

# Agenda

## Planning Committee

Date: **Wednesday 8 September 2021**

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Time: **6.00 pm**

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Place: **Council Chamber**

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For any further information please contact:

**Cayte Goodall**

Democratic Services Officer

0115 901 3961

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# Planning Committee

## Membership

**Chair** Councillor John Truscott

**Vice-Chair** Councillor Paul Wilkinson

Councillor Michael Adams  
Councillor Peter Barnes  
Councillor Chris Barnfather  
Councillor David Ellis  
Councillor Andrew Ellwood  
Councillor Mike Hope  
Councillor Rosa Keneally  
Councillor Meredith Lawrence  
Councillor Ron McCrossen  
Councillor Barbara Miller  
Councillor Marje Paling  
Councillor John Parr  
Councillor Alex Scroggie  
Councillor Henry Wheeler

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## **AGENDA**

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## **MINUTES PLANNING COMMITTEE**

**Wednesday 28 July 2021**

Councillor John Truscott (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Meredith Lawrence
	Councillor Michael Adams	Councillor Ron McCrossen
	Councillor Peter Barnes	Councillor Barbara Miller
	Councillor Chris Barnfather	Councillor Marje Paling
	Councillor David Ellis	Councillor John Parr
	Councillor Andrew Ellwood	Councillor Alex Scroggie
	Councillor Mike Hope	Councillor Henry Wheeler
	Councillor Rosa Keneally	

Officers in Attendance: M Avery, N Bryan, S Fayaz and C Goodall

### **18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

None.

### **19 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 23 JUNE 2021**

#### **RESOLVED:**

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

### **20 DECLARATION OF INTERESTS**

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

### **21 APPLICATION NO. 2021/0409 - REDHILL PAVILION, THORNTON AVENUE, REDHILL, NOTTINGHAMSHIRE**

Conversion and alteration of pavilion building for use as a childrens' day nursery, including access improvements, 10 car parking spaces and formation of a pedestrian path.

A written representation from Philippa Fisher, a local resident who was in objection to the application, was read by Cayte Goodall, Democratic Services Officer.

The Head of Development and Place introduced the report. He advised Members that further to the publication of the report, a provisional Tree Preservation Order had been made for a group of trees to the front of the site, in consultation with the Chair of Planning Committee.

**RESOLVED:**

That the Borough Council refuses planning permission on the following grounds:-

**Reasons**

- 1 The proposed development would include the change of use of agricultural land and engineering works to create a pedestrian footpath in association with the proposed nursery along with the erection of a palisade fence with gates around the proposed planning unit. These forms of development are, by definition, inappropriate development within the Green Belt and therefore would be harmful to the openness of the Nottingham-Derby Green Belt. There are no very special circumstances or other material considerations that would outweigh this harm and therefore the proposal would be contrary to the aims of Section 13 of the National Planning Policy Framework (2019) and policy LPD12 of the LPD (2019).
- 2 The proposed development by virtue of the creation of a pedestrian footpath in association with the proposed nursery along with the erection of a palisade fence with gates around the proposed planning unit and the loss of the mature tree to the front of the building would result in an undue impact on the rural character of the site and immediately surrounding landscape area. The proposal would therefore be contrary to Section 12 of the NPPF (2019), Policy 10 of the ACS (2014) and Policy LPD 19 of the LPD (2018).

**Notes to Applicant**

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason for refusal. It is not considered that any suitable alterations could be made to the scheme to address the Borough Council's Green Belt concern

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.

**APPLICATION NO. 2021/0301 - HILLSIDE FARM, ORCHARD CLOSE, BURTON JOYCE**

Erection of 14 dwellings (reserved matters approval (appearance, landscaping, layout and scale) pursuant to outline permission 2018/1034).

Callum Bott, a local resident, spoke in objection to the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To grant reserved matters approval, subject to the imposition of conditions, as set out in the report:

1. This permission shall be read in accordance with the application form and following list of approved drawings:  
 proposed location and block plans – P02 rev A  
 proposed site roof plan – P03 rev B  
 proposed ground floor site plan – P04 rev A  
 proposed site sections and street scene – P05  
 proposed services plan – P06  
 proposed site plan boundary treatments – P07 rev B  
 proposed floor plans - plot 1 – P10  
 proposed elevations - plot 1 – P11  
 proposed floor plans - plot 2 – P15  
 proposed elevations - plot 2 – P16  
 proposed ground floor plans - plots 4 & 5 – P20  
 proposed first floor plans - plots 4 & 5 – P21  
 proposed elevations - plots 4 & 5 – P22  
 proposed ground floor plans - plots 6,12, 14 – P25  
 proposed first floor plans - plots 6,12, 14 – P26  
 proposed elevations - plots 6,12, 14 – P27  
 proposed ground floor plans - plots 10 – P30  
 proposed first floor plans - plots 10 – P31  
 proposed elevations - plots 10 – P32  
 proposed floor plans - plots 13 – P35  
 proposed elevations - plots 13 – P36  
 proposed ground floor plans - plots 9 – P40  
 proposed first floor plans - plots 9 – P41  
 proposed elevations - plots 9 – P42  
 proposed ground floor plans - plots 11 – P45  
 proposed first floor plans - plots 11 – P46  
 proposed elevations - plots 11 – P47  
 proposed ground floor plans - plots 7 & 8 – P50  
 proposed first floor plans - plots 7 & 8 – P51  
 proposed elevations - plots 7 & 8 – P52

proposed garages 10, 6, 6 & 12 – P55  
proposed garages 2 & 3, 13 & 14 – P56 rev A  
proposed eaves and ridge details – P70  
proposed boundary and guarding details – P71  
proposed floor plans - plot 3 – P80  
proposed elevations - plot 2 – P81

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

2. No above ground works shall commence until samples of external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
3. The proposed dwellings shall not be occupied until their respective parking areas / shared private drive have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the parking areas / shared private drive to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
4. Prior to the commencement of development, the tree protection, as outlined on drawing 'tree protection plan rev A' received on the 24<sup>th</sup> March shall be in situ and retained thereafter whilst development is on site

### **Reasons**

1. For the avoidance of doubt.
2. To ensure that the character of the area is respected and to comply with policy ACS10 of the Aligned Core Strategy.
3. In the interest of highway safety and to comply with policy LPD61.
4. To ensure retained trees are protected during development and comply with policy LPD18.

### **Notes to Applicant**

The Lead Flood Authority ask be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. We will provide you with bespoke comments within 21 days of receiving a formal consultation.

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



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

- 1) Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). Payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, and /or to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk)
- 2) The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at:  
<http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>
- 3) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring by installing wheel washing facilities on site.

When details are submitted in respect of discharging condition 5 of outline permission 2018/1034, there would be a requirement to demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.

Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.

Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA  
Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the 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 and 1 in 100 year plus climate change return periods.  
For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.  
Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.  
Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

Please note that there is a requirement to comply with the Wildlife and Countryside Act and the recommendations contained in the Preliminary Ecological Appraisal dated June 2021 (ref: BG21.237), and subsequently submitted information, should be adhered to.

**23 APPLICATION NO. 2021/0289 - 95 ARNOT HILL ROAD, ARNOLD, NOTTINGHAMSHIRE**

Proposed Apartment Building for 10 Apartments including the demolition of an existing building and garage.

The Head of Development and Place introduced the report.

**RESOLVED:**

That the Borough Council refuses planning permission on the following grounds:-

**Reasons**

- 1 In the opinion of the Local Planning Authority the proposed development would, by reason of its design, scale, massing and height appear a visually dominant and incongruous feature, which would be out of character with the area to the detriment of the visual amenity of the streetscene and the wider setting. The proposal therefore fails to meet with the objectives of Section 12 of the NPPF (2019), Policy 10 of the GBACS (2014), and Policies LPD 35 and 40 of the LPD (2018).

- 2 In the opinion of the Local Planning Authority the proposed development by reason of its design, scale, massing and height would result in an adverse impact on the residential amenity in terms of overbearing, overshadowing and overlooking impact. The proposal therefore fails to meet the objectives of Section 12 of the NPPF (2019) and Policies LPD 32 and LPD 40 of LPD (2018).

### **Notes to Applicant**

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). However the proposed development is considered to be unacceptable, for the reason set out.

## **24 APPLICATION NO. 2021/0542 - 19 ASHE CLOSE, ARNOLD, NOTTINGHAMSHIRE**

Erect detached dwelling.

Ruth Farnsworth, The Applicant, spoke in support of the application.

The Head of Development and Place introduced the report.

### **RESOLVED:**

To Refuse Planning Permission.

### **Reasons**

- 1 In the opinion of the Local Planning Authority the proposed dwelling would represent a form of backland development that would appear alien and entirely incongruous with the established layout and urban form of the area, which is predominantly characterised by properties directly facing the highway with no clear tandem or back land development present. The proposal would therefore fail to accord with Sections Section 12 of the NPPF, Policy 10 of the ACS and paragraph g. of Policy LPD 32, paragraph b. of LPD 35 and paragraph a) 1of policy LPD 40 of the LPD.

## Notes to Applicant

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). There are fundamental policy objections to the proposal and it is considered that these cannot be overcome. In order to avoid the applicant incurring further abortive costs, consideration has not been delayed by discussions, which cannot resolve the reasons for refusal, to facilitate a decision in a timely manner.

### **25 APPLICATION NO. 2021/0200 - LAND SOUTH OF COLWICK LOOP ROAD, COLWICK**

Section 73 application for amendments to planning permission 2020/0237 (as amended by Non Material Amendment 2020/1099NMA) relating to alterations to the approved Sainsburys store, car park and service yard at land south of Colwick Loop Road, Colwick.

The Principal Planning Officer introduced the report.

#### **RESOLVED:**

That the application be granted permission, subject to the conditions outlined below:

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

- A-PL-011-M Proposed Site Plan
- A-PL-012-F Proposed Food Store Plan
- A-PL-013-G Proposed Roof Plan
- A-PL-014-F Proposed Elevations
- A-PL-015-D Existing and Proposed Site Sections
- A-PL-016-D Proposed Recycling Centre
- A-PL-017-D Proposed Service Yard Plan
- A-PL-020-E Proposed Petrol Filling Station Plan
- A-PL-021-D Proposed Petrol Filling Station elevations
- A-PL-023 P01 Sprinkler Tank

A-PL-024 P02 Roof Plant  
A-PL-025 P01 Trolley Shelters, Walkways & Bollards  
A-PL-026 P03 Boundary Treatment & Service Yard Gates  
A-PL-029 P02 Motorcycle Shelter

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

2. Development shall commence in accordance with the materials as detailed on drawings 2019-273/A-PL-031 rev P03 and 2019-273/A-PL-027 rev P02.
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 D and GC.81800.202 rev D.
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 bat and bird boxes shall be installed in accordance with the details set out in the approved Biodiversity Management Plan prior to the relevant element being brought into use.
8. The drainage scheme for the disposal of surface water and foul sewage for each element of the development, shall be implemented before each respective element of the development is first brought into use, in accordance with the following approved documents:

Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-9950 P3  
Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-

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. The management of the car park shall be carried out in accordance with A-PL-011-M Proposed Site Plan.
11. Development shall proceed in accordance with the Construction Management Plan as approved under reference 2020/1136DOC.
12. The development shall not be occupied until highway improvements have been provided at A612 / Burton Road / Shearing Hill junctions, as outlined on drawing numbers TP2051026/03 and TP2051026/104 unless otherwise agreed in writing with 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 approved scheme to regulate the discharge of surface water from the access roads, parking, turning and servicing areas to the public highway, shall be implemented prior to the respective element being brought into use-, in accordance with the following documents:  
 Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-9950 P3  
 Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-9951 P5  
 Surfacing Type Plan XA-0013\_0057-FHT-Z07-XX-DR-C-9952 P4  
 Micro Drainage Details 1 in 1yr, 1 in 30yr and 1 in 100yr plus 40  
 FRA - dated October 2020, issue 5

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. M (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 development hereby approved shall not be occupied until the off-site traffic management works comprising of a weight restriction on Mile End Road, as approved under discharge of condition application 2021/0039, have been implemented.
17. The means to prevent the deposit of debris upon the adjacent public highway as a result of the construction hereby approved shall be completed in accordance with the details as approved under discharge of condition application 2002/1136DOC.
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. Development shall proceed in accordance with the evacuation plan as approved under reference 2020/0934DOC.
21. Development shall proceed in accordance with the approved flood resilience details as follows:

Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-9950 P3

Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-9951 P5  
 Surfacing Type Plan XA-0013\_0057-FHT-Z07-XX-DR-C-9952 P4  
 Micro Drainage Details 1 in 1yr, 1 in 30yr and 1 in 100yr plus 40  
 FRA - dated October 2020, issue 5

22. The surface water scheme for the development, which is based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be implemented prior to each respective element being brought into use, in accordance with the following details:

Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-9950 P3  
 Engineering Layout Sheet 2 XA-0013\_0057-FHT-Z07-XX-DR-C-9951 P5  
 Surfacing Type Plan XA-0013\_0057-FHT-Z07-XX-DR-C-9952 P4  
 Micro Drainage Details 1 in 1yr, 1 in 30yr and 1 in 100yr plus 40  
 FRA - dated October 2020, issue 5

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. Development shall proceed in accordance with the details as approved under reference 2020/1007DOC in respect of details with regard to the petrol filling station.
25. The schemes approved under conditions 19, 20, 21, 22 and 23 shall be fully implemented and subsequently maintained in that form.
26. Development shall proceed in accordance with the details as approved and listed at Conditions 1 and 2 of this permission, in respect of the following matters:
  - 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.



- j) Boundary treatment of the perimeter of the site, and around the recycling area.
- k) The appearance of the plant to be sited on the roof.

The above matters shall be maintained in accordance with these details at all times unless otherwise agreed in writing by the Local Planning Authority.

Not later than 6 months from the date of this decision notice details of the size, location and appearance of the proposed new bus stops on the site shall be submitted to and approved in writing by the Local Planning Authority.

- 27. Development shall proceed in accordance with the lighting scheme as identified on drawing XA-0013-0057-MPE-Z07-GF-DR-E-207-4 rev P1 and be maintained in that form thereafter.
- 28. Development shall proceed in accordance with the Biodiversity Management Plan as approved under reference 2020/1070DOC.
- 29. Development shall proceed in accordance with the two additional invertebrate surveys as approved under reference 2020/1013DOC.
- 30. The landscaping shall be implemented in accordance with the Landscape Masterplan GC.81800.001 E and Detailed Planting Plans GC.81800.301 H and GC.81800.302 H. 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.

## **Reasons**

- 1. For the avoidance of doubt.
- 2. To ensure that the character of the area is respected and to comply with policy ACS10.
- 3. In order to assist in the protection of air quality.
- 4. In the interests of good arboricultural practice.
- 5. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.
- 6. In order to assist in the protection of air quality.

7. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.
8. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
9. To ensure that the development meets some of the requirements for sustainable development.
10. In the interests of crime prevention.
11. In order to ensure Carlton Footpaths 22 and 23 are kept available for use both during and after the construction period and the users of the footpaths are not impeded or endangered in any way.
12. To ensure that the traffic accessing the development does not give rise to highway danger, traffic problems and loss of residential amenity.
13. To ensure that an adequate level of off street parking is provided for the needs of the development.
14. To regulate the discharge of surface water from the site onto to the public highway to prevent traffic and highway problems
15. To ensure the provision of cycle parking in order to support use by non car borne customers and staff.
16. To prevent heavy goods vehicles travelling along residential roads to access the site, in the interests of residential amenity.
17. To prevent the deposit of debris on the highways around the site, in the interest of highway safety.
18. To enable, encourage and facilitate visitors to the site to use non-car means of transport
19. To reduce the risk of flooding to the proposed development.
20. To enable a safe means of egress from the site during an extreme flood event.
21. To reduce the impact of flooding on the development.
22. To prevent the increased risk of flooding, both on and off site and to manage surface water in a sustainable manner.

23. To ensure that there is no mobilisation/ migration of contamination into the underlying aquifer.
24. To ensure that there is no mobilisation/ migration of contamination into the underlying aquifer.
25. To ensure the development is implemented in a manner which does not increase the risk of flooding, both on and off site, to manage surface water in a sustainable manner and prevent contamination.
26. These detailed matters were not included on the submitted plans and require the approval of the Local Planning Authority in the interests of visual amenity.
27. To ensure external illumination does not affect highway safety or residential amenity.
28. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.
29. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.
30. To ensure that the character of the area is respected and that the site will have ecological benefits and to comply with guidance within the NPPF.

### **Notes to Applicant**

Your attention is drawn to the attached comments of the Rights of Way Officer.

You are advised that further consents may be required for advertisements and signage, and you should contact the Borough Council prior to carrying out any such works.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

The proposed off-site highway works are likely to require a Traffic Regulation Order before the development commences to provide off-site mitigating works. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the County Highway Authority for details.

Washdown from the car wash should be discharged to foul sewer. This washdown should not be discharged via an oil separator as detergents in the washdown will render the separator ineffective. Car wash liquid waste is classed as trade effluent. Before discharging to a sewer you must always get a trade effluent consent or enter into a trade effluent agreement with your water and sewerage company or authority. If you are not able to discharge effluent to the foul sewer it will be classed as waste and you must then comply with your duty of care responsibilities. More information regarding the discharge of trade effluent can be found at [www.netregs.gov.uk](http://www.netregs.gov.uk) <http://publications.environment-agency.gov.uk/pdf/PMHO0307BMDX-e-e.pdf>

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

**26                    TREE PRESERVATION ORDER 000141 - NEWSTEAD ABBEY PARK, NEWSTEAD, NOTTINGHAMSHIRE**

Newstead Abbey Park Woodland Tree Preservation Order

The Head of Development and Place introduced the report. He informed Members that following publication of the report a further representation had been received and that the only new issue raised, which was not covered in the report, was that a significant number of trees were not visible from the public realm.

He added that in response to the additional issue raised, he would advise that some of the trees were not visible from the public realm, however they did still contribute to the wider setting and amenity of the woodland which the Tree Preservation Order was seeking to protect.

He concluded that the representations received did not raise any new issues and therefore recommended that the Tree Preservation Order was confirmed and the historic orders were revoked, in accordance with the report.

**RESOLVED:**

To confirm Tree Preservation Order - 000141 'Newstead Abbey Park' without modifications and revoke TPOs G0028 and G28B

**27                    APPEAL DECISION - 17 GREAVES CLOSE, ARNOLD**

Rear and side extension to existing house. Internal amendments.  
Demolition of existing garage.

**RESOLVED:**

To note the information.

**28 APPEAL DECISION - LINBY HOUSE, LINBY LANE, LINBY**

The development proposed is four new detached single storey dwellings for the over 55's with eight associated parking spaces.

**RESOLVED:**

To note the information.

**29 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

**30 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.20 pm

Signed by Chair:  
Date:

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## **PLANNING COMMITTEE PROTOCOL**

### **Introduction**

1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be reached, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is empowered by the Borough Council, as the democratically accountable decision maker, to determine planning applications in accordance with its constitution. In making legally binding decisions therefore, it is important that the committee meeting is run in an ordered way, with Councillors, officers and members of the public understanding their role within the process.
3. If a Councillor has any doubts about the application of this Protocol to their own circumstances they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.
4. This protocol should be read in conjunction with the Council's Member's Code of Conduct, Code of Practice for Councillors in dealing with Planning Applications, briefing note on predetermination and the Council's Constitution.

### **Disclosable Pecuniary and Non- Pecuniary Interests**

5. The guidance relating to this is covered in the Council's Member's Code of Conduct and Code of Practice for Councillors in dealing with Planning Applications.
6. If a Councillor requires advice about whether they need to declare an interest, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

### **Pre-determination and Predisposition**

7. Councillors will often form an initial view (a predisposition) about a planning application early on in its passage through the system whether or not they have been lobbied. Under Section 25(2) of the Localism Act 2011 a Councillor is not to be taken to have had, or to have appeared to have had, a closed mind when making a decision just because the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take in relation to a matter, and, the matter was relevant to the decision.
8. This provision recognises the role of Councillors in matters of local interest and debate, but Councillors who are members of the Planning Committee taking part in a decision on a planning matter should not make up their minds how to vote prior to consideration of the matter by the Planning Committee and therefore should not

comment or make any commitment in advance as to how they intend to vote which might indicate that they have a closed mind (predetermination).

9. If a Councillor has made up their mind prior to the meeting, or have made public comments which indicate that they might have done, and is not able to reconsider their previously held view, then they will not be able to participate on the matter. The Councillor should declare that they do not intend to vote because they have (or could reasonably be perceived as having) judged the matter elsewhere. The Councillor will be then not be entitled to speak on the matter at the Planning Committee, unless they register to do so as part of the public speaking provision. For advice on pre-determination and predisposition, Councillors should refer to the Code of Practice for Councillors in dealing with Planning Applications in the Council's Constitution, and seek the advice of the Council Solicitor and Monitoring Officer.

### **Lobbying**

10. The guidance relating to this is covered in the Code for dealing with Planning Applications.
11. If a Councillor requires advice about being lobbied, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

### **Roles at Planning Committee**

12. The role of Councillors at committee is not to represent the views of their constituents, but to consider planning applications in the interests of the whole Borough. When voting on applications, Councillors may therefore decide to vote against the views expressed by their constituents. Councillors may also request that their votes are recorded.
13. The role of Officers at Planning Committee is to advise the Councillors on professional matters, and to assist in the smooth running of the meeting. There will normally be a senior Planning Officer, plus a supporting Planning Officer, a senior Legal Officer and a Member Services Officer in attendance, who will provide advice on matters within their own professional expertise.
14. If they have questions about a development proposal, Councillors are encouraged to contact the case Officer in advance. The Officer will then provide advice and answer any questions about the report and the proposal, which will result in more efficient use of the Committees time and more transparent decision making.

### **Speaking at Planning Committee**

15. Planning Committee meetings are in public and members of the public are welcome to attend and observe; however, they are not allowed to address the meeting unless they have an interest in a planning application and follow the correct procedure.
16. Speaking at Planning Committee is restricted to applicants for planning permission, residents and residents' associations who have made written comments to the Council



about the application and these have been received before the committee report is published. Professional agents representing either applicants or residents are not allowed to speak on their behalf. Anyone intending to speak at Committee must register to do so in writing, providing name and contact details, by 5pm three working days before the Committee meeting. As most Committee meetings are currently held on Wednesdays, this is usually 5pm on the Friday before. A maximum of 3 minutes per speaker is allowed, unless extended at the Chair of the Committee's discretion, so where more than one person wishes to address the meeting, all parties with a common interest should normally agree who should represent them or split the three minutes between them. No additional material or photographs will be allowed to be presented to the committee, and Councillors are not allowed to ask questions of speakers.

17. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
18. Where members of the public wish to leave the chamber before the end of the meeting, they should do so in an orderly and respectful manner, refraining from talking until they have passed through the chamber doors, as talking within the foyer can disrupt the meeting.

### **Determination of planning applications**

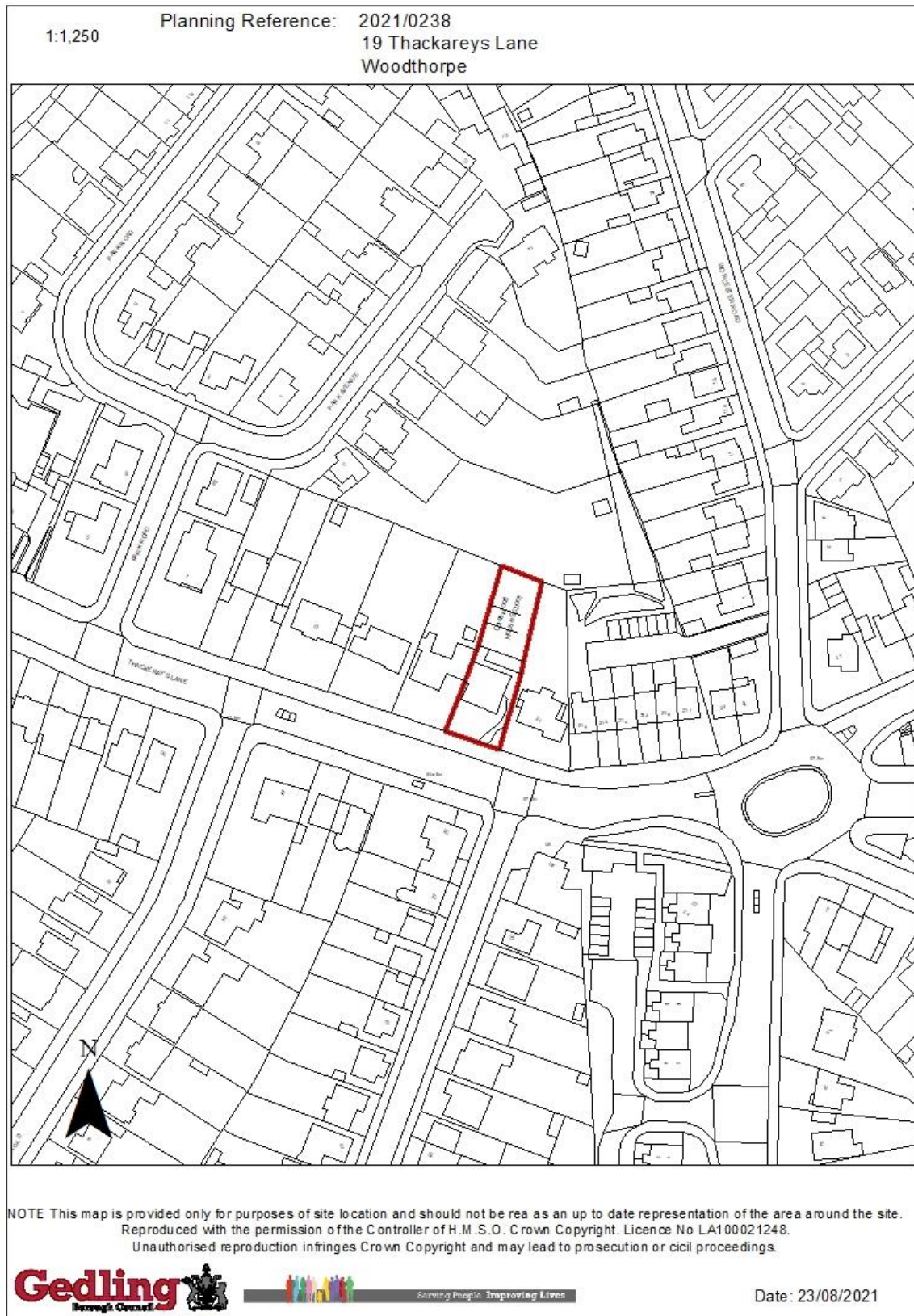
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the application, a vote will be taken.
20. Whilst Officers will provide advice and a recommendation on every application and matter considered, it is the responsibility of Councillors, acting in the interests of the whole Borough, to decide what weight to attach to the advice given and to the considerations of each individual application. In this way, Councillors may decide to apply different weight to certain issues and reach a decision contrary to Officer advice. In this instance, if the Officer recommendation has been moved and seconded but fails to be supported, or if the recommendation is not moved or seconded, then this does not mean that the decision contrary to Officer advice has been approved; this needs to be a separate motion to move and must be voted on. If, in moving such a motion Councillors require advice about the details of the motion, the meeting can be adjourned for a short time to allow members and Officers to draft the motion, which will include reasons for the decision which are relevant to the planning considerations on the application, and which are capable of being supported and substantiated should an appeal be lodged. Councillors may move that the vote be recorded and, in the event of a refusal of planning permission, record the names of Councillors who would be willing to appear if the refusal was the subject of an appeal.

Oct 2015

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**Planning Report for 2021/0238**



## **Report to Planning Committee**

<b>Application Number:</b>	<b>2021/0238</b>
<b>Location:</b>	<b>19 Thackerays Lane Woodthorpe</b>
<b>Proposal:</b>	<b>Extension to existing Coteswood House Pre-School and Day Nursery, to provide extended ground floor class room, office, kitchen &amp; covered play area, incorporating extension to first floor class room</b>
<b>Applicant:</b>	<b>Mr O Wastell</b>
<b>Agent:</b>	<b>Mr A Allison Ryeland Design</b>
<b>Case Officer:</b>	<b>Cristina Dinescu</b>

**This application has been referred to the Planning Committee by the Planning Delegation Panel to consider the impact on highway safety and the residential amenity of neighbouring occupiers.**

### **1.0 Site Description**

- 1.1 The application site, no.19 Thackerays Lane, is a two-storey detached building, in use as a day nursery with 40 child places, located within the built up area of Woodthorpe. The property is adjoined to by two-storey detached dwellings at no's 17 (west) and 21 (east) Thackerays Lane. To the rear (north), the property is adjoined by the rear garden of no.2 Park Avenue.

### **2.0 Relevant Planning History**

- 2.1 94/1789 – Planning permission was granted for change of use of first floor rooms from storage to computer room. Condition 2 restricts the number of pupils to no more than 40 to be accommodated at the school at any one time.

### **3.0 Proposed Development**

- 3.1 Planning permission is sought to erect a two storey rear extension. The extension would increase the class room capacity which in turn would increase the number of children on site at any one time to 48.
- 3.2 The extension would have dual pitched roof, a single storey element to the west with flat roof and an enclosed courtyard to the rear. The extension would measure 6.0m in depth, 8.45m in width, 2.48m at eaves height and 7.5m at ridge height from ground level. The single storey element would measure 2.1m in depth, 2.8m in height and 1.5m in width. External materials would be

off-white render, small areas of timber cladding and dark grey engineering bricks.

**3.3 An Operator Statement has been submitted in support of the proposal outlining the following:**

- The planned extension would allow to increase provision from 32 full-time places to 48;
- The nursery is a term-time only setting at the moment with 70-75 children on the register as many parents only access the free 15/30 hours per week;
- The intention is to open full time which will attract more children whose parents work full time thereby increasing the average hours attended per child per week;
- The increase in number of places will be off-set by a drop in the number of children on the register and by extending the openings hours to 7:00 am and 6:00 pm, therefore the increase in traffic to and from the site would not be significant;
- Additional 2-3 staff would be required which would take the staff requirement from 8 to a maximum of 11;
- The majority of the staff live local and either walk or get the bus to get to the nursery; and those that do drive park outside the nursery or use one of the nearby streets to park;
- The nursery has a 'Drop off and Collection Policy' which could be updated to advise parents where to park when dropping off and collecting;
- The government funded childcare is offered between the hours of 9:00 am to 4:00 pm;
- It is expected that when transitioning to a full-time setting there would be more children starting before 9:00 am and more finishing after 4:00 pm given that the average person works 9-5 and they need time to get to and from work after drop-off and collection;
- 20-30% of the places, when transitioning to a full-time setting, would be kept available for 8am to 6pm sessions.

**4.0 Consultations**

**4.1 The Highways Authority – Raises no objection and has provided a comprehensive response below:**

It is understood that the nursery is proposing to expand its facilities and full time spaces for children are to increase from 32 to 48.

At present there are 70 to 75 children on the register, of which a large number are part time with parents accessing their free child care of 15/30 hours per week, which has the potential to generate large numbers of dropping off and picking up between the hours of 9am and 4pm each week day when the nursery is currently open. There is no parking on site and never has been to serve the nursery which has been a business for many years and there have been no highway safety problems that we are aware of during this time. Information that has been supplied by the Nursery suggests that at present the majority of children are 'dropped off' around 9am in morning Peak Hour Traffic and 'picked up' at 4pm start of Peak traffic in pm

The proposal to increase full time places and increase the time that the Nursery is open should not have a detrimental effect on the highway as there should be less traffic wishing to access the Nursery at traffic peak times of the day. Drop off and pick up times will be extended as the nursery is proposed to open at 07:30 and close at 18:00 giving more flexibility to parents which will possibly stagger their timings when accessing and egressing the nursery as they will not all be arriving and leaving at the same time.

Car Parking is available within walking distance (Thackerays Lane Recreation Ground) and there is safe accessible parking on the highway on roads in the vicinity of the proposal to allow dropping off and picking up of children who are transported by vehicle to the Nursery.

Bus companies provide regular services along Thackerays Lane which allow more sustainable modes of transport, and there is also a pedestrian crossing facility near the nursery to aid pedestrians to cross Thackerays Lane in a safe manner.

It has been raised that there have been some issues with the blocking of neighbouring accesses at times, this is not a highway safety concern but it is an offence to park on footways and/ or block vehicular accesses and is a Police matter.

There is available parking in the vicinity within walking distance and it is suggested that the applicant deters all parking outside the Nursery.

It is suggested that owners of vehicles could be deterred from parking in front of vehicular accesses by introducing lining and this would need to be provided for, by the applicant, in conjunction with the County Council to deter any errant parking. (A note to applicant is attached in relation to the above matter).

4.2 Environmental Health – We have not received any noise complaints regarding the premises so it seems unlikely to cause any problems but if we received complaints we could investigate it as a statutory nuisance.

4.3 Adjoining Neighbours have been notified by letter and a Site Notice posted. 5 letters of representation have been received as a result raising the following concerns:

- *The proposal would result in increasing the number of children and therefore increased parking issues and increased risk of accidents;*
- *Parents block access to neighbouring properties;*
- *There are no barriers outside the nursery to stop the children running into the road, no zig zag lines and no signage advising drivers to slow down;*
- *Increased CO2 pollution in the area;*
- *Overdevelopment;*
- *Impact on residential amenity by level of noise, activity on site and generation of traffic.*

4.4 Following submission of the Operator Statement, adjoining neighbours have been re-consulted. 2 further letters of representation were received as a result raising the following concerns:

- On-pavement parking is not allowed and there should be signs restricting this;
- The 'Drop-off and Collection Policy' should be clearer in advising parents not to block neighbouring driveways and not to park their vehicles straddling the pavements;
- Operating on a full time basis would add to the frequency of disturbance for residents;
- Number of places should be controlled by the Local Planning Authority.
- The increase in number of children would lead to over-intensification of use and consequent unacceptable impacts on neighbours' residential amenity.

4.5 Further to submission of revised proposed elevations, adjoining neighbours have been re-consulted and 2 letters of representation were received as a result, raising the following concerns:

- Increasing the number of places would increase on-street parking;
- Increased highway safety issues;
- Increased pollution and noise by increased traffic;
- Increased playground activity;
- Overlooking;
- Building activity and mess during construction works.

## **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 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 development plan unless material considerations indicate otherwise".

## **6.0 Relevant Planning Policy**

6.1 The following policies/documents are relevant to this proposal:

### **6.2 National Planning Policy Framework (2021) (NPPF)**

At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Section 2 Achieving sustainable development, Section 6 Building a strong and competitive economy, Section 8 Promoting healthy and safe communities, Section 9 Promoting sustainable transport, Section 12 Achieving well-designed places.

### **6.3 Gedling Borough Aligned Core Strategy**

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

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

Policy 12 – Local Services and Healthy Lifestyles – extended community facilities will be supported where they meet a local need and are located in sustainable locations

#### **6.4 Local Planning Document (LPD)**

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

LPD 46 Expansion of Existing Employment Use Not in the Green Belt – planning permission will be granted for development proposals that would not cause a significant adverse impact on the amenity of nearby residents or occupiers and the proposal does not have a detrimental effect on highway safety.

LPD 57 Parking Standards – sets out the requirement for parking. In this instance day nurseries are required to provide one car space per member of staff plus one additional space to allow for shift changes or as otherwise agreed by the local planning authority.

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

#### **7.0 Planning Considerations**

##### **Impact on character and appearance of the area**

- 7.1 The proposed extension would be located to the rear of the existing building, it would have a dual pitched roof with similar eaves height and lower ridge height and would be constructed of similar external materials. Other properties on the same side of Thackerays Lane are characterised by being detached and designed individually, some having extensions that are subservient in appearance and of a limited scale. It is considered, given the location proposed, scale and design, the proposed extension would be visually acceptable and in keeping with the character of the host property and the wider area. The proposal would therefore be in accordance with the NPPF Section 12, Policy 10 of the Aligned Core Strategy and Policy LPD 46 of the Local Planning Document.

##### **Impact upon residential amenity – Extension**

- 7.2 The proposed development comprises a two storey rear extension with a single storey element to the west (towards the boundary with no.17 Thackerays Lane). The single storey extension would have a flat roof and would measure 2.8m in height and 2.1m in depth. The two storey extension



would measure 6.0m in depth, 2.4m at eaves height and 7.5m at ridge height (lower than existing).

- 7.3 The extension would include an open courtyard area at first floor level beneath the roof with an opening in the western roof slope that would be approximately 1.8m in height from first floor level. There would be additional roof lights on both roof slopes (east and west facing) but these area again high level.
- 7.4 The distance from the side elevation of the two storey extension to the boundary with no.17 Thackerays Lane, which is comprised of a hedge, would be approximately 1.9m.
- 7.5 No.17 has a flat roof extension set on the common boundary with the application site and an outbuilding adjacent to the proposed two storey extension.
- 7.6 The distance to the boundary with no.21 Thackerays Lane to the east would be a minimum of 2.5m. There is a combination of hedge and close boarded fence along the common boundary.
- 7.7 The boundary hedge on the western, eastern and northern boundaries is proposed to be retained.
- 7.8 It is considered, given the nature and size of the proposed extension together with its location, location of proposed openings, separation distances and relationship with adjoining properties, the proposed extension would not result in a significant undue overlooking, overbearing and overshadowing impact on the residential amenities of the occupiers of any adjacent properties.

Impact upon residential amenity – Increase in number of places

- 7.9 The proposal would also involve increasing the number of children on site at any one time to 48. The nursery is currently limited to 40 at any one time by Condition 2 of planning permission 94/1789. However, the size/available floor area of the property currently further limits the number to 32.
- 7.10 Given the comments received from the Environmental Health Officer, it is considered the increase to 48 children, compared to the current capacity, would represent a relatively small increase which is unlikely to result in any significant increase in harm to the amenity of neighbouring occupiers.
- 7.11 It is considered, given the relatively small increase in number of places proposed and relationship with adjoining residential properties, the proposal to increase the number of places is acceptable from a residential amenity perspective. Nonetheless a condition would be attached to any planning permission limiting the number of children at the day nursery at any one time to no more than 48.
- 7.12 Taking the above matters into consideration the proposal would be in accordance with policy LPD 32 and LPD 46 of the Local Planning Document.

#### Highway safety and parking provision

- 7.13 The proposed development would involve increasing the number of children on site at any one time to 48 and also expanding the opening times to 7:00am and 18:00pm.
- 7.14 The property has a driveway and vehicular access however the driveway is not used to park cars off-street and, as advised by the applicant, the staff employed at the nursery either live locally and walk to work or park on the roads nearby.
- 7.15 The nursery is located in a sustainable location, close to the Council operated public car park at Thackerays Lane Recreation Ground approximately a 2 minute walk away, and a bus stop opposite the site.
- 7.16 Currently the nursery has a capacity of 32 places. But due to it being a term-time only setting and having a significant proportion of the places occupied by children that only use the free funding available from the government, the nursery has 70-75 children on the register and the majority of comings and goings to and from the site take place around 9 am and 4 pm.
- 7.17 The proposed extension would increase the net capacity of the nursery to 48 places which the applicant is envisaging would attract children whose parents would need full time childcare cover and by extending the openings hours to 7 am and 6 pm. This would promote more staggered drop-off and collection times, with an increase in movements outside traffic peak times.
- 7.18 It is noted that the nursery could currently operate during school vacations but the applicant chooses not to due to the current size constraints of the building. It is however likely that care during the school vacations will be offered in the future should this application be successful.
- 7.19 Children being dropped off at the site this would operate on a drop-off basis in that parents vehicles would not enter the site and would remain on the highway.
- 7.20 Notwithstanding the parking requirements set out in LPD 57, it should be noted that there are no parking spaces on site and this has been the case for the existing nursery that has operated for a significant period of time. Whilst Policy LPD 57 sets out parking requirements it is caveated in that alternative levels of provision as agreed by the local planning authority may be acceptable. It should also be noted that there is no requirement for visitor parking spaces by this Policy.
- 7.21 The applicant has stated that the staff live local and adopt sustainable travel patterns.
- 7.22 The Highway Authority has confirmed that they are not aware of any instances of highway safety matters relating to the operation of the site. This coupled with the modest increase in children on site it is considered to be a scenario when the discretion element of LPD 57 is triggered and in this instance no on-site parking provision is an acceptable on-going arrangement.

- 7.23 Children's nursery uses by definition result in a number of comings and goings to the site for drop off purposes. This cannot be avoided. The main consideration is whether or not this causes any significant harm to highway safety.
- 7.24 The National Planning Policy Framework is quite specific in relation to highway matters and states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.
- 7.25 Given the comments received from the Highways Authority, the fact that the site has operated for a significant period of time, albeit with a lower number of children's places, and the sustainable location of the nursery, it is considered the proposed development would be acceptable from a highway safety/capacity perspective.
- 7.26 Taking the above matters into account in that vehicle drops would be of limited duration and would be spread between 7am and 6pm it is considered that the proposed development would accord with LPD 57- Parking Standards, LPD 61 Highway Safety, Policy 12 of the Gedling Borough Aligned Core Strategy and the relevant section of the NPPF and would be acceptable from a highway safety perspective.

#### Other matters

- 7.27 With regards to air pollution, the comments received from neighbours in this regard are noted, however, whilst it is accepted that the increase in number of places is likely to generate more car movements, the level of air pollution would not increase significantly so as to warrant a refusal.
- 7.28 Whilst the proposal comprises a two storey rear extension and the increase of number of places to 48, given the size of the application site and the scale and size of the proposed extension, it is considered the proposed development would not result in overdevelopment of the site.
- 7.29 The neighbours' concerns regarding parents blocking accesses to neighbouring properties at drop off and collection times are noted. But this is not a planning matter. The planning authority has no control over indiscriminate parking. It is recommended that a note to applicant is attached to any grant of planning permission explaining the process by which occupiers can have "H" bar markings placed over drive ways to inform drivers that they should be left clear.

## **8.0 Conclusion**

- 8.1 Taking the above into account, it is considered the proposal would be visually acceptable and in keeping with the character of the host property and the wider area, it would not result in a significant undue impact on residential amenity and it would be acceptable from a highway safety perspective; in accordance with the NPPF Section 2, 6, 8 and 12, Policy A, Policy 10 and Policy 12 of the Gedling Borough Aligned Core Strategy and policies LPD 32,

LPD 46, LPD 57 and LPD 61 of the Local Planning Document and planning permission should be granted.

**Recommendation: Grant Planning Permission subject to conditions:**

**Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form and deposited plans, drawing no's RDS11563/07(a), RDS11563/05(c) and RDS11563/01(\_), received on 9th March 2021, and drawing no. RDS11563/06(d) received on 2nd August 2021. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 The day nursery shall have no more than 48 children in their care on-site at any one time.

**Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development in accordance with the aims of policy LPD 32 of the Local Planning Document.

**Reasons for Decision**

It is considered the proposal would be visually acceptable and in keeping with the character of the host property and the wider area, it would not result in a significant undue impact on residential amenity and it would be acceptable from a highway safety perspective; in accordance with the NPPF Section 12, Policy 10 of the Aligned Core Strategy and policies LPD 32, LPD 57 and LPD 61 of the Local Planning Document

**Notes to Applicant**

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

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

of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

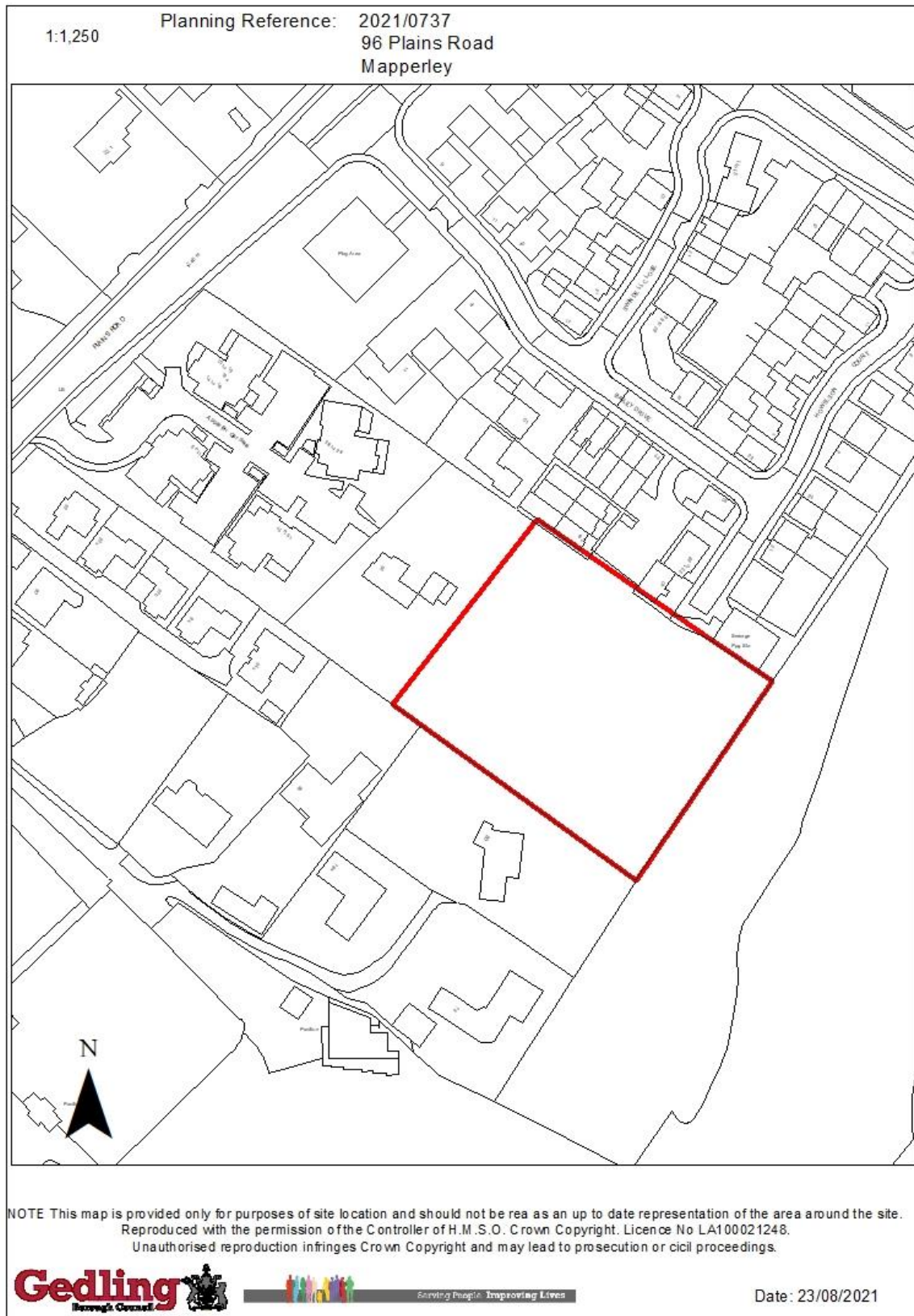
An appropriate measure to help alleviate residents' difficulties with vehicle access / egress to properties can be the provision of advisory 'H bar markings' and these can be provided in line with the County Council's charging policy on request from the applicant/owner/occupier of Coteswood Nursery. Requests can be made through Nottinghamshire County Council's customer service teams on 0115 500 80 80 or via <https://www.nottinghamshire.gov.uk/contact-and-complaints/contact-us/contact-us>. Please note that the applicant will need to liaise with the owner/occupier of no's 17 and 21 to agree that the application can be made, and all costs are to be borne by the applicant/owner/occupier of Coteswood Nursery.

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

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**Planning Report for 2021/0737**



**Report to Planning Committee**

**Application Number:** 2021/0737  
**Location:** 96 Plains Road, Mapperley  
**Proposal:** Erection of 9 dwellings  
**Applicant:** Midland Land and Investments Ltd  
**Agent:**  
**Case Officer:** Nigel Bryan

**The application is referred to Planning Committee to comply with the Council's constitution as planning obligations may be required to secure a financial contribution in-lieu of on-site public open space provision to mitigate the impact of development should planning permission be granted.**

**1.0 Site Description**

- 1.1 The application site forms a vacant parcel of scrubland, which is understood was at some time associated with 96 Plains Road and the operation of a small holding/horticultural site. It is bound by residential development on three boundaries including 96 Plains Road to the northwest; 80 and 82 Plains Road to the southwest; properties on Bailey Drive to the northeast, with Mapperley Golf Club to the southeast. There is a gradual but significant change in levels in the region of 10m across the site with the land dropping away when heading through the application site toward the golf course. There are limited features of note on the actual site save for self-set scrubland and some planting toward the site periphery. Vehicular access would be through Bailey Drive.

**2.0 Relevant Planning History**

- 2.1 2014/0665 – an application on the site for 'Proposed Residential Development (outline)' was considered at the 29th October 2014 Planning Committee, and it was resolved to grant planning permission. However, no decision has been issued on the application with it understood that the Section 106 legal agreement required to be signed in support of the application has not been completed.



### **3.0 Proposed Development**

- 3.1 The application seeks full planning permission for the erection of 9 dwellings. All of the units would be large detached properties spread over 2½-storeys in scale with at least 5-bedrooms, some having detached garages, whilst others would be integral, and some with home offices and games rooms too. Materials are identified as red brick under grey tiled roofs. Vehicular access would be from Bailey Lane and is proposed to be a private drive.
- 3.2 The layout is designed around a simple T-junction turning head with four properties adjacent to 96 Plains Road; three adjacent to 80 Plains Road; one overlooking the golf course and one unit adjacent to a block of flats on Bailey Drive. All of the units would have rear gardens in excess of 10m in depth with a garden of 11.5m more typical.

### **Consultations**

- 4.1 Highway Authority (NCC) – note that the road is intended to be private and the gradients proposed, therefore, raise no objection to the application subject to the imposition of conditions in respect of the road construction, parking layout, bin storage and clarification on the long-term maintenance of the road.
- 4.2 Environmental Protection – raises no objection subject to the imposition of conditions in respect of contamination, electric vehicle charging points and a Construction Emission Management Plan (CEMP).
- 4.3 Parks Officer – note that the application site exceeds 0.4 of a hectare and, therefore, either on-site Public Open Space would be required or payment in-lieu of such provision. If payment in-lieu of such provision is to be provided a contribution of £17,635.68 is required.
- 4.3 Appropriate consultation with neighbours has been undertaken, including further consultation following the receipt of additional information that amended the layout and house types. As a result of consultation undertaken a total of 3 letters have been received and all object to the application. A summary of the observations received are below;
- Vehicle movements in the area will increase, to the detriment of highway safety, and an alternate access from Plains Road should be considered;
  - The height of the dwellings is too large and they should be two–storey only;
  - Amenity will be compromised through a dominating and overlooking impact;
  - Protected species on the site, notably gold finch and bats, will be detrimentally impacted; and
  - Construction traffic and builders on site early in the morning will be detrimental to the amenity of neighbouring properties.

## **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 2021**

The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2021 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG). Sections 5 (Delivering a sufficient supply of homes), 11 (Making effective use of land) and 12 (Achieving well-designed places) are particularly relevant.

### **6.3 Greater Nottingham Aligned Core Strategy (ACS) Part 1 Local Plan**

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

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

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

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

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

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

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

### **6.4 Local Planning Document (Part 2 Local Plan)**

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

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

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

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

LPD 18 Protecting and Enhancing Biodiversity – sets out that proposals should be supported by an up to date ecological assessment. Any harmful impact should be avoided through design, layout and mitigation or compensation. Where possible, development proposals will be expected to take opportunities to incorporate biodiversity in and around the development and contribute to the establishment of green infrastructure.

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

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

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

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

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

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

LPD 40 – Housing development on unallocated sites – planning permission will be granted for development on such sites provided the character of the area and residential amenity is respected and adequate parking is provided.

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

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

## **7.0 Planning Considerations**

### **Principle of the development**

- 7.1 The application site falls within the main urban area of the Borough and there are no overriding policy restrictions on the site, which is reasonably well located in terms of access to services. Furthermore, whilst planning permission has not been granted on the site for residential development it is apparent that there is a resolution to grant outline permission for such a use, which indicates that the principle of residential development is supported. Therefore, the primary determining factors in the determination of the application are considered to be impacts on the character of the area, residential amenity, public open space, drainage, ecology, highway safety and parking provision.

### **Impact on the character of the area and residential amenity**

- 7.2 The area is characterised by a mixture of housetypes and tenures with it noted that there are flats and houses all within the immediate area, including some larger detached properties set within large gardens to the west. As a result there is not considered to be an overriding style or form of residential development that characterises the area, rather the area is characterised by a mixture of housetypes and sizes. The current application is for the erection of 9 large detached units, comprising 5-bedrooms or more, accessed off a private drive. Given the mixture of housetypes and densities in the area, including larger detached units that are reasonably common along Mapperley Plains, particularly facing the main road, the dwellings proposed are not considered to be out of character with the area. The density of development, at roughly 18 per hectare, would be lower than the 30 per hectare sought by policy LPD33; however, taking into account the larger units in the area the proposal is not considered to be out of character and a lower density of development is considered to be appropriate in this instance.
- 7.3 The overall layout is acceptable and has been designed around the access to the site, which would need to come from Bailey Drive, as well as provide appropriate turning within it. Each dwelling would have covered off-street parking for at least two vehicles with additional space available to the front of the units. Rear gardens would be not less than 10m in depth and typically in the region of 11.5m; this is considered to be adequate to ensure that any possible overlooking and overbearing impacts would be acceptable. Unit 8 has also been re-sited so that it sits closer to the gable of 28 Bailey Drive to reduce possible overbearing impacts to the rear garden of this property. Furthermore, whilst concern has been expressed about the scale of development it is apparent that the accommodation in the second floor will largely be in the roof space and there are properties to the immediate east on Bailey Drive that are of similar scale, if not taller, than the units proposed to be erected as part of this application. Having regard to the above, it is considered that the proposed development would respect the character of the area and residential amenity and complies with policies LPD32, LPD33, LPD35, LPD37 LPD40, ACS8 and ACS10.

## Highways and Parking

- 7.4 On the original consultation to the application the Highway Authority questioned whether the access road is to be adopted by the Highway Authority or be private, and also sought clarification on the gradients for the proposed road. The agent has confirmed that the roads are to remain private and, therefore, there would need to be some form of maintenance agreement between the occupiers of the estate with regard to future maintenance of the roadway, something that can be secured through the legal agreement. It should be noted that for a development comprising this number of properties the Local Planning Authority would normally look to secure access, at least for part of its length, off an adopted road; however, there are no powers to enforce this. Therefore, based on what has been supplied and the gradients of roads proposed, there is no overriding reason for the Local Planning Authority to object to the application on highway safety grounds and future maintenance of the private road can be secured through the legal agreement.
- 7.5 In respect of parking provision it is noted that each property will have access to a double garage, either integral or detached, as well parking provision to the front of the dwellings too. Policy LPD57 refers to the parking standards within Appendix D of the Local Planning Document, which requires 3 parking spaces for developments of this scale, which is achieved as part of this layout. As a result it is considered that the access to the site is acceptable and parking provision would also be policy compliant. The application is, therefore, deemed to comply with policies LPD57 and LPD61.

## Planning obligations

- 7.6 The application is not a major, in that it is not for 10 dwellings or more; however, policy LPD21 identifies that for development on sites of 0.4 of a hectare or more on-site Public Open Space (POS) would be required, or a financial contribution in-lieu of such provision, to make the development acceptable in planning terms. Given that the application site exceeds the identified 0.4 of a hectare threshold some form of provision is required. In this instance, given the location of an existing park on the junction of Mapperley Road and Bailey Drive, it is considered that a contribution to the enhancement of equipment on that site would better than a modest area of POS within the site. The Parks Officer has identified that a contribution of £17,635.68 is required.
- 7.7 As noted above, it is also recommended that details of the management company to manage the private road and other areas of land not within the residential curtilages be secured through the s106 legal agreement
- 7.8 For the avoidance of doubt, given that the development is for less than 10 dwellings, none of the other triggers points are met for contributions toward education, affordable housing or health.
- 7.9 The contribution sought is deemed to comply with guidance as outlined in paragraph 57 of the NPPF, which identifies that contributions need to be necessary to make the development acceptable in planning terms; directly related to the development and fairly and reasonably related in scale and kind

to the development. The obligations sought are considered to meet the pertinent tests and as well as comply with policies ACS19, LPD21 and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

### Other factors

- 7.10 There is a significant change of levels through the application site and whilst the layout is considered to be acceptable there would be a requirement for finished floor levels of the dwellings to be supplied and approved through a discharge of condition application, to ensure that the natural contours of the land are, where possible, utilised.
- 7.11 A protected species survey has been submitted in support of the application and identifies that there are no protected species of note on the site. However, given the proximity of the golf course and transient nature of badgers, it is recommended that an additional walkover survey be undertaken prior to the commencement of development. In addition, other matters such as the protection of nesting birds would need to be taken into account.
- 7.12 No details of drainage for the site has been supplied and these could be approved through a discharge of condition application, with it noted that there is a sewerage pumping station adjacent to the site.
- 7.13 Concern has been raised about impact on amenity through building works and a condition is proposed to be added in respect of a Construction Emission Management Plan, which should minimise impacts. It also has to be borne in mind that such impacts will be temporary in nature and can, if necessary, be controlled under Environmental Health legislation.
- 7.14 Conditions have been requested in respect of EV charging points, which will increase the sustainability of development, and to ensure any possible contamination is fully explored, both of which are considered to be acceptable.

## **8.0 Conclusion**

- 8.1 The application site falls within an area where there are no overriding policy constraints to residential development. The layout, scale and design of the development is acceptable having regard to the built form that surrounds it, and would respect the character of the area and residential amenity. The proposal would not be detrimental to highway safety and parking provision is acceptable. Impacts on ecology, contamination, drainage and sustainability would, subject to conditions, be acceptable. There is also a need to secure financial contributions in respect of Public Open Space provision.
- 8.2 Having regard to the above, the application is deemed to comply with policies A, 1, 2, 8 10, 17 and 19 of the Aligned Core Strategy; policies 4, 7, 11, 18, 19, 21, 32, 33, 35, 37, 40, 57 and 61 of the Local Planning Document and guidance within the National Planning Policy Framework.

**Recommendation: Recommendation: Grant Planning Permission:**  
**Subject to the owner(s) entering into planning obligations with the Borough Council as Local Planning Authority for a financial contribution towards off-site public open space and the provision of a management company for maintenance of access roads and areas of on-site open space not within the curtilages; 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:  
21/402-02D - site layout

21/402-A01\_A - housetype A elevations plot 1  
21/402-A02\_A - housetype A floor plans plot 1  
21/402-A03 - housetype A elevations plot 2  
21/402-A04 - housetype A floor plans plot 2  
21/402-B01 - housetype B  
21/402-C01 - housetype C  
21/402-D01 - housetype D  
21/402-E01 - housetype E elevations  
21/402-E02 - housetype E floor plans

21/402-G01\_A - detached garage

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

3. No above ground works shall commence until samples of external facing and roofing materials to be used in the erection of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
4. In the event that contamination is found at any time when carrying out the approved development 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 the Local Planning Authority, 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.

5. 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.
6. 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.
7. Prior to the commencement of development, 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 each development phase. 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.
8. No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved details.
9. No development shall be commenced until details of the means of foul drainage and surface water disposal have been 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. Prior to the commencement of development, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The document shall, where possible, identify compliance with the recommendations contained in the preliminary ecological appraisal submitted in support of the application.
11. Prior to the occupation of any dwelling, the parking spaces for that dwelling shall be made available for use and be retained as such thereafter.
12. No part of the development hereby permitted shall be brought into use until the access drive and footways are constructed and surfaced in a hard-bound material (not loose gravel). The surfaced access drive and footways shall then



be maintained in such hard-bound material for the life of the development.

13. No part of the development hereby permitted shall be brought into use until the access and footways are constructed with a gradient not exceeding 1 in 30 for a distance of 10m from the rear of the highway boundary, and never exceeds 1:15 thereafter, in accordance with drawing no. 21/402-02D.
14. No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
15. No part of the development hereby permitted shall be brought into use until the bin store has been constructed and positioned in accordance with drawing number 21/402-02D.

## **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 that the character of the area is respected and to comply with policy ACS10 of the Aligned Core Strategy.
4. To ensure that if any unexpected contamination is found it is fully investigated and to comply with policy LPD7.
5. 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.
6. 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.
7. To ensure that the development assimilated within the green landscape and to comply with policies LPD18 and LPD19.
8. To ensure that the character of the area and residential amenity is respected and to comply with policy LPD32.
9. To ensure that the site is adequately drained and to comply with policy LPD4.
10. To ensure compliance with policies LPD18 and ACS17.

11. To ensure adequate parking provision is provided and to comply with policy LPD57.
12. To ensure adequate access to the properties and to comply with policy LPD61.
13. To ensure adequate access to the properties and to comply with policy LPD61.
14. To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with policy LPD61.
15. To enable the bins to be collected by the refuse team on collection day and to comply with policy LPD61.

### **Notes to Applicant**

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](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

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

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

Please note that the grant of planning permission does not override civil legal matters in respect of development on or over a boundary or in respect of access to

third party land, advice on which should be sought from a suitably qualified solicitor or surveyor.

Please note that this grant of planning permission does not override the need to comply with the Wildlife and Countryside Act.

No part of the development hereby permitted shall be brought into use until the extended footway and access has been fully constructed under s278 agreement.

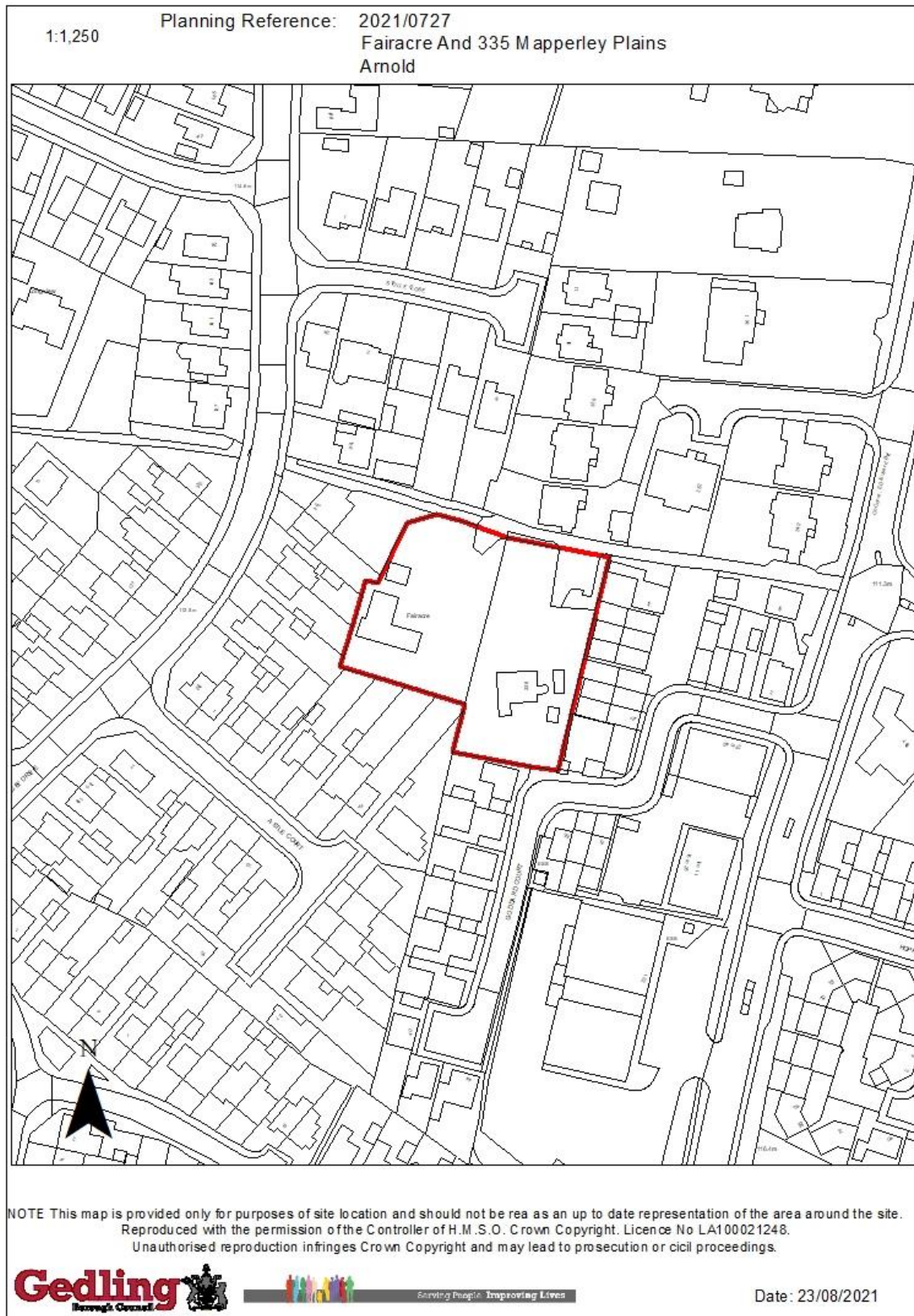
In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have / no control. In order to undertake the works, you will need to enter into an agreement under Section 278 of the Act. Please contact [hdc.south@nottsc.gov.uk](mailto:hdc.south@nottsc.gov.uk) for details.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2021). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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**Planning Report for 2021/0727**



**Report to Planning Committee**

<b>Application Number:</b>	<b>2021/0727</b>
<b>Location:</b>	<b>Fairacre And 335 Mapperley Plains, Arnold</b>
<b>Proposal:</b>	<b>Reserved Matters Application – Appearance and Landscaping – in relation to outline permission ref. 2017/1276 for 11 dwellings</b>
<b>Applicant:</b>	<b>Mrs Linda Sisson</b>
<b>Agent:</b>	<b>Zenith Planning And Design</b>
<b>Case Officer:</b>	<b>Bev Pearson</b>

**This application is referred to Planning Committee to comply with the Council's Constitution as the development proposes more than 9 dwellings.**

**1.0 Site Description**

- 1.1 The application site comprises two detached residential bungalows (no.335 Mapperley Plains and 'Fairacres') and their associated curtilages. The application site measures approximately 0.3 hectares in area. Access is currently from Mapperley Plains via a private drive off a public right of way to the north of the site.
- 1.2 Fairacre is located to the southwest of the site. Rear boundaries of properties on Ramsey Drive adjoin the west side boundary and rear boundaries of properties on Astle Court adjoin the rear south boundary of this property. The north boundary of the site adjoins the private access drive and the east boundary adjoins no.335 Mapperley Plains. The boundaries are currently defined by close-boarded panelled fencing, trees and planting.
- 1.3 No.335 Mapperley Plains is located to the southeast of the application site. The rear south boundary adjoins a rear boundary with no.15 Astle Court and the side boundary of no.28 Goddard Court. The east side boundary adjoins the rear boundaries of properties on Goddard Court. The boundaries are defined by close-boarded panelled fencing.

**2.0 Relevant Planning History**

- 2.1 2021/0190 – an outline planning application was submitted in February 2021 seeking the erection of 11 dwelling houses with details of access, layout and scale and other matters reserved and demolition of two existing bungalows – pending decision

- 2.2 2017/1276 – outline planning permission was granted on the 14<sup>th</sup> June 2018 for the erection of 11 dwelling houses with details of access, layout and scale and other matters reserved and demolition of two existing bungalows.

### **3.0 Proposed Development**

- 3.1 This application seeks reserved matters approval pursuant to outline permission ref. 2017/1276.

Matters under consideration for this reserved matters approval are landscaping and appearance.

### **3.2 Appearance**

6 house types are proposed as detailed below:-

- ☐ A1 – 2.5 storey 3 bed dwelling which has maximum dimensions of 8m depth, 5.2m width and an eaves height of 5.4m and a ridge height of 9.2m;
- ☐ B - 2.5 storey 3 bed dwelling which has maximum dimensions of 9.7m depth 9.1m width and an eaves height of 5.4m and a ridge height of 9.2m;
- ☐ C1 - 2 storey 3 bed dwelling with attached garage which has maximum dimensions of 8m depth, 5.8m width and an eaves height of 5.1m and a ridge height of 7.9m;
- ☐ C2 - 2 storey 3 bed dwelling with attached garage which has maximum dimensions of 8.2m depth, 10.3m width and an eaves height of 5.1m and a ridge height of 7.5m;
- ☐ D1 - 2 storey 4 bed dwelling with attached garage which has maximum dimensions of 8m depth, 5.8m width and an eaves height of 5.1m and a ridge height of 8.3m;
- ☐ D2 - 2 storey 4 bed dwelling with attached garage which has maximum dimensions of 8m depth, 5.8m width and an eaves height of 5.1m and a ridge height of 8.3m.

Proposed external materials comprise red brick, concrete tile roofs, dark grey fibre cement cladding front features and UPVC dark grey window frames

### **3.3 Landscaping including enclosure**

- ☐ Hard surfacing comprises Marshall Pastel textured flag paving (buff) and Marshalls Priora permeable block paving (bracken)
- ☐ Tarmac is proposed to the internal road surface with paved border
- ☐ Tree planting comprises Beech and Norway Maple. Each dwelling would be served by a lawned rear garden lplanyed shrub/hedgerow area.
- ☐ 1.8m high closed boarded fencing is proposed to be retained where existing or erected along the outer boundaries of the site, 1.8m high close boarded fencing to plot boundaries and 1.2m high brick wall with close boarded fencing to the two prominent corner House Type B plots

#### **4.0 Consultations**

4.1 Neighbouring properties were consulted and site notices was placed on 6<sup>th</sup> July 2021. 3 no. representations have been received which are summarised as follows:-

- ☐ A condition should be attached requiring the footpath linking Ramsey Drive with Mapperley Plains to be protected a public right of way and the length of footpath privately owned by the 2 dwellings in the application should be made good and street lighting should be provided
- ☐ Concerns are raised with regards to the public right of way between Ramsey Drive and Plains Road which is not fully addressed in the application – it is not confirmed if this is adopted and who is responsible for its drainage and street lighting
- ☐ This footpath should be kept open and not obstructed during any development
- ☐ No access to the site for construction traffic should be provided from the public footpath
- ☐ It is unclear whether the wall off the access to the footpath would be constructed before the demolition phase.
- ☐ In the earlier 2021 application it is unclear as to whether the footpath would be narrowed at the existing access to the existing bungalows on the site or to block it at this point.
- ☐ A new access from the development should be provided to the footpath – if not this would be against development plan policies

4.2 Nottinghamshire County Council Highways Authority –no concerns are raised.

#### **5.0 Assessment of Planning Consideration**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is 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 national and local policies are relevant to the application.

6.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework (NPPF) (2021) is relevant and the National Planning Practice Guidance (NPPG). At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. Section 12 (Achieving well-designed places is relevant in considering this application:



- 6.3 The Greater Nottingham Aligned Core Strategy (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:
- Policy A (Presumption in Favour of Sustainable Development) sets out that a positive approach shall be taken when considering design proposals.
  - Policy 10 (Design and Enhancing Local Identity) sets out the criteria that development will need to meet with respect to design considerations.
- 6.4 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:
- LPD 32 (Amenity) sets out that permission will be granted for development proposals that do not have a significant adverse impact on g. residential visual amenity
  - LPD 35 (Safe Accessible and Inclusive Development) sets out a number of design criteria that development should be met. Proposals should incorporate existing and new green infrastructure to reinforce the character of streets and spaces and the massing, scale and proportion of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces (including consideration of materials, architectural style and detailing), the setting, public function and/or importance of the proposed development and the location within the townscape.
  - LPD 40 (Housing Developments on Unallocated Sites). In relation to new builds and of relevance to this application this sets out that proposals should be of a high standard of design and should not adversely affect the area by reason of scale, bulk, form, layout or materials;

## **7.0 Planning Considerations**

### The Principle of development

- 7.1 The principle of development on this site has been approved under the outline permission ref. 2017/1276, which included access, layout and scale. Accordingly, the only matters for consideration as part of this current application relate to appearance and landscaping.

### Appearance

- 7.2 The proposed dwellings would be of a 2.5 and 2 storey scale as previously approved under the outline permission. The proposed external materials identified as being red brick, concrete tiles roofs, dark grey fibre cement cladding front features and UPVC dark grey window frames
- 7.3 The surrounding residential developments comprise a mix of external materials, including red brick and grey roof tiles. The proposed external materials detailed within the proposal section of this report are considered to reflect the character of the area and are therefore considered acceptable. Although the designs of

each of the house types would be different, the proposed cladding panels to each dwelling would be an architectural design feature that would be reflected throughout the development. Notwithstanding this it is considered reasonable to attach a condition requiring the submission of samples of facing and roofing materials.

- 7.4 It is therefore considered that taking the above into account the appearance of the dwellings would accord with guidance within Section 12 of the NPPF, Policy 10 of the ACS, and Policy LPD 32, Policy LPD 35, and Policy LPD 40 of the LPD.

#### Landscaping

- 7.5 A detailed landscape plan has been submitted with the application (ref MP-21-P108 Rev C). Gardens will be lawned with domestic scale planting within the plots. Proposed hard surfacing materials are considered to sit well within the appearance of the development and its wider context and are therefore acceptable.
- 7.6 It is proposed to retain existing perimeter 1.8m high close boarded fencing and erect new 1.8m high close boarded fencing along the boundary with the public footpath to the northern boundary of the site adjacent to the public footpath and between plots. Prominent corner plots (House Types B) would have walls with fencing at a height of 1.8m to their roadside boundaries. The details of enclosure are therefore considered acceptable.
- 7.7 The proposal therefore accords with Section 12 of the NPPF, Policy 10 of the ACS, and Policy LPD 32, Policy LPD 35 and Policy LPD 40 of the LPD.

#### Other Matters

- 7.8 I note the comments received with regards to the public footpath to the north of the site. This application relates solely to the reserved matters of appearance and landscaping of the application site. The public footpath is identified as Arnold Footpath 2. It falls outside of the red line of the site boundary and therefore does not form part of the previous outline application or the current reserved matters application to which this report relates. Notwithstanding this I would however note comments received from the Nottinghamshire County Council Rights of Way Team in relation to the as of yet undetermined outline application (2021/0190) which advises, amongst other things, that the footpath should be kept on its legal alignment and should remain open and not be obstructed.
- 7.9 Condition 8 of the outline planning permission requires the submission and written approval of a Construction Environmental Management Plan (CEMP) as part of a discharge of condition application on which there is no public consultation. This will cover matters such as details of traffic routes during construction and would be assessed by the Borough Councils Scientific Officer.

## **8.0 Conclusion**

- 8.1 The principle of the development has been established following the grant of outline permission (2017/1276). Access, layout and scale have already been approved under the aforementioned outline permission. With regards to layout and appearance submitted as this Reserved Matters application it is considered that the appearance of the proposed dwellings is acceptable in terms of design and materials and the proposed landscaping strategy is acceptable. The proposal therefore accords with Section 12 of the NPPF, Policy 10 of the ACS, Policy LPD 32, Policy LPD 35 and Policy LPD40 of the LPD.

## **9.0 Recommendation: That the Borough Council Grant Reserved Matters Approval subject to the following conditions:-**

### **Conditions**

- 1 This permission shall be read in accordance with the application form, Design and Access Statement and following list of approved drawings deposited on the 8th June 2021:-Site Location Plan; House Type A1 (drg no. MP-21-P101); House Type A1 (drg no. MP-21-P102); House Type B (drg no. MP-21-P103); House Type C1 (drg no. MP-21-P104); House Type C2 ((drg no. MP-21-P105); House Type D1 (drg no. MP-21-P106); House Type D2 (drg no. MP-21-P107); and revised Landscaping Plan (drg no. MP-21-P108 Rev C) deposited on the 23rd August 2021. The development thereafter shall be undertaken in accordance with these approved plans and details.
- 2 The landscaping scheme as shown on the Landscaping Plan (drg no. MP-21-P108 Rev C) deposited on the 23rd August 2021 hereby approved shall be carried out in complete accordance with the approved details 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 the development, 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.
- 3 No above ground works shall commence until samples of external facing and roofing materials to the dwellings and brick work to the proposed boundary walls have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

### **Reasons**

- 1 For the avoidance of doubt.
- 2 In the interests of visual amenity in accordance with the aims of Policy 10 of the ACS, and Policy LPD 32, Policy LPD 35 Policy and LPD 40 of the LPD.

- 3 In the interests of visual amenity in accordance with the aims of Policy 10 of the ACS, and Policy LPD 32, Policy LPD 35 and Policy LPD 40 of the LPD.

### **Reasons for Decision**

The principle of the development has been established following the grant of outline permission (2017/1276). Access, layout and scale have already been approved under the aforementioned outline permission. With regards to layout and appearance submitted as this Reserved Matters application it is considered that the appearance of the proposed dwellings is acceptable in terms of design and materials and the proposed landscaping strategy is acceptable. The proposal therefore accords with Section 12 of the NPPF, Policy 10 of the ACS, Policy LPD 32, Policy LPD 35 and Policy LPD 40 of the LPD

### **Notes to Applicant**

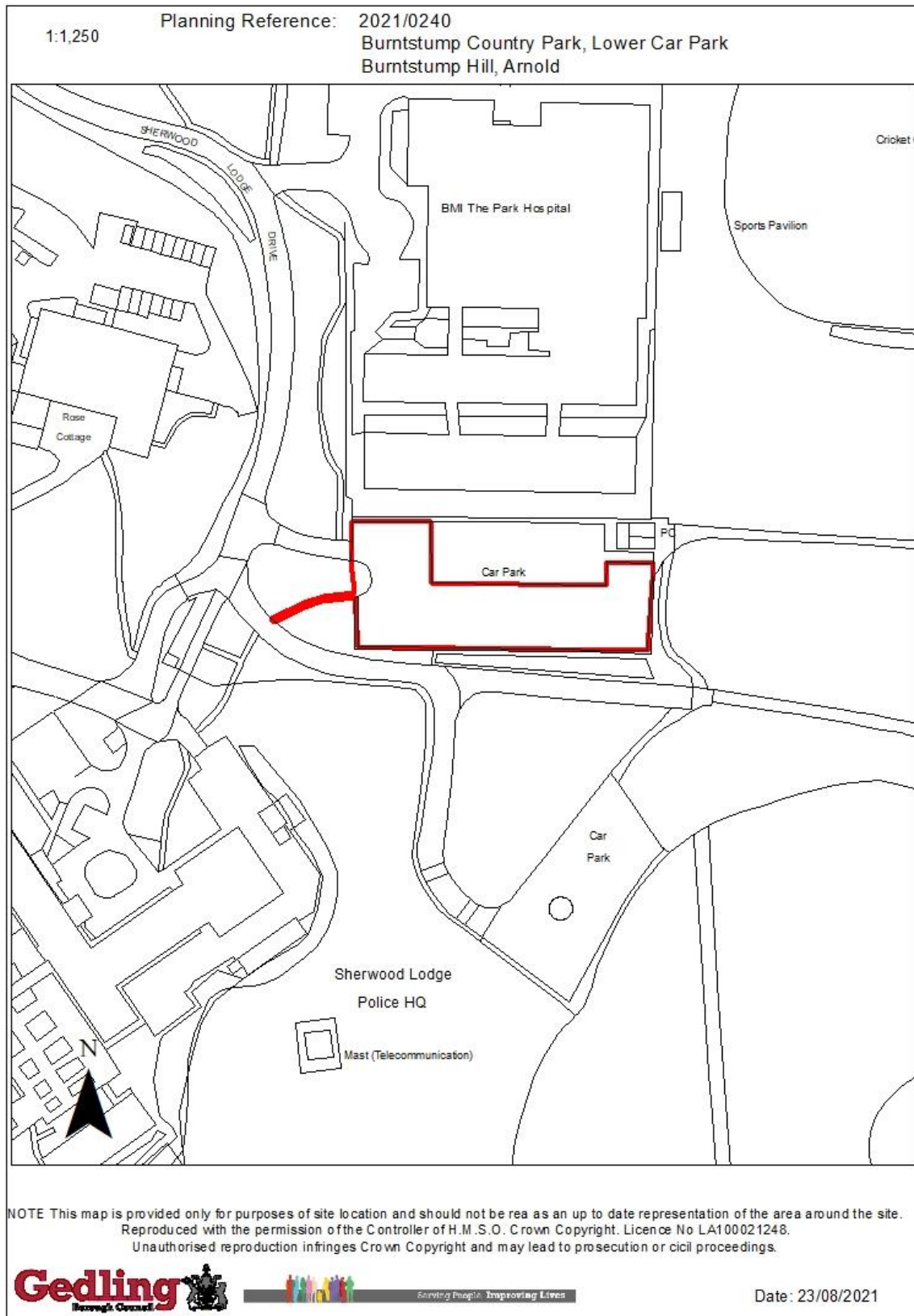
The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE 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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2021). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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



**Planning Report for 2021/0240**



## **Report to Planning Committee**

<b>Application Number:</b>	<b>2021/0240</b>
<b>Location:</b>	<b>Burntstump Country Park, Lower Car Park, Burntstump Hill, Arnold</b>
<b>Proposal:</b>	<b>Alterations to existing car park to include fencing, security barrier, surfacing and footway to adjoining Police HQ</b>
<b>Applicant:</b>	<b>Nottinghamshire Police Force</b>
<b>Agent:</b>	<b>Lambert Smith Hampton</b>
<b>Case Officer:</b>	<b>Bev Pearson</b>

**This application site is within the ownership of the Borough Council and therefore, in accordance with the Council's Constitution, this application has been referred to Planning Committee.**

### **1.0 Site Description**

- 1.1 This application relates to a car park which predominately serves the public and visitors to Burntstump Country Park and which has a secure fenced section used by the Park Hospital. The car park is located at the Sherwood Lodge Drive accessed from Burntstump Hill adjacent to the Nottinghamshire Police Headquarters and the Park Hospital. Burntstump Country Park lies to the north and east.
- 1.2 A section of the existing car park has been leased from Gedling Borough Council by Nottinghamshire Police.

### **2.0 Relevant Planning History**

- 2.1 2019/0648 – conditional planning permission was granted in December 2019 for the erection of a 3 storey building to include training centre, control room, canteen, gym/multi-use facility, changing rooms and associated accommodation. Reconfiguration of existing car parking and creation of new parking and access routes and demolition of 4no. ancillary buildings

### **3.0 Proposed Development**

- 3.1 This application seeks planning permission to carry out alterations to a section of the existing car park as summarised below:-

The erection of a section of 1.8m high palisade fencing – this would separate the car park to be used by the Police HQ from the public spaces.  
The provision of barriers to allow secure access and egress from the car park  
The provision of lighting columns and CCTV columns  
The provision of a formal footpath linking the car park to an existing footpath a serving the Police Headquarters

- 3.2 A supporting statement has been submitted which outlines that the car park would serve the Police HQ site. The proposed barriers would be left open between 6pm and 6am daily and at weekends so that the general public could access this section of the car park when not in use by the Police Headquarters and access to the County Park for maintenance vehicles and pedestrians would be retained as required by the lease with Gedling Borough Council as confirmed by email dated 25<sup>th</sup> August 2021.

#### **4.0 Consultations**

- 4.1 Adjoining neighbours have been notified of the proposal, a press notice posted and site notice posted on the 18<sup>th</sup> March 2021 – No comments have been received.
- 4.2 Bestwood Parish Council – no objections are raised
- 4.3 Nottinghamshire County Council Highways Authority –no concerns are raised.
- 4.4 Arboricultural Consultant – identifies a potential for the proposed footpath to impact on the roots of adjacent trees. This could be mitigated by the imposition of a condition requiring a meeting prior to the commencement of any excavation works and a condition requiring a watching brief so that installation can be directly overseen by the council's nominated tree consultant.
- 4.5 Gedling Borough Council Parks and Street Care – No objections. Have verbally advised that trees within the Burntstump Country Park would be reviewed every 6-12 months.
- 4.6 Gedling Borough Council Environmental Health – The proposal is unlikely to cause any Environmental Protection issues.
- 4.7 Nottinghamshire County Council have verbally advised that there is no legally recorded Right of Way through the site.

#### **5.0 Assessment of Planning Consideration**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is 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 national and local planning policies are relevant in the consideration of this application:-

6.2 At the national level the National Planning Policy Framework (NPPF) (2021) sets out the national policies for delivering sustainable development. Section 2 (Achieving sustainable development), 9 (Promoting sustainable transport), 12 (Achieving well-designed places) and 13 (Protecting the Green Belt) are particularly relevant.

6.3 The Greater Nottingham Aligned Core Strategy (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:-

- Policy 3 – (The Green Belt) establishes the principle of retaining the Nottingham Derby Green Belt.
- Policy 10 - (Design and Enhancing Local Identity) sets out the criteria that development will need to meet with respect to design considerations.

6.4 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:

- LPD 19 - Landscape Character and Visual Impact – states that planning permission will be granted where new development does not result in a significant adverse visual impact or a significant adverse impact on the character of the landscape.
- LPD 32 -Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.
- LPD 57: Parking Standards – sets out the requirements for parking.
- LPD 61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

## **7.0 Planning Considerations**

### The Principle of development

7.1 The site is located within the Green Belt and accordingly relevant national and local Green Belt policies apply.

7.2 Section 13 (Protecting the Green Belt) outlines at paragraph 137 the importance the Government attaches to Green Belts and the aim of Green Belt policy to prevent urban sprawl and to retain its essential openness and permanence.



- 7.3 Paragraph 138 of the National Planning Policy Framework states that the Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.4 Paragraph 149 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. A number of exceptions are listed however the development proposed does not fall within any of these categories.
- 7.5 Paragraph 150 of the National Planning Policy Framework states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Again, the development proposed does not fall within any of these categories.
- 7.6 The development proposed is therefore inappropriate development within the Green Belt. Paragraph 147 of the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.7 The proposed structures would not fall within any of the exceptions of development considered in paragraph 150 of the NPPF as being appropriate and would therefore by definition be considered harmful to the openness of the Green Belt. As such in line with paragraph 147 and 148 of the NPPF substantial weight should be given to such harm unless very special circumstances are demonstrated which would outweigh the harm.

#### Very Special Circumstances

- 7.8 Following the re-development of main Police Headquarters site which has resulted in reconfiguration of existing parking within the Headquarters site itself additional secure parking is required for staff and visitors. The lighting and CCTV cameras, are required to ensure the safety of users of the car park (including members of the public).
- 7.9 It is clear that the proposal would serve the Police Headquarters which is undergoing expansion and would provide significant benefits to the operation of the emergency services, enhancing existing parking facilities that are available to staff and visitors.

### The Planning Balance

- 7.10 Paragraph 148 of the National Planning Policy Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.11 It is therefore necessary to determine whether the considerations advanced by the applicant clearly outweigh the harm to the Green Belt from this inappropriate development, and therefore whether they represent Very Special Circumstances that would allow the development to be permitted.
- 7.12 I am mindful that the barriers are of a very modest design in terms of height and scale and would have a single arm which reflects the existing barrier at the entrance to the secured area of the car park used by the Park Hospital. The proposed fencing would be of a design and height to reflect that already existing on the site and the lighting and CCTV columns are of a height and design similar to those within the vicinity of the site. Taking the above into consideration and being mindful of the very modest scale, design and appearance of the proposed structures which would be secured by condition and the factors advanced by the applicant in support of the proposal it is considered that the benefits of the proposal outweigh the harm that would be caused to the Green Belt in terms of its inappropriateness and the impact the development has upon openness. It is therefore considered that very special circumstances have been demonstrated subject to consideration of any other potential harm.

### Impact on the landscape character and visual amenity

- 7.13 The application site falls within policy zone SPZ3 (Papplewick Wooded Estate lands) of the Greater Nottingham Landscape Character Assessment. The surrounding landscape has a good condition and a moderate sensitivity to development. The structures as proposed in the drawings and details submitted with the application and as noted above are considered to be of an acceptable scale, design and appearance and are not considered to result in any harm to the landscape character setting of the site.
- 7.14 Taking this into account I am satisfied that the proposal would not result in undue harm to the landscape character and wider landscape setting of the site and is in accordance with Section 12 of the NPPF (2021), Policy 10 of the GBACS (2014), and Policy LPD 19 of the LPD (2018).

### Impact on Amenity

- 7.15 The comments of the Environmental Health officer are noted. Given separation distances, it is not considered that the proposed lighting or CCTV cameras would result in any harm to the amenity of the nearest adjacent building, the Police HQ, Park Hospital and Rose Cottage.

- 7.16 It is therefore considered that the proposal therefore fails to accord with Sections 12 of the NPPF (2021), Policy 10 of the GBACS (2014) and Policy LPD 32 of the LPD (2018).

#### Highways Matters

- 7.17 The operation on site is unique and does not relate directly to any of the uses set out in Parking Provision Supplementary Planning Document. As such there is no minimum parking requirement prescribed in the document. In these circumstances parking provision is assessed on a site specific basis.
- 7.18 It is noted that the site is currently a public car park which is also used by visitors to the Country Park. Although a large section of the car park would be barriered to prevent public access during the day the barriers will be raised and the car park available for general public use during the evenings and at weekends.
- 7.19 It is noted that the Highway Authority have raised no concerns with regards to the proposal in terms of parking provision and highway safety subject to parking bay dimensions and aisle widths. From the scaled layout plans submitted the required dimensions would be achieved. It is considered that the proposal would therefore not raise any highway safety or parking issues.
- 7.20 Taking the above into account I am satisfied that the proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2021), Policies LPD 57 and LPD 61 of the LPD (2018).

#### Impact on Trees

- 7.21 Having visited the site there are 2no. trees within an area of land immediately to the west of the car park that would have the potential to be affected by the proposed formal setting out of a tarmac footpath which leads from the car park to the upper access road and a formal paved footpath which links to the side access of the Headquarters site to DDA standards. There are no records that these trees are protected by a Tree Preservation Order. However I am mindful that these are mature long established trees which do have visual amenity value.
- 7.22 The proposed footpath would take the route of an informal walked route that currently exists. It is accepted that there would be a change in levels to achieve a Disability Discrimination Act compliant pathway along this route which could impact on some existing roots adjacent to the path.
- 7.23 Although a Tree Protection Plan and details of a specification of Control Measures to be implemented during the construction of the proposed path have been submitted with the application which includes the use of a no dig construction technique the Arboriculture Consultant has identified impact on existing tree roots and has requested as a mitigation measure the attachment of a condition requiring a meeting between the Local Planning Authority tree consultant and the applicants representatives prior to any excavation/installation works taking place and a condition requiring the

implementation of a watching brief so that the installation of the footpath and any exposure of trees roots can be overseen by the Local Planning Authority.

- 7.24 Being mindful of the wider root systems of the trees as a whole it is considered that the imposition of the requested conditions would be a reasonable approach in this instance in order to safeguard the retention and health of the trees.

## **8.0 Conclusion**

- 8.1 Having regard to the above considerations, whilst the application consists of inappropriate development within the Green Belt and the proposal would have an impact upon openness, very special circumstances have been provided that in the planning balance outweigh the harm to the Green Belt by virtue of its inappropriateness. Impact on trees adjacent to the footpath have been given consideration and proposed mitigation measures would be secured by condition in order to safeguard the health of these trees. The proposal would not result in any undue impact on nearby amenity, highways or parking issues.
- 8.2 On balance I am of the opinion that the proposal is in accordance with the National Planning Policy Framework (2021), Policy 3 and 10 of the Aligned Core Strategy 2014, policies, LPD19, LPD32, LPD57 and LPD61 of the Local Planning Document 2018.
- 8.3 Accordingly, I recommend that planning permission be granted subject to the following conditions:

## **9.0 Recommendation: That the Borough Council Grant Planning Permission subject to the following conditions:-**

### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby approved shall be completed in accordance with the following submitted documents and plans :-

Received on the 10th March 2021 - Application form; Tree Survey statement produced by Landscape Science Consultancy General Arrangement (Excluding the route of ductwork)

Received 25th June 2021 - Lighting Details drg. no. 2006025MHGCPB dated 08.03.2021  
Received 27th August 2021 Tree Protection Plan dated 21st July 2021 (excluding the route of ductwork)

Received 23rd August 2021 - Position of lighting and CCTV columns and route of ductwork drg no. 2006023MHGCPB dated 08/03/2021; Lamp Head Details - KENO Flat to Ground LED Luminaire (height of column confirmed as being 7m by email dated 23rd August 2021); Barrier Details - Nicebar System - M3BAR as confirmed by email dated 23rd August 2021; CCTV camera Details HIKVISION - DS-2CD5A46G0-IZ(H)S (height of column confirmed as being 5m by email dated 23rd August 2021).

The development hereby permitted shall be undertaken in accordance with the submitted documents.

- 3 Before any excavation/installation works commence on the proposed footpath the applicant/agent shall notify the Local Planning Authority (LPA) giving 21 days notice of the date of commencement to allow a pre commencement meeting to be held with a representative from the LPA in order to supervise the footpath installation working procedures.
- 4 Prior to the car park being brought into use by the applicant the parking spaces shall delineated in accordance with the approved General Arrangement Plan (excluding the details of the ductwork route) and shall be retained as such thereafter.
- 5 The barriers, CCTV columns and lighting columns shall be installed and maintained in accordance with the details submitted and layout plans drg. no 2006025MHGCPB and details deposited on the 23rd April 2021.

### **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure the health of the tree is preserved.
- 4 For the avoidance of doubt.
- 5 For the avoidance of doubt.

### **Reasons for Decision**

Whilst the application consists of inappropriate development within the Green Belt and the proposal would have an impact upon openness, very special circumstances have been provided that in the planning balance outweigh the harm to the Green Belt by virtue of its inappropriateness. Impact on trees adjacent to the footpath have been given consideration and proposed mitigation measures would be secured by condition in order to safeguard the health of these trees. The proposal would not result in any undue impact on nearby amenity, highways or parking issues. On balance the proposal is in accordance with the National Planning Policy Framework (2021), Policy 3 and 10 of the Aligned Core Strategy 2014, policies, LPD19, LPD32, LPD57 and LPD61 of the Local Planning Document 2018.

### **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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2021).



**Report to Planning Committee**

**Location:** Coningsby Gardens East, Woodthorpe, Nottinghamshire

**Proposal:** Protection of group of 7no. Sorbus 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. 000142 'Coningsby Gardens East'.

**2.0 Background**

- 2.1. Earlier this year the Council were contacted by a local resident regarding works which were allegedly planned to several trees on Coningsby Gardens East.
- 2.2. Upon investigating the matter it was established that the trees in question were not under the protection of a TPO, nor were they situated within a Conservation Area.
- 2.3. On the 12th April 2021 the Council's Arborist visited the site and carried out a TEMPO (Tree Evaluation Method for Preservation Orders) Assessment to determine whether the trees were worthy of protection. The group of trees was given a score of 17/25 and as such their protection by way of a TPO was recommended.

**3.0 Provisional TPO**

- 3.1. The Gedling Constitution gives delegated authority to Officers, in conjunction with the Chairman / Vice Chair of Planning Committee, for the making of new TPOs. Notwithstanding the above, any new TPO must be considered by Planning Committee prior to being confirmed.
- 3.2. The Head of Development and Place, and Chair of Planning Committee were consulted on the 13<sup>th</sup> April 2021 and authorisation was given to proceed with the making of a Provisional TPO.



- 3.3. Gedling Borough Council made the Provisional TPO, reference 000142, on the 14<sup>th</sup> April 2021.

#### **4.0 Consultation**

- 4.1. 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 directly affected by the TPO. In addition to the above, a Site Notice and copy of the provisional TPO was also posted adjacent to the site. Interested parties had until the 13th May 2021 to submit any representations to the Council which would then be taking into consideration when deciding whether to confirm the TPO.
- 4.2. No representations were received by the Council during the consultation period.

#### **5.0 Consideration**

- 5.1. The group of 7 Sorbus trees located on Coningsby Gardens East are set in a prominent location within the streetscene and provide a significant amount of visual amenity to the public realm. No objections to the TPO were received following the public consultation and it is therefore considered that the TPO should be confirmed without modification.

#### **6.0 Recommendation**

- 6.1. Confirm Tree Preservation Order - 000142 'Coningsby Gardens East' without modifications.

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**Report to Planning Committee**

**Location:** Land Corner of Birchwood Drive and Mavis Avenue,  
Ravenshead, Nottinghamshire

**Proposal:** Protection of 2no. 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. 000143  
'Land Corner of Birchwood Drive and Mavis Avenue'.

**2.0 Background**

- 2.1. On the 29<sup>th</sup> April 2021 Gedling Borough Council were contacted by a local resident enquiring about works to trees at no. 2 Birchwood Drive, Ravenshead.
- 2.2. The site in question was not under the protection of a TPO and was not situated within a Conservation Area. In light of the above the trees at the site were unprotected and subsequently could have been removed without any prior permissions from the Local Planning Authority.
- 2.3. On the 29<sup>th</sup> April 2021 the Council's Arborist visited the site and carried out a TEMPO (Tree Evaluation Method for Preservation Orders) Assessment to determine whether the trees were worthy of protection. Two trees situated to the front of the site were assessed and allocated a score of 21/25. As a result it was recommended that 1 x Oak tree and 1 x Beech tree were protected by way of a TPO.

**3.0 Provisional TPO**

- 3.1. The Gedling Constitution gives delegated authority to Officers, in conjunction with the Chairman / Vice Chair of Planning Committee, for the making of new TPOs. Notwithstanding the above, any new TPO must be considered by Planning Committee prior to being confirmed.

- 3.2. The Head of Development and Place, and Chair of Planning Committee were consulted on the 29<sup>th</sup> April 2021 and authorisation was given to proceed with the making of a Provisional TPO.
- 3.3. Gedling Borough Council made the Provisional TPO, reference 000143, on the 30<sup>th</sup> April 2021.

#### **4.0 Consultation**

- 4.1. 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 directly affected by the TPO. In addition to the above, a Site Notice and copy of the provisional TPO was also posted adjacent to the site. Interested parties had until the 28th May 2021 to submit any representations to the Council which would then be taken into consideration when deciding whether to confirm the TPO.
- 4.2. In total, two representations were received by the Council during the consultation period. The main points raised are summarised below:-
- Fully supportive of the provisional TPO. Precedent of TPOs in the local vicinity on Mavis Avenue and consider the trees to be worthy of protection due to their prominence within the streetscene and climate change.
  - Objection to the provisional TPO as no intention to remove or damage the trees in question, but simply wishes to carry out crown reduction to make trees more manageable. In addition it should be noted that the position of T2 on the provisional TPO is incorrect and is actually located within the curtilage of 2 Birchwood Drive, not 24 Mavis Avenue.

#### **5.0 Consideration**

- 5.1. Whilst I note the comments received which confirm the schedule of works proposed at this time, I consider that the provisional TPO should still be confirmed in this instance as the trees still provide a high level of visual amenity to the locality and should be protected to ensure that they are not lost or damaged from future works. The confirmation of this TPO would not prevent any future works being undertaken to these trees but would ensure that permission would need to be obtained from the Local Planning Authority before they can be carried out.

- 5.2. In addition to the above I note the comments regarding the location of T2 as depicted on the provisional TPO and associated map. I am satisfied that T2 is situated within the curtilage of no. 2 Birchwood Drive and recommend that the Schedule and associated Map should be modified prior to the TPO being confirmed to accurately reflect this.

## **6.0 Recommendation**

- 6.1. Confirm TPO 000143 with the following Modifications:
- The associated Map be amended to show the correct location of T2 Beech tree within the curtilage of 2 Birchwood Drive, Ravenshead.



## Report to Planning Committee

**Subject:** Future Planning Applications

**Date:** 27/08/2021

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.

<b><u>App No</u></b>	<b><u>Address</u></b>	<b><u>Proposal</u></b>	<b><u>Possible Date</u></b>
2019/0560	Land At Teal Close Netherfield	Reserved matters application for the erection of 277no. dwellings	13/10/2021
2019/0374	Land Off Teal Close Netherfield	Variation of Conditions 2 (approved plans), 7 (parameters plan written statement), 10 (flood risk), 28 (highway works), 30 (highway works), 31 (highway works), 32 (highway works), 33 (highway works) and 35 (footway/cycleway) on planning permission reference 2017/0999	13/10/2021
2021/0694	Land To The South Burton Road Gedling	Erection of 120 dwellings with associated access, landscaping and infrastructure (approval of matters reserved by outline consent 2019/1186 (appearance, landscape, layout and scale))	13/10/21
2019/1080	Land At Broad Close Woodborough	Outline application for 11no. residential properties	Unknown

Please note that the above list is not exhaustive; applications may be referred at short notice to the Committee by the Planning Delegation Panel or for other reasons. The Committee date given is the earliest anticipated date that an application could be reported, which may change as processing of an application continues.

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## **ACTION SHEET PLANNING DELEGATION PANEL 23rd July 2021**

2020/1028

14 Bank Hill Woodborough NG14 6EF

Erection of treble garage with a linking roof/covered walkway

The proposed development would result in a disproportionate addition to the original dwelling which would therefore constitute inappropriate development in this Green Belt location and no very special circumstances have been demonstrated to outweigh the harm to the Green Belt.

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

**Decision: Refuse Planning Permission.**

2021/0180

21 Homefield Avenue Arnold NG5 8FZ

Two storey side extension

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0214

15 Longdale Avenue Ravenshead NG15 9EA

Proposed Two Storey Side Extension, Single Storey Garage, porch & Alterations

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0270

208 Main Street Calverton NG14 6LU

Two storey side extension; two storey replacement front bay extension; single storey rear extension and new roof with increase in eaves and room in the roof.

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0316

Woodthorpe Tennis Club Albemarle Road Woodthorpe

Variation of conditons 2 and 4 of planning permission 2008/0409 in relation to flood lights

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0623

287 Main Street Calverton NG14 6LT

Retention of timber framed outbuilding with slate roof.

The proposed development would have an undue impact on the character and appearance of the streetscene.

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

**Decision: Refuse Planning Permission.**

2021/0677PN

18 Cornhill Road Carlton Nottinghamshire

Single storey rear extension

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

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

**Decision: Prior Approval Not Required.**

2021/0724

14 Douglas Avenue Carlton NG4 1AJ

Single storey front extension

The proposed development would have no undue impact on the character, appearance of the host property, wider streetscene, amenity of neighbouring occupiers or highway safety.

**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 Paul Wilkinson

Cllr Marje Palling

Cllr David Ellis

Cllr John Parr

Cllr Meredith Lawrence

Kevin Cartwright – Principal Planning Officer

Nigel Bryan – Principal Planning Officer

**23rd July 2021**

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## **ACTION SHEET PLANNING DELEGATION PANEL 30th July 2021**

2020/1040

Land at Corner of Cross Street Arnold

Residential development (2no. one and a half storey dwellings).

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

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

**Decision: Refuse Planning Permission.**

2021/0120

17 Stuart Close Arnold NG5 8AE

Provide first floor side extension over existing single storey extension.

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0238

19 Thackerays Lane Woodthorpe NG5 4HT

Extension to existing Coteswood House Pre-School and Day Nursery, to provide extended ground floor class room, office, kitchen & covered play area, incorporating extension to first floor class room area.

**The Panel recommended that the application be determined at Planning Committee to consider the impact on highway safety and the residential amenity of neighbouring occupiers.**

2021/0304

Fairview Farm Main Road Ravenshead

Proposed conversion of existing stable building to a dwelling (2 bedrooms)

The proposed development is appropriate development in the Green Belt and would preserve openness. The proposal would have no undue impact on the character and appearance of the area, residential amenity of neighbouring occupiers or highway safety.

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0438

43 Church Drive Ravenshead NG15 9FG

Two storey side extension, two storey front extension, first floor front extension, and single storey rear extension and rendering the property

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0491

15 Newton Road Gedling NG4 4HL

Two storey rear and single storey side extension; insertion of first floor side elevation window

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0732

16 Salcombe Drive Redhill NG5 8JF

Proposed front, side & rear single storey extension.

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

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

**Decision: Grant Planning Permission subject to Conditions.**

#### **Video Conference Call Meeting**

Cllr John Truscott

Cllr Paul Wilkinson

Cllr Marje Palling

Cllr David Ellis

Cllr John Parr

Cllr Meredith Lawrence

Cllr Ron McCrossen

Kevin Cartwright – Principal Planning Officer

**30th July 2021**

## **ACTION SHEET PLANNING DELEGATION PANEL 6th August 2021**

2021/0285

36 Thackerays Lane Woodthorpe NG5 4HQ

Single storey front extension. Single storey rear extension. External wall insulation and rendering to front, side and rear elevations.

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

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

**Decision: Refuse Planning Permission.**

2021/0297

Abbeyfields Farm Cottage Newstead Abbey Park Station Avenue

Biodigester installation

The proposed development would have no undue impact on the openness of the Green Belt, visual amenity or amenity of neighbouring occupiers.

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0543

Goosedale Sports Ground Goosedale Lane Bestwood

Cladding and insulating the pavilion exterior. Replacing the existing flat roof with an apex pantile roof matching the existing profile.

Whilst the proposal would be inappropriate development in the Green Belt by virtue of the floor space exceeding 50% larger than when originally constructed very special circumstances have been demonstrated by the applicant. The proposal would have no undue impact on the character and appearance of the area or the amenity of neighbouring occupiers.

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0716

191 Shelford Road Gedling NG4 4JH

Demolition of conservatory and erection of single storey rear extension.

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0718

3 Parsons Meadow Colwick NG4 2ES

Retain existing pergola to rear garden.

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

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

**Decision: Grant Planning Permission subject to Conditions.**

#### **Video Conference Call Meeting**

Cllr John Truscott

Cllr Paul Wilkinson

Cllr Marje Palling

Cllr David Ellis

Cllr John Parr

Cllr Meredith Lawrence

Kevin Cartwright – Principal Planning Officer

Nigel Bryan – Principal Planning Officer

**6th August 2021**



## **ACTION SHEET PLANNING DELEGATION PANEL 13th August 2021**

2021/0047

151 Breck Hill Road Woodthorpe NG3 5JP

Retention of double storey rear extension and single storey side and rear extension and proposed white render on all elevations.

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

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

**Decision: Grant Planning Permission with Conditions.**

2021/0471

Burntstump Farm Burntstump Hill Arnold

Change of use from C3 (residential) to mixed use C3 (residential) and Sui Generis (breeding grooming and micro-chipping) and erection of fencing (part retrospective)

The proposed development would be inappropriate development in the Green Belt with no very special circumstances demonstrated to outweigh this harm. The proposal would have an undue impact on the amenity of neighbouring occupiers to the detriment of residential amenity as a result of dog vocalisation and activity on the site.

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

**Decision: Refuse Planning Permission.**

2021/0532

Newstead Abbey Park, Abbeyfields Farm Cottage Station Avenue Newstead  
single storey extension to the south elevation

The proposed development would be appropriate development in the Green Belt and would have no undue impact on the setting of any heritage assets, the character and appearance of the host property or the amenity of neighbouring occupiers.

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0675

23 Sandford Road Mapperley Nottinghamshire

Outline planning application with all matters reserved for the erection of a maximum of two dwellings

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

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

**Decision: Grant Outline Planning Permission subject to Conditions.**

2021/0650

43 Ravenswood Road Arnold Nottinghamshire

New 3 bed semi-detached house

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

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

**Decision: Refuse Planning Permission.**

2021/0702

81 Vernon Crescent Ravenshead Nottinghamshire

Retrospective - Construction of three new dwellings, 2 new vehicular access from Vernon Crescent to site (Revised Proposal).

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

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

**Decision: Refuse Planning permission.**

2021/0717

Land to the Rear of 106 Bridle Road Burton Joyce Nottinghamshire

Construction of Swimming Pool and Erection of Swimming Pool Enclosure Incorporating Plant Room

The proposal would be inappropriate development in the Green Belt that would harm openness and no very special circumstances have been demonstrated to outweigh this harm.

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

**Decision: Refuse Planning Permission.**

2021/0747  
Land Adjacent 34 Marlborough Road Woodthorpe  
2 no new build dwellings

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

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

**Decision: Grant Planning Permission subject to conditions.**

2021/0776  
8 Plains Grove Woodthorpe NG3 5QU  
Two-storey side extension

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

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

**Decision: Grant Planning Permission subject to Conditions.**

#### **Video Conference Call Meeting**

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

Kevin Cartwright – Principal Planning Officer

**13th August 2021**

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## **ACTION SHEET PLANNING DELEGATION PANEL 20th August 2021**

2020/0580

Land In Between 37 And 41 Kighill Lane Ravenshead Nottinghamshire

Erection of one dwelling with all matters reserved.

The proposed development would be inappropriate development in the Green Belt that would be harmful to openness. No very special circumstances have been demonstrated to outweigh this harm.

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

**Decision: Refuse Planning Permission.**

2021/0160

19 Greys Road Woodthorpe NG5 4GU

Two storey front extension (including conversion of existing garage to habitable room) and loft conversion.

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0712

123 Arnold Lane Gedling Nottinghamshire

Demolish existing dwelling and build two detached bungalows

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0725

144 Marshall Hill Drive Mapperley NG3 6HW

The formation of a medical treatment room with WC and reception area

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2021/0856  
92 Gleneagles Drive Arnold NG5 8QR  
Erect linked 2 bedroomed dwelling

The proposed development would have an undue impact on the character and appearance of the area and insufficient information has been submitted to demonstrate appropriate parking provision for the proposal.

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

**Decision: Refuse Planning Permission.**

#### **Video Conference Call Meeting**

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

Kevin Cartwright – Principal Planning Officer

**20th August 2021**

## **ACTION SHEET PLANNING DELEGATION PANEL - 27th August 2021**

2020/0835

18 Ramblers Close, Colwick, NG4 2DN

Erection of dwelling and detached garage

The proposed development result in a cramped and overintensive form of development that would be out of character with the area.

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

**Decision: That the application be refused permission.**

2021/0202

57 Sandfield Road, Arnold, NG5 6QA

Demolition of existing Conservatory, Replace with a ground floor room to accommodate a senior resident Build a first floor Lounge area over. Remove failed Dutch Barn gable and replace with an extended pitched roof over new lounge area to tie in with the original pitched roof, in design and finish.

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 permission subject to conditions.**

2021/0562

34 Bridle Road, Burton Joyce, NG14 5FS

Operation of doggy day care business (07:30am to 6pm on week days and closed at weekends)

The proposed development would, through noise and activity associated with the use, have a detrimental impact upon residential amenity.

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

**Decision: That the application be refused permission.**

2021/0573

Land East Of 16 Kighill Lane, Ravenshead, Nottinghamshire

Reserved Matters - Proposed site hard and soft landscape scheme in relation to outline planning permission ref. 2020/1108.

The proposed landscaping would respect the character of the area.

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

**Decision: Grant reserved matters approval subject to conditions.**

2021/0752

1 Drakemyre Close, Arnold, NG5 8DG

Extensions to existing dwelling.

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 permission subject to conditions.**

2021/0767

12 Lambley Lane, Burton Joyce, NG14 5BG

Replacement Dwelling (Re-submission of planning application 2019/0967)

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 permission subject to conditions.**

2021/0823

11 Cavendish Avenue, Gedling, NG4 4FZ

Erection of detached garage in front garden

The proposed development would result in an incongruous feature forward of the principal elevation of the property that would 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.**



2021/0825  
50 Renals Way, Calverton, NG14 6PH  
Erection 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 permission subject to conditions.**

**27th August 2021**

**Video Conference Call Meeting due to Covid-19.**

Cllr John Truscott  
Cllr Paul Wilkinson  
Cllr Meredith Lawrence  
Cllr David Ellis  
Cllr John Parr  
Cllr Marje Paling  
Cllr Peter Wilkinson

Nigel Bryan – Principal Planning Officer

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