

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 7 August 2013**

Councillor John Truscott (Chair)

Present:                   Councillor Barbara Miller                   Councillor Sarah Hewson  
                          Councillor Peter Barnes                   Councillor Jenny Hollingsworth  
                          Councillor Denis Beeston MBE           Councillor Mike Hope  
                          Councillor Alan Bexon                    Councillor Meredith Lawrence  
                          Councillor John Boot                    Councillor Marje Paling  
                          Councillor Bob Collis                    Councillor Colin Powell  
                          Councillor Andrew Ellwood            Councillor Suzanne Prew-Smith  
                          Councillor Cheryl Hewlett            Councillor Gordon Tunnicliffe

Absent:                    Councillor Pauline Allan, Councillor Roy Allan and  
                                  Councillor Chris Barnfather

Officers in Attendance:    J Cole, N Morley, L Parnell and F Whyley

**29            APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Pauline Allan, Roy Allan and Chris Barnfather.

**30            TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 17 JULY 2013.**

**RESOLVED:**

That the minutes of the above meeting, having been circulated, be approved as a correct record, subject to the following amendments:

- i.   That Councillor Lawrence be recorded as present.
- ii.  That the word "retrospective" be removed from minute number 20, so that it reads:

"RESOLVED to GRANT PLANNING PERMISSON subject to the following conditions"

- iii. That the following be added to minute number 16:

"At the request of Members, the Chair agreed to meet with the Service Manager, Planning and Economic Development to agree a procedure for reporting the outcome of decisions delegated by the committee to the Committee.

**31            DECLARATION OF INTERESTS**

All Councillors declared a non-pecuniary interest in Application 2013/0560 as Members of Gedling Borough Council.

**32            APPLICATION NO. 2010/0936 - 2 & 2A SANDFORD ROAD, MAPPERLEY, NOTTINGHAMSHIRE.**

To GRANT PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the County Council for a contribution towards Education and subject to the following conditions:

**Conditions**

1.        The development must be begun not later than three years beginning with the date of this permission.
2.        The development hereby approved, other than the means of enclosure of the site and the details of new tree planting adjacent to the boundary with Porchester Road shown on the submitted plans, shall be built in accordance with drawing nos.0001 Rev A, 0011 Rev A and 0006 Rev A received on 15th April 2013, drawing nos.0100 Rev A, 2000 Rev A, 0004 Rev C, 0005 Rev B, 0008 Rev B, 0009 Rev C received on 11th June 2013, drawing no. 0010 Rev C received on 20th June 2013 and drawing no.0003 Rev D received on 18th July 2013.
3.        Before development is commenced a sample of the materials to be used in the external elevations of the building, including to the exterior wall of the proposed vehicular access ramp, shall be submitted to and approved in writing by the Borough Council.
4.        Before development is commenced precise details of the materials to be used in surfacing of external areas outside of the building including anti-skid surfacing to the proposed ramp shall be submitted to and approved in writing by the Borough Council.
5.        The development shall be completed in the external elevation materials and the surfacing materials approved under Conditions 3 and 4 of this consent.
6.        The development hereby permitted shall not commence until drainage plans for the disposal of surface water (including to the proposed car park and vehicular access ramp) and the disposal of foul sewage from the site and buildings/structures have been submitted to and approved by the Borough Council.
7.        The development shall be completed in accordance with the drainage plans approved under condition 6 of this consent.

8. Before development commences a method statement setting out measures to ensure the safe removal of the trees to the boundary with Porchester Road shall be submitted to and approved in writing by the Borough Council.
9. The trees to the boundary with Porchester Road shall be removed in accordance with the method statement approved under condition 8 of this consent.
10. Before development is commenced, notwithstanding the details of enclosure shown on the approved plans, there shall be submitted to and approved by the Borough Council precise details of the means of enclosure to the site including any works to the hedge to the boundary with no.7 Hilton Road.
11. The means of enclosure shall be erected in accordance with the details approved under condition 10 of this consent and retained at all times unless alternative means of enclosure are agreed in writing with the Borough Council.
12. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing precise details of retaining structures adjacent to neighbouring boundaries, the position, type and planting size of all trees and shrubs proposed to be planted including where appropriate details of existing trees to be felled and retained, and details of how any invasive plants (e.g. Japanese Knotweed) shall be removed from the site.
13. Before development commences precise details of internal and external lighting to the proposed car park and access ramp shall be submitted to and approved in writing by the Borough Council.
14. Any internal or external lighting serving the car park and vehicular access ramp shall be retained and maintained in accordance with the details approved under Condition 13 of this consent.
15. Before development is commenced, details of an access ramp with balustrade to facilitate pedestrian access onto Porchester Road shall be submitted to and approved in writing by the Borough Council.
16. The pedestrian access ramp onto Porchester Road shall be provided in accordance with the details approved under Condition 15 of this consent prior to the occupation of any of the approved dwellings.
17. Before development is commenced precise details of the proposed access gates, which shall be electronic and shall open

into the site, together with details of CCTV to monitor access and egress shall be submitted to and approved in writing by the Borough Council.

18. The details of the vehicular access gates and CCTV system approved under condition 17 of this consent shall be installed prior to the occupation of the first dwelling and shall be operational and maintained in accordance with the approved details thereafter.
19. Before development is commenced a schedule indicating how the proposed soft landscaping is to be maintained shall be submitted to and approved in writing by the Borough Council. The schedule should cover a minimum period of five years. Any planting material that becomes diseased, dies or is damaged shall be replaced with a suitable plant of similar size and species within the next available planting season.
20. The works to trees on the site shall take place outside the bat activity and bird nesting season (March to October inclusive) unless an ecologist has surveyed the trees prior to any such works commencing and details of the ecologists recommendations have been submitted to and approved in writing by the Borough Council.
21. Before development is commenced precise details of bird boxes to be installed as part of the development, as recommended at Paragraph 6.1.3 of the Protected Species Survey (January 2011) submitted as part of this application, shall be submitted to and approved in writing by the Borough Council.
22. The bird boxes approved under condition 21 of this consent shall be installed prior to the occupation of the first dwelling and shall be retained in accordance with the approved details at all times.
23. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.
24. No part of the development hereby permitted shall be brought into use until the existing dropped kerb access on Sandford Road that has been made redundant as a consequence of this consent has been reinstated with full height kerbs constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.
25. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4 x 43m in both directions as shown on drawing no: (0004 Rev C) are provided.

26. No part of the development hereby permitted shall be brought into use until the access to the car parking areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
27. No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and never exceeding 1:12 thereafter, as shown on plan ref: 0004 Rev C.
28. No part of the development hereby permitted shall be brought into use until the motorcycle and cycle parking facilities as indicated on drawing no 0003 Date rev D have been provided. The motorcycle and cycle parking facilities shall not thereafter be used for any purpose other than the parking of motorcycles and cycles.
29. The development shall not be occupied until the car parking area has been surfaced and drained and the individual parking spaces clearly marked out as per drawing no.0003 Rev D. The spaces shall be kept available for unallocated parking in association with the development thereafter.
30. Any planting along the frontage of the site shall not be planted as to cause visibility concerns for cars exiting the access to the parking area.
31. Before development commences precise details of salt and grit boxes to be provided as part of the development and the proposed location of these features shall be submitted to and approved in writing by the Borough Council. The salt and grit boxes shall be provided in accordance with the approved details prior to the first occupation of the development hereby approved and shall be retained thereafter in accordance with the approved details for the life time of the development.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In order to ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

4. In order to ensure that the site and in particular the ramp (which should have a rough surface) are surfaced in appropriate materials so that the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
5. In order to ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and to reduce the risk of flooding.
6. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
7. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
8. In the interests of public safety and to ensure the structural stability of the adjoining highway is retained.
9. In the interests of public safety and to ensure the structural stability of the adjoining highway is retained.
10. In order to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
11. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
12. In order to ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
13. In order to protect neighbouring amenity and ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
14. In order to protect neighbouring amenity and ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

15. In order to ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
16. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
17. In the interests of crime prevention in order to ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
18. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
19. In order to ensure the details of the development are satisfactory in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
20. In order to ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
21. In order to compensate for the loss of bird nesting provided by trees and shrubs to be removed as part of the development in accordance with the guidance set out at Paragraph 118 of the National Planning Policy Framework (2012).
22. In order to ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
23. In the interests of Highway safety.
24. In the interests of pedestrian and highway safety.
25. In the interests of pedestrian and highway safety.
26. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
27. In the interests of pedestrian and highway safety.
28. To promote a sustainable development.
29. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

30. In the interests of Highway safety.

31. In the interests of highway safety.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development makes effective and efficient use of the application site whilst having an acceptable relationship with the character of the area, the amenity of neighbouring residents and the adjoining highway. The development of the site for housing would increase the supply of homes in Gedling Borough and reduce the potential for crime on a site which has experienced problems of anti-social behaviour outweighing the amenity value of the protected trees which need to be removed to facilitate development. The proposal therefore complies with the National Planning Policy Framework (2012) the emerging Aligned Core Strategy and Policies ENV1, ENV2, ENV47, H7, H16 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

### **Notes to Applicant**

Your attention is drawn to the attached comments of the Police Architectural Liaison Officer which includes information relating to the access gates to be considered under condition 17 of this consent as well as the recommendation that all ground floor doors and windows are to Secure by Design standards and fitted with laminated glazing.

Your attention is drawn to the attached comments of the Nottinghamshire Wildlife Trust and in particular the reference to the advice as set out in Paragraphs 6.1.1, 6.1.2 and appendix 1 relating to working procedures to protect badgers and bats.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

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



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

This decision is subject to a Section 106 Agreement.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

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

The new tree planting to the front of the building shown on drawing no.0004 Rev C does not form part of this approval and details of this tree planting are not required as part of Condition 12 of this consent.

**33 APPLICATION NO. 2012/1335 - FORMER GEDLING COLLIERY, ARNOLD LANE, NOTTINGHAMSHIRE.**

That the Borough Council supports the GRANT OF PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council for a financial contribution towards off-site biodiversity mitigation and compensation works and subject to the following amended conditions:

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed in accordance with the following approved plans and documents: Juwi Rack (4020 1069-69.2), Technical Details 2 (4020 1069-69.2), Technical Details - Substation 2 (4020 1069-69.2), Technical Details 4 - Station (4020 1069-69.2) and Technical Details - Substation (4020 1069-69.2), deposited on 21st November 2012; Site Location Plan (RG-M-02 Rev E), Overall Module Layout (4020 1069-10.00) and Spring Lane Proposed Junction Layout (0435-GA-01D Rev D), received on 7th June 2013; Technical Details 1 (4020 1069-69.2), received on 23rd July 2013; and the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01, received on 28th June 2013.

3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council detailed construction and engineering drawings showing any proposed changes to existing levels and contours across the site in excess of 1 metre. The development shall be constructed in accordance with the approved drawings and the finished levels and contours shall be retained without further alteration for the lifetime of the development.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the materials to be used in the construction of the proposed temporary construction access and HGV turning area. The temporary construction access and HGV turning area shall be provided in accordance with the approved details prior to work commencing on the installation of the solar arrays, sub-stations, cable trenches or fencing and shall be retained until the development hereby approved is first brought into use.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council. The scheme to be submitted shall demonstrate the utilisation of holding sustainable drainage techniques; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and responsibility for the future maintenance of drainage features.
6. Unless otherwise agreed by the Borough Council, development must not commence until the following has been complied with:  
(a) Site Characterisation- An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. If the site characterisation assessment indicates that contamination is likely to be present a Remediation Scheme shall be submitted to and approved in writing by the Borough Council.

(b) Submission of Remediation Scheme - Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Borough Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

7. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works under condition 6 above. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Borough Council.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of the number and location of the proposed CCTV cameras. The CCTV cameras shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
9. No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist, and any refugia which could be used by amphibians have been subject to hand searches. If any amphibians are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council. The mitigation measures shall be implemented in accordance with the approved details before development commences.
10. No vegetation clearance or ground works shall be undertaken on site during the bird nesting season (which runs from 1st March to 31st August inclusive in any given year), unless otherwise approved following a pre-commencement survey of the site by an appropriately qualified ecologist and the submission of any proposed mitigation measures, as per the third paragraph of section 5.2.2 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01. The outcome of the survey and details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences.

11. No part of the development hereby permitted shall take place until the access arrangement, as shown for indicative purposes only on drawing no: 0435-GA-01D Revision D, has been constructed in accordance with construction details to be first submitted to and approved in writing by the Borough Council.
12. No part of the development hereby permitted, with the exception of the access road and Heavy Goods Vehicle's turning facility, as shown for indicative purposes only on drawing no. 0435-GA-01D Revision D, shall take place until the access road and Heavy Goods Vehicle's turning facility have been surfaced in a hard bound material (not loose gravel) in accordance with details to be first submitted to and approved in writing by the Borough Council. The access road and turning facility shall be retained in accordance with the approved details for the construction phase of the development hereby permitted, unless otherwise prior agreed in writing by the Borough Council.
13. No part of the development hereby permitted shall take place until such time as a lorry routing agreement is in place, as shown for indicative purposes only on WSP consultant's Delivery Routing Plan (Figure 7) and in accordance with an associated signage scheme to be first submitted and approved in writing by the Borough Council. The lorry routing agreement and associated signage scheme shall be operated and retained in accordance with the approved details for the construction phase of the development hereby permitted, unless otherwise prior agreed in writing by the Borough Council.
14. Before the development hereby permitted is first brought into use, three nest boxes (2 for barn owl, 1 for kestrel) shall be erected as per the first paragraph of section 5.2.2 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01.
15. Before the development hereby permitted is first brought into use, three reptile hibernaculae/basking mounds shall be created, as per section 5.2.3 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01.
16. The boundary fence, as shown on Technical Details 2 drawing, shall be constructed so as to leave a small gap at the base of the fence to allow access for mammals, as per section 5.2.5 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01.
17. The existing trees to be retained shall be protected in accordance with the details specified within Chapter 5 and Appendix B of the fpcr Arboricultural Assessment, October 2012, which shall be

implemented prior to the commencement of development and shall remain in situ until the development has been completed.

18. Before the development hereby approved is first brought into use, visibility splays shall be provided at the site entrance in accordance with the details shown on drawing no: 47064093/VSR01 Rev A. The area within the visibility splays shall thereafter be kept free of all obstructions, structures or erections exceeding 0.90 metres in height.
19. Before the development hereby permitted is first brought into use, the proposed sub-station adjacent to the western boundary shall have a rendered finish applied to all elevations and shall be painted dark green. The render and painted finish shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
20. Within three months of the development hereby permitted first being brought into use, there shall be submitted to and approved in writing by the Borough Council a Habitat Management Plan, detailing works to enhance the retained grassland beneath the solar arrays, including a sensitive mowing regime, the re-seeding of disturbed areas, and the over-seeding of the whole compound site with a wildflower seed mix to raise its botanical diversity (further details of which, including species mixes, should be submitted within the Habitat Management Plan). The Habitat Management Plan shall be complied with and implemented as approved and shall thereafter be maintained or retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
21. Within 6 months of the development hereby permitted being first brought into use, the temporary construction access and HGV turning area shall be removed and this part of the site restored in accordance with details which shall be submitted to and approved in writing by the Borough Council prior to the development hereby approved being first brought into use.
22. Post-construction monitoring of birds shall be undertaken, as per the final paragraph of section 5.2.2 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01. The annual reports shall be submitted to the Borough Council, the Nottinghamshire County Council, the Nottinghamshire Wildlife Trust and the Gedling Conservation Trust.
23. The proposed Solar Farm and associated works hereby permitted shall be dismantled and removed from the site within 6 months at the end of 25 years from it first being brought into use or in the event of it becoming non-operational, whichever is the sooner,

and the site re-instated and returned to its original condition, unless otherwise prior approved in writing by the Borough Council.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
4. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
5. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with the National Planning Policy Framework, Policies ENV1 and ENV40 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 1 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
6. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
7. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
9. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
10. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.

11. In the interests of highway safety.
12. In the interests of highway safety.
13. In the interests of highway safety.
14. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
15. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
16. In the interests of biodiversity, in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
17. To ensure that the trees to be retained as part of the development are protected during the construction of the development.
18. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
19. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
20. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
21. In the interests of visual amenity in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
22. In the interests of biodiversity, in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
23. In the interests of visual amenity in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

### **Reasons for Decision**

The proposed development of this site for the generation of renewable energy is acceptable and whilst it would have a detrimental impact on ecology, appropriate mitigation and compensation works are proposed.

The proposed development would not give rise to any undue impacts on the local landscape, the proposed Gedling Country Park, trees, residential amenity or highway safety. The proposed development would comply with Policies ENV1, ENV5, ENV44, R1 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and, apart from those relating to landscape and tree planting, which are outweighed by other material considerations, accords with the aims of Sections 7, 10 and 11 of the National Planning Policy Framework and emerging Policies 1, 10 and 16 of the Gedling Borough Aligned Core Strategy Submission Documents.

### **Notes to Applicant**

Your attention is drawn to the attached comments from the Borough Councils Public Protection Section, the Nottinghamshire Wildlife Trust, the Environment Agency and Nottinghamshire County Council with regard to Highways and Ecology.

The Borough Council's Parks and Street Care Section advise that access rights will need to be determined before the proposed development commences.

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

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

**34**

### **APPLICATION NO. 2013/0560 - SITE OF THE DRUID'S TAVERN, HIGH STREET, ARNOLD.**

To GRANT PLANNING PERMISSION subject to the following conditions:

#### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the approved plans (drg. nos.G11/CP1/HSA03A and G13/CP1/HSA06A) deposited on the 23rd May 2013, revised



plans (drg nos. G13/CP1/HSA09A, G13/CP1/HSA11A) and landscaping plans in relation to planting areas 1, 2,3 and 4 deposited on the 25th June 2013.

3. The proposed lighting and CCTV hereby approved shall be implemented and maintained in accordance with the details indicated on drg. nos. G13/CP1/HSA03A and G13/CP1/HSA06A and specifications deposited on the 23rd May 2013 unless otherwise agreed in writing by the Borough Council.
4. The landscaping scheme hereby approved shall be carried out in accordance with the details of planting areas 1-4 and drg. no. G13/CP1/HSA11A deposited on the 25th June 2013 in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.
5. No part of the development hereby permitted shall be brought into use until the boundary wall hereby approved is erected in accordance with details indicated on the revised plan drg. no. G11/CP1/HSA03A deposited on the 23rd May 2013, thereafter the boundary wall shall be retained in accordance with the approved details for the lifetime of the development.
6. No development shall commence on any part of the application site until such time details of construction and surfacing materials to be used has been submitted to and approved in writing by the Borough Council. Works shall be completed in accordance with the approved details.
7. No part of the development hereby permitted shall be brought into use until access/exit arrangements including modification to the existing one (as shown on plan reference G11/CP1/HSA03A deposited on the 27th November 2012) are available for use and constructed in accordance with the Highway Authority specifications to the satisfaction of the Borough Council. The access/exit arrangements shall be maintained as such for the lifetime of the development.
8. No part of the development hereby permitted shall be brought into use until the access ways within the car parking layout, parking and turning areas as shown on the approved plans are surfaced in a hard bound material (not loose gravel). The access ways, parking and turning areas shall then be maintained in such hard bound material for the life of the development.
9. Prior to the development hereby approved first being brought into use, individual parking spaces shall be clearly marked out on site

in accordance with the approved revised plan reference G11/CP1/HSA03A deposited on the 23rd May 2013. The parking spaces shall be kept available for parking in association with the development thereafter.

10. No development shall commence on any part of the application site until a pedestrian refuge in the close proximity of the site together with associated road markings and length of Grey anti-skid surfacing from the access point back to the Cross Street 'slip road' on High Street have been provided in accordance with details first submitted to and approved in writing by the Borough Council.
11. Pedestrian visibility splays of 2.0 metres x 2.0 metres shall be provided on each side of the vehicle access and exit points. These measurements are taken from edge of and along the highway boundary. The areas of land forward of these splays shall be maintained free of all obstructions at all times.
12. No part of the development hereby approved shall be brought into use until pedestrian footways have been provided within the hatched area adjacent to the entrance and exit points of the car park in accordance with details to be submitted to and approved in writing by the Borough Council. The pedestrian footways shall thereafter be retained for the lifetime of the development in accordance with the approved details.
13. No part of the development hereby permitted shall be brought into use until the access ways, parking and turning areas are constructed with provision to prevent the unregulated discharge of surface water from the access way, parking and turning areas to the public highway in accordance with details first submitted to and approved in writing by the Borough Council. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. For the avoidance of doubt.
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

5. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
6. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. In the interests of highway safety.
11. In the interests of highway safety.
12. In the interests of pedestrian safety.
13. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

### **Reasons for Decision**

In the opinion of the Borough Council, the proposed development is appropriate in this location and would have no undue impacts on neighbouring amenity or the street scene. There are no Highway safety implications. The proposal therefore complies with the National Planning Policy Framework (2012) and Policies ENV1, S4, S6 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

### **Notes to Applicant**

Please note that although the Plan reference G11/CP1/HSA03A indicates that access arrangements are indicative only, The Borough Council in determining this application have taken this to be the proposed access arrangements.

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

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

You must ensure that during the construction period there will be no mud or debris transported onto the adjacent roads. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

In order to carry out alterations to the existing vehicular access and to construct a new access at a different location on High Street the applicant will be undertaking work in the public highway, on land over which you have no control. In order to undertake the works the applicant will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council (Paul Ghattaora on telephone number 0115 9772117) at an early stage. You should also contact Paul Ghattaora at an early stage to discuss the appropriate process with regards to any other works within the public highway such as provision of new pedestrian crossing (pedestrian refuge) on High Street together with associated road markings, implementation of anti-skid surface which is normally carried out by our specialised team.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

**35 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**36 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

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

The Chair informed Members that two Judicial Review applications have been made in respect of recent Crematoria applications. Gedling Borough Council's will defend the decision made by the Committee and Members will be updated in due course.

Signed by Chair:  
Date: