

**MINUTES
PLANNING COMMITTEE**

Wednesday 1 December 2021

Councillor John Truscott (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor	Meredith
	Councillor Peter Barnes	Lawrence	
	Councillor Chris Barnfather	Councillor	Ron
	Councillor Pat Bosworth	McCrossen	
	Councillor David Ellis	Councillor	Barbara
	Councillor Rachael Ellis	Miller	
	Councillor Andrew Ellwood	Councillor	Marje
	Councillor Rosa Keneally	Paling	
		Councillor John Parr	
		Councillor Sam Smith	
	Councillor	Henry	
	Wheeler		

Absent: Councillor Michael Adams and Councillor Mike Hope

Officers in Attendance: M Avery, N Bryan, S Fayaz and B Hopewell

60 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Adams and Hope. Councillors Bosworth and Sam Smith attended as substitute.

61 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 OCTOBER 2021

RESOLVED:

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

62 DECLARATION OF INTERESTS

Councillors David Ellis, Rachael Ellis, Keneally, Lawrence, Paling and Wilkinson declared a personal interest in item 4 on the agenda as a friend of an opponent to the application.

63 APPLICATION NO. 2020/1254 - SITE OF HIGHCLERE LODGE, 73 BURTON ROAD, CARLTON

Construction of 20 No. residential apartments.

The Principal Planning Officer introduced the report. He advised Members that further to the publication of the report, an objection had been received from Councillor Hollingsworth as Ward Councillor, setting out her concerns and those of local residents regarding layout & design, natural environment, insufficient parking, the existing street scene, the viability assessment and the proposed position of the bins.

The Principle Planning Officer proposed an amendment to condition 5 of the report to make the requirement for the approval of the landscaping details to be 'Prior to above ground works commencing full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.', as opposed to 'No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority.'

He added that a late representation had been received from the Nottinghamshire Wildlife Trust and that the points raised had been addressed by suggested conditions 17 and 18, although two additional pieces of information would need to be added in respect of the impact on Hedgehogs and Bats.

RESOLVED:

To GRANT PLANNING PERMISSION: Subject to the owner entering into planning obligations secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council as the Local Highway Authority to secure a local labour agreement and provide for a review of viability of the development if development is not above ground level within 12 months from the date of decision notice and to secure planning obligations in respect of affordable housing and a financial contribution towards travel and transport if the development becomes more viable; and subject to the conditions listed for the reasons set out in the report.

Conditions:

- 1) The development must be begun not later than three years beginning with the date of this permission.
- 2) The development hereby permitted shall be completed in accordance with the submitted documents;-

Application Forms, received 10th December 2020

Drawing no. 08 Rev E "Elevations & Site Section Sheet 1," received 7th September 2021

Drawing no. 09 Rev E "Elevations & Site Section Sheet 2," received 7th September 2021

Drawing no. 10 Rev E "Elevations & Site Section Sheet 3," received 7th September 2021

Drawing no. 05 Rev C "Proposed First Floor Plan," received 7th September 2021

Drawing no. 04 Rev E "Proposed Ground Floor and Site Plan," received 7th September 2021

Drawing no. 03 Rev C "Proposed Lower Ground Floor," received 7th September 2021

Drawing no. 07 Rev D "Proposed Roof Plan," received 7th September 2021

Drawing no. 06 Rev C "Proposed Second Floor," received 7th September 2021

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

- 3) No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 4) No unit shall be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the buildings are first occupied.
- 5) Prior to the above ground works commencing full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved prior to the first occupation of the development. These details shall include:
 - a) a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;
 - b) an implementation and phasing programme; and
 - c) hard surfacing materials.
- 6) No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed to serve the access in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 7) No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no. 19-20-A1 04 Rev E are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections and the area within the splays remain in grass or tarmac only, with no wall

constructed in front of the apartments labelled as G1, G2 and G3 on the approved plans.

- 8) No part of the development hereby permitted shall be brought into use until the existing site accesses on Highclere Drive that has been made redundant are permanently closed and the access crossings are reinstated as footway and full height kerbs in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
- 9) No part of the development hereby permitted shall be brought into use until the site access is surfaced in a hard-bound material (not loose gravel). The surfaced drive shall then be maintained in such hard-bound material for the life of the development.
- 10) No part of the development hereby permitted shall be brought into use until the access drive is constructed with provision to prevent the unregulated discharge of surface water from the drive to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 11) No part of the development hereby permitted shall be brought into use until the parking and turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 19-20-A1 04 Rev E. The parking and turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking and turning and loading and unloading of vehicles.
- 12) Prior to occupation, each off street parking space shall incorporate a suitably rated electrical socket to allow 'Mode 2' charging of an electric vehicle using a standard 13A 3 pin socket and a 3m length cable. All EV charging points shall be clearly marked with their purpose.
- 13) Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance 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.
- 14) 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
- 15) 15 No part of the development hereby permitted shall be brought into use until the means of surface water disposal has been implemented in accordance with the submitted plan entitled "Drainage Strategy" and the accompanying drainage information. Such surface water disposal details shall remain for the lifetime of the development.

- 16) No development shall be commenced until a scheme for an Archaeological Watching Brief has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out by a qualified archaeologist or archaeological body approved by the Local Planning Authority. Within 3 months of completion of the excavation works, a summary report shall be submitted to the Local Planning Authority and the results of the 'Watching Brief' shall also be made available for inclusion in the archive of information of Nottinghamshire County Council's ' Sites and Monuments Record'.
- 17) No building on site shall be occupied until details of bird nest boxes have been submitted to and approved in writing by the local planning authority. The nest boxes shall then be installed, prior to occupation, in accordance with the approved details and retained thereafter for the lifetime of the development.
- 18) The development hereby permitted shall be carried out in accordance with Section 4 of the submitted Protected Species Report, received by the Local Planning Authority 24th February 2021.
- 19) No development shall be commenced until the trees shown to be retained on drawing number CP 2238A/01 (Figure 4), Revision: 01 Revised Arboricultural Method Statement dated 28th July 2021, as updated by and to be read in accordance with Drawing no. 04 Rev E "Proposed Ground Floor and Site Plan (showing the proposed building to be re-sited away from T1), have been protected by the following measures:
 - a) a chestnut pale or similar fence not less than 1.2 metres high shall be erected at either the outer extremity of the tree canopies or at a distance from any tree or hedge in accordance with details to be submitted to and approved in writing by the local planning authority;
 - b) no development (including the erection of site huts) shall take place within the crown spread of any tree;
 - c) no materials (including fuel and spoil) shall be stored within the crown spread of any tree;
 - d) no services shall be routed under the crown spread of any tree
 - e) no burning of materials shall take place within 10 metres of the crownspread of any tree.

The protection measures shall be retained during the development of the site.

Reasons:

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

- 3) In the interests of visual amenity
- 4) In the interests of visual amenity
- 5) In the interests of visual amenity
- 6) In the interests of highway safety
- 7) In the interests of highway safety
- 8) In the interests of highway safety.
- 9) To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 10) To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 11) To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 12) To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration Chapter 9 of the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 13) To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 14) In the interests of residential and visual amenity.
- 15) To ensure the site is suitably drained and to comply with policy LPD4.
- 16) To ensure that satisfactory account is taken of the potential archaeological interest of the site.
- 17) In the interests of maintaining and enhancing biodiversity.
- 18) In the interests of maintaining and enhancing biodiversity.
- 19) To ensure that existing trees and hedges to be retained are protected, in the interests of visual amenity and nature conservation.

Reasons for Decision

The proposed development is consistent with local and national planning policies. The principle of development is acceptable in this urban area. The design, scale and layout of the proposal is considered to be

acceptable and does not have an unacceptable impact on the character or visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site is acceptable. The proposal will not increase flood risk in the area nor will it have an unacceptable impact on ecology in the area. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF, Policies A, 1, 8, 10 and 19 of the ACS, Policies LPD 4, 11, 30, 32, 33, 35, 36, 37, 40, 57 and 61 of the LPD, Gedling Borough council's Affordable Housing SPD and Low Carbon Planning Guidance for Gedling Borough.

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

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

With regards to condition 15 - Optionally, a suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 13A 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows faster 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).

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there

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

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

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards.

If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The 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.

64 APPLICATION NO. 2020/1312 - 53 WOODTHORPE DRIVE, WOODTHORPE

Construct a new build residential care home for 40 residents with associated gardens and parking.

The Principal Planning Officer introduced the report.

RESOLVED:

To GRANT FULL PLANNING PERMISSION, subject to the owner entering into a Section 106 agreement to secure planning obligations with the Borough Council as Local Planning Authority and with the County Council as Highway Authority for the financial contributions

towards health and bus stop infrastructure and a Local Labour Agreement and subject to the conditions listed and for the reasons set out in the report to 23rd June 2021 Planning Committee, except where amended as follows:

Condition 2

The development hereby approved shall be completed in accordance with:

Application Form;
Design and Access Statement;
Tree Survey produced by John A Booth dated November 2020;
Transport Assessment produced by Bancroft Consulting dated November 2020;
Proposed Elevations 1 of 2 drg. no. 2774(08)E01 Rev A
Proposed Sections 1 of 2 drg. no. 2774(08)S01 Rev A;
Proposed Sections 2 of 2 drg. no. 2774(08)S02 Rev A;
Proposed Street Sections drg. no. 2774(08)S03;

received on the 24th December 2020.

Site Location Plan drg no. 2774(02)L01 RevA
Existing Site Plan Ground Floor drg no. 2774(02)001 RevA;
Proposed Block Plan Roof Plan drg no. 2774(08)001 RevA;
Proposed Site Plan Ground Floor drg no. 2774(08)002;RevC
Tree Protection Plan drg no. 2774(08)003 RevB
Proposed First Floor Layout drg no. 2774(08)101RevA
Proposed Second Floor Layout drg no. 2774(08)201RevA;
Proposed Layout Lower Ground Floor drg no. 2774(028)B01 RevA;
Proposed Layout Upper Ground Floor drg. no. 2774(08)G01 Rev C;;
Proposed Elevations 2 of 2 drg. no. 2774(08)E02 Rev B;
Revised Tree Protection Plan and AMS drg. no. 2774(08)003 RevB.

received on the 23rd September 2021.

Condition 6

Trees to be retained on site shall be protected in complete accordance with details contained within the Revised Tree Protection Plan and AMS drg. no. 2774(08)003RevB deposited on the 23rd September 2021.

Condition 10

No part of the development hereby permitted shall be brought into use until the access to the site has been widened, completed and surfaced in a bound material in accordance with approved plan entitled 'Proposed Site Plan ground floor', plan number 2774 (08) 002 Rev C.

Condition 11

No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with plans entitled 'Proposed Site Plan ground floor', plan number 2774 (08) 002 Rev C. The parking, turning and servicing areas shall be maintained for the life of the development and shall not be used for any purpose other than parking, turning, loading and unloading of vehicles.

Condition 14

The proposed 1.8m high screening to the terrace as shown on the Proposed First Floor Layout drg no. 2774(08)101RevA shall be obscure glazed to a Pilkington Level 4 and shall be installed prior to the terrace being brought into use. It shall thereafter be retained for the lifetime of the development.

65 APPEAL DECISION REF: APP/N3020/W/21/3275008 - LORD BYRON HOUSE, NEWSTEAD ABBEY PARK, NOTTINGHAM

Replacement Dwelling and associated works including demolition of existing buildings.

RESOLVED:

To note the information.

66 APPEAL DECISION REF: APP/N3020/D/21/3276987 - MANSFIELD ROAD, ARNOLD

Demolish existing garages and erect triple garage.

RESOLVED:

To note the information.

67 FUTURE APPLICATIONS

RESOLVED:

To note the information.

68 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

69 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.35 pm

Signed by Chair:
Date: