



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

Agenda

Planning Committee

Date: **Wednesday 5 August 2020**

Time: **6.00 pm**

Place: **Virtual Meeting**

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 Rachael 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

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Future Applications

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 Attendance: M Avery, N Bryan, K Cartwright, C Goodall and
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 EclA 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 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:

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 2019/1079



Report to Planning Committee

Application Number:	2019/1079
Location:	Land adjacent to Plemont, Private Road, Woodborough
Proposal:	Full planning application for three detached residential properties to be accessed off Private Road.
Applicant:	Mr A Prestwick and Woodborough Property Management Limited
Agent:	Grace Machin Planning and Property
Case Officer:	Nigel Bryan

The application is referred to Planning Committee with the proposal forming part of a larger allocated site and requiring a Section 106 Legal Agreement.

1.0 Site Description

- 1.1 The application site comprises a roughly rectangular parcel of land some 40m in depth between Private Road to the north, Plemont to the east, Wyndways to the east and vacant land to the south; the application site and the vacant land to the south is all allocated for residential development. There is a relatively significant change of levels passing through the application site with the land dropping some 3.7m from Private Road to the southern edge of the site. The site is devoid of any significant features save for a modest garage/storage building close to the boundary with Plemont. A hedge marks the boundary with Private Road and whilst parts of the wider allocated site has on it a number of trees those in the application site have been removed.
- 1.2 Properties that surround the application site are mixed and include Plemont, a dwelling undergoing a number of extensions and alterations, Wyndways, a semi-detached two-storey dwelling appearing to date from the 1960's/70's. Directly opposite the application site is a red brick double fronted property whilst along Private Road there is a wider range of property styles and designs, along with a mixed palate of materials.

2.0 Relevant Planning History

- 2.1 The application site has no recent planning history.

3.0 Proposed Development

3.1 The application is submitted in full and is for the erection of 3 dwellings. Each dwelling would have a vehicular access from Private Road and there would be a mixture of materials including red brick, render, timber panelling, zinc, along with a contemporary window layout. Each dwelling would comprise two distinct parts, linked by a flat roof aspect. Plots 1 and 2 would have some elements that have accommodation over three floors, with accommodation in the roof space, whereas plot 3, adjacent to Wyndways would have accommodation over two floors only. Plots 1 and 2 would have integral garages whereas plot 3 would have parking to the front.

4.0 Consultations

4.1 A site notice has been displayed and neighbour notification letters posted. As a result of consultation undertaken 15 letters of objection have been received. A summary of the objections received are drafted below;

- The dwellings do not respect the character of the area and are too large, too modern;
- There would be a significant detrimental impact on the amenity of neighbouring properties given the scale of dwellings proposed;
- Private Road is not able to cope with the vehicle movements that the dwellings would generate, during building works and whilst occupied;
- There would be a detrimental impact on ecology in the area;
- Surface water flooding will increase to residents on Broad Close;
- Services e.g. water, gas and electric run down Private Road and will be detrimentally impacted;
- The applicant does not own Private Drive, which will serve the proposed dwellings and access should be taken from Broad Close, through the allocated site.

4.2 Woodborough Parish Council – support the application but make a number of observations too; affordable housing should be provided; replacement planting for the trees to be lost should be secured; Roe Hill and Roe Lane have known parking and traffic flow issues, which should be explored; the site should be suitably drained and comply with SUDS guidance and the dwellings should be fully compliant with disability access guidance.

4.3 Environment Agency – the site falls within flood zone 1 and make no comment on the application, although the lead flood authority should be consulted on the application.

4.4 Local Lead Flood Authority – note that the site area is below the threshold whereby they would normally make observations; however, there would be a need to ensure that surface water drainage is SUDS compliant.

4.5 Severn Trent – highlight the need to link the dwellings to the mains sewer and that surface water drainage should only access sewers if all other possible solutions have been fully explored and are not possible.

- 4.6 Highway Authority (Nottinghamshire County Council) – Note that the access is to be from a private drive that already has over 5 dwellings accessed from it. Therefore, they make no observations on the application. However, they do request a contribution toward enhancing public transport through improvements toward two bus stops in the centre of the village, in the form of raised kerbs. The total contribution sought is £6,000 for the allocated site and £1,285.71 from this application.
- 4.7 NHS (primary care) – does not request a contribution;
- NCC Education – note that the local primary school has spare capacity; however, the secondary catchment ‘Carlton Secondary Planning Area’ does not; therefore, based on a total of 14 dwelling being erected over the allocated site a total contribution of £47,750 is sought. This would equate to £10,232.14 for this application.
- 4.8 Scientific Officer – raises no objection to the application subject conditions requiring electric vehicle charging points to be installed and also the approval of Construction Environmental Management Plan (CEMP)
- 4.9 Parks and Street care – noting that the site forms part of a larger allocated site and would meet the threshold to provide contributions in lieu of on-site provision. Based on the erection of 3 dwellings, on an allocated site for the erection of 14 dwellings, the contribution sought would be £17,854.30
- 4.10 Trent Valley Internal Drainage Board – note that the application falls outside their district but is within their catchment. Surface water drainage should not increase run-off rates to a water course and the advice be sought of the Lead Flood Authority;
- 4.10 Conservation/heritage Officer – the conservation officer raises concern about the design and materials proposed for the dwellings, particularly given the elevated nature of the site. A green section to the centre of the site, to link into the remainder of the allocated site should be considered.

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’.

6.0 Development Plan Policies

- 6.1 The following policies are relevant to the application:
- 6.2 The National Planning Policy Framework (2019) sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a wide choice of high quality homes), 6 (building a strong and competitive economy), 9, (promoting sustainable transport) 11 (Making effective use of

land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (conserving and enhancing the natural environment) and 16 (Conserving and enhancing the historic environment) are particularly pertinent.

6.3 The following policies of The Adopted Core Strategy (ACS) 2014 are pertinent to the determination of the application:

- Policy A – Presumption in favour of sustainable development
- Policy 2 – The Spatial Strategy
- Policy 10 – Design and Enhancing Local Identity
- Policy 11 – The Historic Environment
- Policy 19 - Developer Contributions

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

- LPD 3 – Managing Flood Risk
- LPD 4 – Surface Water Management
- LPD11 – Air Quality
- LPD18 – Protecting and enhancing biodiversity
- LPD 21 - Provision of New Open Space
- LPD 26 – Heritage assets
- LPD32 – Amenity
- LPD 35 – Safe, Accessible and Inclusive Development
- LPD 57 – Parking Standards
- LPD 61 – Highway Safety
- LPD70 – Housing allocations – Woodborough

6.5 For the avoidance of doubt Woodborough does not have a neighbourhood plan.

6.6 Other Guidance

Appendix D of the adopted Local Planning Document sets out parking standards for residential uses.

7.0 Planning Considerations

Principle of development

7.1 The application site forms part of a site allocated for residential development in the Local Planning Document under policy LPD70 and the site (H24) is identified as being able to supply 15 dwellings, given that the site covers an

area of some 0.75 hectares. As a result it is identified that the site would return affordable housing and contributions toward education and the Primary Care Trust, if required. Therefore, the principle of development is supported, although a major consideration for the application is that the larger allocated site is coming forward in two separate applications, the full application currently under consideration and also a separate application submitted in outline form for the erection of 11 dwellings (ref: 2019/1080). This has implications in terms of securing contributions toward making the development acceptable in planning terms, covered later in this report, but it would not affect the principle of development.

- 7.2 Having regard to the above the key planning considerations are considered to be the character of the area, residential amenity, highways matters, developer contributions and the impact on heritage assets.

Impact on the character of the area

- 7.3 Private Road is an area that is mixed in its form and has a wide range of dwellings upon it in terms of scale, materials and layout. Due to the natural topography of the area the proposed dwellings will sit lower than Private Road and have accommodation spread over a mixture of two and three-storeys, although the third floor will largely be in the roof space. The eave and ridge height of plot 3 will be similar to Wyndways, although plots 1 and 2 will have taller elements at 8.5m to the ridge to provide accommodation in the second floor.
- 7.4 All of the dwellings will have a wide mix of materials including render, red brick, zinc and some timber cladding. Whilst accepting that there are not dwellings on private Road that have such a mixture of materials a number are prevalent in the area, notably the render and red brick. Furthermore, plots 1 and 2 are taller than those either side of them; however, the accommodation in the third floor will largely be in the roof space and the taller elements will be toward the centre of the site and taking into account the change in levels it is considered that the dwellings will not be unduly prominent in the streetscape.
- 7.5 The elevation treatments will be relatively modern in appearance, reflected in the unusual window design but there is not a uniform design of dwelling along Private Road, with a number of the dwellings individually designed. More traditional red brick dwellings would greater respect the character of the area but the proposed dwellings would create a degree of diversity in the streetscene and the applicant has requested that the application as submitted be determined. Taking into account all of the above factors into consideration, and subject to ensuring that good quality materials are used in the construction of the dwellings, which can be secured by condition, it is considered that, on balance, the development would respect the character of the area and comply with guidance contained in the National Planning Policy Framework and Aligned Core Strategy Policy 10.

Impact on residential amenity

- 7.7 Whilst the dwellings will have accommodation over three floors it is considered that the impact on properties on the opposite side of Private Drive

will be negligible given the change in levels and distance between the proposed and existing dwellings, which would be in the region of 30m.

- 7.8 Therefore, the primary impact from the development is considered to be on the amenity of the neighbouring properties, Wyndways and Plemont. Plemont has been significantly extended in the recent past and it is the two-storey element of plot 1 that would be adjacent to this property. Taking into account that the first floor side window would be to an en-suite it is not considered that there would be any overlooking impacts. Furthermore, given that the buildings would be built along a similar building line it is considered that any overbearing impact would be minimal.
- 7.9 Wyndways has two windows in the first floor side elevation adjacent to the application site. One appears to be to a landing and the second possibly a bedroom. The proposed dwelling would be sat roughly along the same building line and adjacent to this dwelling, although it will extend further back by approximately 2.5m. Whilst accepting that there will be an impact on the amenity of this property having a dwelling built alongside it there would be a gap of some 5.7m between the two side elevations. Typically main habitable room windows would be orientated toward the front and rear, side windows are normally secondary, although that does not appear the case with Wyndways; however, the window in the first floor side elevation of the proposed dwelling would be obscure glazed so as to ensure no overlooking impacts. It is clear that the windows in the side elevation of Wyndways will lose a degree of light but given that they are in the side elevation and have views over third party land rather than a conventional front/rear aspect, it is considered, on balance, that the impacts on the amenity of this dwelling with regard to possible overbearing impacts would not be significant. For the avoidance of doubt, there is no right to a view and it is also noticeable that the proposed dwelling would be sited roughly along the same building line as existing dwellings on this side of Private Road. Taking into account the above, it is considered that the proposal will not have significant detrimental impact on the residential amenity of either of the neighbouring properties most likely impacted by the development. As a result the application is deemed to comply with policy LPD32.

Impact on heritage assets

- 7.10 The application site falls outside of Woodborough Conservation Area; however, given the elevated nature of the site it is apparent that there are views of the application site from Main Street, which is within the Conservation Area. The Conservation Officer notes that the design of the dwellings and their scale would be at odds with the settlement form and believes something more modest in scale and traditional in material would be preferable. However, it is apparent that the application site is approximately 130m from the Conservation Area (CA) boundary and whilst there are views from the CA to the application site, and vice versa, it is considered that there would not be any detrimental impact on its setting. The applicant has been approached about alterations to the scheme to address some of the concerns highlighted but has asked that the application be determined on its own merits having regard to the mix of properties along Private Drive. Therefore whilst some concern has been raised over the design of the scheme, it is considered

that there no would be no detrimental impact on the setting of the Conservation Area given the distances involved and sporadic nature of views. Having regard to the above, the application is considered to comply guidance contained in the NPPF and policies LPD26 and LPD31.

Highways

- 7.11 Vehicular access to the site would be from Private Road, an unadopted highway that is narrow in nature; however, roads leading up to it are adopted, Roehill and Roe Lane. The Highway Authority have raised no objection over access to the site which would be from Private Road. There would be an increase in vehicle movements in the locality but for three dwellings this would not be significant. Adequate parking is proposed to the front and within the garages proposed for the site to comply with guidance contained in appendix D of the LPD, which requires each dwelling to have 3 parking spaces. Furthermore, there is ample space for vehicles to enter and leave in a forward gear with vehicle speeds in the area particularly low given the state of Private Road.
- 7.12 A note would need to be added to any decision notice outlining that the grant of planning permission does not override civil legal matters with regard to access over a private land. Furthermore, concern has been expressed about damage to the road and inconsiderate parking of vehicles during construction, but maintenance of the road would be an issue for its owners and the delivery of materials are only temporary in nature. Taking into account all of the above factors, it is not considered that the application would be detrimental to highway safety and adequate parking would be provided, with the application deemed to comply with policies LPD57 and LPD61.

Planning obligations

- 7.13 As noted above, the application site forms part of a larger allocated site and to ensure that the contributions sought for the entire allocated site are secured it is intended to have a Section 106 Legal Agreement for this application, despite falling below the threshold for development whereby contributions would normally be sought. It is noted that the allocated site is likely to be developed at different times but given that the sites have similar ownership, form part of the same allocated site and can, on balance, be considered one development, aggregating the contributions sought is considered to be acceptable.
- 7.14 A summary of the contributions sought are outlined below. For the avoidance of doubt, no contribution toward affordable housing is sought in that the combined total number of dwellings applied for across the allocated site is below the 15 threshold where contributions are required. The Primary Care Trust have indicated that they will not be seeking a contribution.
- Education – a contribution of £10,232.14 is sought toward secondary education (no contribution is required toward primary);

- Highways (public transport) – a contribution of £1,285.71 is sought toward improvements toward bus stops within the village in the form of raised kerbs;
- Public open space – a total contribution of £17,854.30 is sought (this would equate to 12,576.10 toward play equipment within Woodborough and £5,278.20 toward its future maintenance).

The contributions sought are deemed to comply with guidance as outlined in paragraph 56 of the NPPF, which outlines the tests required to seek a planning obligation, as well as ACS19 and LPD70 and Section 122 of The Community Infrastructure Levy Regulations 2010.

Other matters

- 7.15 An ecological survey has been submitted in support of the application and identifies that there is limited opportunity for protected species on site e.g. badgers and bats, although when the site is cleared it should be done at times of the year to minimise the potential impact on nesting birds as well as scrub and log piles searched for reptiles. A condition is also recommended to ensure that there will be some ecological enhancements too. Concern has been expressed about flooding and the application form indicates surface water will be disposed of into the sewer network, which is unlikely to be acceptable unless all other options have been explored and discounted. As a result it is recommended that a condition be added so that the approval means of disposing of both foul and surface water is approved by the Local Planning Authority.

8.0 Conclusion

- 8.1 The principle of development is supported in that the site is allocated for residential development under policy LPD70. Taking into account the design of the dwelling proposed it is considered that they would provide a degree of diversity into already mixed streetscene and they would also not have a significant adverse impact on the amenity of neighbouring properties. Highway safety would not be compromised and adequate parking would be provided and the application is not considered to have an adverse impact on flooding, heritage assets or ecology. Furthermore, subject to the signing of a Section 106 Legal Agreement, the development is considered to be acceptable in planning terms with regard to impacts on services within the area.
- 8.2 The application is, therefore, deemed to comply with policies A, 2, 10, 11 and 19 of the Aligned Core Strategy; policies 3, 4, 21, 26, 32, 35, 57 61 and 70 of Local Plan Document and guidance contained within the NPPF.

Recommendation: Grant Planning Permission: Subject to the owner(s) entering into planning obligations with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, education, bus stop improvements, off site

public open space enhancements; and subject to the conditions listed for the reasons set out in the report:

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:
 - Proposed Site Section A-A Drawing No: 31-00 Date: 11.02.20
 - Location and Block Plan Drawing No: 02-00 Date: 16.09.19
 - Proposed Site Plan Drawing No: P-08-00 Date: 29.07.19
 - Proposed Floor Plans for Plot 1 Drawing No: P-11-00 Date: 17.07.19
 - Proposed Floor Plans for Plot 2 Drawing No: P-11-00 Date: 17.07.19
 - Proposed Floor Plans for Plot 3 Drawing No: P-11-00 Date: 17.07.19
 - Proposed Loft Floor Plans and Roof for Plot 1 Drawing No: P-11-01 Date: 17.07.19
 - Proposed Loft Floor Plans and Roof for Plot 2 Drawing No: P-11-01 Date: 17.07.19
 - Proposed Elevations for Plot 1 Drawing No: P-21-00 Date: 17.07.19
 - Proposed Elevations for Plot 2 Drawing No: P-21-00 Date: 17.07.19
 - Proposed Elevations for Plot 3 Drawing No: P-21-00 Date: 17.07.19
 - Proposed Street Elevation Drawing No: P-22-00 Date: 29.07.19

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

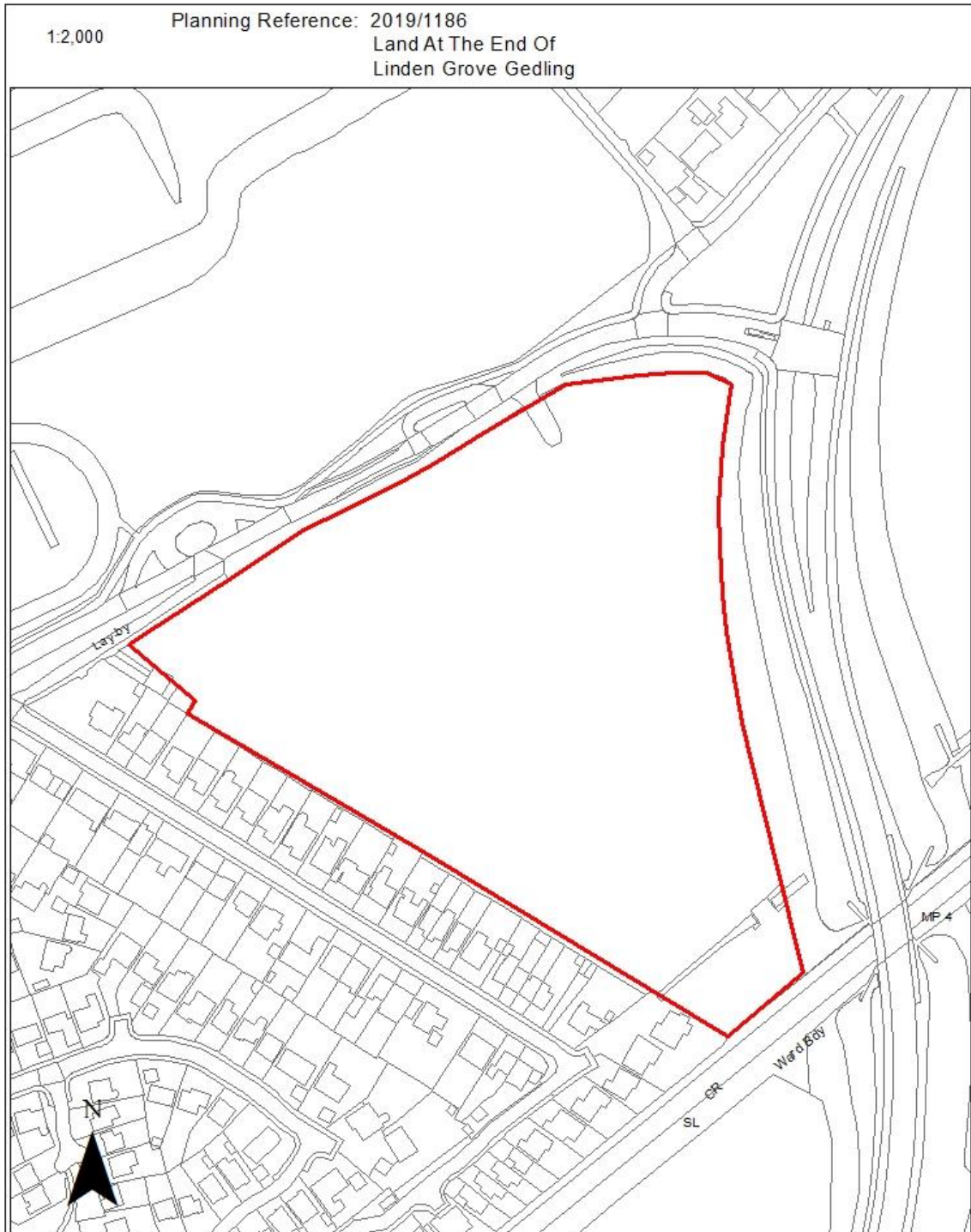
3. Prior to above ground works commencing, samples of all external materials to be used in the construction of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall thereafter be constructed in accordance with the material as approved.
4. No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.
5. The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species.

6. Prior to the commencement of above ground works, details of site specific ecological mitigation and enhancement, as identified in the Primary Ecological Appraisal, shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to the occupation of the dwellings hereby approved.
7. From the date of first occupation every property built on the site with one or more dedicated vehicle parking spaces and/or a garage shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a safe overnight 'trickle' charge to an electric vehicle using a mode 2 charging cable. Charging points should be provided either within garage space or via outdoor, weatherproof sockets within 3m easy access of the off road parking areas.
8. 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 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.
9. Prior to above ground works commencing, details of the means of foul drainage and surface water disposal shall be submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.
10. The windows in the first floor side elevations of the three dwellings shall be obscured glazed to level 4 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be complied with before the development is occupied and thereafter be retained for the lifetime of the development.

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Gedling
Borough Council
Planning Report for 2019/1186



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Date: 17/07/2020

Report to Planning Committee

Application Number:	2019/1186
Location:	Land at the end of Linden Grove, Gedling
Proposal:	Outline planning application for residential development for up to 120 dwellings and associated development (including public open space, engineering works, drainage, internal roads, paths and parking) with all matters reserved excluding access.
Applicant:	Northern Trust Company Limited
Agent:	Avison Young
Case Officer:	Nigel Bryan

The application is referred to Planning Committee with the proposal for the erection of 10 or more dwellings, as required by the Councils constitution.

1.0 Site Description

- 1.1 The vast majority of the site is flat and arable farmed, so is devoid of any significant features. However, to the north-east of 45 Linden Grove, adjacent to the railway line, the application site is physically separated from the majority of the remainder of the site by a line of trees and this small parcel of land is rough grassland. Boundary treatments to the site are predominantly planting in the form of hedges and some trees. Vehicular access to the site is currently from Burton Road.
- 1.2 Immediately adjacent to the application site on its south-western boundary lies Linden Grove, numbers 1-45 (odd numbers only), 272 Burton Road and an electric substation. The site is bound by highway on two other boundaries, Colwick Loop Road to the north-east, which is raised above the application site; to the north-west is Burton Road, with the grounds of Carlton-le-Willow school beyond. The highway layout in the area is somewhat unusual in that there is a bus turning area on the opposite side of Burton Road, as well as a lay-by to the front of the application site and 272 Burton Road, the later of which falls within the application site. A small section of the application site is

adjacent to the Nottingham to Lincoln railway line, where the site narrows; the site is roughly triangular in shape.

- 1.3 The application site is allocated for residential development under policy 64 of the LPD.

2.0 Relevant Planning History

- 2.1 The application site has no recent planning history.

3.0 Proposed Development

- 3.1 The application is submitted in outline with access under consideration; all other reserved matters (layout, scale appearance and landscaping) are for consideration at a later date. An indicative layout has been submitted in support of the application and the development is for the erection of upto 120 dwellings and associated infrastructure including, public open space, engineering works, drainage, internal road, paths and parking.
- 3.2 Amended plans have been received that make alterations to the access from Burton Road. The main access would be opposite the bus turnaround area and have a carriageway width of 5.5m with a 2m wide footway on either side. A visibility splay of 2.4m by 43m can be achieved in each critical direction for the access. The existing lay-by to the front of the site will be reduced in length and its access moved closer to 272 Burton Road.
- 3.3 There will be a need to remove some planting to create the access point; however, given the lay-by to the west and relatively large verge to the east, there will be no need for large scale removal of vegetation. For the avoidance of doubt, there will no alteration to the location of bus stops in the area.

4.0 Consultations

- 4.1 A press notice was published, a site notice displayed and neighbour notification letters posted. A full re-consultation was also undertaken on amended plans showing alterations to the access, minor alterations to the red-line plan; clarification offered on possible contamination and the application was also advertised as a departure to the development plan, explained later in this report. As a result of consultation undertaken a total of 15 neighbour letters were received, all objecting to the application, 12 were received in response to the original application and 3 to the re-consult. A summary of the objection is drafted below;

- Will bus stops in the area be impacted?;
- What will happen to the layby to the front of the site?;

- Not all of the application site is within the applicants control, particularly a drainage ditch to the edge of properties on Linden Grove;
 - The application should not be granted permission until such time as the GAR is complete and approving the development will be contrary to LPD64;
 - There is not enough information with regard to impacts on ecology for the site, with it noted that large amounts of wildlife utilise it;
 - There is Japanese knotweed on the site;
 - The site is prone to flooding;
 - Local services e.g. doctors, schools etc, are at capacity and not able to accommodate the increase in population;
 - There will be a detrimental impact on the amenity of neighbouring properties, some of which are bungalows;
 - The development will lead to extra noise pollution and anti-social behaviour, particularly depending on where the Public Open Space is;
 - The site is contaminated having been used in the past in association with the Stoke Bardolph sewerage works.
- 4.2 Environment Agency – In respect of flooding, note that part of the application site falls within flood zone 2 and they refer to their standing advice. With regard to possible contamination, they ask that, if minded to grant permission, a number of conditions and informatives be added to any decision.
- 4.3 Lead Local Flood Authority – raise no objection to the application subject to a condition requiring the drainage strategy being completed in accordance with principles outlined in the submitted FRA;
- 4.4 Severn Trent – note that the applicant is currently in discussion with them direct on the capacity of the existing network. Subject to the completion of those discussions, they raise no objection but suggest informatives to any decision notice;
- 4.5 Highway Authority (Nottinghamshire County Council (NCC)) – note that the visibility splay that can be achieved is acceptable and, following receipt of amended plans, the impact on the layby to the front of 272 Burton Road is now acceptable. Furthermore, subject to a condition with regard to a ‘construction masterplan’ they raise no objection to the development commencing in advance of the GAR being complete.

They have requested a contribution of £20,000 toward bus stop provision as well as £45,000 toward sustainable transport.

With respect of the Travel Plan the document has been updated to the satisfaction of the Highway Authority. A condition requiring a pedestrian and cycle link to be provided to Burton Road is also sought.

- 4.6 NHS (primary care) – Request a contribution of £65,025 toward enhancing capacity at any of the four practices that will be affected by the development, namely Westdale Lane Surgery, Unity Surgery, Park House Medical Centre and Appletree.
- 4.7 NHS (secondary care) – the Trust notes the development will impact on the their ability to deliver services at the main hospitals in Nottingham and to mitigate the impact there would be a need to make a contribution of £107,308.00;
- 4.8 NCC Education – note that Carlton Primary has spare capacity to absorb the number of pupils, 25, that the development is predicted to generate so do not request a contribution for primary education. With regard to secondary provision, the schools in the Carlton Secondary Planning Area, which is at capacity and the development would generate a need for an additional 19 spaces. As a result of contribution of £453,625 is sought.
- 4.9 NCC Libraries - note that there is no opportunity to extend Carlton library; however, their stock of books is below what it should be. Based on the application generating 276 new residents and a requirement for an additional 1.532 items at £10 per unit, they are seeking a contribution of £4,228.00;
- 4.10 Scientific Officer (Air Quality) – request the submission of Construction Environmental Management Plan and installation of electric charging points;
- 4.11 Environmental Health (noise) - concur with the conclusions outlined in the submitted noise report and raise no objection to the application subject to the mitigation identified therein being implement and a condition requiring verification that the approved sound insulation scheme has been implemented and is fully operational;
- 4.12 Environmental Health (contamination) – Following receipt of updated information with regard to possible contamination, noting that the site has been used a compound during construction of the Colwick Loop Road and in association with the Stoke Bardolph sewerage works, they note that there is one outstanding area of concern with regard to the lack of exploration close to a substation in the north-western corner of the site. Therefore, conditions would be required to ensure that the remaining outstanding issue is fully explored.
- 4.13 Strategic Housing (affordable) - note that the policy requires 20% affordable housing and based on the number of dwellings proposed 24 units would be required. This should comprise 17 affordable rent and 7 intermediate e.g. shared ownership. A suitable mix would be 14 x 2-bedroom, 8 x 3-bedroom

and 2 x 4-bedroom with a particular demand for bungalows and adapted dwellings;

- 4.14 Conservation and Heritage Officer – largely concur with the views contained in the Heritage Statement. The main issue would be the height of the dwellings proposed to be erected and likely impact on the setting of Gedling House, taking this into account it is likely that any dwellings to be erected should be no more than two-storey;
- 4.15 Arborist - raises no objection to the application, subject to conditions, but notes that, in particular, the cycleway on the masterplan is likely to fall within the crown of a number of trees and this would need to be mitigated against;
- 4.16 Parks and Street Care - note that the Design and Access Statement indicates 6,400sqm of Public Open Space (POS) is proposed; this would be policy compliant. A Local Equipped Area of Play (LEAP) would need to be provided and it is noted that a Sustainable Urban Drainage System (SUDS) is proposed; however, for this to be considered POS deep fenced off balancing ponds or enclosed valley areas with steep gradients or inaccessible banks do not provide the amenity intended for by the policy and should not be included in the overall open space calculations. Dry balancing ponds where provided should have a shallow gradient to allow access for the public and maintenance for grass cutting equipment;

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 The National Planning Policy Framework (2019) sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a wide choice of high quality homes), 6 (building a strong and competitive economy), 9, (promoting sustainable transport) 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (conserving and enhancing

the natural environment) and 16 (Conserving and enhancing the historic environment) are particularly pertinent.

6.3 The following policies of The Adopted Core Strategy (ACS) 2014 are pertinent to the determination of the application: relevant

- Policy 2 – The Spatial Strategy
- Policy 10 – Design and Enhancing Local Identity
- Policy 11 – The Historic Environment
- Policy 19 - Developer Contributions

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

- LPD 3 – Managing Flood Risk
- LPD 4 – Surface Water Management
- LPD5 – Managing water quality
- LPD6 – Aquifer protection
- LPD 20 – Protection of Open Space
- LPD 21 - Provision of New Open Space
- LPD 26 – Heritage assets
- LPD 31 – Locally Important Heritage Assets
- LPD32 – Amenity
- LPD 35 – Safe, Accessible and Inclusive Development
- LPD 36 – Affordable Housing
- LPD37 – Housing type, size and tenure
- LPD 39 – Specialist Accommodation
- LPD 57 – Parking Standards
- LPD 61 – Highway Safety
- LPD64 – Housing allocations – Urban Area and edge of Hucknall

6.5 Other Guidance

Parking Provision for Non Residential Developments – Appendix D of the adopted Local Planning Document Part 2 Local Plan sets out parking standards for residential uses. Furthermore, the Affordable Housing SPD is also relevant.

7.0 **Planning Considerations**

Principle of development

7.1 The application site is allocated for residential development under policy LPD64 and is identified under criterion H4 as being able to supply 115 homes. The site is identified as one that will not be permitted to deliver homes prior to

the Gedling Access Road being complete as this will free up capacity by diverting traffic from the Arnold Lane/Shearing Hill area; this topic is explored later in this report. The policy identifies that the site will be capable of returning 23 affordable dwellings as well as contributions toward education, health and public open space.

- 7.2 In addition to the above, the application site falls within the main urban area of the Borough and has good access to services, including the Carlton Le Willows Academy and public transport. There are no overriding policy objections to residential development on the site although it is noted that parts of the site fall within flood zone 2 as well as the site being in relatively close proximity to Gedling House, a Grade II Listed Building, topics that are explored in greater detail later in this report. However, given that the site is allocated for residential development and is in a sustainable location to the edge of Nottingham, the principle of development is supported and complies with policy LPD64 and guidance within the NPPF.

Impact on the character of the area and residential amenity

- 7.3 The application is submitted in outline with only access committed at this stage so the impact on the character of the area from individual dwellings is currently not known but is something that would be controlled through subsequent reserved matters applications where matters such as the relationship between dwellings on site and those on Linden Grove will be explored in some detail. An indicative masterplan has been submitted in support of the application and indicates that part of the requisite Public Open Space (POS) will be toward the boundary with the railway line, the area of the site which has the greatest ecological interest. Furthermore, it is indicated that dwellings will back immediately adjacent to those on Linden Grove, which is likely to be broadly acceptable, subject to not detrimentally impacting on the amenity of occupiers from possible overlooking and overbearing impacts. However, based on the information submitted in support of this outline application there is no reason to suggest that the character of the area and residential amenity will be detrimentally impacted. As a result the application is deemed to comply with policies LPD32 and ACS10.

Impact on heritage assets

- 7.4 A Heritage Impact Assessment has been submitted in support of the application with it noted that the application site is visible from Gedling House, a Grade II Listed Building, and vice versa. Gedling House is an early C19 Country retreat; however, it is apparent that overtime its setting has significantly changed, most notably in that parts of the grounds now have Carlton le Willows school and associated playing pitches upon it. In addition, views from the Listed building have been further eroded by residential development to its south, which has largely removed the open country views that the dwelling would have once enjoyed. As a result, it is considered that residential development of the land would not have a significant detrimental impact on the setting of Gedling House; however, the building still has a prominence in the wider landscape given its raised location. As a result there would be a need to ensure that views of the building from the south are not detrimentally impacted by any dwellings that are erected and to this end the

Heritage and Conservation Officer suggested that buildings should be no taller than two-storeys in scale. This is a matter that can be dealt with at the reserved matters stage when scale is under consideration. However, an informative about this topic should be added to the decision notice indicating the scale of development that is likely to be acceptable. Having regard to the impact of the development on the setting of Gedling House it is considered that the application complies with policies LPD26 and LPD27 and guidance within the NPPF.

Drainage and flood risk

- 7.5 A flood risk assessment has been submitted in support of the application and identifies that parts of the application site are within flood zone 2 but this would not be an overall barrier to development and any flood risk concerns can be mitigated. Furthermore, the acceptability of the site for residential development in respect of flood risk has been explored through the process to allocate it for housing. The drainage strategy indicates that surface water will be stored on site in above ground attenuation, to comply with SUDS guidance. The outlet for surface water will be an existing drain, the Harrington Drain, to the southern edge of the site close the railway line. This type of drainage strategy is considered to comply with relevant guidance on flood risk. It should be noted that concern has been raised by third parties over a dyke that runs along the western edge of the application site adjacent to the properties on Linden Grove; however, surface water is not intended to be discharged into it. Furthermore, maintenance and ownership of the dyke is a civil legal matter between relevant parties.
- 7.6 Foul water will be discharged to the main foul network and the applicant is in discussion with Severn Trent over capacity; this means of disposing of foul water is acceptable. The application is therefore deemed to comply policies LPD3 and LPD4.

Highways

- 7.7 Vehicular access is proposed to be in a central location along Burton Road and a visibility splay of 2.4m by 43m can be achieved, with a footway on either side, this is shown on drawing 73712-CUR-00-XX-DR-TP-75001-P02. The highway Authority raise no objection to the access and there are wide verges in the area to ensure that greater visibility can be achieved and only a small section of hedgerow would need to be removed to facilitate the access.
- 7.8 Amended plans have been received that offer clarification on what is to happen with a layby to the front of 272 Burton Road and this is to be reduced in length and will still have an access point from Burton Road but it will be much reduced in length. The amended access to the lay-by is not considered to raise any highway safety concerns in that the layby is not excessively used, save for drop off and pick up at school times, and it will retain access to Linden Grove.
- 7.9 One of the key issues for the application is the overarching policy LPD64, which identifies that the site should not deliver homes until Gedling Access

Road (GAR) is complete. The reason for this is that completion of the GAR will divert traffic from Shearing Hill/Arnold Lane, thereby freeing up highway capacity in the local area. When the Local Planning Document was adopted it was apparent that there were a number of matters that still needed to be resolved about development of the GAR including funding, possible Compulsory Purchase Orders and its design; matters which have all been resolved. The application has been advertised as a departure to the development plan in that it is possible development of the site could commence before the GAR is complete. However, it is apparent that development of the GAR has commenced and, despite the recent covid pandemic, construction of the GAR is still on target for completion by late 2021. It also has to be borne in mind that if outline permission is granted there would be a need for a reserved matters application to be granted permission as well as other technical matters e.g. discharge of conditions, S278 Highway agreements etc. Paragraph 109 of the NPPF highlights that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe', which is not considered to be the case here. Following consultation with the Highway Authority they have identified that provided construction activity of Linden Grove did not materially affect or compromise construction of the GAR itself, they would not raise objection to this aspect of the development being relaxed and development of the site running alongside construction of the GAR, even if traffic levels were to return to pre-covid levels. However, there would be a need for the applicant to provide details of a 'construction masterplan' so that construction traffic can be controlled if the two proposals were to commence at the same time, something that could be secured via condition.

- 7.10 A Travel Plan has been submitted in support of the application and identifies the means by which the site can be accessed by public transport, with it apparent that there is a bus stop in close proximity to the site as well as a school. Following receipt of an updated Travel Plan the Highway Authority support the application in respect of provisions to encourage occupiers to travel sustainably. It should also be noted that a link is proposed to be provided from the site to the existing cycleway on Burton Road and details of this can be secured via a suitably worded condition. Furthermore, a request has been made from the County Council for financial contributions toward bus stops in the local area as well towards sustainable transport, which is covered in the Planning Obligations section of the report.
- 7.11 Having regard to the above it is considered that the application would not be detrimental to highway safety and is well linked to the public transport network. Nor, subject to a condition, is it considered necessary to restrict development to not commence until the GAR is complete. Having regard to the above it is considered that the application complies guidance within the National Planning Policy Framework, Aligned Core Strategy Policy 10; LPD 57 and LPD61 and whilst there is conflict with policy 64 in that the GAR may not be complete when development is due to commence, it is not considered that this would justify a refusal of permission given that the Highway Authority raise no objection to the proposal.

Landscaping and ecology

- 7.12 With the application submitted in outline form there are limited details with regard to the landscape strategy for the site; however, an arboricultural assessment has been submitted in support of the application along with an ecological report. The vast majority of the site is arable farmed and has limited ecological benefits. To the periphery of the site are a number of relatively mature hedgerows and planting, with a landscape buffer adjacent to Colwick Loop road. To the southern edge of the site, adjacent to 45 Linden Grove, is a green area that is largely detached from the arable field by planting; this space is considered to have some ecological benefits as well as being close to the watercourse that will be used for drainage. However, the ecological report identifies that there are no protected species in the area that will be detrimentally impacted and it is intended for this part of the site to form part of the public open space, which is welcome in that it will retain as green space in the area that has the highest ecological benefit. There is no indication that existing green boundary treatments will be removed as part of the application, although final details of this will not be clear until a detailed landscaping scheme is submitted. Whilst the ecological report identifies that there are no badger sets on site it does recommend an additional survey be undertaken prior to commencement of development to ensure that none have moved on to the site. Furthermore, a condition is recommended to secure ecological benefits on site e.g. bat boxes etc. Having regard to the above the scheme is considered to be acceptable in terms of landscaping impacts and the proposal complies with the objectives of the National Planning Policy Framework and Aligned Core Strategy Policy 10.

Planning obligations

- 7.13 Given the number of dwellings to be erected there would be a need to seek contributions to make the development acceptable in planning terms. The contributions sought from each of the consultees is outlined below and the merit of each addressed in turn;
- Affordable housing – the development would be required to return 20% affordable dwelling, which would equate to 24 units. This should comprise 17 affordable rent and 7 intermediate e.g. shared ownership. This level of contribution is supported by policy LPD36 and the Affordable Housing SPD.
 - Education – there is capacity at the local primary school to accommodate the number of children that the development would generate. However, a contribution of £453,625 is sought toward the 19 additional secondary places that the development would generate and this is supported by policy 19 of the ACS and evidence provided by Nottinghamshire County Council.
 - Highways – a contribution of £20,000 is sought toward improved bus stop provision along Burton Road. Furthermore, a request for £45,000 toward sustainable transport has been made. Whilst the request to improve bus stops is considered to be directly related toward the development in question, the request toward sustainable transport is considered to be

more ambiguous and requests contributions toward a 6-month smartcard bus pass, or taster tickets. However, the Travel Plan (TP) submitted in support of the application largely addresses these concerns and identifies that taster tickets and public transport information will be supplied in the form of welcome packs to each household. Therefore, given that the TP is proposed to be approved it is recommended that only the £20,000 toward bus stop enhancement be sought, in that the TP addresses the sustainability transport request and would lead to a duplication of this function. The highway contributions as outlined above are supported by policy 19 of the ACS.

- NCC Libraries have indicated that the application will generate greater demand on their services and that additional books would need to be bought at Carlton library. As a result a contribution of £4,228 toward increased stock is sought and is deemed to comply with guidance within policy 19 of the ACS.
- The Primary Care Trust (PCT) request a contribution of £65,025 toward enhancing capacity at any of four practices that will be affected by the development, namely Westdale Lane Surgery, Unity Surgery, Park House Medical Centre and Appletree; this request is supported in that there are capacity issues that need to be addressed in these local surgeries. However, the Secondary Care Trust (SCT) have sought a contribution of £107,308.00 toward Nottingham University hospitals but this is not considered to be directly linked to the application in that the PCT request fills this local function and, therefore, the SCT request is not supported. The contribution sought by the PCT is supported by policy 19 of the ACS.
- There is a requirement for POS at not less than 10% as well as a Local Equipped Area of Play. This would be secured through a section 106 agreement as well as details being included so that future maintenance of the POS could, if required, be adopted by Gedling Borough Council; this is compliant with LPD21.
- A local labour agreement would also be sought through the s106 legal agreement, although this would not require the transfer of any monies, and the request is supported by policy LPD48.

The contributions sought are deemed to comply with guidance as outlined in paragraph 56 of the NPPF, which outlines the tests required to seek a planning obligation as well as ACS19 and Section 122 of The Community Infrastructure Levy Regulations 2010

Other matters

- 7.14 A number of concerns have been raised about possible incursions into third party land as part of the application but the applicant has indicated that they own all of the land and there is no reason to dispute this and such matters are

civil legal matters. Furthermore, the possible devaluation and loss of a view from existing properties is not a material planning consideration in the determination of this application.

8.0 Conclusion

- 8.1 The principle of development is supported in that the site is allocated for residential development under policy 64 of the Local Planning Document. Subject to conditions, it is considered acceptable to allow development in advance of completion of the GAR, if required. Furthermore, contributions are sought to make the development acceptable in planning terms with regard to affordable housing; education; health, libraries and highways. Details with regard to final layout will be secured through subsequent reserved matters and, subject to conditions, the development is not considered to have an adverse impact on highway safety; drainage/flooding; ecology or the amenity of neighbouring properties.
- 8.2 The application is, therefore, deemed to comply with policies 2, 10, 11 and 19 of the Aligned Core Strategy; policies 3, 4, 20, 21, 26, 31, 32, 35, 36, 39, 40, 57 and 61 of Local Plan Document and guidance contained within the NPPF; whilst a departure from policy LPD64 it is not considered that this would justify a refusal of planning permission weighing all material planning considerations in the round.

9.0 Recommendation: Grant Planning Permission: Subject to the owner(s) entering into planning obligations 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, education, bus stop improvements, health, public open space including management arrangements for the open spaces/drainage feature and a local labour agreement; and subject to the conditions listed for the reasons set out in the report:

Conditions

1. Application for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission. Details of appearance, landscaping, layout and scale (hereinafter called the reserved matters) for the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

2. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

3. This permission shall be read in accordance with the application form and following list of approved drawings:

73712-CUR-00-XX-DR-TP-75001-P02 - vehicular access

Location plan

Design and Access Statement

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

4. No dwelling permitted to be erected at the reserved matters stage shall be occupied until a suitable access arrangement has been provided in accordance with the approved drawing entitled 'Access Arrangement', drawing no. 73712-CUR-00-XX-DR-TP-75001P02.

5. No part of the development hereby permitted shall take place until a construction management plan, which shall include details with regard to wheel washing, has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be completed in accordance with the agreed details

6. No dwelling permitted to be erected at the reserved matters stage shall be occupied until the roads necessary to serve that dwelling have been constructed to base level.

7. No dwelling permitted to be erected at the reserved matters stage shall be occupied 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.

8. Development shall proceed in accordance with the approved Travel Plan ref: 73712-CUR-00-XX-RP-TP-002 rev V04 (dated 14 May 2020).

9. No development shall take place until a Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Phasing Plan.

10. From the date of first occupation every property built on the site with one or more dedicated vehicle parking spaces and/ or a garage shall be provided with access to an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle. 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.

11. 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 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, thereafter, be undertaken in accordance with the approved CEMP

12. Before development is commenced on site there shall be submitted to and approved in writing by the Local Planning Authority, details of a surface water drainage scheme for the site, based on sustainable drainage principles and in broad accordance with the drainage strategy contained in the flood risk assessment. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development.

13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development thereafter.

14. Prior to the commencement of development there shall be submitted to and approved in writing by the Local Planning Authority a contaminated land risk assessment that will include the following: 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.

15. 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.

16. 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.

17. Development shall proceed in accordance with the approved noise report, completed by Hoare Lea (ref: Burton Road, Gedling REP-1011670-05-AM20190916-Rev 01.docx) and the mitigation therein, notably with regard to window details and ventilation for any façade of a dwelling that fronts the railway line, Burton Road and Colwick Loop Road. Verification that the approved sound insulation has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

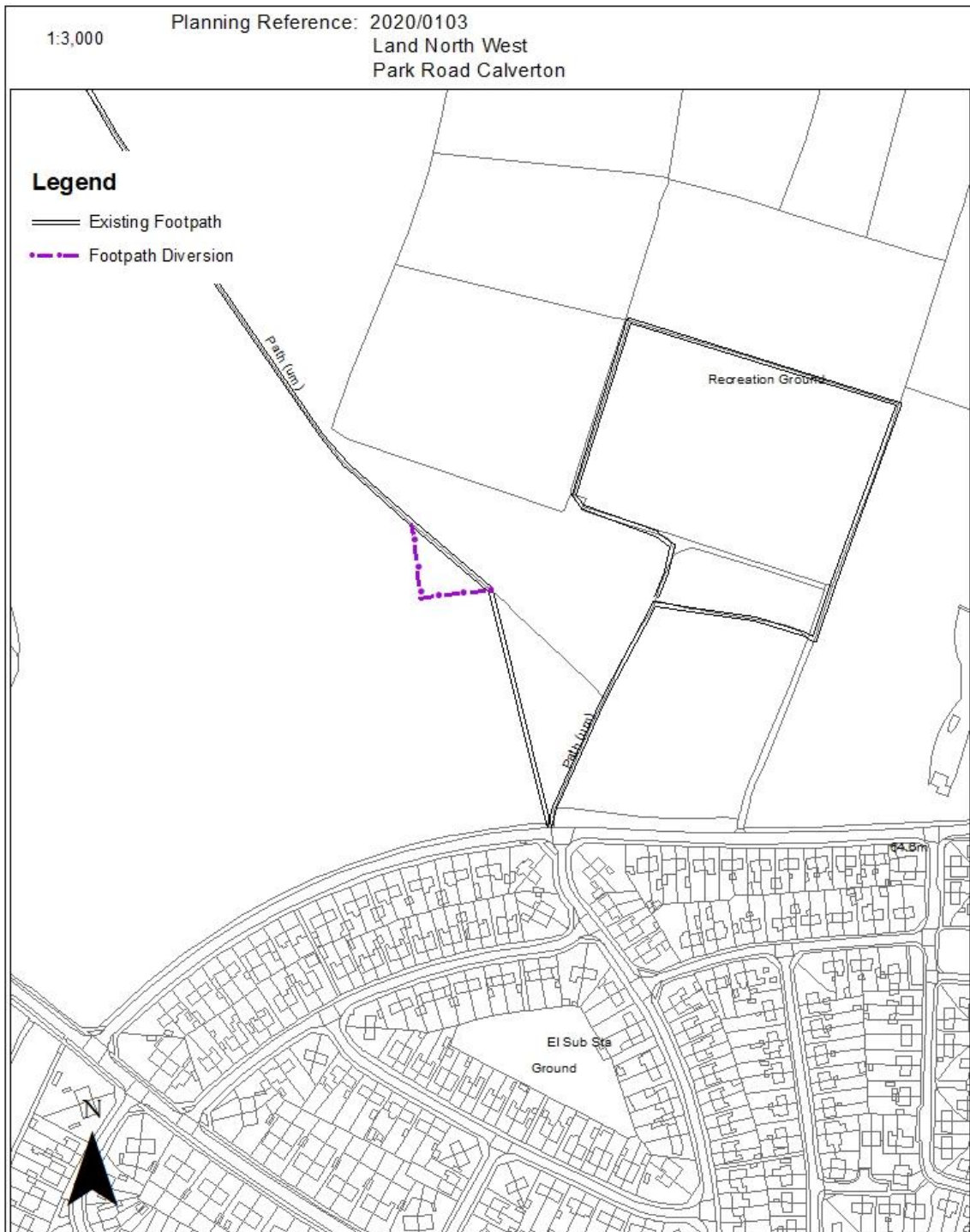
18. Prior to the commencement of development, a badger survey of the site shall be submitted and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall thereafter be implemented in accordance with the approved report.

19. Prior to the commencement of development a report identifying ecological enhancements for the site shall be submitted to and approved in writing by the Local Planning Authority. The enhancements as approved shall be installed prior to completion of the development.

20. As part of the reserved matters application a Tree Protection Plan shall be submitted in support of the application identifying all trees and ecological features that are to be retained along with the extent of fencing to protect them during construction.



Planning Report for 2020/0103



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Serving People. Improving Lives

Date: 24/07/2020

Report to Planning Committee

Application Number:	2020/0103
Location:	Land north of Park Road, Calverton
Proposal:	Diversion of Calverton Footpath No. 39 for 90m (as per drawing ref CA-FD-01).
Applicant:	Persimmon Homes
Agent:	
Case Officer:	Nigel Bryan

1.0 Purpose of report

- 1.1 The application is before Planning Committee to seek authorisation to make an order to divert Calverton Footpath No. 39, off Park Road, Calverton, for a distance of some 90m. The application is made pursuant to Section 257(1A) of the Town and Country Planning Act 1990 (as amended), which allows for a footpath to be diverted provided it is necessary to enable development to be carried out in accordance with a valid planning permission.

2.0 Site description

- 2.1 The application site is an open field agricultural field and the public right of way links Park Road with land to the north. The stretch of path where the footway is to be diverted rises gently in a northerly direction.

3.0 Relevant planning history

- 3.1 Outline permission was granted under refer 2018/0607 for the erection of up to 365 dwellings, with all matters reserved except access, with access served from Park Road and Collyer Road.
- 3.2 A reserved matters application pursuant to outline permission 2018/0607 is currently under consideration by the Council under reference 2020/0020, and is for the erection of 351 dwellings covering layout, landscape, scale and appearance.

4.0 Proposed development

- 4.1 Calverton Footpath No. 39 crosses the development site subject to application 2020/0020. To facilitate the erection of a number of dwellings Calverton

Footpath No. 39 would need to be stopped up or diverted. It is proposed that the footpath is diverted for a distance of 90m. Currently the footpath heads directly north from Park Road before turning roughly 45-degrees in a north-westerly direction. It is proposed that the first section of the path where it goes in a north-westerly direction is altered in that it will go due west before heading due north to meet up again with the original line of the path on a 45-degree angle. The proposed new route is shown on drawing ref CA-FD-01 by bold green dashes.

- 4.2 As part of the original consultation on application 2020/0103 Calverton Parish Council confirmed that they raise no objection to the application and the Rights of Way Officer for the County Council raises no objection but would want the applicant to be aware that the footpath should be not less than 1m wide.

5.0 Planning considerations

- 5.1 Section 257(1A) of the Town and Country Planning Act 1990 states that a competent authority may by Order authorise the stopping up or diversion of any footpath if they are satisfied that it is necessary to do so in order to allow a development to be carried out in accordance with a planning permission. The procedure for doing so is set out in Schedule 14 of the Town and Country Planning Act. This includes the process for making an order, consultation and publication, dealing with representations and objections and confirmation.

- 5.2 Paragraph 7.15 of the 'Rights of way circular (01/09)' advises that in the making of an order for the diversion of a Public Right of Way to enable development:-

“The local planning authority should not question the merits of planning permission when considering whether to make or confirm an order, but nor should they make an order purely on the grounds that planning permission has been granted. That planning permission has been granted does not mean that the public right of way will therefore automatically be diverted or stopped up. Having granted planning permission for a development affecting a right of way however, an authority must have good reasons to justify a decision either not to make or not to confirm an order. The disadvantages or loss likely to arise as a result of the stopping up or diversion of the way to members of the public generally or to persons whose properties adjoin or are near the existing highway should be weighed against the advantages of the proposed order”.

- 5.3 Paragraph 7.8 of the circular explores what the determining authority should consider when determining an application:-

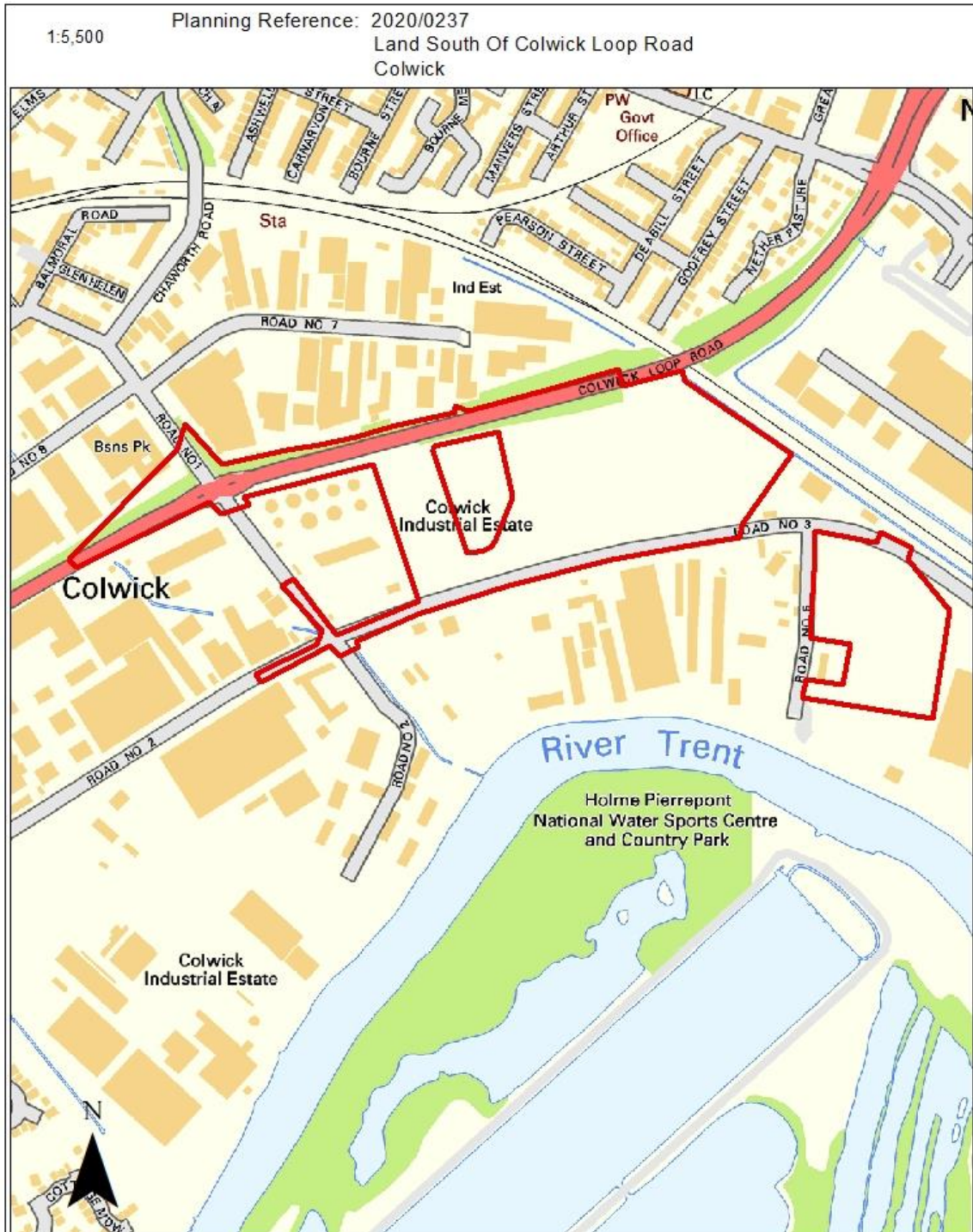
“In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic”.

- 5.4 The alteration to the path will have no discernible impact on the permeability of the site or footpath as a whole, which will have the same access points at Park Road and land to the north. Parts of the path will now run along a section of highway but the vast majority of the remainder of the path will pass through public open space and it is not considered there would be a detrimental impact on the enjoyment of people using the path in that the alternative is likely to be a narrow footway between residential gardens and what has been put forward is considered to be an acceptable solution. Furthermore, the highway along which it would run is not the main road through the site but one that would be used by a small number of residents. Taking into account the above it is recommended that the Director of Organisational Development and Democratic Services is authorised to make the diversion order as it is necessary to enable development to be carried out in accordance with a planning permission (if that planning application (ref: 2020/0020) is granted) and that it complies with relevant guidance within circular 01/09.
- 5.5 If Members are minded to approve the making of an order divert the footpath, the Council will then look to undertake relevant consultation with statutory consultees and interested parties, erect a site notice at each end of the footpath and advertise the making of the order in a local newspaper. If after the statutory consultation period of 28 days has passed, and there are no outstanding objections to the making of the order, it is proposed that authority is given to the Director of Organisational Development and Democratic Services, without additional reference back to the Planning Committee, to confirm the order. However, if any objections to the making of the order remain unresolved, the matter would then need to be referred to the Secretary of State for determination.

Recommendation: That Members authorise the Director of Organisational Development and Democratic Services to make an order under s257(1A) of the Town and Country Planning Act 1990 (as amended) to divert Calverton Footpath No. 39 for a distance of 90m as per drawing ref CA-FD-01, carry out the procedure under Schedule 14 of the Town and Country Planning Act 1990 for confirmation of the order and, following consultation and publication, to confirm the order if there are no outstanding objections to the order. However, if there are outstanding objections, the matter be referred to the Secretary of State for determination.



Gedling
Borough Council
Planning Report for 2020/0237



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Date: 17/07/2020

Report to Planning Committee

Application Number:	2020/0237
Location:	Land South of Colwick Loop Road
Proposal:	Section 73 application for amendments to planning permission 2013/0500 (as amended by 2016/1177NMA) relating to alterations to the approved Sainsbury's store and service yard at land south of Colwick Loop Road.
Applicant:	Sainsburys Supermarket Ltd
Agent:	WSP Indigo
Case Officer:	Nigel Bryan

The application is referred to Planning Committee with the proposal a major application the erection of commercial floor space over 5,000sqm.

1.0 Site Description

- 1.1 The application site comprises land to the south of Colwick Loop Road, which is currently vacant and was previously utilised for petroleum storage but the use has now been disbanded and it is largely laid with hardstanding that has elements of scrub and self-set trees on it. There is a roundabout in the southwest corner of the site that would allow vehicular access to the site and has been completed in accordance with the original permission which remains extant. The site is largely flat and devoid of any significant features.
- 1.2 On this side of the Colwick Loop Road the area is a mixture of industrial and commercial uses reflected in the land being allocated for employment use under policy LP44.

2.0 Relevant Planning History

- 2.1 Application 2013/0500 was a hybrid application in that part of the development was submitted in full whereas some elements were made in outline. The various aspects of the development as granted permission are summarised below:

- The full planning permission was for a foodstore consisting of:
- 7,665m² (82,506ft²) net sales area

- 11,781m² (126,811ft²) Gross External Area
- Associated customer restaurant, colleague areas and bulk stock facilities
- 798 car parking spaces (including 46 disabled and 46 parent & child)
- Motorcycle and bicycle parking
- 9 pump petrol filling station including a car wash and kiosk of 111m² Gross External Area
- Highway works including a new access road, road widening and junction improvements to Colwick Loop Road, private Road Nos. 1, 3 and 5.

The outline planning permission was granted for employment units (B1, B2 and B8) with a minimum Gross External Area (GEA) of 6,440m² and maximum GEA of 9,894m².

- 2.2 The application was granted permission and was subject of two separate section 106 Legal agreements, one with Nottinghamshire County Council for a contribution toward Travel Plan monitoring and one with Gedling Borough Council for a contribution toward Air Quality Monitoring.
- 2.3 2014/0770DOC – the application is for the approval of details reserved by condition 11 of permission 2013/0500, in relation to a local labour agreement, the application remains to be determined.
- 2.4 2015/0484DOC – the application is for the approval of details reserved by condition 8 of permission 2013/0500, in respect of contamination on the site. The details as submitted are acceptable with regard to the remediation proposed, although a verification report would also need to be submitted once the approved works have been completed.
- 2.5 2016/1177/NMA – the application was for a ‘Non Material Amendment to Planning Permission 2013/0500 (Construction of A1 retail unit with ancillary restaurant & concession units, service yard, petrol filling station & car wash, car parking, landscaping & highways works (full application) & B1/ B2 / B8 employment uses (outline application)) to allow details required by conditions in respect of the retail and employment proposal to be provided following the implementation of the approved highway works’. The non-material amendment was granted permission and, in effect, allows the installation of requisite highway works prior to the discharge of pre-commencement conditions in relation to the A1 store.
- 2.6 2016/1253 – A certificate of lawfulness has been granted for ‘the operations consist of the laying out and construction of the approved highway works (as specified in the schedule 2) in accordance with planning permission reference 2013/0500’.

3.0 Proposed Development

- 3.1 The application has been made under S73 of the Town and Country Planning Act, to update the list of approved drawings. Such applications are treated as

a minor material amendment to the previously approved scheme and the alterations proposed are summarised below;

- New glazing to front and side elevations and re-siting of ATM's;
- The cycle parking and customer pick up point has been moved;
- Reconfigured the rear of the store to facilitate extra deliveries, increased Goods Online (GOL) and to take into account Argos now being in the store;
- The size of the store has reduced by 246sqm to accommodate deliveries for Argos;
- Alterations to rooflights;
- The roof plant area has been relocated and
- Alterations to the service yard layout.

3.2 For the avoidance of doubt, the outline aspect of the hybrid permission for the erection of employment units (B1, B2 and B8) with a minimum Gross External Area (GEA) of 6,440m² and maximum GEA of 9,894m² has lapsed and the only aspect of the development that can be implemented is the full application for the retail store, currently under consideration.

3.3 Furthermore, there are aspects of the S106 Legal Agreement that have lapsed along with the outline permission, although this is covered in greater detail later in this report.

3.4 In addition, with the application being an application under S73 of the Town and Country Planning Act the application is being assessed as an Environmental Impact Assessment (EIA) development, as was the previous application; an EIA Addendum has been submitted in support of the current application. The addendum notes that the quantum of development under consideration is only part of that which made up the original application and of particular note is that the Total Oil Refinery has now been decommissioned.

4.0 Consultations

4.1 A press notice was published, a site notice displayed and neighbour notification letters posted. As a result of consultation undertaken one letter has been received from a neighbouring firm questioning how they will be impacted by the development in terms of highway movements, rights of way, hours of opening etc.

4.2 Nottinghamshire Wildlife Trust – Note that the new surveys have now been submitted in support of the application, although there are two invertebrate surveys still pending. In the absence of the two surveys they maintain an objection to the application as well recommending that a Biodiversity Management Plan be secured through a suitably worded condition, as well as seek improvements to the landscaping in terms of its ecological benefits.

4.3 Environment Agency (EA) – note that original conditions attached to the permission, as suggested by the EA, will not be impacted by the development. Therefore, they raise no objection to the application.

4.4 Rights of way officer – notes that Public Right Of Way are adjacent to the site but not within it and, as result, the application would not detrimentally impact

them, although a note should be added that during construction they be retained open at all times.

- 4.5 Highway Authority (Nottinghamshire County Council) – Note that the changes proposed would have no negative highway impacts.
- 4.6 Arborist – notes that the trees on site are limited and that the replacement planting would mitigate any losses.
- 4.7 Environmental Health (contamination) – Note that whilst the condition to do with contamination is partially discharged, other works are still required prior to the development commencing.

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 The National Planning Policy Framework (2019) sets out the national objectives for delivering sustainable development. Sections 4 (Decision making), 6 (building a strong and competitive economy), 7 (Ensuring the vitality of town centres), 9 (promoting sustainable transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (conserving and enhancing the natural environment) are particularly pertinent.
- 6.3 The following policies of The Adopted Core Strategy (ACS) 2014 are pertinent to the determination of the application: relevant
- Policy A – Presumption in Favour of Sustainable Development
 - Policy 1 – Climate change
 - Policy 2 – The Spatial Strategy
 - Policy 4 – Employment Provision and Economic Development
 - Policy 7 – Regeneration
 - Policy 10 – Design and Enhancing Local Identity

- Policy 19 - Developer Contributions

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

- LPD 3 – Managing Flood Risk
- LPD 4 – Surface Water Management
- LPD7 – Contaminated land
- LPD10 – Pollution
- LPD11 – Air quality
- LPD18 – Protecting and enhancing biodiversity
- LPD32 – Amenity
- LPD 35 – Safe, Accessible and Inclusive Development
- LPD44 – Retention of employment uses and employment uses
- LPD 57 – Parking Standards
- LPD 61 – Highway Safety.

6.6 Other Guidance

Parking Provision for Non Residential Developments – Appendix D of the adopted Local Planning Document Part 2 Local Plan sets out parking standards for superstores.

7.0 **Planning Considerations**

Principle of development

7.1 The principle of development has been established following the grant of permission 2013/0500 which could be implemented at any time by the applicant (subject to additional conditions being discharged) with the permission having been lawfully implemented, a certificate of lawfulness has also been granted to confirm this (ref: 2016/1253). Furthermore, the land is allocated for employment uses in the Local Plan.

7.2 Having regard to the above, the principle of development is supported and the main aspect of the development under consideration is whether or not the alterations proposed are considered to be ‘minor material’; would respect the character of the area; matters relating to previously signed S106 legal agreements and ecological matters.

Minor material amendment and impact on the character of the area

7.3 The changes proposed to the scheme over and above those that have been granted permission are outlined in paragraph 3.1 of this report. Of particular note is that the floor area of the building is reducing by 246sqm and the changes proposed are largely as a result of operational changes given a

greater emphasis on deliveries and internet shopping, as well as Argos now being in the store. However, the overall appearance of the building, particularly the front aspect, will not significantly alter and the alterations proposed are largely 'back of house'. Whilst there is no statutory definition of 'minor material amendment' it is noted that the scheme should not be 'substantially different' to that previously approved, which is considered to be the case here, particularly taking into account the quantum of development that benefits from permission; notably the access and parking arrangements will remain the same too. Weighing these factors in the round, it is considered that the alterations are minor material and that the application can be determined under S73 of the Town and Country Planning Act as an alteration to conditions.

Ecological impacts

- 7.4 A new ecological appraisal has been submitted in support of the application, to reflect the passage of time since the original application was determined some 6 years ago. The phase 1 habitat survey identifies that there would be a need to undertake additional surveys with regard to great nested newts, bats, reptiles and invertebrates. All of these detailed surveys have been submitted, save for two remaining invertebrate surveys. The reports identify that no great crested newts or reptiles were found and that the site is used for the foraging of bats but no suitable roosts were on site.
- 7.5 Ecological impacts were considered under the extant permission, 2013/0500, in that condition 9 required the installation of bat and bird boxes, which is supported by the updated ecological appraisal. Furthermore, approval of a Biodiversity Management Plan (BMP) is proposed to be secured via condition which will look to secure other improvements e.g. sensitive lighting along the eastern boundary with the railway line, a wildlife corridor, planting to encourage bees etc.
- 7.6 It is noted that Nottinghamshire Wildlife Trust (NWT) maintain their objection to the application on the grounds that the two invertebrate surveys have not been completed in support of the current application; however, this has to be weighed against the fact that there is an extant planning permission in place that could be implemented and any possible detrimental impacts on protected species would need to be enforced under other legislation e.g. The Wildlife and Countryside Act 1981.
- 7.7 Conditions are proposed to be added to ensure that additional surveys are undertaken and submitted for the written approval of the Local Planning Authority, with any mitigation contained therein approved and implemented. Furthermore, the BMP should ensure that additional mitigation can be approved. Having regard to the above it is considered that the application complies with policy LPD18.

Planning obligations

- 7.8 A section 73 application, if granted, will be a standalone permission and, therefore, to secure the contributions granted with the original permission

there would be a need to ensure that a deed of variation to the original section 106 Legal Agreements are secured, or the requirements of the original s.106 be fulfilled prior to a new permission being issued e.g, the monies sought is paid.

- 7.9 When the original application was granted two separate Section legal agreements were issued; one direct with Nottinghamshire County Council (NCC) for Travel Plan Monitoring and one with Gedling Borough Council (GBC) for Air Quality Monitoring. In both instances the applicant has offered to pay the money up front and in advance of issuing a decision on the current application. This approach is considered to be acceptable to both NCC and GBC. In this instance the money sought is £1,329.52 to Gedling Borough Council and £9,170.67 to Nottinghamshire County Council.
- 7.10 At the time of writing this report the contributions have not yet been paid but it is anticipated that they will be made in advance of the application being considered by the Planning Committee. This is something that can be verbally reported to the Planning Committee but, regardless, it is recommended that a decision notice not be issued until such monies sought has been paid by the applicant.

Other matters

- 7.11 It should be noted that many other aspects of the development have been considered through the original full planning permission and need not be revisited through this S73 application, which is looking to make alterations to the building itself. In respect of highway safety and parking, this will remain unaltered from that previously granted permission and only minor changes are proposed to the delivery area and Nottinghamshire County Council, the Highway Authority have raised no objection to the application. Furthermore, matters such as drainage and contamination have conditions attached to the original permission that would still be pertinent to the current permission, considered in more detail in subsequent paragraphs.
- 7.12 In addition, whilst noting that the original permission was granted in January 2014 and there have been a number of changes to policy documents since that time, notably that the application now falls to be determined against the Aligned Core Strategy, Local Planning Document and NPPF (2019); however, there has been no fundamental change to policies therein that are pertinent to this application and would now indicate the development is now unacceptable, particularly having regard to the fact that there is an extant planning permission in place on the site.
- 7.13 With the application being made under S73 of the Town and Country Planning Act the Council are able to update the list of approved drawings as were originally outlined in condition 3 of 2013/0500. Typically this would be the only conditions that would be altered. However, given that the original permission was a hybrid, in that the retail element was approved in full whilst the outline has now lapsed, there would be a need to remove a number of conditions that are no longer considered pertinent as well as alter conditions in respect of ecology to reflect updated information submitted in support of the current application.

7.14 The conditions that are no longer relevant to the application, specifically with regard to the now expired outline permission in respect of industrial units are 1, 2 and 31. Condition 3, the list of approved drawings is updated to reflect the application under consideration. Condition 8 is updated to reflect the information approved under previous discharge of condition applications. All other conditions with regard to highways, drainage etc will remain the same. With specific regard to ecological matters, condition 9 of the original permission is still considered to be relevant (bat and bird boxes) but a number of additional conditions are required to ensure that additional surveys with regard to invertebrates are completed, and mitigation implemented, along with the submission and approval of a Biodiversity Management Plan.

8.0 Conclusion

- 8.1 The principle of development is supported in that there is an extant permission on site and the land is allocated for employment uses under LPD44. The application would grow the economy, respect the character of the area and not have a detrimental impact on highway safety, drainage or ecology, subject to conditions.
- 8.2 The application is, therefore, deemed to comply with guidance contained in the National Planning Policy Framework (2019); policies A, 1, 2, 4, 7, 10 and 19 of the Aligned Core Strategy and policies 3, 4, 7, 10, 11, 18, 32, 44, 35, 57 and 61 of the Local Planning Document.

RECOMMENDATION:- That the application be granted permission, subject to the conditions outlined below and following confirmation that monies sought under section 106 agreements pursuant to permission 2103/0500 to both Gedling Borough Council and Nottinghamshire Country Council has been paid in full.

1. This permission shall be read in accordance with the application form and following list of approved drawings:

- o Location Plan A-PL-001 Rev. C
- o Existing site plan A-PL-003 Rev. B
- o Proposed site plan A-PL-011 Rev. E
- o Proposed foodstore plan A-PL-012 Rev. B
- o Proposed foodstore roof plan A-PL-013 Rev. B
- o Proposed elevations A-PL-014 Rev. B
- o Existing & proposed site sections A-PL-015 Rev. B
- o Proposed recycling centre details A-PL-016 Rev. B
- o Proposed service yard plan A-PL-017 Rev. B
- o Proposed petrol filling station plan A-PL-020 Rev. B
- o Proposed petrol filling station elevations A-PL-021 Rev. B
- o Masterplan GC.81800.001 Rev. B
- o Tree constraints plan Sheet 1 of 2 GC.81800.201 Rev. A
- o Tree constraints plan Sheet 2 of 2 GC.81800.202 Rev. A
- o Detailed Planting Plan 1 of 2 GC.81800.301 Rev. E
- o Detailed Planting Plan 2 of 2 GC.81800.301 Rev. E

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

2. Prior to the commencement of development of the retail elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a sample panel of materials to be used in the external elevations of the food store building, kiosk and carwash, shall be submitted to and approved in writing by the Borough Council. Once approved the development shall be completed in accordance with the approved materials.
3. The retail and employment elements shall be carried out in accordance with the measures set out under the Air Quality Mitigation Strategy dated 22nd July 2013. A verification report to demonstrate compliance with the Air Quality Mitigation Strategy shall be submitted to and approved in writing by the Borough Council before the respective elements are first brought into use.
4. The development hereby granted full planning permission shall be completed in accordance with the tree constraints and protection plans and notes drawing nos.GC.81800.201 rev A and GC.81800.202 rev A.
5. There shall be no vegetation clearance and demolition works during the main bird nesting period (March - August), unless otherwise prior agreed in writing with the Local Planning Authority.
6. Development shall proceed in accordance with remediation details as approved under discharge of condition application 2015/0484DOC. Prior to occupation of the development hereby approved a verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the remediation works as approved have been successfully completed.
7. Prior to the occupation of the retail or employment elements details of bat and bird boxes to be incorporated within the approved relevant element shall be submitted to and approved in writing by the Borough Council. Once approved the bat and bird boxes shall be installed in accordance with the approved details prior to the relevant element being brought into use.
8. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) drainage plans for the disposal of surface water and foul sewage relating to the respective element shall be submitted to and approved in writing by the Borough Council. The drainage scheme shall be implemented in accordance with the approved details before the respective element is first brought into use.
9. The retail elements hereby approved shall not be brought into use until full details of the Local Employment Partnership, as outlined in Appendix 11 of the Planning and Retail Report submitted as part of this application, has been submitted to and approved in writing by the Local Planning Authority and evidence has been provided to demonstrate that the partnership has been established. In addition the details to be submitted shall also set out how the partnership shall be sustained throughout the

life time of the development. The development shall thereafter operate in accordance with the approved Local Labour Agreement.

10. Prior to the occupation of the retail element details of the retail unit car park barrier, including a management plan for the car park barrier, shall be submitted to and approved in writing by the Borough Council. The management plan shall include details of the times and respective days that the gates will be opened and closed as well as details of who will be responsible for ensuring the gates are opened and closed at these times. Once approved the proposed car park barrier shall be installed prior to the retail unit first being brought into use and operated in accordance with these details at all times unless otherwise agreed in writing by the Borough Council.

11. Prior to the commencement of development of the retail and employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a Construction Management Plan for the respective element shall be submitted to and approved in writing by the Borough Council. The Construction Management Plan shall demonstrate that the works can be carried out without affecting or causing any obstruction to Carlton Footpaths 22 and 23. The respective element shall be completed in accordance with the approved relevant Construction Management Plan.

12. The development shall not be occupied until the following works have been provided in accordance with details that have been first agreed with the Local Highway Authority: a) A new signalised junction has been provided on to the Colwick Loop Road. b) Highway improvements have been provided at Colwick Loop Road / Road No1 junction. c) Highway improvements have been provided at A612 / Burton Road / Shearing Hill junctions to the satisfaction of the Local Planning Authority.

13. The retail and employment elements shall not be brought into use until the access roads parking, turning and servicing areas relating to the respective element are surfaced in a hard bound material and delineated on site, to the satisfaction of the Local Planning Authority. The surfaced areas and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

14. The retail and employment elements shall not be brought into use until a scheme relating to the respective elements to regulate the discharge of surface water from the access roads, parking, turning and servicing areas to the public highway is submitted and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the respective element being brought into use.

15. The food store element hereby permitted shall not be brought into use until the cycle parking layout as indicated on drawing A-PL-011 Rev. E (Proposed site plan) has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

16. The retail elements shall not be occupied until the off-site traffic management works comprising of a weight restriction on Mile End Road have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

17. Details of measures to prevent the deposit of debris upon the adjacent public highway as a result of the construction of any part of the retail or employment elements shall be submitted to and approved in writing by the LPA prior to commencing work on the respective element. The approved measures shall be implemented in accordance with the agreed measures, and retained in situ until construction of the respective elements is available for use.

18. The retail or employment elements shall not be occupied until a Full Travel Plan for the respective element 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 unless otherwise agreed in writing by the local planning authority

19. The retail and employment elements shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures: a) As a minimum, proposed floor levels will be set with a freeboard of 600mm above existing ground levels. b) Other than in those areas where levelled or graded access is required to or from a building or to provide vehicular access into and between the respective elements, external finished ground levels will be no less than 300mm below the proposed floor level of the nearest building. c) Where local flooding occurs surface water runoff is to be routed away from the buildings along the footways and roadways to the drainage system. The mitigation measures for each respective element shall be fully implemented prior to occupation of the respective element.

20. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a scheme to provide an evacuation plan for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with their emergency planner. The approved scheme for the respective element shall be fully implemented and subsequently maintained.

21. Prior to the commencement of development of the retail and employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a scheme to provide flood resilience design for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Council's emergency planner. The scheme for each element shall be fully implemented and subsequently maintained.

22. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a surface water drainage scheme for the respective element, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The respective scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The respective scheme

shall subsequently be implemented in accordance with the approved details before the respective element is brought into use. The scheme shall include: a) The utilisation of sustainable drainage techniques, including rainwater harvesting for the supermarket and permeable paving within the retail element; b) Limitation of the runoff rate to a 20% betterment from the existing drainage conditions for the retail element (limiting discharge to 4.7l/s/ha (QBAR)); and a 10% betterment for the employment element (limiting discharge to 5.3l/s/ha (QBAR)); as detailed in a letter dated 16th September 2013 from Morgan Tucker. c) Water quality management incorporated within the design, with two forms of treatment prior to discharge from the site; d) Demonstration through hydraulic calculations that appropriate attenuation is to be provided to limit the rate of runoff from the site; e) Confirmation of responsibility and management of the drainage features on construction of the scheme.

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

24. Prior to the commencement of development of the petrol filling station (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a scheme to install petrol storage tanks shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tank(s), tank surround, associated pipework and monitoring/ leak detection system, along with: a) Proposed method of petrol storage; b) Justification for this method of storage; c) Groundwater levels for this specific part of the site; d) Site specific risk assessment outlining the volume, type of pollutants being stored and the hydrogeological situation. Where potential risks have been identified, the Local Planning Authority will require mitigation measures to be implemented to ensure that there is no release of hazardous substances into the Secondary Aquifer.

25. The schemes approved under conditions 19, 20, 21, 22 and 23 shall be fully implemented and subsequently maintained in that form.

26. Notwithstanding condition 1 above, prior to the commencement of development of the retail elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), details of the following matters shall be submitted to and approved in writing by the Local Planning Authority. Once approved the matters shall be maintained in accordance with these details at all times unless otherwise agreed in writing by the Local Planning Authority. a) Electric charging points for customer vehicles. b) Sprinkler tanks, including their colour and appearance. c) The design, height and colour of the service yard enclosure and its gates. d) The appearance of the car wash (including materials and lighting). e) The appearance of the covered walkway across the walkway (including materials and lighting). f) The materials and design of trolley storage areas, both within the car park and adjacent to the food store. g) The details of the height, materials and design of the bollards/barriers around the food store building. h) Plans for providing shelter to motorcycle parking. g) The size, location and appearance of the proposed new bus stops on the site. h) Boundary treatment of the perimeter of the site, and around the recycling area. i) The appearance of the plant to be sited on the roof, and if required any screening or acoustic enclosure.

27. Prior to occupation of the food store, petrol station or car wash, a scheme detailing all external lighting, including details of the height of any lighting columns, the design of lamp assembly, the spread of light beyond the site boundaries and the hours of illumination, shall be submitted for the approval of the Local Planning Authority, and the approved details to be implemented and maintained in that form.

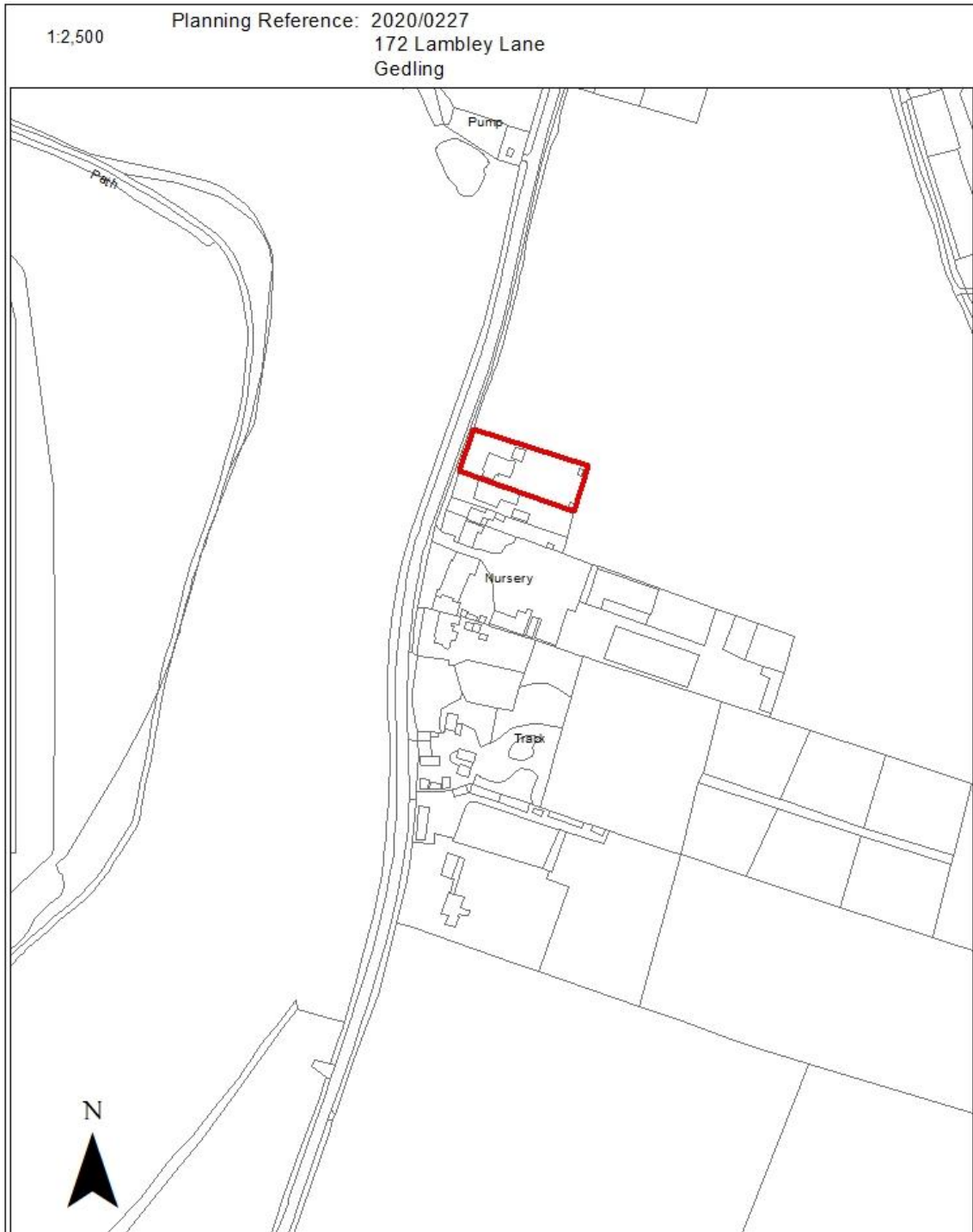
28. Prior to commencement of above ground works, details of a Biodiversity Management Plan, to accord with the details outlined in the ecological appraisal dated July 2020, shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall thereafter be implemented.

29. Prior to commencement of above ground works, two additional invertebrate surveys shall be completed and the subsequent reports shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall be implemented.

30. Notwithstanding condition 1 above, prior to above grounds works commencing, additional landscape drawings shall be submitted to and approved in writing by the Local Planning Authority and they shall look to enhance the ecological benefits of the site. The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species.



Planning Report for 2020/0227



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Date: 17/07/2020

Report to Planning Committee

Application Number: 2020/0227
Location: 172 Lambley Lane Gedling
Proposal: Replace existing rooflights with 3no. dormer windows.
Applicant: Mr S Divall
Agent:
Case Officer: Nicolla Ellis

This application has been referred to Planning Committee by the Planning Delegation Panel to allow the impact of the development upon the openness of the Green Belt to be considered.

1.0 Site Description

- 1.1 The application site relates to a detached 1.5 storey dwelling located within the Nottingham-Derby Green Belt. The dwelling is set within a relatively extensive and mature plot of land on the east side of Lambley Lane and lies at the end of a small row of dwellings to the north of and outside the settlement of Gedling.
- 1.2 A mature boundary hedge forms the northern boundary of the site with a combination of a 1.8 metre high fence and a hedge forming the boundary between the application site and the neighbouring property at 170 Lambley Lane.

2.0 Relevant Planning History

- 2.1 **2015/1213** - Demolition of existing kitchen and conservatory to rear and garage to side, and erection of rear extension and alterations to roof to create first floor accommodation (permitted 23.11.2015). This permission included the following condition,

No works permitted under Class A, B, C, or D of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council.

Reason: In order to protect the openness of the Green Belt, in accordance with the aims of Policy ENV28 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2014).

2.2 **2015/0910** - Rear extension and alterations to roof to create first floor accommodation (withdrawn)

2.3 **2002/1868** - Kitchen extension & erect garage, change use of existing garage to workshop & erect garden store extension (permitted 08.01.2003)

3.0 **Proposed Development**

3.1 Planning permission is sought for the erection of 3no. dormer windows in the northern roofslope of the existing dwelling. The dormer windows would replace 2no. rooflights in situ and would measure 1.8m in width, 1.5m in depth, and 2.1m in height.

3.2 It is proposed that the dormer windows would be constructed of roof and hanging tiles to match the host dwelling.

3.3 Amended plans were received on 15th July 2020 reducing the size of the proposed dormer windows. This report and recommendation relates to these amended plans.

4.0 **Consultations**

4.1 **Neighbouring properties** were consulted and a site notice was placed on 25th March 2020. Following three weeks of consultation, no letters have been received.

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'.

6.0 **Development Plan Policies**

6.1 The following policies are relevant to the application:

6.2 **National Planning Policy Framework 2019**

The National Planning Policy Framework (2019) sets out the national objectives for delivering sustainable development. The following sections are particularly relevant to this application:

Section 12: Achieving well-designed places

Section 13: Protecting the Green Belt

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

The following policies of the Adopted Aligned Core Strategy (ACS) 2014 are pertinent to the determination of this application:

Policy 3: The Green Belt

Policy 10: Design and enhancing local identity

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:

Policy LPD13: Extensions to Buildings within the Green Belt

Policy LPD 32: Amenity

Policy LPD 57: Parking Standards

Policy LPD 61: Highway Safety

7.0 **Planning Considerations**

Principle of Development

7.1 The site is located within the Nottingham-Derby Green Belt where development is considered to be inappropriate unless it falls within one of the exceptions listed in paragraphs 145 and 146 of the NPPF. Inappropriate development is by definition harmful to the Green Belt and should not be approved unless there are very special circumstances.

7.2 The proposal seeks to extend the dwelling, which is considered acceptable within the Green Belt provided that the addition or alteration does not result in disproportionate additions over and above the size of the original building.

7.3 Further to this, the design of the proposed development, along with its impact upon the amenities of surrounding land uses must also be considered.

Impact on the openness of the Green Belt

7.4 It is noted that the NPPF identifies at paragraph 145 various developments that may be considered not to be inappropriate development within the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. Relevant to this proposal is part c) of paragraph 145 which refers to extension or alteration of a building which may be considered acceptable provided that the addition or alteration does not result in disproportionate additions over and above the size of the original building.

7.5 The dwelling was granted planning permission in 2015 for substantial alterations and extensions to the dwelling, which have been implemented. The submitted existing plans do show a slightly different layout to that approved in 2015 (including an additional small room on the southern elevation and

changes to the first floor layout, including additional floorspace within the front dormer window which will be addressed separately outside of this planning application.

- 7.6 Taking note from the previous Officer's report in 2015, their calculations suggest that the overall floorspace of the dwelling was proposed to be increased by 55% by the previous development; I have no evidence before to dispute this calculation and therefore I am of the view that this is correct. At the time, the Officer considered that the proposals did not constitute inappropriate development within the Green Belt but considered the removal of permitted development rights be removed to prevent any further extension to the dwelling, presumably to prevent any further extensions tipping the balance towards inappropriate development.
- 7.7 Since this approval in 2015, a new local plan for the Borough has been adopted, which under LPD Policy 13, places a 50% limit on increases to floor area to buildings within the Green Belt. Given that the dwelling has already been increased in size by 55%, this suggests that any further development to the dwelling could be considered inappropriate development within the Green Belt and therefore harmful to the openness of the Green Belt.
- 7.8 The existing plans submitted with the proposal suggest that the floor area at first floor is greater than what was approved in 2015 and thus the overall increase to the dwelling currently in situ is greater than 55%; this floor area would be retained as part of the proposed development and the addition of dormer windows would increase the area of *useable* floorspace within the first floor owing to the greater head room afforded by the structures. The proposed plans suggest an increase of 20.6m² of useable floor area over and above that shown on the approved 2015 plans. This would take the total increase to 74%, substantially over the 50% limit set by LPD Policy 13 and as such cumulatively the additions to the building would not be considered proportionate to the original dwelling. Taken in isolation, the proposed dormer windows would not necessarily be considered inappropriate development, however the LPA must take into account the previous development and as such whilst the proposal under this application is relatively minor, the proposed floorspace tips the balance of acceptability considered under the 2015, and would result in overall additions to the dwelling constituting inappropriate development.
- 7.9 However, whilst the floorspace calculations help in quantifying the difference in size between the original outbuilding and proposed addition, I am mindful that consideration therefore also needs to be given to the design of the proposal and whether its scale, form, mass and layout result in a property which would have an acceptable impact on the openness of the Green Belt.
- 7.10 Impact upon the openness of the Green Belt goes beyond whether an extension to the building would be considered proportionate to the original building as its overall impact may be significant in terms of altering views or becoming more prominent within the wider area. As noted above, the dwelling has previously been significantly extended. This is a material consideration and it cannot be overlooked as to the reasons why permitted development rights were removed, although I am mindful that the removal of these rights does not necessarily result in any planning application being considered unacceptable.

- 7.11 The proposed dormer windows would be readily visible from the public realm with clear views for some distance as you travel along Lambley Lane from the north. The 3 additional structures would add significant bulk to the building and increase its dominance with the countryside location. This, combined with the previous additions, would in my view be harmful to the openness of the Green Belt through the addition of built form in such a prominent location.
- 7.12 Given the above, on balance, I am of the view that the overall cumulative scale and form of the proposal, combined with the previous additions, is disproportionate to the original building and is therefore considered to be inappropriate development within the Green Belt and contrary to the aims of Paragraph 145 of the NPPF, Policy 3 of the GBACS (2014), and Policy LPD 13 of the LPD (2018).

Character and appearance of the area

- 7.13 The proposed dormer windows would be located on the northern roofslope and would be highly visible from the public realm, being the first dwelling in a row of properties along Lambley Lane that you see as you travel southwards along the road from Lambley. The dormer windows would be similar in character to the one already constructed on the front elevation and would sit subservient in the roofslope, however the construction of 3 on one roofslope would increase the bulk along this prominent elevation and significantly add to the built form visible from the surrounding countryside. Taken on their own I would not consider the proposed dormers to be detrimental to the character and appearance of the area, however taking into account the previous alterations, the appearance of the dwelling has significantly altered the building's setting and as such I consider that there is a degree of harm to the character of the area through the overall prominence of the building within the wider views of the site as you approach from the north.
- 7.14 Assessing simply the design, I am of the view that the proposed dormer windows would not be harmful to the appearance of the dwelling itself, however in terms of the wider character of the area, which is Green Belt designated land, I consider that cumulatively there is harm to the character and setting of this countryside location.
- 7.15 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, although would be harmful to the character of the Green Belt and as such would not wholly be in accordance with Section 12 of the NPPF (2019) and Policy 10 of the GBACS (2014).

Impact on the neighbours' residential amenities

- 7.16 The proposed dormer windows would be located on a roofslope facing onto an open field with no other buildings within close proximity. As such, I do not consider the proposal likely to have any impact upon residential amenity and therefore would be in accordance with Section 12 of the NPPF (2019), and Policies LPD 32 and LPD 43 of LPD (2018).

Impact upon the Public Highway

- 7.17 The proposal does not seek to reduce the number of parking spaces within the site, which has adequate spaces commensurate to the size of the dwelling. As such I do not consider it likely that the proposal would have any additional impact upon the public highway in accordance with Section 9 of the NPPF (2019), Policies LPD 57 and LPD 61 of the LPD (2018).

Other Matters

- 7.18 The dwelling does not appear to have been built out wholly in accordance with the approved plans from 2015; there is an additional room at ground floor level on the SW side elevation and a porch to the front elevation which were not included in the proposed plans in 2015. Further to this, the front dormer window has been built in a different location to that approved and also provides floor area at first floor level which was not included in 2015.
- 7.19 The dwelling also now benefits from a detached garage which was not there at the time of the previous application.
- 7.20 Whilst they do not have any bearing on this application in terms of its acceptability, the lawfulness of these structures is being investigated separately outside of this planning application. If considered to be lawful, these additions would also further add to the cumulative increase in floor area for the dwelling.

Conclusion

- 7.21 Taking the above into account, it is considered that the proposal would cumulatively result in disproportionate additions to the dwelling that would represent inappropriate development within the Green Belt in accordance with the NPPF and LPD 13. Policy LPD 13 requires additions to buildings to be no greater than a 50% increase in floorspace upon the original building; this application proposes a cumulative increase in useable floor area of 74%. There are no very special circumstances that would outweigh the harm to the openness of the Green Belt and as such the proposed extensions are therefore contrary to Policies 3 and 10 of the GBACS (2014), and Policies LPD 13 and 43 of the LPD (2018) and Section 13 of the NPPF (2019).

8.0 Recommendation:

8.1 REFUSE planning permission for the following reason;

- 1 The proposed dormer windows would result in cumulative disproportionate additions to the building and would therefore represent inappropriate development, which is by definition, harmful to the Green Belt. The proposed development would cumulatively result in an increase in floorspace to the building of 74% which would be harmful to the openness of the Green Belt. The proposal would also be unduly prominent from the surrounding countryside through the cumulative increase in bulk and scale of the building. There are no very special circumstances that would outweigh this harm. The development would therefore be contrary to Section 13 of the National Planning Policy

Framework (2019) Policy 3 of Gedling Borough Council Aligned Core Strategy (2014) and Gedling Borough Council Local Planning Document Policy 13 (2018).

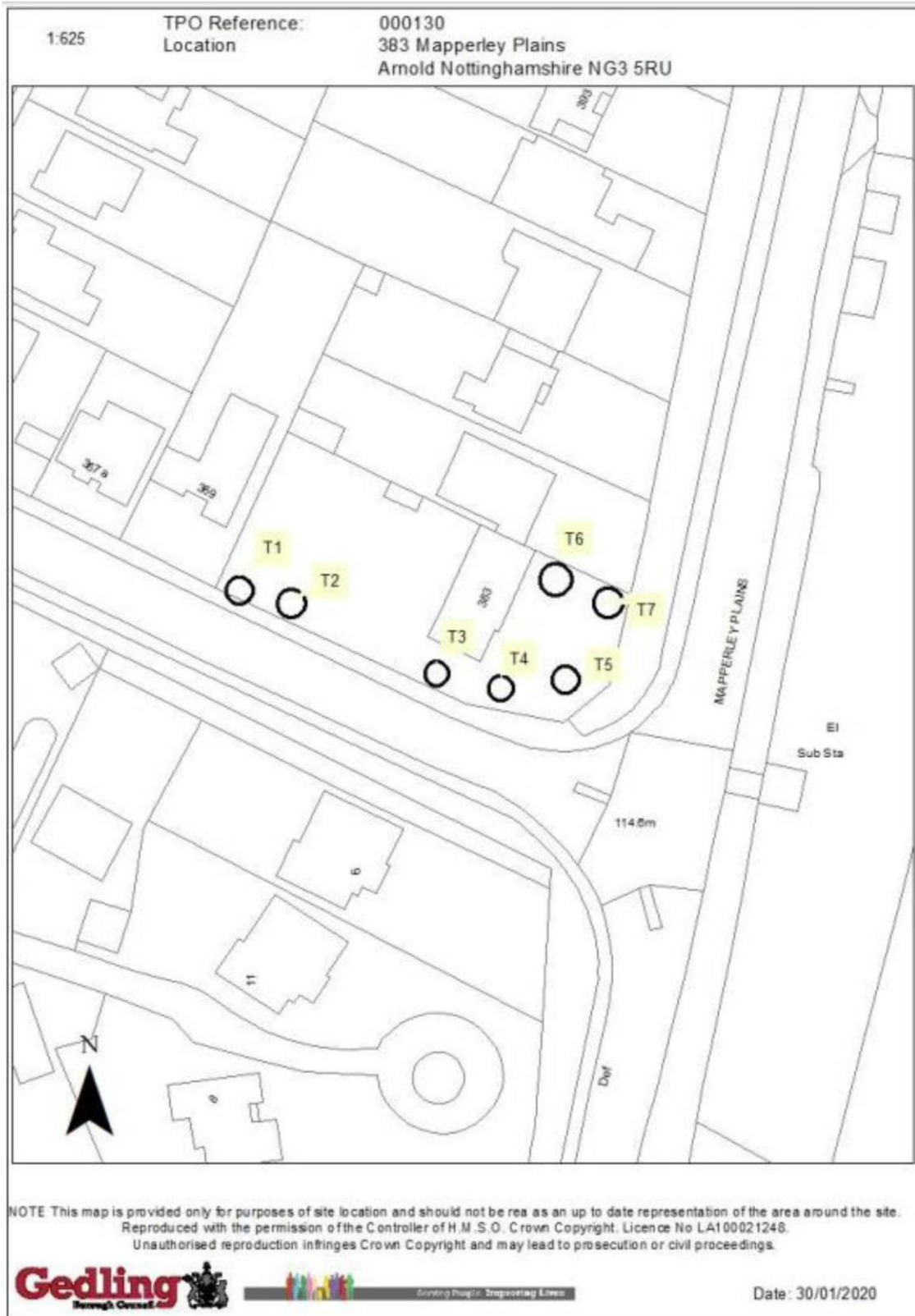
8.2 Notes to Applicant

- 1 You are advised that as of 16th October 2015, the Gedling Borough Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website.

- 2 Planning Statement - The application is clearly contrary to the Development Plan, as detailed in the above reason for refusal. However the District Planning Authority has worked positively and proactively with the applicant who has submitted some revisions to the proposal. Whilst not all problems arising can be overcome, some issues have been negated.



Report to Planning Committee



Location: 383 Mapperley Plains, Arnold, Nottinghamshire, NG3 5RU

Proposal: Protection of 7 no. Oak trees by a Tree Preservation Order (TPO)

Case Officer: Lewis Widdowson

1.0 Purpose

1.1. To request authorisation to confirm Tree Preservation Order (TPO) No. 000130 at 383 Mapperley Plains, Arnold, Nottinghamshire, NG3 5RU.

2.0 Background

2.1. On the 12th February 2020 Planning Committee authorised a TPO in respect of 7 no. Oak Trees at 383 Mapperley Plains, Arnold, Nottinghamshire, NG3 5RU.

2.2. The TPO was duly made on the 13th February 2020. Under the Town and Country Planning Tree Regulations 2012 the Council served a copy of the notice on the owners and occupiers of the land affected by the TPO. In addition, a site notice was displayed close to the site informing local residents of the TPO. Interested parties had until the 12th March 2020 to submit any representations.

2.3. One letter was received as a result of the public consultation. The representation supported the making of the provisional TPO but requested that additional trees within the curtilage of 383 Mapperley Plains also be included within the Order.

2.4. In accordance with the Council's Constitution, TPOs that receive representations should be referred to Planning Committee to determine whether the TPO is confirmed unmodified, confirmed with modifications or not confirmed at all.

2.5. The Town and Country Planning (Tree Preservation) (England) Regulations 2012, Part 2, Regulation 7 stipulates that when confirming an order, any modification 'may not add to the Schedule to the order (and the map) references to a tree to which the order did not previously apply'.

2.6. As a result of the above, the only way to protect additional trees under the Town and Country Planning Tree Regulations 2012 is to either confirm this TPO and they undertake the necessary procedure to vary the confirm TPO or, to assess the trees independently with a view to making a new TPO.

3.0. Proposed Action

- 3.1. Taking the above comments into consideration I am satisfied that TPO protecting 7 no. Oak trees is justified. Authority is therefore sought from the Planning Committee to confirm the above order without amendments.
- 3.2. A TEMPO Assessment will be sought from the Forestry Office in relation to the two additional trees which were identified as part of the public consultation. A new TPO will be progressed if the Forestry Officer considers the trees are worthy of protection.

4.0 Recommendation: Confirm Tree Preservation Order 000130 without modification.

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Report to Planning Committee



TPO Reference: 000131	
Address	Date: 02/03/2020
1 Brodhurst Close, Woodborough, Nottinghamshire, NG3 5RU.	Scale: 1:750
	Size: m ²
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Report to the Planning Committee

Location: 1 Brodhurst Close, Woodborough, Nottinghamshire

Proposal: Protection of 1 no. Cedar tree by a Tree Preservation Order (TPO)

Case Officer: Lewis Widdowson

1.0 Purpose

1.1. To request authorisation to confirm Tree Preservation Order (TPO) No. 000131 at 1 Brodhurst Close, Woodborough, Nottinghamshire.

2.0 Background

- 2.1. On the 2nd March 2020 an emergency TPO was made in respect of 1 no. Cedar Tree at 1 Brodhurst Close, Woodborough.
- 2.2. In accordance with the Town and Country Planning Tree Regulations 2012, the Council served a copy of the notice on the owners and occupiers of the land affected by the TPO. In addition, a site notice was displayed close to the site informing local residents of the TPO. Interested parties had until the 31st March 2020 to submit any representations.
- 2.3. One representation was received as a result of the public consultation objecting to the confirmation of the TPO on the following grounds:
- the tree is in poor condition,
 - is aesthetically challenged,
 - is disproportionate to the scheme of new homes, and
 - is in need of removal for the future safety of any new home occupiers.
- 2.4. In accordance with the Council's Constitution, TPOs that receive representations should be referred to Planning Committee to determine whether the TPO is confirmed unmodified, confirmed with modifications or not confirmed at all.
- 2.5. The Council's Forestry Officer has assessed the relevant tree and confirmed that the tree has no significant structural or physiological defects. It is the Forestry Officer's consideration that there is no undue danger to the future residents of the adjacent properties.

2.6. Notwithstanding the above, if any evidence is provided in the future which does indeed demonstrate that the tree has become dangerous this can be assessed in accordance with the Town and Country Planning Tree Regulations 2012 and actioned as appropriate. The confirmation of this TPO would not prevent any work being carried out to the tree, it would however mean that permission would be required from the Local Planning Authority before any works can be undertaken.

3.0. Proposed Action

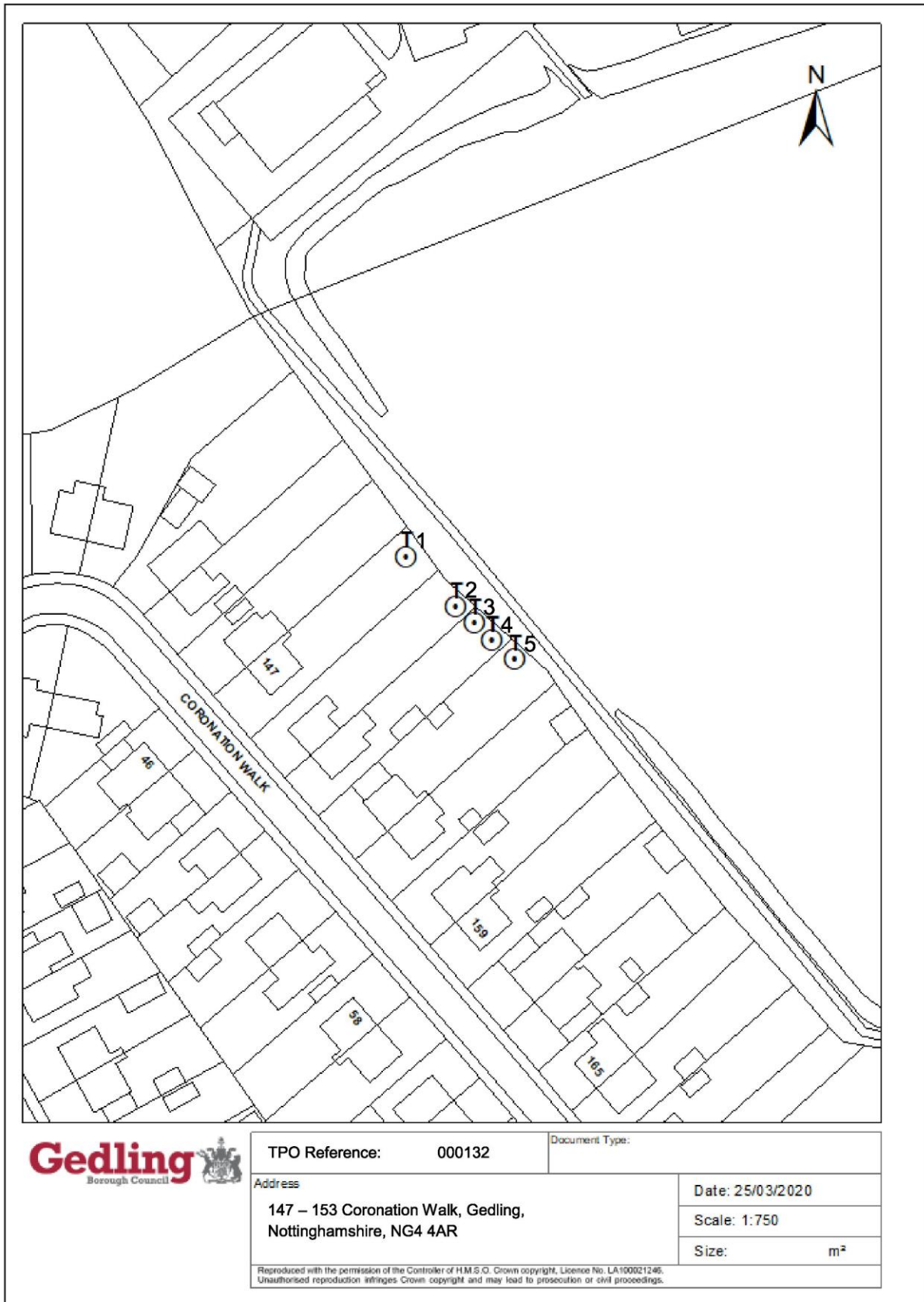
3.1. Taking the above comments into consideration I am satisfied that the above TPO protecting 1 no. Cedar Tree is justified and I recommend that the TPO is confirmed accordingly. Authority is therefore sought from the Planning Committee to confirm the above order without amendments.

4.0 Recommendation: Confirm Tree Preservation Order 000131 without modification.

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Report to Planning Committee



Report to the Planning Committee

Location: 147 – 153 Coronation Walk, Gedling, Nottinghamshire, NG4 4AR

Proposal: Protection of 3 x English Oak, 1 x Scots Pine and 1 x Common Ash by a Tree Preservation Order (TPO)

Case Officer: Lewis Widdowson

1.0 Purpose

1.1. To request authorisation to confirm Tree Preservation Order (TPO) No. 000132 at 147 – 153 Coronation Walk, Gedling, Nottinghamshire, NG4 4AR

2.0 Background

2.1. On the 25th March 2020 an emergency TPO was made in respect of 5 no. trees to the rear of 147 – 153 Coronation Walk, Gedling, Nottinghamshire, NG4 4AR.

2.2. In accordance with the Town and Country Planning Tree Regulations 2012, the Council served a copy of the notice on the owners and occupiers of the land affected by the TPO. In addition, a site notice was displayed close to the site informing local residents of the TPO. Interested parties had until the 22nd April 2020 to submit any representations.

2.3. One representation was received as a result of the consultation objecting to the confirmation of the TPO, specifically referring to one of the trees included within the TPO. The objection raised the following points:

- Insufficient time was allowed for the homeowner to obtain a second opinion due to the current pandemic.
- Considers the TPO has been rushed through without following the correct procedure.
- States that a TPO should only be made where a tree is under threat and works are not planned to the trees in this case.
- Does not consider the trees provide significant public benefit due to them being situated in the rear garden of the above properties.

2.4. In accordance with the Council's Constitution, TPOs that receive representations should be referred to Planning Committee to determine whether the TPO is confirmed unmodified, confirmed with modifications or not confirmed at all.

- 2.5. Whilst it is accepted that the provisional TPO was made shortly before the Covid-19 pandemic lockdown, the order has now been in effect for several months. No comments were submitted until the 21st July 2020. Notwithstanding the above, it is not considered necessary for any comments which are received to be submitted by a person/s solely from a professional background.
- 2.6. The TPO has been made in strict accordance with both the Town and Country Planning Tree Regulations 2012, and the Gedling Constitution.
- 2.7. Whilst the threat to a tree can be used to help justify the making of a TPO it is not a pre-requisite. In this instance the Forestry Officer rated the Expediency section of the TEMPO Assessment with a 'Perceived threat to trees' adding a score of 2 out of 5 to the TEMPO score. Even in the event of the lowest score of 1 out of 5 had been granted the TEMPO score would still have achieved a final score of 18/25 and as such definitely merited a TPO in his professional opinion.
- 2.8. The trees included within the TPO are located to the rear of the dwellings at 147-153 Coronation Walk, Gedling. Notwithstanding the above, the Forestry Officer has carried out a comprehensive assessment of the trees from the public realm and determined that, given their maturity, height and form, they provide a substantial amount of amenity to the public realm and as such recommends their protection accordingly.
- 2.9. The objection received also notes that no works are planned too one of the trees at this time. I would note that the confirmation of this TPO does not mean that no works can be carried out, but that the Local Planning Authority must first be notified and permission granted.

3.0. Proposed Action

- 3.1. Taking the above comments into consideration I am satisfied that the TPO protecting the trees to the rear of 147 – 153 Coronation Walk, Gedling remains justified and therefore should be confirmed accordingly. Authority is therefore sought from the Planning Committee to confirm the above order without amendments.

4.0 Recommendation: Confirm Tree Preservation Order 000132 without modification.

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Report to Planning Committee

Application Number: 2019/0175

Location: Land Adjacent to 8, Myrtle Road, Carlton, Nottingham.

Proposal: Proposed Detached Dwelling.

Case Officer: Alison Jackson.

Planning permission was refused by the Borough Council on the 4th July 2019 on the following grounds:

- 1 The proposed detached dwelling, given that the area is characterised by semi-detached dwellings together with the scale of the dwelling, in particular the proportion of the roof to the remainder of the dwelling, would be out of character with the area and result in an incongruous and prominent feature within the streetscene which would cause harm to the visual amenity of the streetscene and the surrounding character of the area in general. The proposal would therefore fail to meet with the objectives of the National Planning Policy Framework 2019, Policy 10 of the Gedling Borough Council Aligned Core Strategy and Policies LPD 34 and LPD 40 of the Local Planning Document (2018).
- 2 The proposed dwelling by reason of its size, bulk, scale and orientation with neighbouring properties would result in an overbearing and overshadowing impact onto neighbouring dwellings to the detriment of their residential amenity. The proposal would therefore fail to meet with the objectives of the National Planning Policy Framework 2019, Policy 10 of the Gedling Borough Council Aligned Core Strategy and Policies LPD 32 and LPD 40 of the Local Planning Document (2018).

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

This appeal has been dismissed. The Inspector concluded that the proposed development of a detached dwelling would be at odds with the character of the area, given that the area is strongly characterised by semi-detached dwellings. The dwelling would be prominent within the streetscene given the land levels along the street. The proposed dwelling would therefore not reflect the pattern of development or design of existing dwellings and as such would detract from the character and appearance of the area. The proposal would therefore be contrary to Policy 10 of the Aligned Core Strategy 2014 and Policies LPD34 and LPD40 of the Local Planning Document 2018.

The Inspector however did not agree that the proposed dwelling would result in any significant overbearing, overshadowing or overlooking impact onto neighbouring properties given the relationship and distance to neighbouring properties.

Recommendation: To note the information.



Report to Planning Committee

Application Number: 2019/0585PN – Appeal Ref: APP/N3020/W/20/3244145 – Appeal A linked to 2019/0583PN – Appeal Ref: APP/N3020/W/20/3244146 – Appeal B.

Location: Appeal A - Barn A, Ling Farm, Ricket Lane, Blidworth, Mansfield, Nottinghamshire, NG21 0NG

Proposal: Notification under Class Q, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion of existing agricultural barn A to 4no. residential houses and demolition of 2 barns.

Case Officer: Cristina Dinescu

Planning approval was refused by the Borough Council on the 22nd August 2019 on the following grounds:

1. 'The location of the barn in relation to the adopted highway would result in a significant carry distance for refuse bins. The collection point would be approximately 500 metres from the dwelling at the entrance to the site as a refuse vehicle cannot enter the site. This would result in an unacceptable form of development to the detriment of the residential amenity of the future occupiers of the residential property. As such it is considered that the location and siting of the building so far from the adopted highway makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'
2. 'No specific information has been provided in relation to the construction of the mezzanine floor to Barn A to demonstrate that significant structural works are not required to facilitate this.
By virtue of the substantial and significant nature of the works required as part of the development to create dwelling(s) based on the supporting information and the assessment against the requirements of Class Q it is considered that the works proposed go beyond what is reasonably necessary, and are significant and substantial alterations more akin to a new build. Therefore it is concluded that the building is not suitable for conversion.'

Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

3. 'The location of the existing dwelling in relation to Barn A would result in significant overbearing to the detriment of the reasonable residential amenity of the future occupiers of dwellinghouse 4.

As such it is considered that the location and siting of Barn A makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses).

Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

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

This appeal has been Dismissed.

In relation to the first reason for refusal – specific issues of refuse collection at the site, the Inspector concluded that the location or siting of the building would not make it otherwise impractical or undesirable for the building to change from agricultural use to dwellings as some arrangement would be made to store the bins for the dwellings close to the highway, avoiding the need for the unlikely scenario of occupants moving refuse bins up and down from the properties for collection.

In relation to the second reason for refusal – substantial and significant level of works, the Inspector concluded that the mezzanine floor and the level of works would constitute building operations reasonably necessary allowed by paragraph Q.1(i)(i).

In relation to the third reason for refusal – unacceptable relationship with the farm building, the farm building was demolished under planning permission ref.no. 2016/1034 and the building works for the replacement dwelling and detached garage were commenced. The replacement dwelling is to be constructed further away from the common boundary with Barn A.

The Inspector concluded that the demolition of Barns B and C would be extensive and would fall outside of the limitations of paragraph Q.1(i)(ii) which allows only partial demolition to the extent reasonably necessary to carry out the building operations allowed by paragraph Q.1(i)(i). The proposal therefore fails to comply with the conditions or restrictions applicable to development permitted and appeal A therefore fails.

Recommendation: To note the information



Report to Planning Committee

Application Number: 2019/0583PN – Appeal Ref: APP/N3020/W/20/3244146 – Appeal B linked to 2019/0585PN – Appeal Ref: APP/N3020/W/20/3244145 – Appeal A.

Location:

Appeal B - Barn D, Ling Farm, Ricket Lane, Blidworth, Mansfield, Nottinghamshire, NG21 0NG

Proposal: Notification under Class Q, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion of existing agricultural barn D to no. residential house.

Case Officer: Cristina Dinescu

Planning approval was refused by the Borough Council on the 22nd August 2019 on the following grounds:

1. 'The location of the barn in relation to the adopted highway would result in a significant carry distance for refuse bins. The collection point would be approximately 500 metres from the dwelling at the entrance to the site as a refuse vehicle cannot enter the site. This would result in an unacceptable form of development to the detriment of the residential amenity of the future occupiers of the residential property. As such it is considered that the location and siting of the building so far from the adopted highway makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses). Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'
2. 'By virtue of the substantial and significant nature of the works required as part of the development to create dwelling(s) based on the supporting information and the assessment against the requirements of Class Q it is considered that the works proposed go beyond what is reasonably necessary, and are significant and substantial alterations more akin to a new build. Therefore it is concluded that the building is not suitable for conversion. Taking the above into account the proposal does not accord with the limitations of Part 3, Class Q of the Town and Country Planning (General

Permitted Development) Order 2015 (as Amended) and is therefore not permitted development.'

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

This appeal has been Dismissed.

In relation to the first reason for refusal – specific issues of refuse collection at the site, the Inspector concluded that the location or siting of the building would not make it otherwise impractical or undesirable for the building to change from agricultural use to dwelling as some arrangement would be made to store the bins for the dwelling close to the highway, avoiding the need for the unlikely scenario of occupants moving refuse bins up and down from the property for collection.

The Inspector concluded that the proposed development associated with Barn D would comply with the conditions, limitations and restrictions applicable to development permitted. However, in light of the findings in relation to Appeal A (APP/N3020/W/20/3244145 – Barn A), Barn D would remain situated next to a substantial farm complex and although there is no certainty the complex would remain in active agricultural use, it is likely that the farming activities associated with the substantial complex would render the location and siting of the building impractical and undesirable to change use to a dwelling. For this reason Appeal B fails.

Recommendation: To note the information.

ACTION SHEET PLANNING DELEGATION PANEL - 5th June 2020

2019/0733

Land Rear of 120 Main Road, Ravenshead
Proposed New Build Dwelling

The proposed development would respect the character and appearance of the area, as well as the amenity of neighbouring occupiers.

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

Decision: Grant Planning Permission with Conditions.

2020/0224

Land Adjacent to 145 Simkin Avenue, Carlton
Proposed construction of 3 bedroom detached dwelling

The proposed development would have a detrimental impact on the character of the area in that the plot is considered to be too small to accommodate a dwelling and would also be detrimental to the amenity of the proposed occupiers.

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

Decision: Refuse planning permission

2020/0344

122 Marshall Hill Drive Mapperley NG3 6HW
Erection of 2-storey extension to southwest of dwelling

The proposed extension, given its large scale, would not respect the character of the area or host dwelling in that it is too large and not subordinate to the original property.

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

Decision: Refuse planning permission

2020/0345

1 Dover Beck Drive Woodborough NG14 6ER
Raising of roof to form a dormer bungalow, with single storey front and rear extensions

The proposed extensions would be out of character with the area given their large scale and size of other dwellings in the locality, as well as having a detrimental impact on the amenity of the proposed occupiers given the poor outlook from habitable rooms.

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

Decision: Refuse planning permission

Conference Call Meeting due to Covid-19

Cllr John Truscott
Cllr Marje Palling
Cllr David Ellis
Cllr Rachel Ellis
Cllr John Parr

Nigel Bryan – Principal Planning Officer
Kevin Cartwright – Principal Planning Officer

5th June 2020

ACTION SHEET PLANNING DELEGATION PANEL 12th June 2020

2020/0217

12 Bank Hill Woodborough NG14 6EF

Replacement single storey pavilion style dwelling with integral garage, gymnasium and pool area.

The proposed development would have no undue impact on the openness of the Green Belt, 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 subject to Conditions.

2020/0269

The Riding Stables Main Street Lambley

Redevelopment of existing stable buildings to provide 1no. dwelling

The proposed development would not impact on the openness of the Green Belt, would have a neutral impact on the setting of the Conservation Area, and would not have any undue harm and the character and appearance of the area or amenity of neighbouring occupiers.

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

Decision; Grant Approval of Reserved Matters subject to Conditions.

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Marje Palling
Cllr David Ellis
Cllr Paul Wilkinson
Cllr John Parr

Kevin Cartwright – Principal Planning Officer

12th June 2020

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ACTION SHEET PLANNING DELEGATION PANEL: 19th June 2020

2019/0608

Byron Industrial Estate, Unit 21A, Brookfield Road, Arnold

Construct a workshop and MOT Testing Centre attached to existing office building.

The proposed development would respect the character of the area, setting of an adjacent listed building and not have a detrimental impact on amenity or highway safety.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0049

9 Fox Covert, Colwick, NG4 2DD

Change of use and external alterations to garage to create a hairdressing salon

The proposed development would result respect the character of the area and not have a detrimental impact on residential amenity given the intensification of the use, nor would highway safety be compromised.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0227

172 Lambley Lane, Gedling, NG4 4PB

Replace existing rooflights with 3no. dormer windows

The Panel felt it was a finely balanced judgement as to whether or not the modest increase in size of the dwelling complied with green belt policy and recommend that the application be determined by the Planning Committee.

2020/0294

133-137 Breck Hill Road, Woodthorpe, Nottinghamshire

Two dwellings and proposed rear extension (ground and first floor) at no.133

The proposed development would respect the character of the area, residential amenity and highway safety.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0330
42 Lambley Lane, Burton Joyce, NG14 5BG
Proposed alterations, extensions and replacement garage

The proposed development would respect the character of the area and residential amenity without having detrimental impact on flooding.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0354
9 Tennyson Avenue, Gedling, NG4 3HJ
Erection of two storey side and front extension

The proposed development would respect the character of the area and residential amenity.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0364
Redhill Academy, Redhill Road, Redhill
The demolition of an existing temporary unit and the erection of a three classroom modular teaching block

The proposed development would respect the character of the area and residential amenity, nor would protected species be detrimentally impacted.

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

Decision: Grant Planning Permission subject to Conditions.

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Marje Palling
Cllr David Ellis
Cllr John Parr

Nigel Bryan – Principal Planning Officer

19th June 2020

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ACTION SHEET PLANNING DELEGATION PANEL 26th June 2020

2019/1018

Land Adjacent Sports Pitches Coningswath Road Carlton

Change of Use of vacant tennis courts into Car Park to serve new 3G pitch development adjacent to the location.

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

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

Decision: Grant Planning Permission with Conditions.

2020/0212

Land Adjacent Sports Pitches Coningswath Road Carlton

Erection of changing facility and associated amenity provision for Huckerbys Fields Sports Pitches.

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

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

Decision: Grant Planning Permission with Conditions.

2020/0368

6 Colwick Park Close Colwick Nottinghamshire

Single storey rear extension.

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

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

Decision: Grant Planning Permission with Conditions.

2020/0369

182 Porchester Road Carlton NG3 6LG

Part - retrospective change of use to residential dwelling / 5 bedroom HMO and self-contained flat.

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

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

Decision: Grant Planning Permission with Conditions.

2020/0424

30 Mapperley Orchard Arnold Nottinghamshire

Variation of condition 3 (materials) of planning permission 2019/1069 for the demolition of existing rear and side extensions, the erection of single storey extensions to the front, side and rear, the erection of two storey extensions to the front and rear of the dwelling and rendering of existing dwelling.

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

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

Decision: Refuse Planning Permission.

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Marje Palling
Cllr David Ellis
Cllr Paul Wilkinson
Cllr John Parr

Kevin Cartwright – Principal Planning Officer
Nigel Bryan - Principal Planning Officer

26th June 2020

ACTION SHEET PLANNING DELEGATION PANEL:- 10th July 2020

2020/0353

81 Calverton Road Arnold NG5 8FQ

Proposed two-storey front extension and cladding to existing single storey extension to the dwelling.

The proposed development would have a detrimental impact on the character of the area as well as have a detrimental impact on the amenity of 85 Calverton Road.

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

Decision: That the application be refused permission.

2020/0406TPO

48 Sidlaw Rise Bestwood NG5 9PU

Fell 1no. oak tree and prune 1no. holly tree and 2no. yew trees

Felling the oak was not considered justified and should be refused permission. However the other works proposed are acceptable.

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

Decision: To issue a split decision refusing permission for felling the oak but allowing the other pruning works.

2020/0458

69 Vernon Crescent, Ravenshead, NG15 9BP

Proposed 2 storey side extension, rear extension and internal alterations.

The proposed development would respect the character of the area and not have a detrimental impact on the amenity of neighbouring properties.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0459
113 Arnot Hill Road, Arnold. NG5 6LS
Two storey side extension

The proposed development would have a significant detrimental impact on the amenity of neighbouring properties.

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

Decision: That the application be refused permission.

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Marje Palling
Cllr David Ellis
Cllr John Parr
Cllr Paul Wilkinson

Nigel Bryan – Principal Planning Officer

10th July 2020

ACTION SHEET PLANNING DELEGATION PANEL:- 17th July 2020

2020/0239

28 Park Road, Woodthorpe, NG5 4HR

Erection of brick wall with metal railings and gates to the front of the property to height of up to 1.60metres.

The proposed development would respect the character of the area, residential amenity and not have a detrimental impact on highway safety.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0268

95 Burton Road, Carlton, NG4 3FP

Erection of Two Storey Rear Extension and demolition of existing Garage

The proposed development would respect the character of the area, residential amenity and not have a detrimental impact on highway safety.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0343

Adjacent Goosedale Farm, Goosedale Lane, Bestwood

Variation of condition 3 of planning permission 2015/0423 - Erection of 9 holiday lodges and change of use of hardstanding area to car park.

The proposed development would not have a detrimental impact on the openness of the Green Belt and would enhance the local economy.

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

Decision: Grant Planning Permission subject to Conditions (for a temporary 12 month period).

2020/0411

61 Kirkby Road, Ravenshead, NG15 9HD

Retention of garage in part, proposed front extension and side extension to link garage to dwelling and conversion to habitable accommodation.

The proposed development would not be detrimental to the openness of the Green Belt, would respect the character of the area and residential amenity.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0479

96 Breck Hill Road, Woodthorpe, NG5 4GR

Resubmission of 2020/0173 for the erection of a first floor side extension to dwelling

The proposed development would through its scale and prominence within the streetscene be detrimental to the character of the area.

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

Decision: That the application be refused permission.

2020/0544

27 Marshall Road, Mapperley, NG3 6HS

Two storey side extension and new roof with loft conversion.

The proposed development would through its scale and design have a detrimental impact on the character of the area as well as have a significant detrimental impact on the amenity of neighbouring properties.

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

Decision: That the application be refused permission.

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Marje Palling
Cllr David Ellis
Cllr John Parr
Cllr Paul Wilkinson

Nigel Bryan – Principal Planning Officer

17th July 2020

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ACTION SHEET PLANNING DELEGATION PANEL - 24th July 2020

2019/0435

Land Corner of Standhill and Third Avenue, Carlton
Proposed Construction of 9 No.Dwellings

The Panel recommended that the application be determined by the Planning Committee given the wide ranging matters under consideration and scale of development proposed.

2020/0433

12 Prior Road Daybrook NG5 6AW
Two storey side extension and garden room.

The proposed development would, through the scale of the two-storey front extension, be detrimental to the character of the area.

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

Decision: That the application be refused permission.

2020/0453

3 Nottingham Road Ravenshead Nottinghamshire
Single storey front extension, change of use of land to the rear of the restaurant to a car park and the creation of outdoor seating area to the front of the restaurant.

The proposed development would respect the character of the area, residential amenity and not have a detrimental impact on highway safety. Furthermore, Members noted that possible contamination would, through a suitably worded condition, be fully explored.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0470

8A Main Street Calverton Nottinghamshire
Erection of single storey rear extension following demolition of conservatory

The proposed development would respect the character of the area and residential amenity.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0492

22 Kighill Lane Ravenshead NG15 9HN

Replacement house type to Plot 3 of planning permission Ref: APP/N3020/W/19/3232090

The proposed development would respect the character of the area, residential amenity and not have a detrimental impact on highway safety.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0499

Land To Front Of 80 Bridle Road Burton Joyce Nottinghamshire

Erection of a dwelling

The proposed development would not constitute an infill development and would be detrimental to the openness of the green belt

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

Decision: That the application be refused permission.

2020/0511

11 Malmesbury Road Woodthorpe NG3 5QE

Two storey rear extensions and single storey side extension

The proposed development would respect the character of the area and residential amenity.

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

Decision: Grant Planning Permission subject to Conditions.

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Marje Palling
Cllr David Ellis
Cllr John Parr
Cllr Paul Wilkinson

Nigel Bryan – Principal Planning Officer

24th July 2020

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Report to Planning Committee

Subject: Future Planning Applications

Date: 24/07/2020

The following planning applications or details have been submitted and are receiving consideration. They may be reported to a future meeting of the Planning Committee and are available for inspection online at: <http://pawam.gedling.gov.uk:81/online-applications/>

Alternatively, hard copies may be viewed at Gedling1Stop or by prior arrangement with Development Management.

App No	Address	Proposal	Possible Date
2019/0560	Land At Teal Close Netherfield	Reserved matters application for the erection of 277no. dwellings	9/9/20
2019/1180	34 Main Street Calverton	Proposed Demolition of existing dwelling & erection of 3 retail units at ground floor with 8 apartments over	9/9/20
2020/0020	Land North West Park Road Calverton	Application for the approval of reserved matters for the erection of 351 dwellings and associated infrastructure	9/9/20
2019/1031	Earl of Chesterfield, Carlton Hill, Carlton	- Erection of 23 sheltered accommodation flats with one office -	9/9/20
2019/0435	Land corner of Standhill Avenue and Third Avenue, Carlton	Erection of 9 dwellings	9/9/20
2019/1080	Land At Broad Close Woodborough	Outline application for 11no. residential properties	9/9/20
2019/0475	31 Hazel Grove Mapperley	Single storey rear extension	9/9/20

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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