

Agenda

Planning Committee

Date: **Wednesday 23 April 2025**

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 Sam Smith
Councillor Ruth Strong
Councillor Jane Walker
Councillor Henry Wheeler
Councillor Russell Whiting

WEBCASTING NOTICE

Please note that this meeting will be live streamed on the Council's YouTube channel and via the website (www.gedling.gov.uk). At the start of the meeting the Chair will confirm if all or part of the meeting is being broadcast.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

For more information about how your personal data is collected and used please view our privacy notice <https://www.gedling.gov.uk/elections-privacy/>

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

Page

1. **Apologies for Absence and Substitutions.**
2. **To approve, as a correct record, the minutes of the meeting held on 26 March 2025** 5 - 19
Planning Committee Protocol.
3. **Declaration of Interests**
4. **Application no. 2024/0217 - Land South Of Main Street, Calverton** 25 - 38
5. **Application no. 2025/0129 - Calverton Footpath 22, Land off Georges Lane, Calverton** 39 - 44
6. **Application no. 2025/0147 - Arnold Footpath 3, Crawford Rise to Mapperley Plains, Arnold** 45 - 50
7. **Appeal summary ref: APP/N3020/D/25/3358915 - 19 Silverwood Avenue, Ravenshead** 51
8. **Appeal summary ref: APP/N3020/W/24/3350045 - 308 Carlton Hill, Carlton** 53 - 54
9. **Appeal summary ref: APP/N3020/W/24/3356092 - Land West of 175 Mansfield Road, NG15 8FL** 55
10. **Future Applications** 57
11. **Planning Delegation Panel Action Sheets** 59 - 65
12. **Any other items which the Chair considers urgent.**

MINUTES PLANNING COMMITTEE

Wednesday 26 March 2025

Councillor Roy Allan (Chair)

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

Absent: None

Officers in Attendance: N Bryan, C Goodall, J Krawczyk, N Osei, L Squires, H Stylianou and C Turton

60 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

No apologies for absence were received.

61 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 FEBRUARY 2025

RESOLVED:

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

62 DECLARATION OF INTERESTS

None.

63 APPLICATION NO. 2024/0269 - LAND AT BURTON WOOD FARM, SPRING LANE, LAMBLEY

Proposed Battery Energy Storage System (BESS) and associated infrastructure.

Ian Taylor, a local resident, spoke against the application on behalf of a group of local residents.

Jonathan Cooper, Senior Development Manager of Grenergy (The Applicant), spoke in support of the application.

The Principal Planning Officer gave an update to the committee, summarised as follows:

The measurements of the battery units stated in paragraph 3.3 of the report were incorrect and should have read that the battery units proposed were 2.795 metres in height, 1.72 metres in width and 7.81 metres in length and that the skids were raised 0.15 metres above ground level.

She added that with regards to Section 5 of the report, Policy LPD10 (Pollution) was also relevant as it stated that planning permission would not be granted for development which would result in an unacceptable level of pollution or was likely to result in exposure to sources of pollution or risks to safety.

The Principal Planning Officer added that further correspondence had been received from neighbours, which had also been sent directly to members of the Planning Committee. She then went on to introduce the report.

A request for a recorded vote was moved by Councillor Greensmith and seconded by Councillor Smith.

For the application:

Councillors Allan, Ellwood, Ellis, Najuk, Pearson, C Pope, G Pope, Strong and Wilkinson.

Against the application:

Councillors Barnes, Bestwick, Greensmith, Smith, Walker, Wheeler and Whiting.

Abstentions:

None.

The application was carried, and it was therefore

RESOLVED:

To Grant Planning Permission subject to the following conditions:

Conditions

- 1 The development must not be begun later than three years beginning with the date of this permission.

- 2 The development hereby permitted shall be carried out in strict accordance with the following approved plans and the submitted application form:

GRE001-SP-01_rev04- Site Location Plan received 6 March 2025
GRE001-PL-00_rev04 - Existing Site Layout Plan received 18 April 2024

GRE001-PL-01_rev08 - Site Layout Plan received 27 November 2024

GRE001-PL-02_rev08 - Site Layout Plan 1 to 500 received 27 November 2024

GRE001-FS-01_rev07 - Fire Strategy Plan received 27 November 2024

EW-001 Rev. 00 – Earthworks Layout received 18 April 2024

GRE001-EL-01_rev05 - Contextual Elevations (Sheet 1 of 3) received 18 April 2024

GRE001-EL-02_rev02 - Contextual Elevations (Sheet 2 of 3) received 18 April 2024

GRE001-EL-03_rev02 - Contextual Elevations (Sheet 3 of 3) received 18 April 2024

GRE001-SD-01_rev03 - 132kV Substation (Plan) received 18 April 2024

GRE001-SD-02_rev03 - 132kV Substation (Section) received 18 April 2024

GRE001-SD-03_rev02 - 2.4m Palisade Fence and Security Gate received 18 April 2024

GRE001-SD-04_rev02 - 20ft Welfare office or Spares container or SCADA Centre received 18 April 2024

GRE001-SD-05_rev03 - DNO Control Room received 18 April 2024

GRE001-SD-06_rev02 - CCTV Camera And Pole received 18 April 2024

GRE001-SD-07_rev02 - Access Track received 18 April 2024

GRE001-SD-08_rev02 - Aux Transformer received 18 April 2024

GRE001-SD-09_rev02 - Battery Unit received 18 April 2024

GRE001-SD-10_rev02 - Twin Skid (TX) received 18 April 2024

GRE001-SD-11_rev02 - PCSK Inverter received 18 April 2024

GRE001-SD-12_rev02 - Battery Interface Cabinet received 18 April 2024

- 3 Prior to above grounds works commencing details including colour of external finishes of the battery containers, transformers, substation structures and type and height of fencing and CCTV installation equipment shall be submitted to and approved in writing by the Local Planning Authority.
Development shall, thereafter, proceed in accordance with details as approved.

- 4 Works to form the Battery Energy Storage System shall not commence until a Battery Safety Management Plan (BSMP) and Emergency Response Plan have been submitted to and approved in writing by the Local Planning Authority. The BSMP shall prescribe measures to facilitate safety during the construction, operation and decommissioning of the battery storage system. These plans shall be developed in conjunction with Nottinghamshire Fire and Rescue Service using the best practice guidance as detailed and required in the published Grid Scale Battery Energy Storage System planning - Guidance for FRS published by NFCC National Fire Chiefs Council. The Battery Energy Storage System shall be operated in accordance with the approved BSMP at all times.
- 5 Within 40 years following completion of construction of the development hereby permitted, or within 12 months of the cessation of operational use, or within six months following a permanent cessation of construction works prior to the battery facility coming into operational use, whichever is the sooner, the batteries, transformer units, inverters, all associated structures and fencing approved shall be dismantled and removed from the site. The developer shall notify the local planning authority in writing no later than twenty-eight working days following cessation of power production. The site shall subsequently be restored in accordance with a scheme and timescale, the details of which shall be first submitted to and approved in writing by the local planning authority no later than six months following the cessation of power production. For the purposes of this condition, a permanent cessation shall be taken as a period of at least 24 months where no development has been carried out to any substantial extent anywhere on the site.
- 6 No development shall take place, including any ground works or demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall be adhered to throughout the construction period and shall provide for:
- a) the parking of vehicles of site operatives and visitors;
 - b) routing of construction vehicles;
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) wheel and underbody washing facilities;
 - f) measures to mitigate the risk of flooding of the battery containers; and
 - g) measures to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and to prevent pollution.

- 7 Prior to above ground works commencing, a scheme of both soft and hard landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
- 8 Prior to the erection of any external lighting on site, a lighting plan, shall be submitted to and approved in writing by the local planning authority. The submitted plan should include details of the specification and design of the fixtures to be erected and should be accompanied by contour diagrams that demonstrate minimal levels of lighting on receptor habitats, including trees and hedges. The lighting should be designed in accordance with Bat Conservation Trust/ Institution of Lighting Professionals Guidance Note 08/23 'Bats and Artificial Lighting in the UK'. Development shall be carried out in accordance with the approved details and retained for the lifetime of the development.
- 9 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 GON.0384.0222, 28/03/2024, Gondolin Land and Water., 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.

10 No development or demolition shall take place until an Archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The mitigation strategy will include appropriate Written Schemes of Investigation for evaluation trenching and provision for further mitigation work. These schemes shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

11 The archaeological site work must be undertaken only in full accordance with the approved written schemes referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

12 A report of the archaeologist's findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Nottinghamshire County Council within 3 months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

13 Development may not be begun unless:

(a) a biodiversity gain plan has been submitted to the planning authority; and

(b) The planning authority has approved the plan.

Development shall thereafter be carried out in accordance with the approved biodiversity gain plan, in accordance with the timings agreed by the biodiversity gain plan.

14 The Biodiversity Gain Plan shall be prepared in accordance with the BNG Condition Assessment Sheet and Metric, received 7th March 2025 and the BNG Assessment and Bio-enhancement scheme, received 10th March 2025.

15 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

- 16 Notice in writing shall be given to the Council when the:
 - (a) HMMP has been implemented; and
 - (b) habitat creation and enhancement works as set out in the HMMP have been completed.
- 17 Monitoring reports shall be submitted to and approved in writing by local planning authority in accordance with the methodology and frequency specified in the approved HMMP.
- 18 The development must be carried out in accordance with all recommendations of the following documents:-
 - Biodiversity Net Gain (BNG) and Enhancement Scheme, received 10th March 2025
 - Spring Lane BESS Preliminary Ecological Assessment (PEA), (v1.4, received 6th March 2025)
 - EEL752 Land At Burton Wood Farm, Spring Lane, Lambley, Nottinghamshire – Nesting and Ground Nesting Bird Mitigation Technical Note (V1.1 received on 5th March 2025)
 - EEL752 Land At Burton Wood Farm, Spring Lane, Lambley, Nottinghamshire - Great Crested Newt Mitigation (GCN) Addendum (Version received on 29th January 2025)
- 19 No development shall be commenced until a Construction Ecological Management Plan to protect retained habitats and protected or priority species during the planned works has been submitted to and agreed in writing by the Local Planning Authority. The CEMP should include detailed plans for all relevant mitigation recommendations set out within the EclA report. Development shall thereafter commence in accordance with the approved details.
- 20 No development shall take place, including any works of demolition, until a Construction 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. hours of operation
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- 21 No development shall be commenced until a detailed Biodiversity enhancement Plan, setting out the details and locations of all enhancements recommended in the submitted ecological documents as well as timescales, received as part of the planning application, have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details and retained for the lifetime of the development.
- 22 The development shall not be operational until a detailed report to evidence implementation of the Biodiversity Enhancement Plan features has been submitted to and approved in writing by the Local Planning Authority.
- 23 Development shall not commence until precise details of 6 no. replacement ground nesting bird plots have been submitted to and approved in writing by the Local Planning Authority. These shall be implemented in full prior to the development commencing and shall be retained for the lifetime of the development.
- 24 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site-specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reasons

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

- 2 To define the specific works that have been granted permission.
- 3 In the interests of visual amenity.
- 4 In the interests of fire safety, visual amenity and environmental protection.
- 5 In the interests of fire safety, visual amenity and environmental protection.
- 6 In the interests of highway safety.
- 7 In the interest of visual amenity and to ensure that the development has an adequate level of screening from its surroundings.
- 8 In the interests of residential amenity.
- 9 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.
- 10 To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with the National Planning Policy Framework.
- 11 In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with the National Planning Policy Framework.
- 12 In order to ensure that satisfactory arrangements are made for the reporting, archiving and dissemination of the results of the investigation in accordance with the National Planning Policy Framework.
- 13 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 14 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 15 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 16 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 17 Reason: To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 18 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 19 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 20 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 21 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 22 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 23 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 24 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.

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies, and the design and dimensions are not considered to have potentially detrimental effects on surrounding amenity with no undue overlooking, overbearing or overshadowing impact. Neither would the proposal have an adverse impact upon highway safety. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 2, 4, 11, 13, 14, 15, 16), Policies A, 1, 3, 11, and 17 of the GBACS (2014), the Gedling Part 2 Local Plan (2018) Policies LPD

2, 4, 18, 19, 26, 27, 32, 58, and 61, and the relevant provisions of the Gedling Design Code Framework (2024) and Burton Joyce Neighbourhood Plan (2018), as well as those of the Environment Act (2021).

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 of the National Planning Policy Framework. During the processing of the application there was no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team.

The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible.

If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.

If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.

Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed.

No materials or contractor's vehicles should be stored/parked on the path prevent access to or along the path at any time (unless a temporary closure of the path has been applied for and granted)

Should vehicles run over the path during the development, the applicant must ensure that the surface is repaired and made safe for the users of the path, be that pedestrian, equestrian or cyclists.

Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. licences@viaem.co.uk

If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottsc.gov.uk

If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit>

and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic

Applicants should engage with Local Fire & Rescue Services issues of siting and location of BESS are dealt with before applications are made. Ideally this should be done before submitting a planning application.

Local planning authorities to refer to guidance produced by the National Fire Chiefs Council for consideration when determining applications and consult with local Fire & Rescue Services before issuing decisions. Applicants will also need to comply with relevant Building Regulations in Part B. They require applicants to provide suitable access for the fire service.

Battery energy storage systems (BESS) facilities are not regulated under the Environmental Permitting Regulations regime. However, battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. This creates additional lifecycle liabilities which must be understood and factored into project costs.

Batteries have the potential to cause harm to the environment if stored inappropriately e.g. subject to a fire as the chemical contents escape from the casing. When a battery within a battery storage unit ceases to operate, it will need to be removed from site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place.

The Waste Batteries and Accumulators Regulations 2009 also introduced a prohibition on the disposal of batteries to landfill and incineration. Batteries must be recycled or recovered by approved battery treatment operators or exported for treatment by approved battery exporters only.

Many types of batteries are classed as hazardous waste which creates additional requirements for storage and transport.

The landscaping scheme to be approved under condition 7 shall broadly comply with the INDICATIVE LANDSCAPE MASTERPLAN received 16 July 2024.

64 POSITION STATEMENT ON GREEN BELT POLICY LPD 13

The Development Manager introduced the report, which had been circulated in advance of the meeting, asking members to consider the Position Statement.

RESOLVED:

To support the interpretation of Policies LPD 13 and 14 as set out in the appendix.

65 APPEAL SUMMARY REF:APP/N3020/Z/24/3349807 - GEOLAND HOUSE, 178 ST ALBANS ROAD, ARNOLD

Replacement of gable end externally illuminated poster with digital display.

RESOLVED:

To note the information.

66 APPEAL SUMMARY REF: APP/N3020/Z/24/3354719 - 238 MANSFIELD ROAD, REDHILL

Erection of D48 (digital) advertisement display.

RESOLVED:

To note the information.

67 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

68 DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

69 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.37 pm

Signed by Chair:
Date:

This page is intentionally left blank

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.

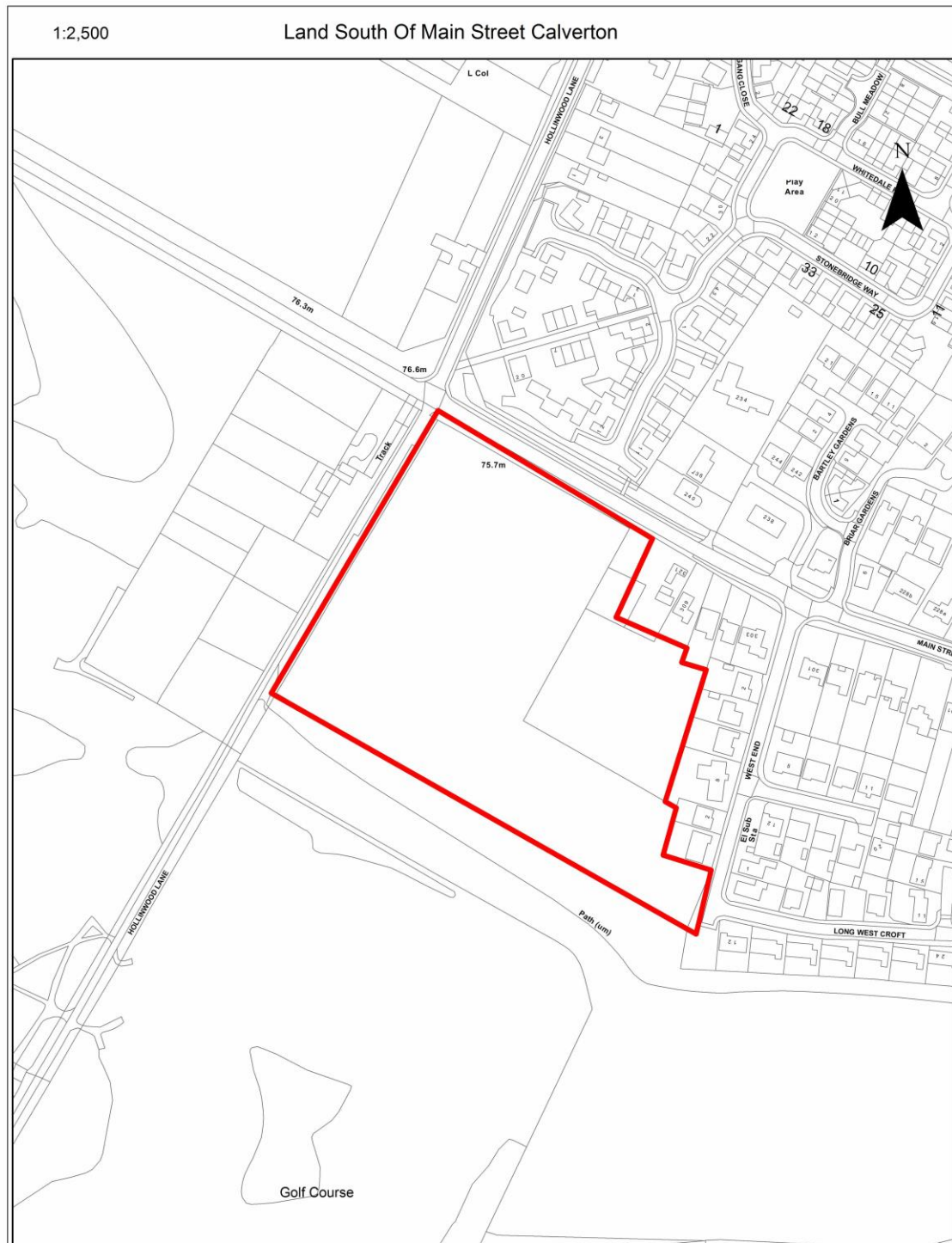
17. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee 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

This page is intentionally left blank



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.
Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright. Licence No LA100021248.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Report to Planning Committee

Application Number: 2024/0217

Location: Land South Of Main Street Calverton

Proposal: Approval of reserved matters (layout, scale, landscaping and appearance) for erection of 73 dwellings, made pursuant to outline permission 2018/0360

Applicant: Langridge Homes Ltd

Agent: Halsall Lloyd Partnership

Case Officer: Nigel Bryan

1.0 Site Description

- 1.1 The site consists of an area of vacant grassland and a small woodland copse located to the west end of the village of Calverton. The northern site boundary is shared with Main Street and several existing dwellings, the eastern site boundary is shared with residential properties on West End and Long West Croft, the southern boundary is shared with open land, with a public footpath in close proximity to it and the western boundary is shared with Hollinwood Lane.
- 1.2 There are no significant differences in ground level across the site however it is noted that the site level is higher than that of the existing properties on Main Street, West End and Long West Croft. Mature hedgerow is the predominant boundary treatment with a field gate from Main Street.
- 1.3 There are three Oak trees on the boundaries of the site that are protected by a Tree Preservation Order, one located along the boundary with Main Street and two located along the boundary with Hollinwood Lane.
- 1.4 The site area is 3.07 hectares.

2.0 Relevant Planning History

- 2.1 2018/0360 – ‘Outline planning application for up to 79 No. dwellings with all matters reserved except access’ was considered at the Planning Committee of 27th March 2019 with the permission granted on the 7th April 2021, following the completion of a Section 106 Legal Agreement.

3.0 Proposed Development

- 3.1 The application is a reserved matters approval made pursuant to outline permission 2018/0360. At the outline stage access was committed and identifies that the primary vehicular access would be to the centre of the site and from Main Road. As a result, the matters under consideration as part of this application are layout, appearance, scale and landscaping.
- 3.2 During the course of the application amended plans have been received that make a number of changes to the application from its original submission. Notably the number of dwellings proposed to be erected has reduced from 77 to 73. Other changes include the provision of greater public open space within the site, including providing play equipment toward the southeastern corner of the site, adjacent to properties on West End. Furthermore, the range of house types have altered in that more dual fronted properties have been supplied to aid movement around the site. Further consultation has been undertaken on the amended plans and the application is considered accordingly.
- 3.3 Three areas of Public Open Space (POS) are provided on site, two of which would be along the site frontage. In the south east corner would be the largest POS, which would include play equipment and a SUD's pond. The housing mix would include 20%, or 15 affordable dwellings, the housing mix of which is 5 x 3-bed shared ownership properties and 10 x 2-bed affordable rent properties. A total of 58 open market dwellings would be provided and include 14 x 5-bed properties; 28 x 4-bed properties; 15 x 3-bed properties and 1 x 2-bed bungalow.

4.0 Consultations

- 4.1 Environment Agency – note that the application site falls within flood zone 1 so make no observations on the application.
- 4.2 Nottinghamshire County Council – Lead Local Flood Authority – Object to the application on the grounds of a lack of information having been submitted.
- 4.3 Historic England – On the basis of the information available to date, they do not offer any comments on the application and advice that the Council seek the views of our specialist conservation and archaeological advisers, as relevant.
- 4.4 Gedling Borough Council Conservation Officer – notes that the site is sufficient distance way from heritage assets to not detrimentally affect the setting of the Conservation Area. Noting the site is edge of settlement the development should provide a suitable bridge to the open countryside and utilise materials that are reflective of the local vernacular.
- 4.5 Gedling Borough Council Parks and Street Care – note that 10% POS is to be provided and that the layout indicates play equipment is to be provided too. There is limited information in respect of the play equipment but this could be supplied through the approval of the Open Space Scheme, as part of the S106.

- 4.6 Gedling Borough Council Strategic Housing – No comments received.
- 4.7 Gedling Borough Council Scientific Officer – note that conditions in respect of contamination are on the outline permission (conditions 6 and 7). Conditions should be added in respect of electric vehicle charging points (this is covered by condition 9 on the outline). A Construction Emission Management Plan should also be approved (this is covered by condition 10 on the outline).
- 4.8 Forestry Officer – following submission of an updated Tree Method Statement and Tree Protection Plan, no objection is raised to the layout as proposed.
- 4.9 Nottinghamshire County Council Highways – following receipt of additional information, raise no objection to the application, subject to conditions.
- 4.10 Calverton Parish Council – No objection.
- 4.11 Members of the Public
- 4.12 A press notice was published, site notice posted and neighbour notification letters sent to all properties adjacent to the application site. Following receipt of amended plans, further consultation was undertaken too. All responses received objected to the application. A total of 5 letters of objection have been received. A summary of the objections received are outlined below;
- ☐ This part of Calverton is being disproportionately targeted for excessive development;
 - ☐ Infrastructure of the village is not sufficient to support a new development;
 - ☐ Lack of public transport, distance to shops and surgery;
 - ☐ Insufficient parking for village amenities;
 - ☐ Increase in traffic with the access not acceptable;
 - ☐ Parking provision is not acceptable and will lead to overflow;
 - ☐ Concerns about drainage and flooding;
 - ☐ Noise pollution, particularly during construction;
 - ☐ Density and property types not in keeping;
 - ☐ Number of single storey properties should be increased;
 - ☐ More bungalows should be on site, particularly on the eastern edge of the site
 - Adverse effect on property values;
 - ☐ Land is not flat;
 - ☐ The proposal would lead to a loss of light and be overbearing;
 - ☐ Mental stress and anxiety during construction work;
 - ☐ Road congestion;
 - ☐ Access points would be dangerous;
 - ☐ Removal of large sections of hedgerow;
 - ☐ Loss of wildlife;
 - ☐ Trees and hedgerows should not be removed; and
 - ☐ Contrary to Calverton Neighbourhood Plan.
- 4.13 Following the submission of new plans which reduced the number of dwellings and amended the scheme as outlined in paragraphs 3.0-3.3 of this report, one additional letter of objection was received. The objection

specifically referenced plot 66 and felt it should be a bungalow; the site and neighbouring properties could be flooded and the play equipment should not be near the SUD's pond.

5.0 Assessment of Planning Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2024 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Development Plan Policies

- 6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework 2024

Sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a sufficient supply of homes), 11 (Making effective use of land) and 12 (Achieving well-designed places) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

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

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

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

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

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

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

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

6.4 Local Planning Document (Part 2 Local Plan)

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

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

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

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

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

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

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

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

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

LPD 36: Affordable Housing – sets out that a 20% affordable housing provision will be required in Carlton but that a lower requirement may be justified provided there is sufficient evidence which takes account of all potential contributions from grant funding sources and a viability assessment has been undertaken by the Council which demonstrates this.

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

LPD 48: Local Labour Agreements – sets out the thresholds where a Local Labour Agreement will be required.

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

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

LPD 66: Housing Allocations– identifies the majority of the application site as housing allocation H15, for approximately 75 new dwellings.

6.5 Calverton Neighbourhood Plan

The Calverton Neighbourhood Plan was adopted by Gedling Borough Council on 31 January 2018. As such the Calverton Neighbourhood Plan forms part of the Development Plan for Gedling Borough.

Policy G2: Developer Contributions – sets out that developer contributions will be sought towards education provision (nursery, primary, secondary, 16-18), primary GP healthcare provision and village centre environmental improvements

Policy G5: Housing Mix – states that development should include a mix of dwelling sizes, that planning permission will be granted for developments which provide bungalow and other types of accommodation for elderly and disabled people, that proposals for major development that do not include a mix of dwelling sizes and tenures and accommodation suitable for elderly and disabled people will be refused, that on all major development schemes, planning permission will be granted for the provision of plots for self-build subject to other policies in the development plan and that affordable housing should be designed and delivered to be indistinguishable from market housing and should be distributed throughout the development as a whole.

Policy ISF1: Sustainable Transport – states that opportunities for the use of sustainable modes of transport must be maximised.

Policy ISF2: Car Parking – states that any new development outside of the Village Centre will only be permitted where it has sufficient parking provision.

Policy ISF3 – Highway Impact – sets out the criteria for assessing highway impact.

Policy ISF4: Infrastructure Provision – states that residential developments will be required to provide the necessary infrastructure, such as education provision, healthcare provision, open space and drainage provision.

Policy BE1: Design & Landscaping – states that all development on the edge of Calverton must provide soft landscaping on the approach into the village and sets out criteria to achieve this.

Policy BE2: Local Distinctiveness and Aesthetics – states that development should be designed to a high quality that reinforces local distinctiveness including that buildings on the fringes of major developments should have variations in height, style and position.

Policy BE3: Public Realm – sets out the approach to the public realm and to landscaping.

Policy BE4: Parking Provision – sets out that adequate parking must be provided.

Policy NE3: Flooding- sets out the approach to preventing flooding and to ensure that adequate drainage is provided.

Policy NE4: Green Infrastructure –sets out the approach to green infrastructure and ecological considerations.

Policy NE5: Biodiversity – sets out the approach to biodiversity.

6.6 Other

Open Space Provision SPG (2001) – sets out the open space requirements for new residential development.

Affordable Housing SPD (2009) – sets out the affordable housing requirements for new residential development.

Parking Provision for Residential and Non-Residential Development SPD (2022) sets out the parking provision requirements for new developments.

Low Carbon Planning Guidance for Gedling Borough (2021) sets out sustainability guidance.

Gedling Borough Council Design Guide

7.0 **Planning Considerations**

Principle of the development

- 7.1 The application site is allocated for housing development under H15 of Policy LPD 66 of the Local Planning Document, which was adopted in July 2018. Policy LPD 66 identifies the site as providing approximately 75 dwellings. The site has outline planning permission for up to 79 dwellings and this reserved matters application is for the erection of 73 dwellings. As a result, the principle of development is supported and has already been established through the grant of the outline permission, which accords with the development plan and with the objectives of the National Planning Policy Framework and Aligned Core Strategy.

- 7.2 For the avoidance of doubt, a number of aspects have been considered at the outline stage, namely access, or subsequent approval through discharge of condition applications, including drainage, archaeology and ecology matters. The matters under consideration at the reserved matters stage are layout, appearance, scale and landscaping, which are addressed in turn below.

Layout

- 7.3 The site covers an area of 3.07 hectares and whilst the outline is for 79 dwellings and the allocation for 75, the number of dwellings proposed to be erected is 73. This is as a result of negotiations over the layout to ensure that it respects the character of the area and, most notably, provides adequate Public Open Space (POS). Based on the reduced number of dwellings, this would result in a density of 23.6 dwellings per hectare, slightly below the density of 25 dwellings per hectare identified in policy LPD33. However, given the need to respect the character of the area, residential amenity and fact that the site is adjacent to open countryside, the density of development is considered to be acceptable.
- 7.4 The layout as amended would now have green space to the Main Street frontage, providing an attractive and open aspect to the entrance of the site. The majority of the dwellings facing Main Street would face outward, save for two dwellings, including a double fronted dwelling to step around the corner. A larger area of POS is to be provided in the southeast corner of the site, adjacent to properties on West End, with this space housing the SUD's pond, an area of play equipment and electric sub-station.
- 7.5 The layout, overall, would be based around a simple block structure, which is supported and ensures POS is overlooked. A number of dwellings would be double fronted to step around corners with a mixture of frontage parking and some to the side of dwellings, with the former predominate. To ensure that the layout is not parking dominated, small areas of front gardens and planting will be secured to break up the hard paving.
- 7.5 Overall the layout is considered to be acceptable providing an adequate mix of properties, 2-5 bedrooms, with POS overlooked and corner turners at strategic points within the site. As a result, the application is deemed to comply with policies ASC10, G5, BE1 BE2 and guidance within the Design Code.

Scale

- 7.6 All of the properties, save for one bungalow, are to be two-storey in scale. The housing mix in the area is predominately bungalows on West End, a number of which are dormer-bungalows, with some more conventional two-storey properties facing on to Main Street. Given the mixed scale of properties in the area, a development made up of pre-dominantly two-storey properties is considered to be acceptable. Within the properties there are modest changes in scale, including dwellings that are slightly taller than others, as well as attached garages that are single storey in the streetscape. The scale of development is therefore considered to be acceptable and comply with policies ASC10, G5, BE1 BE2 and guidance within the Design Code.

Appearance

- 7.7 On the site there would be a mixture of 16 house types, which vary in the number of bedrooms, scale and design. They would include semi-detached and detached properties. The main build material would be red brick under conventional tiled roofs, which is the predominant build material within

Calverton. A number of the house types would be similar to those approved at Dark Lane, given that it is the same developer. As a result, there would be some continuity in house types, which would respect the character of the area. There are also elements of detailing that are welcome and would respect the traditional character of the area, including brick detailing at the eaves and stone cills. As a result, the appearance of the properties are considered to be acceptable and comply with policies ASC10, G5, BE1 BE2 and guidance within the Design Code.

Landscaping

- 7.8 During the processing of the application, a tree Protection Method Statement has been submitted, which the Council's Tree Officer considers to be acceptable. It outlines which trees and hedges are to be retained, with a number of mature trees along the western boundary of the application site, subject of a Tree Preservation Order (TPO). The hedge along the western boundary is to be retained, along with the majority that fronts Main Street, save for that section to be removed to facilitate the access and visibility splay. Protective fencing would need to be erected around the trees and hedges to be retained, which can be secured via a suitably worded condition.
- 7.9 In respect of landscaping, the main areas of public open space would be able to accommodate additional landscaping, as well as planting of a more domestic scale within the front gardens. No detailed landscaping scheme has been submitted but this can be secured via condition and be approved in consultation with the tree officer and will look to secure appropriate native species. Details of boundary treatments for the plots can also be approved through a discharge of condition application. Having regard to the above, and subject to conditions, the application is considered to be acceptable with regard to trees and landscaping and is deemed to comply with policies LPD19 and NE4.

Other considerations

- 7.10 Concern has been raised about the detrimental impact on the amenity of neighbouring residents, particularly to existing residents on West End. Plots 63-65 would have rear gardens not less than 12m in depth, which would provide an adequate distance to ensure any overlooking and overbearing impacts would not be significant, even if raised above existing dwellings. The nearest property to the site boundary, would be plot 66, which would be approximately 2m away but would have its gable facing existing dwellings on West End, which would be approximately 14m away. As a result it is not considered that this would result in a significant overlooking or overbearing impact. The shortest rear garden would be to plot 69 but to address possible overlooking impacts, this is proposed to be a bungalow, which is acceptable and would ensure residential amenity would be respected, as well as enhance the mix of properties available, with the application deemed to comply with policy LPD32.
- 7.11 Play equipment is proposed to be provided in the larger area of POS to the southeast of the site. A total of 5 pieces are shown on the layout, although final details of the equipment are yet to be finalised and would be approved

through the submission of details as part of the S106 legal agreement. The location of the POS is acceptable and would provide the requisite 10%.

- 7.12 A number of details have already been resolved in respect of archaeology (condition 14 of the outline). Concern has been raised by the Lead Flood Authority about a lack information in respect of flooding and drainage flooding; however, further details would need to be supplied as part of condition 5 of the outline.
- 7.13 The planning obligation secured through the outline application permission will not be affected by this reserved matters application and will secure: 20% Affordable Housing; a commuted sum of £184,557.90 towards off-site POS provision, together with £77,113 for 10 years maintenance (however, this will not now be required given that 10% POS and play equipment is to be provided on site); £285,720 for the provision of primary school place, to be used to extend the local school (St Wilfrid's C of E Primary School) and £195,283 (11 x £17,753) for the provision of secondary school places to mitigate the impact of the development; £42,606 for health facilities as requested by the NHS; £50,000 to provide improvements to the local bus services to serve the site and £15,000 towards bus stop improvements and a Local Labour Agreement.
- 7.14 Impacts on ecology have been considered at the outline stage and condition 11 on the outline secures the provision of ecology enhancements. For clarification, the outline application was determined prior to the adoption of Biodiversity net-gain guidance, which cannot be considered at the reserved matters stage.
- 7.15 In respect of access, the main vehicular access from Main Street has been approved at the outline stage. The Highway Authority have sought changes to the internal highway network to ensure that vehicles can adequately navigate the site, showing swept-path analysis, with the internal highway network now considered to be acceptable.
- 7.16 Furthermore, modest changes to garage sizes have been made and each property will have at least two parking spaces with some of the larger units having three spaces. The application is therefore deemed to comply with policies LPD57 and LPD61.
- 7.17 Concern has been raised about a lack of services to the site and access to infrastructure; however the site is considered to be in a sustainable location, with contributions secured toward education, health and public transport. There is no reason to consider why the site would lead significant noise complaints or mental health issues with the end use residential in nature and the build at the site being temporary in nature. In the unlikely event that noise issues were to arise these could be investigated by Environmental Health. With appropriate fencing and signage to the SUD's pond, there is no reason to consider the proximity of the play equipment to be a safety issue.
- 7.18 In terms of the sustainability credentials of the properties to be erected, it is noted that each property is intended to have solar panels and will have additional roof insulation, which will result in an EPC A rating for each

dwelling, which is considered to comply with the Councils Low Carbon Planning Guidance.

8.0 Conclusion

- 8.1 The principle of the development has been established through the grant of the outline permission and allocation of the land for residential purposes. The matters for consideration at this stage are layout, appearance, scale and landscaping. The layout as proposed would respect the character of the area with requisite public open space. The scale and appearance of the dwellings would assimilate into the local environment and not have a detrimental impact on the amenity of neighbouring properties. The application is therefore deemed to comply with the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and the Calverton Neighbourhood Plan.

Recommendation: Grant reserved matter approval subject to the conditions outlined below

Conditions

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

002-P07-Site Layout

2002-P03-Y2 Housetype
2003-P03-YS Housetype
2004-P03-R4 Housetype
2005-P03-JD Housetype
2006-P03-C10 Housetype
2007-P03-C4 Housetype
2008-P03-KA3L Housetype
2009-P03-E21L Housetype
2010-P03-K8L Housetype
2012-P02-BGA3 Housetype
2013-P02-DA3 Housetype
2014-P03-F4 Housetype
2016-P02-BT2A Housetype
2017-P01-A3L Housetype
2018-P01-L4 Housetype
2019-P01-X3 Housetype
2020-P01-XS Housetype

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

2. Prior to above ground works commencing details of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.

3. Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of third party 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.
4. The tree protection measures identified in the Tree Method Statement shall be erected prior to development commencing on site. The measures shall remain in place until such time as the particular part of development affected is substantially complete.
5. Prior to the commencement of development, a scheme of landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
6. No part of the development shall be brought into use until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the local planning authority. The approved boundary treatment for each individual plot on site shall be implemented prior to the occupation of each individual dwelling and shall then be retained in full for a minimum period of 5 years

Reasons

1. For the avoidance of doubt.
3. In the interest of highway safety and to secure enough parking provision, and to comply with policies LPD57 and LPD61.
3. To ensure the character of the area is respected and to comply with policy ACS10.
4. To ensure that the trees and hedgerows are protected and to comply with policies LPD19 and BE1.

5. To ensure that the trees and hedgerows are protected and to comply with policies LPD19 and BE1.
6. To ensure the character of the area is respected and to comply with policy ACS10.

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.

a) 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.

b) 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

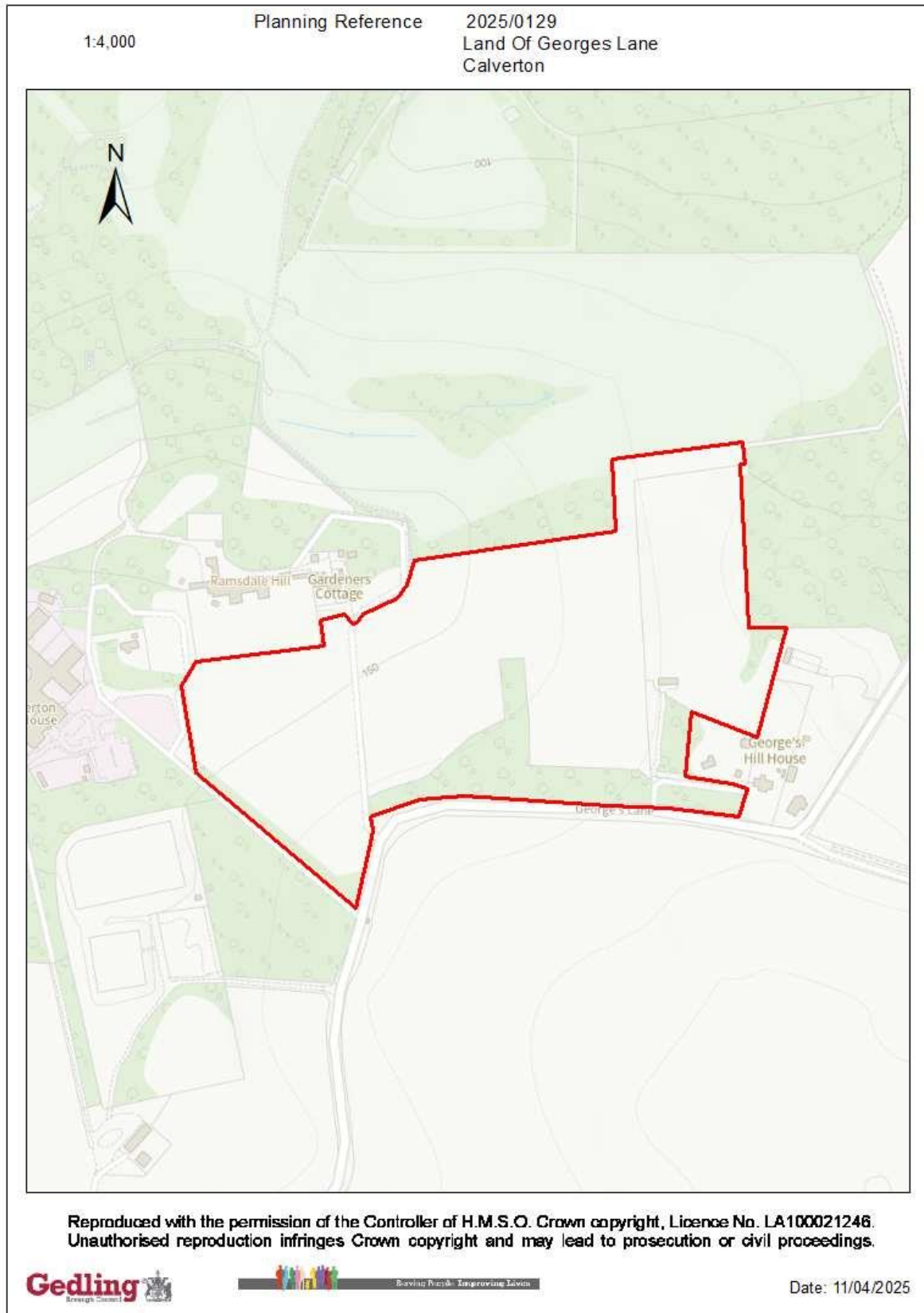
The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website.

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

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil



Planning Report for 2025/0129



Report to Planning Committee

Application Number: 2025/0129

Location: Calverton Footpath 22, Land off Georges Lane, Calverton

Proposal: Footpath Diversion Order - Calverton Footpath 22

Applicant: A Lymn Funeral Service

Agent: Marrons

Case Officer: Claire Turton

1.0 Purpose of report

- 1.1 The application is before Planning Committee to seek authorisation to make an order to divert Calverton Footpath No. 22, off George's Lane, Calverton, for a distance of approx. 200m. The application is made pursuant to Section 257(1A) of the Town and Country Planning Act 1990 (as amended), which allows for a footpath to be diverted provided it is necessary to enable development to be carried out in accordance with a valid planning permission.

2.0 Site description

- 2.1 The application site is an open agricultural field and the public right of way links George's Lane with land to the north.

3.0 Relevant planning history

- 3.1 2022/0006 Full planning permission was granted in August 2022 for "*Change of use of agricultural land to a mixed traditional, natural and woodland burial ground, erection of facilities building and associated car park, landscaping and new access arrangements onto Georges Lane.*"
- 3.2 2023/0913 Full planning permission was granted in April 2024 for "*Construction of two open round barrows and a grass covered barrow for the placement of cremation urns, access path and landscaping.*"

4.0 Proposed development

- 4.1 Calverton Footpath No. 22 crosses the development site subject to applications 2022/0006 and 2023/0913. As part of the proposed works related to the approved applications, the footpath route is to be diverted to follow the newly approved grass track within the cemetery before re-joining the original route prior to leaving the site.

- 4.2 Currently the footpath runs in a northern direction in a straight line along the hedgerow boundary of the field for approx. 180 metres. It then turns in a north-east direction to exit the field.
- 4.3 It is proposed that the footpath be diverted to follow the newly approved grass track within the cemetery which is between 13 and 43 metres to the east of the existing footpath before joining with the original footpath line to exit the field. The existing and proposed route is shown on drawing no. 2019-18-30B.

5.0 Consultations

- 5.1 **Calverton Parish Council**;- No response received
- 5.2 **Nottinghamshire County Council Rights of Way Officer**;- No objection
- 5.3 **Neighbours**;- A site notice has been displayed at both ends of the section of footpath that is to be diverted. No neighbour letters have been received.

6.0 Planning considerations

Legal Framework

- 6.1 Section 257(1) of the Town and Country Planning Act 1990 as amended states that a competent authority may by Order authorise the stopping up or diversion of any footpath if they are satisfied that it is necessary to do so in order to allow a development to be carried out in accordance with a planning permission and is not yet substantially complete, as is the case here.

Section 257 - Footpaths, bridleways and restricted byways affected by development: orders by other authorities

(1) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that it is necessary to do so in order to enable development to be carried out -

(a) in accordance with planning permission granted under Part III or section 293A, or

(b) by a government department

(1A) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that –

(a) an application for planning permission in respect of development has been made under Part 3, and

(b) if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out

(2) An order under this section may, if the competent authority are satisfied that it should do so, provide—

(a) for the creation of an alternative highway for use as a replacement for the one authorised by the order to be stopped up or diverted, or for the improvement of an existing highway for such use;

(b) for authorising or requiring works to be carried out in relation to any footpath, bridleway or restricted byway for whose stopping up or diversion, creation or improvement provision is made by the order;

(c) for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs which immediately before the date of the order is under, in, on, over, along or across any such footpath, bridleway or restricted byway ;

(d) for requiring any person named in the order to pay, or make contributions in respect of, the cost of carrying out any such works.

(3) An order may be made under this section authorising the stopping up or diversion of a footpath, bridleway or restricted byway which is temporarily stopped up or diverted under any other enactment.

(4) In this section “competent authority” means—

(a) in the case of development authorised by a planning permission, the local planning authority who granted the permission or, in the case of a permission granted by the Secretary of State [or by the Welsh Ministers]⁵ , who would have had power to grant it;

(b) in the case of development carried out by a government department, the local planning authority who would have had power to grant planning permission on an application in respect of the development in question if such an application had fallen to be made

(c) in the case of development in respect of which an application for planning permission has been made under Part 3, the local planning authority to whom the application has been made or, in the case of an application made to the Secretary of State under section 62A or to the Welsh Ministers under section 62D, 62F, 62M or 62O, the local planning authority to whom the application would otherwise have been made.

6.2 The procedure for making such an Order is set out in Schedule 14 of the Town and Country Planning Act 1990. This includes the process for giving notice, consultation and publication; and dealing with representations and objections . The footpath diversion will not be in effect until the Order is confirmed. Confirmation would be by the Council or, where there are unresolved objections, by the Secretary of State.

Policy Framework

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

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

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

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

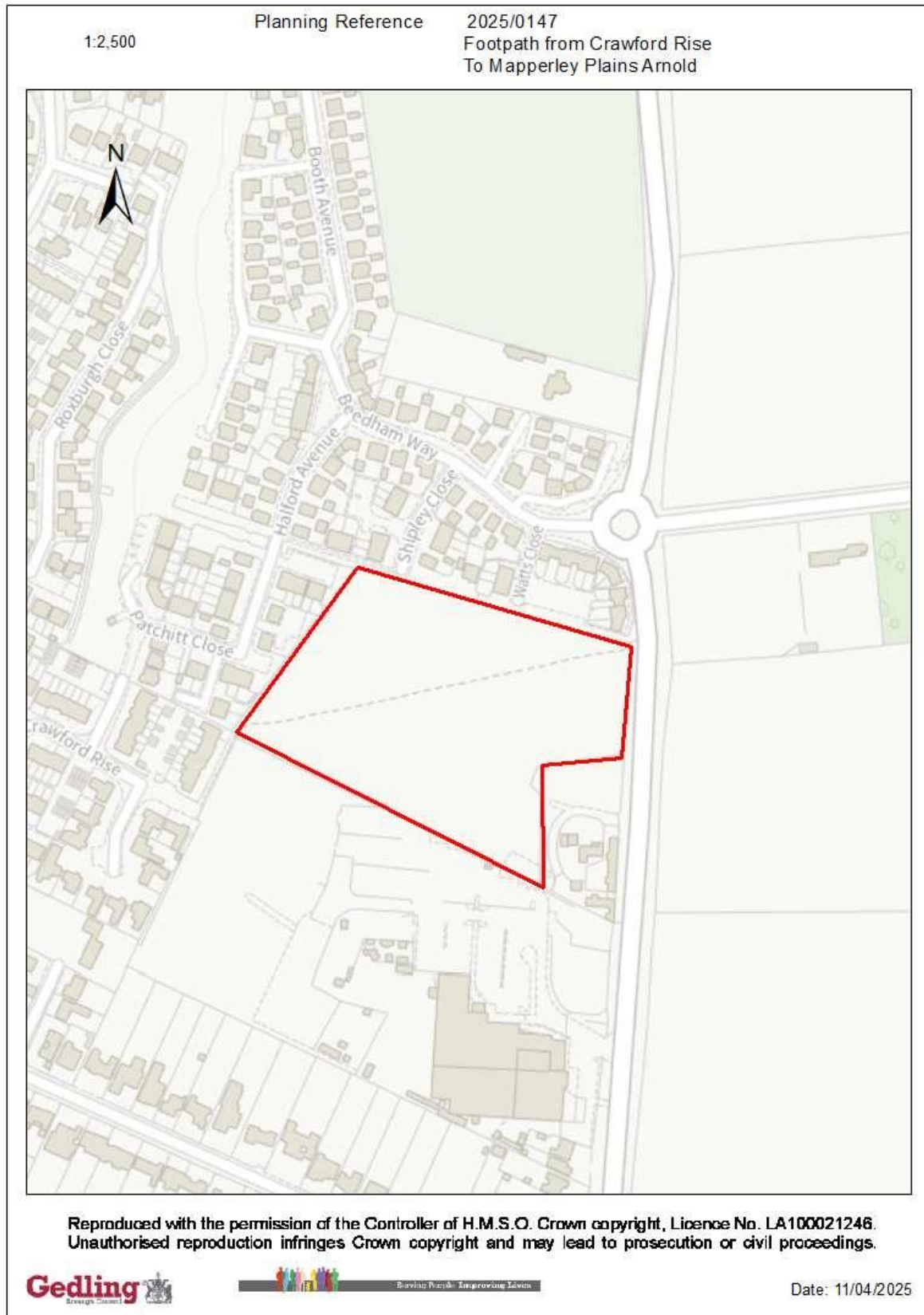
Assessment

- 6.5 The alteration to the path will have no discernible impact on the permeability of the site or footpath as a whole, which will have the same access points at George's Lane and land to the north of the field. The whole of the path will still run through the field and have a rural setting and it is not considered there would be a detrimental impact on the enjoyment of people using the path. Not re-routing the path would result in a path that is less visually pleasing route than what is proposed.
- 6.6 Taking into account the above it is recommended that the Director of Place is authorised to make the diversion order as it is necessary to enable development to be carried out in accordance with a planning permission and that it complies with relevant guidance within circular 01/09.
- 6.7 If Members are minded to approve the making of an order divert the footpath, the Council will be required to undertake further relevant consultation with statutory consultees and interested parties, erect a site notice at each end of the footpath and advertise the making of the order in a local newspaper, in accordance with Schedule 14 of the Town and Country Planning Act 1990. If after the statutory consultation period of 28 days has passed, and there are no outstanding objections to the making of the order, it is proposed that authority is given to the Director of Place, without additional reference back to the Planning Committee, to confirm the order. However, if any objections to the making of the order remain unresolved, the matter would then need to be referred to the Secretary of State for determination.

Recommendation: That Members: (i) authorise the Director of Place to make an order under s257(1A) of the Town and Country Planning Act 1990 (as amended) to divert Calverton Footpath No. 22 for a distance of approx. 200m as per drawing ref 2019-18-30B, to carry out the procedure under Schedule 14 of the Town and Country Planning Act 1990 for confirmation of the order and, (ii) following consultation and publication, to confirm the order if there are no outstanding objections to the order. However, if there are outstanding objections, the matter be referred to the Secretary of State for determination.



Planning Report for 2025/0147



Report to Planning Committee

Application Number: 2025/0147

Location: Arnold Footpath 3, Crawford Rise to Mapperley Plains
Arnold

Proposal: Footpath Diversion Order - Arnold Footpath 3

Applicant: Cameron Homes Ltd

Agent: Lily Eustace

Case Officer: Claire Turton

1.0 Purpose of report

- 1.1 The application is before Planning Committee to seek authorisation to make an order to divert Arnold Footpath No. 3, between Crawford Rise and Mapperley Plains, Arnold, for a distance of approx. 230m. The application is made pursuant to Section 257(1A) of the Town and Country Planning Act 1990 (as amended), which allows for a footpath to be diverted provided it is necessary to enable development to be carried out in accordance with a valid planning permission.

2.0 Site description

- 2.1 The application site currently a field and the public right of way links Mapperley Plains to the north-east of the field to Crawford Rise to the south-west of the site.

3.0 Relevant planning history

- 3.1 2023/0926 Full planning permission was granted in January 2025 for *“Erection of 54 dwellings (38 open market and 16 affordable dwellings), along with the provision of associated public open space and infrastructure.”*

4.0 Proposed development

- 4.1 Arnold Footpath No. 3 crosses the development site subject to planning permission 2023/0926. To facilitate the erection of a number of the approved dwellings, Arnold Footpath 3 would need to be diverted.
- 4.2 Currently the footpath runs in a straight line diagonally across the site from the north-east corner of the field to the south west corner of the field. The current footpath is approx. 230 metres in length.

- 4.3 The footpath's entrance and exit to and from the field is proposed to remain unaltered. However, it is proposed that from the entrance from Mapperely Plains, the footpath will run in a straight line along the northern boundary of the field before traversing south along Street 2 then west along Main Street and the larger public open space before turning south along the smaller area of public open space and then west onto Crawford Rise. The proposed route is shown on drawing no. 2326-03-01 Rev V.

5.0 Consultations

- 5.1 **Nottinghamshire County Council Rights of Way Officer**;- No objection
- 5.2 **Neighbours**;- A site notice has been displayed at both ends of the section of footpath that is to be diverted. No neighbour letters have been received.

6.0 Planning considerations

Legal framework

- 6.1 Section 257(1) of the Town and Country Planning Act 1990 as amended states that a competent authority may by Order authorise the stopping up or diversion of any footpath if they are satisfied that it is necessary to do so in order to allow a development to be carried out in accordance with a planning permission and is not yet substantially complete, as is the case here.

Section 257 - Footpaths, bridleways and restricted byways affected by development: orders by other authorities

(1) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that it is necessary to do so in order to enable development to be carried out -

(a) in accordance with planning permission granted under Part III or section 293A, or

(b) by a government department

(1A) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that –

(a) an application for planning permission in respect of development has been made under Part 3, and

(b) if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out

(2) An order under this section may, if the competent authority are satisfied that it should do so, provide—

(a) for the creation of an alternative highway for use as a replacement for the one authorised by the order to be stopped up or diverted, or for the improvement of an existing highway for such use;

(b) for authorising or requiring works to be carried out in relation to any footpath, bridleway or restricted byway for whose stopping up or diversion, creation or improvement provision is made by the order;

(c) for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs which immediately before the date of the order is under, in, on, over, along or across any such footpath, bridleway or restricted byway ;

(d) for requiring any person named in the order to pay, or make contributions in respect of, the cost of carrying out any such works.

(3) An order may be made under this section authorising the stopping up or diversion of a footpath, bridleway or restricted byway which is temporarily stopped up or diverted under any other enactment.

(4) In this section “competent authority” means—

(a) in the case of development authorised by a planning permission, the local planning authority who granted the permission or, in the case of a permission granted by the Secretary of State [or by the Welsh Ministers]5 , who would have had power to grant it;

(b) in the case of development carried out by a government department, the local planning authority who would have had power to grant planning permission on an application in respect of the development in question if such an application had fallen to be made

(c) in the case of development in respect of which an application for planning permission has been made under Part 3, the local planning authority to whom the application has been made or, in the case of an application made to the Secretary of State under section 62A or to the Welsh Ministers under section 62D, 62F, 62M or 62O, the local planning authority to whom the application would otherwise have been made.

6.2 The procedure for making such an Order is set out in Schedule 14 of the Town and Country Planning Act 1990. This includes the process for giving notice, consultation and publication; and dealing with representations and objections . The footpath diversion will not be in effect until the Order is confirmed. Confirmation would be by the Council or, where there are unresolved objections, by the Secretary of State.

Policy Framework

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

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

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

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

Assessment

- 6.5 The alteration to the path will have no discernible impact on the permeability of the site or footpath as a whole, which will have the same access points at Mapperley Plains and Crawford Rise. Parts of the path will now run along a section of highway but where possible the remainder of the path will pass through the public open space. It is not considered there would be a detrimental impact on the enjoyment of people using the path.
- 6.6 Furthermore, the highways along which the footpath would run are not main roads. Taking into account the above it is recommended that the Director of Place is authorised to make the diversion order as it is necessary to enable development to be carried out in accordance with a planning permission (ref: 2023/0926 and that it complies with relevant guidance within circular 01/09.
- 6.7 If Members are minded to approve the making of an order divert the footpath, the Council will be required to undertake further relevant consultation with statutory consultees and interested parties, erect a site notice at each end of the footpath and advertise the making of the order in a local newspaper, in accordance with Schedule 14 of the Town and Country Planning Act 1990. If after the statutory consultation period of 28 days has passed, and there are no outstanding objections to the making of the order, it is proposed that authority is given to the Director of Place, without additional reference back to the Planning Committee, to confirm the order. However, if any objections to the making of the order remain unresolved, the matter would then need to be referred to the Secretary of State for determination.

Recommendation: That Members (i) authorise the Director of Place to make an order under s257(1A) of the Town and Country Planning Act 1990 (as amended) to divert Arnold Footpath No. 3 for a distance of

approx. 230m as per drawing ref 2326-03-01 Rev V, to carry out the procedure under Schedule 14 of the Town and Country Planning Act 1990 for confirmation of the order and, (ii) following consultation and publication, to confirm the order if there are no outstanding objections to the order. However, if there are outstanding objections, the matter be referred to the Secretary of State for determination.

Report to Planning Committee

Application Number: 2024/0585

Appeal Ref: APP/N3020/D/25/3358915

Location: 19 Silverwood Avenue, Ravenshead, Nottinghamshire NG15 9BU

Proposal: Two storey front extension

Case Officer: Joe Baldwin

Planning permission was refused by the Borough Council on the 25th October 2024 on the following grounds:

- 1 The proposed extension by reason of its scale, form and design is deemed to be wholly out of character and appear as an incongruous addition to the property which would result in harm to the character and appearance of the existing dwelling and the wider street scene. The application is therefore contrary to the aims of Part 12 of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policy 43 of the Local Planning Document.

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

This appeal has been dismissed. The Inspector concluded that the elevated first floor extension would visually dominate the building and appear as a top heavy, overbearing structure which would be uncharacteristic in the streetscene and would cause “significant” harm to the character and appearance of the area.

It was therefore concluded that the development would be contrary to policy 10 if the Aligned Core Strategy 2014 and policy LPD43 of the Local planning Document 2018.

Recommendation: To note the information.

This page is intentionally left blank

Report to Planning Committee

Application Number: 2024/0303

Appeal Ref: APP/N3020/W/24/3350045

Location: 308, Carlton Hill, Carlton, Nottingham.

Proposal: Change of use of existing storage building to dwelling, plus external alterations and erection of boundary fence and wall.

Case Officer: Alison Jackson.

Planning permission was refused by the Borough Council on the 23rd July 2024 on the following grounds:

- 1 The change of use of the building from a subservient outbuilding connected to no.308 into an independent residential dwelling would result in a new dwelling that would appear cramped within its plot and out of keeping with neighbouring residential dwellings. Neighbouring residential dwellings are all fairly large uniform dwellings located within similar sized plots of land. This dwelling, by contrast, would result in a much smaller dwelling located in a much smaller plot of land and tight up to site boundaries. This represents a cramped form and an overdevelopment of the site. As such, the proposal is contrary to the NPPF (Part 12), ACS Policy 10 and LPD Policy 40 a) 1.
- 2 The proposed internal floor space of the dwelling which equates to approx. 36.7 square metres is significantly small and is not considered to offer a good standard of amenity to serve its future occupants. In addition, the small outdoor amenity space is not considered to offer a reasonable amount of amenity space to serve the dwelling. As such the proposal is contrary to policies LPD32 i. and LPD40 a) 3. and b) 2.

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

This appeal has been **dismissed**. The Inspector concluded that the change of the building to a residential use would draw greater attention to the building due to the altered exterior of the building and the creation of a side garden area, but also from the increased activity, comings and goings and nighttime illumination. As a result, the site would no longer contain an unassuming storage building but a conspicuous dwelling that would be wholly out of scale and form with its surroundings. It would occupy a severely constrained site, tight to the boundaries with 2, Second Avenue on one side and 310, Carlton Hill at the rear. The dwelling would appear squeezed

onto the site in a cramped manner and would fail to reflect the prevailing scale and pattern of development along the street resulting in a development which is out of character and appearance with the area.

In respect of amenity, the Inspector referenced National Space Standards (NDSS) and noted that, whilst the Council does not have their own standards 'the NDSS are still a material consideration in that they represent the latest national guidance on spaces standards and are a useful reference point in considering whether the proposed accommodation would be suitable in size'. In this case the Inspector considered that the dwelling would have a layout with little discernible separation between areas and limited room to comfortably move about the space and therefore it would result in cramped and oppressive living conditions for future occupants.

Recommendation: To note the information.

Report to Planning Committee

Application Number: 2023/0877

Appeal Ref: APP/N3020/W/24/3356092

Site Address: Land West of 175 Mansfield Road, NG15 8FL

Application description: The mixed use of the keeping of horses and the stationing of caravans for residential use

Case Officer: Joe Davies

The planning application was refused permission on the 24th May 2024 for the reason outlined below:

- 1) *The stationing of caravans for residential purposes is considered to be inappropriate development within the Green Belt, as well as detrimental to its openness. It has not been demonstrated that very special circumstances exist that would outweigh this harm. The proposal is contrary to the NPPF (Section 13), Policy paper - Planning policy for traveller sites (Policy E), LPD38 and ACS9. The Planning Inspectors view on the extension is reproduced below who agreed with the Council in respect of the detrimental impact the proposal would have, in particular on Blenheim Avenue.*

However, following publication of the updated NPPF in December 2024 there was a significant change in policy in respect of whether or not a gypsy site would be inappropriate or appropriate development within the Green Belt. Paragraph 155 of the updated NPPF made it clear that where a Council has a shortfall of available pitches – GBC require 1 pitch and have not identified one – then this could amount to the use not being inappropriate development within the Green Belt. There was also a need for the applicant to demonstrate that the site is in a sustainable location and given the location of the site and frequency of buses along Mansfield Road, this was, on balance, considered to be the case. As a result, the Council did not defend the appeal.

The Inspector agreed on both of these key points with regard to the lack of available gypsy pitches and the sustainability of the site.

As a result, the appeal has been allowed.

Recommendation: To note the information.

This page is intentionally left blank



Report to Planning Committee

Subject: Future Planning Applications

Date: 11/04/2025

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
2024/0095	Land East Of Westhouse Farm Moor Road Bestwood	Construction of 93 houses, associated infrastructure, and external works	TBC
2024/0823	Cemetery, Mansfield Lane, Calverton, Nottinghamshire	Change of use from morgue/chapel of rest to an undertakers office	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.

This page is intentionally left blank

ACTION SHEET PLANNING DELEGATION PANEL - 21st March 2025

2024/0200

50 Chesterfield Street, Carlton, Nottinghamshire

Erection of two storey, two bed flat, including three car parking spaces

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.

2024/0938

43 Broadway East, Carlton, Nottinghamshire

Extensions and cladding as per proposed plans submitted.

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.

2025/0063

20 Nether Pasture, Netherfield, Nottinghamshire

Variation of condition 4 of application ref code 2018/0871 to allow for an amended car parking layout

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.

2025/0068

139 Worrall Avenue, Arnold, Nottinghamshire

Proposed canopy to side of host property (retrospective)

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.

2025/0098

27 Marshall Road, Mapperley, Nottinghamshire

Upward extension over existing bungalow

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 prior approval.

21st March 2025

Cllr Roy Allan

Cllr David Ellis

Cllr Lynda Pearson

Cllr Ruth Strong

John Krawczyk – Assistant Director

Nigel Bryan – Development Manager

Claire Turton – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL - 28th March 2025

2024/0465

172 Shelford Road, Gedling, Nottinghamshire

Erection of dwelling (outline application with access, layout and scale)

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.

2024/0785

17 Coronation Road, Mapperley, Nottinghamshire

Erection of a new dwelling including associated landscaping

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 March 2025

Cllr Roy Allan
Cllr David Ellis
Cllr Ruth Strong

Nigel Bryan – Development Manager
Claire Turton – Principal Planning Officer

This page is intentionally left blank

ACTION SHEET PLANNING DELEGATION PANEL 4th April 2025

2024/0631

Newstead Abbey Park, Woodnook Nottingham Road Ravenshead

Re-build annexe building, extend existing dwelling, erect perimeter 6ft high chain link fencing with double electric gates on entrance driveway.

The proposed development constitutes inappropriate development within the Green belt and results in substantial harm to the openness of the green Belt. No Very Special Circumstances have been demonstrated to outweigh harm to the Green Belt. Insufficient information has been received to demonstrate that the proposal will not have a detrimental impact on the character of the area or on ecology in the area.

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

Decision refuse planning permission

2024/0807

Woodvale Bank Hill Woodborough

Extension and remodelling to existing ancillary outbuilding

The proposed development would lead to a disproportionate extension to the host building. No Very Special Circumstances have been demonstrated to allow what is considered to be inappropriate development within the Green Belt.

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

Decision refuse planning permission

2025/0086

Stockhill Farm, The Stables Bridle Road Burton Joyce

CONVERSION OF SPACE ABOVE EXISTING GARAGES TO SINGLE HOLIDAY LET (RETROSPECTIVE APPLICATION)

The proposed development would not impact on the openness of the Green Belt, character of the area, the amenity of neighbouring occupiers or the safety of highway users.

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

Decision to grant planning permission

2025/0141

24 Bourne Street Netherfield Nottinghamshire

single storey flat roof extension to rear elevation projecting 6m to the rear, 3m in width

The proposed development would not have an unacceptable impact on the amenity of neighbouring occupiers.

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

Decision Prior Approval not required.

4th April 2025

Cllr Roy Allan

Cllr David Ellis

Cllr Ruth Strong

Nigel Bryan – Development Manager

Claire Turton – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL - 11th April 2025

2024/0920

The Baptist Church, The Nook, Calverton

Change of Use of existing Church Hall into single Dwelling House.

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 planning permission.

2025/0166

12A Broadway East, Carlton, Nottinghamshire

Conversion of 2 bedroom bungalow in to 1 bed apartment and bedsit apartment

The proposed development would, through its cramped form, result in a proposal out of character with the area. Furthermore, the amenity of the occupiers would not be acceptable given the small units and limited and shared amenity space associated with them.

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

Decision: to refuse permission.

11th April 2025

Video Conference Call Meeting

Cllr Roy Allan

Cllr David Ellis

Cllr Lynda Pearson

Cllr Ruth Strong

Lewis Widdowson – Community Infrastructure Levy Officer/Principal Planning Officer

This page is intentionally left blank