

MANSFIELD ROAD, DAYBROOK, NOTTINGHAMSHIRE

Change of use of the premises from Discount Tile Warehouse to Class A1 Retail unit with associated external alteration and new car park layout.

The Service Manager, Planning and Economic Development, informed Members that the applicant was Majestic Wines.

RESOLVED to GRANT PLANNING PERMISSION 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 approved shall be carried out in accordance with the approved plan (drawing no 102.).
3. This permission relates to the planning statements deposited on the 17th July and 21st August 2013 and correspondence in relation to trees within the site deposited on the 2nd August and 23rd September 2013.
4. The use hereby permitted shall only operate between the hours of 09.00 hours to 21.00 hours Monday to Saturday and 10.00 hours to 18.00 hours Sundays and Bank Holidays.
5. No machinery shall be operated, processes carried out and no deliveries taken to or despatched from the site outside of the following times 09.00 hours to 21.00 hours Monday to Saturday and 10.00 hours to 18.00 hours Sundays or Bank Holidays.
6. No diesel forklift truck shall be used outside of the building and no audible reversing alarms shall be used by any electric forklift truck operating outside of the building at any time.
7. Before development is commenced the existing trees on the site shall be protected in accordance with BS5837 (Trees in Relation to Construction). The means of protection shall be retained until the layout of the car park and landscaping as shown on the drg. 102 is completed.
8. There shall be no storage of materials, vehicles, fuel, plant, soil or other ancillary items beneath the canopies of the protected trees on the site.

9. The use hereby approved shall not be commenced until the parking bays have been clearly delineated in accordance with drg. no. 102.
10. The parking, turning and servicing areas shall be retained for the life of the development and shall not be used for any other purpose other than parking, turning and loading and unloading of vehicles.
11. This permission relates to use of the premises by Majestic Wine Warehouse for the purposes specified in this application. Should Majestic Wine cease be operation, the use of the building shall revert back to a B8 (Storage and Distribution) Use Class and for no other purpose under the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in equivalent provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
12. Should Majestic Wine Warehouse cease operation the acoustic fence to the Byron Street boundary which was approved in February 2009 (application ref. 2008/1066) and which is confirmed to be removed in an email dated 10th October 2013 shall be reinstated as existing prior to the building reverting back to B8 (Storage Warehouse) Use . The reinstated acoustic fence shall then be retained as such at all times.

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.
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7. To safeguard protected trees on the site.
8. To safeguard protected trees within the site.

9. 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.
10. 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.
11. For the avoidance of doubt.
12. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Reasons for Decision

In the opinion of the Borough Council there are material economic considerations which outweigh the criteria under Policy E3 b.(i) of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008. The proposed use will result in no undue impact on the vitality and viability of Arnold Town Centre or on the amenities of neighbouring properties, the character or appearance of the area or highway safety. The proposal therefore accords with the National Planning Policy Framework (2012) and policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

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.

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

60 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

61 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

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ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.15 pm

Signed by Chair:

Date: