PARK, HOYLE ROAD, CALVERTON

Construction of additional 4 no light industrial general industrial (B1/B2) units to the existing units.

The Assistant Director of Planning and Regeneration introduced the report.

RESOLVED:

To Grant Full Planning Permission: Subject to the following conditions:

Conditions

- 1 The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
- 2 This permission shall be read in accordance with the application form and following list of approved drawings:

4376 A100 P5 - Proposed site plan
4376 A101 P2 - site block plan
4376 A200 P3 - Proposed GA plan - All units
4376 A201 P3 - Proposed GA plan - units 9 and 10
4376 A202 P3 - Proposed GA plan - units 11 and 12
4376 A205 P4 - Proposed roof plan - All units
4376 A300 P3 - Elevations - all units
4376 A301 P3 - Elevations - proposed units 9 & 10
4376 A302 P3 - Elevations - proposed units 11 & 12
3468-E-6000 - proposed external lighting layout

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

- 3 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. All works on site shall be undertaken in accordance with the approved CEMP.
- 4 Prior to the commencement of development an assessment of the nature and extent of any potential contamination shall be submitted to and approved in writing by the Local Planning Authority (site characterisation). 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. 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.
- 5 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.
- 6 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 The additional units hereby approved shall not be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 4373 A100 P5. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
- 8 Prior to occupation of any part of the development hereby approved the 2 electric charging points and bike rack, as identified on drawing 4376 A100 P5, shall be installed and be fully operational and thereafter be maintained as such for the lifetime of the development.
- 9 Prior to above ground works commencing, a scheme of landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
- 10 The units shall be used for B1 and B2 purposes only and no other uses within the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reasons

- 1 To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
- 2 For the avoidance of doubt.
3. 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.
4. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

5. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
6. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
7. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and to comply with policy LPD57.
8. 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.
9. To ensure that the character of the area is respected and the loss of existing trees is mitigated and to comply with policy LPD19.
10. To ensure that possible impacts with regard to highway and parking matters are appropriately assessed and to comply with policies LPD57 and LPD61.

Reasons for Decision

The principle of development is supported in that it falls within the built form of Calverton on a site allocated for employment uses. The development would extend the employment uses on the site, enhancing the local economy. Furthermore, the scale, layout and design of the built form would respect the character of the area and not have a detrimental impact on the amenity of the area and adjacent land uses. Furthermore, highway safety would not be compromised with adequate parking spaces provided too. The application is, therefore, deemed to comply with policies A, 4 and 10 the Aligned Core Strategy; policies LPD11, LPD19, LPD32, LPD44, LPD46, LPD57 and LPD61 of the Local Planning Document; policies G4 BE2 and BE4 of the Calverton Neighbourhood Plan and guidance within the NPPF.

10 APPLICATION NO. 2020/0009 - MILLBECK HOUSE, OAKDALE ROAD, ARNOLD

Full planning application for the conversion of a disused/unoccupied residential care home (C2) into 23 apartments (C3) comprising of 16 x 1 beds and 7 x 2 beds.

RESOLVED:

That the Borough Council GRANTS PLANNING PERMISSION, subject to the owner entering into planning obligations with the Borough Council as local planning authority to a review of viability of the development at Millbeck House and to secure a local labour agreement and with the County Council as local highway authority for the provision of, or financial contributions towards bus stop infrastructure at Cedar Grove and subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted documents received on the 7th January 2020- the Application Form; and Design and Access Statement and the following plans received on the 7th January 2020: Existing Ground Floor Plan drg. no. MH-HD-1001-P00-PL Existing First Floor Plan drg. no. MH-HD-1002-P00-PL Existing Roof Plan drg. no. MH-HD-1003-P00-PL Existing Elevations drg. no. MH-HD-1004-P00-PL Proposed Ground Floor Plan drg. no. MH-HD-2001-P00-PL Proposed First Floor Plan drg. no. MH-HD-2002-P00-PL Proposed Roof Plan drg. no. MH-HD-2003-P00-PL Proposed Elevations drg. no. MH-HD-2004-P00-PL.

The development hereby permitted shall thereafter be undertaken in accordance with the submitted plans and details.

- 3 The materials used in any exterior work shall be as identified on the approved drg no. MH-HD-2004-P00-PL and Section 7 of the application form submitted on the 7th January 2020.
- 4 No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with the plan figure 15. Proposed ground floor plan (Within Design and Access Statement). The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
- 5 Prior to the first occupation of the development hereby approved details of the soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include details of size, species, positions and densities of all trees, hedges and shrubs to be planted together with a programme of

implementation. The development shall be implemented in accordance with the approved details.

- 6 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to condition 5 of this permission, 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.
- 7 Before the development is commenced 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 produced by the Council 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.
- 8 Prior to the occupation of building(s) hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of two (2) Electric Vehicle Recharging Points. The Electric Vehicle Recharging Points shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.

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 visual amenity and the character and appearance of the area in accordance with the aims of policy LPD 40 of the Local Planning Document..

- 4 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 5 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 6 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 7 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 Council's Local Plan.
- 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 the National Planning Policy Framework and Policy LPD11 of the Council's Local Plan.

Reasons for Decision

The development is visually acceptable, results in no undue impact on neighbouring properties or the area in general. There are no highway safety or parking issues arising as part of the proposal. The proposal would not be viable if the required affordable planning obligations are provided however, in the overall planning balance it is considered that this is outweighed by the fact that the development would bring a vacant site back into use, that it would provide residential accommodation in a sustainable location and that it would contribute to the Council's 5 year housing land supply. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with Sections 2, 4, 5, 9, 11 and 12 of the NPPF (2019), Policies A, 1, 2, 8, 10, 18 and 19 of the Aligned Core Strategy (2014) and Policies 32, 33, 35, 37, 40, 57 and 61 the Local Planning Document Part 2 Local Plan (2018). There are no material considerations that indicate otherwise although conditions have been attached

Notes to Applicant

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.

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. 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.

Date Recommended: 2nd June 2020

11 APPEAL DECISION REF: 2019/0695 - 1 THE MOUNT, BESTWOOD, NOTTINGHAM, NG6 8TP

Construction of detached bungalow.

RESOLVED:

To note the information.

12 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

13 FUTURE APPLICATIONS

RESOLVED:

To note the information.

14 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 3.30 pm

Signed by Chair:
Date: