

**MINUTES
PLANNING COMMITTEE**

Wednesday 30 November 2022

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Barbara Miller
 Councillor David Ellis Councillor Marje Paling
 Councillor Rachael Ellis Councillor Lynda Pearson
 Councillor Andrew Ellwood Councillor Sam Smith
 Councillor Meredith Lawrence Councillor Henry Wheeler
 Councillor Julie Najuk

Absent: Councillor Michael Adams, Councillor Peter Barnes, Councillor
 Chris Barnfather, Councillor Mike Hope, Councillor Rosa
 Keneally and Councillor John Parr

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

36 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Adams, Barnes, Barnfather, Hope, Keneally and Parr. Councillors Pearson and Sam Smith attended as substitutes.

**37 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 12 OCTOBER 2022**

RESOLVED:

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

38 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee in items 4 and 5 on the agenda, as in both cases the Council owned part of the application site, on item 7 as the Council was the applicant and owned the site and in item 8 as the Council was the applicant.

Councillor David Ellis declared a personal non-pecuniary interest in item 8 on the agenda as he had taken the decision to approve the installation of the CCTV.

APPLICATION NO. 2021/1135 - 135-141 FRONT STREET, ARNOLD

Demolition of existing building and the creation of residential apartments and ground floor commercial units.

Michael Zucker, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

Councillor Lawrence joined the meeting.

RESOLVED:

To Grant full planning permission subject to the conditions listed and for the reasons set out in the report.

Conditions

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings deposited on the 15th March 2022:-

Existing Elevations drg. no. Ex EL 1
Existing Ground Floor Plan drg. no. EX GP
Existing Block Plan drg. no. Rev A
Location Plan drg. no. Loc PI Rev A
Proposed Block Plan drg. no. Blcpl Rev A
Proposed Site Plan drg. no. Pr BP Rev E
Proposed Ground Floor Plan drg. no. Prgf Rev D
Proposed First Floor Plan drg. no. Prff Rev A
Proposed Second Floor drg. no. prsf Rev A
Proposed Elevations Sheet 2 drg. no. Pr EI 2 Rev B; and
Proposed Elevations sheet 1 drg. no. Pr EI 1 Rev B received on the 12th April 2022; and

Correspondence dated 14th November 2022 with regards to proposed uses.

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

3. Prior to above ground works commencing details/samples of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the

Local Planning Authority. The development shall be carried out in accordance with the approved plans.

4. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing 'Proposed Block Plan' Loc P1. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
5. 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
Proposed Block Plan drg. no. Blcpl Rev A
6. The new doors and windows on the street frontage shall open inwards only. The approved doors and windows shall then be retained for the life of the development.
7. Prior to the occupation of any unit for hot food takeaway use (Sui generis) or the preparation of hot food (Café Class E b)) precise details of the means of ventilation and extraction including appropriate mitigation measures shall be submitted and approved in writing by the Local planning Authority. The means of ventilation and extraction and any mitigation measures shall be maintained in good working order for the lifetime of the hot food take away or preparation of hot food for a café.
8. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall, thereafter, be undertaken in accordance with the approved CEMP.
9. Prior to the occupation of building(s) hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of one (1) Electric Vehicle Recharging Point.

The Electric Vehicle Recharging Point shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric

Vehicle Recharging Point shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of residents.

10. The ground floor commercial units hereby approved shall be used for Class E and of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) nor for any other use falling within Sui Generis other than Hot Food Takeaway.
11. There shall only be one Hot Food Takeaway on the 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 and to define the permission.
3. In the interests of visual amenity in accordance with Policy 10 of the ACS.
4. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
5. To enable the bins to be collected by the refuse team on collection day.
6. In the interests of Highway and pedestrian safety.
7. To safeguard the amenity of the occupiers of nearby properties in accordance with Policy LPD 32 of the LPD.
8. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11.
9. 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.

10. For avoidance of doubt and to define the permission.

11. The use of the site for 2 no. Sui Generis uses would require further assessment.

Reasons for Decision

The principle of the development is supported given that it would result in the enhancement of the character and appearance of this section of Front Street and High Street to the rear as well as enhancing the vitality and viability of Arnold

Secondary Shopping Area and the town centre. The layout, design and appearance of the building is considered acceptable. This together with the proposed upper floor residential units would not be detrimental to the amenity of neighbouring buildings nor to highway safety. It is therefore considered that the proposal is a sustainable form of development which is appropriate for its context and in accordance with Sections 4, 7, 9, 11 and 12 of the (NPPF 2021), Policy A, Policy 2, Policy 6, Policy 10 of the Aligned Core Strategy (2014) and Policies LPD 4, LPD 11, LPD 32, LPD 33, LPD 35, LPD 49, LPD 50, LPD 51, LPD 57 and LPD 61 of the Local Planning Document(2018)

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 proposed development will include the demolition of the existing buildings which could contain asbestos materials. The Control of Asbestos Regulations 2012 (CAR2012) require that suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present before demolition or other work is carried out. CAR 2012 requires that a suitable written plan of work must be prepared before any work is carried out and the work must be carried out in accordance with that plan. If asbestos is not managed appropriately then the site may require a detailed site investigation and could become contaminated land as defined in Part 2A of the Environmental Protection Act 1990

The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles

All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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

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.

40 APPLICATION NO. 2022/0900 - 1 PERLETHORPE CRESCENT, GEDLING

Erection of a two storey detached dwelling, alterations to existing curtilage, and associated works.

Aaron Reilly, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

RESOLVED:

To GRANT FULL PLANNING PERMISSION for the reasons set out in the report and subject to the following conditions:

Conditions

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.

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

4D10S rev A - Location plan
4D01P rev D - site plan
4D04 - floor plans and elevations
4D05 - elevations and section
4D06 - streetscene

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

3. Prior to above ground works commencing details of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
4. Prior to the construction of the hereby approved dwelling, the parking layout as shown on drawing 4D01P rev D shall be made available for use and be retained for that use thereafter.
5. 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.
6. 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 unless otherwise agreed in writing by the Local Planning Authority.

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.
4. In the interest of highway safety and to provide adequate parking; and to comply with policy LPD57 and LPD61.
5. 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.
6. 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.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. The Council has been in regular communication with the agent for the application throughout the course of the application.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.gedling.gov.uk. 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 gross internal area of new build is less than 100 square metres.

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.

**APPLICATION NO. 2021/1332 - ASHDALE, NOTTINGHAM ROAD,
BURTON JOYCE**

Approval of reserved matters, appearance and landscaping, pursuant to outline permission 2021/1464 for the erection of 11 dwellings.

Dan Stack, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

RESOLVED:

To GRANT RESERVED APPROVAL subject to the following conditions for the reasons set out in the report.

Conditions

- 1 This permission shall be read in accordance with the application form and following list of approved drawings:
 - KIN-01 Plot 11 Floor Plans
 - KIN-02 Plot 11 Elevations
 - GLA-01 Plot 10 Floor Plans
 - GLA-02 Plot 10 Elevations
 - CAR9-01 Plot 9 Floor Plans
 - CAR9-02 Plot 9 Elevations
 - CAS8-01 Plot 8 Floor Plans
 - CAS8-02 Plot 8 Elevations
 - ERR7-01 Plot 7 Floor Plans
 - ERR7-02 Plot 7 Elevations
 - HOLL-01 Plot 6 Floor Plans
 - HOLL-02 Plot 6 Elevations
 - BRAD-01 Plots 4 and 5 Floor Plans
 - BRAD-02 Plots 4 and 5 Elevations
 - BRO-01 Plot 3 Floor Plans
 - BRO-02 Plot 3 Elevations
 - ERR2-01 Plot 2 Floor Plans
 - ERR2-02 Plot 2 Elevations
 - ERR1-01 Plot 1 Floor Plans
 - ERR1-02 Plot 1 Elevations
 - G01 Garage Type 1 Plans and Elevations
 - G02 Garage Type 2 Plans and Elevations
 - G03 Garage Type 3 Plans and Elevations
 - 153 /A-NR-BJ/ PL-1 Planning Layout as Proposed
 - GL1661 01 Landscape Management Plan

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

- 2 Prior to above ground works commencing details of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
- 3 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.
- 4 No part of the development shall be brought into use until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved boundary treatment for each individual plot on site shall be implemented prior to the occupation of each individual dwelling

Reasons

- 1 For the avoidance of doubt.
- 2 To ensure that the character of the area is respected and to comply with policies ACS10 and NP2.
- 3 To ensure that the character of the area is respected and to comply with policies ACS10 and NP2.
- 4 To ensure that the character of the area is respected and to comply with policies ACS10 and NP2.

Notes to Applicant

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its

future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

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

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

42 APPLICATION NO. 2022/0825 - KING GEORGE V PLAYING FIELDS, STANDHILL ROAD, CARLTON

Installation of a 2.4 metre high fence around three boundary sides of the playground.

RESOLVED:

To Grant Full Planning Permission subject to conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form, block plan and specification sheet received on 14th July 2022, and site location plan received on 17th August 2022. The development shall thereafter be undertaken in accordance with these plans/details.

Reasons

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

Reasons for Decision

It is considered, given the nature, scale, design and location of the proposal, the fencing system would be visually acceptable and in keeping with the character and appearance of the area and surrounding context and it would result in no significant undue impact on the residential amenities of the occupiers of any adjoining property by way of overlooking, overbearing and overshadowing. The proposed development is in accordance with Sections 8 and 12 of the National Planning Policy Framework, Policies 10 and 12 of the Aligned Core Strategy and policies LPD 20 and LPD 32 of the Local Planning Document.

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The 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.

43 APPLICATION NO. 2022/1105 - LAND AT CORNER OF WHEATSHEAF COURT, MAIN STREET, BURTON JOYCE

Install a 10m column together with a 2m antennae extension and concrete base for CCTV camera.

RESOLVED:

To Grant Planning Permission subject to the following conditions:

Conditions

- 1 The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
- 2 This permission shall be carried out in accordance with the details set out in the application form, Site Location Plan, drawings numbered TC.10.400.01 and WEC-467586A1, and Specification Sheet: PTP550; received by the Local Planning Authority on 5 October 2022.

Reasons

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

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies. The proposal represents an acceptable form of development which seeks to reduce crime, the detection of crime and the fear of crime. The proposal is not considered to have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of the occupiers of neighbouring properties. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Section 8 and 12), Policy 10 of the GBCAS (2014) and Policy 32 of the LPD.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

44 ENFORCEMENT REF: 0168/2022 - CAR PARK TO REAR OF 24-36 EASTHAM ROAD, ARNOLD

Material change of use of car park to a car sales business (sui generis).

The Principal Planning Officer introduced the report.

RESOLVED:

That the Head of Development and Place be authorised to take all relevant planning enforcement action including the service of any necessary enforcement notices and, in conjunction with the Head of Governance and Customer Services, take proceedings through the courts, if required, to ensure:

a) the cessation of the unauthorised vehicle sales business including bringing vehicles to the property to be prepared in readiness for sale and storing vehicles awaiting sale at the property;

(b) the removal of all vehicles associated with the vehicle sales business.

45 REPORT TO CABINET - INTERIM PLANNING POLICY STATEMENT: FIRST HOMES

The Head of Development and Place introduced a report, which had been circulated in advance of the meeting, asking members to note the attached approved Gedling Borough Council Interim Planning Policy Statement on First Homes.

RESOLVED:

To note the Gedling Borough Council Interim Planning Policy Statement: First Homes attached as Appendix 1.

46 FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2022

The Head of Development and Place introduced a report, which had been circulated in advance of the meeting, asking members to note the latest five year housing land supply assessment.

Councillor Lawrence moved a recommendation which was seconded by The Chair, to formally record the committee's thanks to all of the officers who were involved in drawing up the report and to congratulate them on the quality of its content.

RESOLVED to:

1. Note the Gedling Borough Five Year Housing Land Supply Assessment 2022 published in October 2022, attached as Appendix 1.
2. Congratulate all of the departments that had been closely involved in putting the report together.

47 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

48 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

49 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting finished at 7.10 pm

Signed by Chair:
Date: