

Agenda

Planning Committee

Date: **Wednesday 24 July 2024**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Democratic Services

committees@gedling.gov.uk

0115 901 3844

Planning Committee

Membership

Chair Councillor Roy Allan

Vice-Chair Councillor Paul Wilkinson

Councillor Sandra Barnes
Councillor Stuart Bestwick
Councillor David Ellis
Councillor Andrew Ellwood
Councillor Helen Greensmith
Councillor Julie Najuk
Councillor Lynda Pearson
Councillor Catherine Pope
Councillor Grahame Pope
Councillor Martin Smith
Councillor Sam Smith
Councillor Ruth Strong
Councillor Jane Walker
Councillor Henry Wheeler
Councillor Russell Whiting

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Responsibilities of the Planning Committee:

- 1) To examine and investigate any proposals for development within or outside the Borough which affect the growth prosperity and wellbeing of the Borough and to consult on any action considered necessary.
- 2) Power to fix fees and charges in relation to the remit of the Committee.
- 3) Power to appoint delegates to conferences and to approve Member training in relation to the remit of the Committee.

- 4) To respond to consultative documents received by the Council and falling within the remit of the Committee.
- 5) Power to institute enforcement and legal proceedings in connection with any offences under any powers delegated to this Committee.
- 6) Power to determine applications for planning permission.
- 7) Power to determine applications to develop land without compliance with conditions previously attached.
- 8) Power to grant planning permission for development already carried out.
- 9) Power to decline to determine applications for planning permission.
- 10) Duties relating to the making of determinations of planning applications.
- 11) Power to determine applications for planning permission made to the Council.
- 12) Power to make determinations, give approvals and agree matters relating to the exercise of development rights.
- 13) Power to enter into agreements regulating the use or development of land.
- 14) Power to issue a certificate of existing or proposed lawful use or development.
- 15) Power to serve a completion notice.
- 16) Power to grant consent for the display of advertisements.
- 17) Power to authorise entry onto land pursuant to Section 196A of the Town and Country Planning Act 1990.
- 18) Power to require the discontinuance of a use of land.
- 19) Power to serve a contravention notice, breach of condition notice or stop notice.
- 20) Power to issue an enforcement notice.
- 21) Power to apply for an injunction restraining a breach of planning control.
- 22) Power to require proper maintenance of land pursuant to Section 215(1) of the Town and Country Planning Act 1990.
- 23) Power to determine applications for listed buildings consent.
- 24) Power to serve a building preservation notice
- 25) Power to acquire a listed building in need of repair and to serve a repairs notice.
- 26) Power to apply for an injunction in relation to a listed building.
- 27) Power to execute urgent works to a listed building.
- 28) Power to create, extinguish, stop up or divert footpaths or bridle ways after consultation, where appropriate, with the relevant Parish Council.
- 29) Power to make a rail crossing diversion or extinguishment order.
- 30) To exercise the Council's powers relating to the preservation of trees contained within the Town and Country Planning Act 1990.
- 31) To exercise the Council's powers with regard to the Hedgerows Regulations 1997.
- 32) Power to make, amend, revoke or re-enact byelaws within the remit of the Committee

AGENDA

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1. **Apologies for Absence and Substitutions**
2. **To approve, as a correct record, the minutes of the meeting held on 5 June 2024**
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3. **Declaration of Interests**
4. **Application no. 2024/0094 - Total Site, Road No 3, Colwick** 23 - 38
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10. **Any other items which the Chair considers urgent**

MINUTES PLANNING COMMITTEE

Wednesday 5 June 2024

Councillor Roy Allan (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Catherine Pope
Councillor Stuart Bestwick Councillor Grahame Pope
Councillor David Ellis Councillor Sam Smith
Councillor Andrew Ellwood Councillor Ruth Strong
Councillor Helen Greensmith Councillor Jane Walker
Councillor Ron McCrossen Councillor Henry Wheeler
Councillor Julie Najuk Councillor Russell Whiting
Councillor Marje Paling

Absent: Councillor Sandra Barnes and Councillor Lynda Pearson

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

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Barnes and Pearson.

Councillors Ron McCrossen and Paling attended as substitutes.

Under this item, the Chair informed the committee that item 6 had been withdrawn from the agenda, and that it would return to a future meeting.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 27 MARCH 2024

RESOLVED:

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

3 DECLARATION OF INTERESTS

Councillor Wheeler declared a non-pecuniary interest in item 4 on the agenda, as he had worked closely with the Friends of the Hobbocks group who had submitted written objections in relation to the application.

Councillor Paling declared a non-pecuniary interest in item 4 on the agenda in relation to Friends of the Hobbocks, but reserved the right to speak.

Councillor Greensmith declared a non-pecuniary interest in item 4 on the agenda as she lived in close proximity to the site and confirmed that she would leave the meeting whilst the item was being debated.

Councillor Smith declared a non-pecuniary interest in item 5 on the agenda, as an elector member of Nottinghamshire County Council and confirmed that he would refrain from voting on that item.

4 APPLICATION NO. 2023/0830 - LAND EAST OF KILLISICK LANE, ARNOLD

Councillor Greensmith left the meeting.

Erection of 45 dwellings, including associated infrastructure, landscaping and open space.

Claire Richards, a representative on behalf of local residents, spoke in objection to the application.

Grace Clarkson, Strategic Land and Planning Manager, the applicant, spoke in support of the application.

The Development Manager introduced the report and advised the committee of a typo on page 59, para 6.5, bullet point 1. He confirmed that £45,000 was being sought.

He added that condition 11 on page 64 required updating as the landscape masterplan was broadly acceptable, but did not include adequate detail, and therefore it should read as follows:

Notwithstanding the approved Landscaping Scheme pursuant to the Landscape Masterplan BG23.146-BRGR-ZZ-ZZ-DR-L-0001 Revision P02 and the Landscape Management Plan BY00131-STH-B01-00-DR-A-0011, prior to above ground works commencing there shall be submitted to and approved in writing by the Local Planning Authority detailed landscape details, including a planting schedule. Development shall proceed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved Landscaping Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that

originally planted must be planted in the same place during the next planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

He then went on to introduce the report.

Members had requested two additional conditions in respect of wheel washing and drainage details during construction. The former point was covered in the already approved 'construction management and mitigation', identified in condition 7 and the later point was covered by condition 8(g). As a result, no additional conditions were deemed necessary.

RESOLVED:

To GRANT PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 legal agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, public transport improvements; education; health; public open space; highway improvements; monitoring and a local labour agreement; and subject to the conditions listed 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. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:

Construction Management and Mitigation for Killisick Lane – July 2023
Transport Statement P2247_20230810 - TPS August 2023
Noise Impact Assessment NIA-10905-23-11104 V2.0.
Arboricultural Method Statement BG23.146.18 Rev 1
Arboricultural Impact Assessment BG23.146.17 Rev 1
Preliminary Ecological Appraisal BG23.146 Rev 1
Archaeological Desk Based Assessment – MAPArch 5.19.23
Flood Risk Assessment 48015-ECE-XX-XX-RP-C-0003 Issue 3
Landscape & Visual Impact Assessment BG23.146.10 Rev 1
Location plan BY00131-STH-B01-00-DR-A-003-P02 Revision A
Planning Layout BY00131-STH-B01-00-DR-A-0001PL-P05 Revision F

EVCP and Parking Plan BY00131-STH-B01-00-DR-A-0005.-
P02 Revision A
Single Garage – MY-SG1-01
Landscape Management Plan BY00131-STH-B01-00-DR-A-
0011
Landscape Masterplan BG23.146-BRGR-ZZ-ZZ-DR-L-0001
Revision P02
Welcome Centre MY-P-405 Revision –
S278 Layout 48015-ECE-XX-XX-DR-C-0031 Revision P02
Production Management Plan BY00131-STH-B01-00-DR-A-
0016-P01
Close Coupled Substation Pyramid Roof Detail General
Arrangement GTC-E-SS-0012_R2-1_1_of_1
Bologna BM-C4-1000-A1 Planning Drawing 01 Revision P1
Valencia BM-C5-0201-A1 Planning Drawing 01 Revision P3
Naples BM-C5-0301-A1 Planning Drawing 01 Revision P3
Siena BM-C5-0601-A1 Planning Drawing 01 Revision P3
T2 BM-C3-0301-A2 Planning Drawing 01 Revision R3

3. No dwelling shall be erected until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until details of all materials to be used for hard surfaced areas within the site including roads, footpaths, recreation areas, and car parking areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details so approved.
5. Occupation of any proposed dwellings shall not take place until such time as the site access arrangement via Strathmore Road / Howbeck Road as shown on drawing number S278 Layout 48015-ECE-XX-XX-DR-C-0031 Revision P02 has been provided in full.
6. Occupation of the proposed dwellings shall not take place until their respective driveway has 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 driveway 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.

7. Construction of the development hereby approved shall comply with the Construction Management and Mitigation for Killisick Lane – July 2023. The development shall be carried out in accordance with the approved details for its entire construction phase.

8. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the Flood Risk Assessment 48015-ECE-XX-XX-RP-C-0003 Issue 3 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:

a. 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 and NPPF Paragraph 169.

b. Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.

c. Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.

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 30 year and 1 in 100 year plus climate change return periods.

No surcharge shown in a 1 in 1 year;
No flooding shown in a 1 in 30 year.;
For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.

d. Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.

- e. Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
 - f. Evidence of approval for drainage infrastructure crossing third party land where applicable.
 - g. Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
 - h. Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.
9. All construction and/or demolition works on the site and all deliveries of construction materials to the site must only take place between the following hours: 0700 and 1900 on Mondays to Fridays (inclusive), and; 0800 and 1700 on Saturdays. There shall be no construction, demolition or associated deliveries whatsoever on the site on Sundays or on Bank or Public Holidays.
10. No part of the development hereby approved shall commence until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Preliminary Ecological Appraisal BG23.146 Rev 1 and the Biodiversity Impact Assessment for Net Gain Matrix - submitted 15th November 2023 have been submitted to and approved by the Local Planning Authority in the form of a Land and Environmental Management Plan (LEMP) to secure recommended enhancements and habitat creation, and provide detail how enhancement will be managed subsequently. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development in accordance with the LEMP.
11. Notwithstanding the approved Landscaping Scheme pursuant to the Landscape Masterplan BG23.146-BRGR-ZZ-ZZ-DR-L-0001 Revision P02 and the Landscape Management Plan BY00131-STH-B01-00-DR-A-0011, prior to above ground works commencing there shall be submitted to and approved in writing by the Local Planning Authority detailed landscape details, including a planting schedule. Development shall proceed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby

permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved Landscaping Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

12. No development shall take place above damp proof course level until detailed drawings including materials, design, and heights of all boundaries treatments have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until such time as all boundary treatments are in place, which shall remain for the lifetime of the development.
13. From the date of first occupation every dwelling built on the site shall be provided with access to electric vehicle (EV) charge point(s) in accordance with the EVCP and Parking Plan (Ref: BY00131-STH-B01-00-DR-A-0005.-P02 Revision A). 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.
14. The development hereby permitted must not be commenced until the tree protection measures as set out in the submitted Arboricultural Method Statement BG23.146.18 Rev 1 and Arboricultural Impact Assessment BG23.146.17 Rev 1 have been implemented in accordance with those approved details. Thereafter, all works to existing trees hereby given consent must be carried out in accordance with British Standard BS 3998:2010 Tree work - Recommendations. The approved tree protection measures must remain in place on the site throughout the construction of the development hereby permitted. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities are permitted within the protected area(s) without the written agreement of Local Planning Authority.
15. 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.

16. 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.
17. The footpath connections to Killisick Lane and other parts of the housing allocation (H8) as detailed on Planning Layout BY00131-STH-B01-00-DR-A-0001PL-P05 Revision F shall be formed and made available for use prior to the completion of the development hereby approved.

Reasons

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. To define the permission and for the avoidance of doubt.
3. To ensure the appearance of the development is satisfactory having regard to policies ASC10 and LPD26.
4. To ensure the appearance of the development is satisfactory having regard to policies ASC10 and LPD26.
5. In the interests of highway safety.
6. In the interests of highway safety.
7. 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.

8. A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
9. To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable noise pollution from the development hereby permitted, and to comply with policies ASC10 and LPD26.
10. To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 18 - Protecting and Enhancing Biodiversity of the adopted Local Plan and Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023).
11. To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy LDP19 - Landscape Character and Visual Impact.
12. To define the permission, to protect neighbouring amenity and to comply with policies ASC10 and LPD26.
13. 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 Councils Local Plan.
14. To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to having regard to Policy LDP19 - Landscape Character and Visual Impact of the adopted Local Plan and Chapter 15 (Conserving and

Enhancing the Natural Environment) of the National Planning Policy Framework (2023).

15. To ensure the development is safe and suitable for use.
16. To ensure the character of the area and residential amenity is respected and to comply with policies ACS10 and LPD32.
17. To ensure that connectivity is provided to other parts of the housing allocation and Killisck Lane and to comply with

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). 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 applicant should note that there are planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, then the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed

works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.uk 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.

Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.

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 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 applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A

Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

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

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@nottscc.gov.uk for details.

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.

5 APPLICATION NO. 2024/0063 - TOP WIGHAY FARM, WIGHAY ROAD, LINBY

Councillor Greensmith re-joined the meeting.

Variation of section 106 Legal Agreement (Schedule 5 Provision of Open Spaces – Definitions Section) for outline planning permission 2020/0050.

The Development Manager introduced the report and informed members that as part of the permission, a masterplan was approved showing two sports pitches to the north of the site and within the S106 this was identified as two full size football pitches, but this only accommodated for two junior pitches of 9-a-side. He added that Sport England had objected to the shortfall and advised that if granted, additional financial contributions should be sought.

He added that the scheme was approved subject to a viability assessment, which indicated that it would be unviable with additional contributions and that increasing the size of the pitches would reduce

the area available for residential development, resulting in a reduction in the number of properties built on the site.

He added that, the Council had published a new Playing Pitch and Outdoor Sport Strategy (September 2023), which identified the greatest shortfall in provision for Top Wighay Farm was for youth football.

He concluded that he recommended the application be supported and the Section 106 be amended to allow the provision of two 9-aside pitches as opposed to two full size pitches, as outlined on page 79 of the report.

RESOLVED:

That the Head of Development and Place and the Monitoring Officer, be authorised to enter into a Deed of Variation as detailed in the report.

6 APPLICATION NO. 2014/0273 - LAND AT CORNER OF LONGDALE LANE & KIGHILL LANE, RAVENSHEAD

This item was withdrawn from the agenda.

7 ENFORCEMENT REF. 0257/2022 - NOTTINGHAM SUN CLUB, BRACKENWOOD, NEWSTEAD ABBEY PARK, RAVENSHEAD

Unauthorised Construction of a glamping structure.

RESOLVED:

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

8 ENFORCEMENT REF. 0132/2023 - 22 ONCHAN DRIVE, CARLTON

Unauthorised rear garden canopy.

The Development Manager introduced the report.

RESOLVED:

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

9 ENFORCEMENT REF. 0267/2022 - 91 MAIN STREET, BURTON JOYCE

Unauthorised Gates and Fencing.

The Development Manager introduced the report.

RESOLVED:

That the Head of Development and Place, in conjunction with the Head of Governance and Customer Services, be authorised to take all relevant planning enforcement action including the service of any necessary enforcement notices and issue of proceedings through the courts, if required, to ensure the removal or reduction in height of the gates and fencing.

10 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

11 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

12 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting finished at 7.05 pm

Signed by Chair:
Date:

PLANNING COMMITTEE PROTOCOL

Introduction

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

Disclosable Pecuniary and Non- Pecuniary Interests

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

Pre-determination and Predisposition

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

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

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

Lobbying

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

Roles at Planning Committee

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

Speaking at Planning Committee

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

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

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

Determination of planning applications

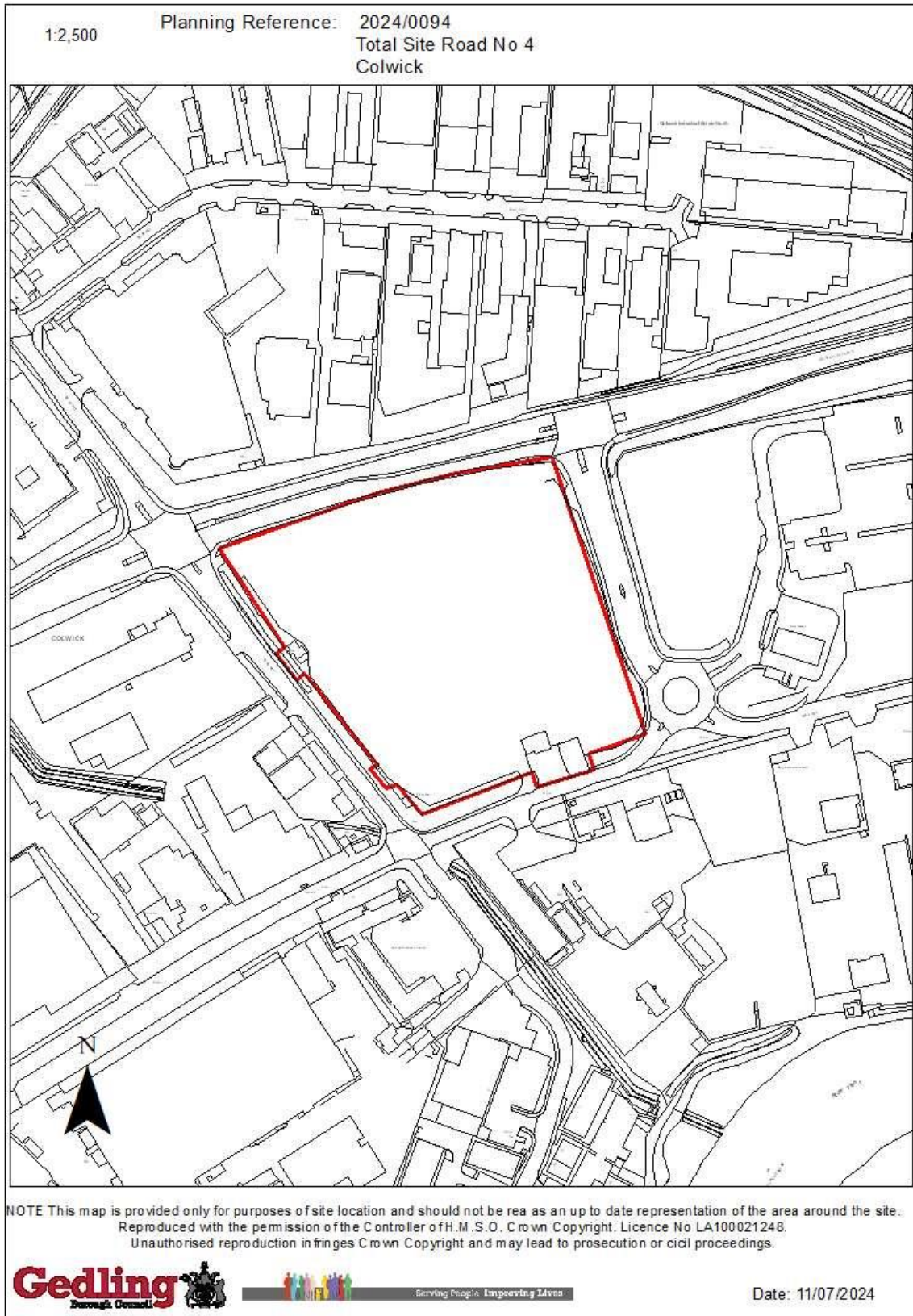
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the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

Oct 2015

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Planning Report for 2024/0094



Report to Planning Committee

Application Number:	2024/0094
Location:	Total Site, Road No 3, Colwick
Proposal:	The erection of industrial and warehouse units (Use Classes E(g)(iii), B2 and B8) together with access and servicing arrangements, parking, landscaping, boundary fencing and associated works.
Applicant:	Chancerygate (Nottingham) Limited
Agent:	Savills
Case Officer:	Joe Davies

The application is for development that equates to more than 5000 square metres of commercial floor space and therefore, in accordance with the Councils constitution, this application has been referred to Planning Committee for determination.

1.0 Site Description

- 1.1 The application site comprises land on an established industrial site and was formally occupied by Total as a petrochemical storage and distribution facility. The site is now vacant having been cleared of all storage tanks and office buildings. The site is bounded by Colwick Loop Road to the north and Private Road No 1 to the west. To the east is a new builders' merchant, with the new Sainsbury superstore beyond this. The surrounding area is generally characterised by industrial and commercial buildings, with some offices and retail in the surrounding area also.
- 1.2 The application site is within flood zone 3, in an area benefitting from flood defences. The land is set slightly down from the Colwick Loop Road to the north, although the site is generally flat. There is existing access to the site from Road No 3 to the south.

2.0 Relevant Planning History

- 2.1 Planning application 2022/0798 was considered at the Planning Committee of January 11th 2023, with the decision notice issued on the 13th. The application title is: *"1) erection of a building for use as a builders merchant (Sui Generis) with trade counters and ancillary kitchen joinery showroom for the display, sale and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and storage including storage racking; and 2) erection*

of industrial and logistics units (Use Classes E(g)(iii), B2 and B8); together with access and servicing arrangements, parking and landscaping, boundary fencing and associated works.”

3.0 Proposed Development

- 3.1 This application seeks permission for the construction of warehouse and industrial units within classes E(g)(iii), B2 and B8 together with access and servicing arrangements, parking, landscaping and associated works. The works would comprise the construction of 19 units altogether. The units would be finished in grey and silver composite cladding, with powder coated aluminium-framed windows. All of the units would have flat roofs.
- 3.2 In terms of changes between the current proposal and proposal that which benefits from planning permission, units 1-6 and 7-11 would remain the same, with units 13-18 replacing the previously proposed builders' merchant. Unit 19 has increased in size, following the provision of a second access to Road No.1 and Units 12-15 would be in the centre of the site. The proposals would use the same materials as the previous application, as set out in the submitted materials schedule.
- 3.3 The development would utilise the existing access from Road No.3 to the south of the site, which would provide a route through to road no 1. Unit 19 would have its own access from road no 1 too.

4.0 Consultations

- 4.1 Neighbouring properties have been consulted and a site notice and newspaper advert have been posted. No public representations have been received.
- 4.2 Scientific Officer – No objection subject to conditions regarding EV charging and contamination. It will also be conditioned that the development is carried out in accordance with the submitted Construction Emissions Management Plan.
- 4.3 NCC Highways – Initially raised concerns regarding planting within the highway limits, swept path analysis for an articulated vehicle and upgrades to bus infrastructure. However, following amendments by the applicant, they are satisfied with the swept path analysis and accept that an upgrade to existing bus infrastructure could be detrimental to the root system of adjacent highway trees and their subsequent longevity. As a result, they now have no objections subject to conditions regarding the provision of parking and turning facilities as well as a vehicular access point, the permanent closure of the redundant vehicular crossing, the provision of surface water drainage for the access road and the provision of a bus stop.
- 4.4 The Highway Authority have also indicated that they would be seeking a financial contribution of £15,000 for Travel Plan Monitoring, as well as a contribution toward replacement planting.

- 4.5 Health and Safety Executive – Confirmed that the Development Proximity Zone had been revoked during the course of application 2022/0798 and therefore they had no comment to make.
- 4.6 Environment Agency – Raised no objection subject to a condition requiring compliance with the submitted Flood Risk Assessment.
- 4.7 Tree Officer – No objection, subject to the tree protection measures in the tree survey/arboricultural method statement being conditioned. Also advised that permission from the Local Highway Authority would be needed for any trees within the highway boundary.
- 4.8 Lead Local Flood Authority – No objection, subject to the submission of a Surface Water Drainage Strategy being conditioned.

5.0 Policy

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’. The following national and local policies are relevant to the application.

5.2 At the national level the National Planning Policy Framework (NPPF) (2023) is relevant. 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. The following chapters are considered to be most pertinent:

2 – Achieving Sustainable development

4- Decision making

6 – Building a strong, competitive economy

9 – Promoting Sustainable Transport

12 - Achieving Well-designed places

14 – Meeting the challenge of climate change, flooding and coastal change

5.3 The Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:

Policy 1: Climate change

Policy 4: Employment Provision and Economic Development

Policy 10: Design and Enhancing Local Identity

- 5.4 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 3: Managing Flood Risk

LPD 4: Surface Water Management

LPD 7: Contaminated Land

LPD 11: Air Quality

LPD 32: Amenity

LPD 44: Retention of Employment and Employment Uses

LPD 48: Local Labour Agreements

LPD 57 Parking Standards

LPD 61: Highway Safety

6.0 Evaluation

Principle of Development

- 6.1 The application site falls within an established industrial estate where the principle of such uses are supported, subject to compliance with a number of criteria and policies outlined above. The nature of the proposed development is also similar to that already granted permission under 2022/0798. Policy 44 is considered to be most pertinent and identifies that 'planning permission will be granted for the expansion, conversion or redevelopment of land and premises for employment uses on allocated employment sites provided', amongst other things, the use is within use classes B1 - B8 and sui generis uses of a similar nature; the development is of an appropriate scale; would not have an adverse impact on amenity; highway safety is not detrimentally impacted, nor heritage assets detrimentally affected. Given that the application site falls within flood zone 3, there would be a need to have regard to possible impacts on flooding. These matters are explored in more detail in this report; however, the broad principle of development, which would enhance the commercial use on site, is supported, especially given that there is an extant permission in place.

Impact on the character and appearance of the area

- 6.2 The proposed development consists of 5 main blocks of commercial buildings, each of which will be further split into a number of separate units, with 19 units at the site in total. The buildings will generally be of a scale and appearance that is in keeping with the commercial nature of the surrounding area. The materials to be used will be reflective of the area, and a mix of materials is proposed to break up large elevations and add interest to the appearance of the scheme.

- 6.3 Furthermore, the proposed buildings would be in keeping in design with the industrial nature of the site and its surroundings and would result in a significant improvement over the existing site, which detracts from the visual appearance of the area. Furthermore, the proposal would be of a similar scale and design to that already granted planning permission at the site, albeit of a slightly different layout with the parking provision and buildings spread across the site, rather than the parking being predominantly sited on one part of the site, with the buildings on the other. It could be argued that this would represent an improvement in terms of layout over the previously approved proposal.
- 6.4 The impact of the proposed development on design, visual amenity and the character and appearance of the area is therefore considered to be acceptable and in accordance with Section 12 of the NPPF (2023) and Policy 10 of the GBACS (2014).

Impact on the neighbouring amenity

- 6.5 The application site falls within an established industrial estate where there are a wide range of nearby commercial uses. There are no residential units in the nearby locality that would be detrimentally impacted and it is not considered that the use of the building would be harmful to the amenity of adjacent industrial units.
- 6.6 The site is a standalone site bordered by highways on all four sides and as such there will be a significant separation distance between the proposed buildings on the site and any neighbouring properties. As such it is considered that the proposal will not result in an unacceptable overbearing or overshadowing impact for the residents of any neighbouring properties.
- 6.7 Taking the above into account it is considered that there would be no unacceptable adverse impact on the amenities of the occupiers of adjacent properties in accordance with policies LPD32 and LPD 44.

Highway and parking

- 6.8 The proposed development will utilise the existing access from Road No 3 to the south of the site for Units 1 – 4, with a new access proposed from Road No 1 to the west of the site for Unit 5. The proposed new access requires the relocation of the bus stop on Road No 1, which has been agreed with the Highway Authority who also raise no objection to the proposed access.
- 6.9 The application has been supported by a Transport Assessment and framework travel plans, both of which have been reviewed by the Highway Authority who raise no objection to the proposal, subject to a number of conditions, which are recommended to be included as part of any planning permission. The assessment and modelling carried out indicates that additional traffic generated from the site will be accommodated on the local road network, without the need for improvements to highways or junctions. A total of 138 parking spaces are proposed to serve the industrial units, with 56 cycle parking spaces proposed.

- 6.10 In respect of parking provision, the Council's parking standards SPD states that parking provision for non-residential development should be in accordance with the Nottinghamshire County Council Highway Design Guide (2021). Regular discussions have taken place between the applicant and the Highway Authority who has raised no objection and confirms that the parking and turning areas within the site meet their requirements and are therefore acceptable.
- 6.11 The Local Highway Authority have also confirmed that the public transport and bus stop arrangements at the site are acceptable, with the bus stops on Road No.1 being reinstated on the plans, following concerns from the Local Highway Authority regarding their removal.
- 6.12 The Highway Authority have also sought financial contributions towards additional planting and £15,000 toward monitoring of the approved Travel Plan. However, the contributions are not considered to be reasonably necessary in that the scheme is, in affect, a re-submission of extant permission 2022/0798 where no financial contributions were sought or secured. To require such contributions when there is an extant permission of a similar scale, and no financial figure has been identified for the planting, is not considered to be reasonably necessary. This is particularly pertinent having regard to the fall back of implementing extant permission 2022/0798.
- 6.13 Having regard to the above it is considered that the application complies with policy LPD57 and LPD 61 in respect of parking standards and highway safety, with no reasonable justification for the financial contributions sought.

Ecology and Landscaping

- 6.14 The application site is not a designated wildlife site. A biodiversity survey has been carried out on the site and a report submitted with this application. The survey found no evidence of protected species on the site and identified no insurmountable constraints to the proposed development from an ecology and nature conservation perspective.
- 6.15 There are a number of trees and vegetation around the boundaries of the site, although it is noted that most of these are outside of the red line of the application site. There are no trees in or around the site that are covered by TPOs. To facilitate the proposed development a number of trees require removal. The Local Highway Authority have confirmed that they have no objection to this, subject to a financial contribution to compensate for their loss.
- 6.16 Soft landscaping is proposed throughout the site including new trees, hedgerows, shrub planting and grassed areas. The proposed landscaping will enhance the character of the surrounding area and the street scene on all sides when compared to the existing site and the former use of the site.
- 6.17 Furthermore, as the application was submitted and validated prior to the 12th February 2024, there is no requirement for the applicant to provide a 10% Biodiversity Net Gain, as part of the proposed works.
- 6.18 Overall it is considered that the proposed development is acceptable in respect of ecology and landscaping.

Flood Risk

- 6.19 The application site is within flood zone 3 and as such is within an area that is at risk of flooding. As the site is within a designated protected employment area identified in a recently adopted Local Plan the sequential and exceptions tests are not required by the NPPF.
- 6.20 A flood risk assessment has been submitted in support of this application as required by the NPPF. Whilst the site benefits from flood defences it is acknowledged that were the defences to fail the site would be liable to flooding. It is considered unlikely that this scenario would happen, however, the FRA sets out safe access, egress and evacuation of the site in the case of flooding. Floor levels are also set to be at a minimum of 600mm higher than existing site levels. The Environment Agency has reviewed the FRA and has raised no objection to the proposal.
- 6.21 The Lead Local Flood Authority have also confirmed that they have no objection to the proposed development, subject to the submission of a Surface Water Drainage Strategy being conditioned.
- 6.22 Overall it is considered that the proposal will not result in an unacceptable increase in flood risk to the application site or the surrounding area. The proposal is therefore considered to be in accordance with LPD 3 and LPD 4 of the Gedling Part 2 Local Plan.

Hazardous Substances

- 6.23 The site was previously in a Development Proximity Zone and this raised issues in the previous application at the site. However, the Health and Safety Executive have now confirmed that they consider this to be revoked from February 2023.
- 6.24 The Council is also of the opinion that automatic revocation of the Hazardous Substance Consent at the Total Site has taken place in accordance with section 17 of the Planning (Hazardous Substances) Act 1990 which states that automatic revocation takes place in the event of the change of person in control of the land. The Total Site has changed hands since it was used for the storage of oil to which the Hazardous Substance Consent relates. The site has also been cleared of all hazardous substances. Given no further application has been made for Hazardous Substance Consent at the site it is the view of the Council that the consent has been automatically revoked.
- 6.25 Furthermore, the proposed development is on the land for which the Hazardous Substance Consent related. No development related to the Hazardous Substance Consent could take place along with the development proposed as part of this application. Therefore, the proposed development cannot commence and be operational at the same time as any development in respect of hazardous substances on the same site, which would require a new planning permission in its own right.

- 6.26 With this in mind the HSE have raised no objection to the proposed development and it is considered that the impact in relation to hazardous substances is considered to be acceptable.

Other considerations

- 6.27 A construction and emissions management plan (CEMP) has been submitted by the applicant to support the application. The CEMP has been approved by the Council's Scientific Officer and it should be conditioned that the development shall be carried out in accordance with this.
- 6.28 A Remediation and Verification Strategy has been submitted in relation to contamination at the site. The Environment Agency raises no objection in respect of land contamination. However, they have recommended conditions to ensure that this remains the case. It is recommended that these conditions are included as part of any planning permission granted.
- 6.29 In accordance with LPD 48, the Borough council will seek to negotiate planning agreements to secure local labour agreements for development on 0.5 hectares of land or more, or development that will create more than 15 jobs. A Local Labour Agreement has been submitted with this application, which confirms that the developer and their subcontractors will look to employ local contractors where feasible and viable. They will also look to ensure that where the required skilled workforce is available from the local area, all these companies will be given the opportunity to tender for the completion of the works. All subcontractors will also be encouraged to use local labour where possible. Furthermore, the developer will look to offer onsite work experience placements for workers aged 16 plus. End users of the units will be encouraged and supported to fill a minimum 25% of the total full time jobs created with local residents, and the developer has also made commitments to establish relationships with Central College Nottingham or the New College Nottingham.
- 6.30 Whilst no comments have been received from the Council's Economic Development Team, the Local Labour Agreement, with the exception of a predicted build time of 52 weeks, rather than 48 weeks and the date, this Agreement is identical to that submitted and approved under 2022/0798. This agreement is therefore considered to be acceptable and in accordance with LPD 48.
- 6.31 For the avoidance of doubt, there are no heritage assets in the locality that would be affected by the application.

7.0 Conclusion

- 7.1 The application site is within an established industrial estate and will enhance employment use on offer. The built form would respect the character of the area and amenity of adjacent users. Highway safety would be respected and parking provision is considered to be acceptable. Subject to conditions the development would be acceptable in respect of flood risk and contamination. The application is, therefore, deemed to comply with policies 1, 4 and 10 of the Aligned Core Strategy; policies LPD 3, LPD 4, LPD 7, LPD 11, LPD 32, LPD 44, LPD 48,

LPD 57 and LPD 61 of the Local Planning Document and guidance within the NPPF.

Recommendation: 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 permitted shall be completed in accordance with the following drawings:
 - Unit 19 Site Access Junction Visibility - J32-5783-PS-103 - Revision B;
 - Internal Vehicle Tracking 16.5M Max Legal - J32-5783-PS-113;
 - Road No.1 Site Access Junction Visibility - J32-5783-PS-101 - Revision B;
 - Planning Layout - North - 853.19.08 Revision A;
 - Planting Layout - South - 853.29.09 Revision A;
 - Proposed Site Plan - 21068-302 P-05;
 - Unit 19 - Proposed Elevations - 21068-0721 P-03;
 - Units 1-6 - Proposed Elevations - 21068-0321 P-03;
 - Units 7-11 - Proposed Elevations - 21068-0421 P-03;
 - Units 12-15 - Proposed Elevations - 21068-0521 P-03;
 - Units 16-18 - Proposed Elevations - 21068-0621 P-03;
 - Units 1-6 - Proposed Floor Plans - 21068-0310 P-03;
 - Proposed Cycle Storage - 21068-305 P-01;
 - Unit 19 - Proposed Roof Plan - 21068-0711 P-03;
 - Units 16-18 - Proposed Roof Plan - 21068-0611 P-03;
 - Unit 19 - Proposed Sections - 21068-0731 P-03;
 - Location Plan - 21068-0300 P-01;
 - Units 7-11 - Proposed Floor Plans - 21068-0410 P-03;
 - Units 12-15 - Proposed Floor Plans - 21068-0510 P-03;
 - Units 16-18 - Proposed Floor Plans - 21068-0610 P-03;
 - Unit 19 - Proposed Floor Plan - 21068-0710 P-03;
 - Units 1-6 - Proposed Roof Plan - 21068-0311 P-03;
 - Units 7-11 - Proposed Roof Plan - 21068-0411 P-03;
 - Units 12-15 - Proposed Roof Plan - 21068-0511 P-03;
 - Units 1-6 - Proposed GA Sections - 21068-0331 P-03;
 - Units 7-11 - Proposed GA Sections - 21068-0431 P-03;
 - Units 12-15 - Proposed Sections - 21068-0531 P-03;
 - Units 16-18 - Proposed Sections - 21068-0631 P-03; and
 - Proposed Site Sections - 21068-900 P-00.
- 3 The proposed industrial units shall not be brought into use until the parking/turning/servicing areas as shown on drawing 21068-302 P05 have been provided. The parking/turning/servicing areas shall be maintained in accordance with the approved details and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.

- 4 The proposed industrial units shall not be brought into use until the vehicular access points as shown on drawing 21068-302 P05 have been provided to the satisfaction of the Highway Authority.
- 5 The proposed industrial units shall not be brought into use until the redundant vehicular crossing serving the site on Road No.1 has been permanently closed and reinstated to verge/footway to the satisfaction of the Highway Authority.
- 6 The proposed industrial units shall not be brought into use until the site access arrangements have been constructed with provision to prevent the discharge of surface water from the access points to the public highway. The provision to prevent the discharge of surface water from the access points shall be retained for the lifetime of the development.
- 7 The proposed industrial units shall not be brought into use until bus-stop GEO336 as shown on drawing 21068-602 P05 has been provided.
- 8 The development shall be carried out in accordance with the submitted flood risk assessment (ref 21-034-CHA Road No.3, Colwick, dated 21st December 2023) and the following mitigation measures it details:
 - Finished floor levels shall be set no lower than 20.95 metres above Ordnance Datum (AOD)
 - The proposed units shall be made to be floodable
 - There shall be a safe refuge on site and a safe access route (as per drawing document SK010-Proposed Safe Refuge Routes)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

- 9 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
- 11 Piling or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

- 12 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
- 13 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 a minimum of twenty three (23) Electric Vehicle Recharging Points (active); with infrastructure installed for Units 1-17 to benefit each from an extra point in future years (passive). The Electric Vehicle Recharging Points shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of car park users.
- 14 The development hereby permitted shall be undertaken in strict accordance with the protection measures set out in the submitted Arboricultural Implications Report dated January 2024.
- 15 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy 21-034- CHA Road No.3, Colwick, 21st December 2023, I and L Consulting Ltd., has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:- 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 and NPPF Paragraph 169.- Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.- Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. 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 30 year and 1 in 100 year plus climate change return periods.- No surcharge shown in a 1 in 1 year.- No flooding shown in a 1 in 30 year.- For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.- Evidence of approval for drainage infrastructure crossing third party land where applicable.- Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.- Evidence of how the on-site

surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

- 16 The development shall be carried out in accordance with the Local Labour Agreement dated January 2024; received by the Local Planning Authority on 9 February 2024.
- 17 The landscaping scheme as approved (including the trees to be planted on the public highway) shall be carried out in the first planting season following completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
- 18 The development hereby approved shall be carried out using materials as set out in the submitted materials schedule.

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 interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 4 In the interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 5 In the interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 6 In the interest of highway safety in accordance with Policy LPD 61 of the Gedling Local Planning Document 2018.
- 7 To promote sustainable travel.
- 8 To reduce the risk of flooding to the proposed development and future occupants.
- 9 To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 180 of the NPPF.
- 10 To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the NPPF.

- 11 Piling can result in risks to water resources from, for example, mobilising contamination, drilling through different aquifers, and creating preferential pathways. Thus it should be demonstrated that any of these activities will not harm water resources in line with paragraph 180 of the NPPF. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".
- 12 To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the NPPF.
- 13 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.
- 14 To ensure that there is no unacceptable adverse impact on trees as a result of the development hereby permitted.
- 15 A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 16 To enable local people to benefit from the development in accordance with LPD 48 of the Gedling Part 2 Local Plan (2018).
- 17 To ensure that the character of the area is respected and to comply with policies LPD18 and LPD19.
- 18 In the interests of visual amenity and in accordance with Policy 10 of the Aligned Core Strategy and Policy 43 of the Gedling Local Planning Document 2018.

Reasons for Decision

The application site is within an established industrial estate and will enhance employment use on offer. The built form would respect the character of the area and amenity of adjacent users. Highway safety would be respected and parking provision is considered to be acceptable. Subject to conditions the development would be acceptable in respect of flood risk and contamination. The application is, therefore, deemed to comply with policies 1, 4 and 10 of the Aligned Core Strategy; policies LPD 3, LPD 4, LPD 7, LPD 11, LPD 32, LPD 44, LPD 48, LPD 57 and LPD 61 of the Local Planning Document and guidance within the NPPF.

Notes to Applicant

The development makes it necessary to construct/reinstate a vehicular crossing over a verge/footway of the public highway and provide public transport infrastructure. These works will take place on land that is subject to the provisions of the Highways Act 1980 (as amended) and is therefore land over which you have no control. Please contact licences@viaem.co.uk to ensure the necessary licences are in place and that payment has been made to compensate for the loss of the Highway Trees prior to works commencing.

We recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

Adequacy of rescue or evacuation arrangements

Details and adequacy of an emergency plan.

Provision of and adequacy of a temporary refuge.

Details and adequacy of flood proofing and other building level resistance and resilience measures. We strongly recommend that the LPA ensures that the resilience measures proposed are adequate in protecting the units to at least 300mm above the breach height of 22.28mAOD.

Details and calculations relating to the structural stability of buildings during a flood
Whether insurance can be gained or not

Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

In making our response, we have considered the risks posed to controlled waters.

The Local Authority's Environmental Health Officer must be contacted with regards to other risks, such as those posed to human health. This is particularly relevant given that the risk assessment reports were written with different planning proposals in mind.

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).

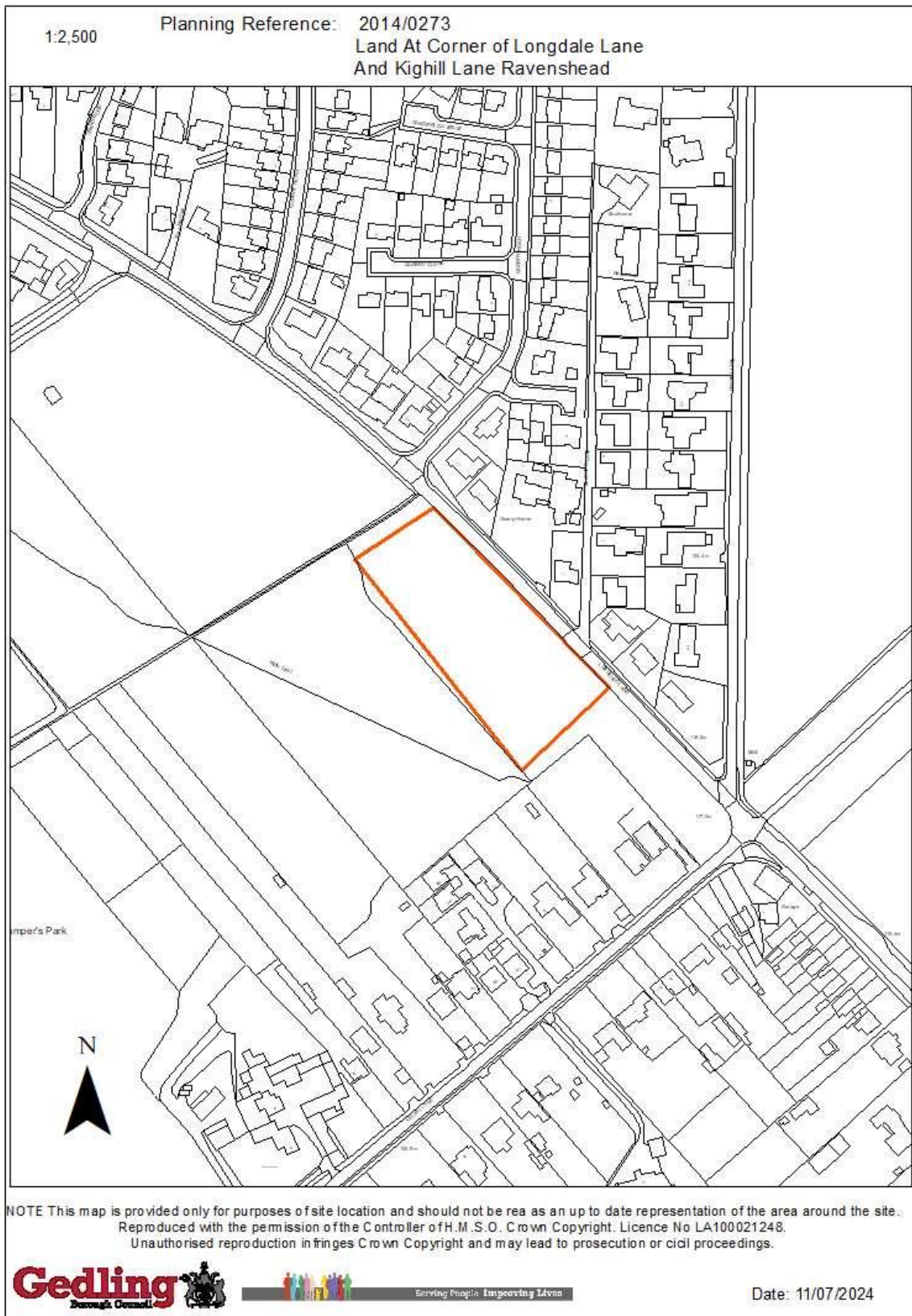
The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable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

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. During the processing of the application regular discussions took place with the applicant to address any issues that occurred.



Planning Report for 2014/0273



Report to Planning Committee

Application Number:	2014/0273
Location:	Land at Corner of Longdale Lane And Kighill Lane Ravenshead
Proposal:	Outline Planning Permission for up to 31 No. dwellings with all matters reserved
Applicant:	Aldergate Properties Ltd
Agent:	Mr Paul Stone
Case Officer:	Lewis Widdowson

This application is referred to Planning Committee to seek approval to modify a Section 106 Agreement which is pending, in respect of the above development.

The application has a resolution to grant Outline Planning Permission at Planning Committee in August 2018 , subject to conditions and the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, Affordable Housing, Local Labour Agreement, Transport Infrastructure Improvements, Open Space, Management Company and Educational Facilities.

The application was subsequently referred back to Planning Committee in October 2022 to seek amendments to the Section 106 Agreement with a further resolution to grant Outline Planning Permission.

1.0 Introduction

1.1 The application was before members of the Planning Committee in October 2022 and previously in August 2018. Initially, the resolution was to grant outline planning permission for up to 31 dwellings (with all matters reserved) subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as local highway and education authority to secure planning obligations for the provision of, or financial contributions towards, affordable housing, local labour agreement, transport infrastructure improvements, open space, management company and educational facilities; and subject to the conditions set out in the original committee report that is reproduced in full at the end of this addendum report.

- 1.2 Whilst progress was made in relation to the legal agreement it was not concluded. At the subsequent meeting in August 2018, it was resolved that the applicant has the option to develop all or part of the site as a custom build/self-build development. The only changes proposed to facilitate this was the introduction of a phasing condition with subsequent amendments to proceeding conditions. This allowed conditions to be discharged on a phased basis rather than for the site as a whole. A list of revised conditions incorporating these changes (as approved in August 2018) can be found at the end of this addendum report.
- 1.3 The purpose of this application being presented back to Planning Committee is to seek approval for changes to the Section 106 Agreement (compared to what was previously agreed in October 2022). These changes include:
- Allow the formation of access up to base coarse level to serve the development without triggering the requirement for contributions at commencement of development e.g. serviced plots.
 - Confirming the option to make a commuted sum payment in lieu of on-site affordable housing provision in accordance with Gedling Borough Councils Affordable Housing Supplementary Planning Document.
 - A viability clause to provide a review mechanism that enables assessment of the costs associated with the development and how this affects the provision of affordable housing and other agreed developer contributions.
 - To provide Section 106 Contributions pro rata for each phase of development rather than at the commencement of development to facilitate potential self-build development.
 - A revised Bus Stop Improvements Contribution of £25,800 has been requested by Nottinghamshire County Council Transport and Travel Services.
- 1.4 There are no other proposed changes to the proposed development or to the previously approved planning conditions.

2.0 Assessment

- 2.1 To facilitate development the NPPF (2023) requires plans and planning decision to be deliverable and for local planning authorities to maintain the supply of housing. Planning committee resolved in August 2018 to also include phasing and potential self-build plots as part of the approved (outline) development. The applicant has stated that they intend to provide access to base coarse level to allow the provision of these self-build plots.
- 2.2 In light of the above scenario, it is considered appropriate to allow the revision of relevant trigger points to make Section 106 Contributions payable per phase given it would be unreasonable to expect a single house plot to trigger the entirety of planning contributions. As a result, the approach to the wording of the associated Section 106 Agreement needs to be updated to align with these changes.
- 2.3 There is a national and local requirement (as set out in Section 5 of the NPPF) for the delivery of a sufficient supply of homes. Paragraph 66 of the NPPF

states, inter alia, that there should be an expectation of at least 10% Affordable Housing for major developments. Exemptions to this 10% requirement should be made if the site or proposed development "(c) is proposed to be developed by people who wish to build or commission their own homes". The proposal to enable the amended wording of the relevant Section 106 Agreement and its Obligations is therefore considered to be in accordance with both national and local planning policy.

- 2.4 It is considered that the proposed changes are reasonable and justified given the nature of the proposals and that the changes would allow the S106 to be concluded and the permission implemented. For the avoidance of doubt, and as noted above, the proposed amendments to facilitate self-build plots could affect the Section 106 Obligations such as Affordable Housing and a Local Labour agreement, if less than 10 non self-build properties are built, and subject to a possible viability review.
- 2.5 Copies of the previous Committee Reports from 2018 and 2022 have been attached to this item to provide greater context, see appendices 1 and 2.

Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION, subject to the applicant entering into planning obligations with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, Affordable Housing, Transport Infrastructure Improvements, Open Space, Healthcare Facilities, Management Company, Local Labour Agreement and Educational Facilities; and subject to the following conditions:

Conditions

- 1 Approval of the details of Access, Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any phase of the development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 3 No phase of development shall commence until a Phasing Schedule has been submitted and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in phases in accordance with the approved Phasing Schedule
- 4 The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented strictly in accordance with the approved details.

- 5 No development shall commence within any phase unless or until a detailed design of the access to serve that phase has been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with details approved.
- 6 No part of the development hereby permitted, within a phase, shall be brought into use until the visibility splays of 2.4m x 47m, serving that phase, are provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6metres in height.
- 7 No part of the development hereby permitted, within a phase of development, shall be brought into use until a 2.00m wide footway has been provided across the site frontage, within that phase of development, on Longdale Lane, in accordance with details to be first submitted and approved in writing by the Local Planning Authority.
- 8 The formal written approval of the Local Planning Authority is required prior to commencement of any development, within a phase of development, in the site curtilage with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage (hereinafter referred to as reserved matters.) The development shall be undertaken in accordance with the approved details.
- 9 Details of measures to prevent the deposit of debris upon the adjacent public highway shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing within a phase of development on site. The approved measures shall be implemented prior to any other works commencing on the phase of development.
- 10 No part of the development hereby permitted, within a phase of development, shall be occupied until a Travel Plan 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 strictly in accordance with the timetable set out in that plan.
- 11 A plan showing satisfactory arrangements for refuse collection shall be submitted with the 'layout' reserved matter.
- 12 No development shall take place, within a phase of development, until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi)

measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from construction works.

- 13 Before development is commenced, within a phase of development, there shall be submitted to and approved in writing by the Local Planning Authority details of a surface water drainage scheme for that phase based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development. The scheme to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques which incorporate at least two differing forms of SuDS treatment in accordance with Table 3.3 of CIRIA C697 'The SuDS Manual' prior to discharging from the site; (2) The limitation of surface water run-off to the equivalent Greenfield runoff rate; (3) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (4) Responsibility for the future maintenance of drainage features.
- 14 Before development is commenced, within a phase of development, there shall be submitted into and approved in writing by the Local Planning Authority an Arboricultural Impact Assessment and Mitigation Strategy. The mitigation strategy shall include (1) A tree protection plan to graphically show the locations of any tree and root protection barriers; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement to give guidance on aspects of proposed works which were identified within the Arboricultural impact assessment which provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees. The approved measures of protection shall be implemented strictly in accordance with the approved details for the duration of the construction period.
- 15 No external artificial lighting shall be provided, within a phase of development, until there has been submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting (including any construction site lighting and compound lighting), avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat. The scheme shall be implemented strictly in accordance with the approved details.
- 16 The detailed plans and particulars to be submitted as reserved matters in relation to ecology shall include a Phase 1: Habitat Survey and Ecological Assessment in relation to each phase of development. Detail shall include a survey for reptiles on field margins. In particular the assessment shall include precise details of any mitigation measures required and measures of how any reptiles would be cleared sensitively prior to development. The mitigation measures shall be implemented strictly in accordance with the approved details before the development is first commenced.

- 17 The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out strictly in accordance with the approved details, which shall be retained for the lifetime of the development.
- 18 The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (b) details of any mitigation measures, compensatory habitat, or wildlife corridors; (c) details of the boundary treatments, including those to individual plot boundaries; (d) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (e) a programme of implementation. The development shall be implemented in accordance with the approved details.
- 19 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 20 Development must not commence, within a phase of development, until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; and assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- 21 In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (That demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
- 22 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local

Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An Assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

- 23 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.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
3. To enable the site to be developed in a phased manner
- 4 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014
- 5 In the interest of highway safety and in accordance with Policy LPD61.
- 6 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 7 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 8 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 9 In the interest of Highway Safety and in accordance with Policy LPD61.
- 10 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 11 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.

- 12 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 13 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; to ensure the future maintenance of the sustainable drainage structures; and to protect the water environment from pollution, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 14 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014), and LPD18.
- 15 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
- 16 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling (September 2014), and LPD18.
- 17 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 18 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014)
- 19 To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough
- 20 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 21 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 22 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 23 In the interest of sustainable travel

Notes to Applicant

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

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

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. All correspondence with the Highway Authority should be addressed to: TBH - NCC (Highways Development Control) (Floor 8), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

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. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

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.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence 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).

Advice regarding travel plans can be obtained from the Travel Plans Officer at Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham.

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.

Informative: 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).

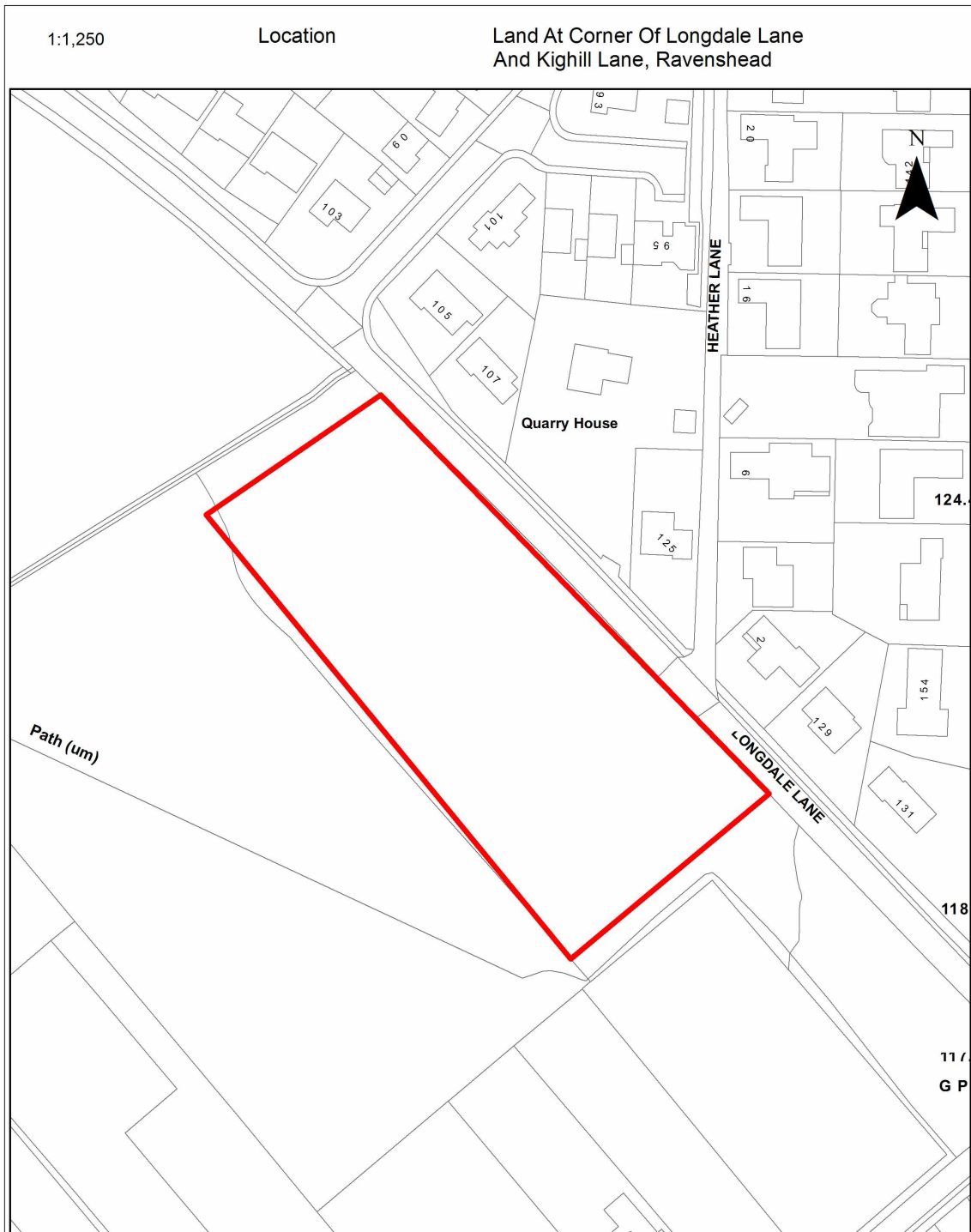
Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) The Local Planning Document Part 2 where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

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Planning Report for 2014/0273



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number: 2014/0273

Location: Land at Corner of Longdale Lane and Kighill Lane

Proposal: Outline Planning Permission for up to 31 No. dwellings with all matters reserved

Applicant: Aldergate Properties Ltd

Agent: Mr Paul Stone

Case Officer: David Gray

1.0 Site Description

- 1.1 The application site comprises an area of 0.86ha. The site forms part of a land ownership that extends to a total land area of 2.64 ha.
- 1.2 The red line plan indicating the area for development is rectangular with its longest edge fronting Longdale Lane, which is located to the East. A blue line location plan indicates that the applicant also owns further land that surrounds the site in a 'b' shape.
- 1.3 Kighill Lane is located to part of its southern boundary; the other part of its southern boundary is formed by a field off Kighill Lane.
- 1.4 To the west of the site is mature woodland known as Trumpers Wood, which is subject to a Tree Preservation Order. The woodland is a designated Local Wildlife Site as indicated on the LPD – Part C: Policies Map which is within the blue line of the submission documents in the same ownership as the application site.
- 1.5 The site is indicated as a Housing Allocation on LPD – Part C: Policies Map.
- 1.6 There is an existing residential development to the north of the site.
- 1.7 To the east of the site on the opposite side of Longdale Lane are residential properties.
- 1.8 There are a few properties on Kighill Lane, which are located within the Green Belt.

2.0 Proposed Development

- 2.1 Outline Planning Permission is sought for up to 31 No. dwellings with all matters reserved.
- 2.2 An indicative layout showing a potential means of access and layout has been submitted. Following the adoption of the Local Planning Document the agent has revised the scheme to omit all references to biodiversity corridors that were previously forwarded as 'very special circumstances' to support the development. Following the adoption of the Local Planning Document the application site has been released from Green Belt and 'very special circumstances' are no longer required in support the application.
- 2.3 The application is accompanied by an extended phase 1 habitat survey, and an ecological appraisal, together with a Tree Survey dated 2014.

3.0 Application Publicity and Procedures

- 3.1 The application was originally publicised for representation on 2nd April 2014.
- 3.2 Following the original submission the agent requested a written agreement with the Borough Council to hold the application in abeyance in anticipation of the Local Planning Document - Part II, adoption.
- 3.3 The application was re-publicised with a Site Notice / Press Notice and Written Neighbour Letters for Representation.

4.0 Consultations

- 4.1 The comments below have been made in respect of the application as following re-consultation on 6th June 2018 or as indicated, 2nd April 2014, following original submission.
- 4.2 Ravenshead Parish Council (received following April 2014 consultation, any further comments received will be reported verbally at Planning Committee):
1. The frontage of the development is too intensely developed. Suggested that 1 or 2 less 3 to 4 bedroom homes are developed.
 2. Ravenshead Parish Council welcomes the development of older people's bungalows and this should be encouraged. Although the plot is not in the SHLAA and is disapproved for development it would mitigate the danger of other developments in other inappropriate Green Belt locations.
 3. If the development is approved the developer has to consider/support the improvement of the sewage and water disposal on Longdale Lane.
 4. The Parish Council disagree with para 3.21 of the Planning Statement. The Parish have not accepted that the Green Belt boundaries will need to be amended as part 2 of the Local Plan emerges.
 5. Contrary to para 3.2.4 Ravenshead Parish Council have not advocated amendments to Green Belt boundaries.
 6. Ravenshead Parish Council need assurance, should the site be developed, that adequate funding is made available to keep the woodland maintained over a long period of time.

4.3 Nottinghamshire County Council (Highway Authority) –

The principle of the development is acceptable from a Highway Authority point of view, subject to the detailed access and layout being agreed.

The Highway Authority require the development to be served by a single point access onto Longdale Lane, with 2.4 m x 43 m visibility splays in both directions, 6.00 m radius kerbs, a 5.5 m carriageway and the provision of a 2.00 m footway across the site frontage from its northern boundary to the Kighill Lane junction.

The illustrative layout is indicative and the detailed design will have to accord with the County Council's Highway Design Guide the 6CsDG.

The Highway Authority do not object subject to conditions.

4.4 Nottinghamshire County Council (Strategic Planning Observations) (received 24th July 2018) –

4.4.1 Minerals and Waste

Minerals

In relation to the Minerals Plan, there are no Minerals Safeguarding and Consultation Areas covering the site. The site is approximately 300m to the north-east of a Sherwood Sandstone MSA/MCA and approximately 700m (at its closest extent) from areas of Bestwood II Quarry. Given this development would not bring housing any closer to the quarry than that already present it is unlikely that the proposed development would pose a sterilisation risk to extraction areas. Therefore, the County Council does not wish to raise any objections from a minerals perspective.

Waste

There are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10). As set out in Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy, the development should be 'designed, constructed and implemented to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development'. In accordance with this, as the proposal is likely to generate significant volumes of waste through the development or operational phases, it would be useful for the application to be supported by a waste audit. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the Planning Practice Guidance.

4.4.2 Travel and Transport

Bus Service Support

Transport & Travel Services has conducted an initial assessment of this in the context of the local public transport network. Whilst there are no bus services currently serving Kighill Lane or Longdale Lane, this development is only a short walk from the main A60 road from where passengers can board frequent buses to Nottingham and Mansfield. At this time it is not envisaged that contributions towards local bus service provision will be sought.

Current Infrastructure

Transport and Travel Services request a contribution via Section 106 agreement for Bus Stop Improvements to the value of £15,000. This would be used towards improvements to the Kighill Lane Bus Stops (GE0003 Kighill Lane and GE0012 Kighill Lane). The current level of facilities at the specified bus stops is not at the standard set out in the Council's Transport Statement for Funding. Improvements are necessary to achieve acceptable standards and are reasonably related in scale and kind to the development (31 dwellings).

4.4.3 Education

Nottinghamshire County Council request secondary education contributions from any proposed housing development on land at Longdale Lane / Kighill Lane Ravenshead.

A proposed development of 31 dwellings would yield an additional 7 primary and 5 secondary places.

Nottinghamshire County Council would therefore wish to seek an education contribution of £86,300 (5 x £17,260) to provide secondary provision to accommodate the additional pupils projected to arise from the development.

4.4.4 (NCC) Ecology (received following April 2014 consultation)

Following submission in 2014 the application site has been released from the Green Belt and comments relating to the designation of the application site as a Local Wildlife Site (LWS) are now out of date with the development plan for the area. The Woodland 'Trumpers Wood' is still within the applicant's ownership and the LWS designation is still relevant to this area.

The site in question is locally designated as a Local Wildlife Site (previously known as a Site of Importance for Nature Conservation) - Trumpers Park Wood LWS 2/356. The site extends to approximately 3.2ha in size, of which approximately 1ha is open Lowland Heathland/Lowland Dry Acid Grassland (albeit damaged by recent ploughing), whilst the other 2.2ha is Oak-birch Woodland. The proposals involve the retention of the woodland area, but the loss of the majority of the heathland area to housing.

An ecological appraisal of the site has been carried out, dated 26 February 2014. This highlights that the site has recently been subject to a management regime which has damaged the habitat which was present on the open part of the site, highlighting that this area is ploughed. However, this area is erroneously referred to variously as an 'arable field' or 'cultivated land'; it

should be noted that the site is neither of these, having not been subject to any sort of agricultural production or the growing of crops. Furthermore, surveys have demonstrated that heathland species, such as heather, sheep's sorrel and wavy-hair grass persist at the site, and it is the County Council's opinion that heathland vegetation would regenerate quickly if the unfavourable management regime were to be ceased.

Although the affected area of heathland is relatively small (*the application site*) (c.0.8ha), it should be noted that heathland is a characteristic habitat of the Sherwood area and that large areas (c.90% since 1920) have been lost to agricultural improvement, forestry, and development. The remaining areas are therefore extremely important, even those which are small and fragmented (as is the case here). The loss of this heathland area is therefore a significant concern for the County Council.

If planning permission were to be granted it is suggested that a number of planning conditions be attached to the permission in relation to the applicant providing a Woodland Management Plan, a Landscape Plan and a Lighting Plan.

Following further information received with regards to bats and lizards further comments were received from Nottinghamshire County Council Ecology (2014 consultation). They can be summarised as follows:

Surveys

Surveys for reptiles should be carried out prior to the determination of this application, the purpose of which would be to confirm the presence or likely absence of reptiles on the site, the extent to which they would be affected by development, and to allow appropriate mitigation measures to be secured. I note that the applicant's ecologist has provided further comment on this matter, identifying the confirmed presence of Common Lizards on land immediately to the north. Contrary to what is asserted, it is my view that this underlines the need for a reptile survey, rather than the opposite, as it now appears very likely that reptiles use the application site. To reiterate, paragraph 99 of Government Circular 01/2005 (which I understand remains in force), states that:

"It is essential that the presence or otherwise of a protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances..."

In relation to bats, I am satisfied that the site itself is not likely to be of high value for bats and that no features with the potential to support roosting bats would be affected by the development, if permitted. Nevertheless, mitigation would be required to control artificial lighting from falling on site boundaries along which bats can reasonably be expected to forage.

4.5 Nottinghamshire Wildlife Trust (received following April 2014 consultation) –

State that the site was ploughed prior to the submission of the application, which destroyed the acid grassland/heathland part of a Local Wildlife Site (formerly SINC). This is seen as disappointing as Nottinghamshire has lost 90% of its heathlands since the 1920's and 97% - 99% of its unimproved grasslands since the 1930's.

A bat and reptile survey should be carried out before a decision is made on this application, especially as lizards were found on the adjacent site.

The potential Special Protection Area means the application should be viewed in context of Natural England's latest advice note. In addition there are concerns about the cumulative impact of residential development on the pSPA.

Should planning permission be forthcoming the proposed woodland management would need to be secured through robust conditions together with a biodiversity management plan.

Following submission of further information (letter 20th June 2014) regarding additional bat and reptile surveys the following comments were received: -

It is still considered that reptile surveys are justified as common lizards could be associated with boundaries but in the event of approval, as a minimum, the mitigation described in the final paragraph of section 'Survey for Reptiles' should be secured.

As with previous the correspondence; the Wildlife Trust require a reasonable package of mitigation secured for the loss of a substantial part of the Local Wildlife Site.

4.6 NHS

Contributions towards Primary and Community Care Facilities would be sought following a calculation which shows the likely impact of the new population in terms of additional consultations. A contribution towards health care would be sought via Section 106 obligation based on the Dept. of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Precise details of this figure will be updated verbally at Planning Committee.

4.7 Nottinghamshire County Council (Forestry Manager) –

The proposal would be unlikely to cause significant adverse effect upon the trees that surround the site if they are secured from harm by the erection of a protective fencing as described within the Arboricultural report submitted with the application. The protection measures should be secured by appropriate condition.

4.8 Police Architectural Officer (received following April 2014 consultation) –

No concerns have been raised but would like to notified should a reserved matters application be received to ensure the homes meet Section 58 of the National Planning Policy Framework which states 'create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'.

4.9 Natural England (received following April 2014 consultation)

The comments can be summarised as follows: -

- The development is unlikely to affect statutory nature conservation sites;
- Natural England have not assessed the impact on protected species, as the Standing Advice procedure should be used by the Local Planning Authority.
- The development would be located in an area where enhancements to Green Infrastructure are supported;
- The Local Planning Authority should consider the impact on local site designations on the site and close by;
- The development may provide opportunities for biodiversity enhancements, such as bird boxes;
- Development may provide opportunities to enhance character of the surrounding natural and built environment such as access.

4.10 Environment Agency (received following April 2014 consultation) – Standing Advice has been provided for this low risk application, No comment from the EA.

4.11 Severn Trent Water (received following April 2014 consultation) – No objection; subject to a condition requiring surface water and foul sewage details.

4.12 Housing Strategy and Development Officer –

The development would require 30% affordable housing in the Ravenshead submarket area. In accordance with the Borough Council's Affordable Housing Policy.

4.13 Scientific Officer –

The site has been predominantly used for agriculture. A land contamination study should be carried out prior to commencement and any necessary remediation carried out. This can be adequately controlled through conditions.

4.14 Economic Development Officer –

The proposed development meets the threshold for a local labour agreement to be developed and implemented in accordance with the Construction Industry Training Board (CITB) and the National Skills Academy for Construction's "Client Based Approach, Local; Local Client Guidance for England".

4.15 Parks and Street Care

The application site covers a site area of 0.86Ha and above the threshold of 0.4ha which would require a contribution towards public open space.

If 10% open provision is not being provided on site a contribution in lieu of the non-provision on site to enhance existing publicly accessible facilities nearby, with an additional 10 year maintenance contribution to support this if the site is to be maintained by the Borough Council.

Offsite contribution required to enhance nearby recreational, play or sport open space areas. (Assuming no onsite provision) **£50,893.00**

10 year maintenance monies required: **£21,138.80** if maintained by the Borough Council.

4.16 Neighbouring Properties were notified, a Site Notice posted and the application has been advertised in the Local Press.

10 letters of representation were received as a result and the comments can be outlined as follows: -

- The site is within the Green Belt;
- The site is designated as a site for nature conservation;
- The site has never been used for growing crops;
- The site has been ruined by bulldozing oaks, hawthorns and birch trees;
- Ploughing has only been undertaken since 2000 in order to get planning permission;
- Bioactive herbicide has been used intensively on the site;
- All new housing in Ravenshead has been directed to the south side of the village;
- There would be an overload on the existing sewage system and soakaway;
- Additional traffic on Longdale Lane would impact negatively on highway safety;
- The local school is oversubscribed;
- Longdale Lane is already hazardous and dangerous and there have been road accident deaths;
- Another planning fiasco;
- The site used to be heathland with ancient footpaths, all destroyed by the applicants;
- Traffic on Longdale Lane does not adhere to the 30mph speed limit;
- Insufficient capacity at the local doctors surgery;
- Inadequate infrastructure for another housing estate;
- Details submitted with the application include a letter from NCC making it clear that despite the ploughing of the site it is still important as it was part of Sherwood Forest;
- The site should be protected as few sites like the application site remain;
- The Borough Council should protect biodiversity and wildlife not just provide new homes;
- The site has been used as a common for many years;
- 80% of world heathland has been lost since 1800, and of the remaining 5% is in the UK, so it is globally rarer than rainforest.

- Change in National Planning Guidance has given too much leeway to developers;
- The density proposed is higher than the new development on Longdale Lane;
- The Council's consultants say a density of 25 dwellings per hectare is appropriate, whilst this plan is for 39 dwellings per hectare;
- The landowner is not known for biodiversity interest, so may not deliver biodiversity corridor and woodland management proposed;
- There is a lack of public transport in the area;
- The development would increase traffic at the health centre, schools and shops in the village;
- There would be an increase in car journeys to take children to schools outside Ravenshead;
- The nearest bus stop is on Nottingham Road which is not really feasible for the elderly or less mobile;
- There would be a lack of public places to walk to, like a park or green open space.
- There would be nowhere in Ravenshead for dogs to run free;
- Green Belt should not be developed for short term convenience;
- Land provides a wildlife corridor between Newstead Abbey and Blidworth;
- The Borough Council would need to ensure the woodland management proposals are carried out;
- All Planning Contributions and Obligations will need to be explicit and comprehensive;
- Drainage is inadequate and overloaded;
- Longdale Lane floods in heavy rain with water 18 inches deep;
- Local flooding has worsened since the Cornwater fields housing development was constructed;
- The existing soakaway is located in the proposed biodiversity area;
- Recent new development in Ravenshead is out of character in style and is a visual and environmental clash.
- Each house would have 2 cars and parking provision needs to reflect this;
- The development would be too dense;
- If the Green Belt is to be developed this should be by way of a properly debated, widely consulted and defensible plan;
- Plans showing the spacing of housing are misleading;
- Need to preserve the open semi-rural village environment;
- The development would result in an inappropriate urban environment.

5.0 Planning Considerations

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

5.2 Relevant Policies & Background Information

This planning application is for the construction up to 31 new dwellings, new access, amenity space and open space on land at the corner of Longdale Lane and Kighill Lane.

5.3 National Planning Policies

5.4 National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development (paragraphs 11-16). With regard to delivering sustainable development, the following core planning principles of the NPPF are most relevant to this planning application:

- NPPF Section 9: Promoting sustainable transport
- NPPF Section 5: Delivering a sufficient supply of homes
- NPPF Section 12: Achieving well-designed places
- NPPF Section 14: Meeting the challenge of climate change, flooding and coastal change
- NPPF Section 15: Conserving & enhancing the natural environment

5.5 With regard to plan-making, decision-taking and implementation, the following sections and annex of the NPPF are most relevant to this planning application:

- NPPF: Planning conditions and obligations (paragraphs 54 – 57)
- NPPF: Annex 1: Implementation (paragraphs 212 - 217)

5.6 In March 2014, National Planning Practice Guidance (NPPG) was published. This provides guidance on how to apply policy contained within the NPPF.

5.7 Local Planning Policies

Gedling Borough Council at its meeting on 10th September 2014 adopted the Aligned Core Strategy (ACS) for Gedling Borough (September 2014) which is now part of the development plan for the area. It is considered that the following policies of the ACS are relevant:

- ACS Policy A: Presumption in Favour of Sustainable Development
- ACS Policy 1: Climate Change
- ACS Policy 2: The Spatial Strategy
- ACS Policy 3: The Green Belt
- ACS Policy 8: Housing Size, Mix and Choice
- ACS Policy 10: Design and Enhancing Local Identity
- ACS Policy 11: The Historic Environment
- ACS Policy 14: Managing Travel Demand
- ACS Policy 15 (Transport Infrastructure Priorities);
- ACS Policy 16: Green Infrastructure, Parks & Open Space
- ACS Policy 17: Biodiversity
- ACS Policy 18: Infrastructure
- ACS Policy 19: Developer Contributions

5.10 At Full Council on 18th July 2018 the Borough Council Adopted the Local Planning Document Part II which is now part of the development plan for the area. The following LPD policies are relevant to this application:

- LPD 7 Contaminated Land
- LPD 10 – Pollution
- LPD 11 – Air Quality
- LPD 32 – Amenity
- LPD 33 – Residential Density
- LPD 34 – Residential Gardens
- LPD 35 – Safe, Accessible and Inclusive Development
- LPD63 – Housing Distribution
- LPD67 – Site Allocations – Ravenshead

5.11 Additionally, the following Supplementary Planning Documents and Guidance (SPD's and SPG's) are relevant:

- Open Space Provision SPG (2001)
- Affordable Housing SPD (2009)
- Parking Provision SPD (2012).

5.12 In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this proposal are: -

- The principle of developing the site and whether the proposal makes efficient and effective use of land;
- Ecology / Trees
- The impact on neighbouring amenity
- Masterplan and design
- Transport and connectivity
- Water resources, flood risk and drainage
- Pollution and Contamination
- Public Open Space
- Socio Economic Impacts
- Other material considerations

6.0 The principle of developing the site and whether the proposal makes efficient and effective use of land

6.1 The NPPF attaches great importance to sustainable development. It states paragraph 11 that: '*plans and decisions should apply a presumption in favour of sustainable development*'. One of the core principles of the NPPF is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met.

6.2 The GBACS sets out a housing target of 7,250 dwellings in Gedling Borough between 2011 and 2028 and requires 4,025 homes located within and adjoining the Nottingham built up area. In order to meet this target the GBACS adopts a strategy of urban concentration with regeneration. This means the following hierarchy will be used to identify sites:

- Within or on the edge of the built up area of Nottingham
- Adjacent to the sub regional centre of Hucknall

- Key villages (Bestwood, Calverton, and Ravenshead)
- Other villages.

- 6.3 The application site is located within the defined village envelope of Ravenshead which has recently been removed from the Green Belt following the adoption of the Local Planning Document. The redevelopment of the site for residential purposes accords with the hierarchy of urban concentration and regeneration with Ravenshead being a Key Village for growth.
- 6.4 The application site has been allocated for residential development in Policy LPD67 – Ravenshead. Policy LPD67 allocates the site as Housing Allocation H18 and indicates an approximate minimum density of 30 homes. Given the application is for the residential development of up to 31 homes it accords with the density provisions of LPD67 and would make an effective and efficient use of the land.
- 6.5 Given the location of the development within the village envelope of Ravenshead which has been identified as a Key Settlement for growth and its allocation under LPD67 there would be no objection in principle to the residential redevelopment of the site. It is also my opinion that the development would be in a sustainable location delivering economic development that would provide a wider choice of homes to serve the local community. The development is therefore considered acceptable in principle.

7.0 Ecology / Trees

- 7.1 The relevant planning policies that need to be considered in relation to ecological matters are set out in Section 15 of the NPPF, Policy 17 of the ACS, LPD18, and Policy LPD67. The application site is adjacent to a Local Wildlife Site (LWS) to the south west.
- 7.2 The application site, now a housing allocation, was previously designated as a Site of Importance for Nature Conservation under the Replacement Local Plan (2014). However, following the adoption of the Local Planning Document the application site has been removed from the SINC/LWS.
- 7.3 Policy LPD18 (Protecting and Enhancing Biodiversity) sets out that development proposals affecting designated sites and priority habitats and species should only be permitted if there is no significant harm to the biodiversity site. Any harm should be avoided, and where this is not possible the impacts should be mitigated. The policy goes on to state that lastly, residual impacts should be compensated. Policy LPD67 states in its supporting text that the site adjoins woodland Tree Preservation Order which is also a Local Wildlife Site which is in the same ownership as the application site. It will be necessary to ensure that mitigation measures are in place to protect the Local Wildlife Site from disturbance due to the development through appropriate management plan and for the provision of other mitigation measures including for example, wildlife corridors and potential to provide compensatory habitat on part of the site.
- 7.4 Following the allocation of the whole of the site, within the submitted red line plan, the agent has subsequently written and amended the plans and

documents to remove all reference to the biodiversity corridors to the southeast and northwest of the application site.

- 7.5 The applicant has provided information regarding the Local Wildlife Site (reclassified from SINC) designation and has undertaken a Phase 1 Habitat Survey and Ecological Appraisal, albeit that the studies are presently out of date due to the length of time the application has been held in abeyance. The agent has, however, indicated that the studies would be updated to support any subsequent reserved matters application.
- 7.6 Paragraph 175 of the NPPF states: When determining applications, local planning authorities apply the following principles:
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 7.7 I note the contents of the Ecological Appraisal, however, since the date of publication the application site has been removed from the SINC which previously designated the area as acid grassland and heathland. Therefore under the current policy framework the main material planning consideration in relation to ecology and trees would be the impact of the development on the Local Wildlife Site adjoining the site which is also covered by a Group Tree Preservation Order.
- 7.8 Given the removal of the application site from the LWS I do not consider the requirement for biodiversity offsetting on areas of the application site to be appropriate in this instance. I do however note that the Ecological Appraisal identifies the woodland and woodland edge of scrub and perennials as having high biodiversity potential.
- 7.9 The conditions attached to this report would seek precise details to form the basis of the wildlife and ecology mitigation strategy. The conditions would require, at reserved matters stage, an updated Extended Phase 1 Habitat Survey and Ecological Appraisal and mitigation strategy to cover the boundary of the application site with the woodland / Local Wildlife Site - to the south west. It would also require details of management to the woodland area, in particular the edge adjacent to the development, to incorporate thinning of the crowded tree stock and invasive sycamores.
- 7.10 Given the statutory protection of the woodland by a Group Tree Preservation Order I also consider that a tree survey should also be sought as part of the reserved matters to ensure appropriate tree protection measures are in place prior to any development commencing to ensure that there is no adverse impact on the protected trees during construction.
- 7.11 I note that the ACS outlines the Green Infrastructure in the Plan Area and the possible Sherwood potential Special Protection Area. Paragraph 3.17.3 in the Council's Aligned Core Strategy (ACS) (2014) states 'Whilst this is not a formal designation, it does mean that these areas are under consideration by the Joint Nature Conservation Committee, and may be declared a proposed Special Protection Area in due course. The Aligned Core Strategies and

Infrastructure Delivery Plan therefore take a precautionary approach and treat the prospective Special Protection Area as a confirmed European Site. The infrastructure Delivery Plan sets out requirements for a range of mitigation measures as recommended in the Habitats Regulation Assessment Screening Record. A decision on the extent of any possible Special Protection Area is not known’.

- 7.12 Natural England’s current position in respect of the Sherwood Forest Region is set out in an advice note to Local Planning Authorities (March 2014) regarding the consideration of the likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest Region. While no conclusion has been reached about the possible future classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interests, Natural England advise those affected Local Planning Authorities (LPAs) to be mindful of the Secretary of State’s decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats was given significant weight.
- 7.13 In light of this decision the Advice Note recommends a precautionary approach should be adopted by LPAs which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This will help to ensure that any future need to comply with the provisions of the 2010 Regulations is met with a robust set of measures already in place. However unlike the Council’s ACS, Natural England’s Standing Advice Note does not recommend that that the Sherwood Forest Region should be treated as a confirmed European site.
- 7.14 Having regard to evidence submitted to the inquiry in 2010, the site is located within an area of ornithological interest for breeding nightjar and woodlark area within the RSPB IBA Boundary 5km buffer. The precise extents of any buffer zones are not known and therefore I am of the opinion that the proposal would have a minimal variance with Paragraph 3.17.3 of the Council’s ACS and in my view the benefits of the scheme would outweigh any harm identified.
- 7.15 In terms of the legal background, a potential Special Protection Area (pSPA) does not qualify for protection under the Habitats Regulations until it has been actually designated as a SPA. Furthermore, the site does not qualify for protection under the NPPF as paragraph 176 refers to pSPAs and footnote 59 explicitly states that pSPAs are sites on which the Government has initiated public consultation on the case for designation. This has not occurred and therefore the Sherwood Forest Region does not qualify for special protection and a risk based approach is not necessary to comply with the Habitat Regulations or the NPPF.
- 7.16 Subject to the details being sought to mitigate potential biodiversity impacts, whilst there is a minor variance with Section 11 of the NPPF, Policy 17 of the ACS, LPD18, and Policy LPD67 I consider that, on balance and taking into

account the public benefits achieved as a result of the proposal, it would constitute sustainable form of development.

8.0 The impact on neighbouring amenity

- 8.1 Residential amenity considerations relevant to this proposal include the impact from noise generated from the development, the level of activity, overlooking, overshadowing and overbearing impacts, as well as impacts from construction and lighting. Criterion b. of Policy ENV1 of the GBRLP and LPD32 state that planning permission would be granted for development providing that it would not have a significant adverse impact upon the amenity of nearby properties or the locality in general. Criterion f) of Policy 10 of the GBACS relating to impact upon the amenity of nearby residents and occupiers is also relevant in considering this proposal.
- 8.2 The main impact from the development is likely to be from the construction phase of the development. The nearest buildings that could be affected are those properties on Longdale Lane opposite the application site. The impacts of the construction activities would be managed through a Construction Environmental Management Plan (CEMP) which would ensure that working hours, traffic, management, control of pollution, waste management, noise, dust, and vibration are all managed and controlled to acceptable standards. The CEMP and the requirements it needs to cover would be secured through planning condition. This would protect both the occupiers of existing dwellings as well as new occupiers of the dwellings within the site.
- 8.3 Whilst only indicative at present the Masterplan illustrates that a single access road using an access from Longdale Lane could be provided centrally on the site to ensure that the rear boundaries of the residential properties can be adjoined by the site boundaries and the private drives of the proposed new development.
- 8.4 It is considered that any amenity impacts from the development as a whole can be controlled to a large extent through the reserved matters application, such matters being required to be in accordance with the principles and parameters illustrated in the indicative masterplan and the attached conditions.
- 8.5 Given the above, I am satisfied that the proposed development would not result in any material impact on residential amenity subject to the detailed submission at reserved matters stage. It is therefore considered that the indicative details deposited with the application accord with the NPPF, Policy ENV1 of the RLP and Policy 10 of the GBACS and LPD 32.

9.0 Masterplan and Design

- 9.1 Policies LPD35 and Policy 10 of the ACS requires development to create well defined and inter-connected spaces and streets that allow for convenient access. It also requires massing, scale and the proportion of development to be appropriate in 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.

- 9.2 All matters are reserved at this point; however, I consider that the indicative Masterplan and the Design and Access Statement provide an appropriate framework to assess the potential design and layout of a residential development of this site.
- 9.3 Whilst only indicative a layout has been submitted in support of this application that indicates that a development of 31 dwellings can be accommodated on the application site without appearing over intensive. The layout illustrates the use of front facing development along Longdale Lane with strong frontages to the public realm, thereby supporting a safe environment through natural surveillance. Details of the appearance, landscaping, layout and scale of the proposed development would be required for consideration at the reserved matters stage, should outline planning permission be granted.
- 9.4 Overall it is considered that an imaginative design can be achieved on the site that suitably connects to the existing residential boundary of Ravenshead. I am content that an appropriate design can be achieved on site that would closely relate to existing features on the site and the architectural styles of the surrounding area. I am therefore satisfied that the application accords with the broad aims of the NPPF and Policy 10 of the ACS, along with policies ENV1, H7, H8, H16 of the Replacement Local Plan and emerging Policy LPD35.

10.0 Transport and connectivity

- 10.1 LPD 35 requires that development should be safe, accessible and inclusive and should accommodate adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles. Policy T10 of the RLP also requires that in considering proposals for new development reference will be made to the Highway Authority's highway design and parking guidance.
- 10.2 I note that the Highway Authority have not objected to the principle of the development. The proposal would be acceptable from a Highway Authority point of view subject to the detailed layout and design according to the County Council's Highway Design Guide the 6Cs Design Guide. I therefore consider that the proposal would accord with LPD 35 and T10 of the ACS subject to the Reserved Matters application addressing the requirements for safe access, and circulation of vehicles and pedestrians.
- 10.3 I note the HA request for a Travel Plan / Assessment to promote sustainable travel and should planning permission be forthcoming the appropriate condition would be attached to any approval.
- 10.3 I also consider the indicative scheme could provide a satisfactory level of off street parking provision in accordance with the adopted Parking Provision for Residential Development SPD.

11.0 Water resources, flood risk and drainage

- 11.1 I note that the site is located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding. Given that the application site is not over 1 hectare and does not impact on an area at risk of flooding or existing water courses the Environment Agency were not required to be consulted for this development.
- 11.2 Policy LPD 4 – Surface Water Management requires all development proposals to include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems in order to minimise surface water including the use of appropriate surface treatments and Sustainable Drainage Systems in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- 11.3 Paragraph 100 of the NPPF states that: Local Plans should take into account climate change and use opportunities offered by new development to reduce the causes and impacts of flooding.
- 11.4 Paragraph 103 states: ‘When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere’
- 11.5 In my opinion, given the site is low risk of flooding, subject to acceptable surface water drainage plans being approved at reserved matters the development is acceptable in terms of water resources, flood risk and drainage.

12.0 Pollution & Contamination;

- 12.1 The relevant planning policies which need to be considered in relation to land contamination and pollution are set out in Section 11 of the NPPF, and LPD7, LPD10 and LPD11.
- 12.2 Section 11 of the NPPF as reinforced by local policy requires development to contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from levels of soil, air, water or noise pollution.
- 12.3 Paragraph 121 of the NPPF states that planning decisions should ensure that the site is suitable for its new use, taking account of ground conditions, including pollution arising from previous uses, and any proposals for mitigation including land remediation.
- 12.4 I note that Gedling Borough Public Protection considers that the site is unlikely to be affected by significant contamination and have no objections in principle to the proposed development, but recommends the imposition of appropriate conditions to require a land contamination survey prior to development.
- 12.6 It is considered, therefore, that the proposed development would accord with Section 11 of the NPPF and LPD7, LPD10 and LPD11.

13.0 Public Open Space

- 13.1 I note that the development would be over the threshold of 0.4Ha and that a contribution towards open space would be required. The necessary improvements to open space can be secured by means of a financial contribution or provided on site by way of a S106 planning obligation, in accordance with Policies 12 and 19 of the ACS, LPD 21 and paragraph 204.

This equates to an offsite contribution required to enhance nearby recreational, play or sport open space areas. (Assuming no onsite provision) of **£50,893.00**, and 10 year maintenance monies of: **£21,138.80** should the Public Open Space be adopted by the Borough Council.

14.0 Socio Economic Impacts

14.1 Affordable Housing

In accordance with LPD 67 the development of the site would equate to the requirement of nine affordable homes to be provided onsite. The appropriate mix and tenure would be secured by the planning obligation in accordance with the Council's Affordable Housing SDP.

14.2 Strategic Highways

Transport and Travel Services request a contribution via Section 106 for Bus Stop improvements to the value of **£15,000**. I consider that this is reasonable as the development will be required to be served by public transport and the existing facilities justifiably requiring updating.

14.3 Economic

I note the comments from the economic development officer, the size of the site and the numbers of dwellings to be built meet the Council's thresholds to implement the Construction Industry Training Board (CITB) to create work and opportunities during the term of the build. Should planning permission be forthcoming CITB would form part of the s106.

14.4 Education

An education contribution of £86,300 (5 x £17,260) to provide secondary provision to accommodate the additional pupils projected to arise from the development would be sought via s106.

14.5 Health

Contributions towards Primary and Community Care Facilities would be sought following a calculation which shows the likely impact of the new population in terms of additional consultations. A contribution towards health care would be sought via Section 106 obligation based on the Dept. of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

14.6 Upkeep of un-adopted land not within residential curtilages

Given that the indicative layout illustrates that the development would result some private drives and incidental open space not adopted by the Highway Authority and not within the curtilages of dwellings, should planning permission be forthcoming details of a Management Company responsible for the upkeep of the private access drives and open space not within the curtilages of dwellings would be sought via Section 106 Agreement to retain an acceptable appearance of the public realm associated with the development.

15.0 Conclusion

- 15.1 I consider that, on balance, and taking into account the benefits that would be generated as a result of this proposal, it would constitute a sustainable form of development. In reaching this conclusion I have had regard to paragraph 98 of the NPPF which advises that when determining planning applications, local planning authorities should approve the application if impacts are, or can be made, acceptable. Given the considerations set out above, I consider that it has been demonstrated that, on balance, the planning impacts have been addressed and have therefore been made acceptable, or that such impacts are outweighed by the benefits of the scheme.

16.0 Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, Affordable Housing, Local Labour Agreement, Transport Infrastructure Improvements, Open Space, Healthcare Facilities, Management Company and Educational Facilities; and subject to the following conditions:

Conditions

- 1 Approval of the details of Access, Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 3 The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Local Planning Authority.
- 4 No development shall commence on any part of the application site unless or until a detailed design of the major / minor T junction, as shown for indicative purposes on the illustrative layout has been submitted for approval.

- 5 No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6metres in height.
- 6 No part of the development hereby permitted shall be brought into use until a 2.00m wide footway has been provided across the site frontage on Longdale Lane, in accordance with details to be first submitted and approved in writing by the Local Planning Authority.
- 7 The formal written approval of the Local Planning Authority is required prior to commencement of any development within the site curtilage with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage (hereinafter referred to as reserved matters.)
- 8 Details of measures to prevent the deposit of debris upon the adjacent public highway shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing on site. The approved measures shall be implemented prior to any other works commencing on site.
- 9 No part of the development hereby permitted shall be occupied until a Travel Plan 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.
- 10 A swept path for a Refuse lorry to turn and exit the site in a forward gear shall be submitted with the 'layout' reserved matter. The Refuse Lorry is an Elite 6 - 8x4MS wide Track (Euro 6 specifications).
- 11 No development shall take place until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from construction works.
- 12 Before development is commenced there shall be submitted to and approved in writing by the Local Planning Authority details of a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the

development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development. The scheme to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques which incorporate at least two differing forms of SuDS treatment in accordance with Table 3.3 of CIRIA C697 'The SuDS Manual' prior to discharging from the site; (2) The limitation of surface water run-off to the equivalent Greenfield runoff rate; (3) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (4) Responsibility for the future maintenance of drainage features.

- 13 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority an Arboricultural Impact Assessment and Mitigation Strategy. The mitigation strategy shall include (1) A Woodland Management Plan detailing (i) any crown thinning of the crowded tree stock and invasive sycamores within the Local Wildlife Site adjacent to the application site, and (ii) any tree, shrub or undergrowth removal within the designated Local Wildlife Site adjoining the application site; (2) A tree protection plan to graphically show the locations of any tree and root protection barriers; (3) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (4) Arboricultural Method Statement to give guidance on aspects of proposed works which were identified within the Arboricultural impact assessment which provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees. The approved measures of protection shall be implemented strictly in accordance with the approved details for the duration of the construction period.
- 14 No development shall take place until there has been submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting (including any construction site lighting and compound lighting), avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat. The scheme shall be implemented strictly in accordance with the approved details.
- 15 The detailed plans and particulars to be submitted as reserved matters in relation to ecology shall include a Phase 1: Habitat Survey and Ecological Assessment. Detail shall include a survey for reptiles on field margins. In particular the assessment shall include precise details of any mitigation measures required and measures of how any reptiles would be cleared sensitively prior to development. The mitigation measures shall be implemented strictly in accordance with the approved details before the development is first commenced.
- 16 The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

- 17 The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (b) details of any mitigation measures, compensatory habitat, or wildlife corridors; (c) details of the boundary treatments, including those to individual plot boundaries; (d) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (e) a programme of implementation. The development shall be implemented in accordance with the approved details.
- 18 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 19 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; and assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- 20 In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (That demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
- 21 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An Assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together

with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 4 In the interest of highway safety.
- 5 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 6 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 7 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 8 In the interest of Highway Safety.
- 9 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 10 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 11 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 12 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; to ensure the future maintenance of the sustainable drainage structures; and to protect the water environment from pollution, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 13 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014), and LPD18.

- 14 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
- 15 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling (September 2014), and LPD18.
- 16 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 17 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 18 To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 19 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 20 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 21 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) The Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Planning Document Part 2 where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

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

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

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

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. All correspondence with the Highway Authority should be addressed to: TBH - NCC (Highways Development Control) (Floor 8), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

Advice regarding travel plans can be obtained from the Travel Plans Officer at Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). 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.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence 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).

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

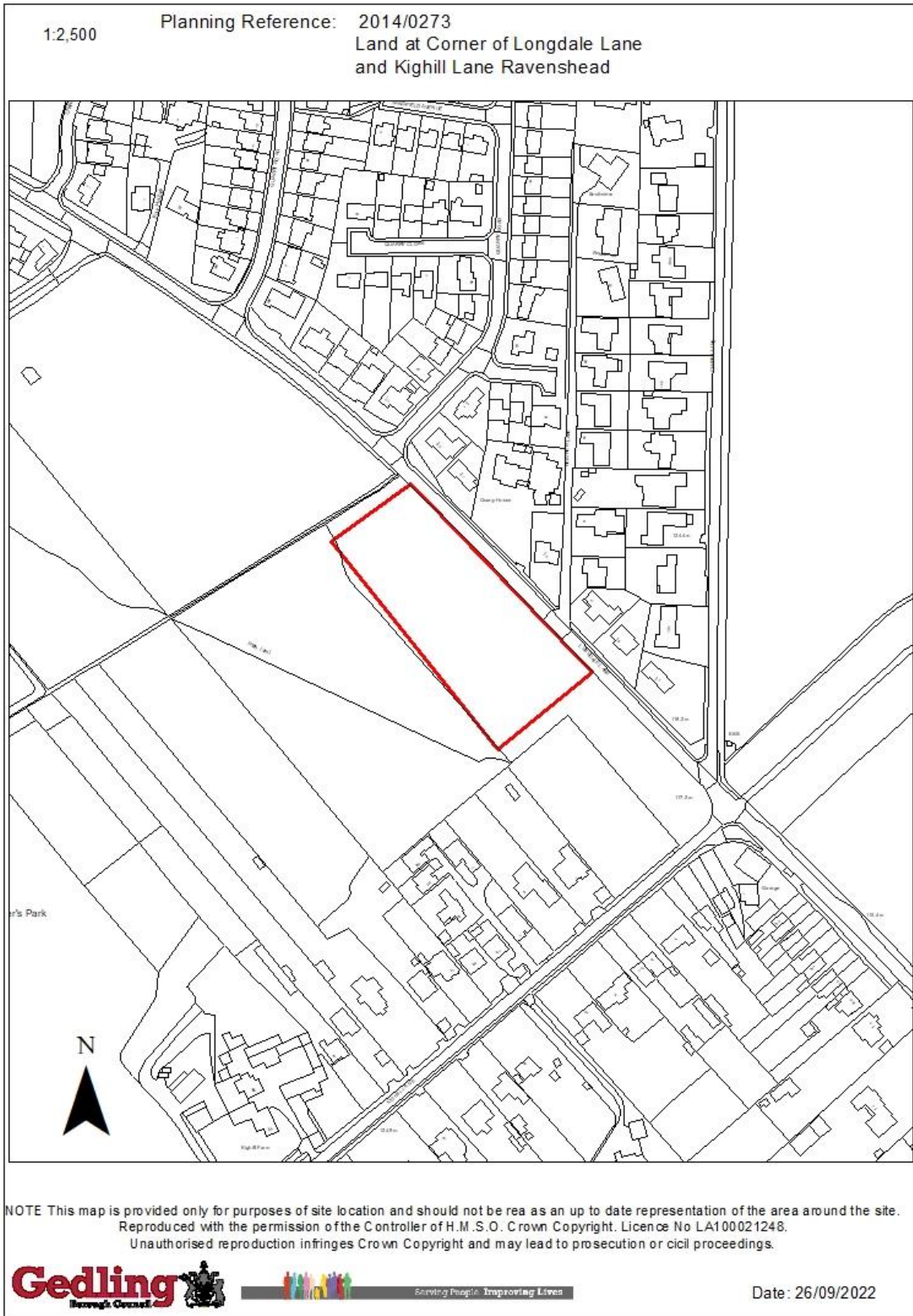
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal 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.

Date Recommended: 24th July 2018

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Planning Report for 2014/0273



Report to Planning Committee

Application Number:	2014/0273
Location:	Land at Corner of Longdale Lane And Kighill Lane Ravenshead
Proposal:	Outline Planning Permission for up to 31 No. dwellings with all matters reserved
Applicant:	Aldergate Properties Ltd
Agent:	Mr Paul Stone
Case Officer:	Kevin Cartwright

Addendum Report

1.0 Introduction

- 1.1 The application was before members of the Planning Committee on 8th August 2018. The resolution was to grant outline planning permission subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as local highway and education authority to secure planning obligations for the provision of, or financial contributions towards, affordable housing, local labour agreement, transport infrastructure improvements, open space, management company and educational facilities; and subject to the conditions set out in the original committee report that is reproduced in full at the end of this addendum report.
- 1.2 Whilst progress has been made in relation to the legal agreement it was never completed. Additionally the applicant has indicated a desire to have the option to develop all or part of the site as a custom build/self-build development. The only changes proposed to facilitate this is the introduction of a phasing condition with subsequent amendments to proceeding conditions. This would allow conditions to be discharged on a plot by plot basis rather than for the site as a whole. A list of revised conditions incorporating these changes can be found at the end of this addendum report. It has also been necessary to undertake a re-consultation to ensure that the planning obligations requests are up to date.
- 1.3 The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) does not distinguish between self-build and custom build but defines it as housebuilding which would allow individuals or a group of individuals to build on a plot by plot basis to be occupied by themselves as an alternative to a single developer building out the entire site.

The supporting text to policy LPD 42 Self Build and Custom Build defines self-build and custom build as:

Self build housing is when an individual directly organises the design and construction of their new home. Custom build housing is defined as when an individual commissions a builder to help to deliver their own home.

- 1.4 Government guidance encourages self-build/custom build housing on the basis that it:

“..helps diversify the housing market and increase customer choice .Self-build and custom house builders choose the design and layout of their home which can often be innovative in both its design and construction. (Planning Practice Guidance).

2.0 **Updated Consultation Responses**

- 2.1 **Nottinghamshire County Council (Education)** - The development of 31 dwellings would yield 6 secondary aged pupils (including 1 post-sixteen pupil). Based on current projection data, there continues to be a deficit of school places in the Rainworth Planning Area, where the proposal site is situated. The Council would therefore request a contribution of **£157,524** (6 pupils x £26,254 per place).
- 2.2 **Nottinghamshire County Council (Strategic Highways)** - The request for contributions to improve the nearby bus stops denoted GE0003 Kighill Lane and GE0012 Kighill Lane remains necessary. Based on current prices, the cost of delivering the improvements specified would be **£18,800**.
- 2.3 **NHS** –A contribution of **£16,906.50** is required to mitigate the impact of the development on local practices at either Abbey Medical Group Ravenshead, Abbey Medical Group Blidworth or Rainworth Health Centre.
- 2.4 **Parks and Street Care** – Open space contributions remain unchanged.

3.0 **Relevant Policies & Background Information**

- 3.1 A significant period of time has passed since the Planning Committee initially resolved to approve this development. It was considered against the Aligned Core Strategy (ACS) and Local Planning Document (LPD). As the application now proposes self-build/custom build, LPD42 is relevant and was not previously considered. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) were previously considered but these have since been updated. A new relevant Supplementary Planning Document has also been adopted by the Council.
- 3.2 The updated relevant policies are listed below:
- 3.3 **National Planning Policies**

3.4 National planning policy guidance is set out in the National Planning Policy Framework 2021 (NPPF), at the heart of which is a presumption in favour of sustainable development (paragraphs 11-14). With regard to delivering sustainable development, the following core planning principles of the NPPF are most relevant to this planning application:

- NPPF Section 5: Delivering a sufficient supply of homes
- NPPF Section 9: Promoting sustainable transport
- NPPF Section 12: Achieving well-designed places
- NPPF Section 14: Meeting the challenge of climate change, flooding and coastal change
- NPPF Section 15: Conserving & enhancing the natural environment

3.5 With regard to plan-making, decision-taking and implementation, the following sections and annex of the NPPF are most relevant to this planning application:

- NPPF: Planning conditions and obligations (paragraphs 55 – 58)
- NPPF: Annex 1: Implementation (paragraphs 218 - 223)

3.6 Planning Practice Guidance – First Homes – this provides further detail on First Homes and their implementation.

3.7 Additionally, the following Supplementary Planning Document (SPD) is relevant:

- Low Carbon Planning Guidance for Gedling Borough (2021)

4.0 Planning Considerations

The Principle of the Development

4.1 The above sections of the NPPF have been fully reviewed and they do not raise any new material considerations in respect of the principle of development. As the application now proposes the option to include custom/self-build properties, it is necessary to consider Policy LPD 42 – Self Build and Custom Homes which permits self-build/custom build properties, subject to a number of criteria being met, including the suitability of the location amongst other matters. The location of the development has previously been determined to be acceptable. The criteria in the policy relating to design, amenity and highway considerations would be considered through the determination of future approval of reserved matters applications.

Sustainability and Climate Change

4.2 In accordance with the Low Carbon Planning Guidance for Gedling Borough SPD it is noted that EV charging points are now required for each property. This will encourage electric car usage which will assist in reducing climate change and an additional condition is therefore required to secure such provision to comply with the SPD and LPD11.

Planning Obligations

- 4.3 The Planning obligations have been reviewed in light of the updated consultation responses and amendments to the Planning Practice Guidance (PPG) as detailed below.

Public Open Space

- 4.4 The development would be over the threshold of 0.4Ha and therefore a contribution towards open space would be required. The necessary improvements to open space can be secured by means of a financial contribution or provided on site by way of a S106 planning obligation, in accordance with Policies 12 and 19 of the ACS, LPD 21.
- 4.5 This equates to an offsite contribution required to enhance nearby recreational, play or sport open space areas (in the event of no onsite provision) of **£50,893.00**, and 10 year maintenance monies of: **£21,138.80** should the Public Open Space be adopted by the Borough Council or transferred to Ravenshead Parish Council. This position is unchanged since the Planning Committee previously considered the proposals.

Affordable Housing

- 4.6 In accordance with LPD36 as the proposed development is for more than 15 dwellings, up to 31 in this instance, the development must provide 30% of the dwellings as affordable housing. By way of background in respect of the affordable housing sought, it should be noted that the Council would, as outlined in the Council's Affordable Housing Supplementary Planning Document, normally seek 70% of the affordable units to be social rent and 30% intermediate housing. However, there is now a requirement to secure not less than 25% of the affordable housing requirement as First Homes or 10% of the total number of dwellings proposed. First homes is a new form of affordable housing as identified in a Written Ministerial Statement (WMS) of 24 May 2021 and is fully explored within the Planning Practice Guidance (PPG). The guidance identifies that such homes should be secured through planning obligations and should be sold at not less than 30% against market value. There is an eligibility criteria which a prospective purchaser must meet to qualify for a First Home, including being a first time buyer and meeting a local connection criteria. To secure the homes as affordable in the long-term subsequent sale of the house would also need to be sold with a minimum of 30% discount against the market value and there will be a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer. Furthermore, after the discount has been applied, the first sale must be at a price no higher than £250,000 and with a household income cap of £80,000. The application is required to provide 30% affordable homes and in accordance with the PPG a minimum of 10% of the total number dwellings must be First Homes. This equates to 9 dwellings which would consist of 3 First Homes and 6 affordable rent properties. This would be secured via a planning obligation. The level of provision is considered to be acceptable and comply with policy LPD36, Affordable Housing Supplementary Planning Document and the aforementioned recent guidance from central government in respect of First Homes.

4.7 The Planning Practice Guidance provides Local Planning Authorities with discretion to increase the discount above the national minimum of 30%, vary the price cap and include additional eligibility criteria. A report in relation to First Homes is to be considered by Cabinet on 6th October. If approved the local requirements for First Homes are as follows:

1. A First Home must be discounted by a minimum of 30% against market value.
2. In Gedling Borough after the discount has been applied, the first sale must be at a price no higher than £173,000
3. Purchasers of First Homes within Gedling Borough, whether individuals, couples or group purchasers, should have a combined annual household income not exceeding £38,800.
4. Applicants should either:
 - have lived in Gedling Borough Council's administrative area for 3 of the last 5 years; or
 - have immediate family member(s) who are living in Gedling Borough Council's administrative area; or
 - have permanent employment within Gedling Borough Council's administrative area; or
 - are in service of the regular or reserve armed forces of the Crown or have applied within five years of leaving.

An update on the Cabinet decision will be provided at the meeting.

Strategic Highways

4.8 Nottinghamshire County Council Transport and Travel Services request an increased financial contribution via a planning obligation for bus stop improvements (GE0003 and GE0012 to the value) of **£18,800** as cost have now increased. The development will be required to be served by public transport and the existing facilities justifiably requiring updating to meet the needs of the occupants of the proposed development.

Local Labour Agreement

4.9 I note the comments from the economic development officer, the size of the site and the numbers of dwellings to be built meet the Council's thresholds to implement the Construction Industry Training Board (CITB) to create work and opportunities during the term of the build. In relation to any self-build/custom build plots it is likely that they will engage their own contractors. As such it is considered that a Local Labour Agreement secured by a S106 agreement is now necessary in respect of non-self-build/custom build plots only.

Education

- 4.10 Nottinghamshire County Council have confirmed that the development of 31 dwellings would now yield 6 secondary aged pupils (including 1 post-sixteen pupil). Based on current projection data, there continues to be a deficit of school places in the Rainworth Planning Area, where the proposal site is situated. An increased contribution of **£157,524** (6 pupils x £26,254 per place) is therefore required in accordance with the updated response from the County Council.

Health

- 4.11 The National Health Service (NHS – Primary Care) have updated their position and confirmed that all practices in the area are working at capacity. A financial contribution of **£16,906.50** is required to mitigate the impact of the development on local practices and this should be expended on works at either Abbey Medical Group Ravenshead, Abbey Medical Group Blidworth or Rainworth Health Centre.

Upkeep of un-adopted land not within residential curtilages

- 4.12 Given that the indicative layout illustrates that the development would result some private drives and incidental open space not adopted by the Highway Authority and not within the curtilages of dwellings, should the Planning Committee resolve to grant planning permission planning obligations should be provided in respect of a Management Company responsible for the upkeep of the private access drives and open space not within the curtilages of dwellings to retain an acceptable appearance of the public realm associated with the development.
- 4.13 The revised contributions are deemed to comply with paragraph 56 of the NPPF, Policy 19 of the ACS and the tests set out in the CIL Regulations.

- 5.0 Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION, subject to the applicant entering into planning obligations with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, Affordable Housing, Transport Infrastructure Improvements, Open Space, Healthcare Facilities, Management Company, Local Labour Agreement and Educational Facilities; and subject to the following conditions:**

Conditions

- 1 Approval of the details of Access, Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any phase of the development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to

which this permission relates must be begun within two years from the date of final approval of reserved matters.

- 3 No phase of development shall commence until a Phasing Schedule has been submitted and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in phases in accordance with the approved Phasing Schedule
- 4 The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented strictly in accordance with the approved details.
- 5 No development shall commence within any phase unless or until a detailed design of the access to serve that phase has been submitted to and approved in writing by the local planning authority. The development shall be undertaken
- 6 No part of the development hereby permitted, within a phase, shall be brought into use until the visibility splays of 2.4m x 47m, serving that phase, are provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6metres in height.
- 7 No part of the development hereby permitted, within a phase of development, shall be brought into use until a 2.00m wide footway has been provided across the site frontage, within that phase of development, on Longdale Lane, in accordance with details to be first submitted and approved in writing by the Local Planning Authority.
- 8 The formal written approval of the Local Planning Authority is required prior to commencement of any development, within a phase of development, in the site curtilage with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage (hereinafter referred to as reserved matters.) The development shall be undertaken in accordance with the approved details.
- 9 Details of measures to prevent the deposit of debris upon the adjacent public highway shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing within a phase of development on site. The approved measures shall be implemented prior to any other works commencing on the phase of development.
- 10 No part of the development hereby permitted, within a phase of development, shall be occupied until a Travel Plan 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 strictly in accordance with the timetable set out in that plan.

- 11 A plan showing satisfactory arrangements for refuse collection shall be submitted with the 'layout' reserved matter.
- 12 No development shall take place, within a phase of development, until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from construction works.
- 13 Before development is commenced, within a phase of development, there shall be submitted to and approved in writing by the Local Planning Authority details of a surface water drainage scheme for that phase based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development. The scheme to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques which incorporate at least two differing forms of SuDS treatment in accordance with Table 3.3 of CIRIA C697 'The SuDS Manual' prior to discharging from the site; (2) The limitation of surface water run-off to the equivalent Greenfield runoff rate; (3) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (4) Responsibility for the future maintenance of drainage features.
- 14 Before development is commenced, within a phase of development, there shall be submitted into and approved in writing by the Local Planning Authority an Arboricultural Impact Assessment and Mitigation Strategy. The mitigation strategy shall include (1) A tree protection plan to graphically show the locations of any tree and root protection barriers; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement to give guidance on aspects of proposed works which were identified within the Arboricultural impact assessment which provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees. The approved measures of protection shall be implemented strictly in accordance with the approved details for the duration of the construction period.
- 15 No external artificial lighting shall be provided, within a phase of development, until there has been submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting (including any construction site lighting and compound

lighting), avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat. The scheme shall be implemented strictly in accordance with the approved details.

- 16 The detailed plans and particulars to be submitted as reserved matters in relation to ecology shall include a Phase 1: Habitat Survey and Ecological Assessment in relation to each phase of development. Detail shall include a survey for reptiles on field margins. In particular the assessment shall include precise details of any mitigation measures required and measures of how any reptiles would be cleared sensitively prior to development. The mitigation measures shall be implemented strictly in accordance with the approved details before the development is first commenced.
- 17 The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out strictly in accordance with the approved details, which shall be retained for the lifetime of the development.
- 18 The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (b) details of any mitigation measures, compensatory habitat, or wildlife corridors; (c) details of the boundary treatments, including those to individual plot boundaries; (d) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (e) a programme of implementation. The development shall be implemented in accordance with the approved details.
- 19 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 20 Development must not commence, within a phase of development, until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; and assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation

criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

- 21 In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (That demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
- 22 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An Assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 23 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.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
3. To enable the site to be developed in a phased manner
- 4 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014
- 5 In the interest of highway safety

- 6 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 7 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 8 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 9 In the interest of Highway Safety.
- 10 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 11 To ensure an adequate form of development in the interests of highway safety in accordance with Policy LPD35.
- 12 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 13 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; to ensure the future maintenance of the sustainable drainage structures; and to protect the water environment from pollution, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 14 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014), and LPD18.
- 15 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
- 16 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling (September 2014), and LPD18.
- 17 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 18 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014)
- 19 To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough

- 20 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 21 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 22 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.
- 23 In the interest of sustainable travel

Notes to Applicant

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

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

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. All correspondence with the Highway Authority should be addressed to: TBH - NCC (Highways Development Control) (Floor 8), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

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. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

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.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence 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).

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

Advice regarding travel plans can be obtained from the Travel Plans Officer at Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham.

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.

Informative: 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).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) The Local Planning Document Part 2 where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant

policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

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Report to Planning Committee

Application Number: 2023/0294

Appeal Ref: APP/N3020/W/24/3338360

Site Address: 313 Mapperley Plains, Arnold, NG3 5RG

Application description: Proposed redevelopment comprising 4 dwellings.

Case Officer: Joe Davies

A full application was submitted for the erection of 4 dwellings on the long narrow plot of 313 Mapperley Plains. However, the planning application was refused permission on the 10th November 2023 for the reasons outlined below:

1. The proposed development would have a severe detrimental impact in terms of design and visual amenity, being too large for the site, resulting in inadequate amenity space and having a contrived appearance with limited windows on the southern elevations of the dwellings and using materials that would not be out of keeping with the character and appearance of the area. The proposed development would therefore be contrary to Policies LPD32 and LPD40 a)1 of the Gedling Local Planning Document 2018, Policy 10 of the Aligned Core Strategy 2014 and Paragraph 130 of the National Planning Policy Framework 2023.
2. The proposed development due to its scale and close proximity would be significantly detrimental to the amenity of neighbouring occupiers due to plots 2, 3 and 4 having a severe overbearing impact to the occupiers of the dwellings at 2, 4, 6, 8, 10, 12, 14 and 16 Linden Place. Plot 2 would also have result in unacceptable overlooking to the rear private amenity space of 317 Mapperley Plains and would therefore be contrary to Policies LPD32 and LPD40 a)3 of the Gedling Local Planning Document 2018, Policy 10 of the Aligned Core Strategy 2014 and Paragraph 130 of the National Planning Policy Framework 2023.
3. The proposed development would have an unacceptable impact on the amenity of future occupiers, due to plot 1 having no rear private amenity space, plots 3 and 4 having inadequate private amenity space, plots 1 and 2 overlooking each other and plot 4 having an overbearing impact on plot 3 contrary to Policies LPD 32 and LPD40 a)3 of the Gedling LPD 2018 and paragraph 130 of the National Planning Policy Framework 2023.

The Inspector felt that the layout, overall design and use of materials would be unacceptable, with insufficient distances between the dwellings to provide adequate levels of privacy and outlook both for existing and future occupiers. Whilst the Inspector noted that there would be social and economic benefits from erecting dwellinghouses at the site, he felt that these benefits would be overridden by the aforementioned concerns. The appeal was therefore dismissed.

Recommendation: To note the information.

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Report to Planning Committee

Application Number: 2023/0391

Appeal Reference: APP/N3020/W/23/3336182

Site Address: 89 Sheepwalk Lane, Ravenshead, Nottinghamshire

Application description: Development of One Detached Dwelling

Case Officer: Bev Pearson

The proposal was a full application for the erection of a detached bungalow forward of the principal elevation of the host property. The planning application was refused permission on the 7th of July 2023 for the reason outlined below:-

1. In the opinion of the Local Planning Authority the proposed development would, by reason of the size and constraints of the site and the siting and scale of the development result in a cramped and overintensive form of development which would sit forward of the clear front building lines of properties along this section of Sheepwalk Lane. This would result in an incongruous form of development within the streetscene and the wider urban form resulting in would harm to the visual amenity of the streetscene and the character of the site and the wider area. The proposal would therefore fail to meet with the objectives of the National Planning Policy Framework 2021, Policy 10 of the Gedling Borough Council Aligned Core Strategy and Policies LPD 34, LPD 35 and LPD 40 of the Local Planning Document (2018).

The Planning Inspector agreed with the Council on this key point in that the erection of a dwelling forward of the host property would have a detrimental impact on the character and appearance of the wider area, by virtue of its prominent location.

As a result, the appeal has been dismissed.

Recommendation: To note the information.

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Report to Planning Committee

Subject: Future Planning Applications

Date: 12/07/2024

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.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2019/1080	Land At Broad Close Woodborough	Outline application for 11 no. residential properties	TBC
2023/0083	Land Off Longdale Lane, Ravenshead	Erection of 33 dwellings, including open space, landscaping and associated infrastructure	TBC
2023/0872	Land At Top Wighay Farm Wighay Road Linby	Reserved Matters Application (including scale, layout, appearance and landscaping) for the erection of 763 dwellings, including details of Public Open Space, Community Hub/ Multi Use Games Area and Allotments, bell mouth entrances and associated infrastructure pursuant to outline permission Ref: 2020/0050.	TBC
2024/0269	Land At Burton Wood Farm Spring Lane Lambley	Proposed Battery Energy Storage System (BESS) and associated infrastructure	TBC
2023/0851	Leivers Court Douro Drive Arnold	Demolition of existing care home and construction of a 3-storey building to incorporate 22 flats providing supported accommodation, staff office, and communal hub, and the erection of 8 semi-detached dwellings including access, parking and turning	TBC

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 - 31st May 2024

2021/0552

2 Spindle View, Calverton, NG14 6HF

Retention of concrete post & wooden panel fence 1.8m high.

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: To grant permission

2024/0053

Newstead Abbey Park, Oak View Lodge Station Avenue Newstead

Proposed first floor extension over the front entrance porch

Resubmission of 2023/0464

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

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

Decision: To grant permission

2024/0093

Scotgrave Farm, Arnold Lane, Gedling

Construction of 5 dwellings (4 semi-detached dwellings and 1 detached bungalow) to rear of existing farmhouse.

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: To grant permission

2024/0090

34 Marlborough Road Woodthorpe Nottinghamshire

Approval of details reserved by outline permission 2021/0747 (appearance, access, landscaping, layout and scale) for the erection of two dwellings and garages

Including materials of the house walls, roof, and windows; garden walls, the access drive and parking bays.

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: To grant permission

2024/0240

40 Green Lane, Lambley, Nottinghamshire

Flat roof single storey rear extension

Withdrawn from the agenda.

2024/0265

116 Nottingham Road, Burton Joyce, Nottinghamshire

Proposed single storey side & rear extensions; front porch & alteration to roof to have first floor. Proposed Garden Room.

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: To grant permission

31st May 2024

Video Conference Call Meeting

Cllr Roy Allan

Cllr David Ellis

Cllr Stuart Bestwick

Cllr Marje Paling

Nigel Bryan – Development Manager

Lewis Widdowson – Community Infrastructure Levy Officer

ACTION SHEET PLANNING DELEGATION PANEL - 7th June 2024

2023/0917

77 Whitby Crescent, Woodthorpe, Nottinghamshire

Erection of two storey side and single storey rear extensions

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: To grant permission.

2024/0113

8 Elm Drive, Carlton, Nottinghamshire

Construction of 3 dormer windows on front elevation and one dormer to the rear

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: To grant permission.

2024/0125

2 Lee Road, Burton Joyce, Nottinghamshire

Wooden outbuilding on driveway

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: To grant permission.

7th June 2024

Video Conference Call Meeting

Cllr Roy Allan
Cllr David Ellis
Cllr Ruth Strong
Cllr Linda Pearson

Nigel Bryan – Development Manager
Claire Turton – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL 14th June 2024

2023/0447

D And P Car Breakers Road No 4 Colwick

Application for the demolition of existing unit to form 11 no. speculative units in 2 no. blocks for Class Uses E(g), B2 and B8 business and industrial usage

The proposed development would ensure the site remains in an employment use, not impact on flood risk in the area, not cause contamination to the area, respect the character of the area, neighbouring amenity and highway safety

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

Decision to grant permission.

2024/0261

Goeland House 178 St Albans Road Arnold

Replacement of gable end externally illuminated poster with digital display

The proposed development would not impact on the visual amenity of the area or on residential amenity. However, it would have an unacceptable impact on highway safety

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

Decision to refuse planning permission.

2024/0273

3 Barons Close Gedling Nottinghamshire

Demolition of detached single garage; erection of two-storey side extension

The proposed development would not impact on the visual amenity of the area, residential amenity or highway safety.

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

Decision to grant permission.

2024/0278
23 Pateley Road Woodthorpe Nottinghamshire
Hip to gable roof alteration and rear dormer

The proposed development would not impact on the visual amenity of the area, residential amenity or highway safety.

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

Decision to grant planning permission.

Video Conference Call Meeting

**Cllr Roy Allan
Cllr David Ellis
Cllr Ruth Strong
Cllr Lynda Pearson**

Claire Turton – Principal Planning Officer

14th June 2024

ACTION SHEET PLANNING DELEGATION PANEL 21st June 2024

2024/0240

40 Green Lane Lambley Nottinghamshire

Flat roof single storey rear extension

The proposed development would be acceptable in relation to design and visual amenity, highway safety and parking provision and neighbour amenity. However, the proposal would represent inappropriate development in the Green Belt and be harmful to the openness of the Green Belt.

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

Decision to refuse planning permission.

2024/0299

45 Newstead Avenue Mapperley Nottinghamshire

Change of use of a dwellinghouse to a mixed use (Use Class C3(b) and Use Class C2) children's residential home for a maximum of three young persons aged 8 to 18 years old.

The site is considered to be in an appropriate location for use as a children's care home, the use will not have an unacceptable impact on the residential amenity of occupiers and parking and access arrangements are considered to be acceptable.

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

Decision to grant planning permission.

Video Conference Call Meeting

Cllr Roy Allan

Cllr David Ellis

Cllr Ruth Strong

Cllr Lynda Pearson

Nigel Bryan – Planning Manager

Claire Turton – Principal Planning Officer

21st June 2024

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ACTION SHEET PLANNING DELEGATION PANEL - 28th June 2024

2024/0101

Land South Sycamores, Moor Road, Bestwood

Erection of 3 five bedroom detached dwellings with associated parking

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

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

Decision: To grant permission

2024/0120

44 Lambley Lane, Burton Joyce, Nottinghamshire

Replacement property access gates and gate posts

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: To grant permission

2024/0171

47 Bridle Road, Burton Joyce, Nottinghamshire

Proposed front and first floor extension with balcony to rear, alterations to existing garage with new pitched roof over.

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: To grant permission

2024/0233

35 Douglas Avenue, Carlton, Nottinghamshire

Two storey side and rear extension; alteration and extension to roof

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: To grant permission

2024/0302

599 Mapperley Plains, Arnold, Nottinghamshire

Construction of one additional storey above the existing original dwellinghouse

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 prior notification

2024/0315

96 Sheepwalk Lane, Ravenshead, Nottinghamshire

Proposed new roof to dwelling, hip to gable extension; ground and first floor extension and conversion of garage to habitable room with first floor extension above garage.

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: To grant permission

28th June 2024

Video Conference Call Meeting

Cllr Roy Allan

Cllr David Ellis

Cllr Rachel Ellis

Cllr Lynda Pearson

Cllr Stuart Bestwick

Cllr Ruth Strong

Nigel Bryan – Development Manager

Claire Turton – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL - 12th July 2024

2023/0242

22A Mansfield Road, Daybrook, Nottinghamshire

Demolition of existing buildings and replacement with 3no. Retail units (Class E) together with 5no. Residential apartments above, including off-street car parking and cycle storage

The proposed development would respect the character of the area, residential amenity, highway safety and not be detrimental to the vitality of nearby shopping areas.

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

Decision: To grant permission.

2024/0132

8 Shorwell Road, Carlton, Nottinghamshire

Proposed two-storey and single storey side extension, single storey front extension/porch and single storey rear extension

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: To grant permission.

2024/0230

3 Nursery Drive, Carlton, Nottinghamshire

Rear extension and alterations to host building and associated outbuildings to form 7 category 3 supportive living accommodation and welfare unit.

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: To grant permission.

2024/0323

8A Burton Avenue, Carlton, Nottinghamshire

Demolish existing concrete sectional garage and construct a detached annex for elderly relative

The proposed annex would have a detrimental impact on the amenity of neighbouring properties through an overbearing impact as well as be out of character with the area.

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

Decision: To refuse permission.

2024/0309

8 Maitland Road, Woodthorpe, Nottinghamshire

Two storey rear extension

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: To grant permission.

2024/0319

61 Church Drive, Ravenshead, Nottinghamshire

Single storey rear extension

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

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

Decision: To grant permission.

2024/0336TPO

153 Main Street, Woodborough, Nottinghamshire

T1 Fell this tree because - Visible evidence of damage caused to parts of property (attached photographs) - Excessive large size, has out grown current location - Replant with rowan tree in different area of garden, further from property

Insufficient information has been submitted to justify the removal of the tree.

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

Decision: To refuse consent.

2024/0344

Derrymount School, Churchmoor Lane, Redhill

New boundary fencing to part of site boundary

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: To grant permission.

2024/0349

The Headlands, Church Lane, Linby

Proposed single storey rear extension and loft conversion with pitched roof design

The proposed development would result in dis-proportionate extensions to the original building, which would be detrimental to the openness, and in-appropriate development within, the Green Belt.

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

Decision: To refuse permission.

2024/0351

16 Boniface Gardens, Bestwood, Nottinghamshire

Proposed change of use of dwelling (C3) to residential care home (C2)

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: To grant permission.

12th July 2024

Video Conference Call Meeting

Cllr Roy Allan

Cllr Stuart Bestwick

Cllr David Ellis

Cllr Ruth Strong

Nigel Bryan – Development Manager

Lewis Widdowson – Planning Officer