

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 30 October 2013**

Councillor John Truscott (Chair)

Present:           Councillor Barbara Miller           Councillor Andrew Ellwood  
                  Councillor Pauline Allan        Councillor Cheryl Hewlett  
                  Councillor Roy Allan            Councillor Jenny Hollingsworth  
                  Councillor Peter Barnes        Councillor Mike Hope  
                  Councillor Chris Barnfather    Councillor Meredith Lawrence  
                  Councillor Denis Beeston MBE   Councillor Marje Paling  
                  Councillor Alan Bexon         Councillor Colin Powell  
                  Councillor John Boot           Councillor Suzanne Prew-Smith  
                  Councillor Bob Collis

Absent:                           Councillor Sarah Hewson and Councillor Gordon  
                                          Tunncliffe

Officers in Attendance:        P Baguley, L Parnell, L Sugden and N Morley

**63           APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillor Hewson.

**64           TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE  
MEETING HELD ON 9 OCTOBER 2013**

**RESOLVED:**

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

**65           DECLARATION OF INTERESTS**

None.

**66           APPLICATION NO. 2013/0500- LAND SOUTH OF COLWICK LOOP  
ROAD, COLWICK, NOTTINGHAMSHIRE**

Construction of A4 public house with restaurant facilities & associated managerial residential accommodation at first floor (full application) & A3 restaurant or A5 hot food takeaway (outline application).

The Service Manager, Planning and Economic Development, presented the report, which has been circulated prior to the meeting, and made

Members aware of a letter of objection received by the department following publication of the report.

The Service Manager, Planning and Economic Development, also informed Members of a number of amendments to conditions for the consideration of the Committee.

**RESOLVED to GRANT PLANNING PERMISSISON subject to the applicant entering into a Section 106 Agreement for the provision of contributions towards air quality monitoring with Gedling Borough Council and towards travel plan monitoring with the County Council as Highway Authority and subject to the following conditions:**

### **Conditions**

- 1 Application for approval of reserved matters relating to the employment element (namely layout, appearance, scale and landscaping) shall be made not later than three years beginning with the date of this permission and the development shall be begun not later than two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.
- 2 The development hereby approved for full planning permission relating to the construction of the retail element, an A1 retail unit with ancillary restaurant and concession units, service yard, car parking, landscaping and highway works must be begun not later than three years beginning with the date of this permission.
- 3 This development hereby granted full planning permission shall be completed in accordance with drawing nos.A-PL-01 Rev B, A-PL-03 Rev A, A-PL-11 Rev D, A-PL-12 Rev A, A-PL-13 Rev A, A-PL-14 Rev A, A-PL-15 Rev A, A-PL-16 Rev A, A-PL-17 Rev A, A-PL-20 Rev A, A-PL-21 Rev A, and the landscaping details and notes detailed on drawing nos.GC.81800.001 Rev A, GC.81800.301 Rev A, GC.81800.302 Rev A, except where further details are required for approval by other conditions of this planning permission.
- 4 Prior to the commencement of development of the retail elements(excluding any site clearance and remediation works as required by condition 8) a sample panel of materials to be used in the external elevations of the food store building, kiosk and carwash, shall be submitted to and approved in writing by the Borough Council. Once approved the development shall be completed in accordance with the approved materials.

- 5 The retail and employment elements shall be carried out in accordance with the measures set out under the Air Quality Mitigation Strategy dated 22nd July 2013. A verification report to demonstrate compliance with the Air Quality Mitigation Strategy shall be submitted to and approved in writing by the Borough Council before the respective elements are first brought into use.
- 6 The development hereby granted full planning permission shall be completed in accordance with the tree constraints and protection plans and notes drawing nos.GC.81800.201 and GC.81800.202.
- 7 There shall be no vegetation clearance and demolition works during the main bird nesting period (March - August), unless otherwise prior agreed in writing with the Local Planning Authority.
- 8 Prior to the commencement of development of the retail or employment element (excluding site clearance), an investigation and contamination risk assessment report relating to the respective element detailing those areas and / or contaminants not covered within the Ground Conditions Chapter of the submitted Environmental Statement shall be provided to the Local Planning Authority. If the information submitted with the application or within this additional report indicates that remediation is necessary, details of a remediation scheme for the respective element shall be submitted to and approved in writing by the local planning authority. The remediation scheme shall include all works to be undertaken, remediation objectives and remediation criteria, a timetable of works and site management procedures and shall be carried out in accordance with the approved details and timetable of works. Written notification of the commencement of the remediation scheme for the respective element shall be given to the Local Planning Authority at least 2 weeks before the start of the remediation works and a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the respective element. If during the course of development contamination not previously identified is found to be present at the site, no further development other than that agreed in writing with the local planning authority shall be carried out until an amendment to the remediation scheme giving details on how to deal with this contamination has been submitted to and approved in writing by the Local Planning Authority. The remediation measures shall thereafter be carried out in accordance with the approved amended details.
- 9 Prior to the occupation of the retail or employment elements details of bat and bird boxes to be incorporated within the approved relevant element shall be submitted to and approved in

writing by the Borough Council. Once approved the bat and bird boxes shall be installed in accordance with the approved details prior to the relevant element being brought into use.

- 10 Prior to the commencement of development of the retail or employment elements(excluding any site clearance and remediation works as required by condition 8) drainage plans for the disposal of surface water and foul sewage relating to the respective element shall be submitted to and approved in writing by the Borough Council. The drainage scheme shall be implemented in accordance with the approved details before the respective element is first brought into use.
- 11 The retail elements hereby approved shall not be brought into use until full details of the Local Employment Partnership, as outlined in Appendix 11 of the Planning and Retail Report submitted as part of this application, has been submitted to and approved in writing by the Local Planning Authority and evidence has been provided to demonstrate that the partnership has been established. In addition the details to be submitted shall also set out how the partnership shall be sustained throughout the life time of the development. The development shall thereafter operate in accordance with the approved Local Labour Agreement.
- 12 Prior to the occupation of the retail element details of the retail unit car park barrier, including a management plan for the car park barrier, shall be submitted to and approved in writing by the Borough Council. The management plan shall include details of the times and respective days that the gates will be opened and closed as well as details of who will be responsible for ensuring the gates are opened and closed at these times. Once approved the proposed car park barrier shall be installed prior to the retail unit first being brought into use and operated in accordance with these details at all times unless otherwise agreed in writing by the Borough Council.
- 13 Prior to the commencement of development of the retail and employment elements (excluding any site clearance and remediation works as required by condition 8), a Construction Management Plan for the respective element shall be submitted to and approved in writing by the Borough Council. The Construction Management Plan shall demonstrate that the works can be carried out without affecting or causing any obstruction to Carlton Footpaths 22 and 23. The respective element shall be completed in accordance with the approved relevant Construction Management Plan.
- 14 The development shall not be occupied until the following works have been provided in accordance with details that have been first agreed with the Local Highway Authority: a) A new signalised

junction has been provided on to the Colwick Loop Road. b) Highway improvements have been provided at Colwick Loop Road / Road No1 junction. c) Highway improvements have been provided at A612 / Burton Road / Shearing Hill junctions to the satisfaction of the Local Planning Authority.

- 15 The retail and employment elements shall not be brought into use until the access roads parking, turning and servicing areas relating to the respective element are surfaced in a hard bound material and delineated on site, to the satisfaction of the Local Planning Authority. The surfaced areas and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
- 16 The retail and employment elements shall not be brought into use until a scheme relating to the respective elements to regulate the discharge of surface water from the access roads, parking, turning and servicing areas to the public highway is submitted and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the respective element being brought into use.
- 17 The food store element hereby permitted shall not be brought into use until the cycle parking layout as indicated on drawing A-PL-04 / C has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.
- 18 The retail elements shall not be occupied until the off-site traffic management works comprising of a weight restriction on Mile End Road have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
- 19 Prior to the commencement of development (excluding any site clearance and remediation works as required by condition 8) details of measures to prevent the deposit of debris upon the adjacent public highway as a result of the construction of any part of the retail or employment elements shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with the agreed measures, and retained in situ until construction of the respective elements is available for use.
- 20 The retail or employment elements shall not be occupied until a Full Travel Plan for the respective element has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals.

The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority

- 21 The retail and employment elements shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures: a) As a minimum, proposed floor levels will be set with a freeboard of 600mm above existing ground levels. b) Other than in those areas where levelled or graded access is required to or from a building or to provide vehicular access into and between the respective elements, external finished ground levels will be no less than 300mm below the proposed floor level of the nearest building. c) Where local flooding occurs surface water runoff is to be routed away from the buildings along the footways and roadways to the drainage system. The mitigation measures for each respective element shall be fully implemented prior to occupation of the respective element.
- 22 Prior to the commencement of development of the retail or employment elements (excluding any site clearance and remediation works as required by condition 8), a scheme to provide an evacuation plan for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with their emergency planner. The approved scheme for the respective element shall be fully implemented and subsequently maintained.
- 23 Prior to the commencement of development of the retail and employment elements (excluding any site clearance and remediation works as required by condition 8) a scheme to provide flood resilience design for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Council's emergency planner. The scheme for each element shall be fully implemented and subsequently maintained.
- 24 Prior to the commencement of development of the retail or employment elements (excluding any site clearance and remediation works as required by condition 8), a surface water drainage scheme for the respective element, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The respective scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The respective scheme shall subsequently be implemented in accordance with the approved details before the respective

element is brought into use. The scheme shall include: a) The utilisation of sustainable drainage techniques, including rainwater harvesting for the supermarket and permeable paving within the retail element; b) Limitation of the runoff rate to a 20% betterment from the existing drainage conditions for the retail element (limiting discharge to 4.7l/s/ha (QBAR)); and a 10% betterment for the employment element (limiting discharge to 5.3l/s/ha (QBAR)); as detailed in a letter dated 16th September 2013 from Morgan Tucker. c) Water quality management incorporated within the design, with two forms of treatment prior to discharge from the site; d) Demonstration through hydraulic calculations that appropriate attenuation is to be provided to limit the rate of runoff from the site; e) Confirmation of responsibility and management of the drainage features on construction of the scheme.

- 25 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
- 26 Prior to the commencement of development of the petrol filling station (excluding any site clearance and remediation works as required by condition 8) a scheme to install petrol storage tanks shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tank(s), tank surround, associated pipework and monitoring/ leak detection system, along with: a) Proposed method of petrol storage; b) Justification for this method of storage; c) Groundwater levels for this specific part of the site; d) Site specific risk assessment outlining the volume, type of pollutants being stored and the hydrogeological situation. Where potential risks have been identified, the Local Planning Authority will require mitigation measures to be implemented to ensure that there is no release of hazardous substances into the Secondary Aquifer.
- 27 The schemes approved under conditions 21, 22, 23, 24 and 25 shall be fully implemented and subsequently maintained in that form.
- 28 Notwithstanding condition 3 above, prior to the commencement of development of each of the elements below (excluding any site clearance and remediation works as required by condition 8), details of each matter, together with timescales, shall be submitted to and approved in writing by the Local Planning Authority.
- a) Electric charging points for customer vehicles.

- b) Sprinkler tanks, including their colour and appearance.
  - c) The design, height and colour of the service yard enclosure and its gates.
  - d) The appearance of the car wash (including materials and lighting).
  - e) The appearance of the covered walkway across the walkway (including materials and lighting).
  - f) The materials and design of trolley storage areas, both within the car park and adjacent to the food store.
  - g) The details of the height, materials and design of the bollards/barriers around the food store building.
  - h) Plans for providing shelter to motorcycle parking.
  - g) The size, location and appearance of the proposed new bus stops on the site.
  - h) Boundary treatment of the perimeter of the site, and around the recycling area.
  - i) The appearance of the plant to be sited on the roof, and if required any screening or acoustic enclosure.
- 29 Prior to the commencement of development of the employment elements (excluding any site clearance and remediation works as required by condition 8) a viability assessment for additional renewable energy installations shall be submitted to the Local Planning Authority. If these prove viable, including those producing power only for the site's use, full details of the proposed installations shall be submitted for the approval of the Local Planning Authority and installed until technologically obsolete.
- 30 Prior to occupation of the food store, petrol station or car wash, a scheme detailing all external lighting, including details of the height of any lighting columns, the design of lamp assembly, the spread of light beyond the site boundaries and the hours of illumination, shall be submitted for the approval of the Local Planning Authority, and the approved details to be implemented and maintained in that form.
- 31 The floor area of the employment development shall not exceed 9895 sq. m. gross internal floor area, unless otherwise agreed by the Local Planning Authority.

**Reasons**

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



- 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 In order to assist in the protection of air quality.
- 6 In the interests of good arboricultural practice.
- 7 In order to protect and enhance habitats on the site in accordance with the aims of Paragraph 118 of the National Planning Policy Framework (2012).
- 8 In order to assist in the protection of air quality.
- 9 In order to enhance habitats on the site in accordance with the aims of Paragraph 118 of the National Planning Policy Framework (2012).
- 10 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.
- 11 To ensure that the development meets some of the requirements for sustainable development.
- 12 In the interests of crime prevention.
- 13 In order to ensure Carlton Footpaths 22 and 23 are kept available for use both during and after the construction period and the users of the footpaths are not impeded or endangered in any way.
- 14 To ensure that the traffic accessing the development does not give rise to highway danger, traffic problems and loss of residential amenity.
- 15 To ensure that an adequate level of off street parking is provided for the needs of the development.
- 16 To regulate the discharge of surface water from the site onto to the public highway to prevent traffic and highway problems
- 17 To ensure the provision of cycle parking in order to support use by non car borne customers and staff.
- 18 To prevent heavy goods vehicles travelling along residential roads to access the site, in the interests of residential amenity.
- 19 To prevent the deposit of debris on the highways around the site, in the interest of highway safety.

- 20 To enable, encourage and facilitate visitors to the site to use non-car means of transport
- 21 To reduce the risk of flooding to the proposed development.
- 22 To enable a safe means of egress from the site during an extreme flood event.
- 23 To reduce the impact of flooding on the development.
- 24 To prevent the increased risk of flooding, both on and off site and to manage surface water in a sustainable manner.
- 25 To ensure that there is no mobilisation/ migration of contamination into the underlying aquifer.
- 26 To ensure that there is no mobilisation/ migration of contamination into the underlying aquifer.
- 27 To ensure the development is implemented in a manner which does not increase the risk of flooding, both on and off site, to manage surface water in a sustainable manner and prevent contamination.
- 28 These detailed matters were not included on the submitted plans and require the approval of the Local Planning Authority in the interests of visual amenity.
- 29 To assist in satisfying energy demand from renewable energy sources.
- 30 To ensure that external illumination does not affect highway safety or residential amenity.
- 31 To define the consent

### **Reasons for Decision**

The proposed development accords with the relevant policies of the Local Plan and the National Planning Policy Framework.

### **Notes to Applicant**

Your attention is drawn to the attached comments of the Rights of Way Officer.

You are advised that further consents may be required for advertisements and signage, and you should contact the Borough Council prior to carrying out any such works.

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

The proposed off-site highway works referred to in condition 5 requires a Traffic Regulation Order before the development commences to provide off-site mitigating works. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the County Highway Authority for details.

Washdown from the car wash should be discharged to foul sewer. This washdown should not be discharged via an oil separator as detergents in the washdown will render the separator ineffective. Car wash liquid waste is classed as trade effluent. Before discharging to a sewer you must always get a trade effluent consent or enter into a trade effluent agreement with your water and sewerage company or authority. If you are not able to discharge effluent to the foul sewer it will be classed as waste and you must then comply with your duty of care responsibilities. More information regarding the discharge of trade effluent can be found at [www.netregs.gov.uk](http://www.netregs.gov.uk) <http://publications.environment-agency.gov.uk/pdf/PMHO0307BMDX-e-e.pdf>

The hazardous substances consents for Esso Petroleum Company Ltd and Chevron Ltd are in the process of being revoked, however condition 32 has been attached to this permission on the advice of HSE.

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.

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**APPLICATION NO. 2013/0497- LAND SOUTH OF COLWICK LOOP ROAD, COLWICK, NOTTINGHAMSHIRE**

Construction of A4 public house with restaurant facilities & associated managerial residential accommodation at first floor (full application) & A3 restaurant or A5 hot food takeaway (outline application).

The Service Manager, Planning and Economic Development, presented the report, which has been circulated prior to the meeting, and made Members aware of a letter of objection received by the department following publication of the report.

The Service Manager, Planning and Economic Development, also informed Members that, following comment from Nottinghamshire

County Council after the publication of the report, there would no longer be a requirement for the applicant to enter into a Section 106 agreement towards travel plan monitoring.

**RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:**

**Conditions**

- 1 The public house hereby permitted shall be begun within five years from the date of the approval of the last reserved matters to be approved in relation to the restaurant element.
- 2 Application for the approval of any of the reserved matters (namely appearance, layout, landscaping and scale) required for the restaurant element shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 The restaurant element hereby permitted shall be begun within five years from the date of the approval of the last reserved matters to be approved.
- 4 The public house or restaurant element shall not be brought into use until either: a) The hazardous substances consents for both the Total Lindsey Oil Refinery Ltd and Chevron Ltd have been are revoked, or b) A report relating to the respective element has been submitted to the LPA outlining the level of risk posed by the presence of the Total Lindsey Oil Refinery Ltd together with details of any proposed mitigation measures and the LPA have agreed in writing that they are satisfied with the conclusions of the Report so to allow the respective element to be occupied. Any mitigation measures proposed in the report to be approved in writing by the Borough Council shall be implemented in accordance with the approved report.
- 5 The restaurant element shall not exceed 452 square metres (Gross External Floor Area).
- 6 The public house and restaurant shall be developed in accordance with drawings, A-PL-02 Rev. A (Location Plan) A-PL-30 B ( Marstons Public House and Restaurant Plan), 0055/12/ 02 02 C Site Plan,0055/12/ 02 04 C Elevations, 0055/12/ 02 05 B Fence Locations + Details and Pergola Details, 0055/12/ 02 03 A Floor and Roof Plan and Marstons Public House and Restaurant Detailed Planting Plan GC.818000.303 A.
- 7 Prior to the public house being first brought into use precise details of the play equipment to be installed within the play area, together with a timescale for its installation shall be submitted to

and approved in writing by the local planning authority. The play equipment shall be installed in accordance with the approved details and timescale, and shall be retained thereafter in accordance with the approved details.

- 8 The approved planting scheme, fencing, pergola and surfacing materials to be used within the soft and hard landscaping scheme submitted in relation to the public house shall be provided prior to the to the public house being first brought into use, or to a timescale to be prior agreed in writing by the local planning authority. The fencing, pergola and surfacing materials shall be retained thereafter in accordance with the approved details.
- 9 Prior to the public house being first brought into use precise details of any minor artefacts and structures such as external benches, refuse or storage units and lighting together with a timescale for their installation shall be submitted to and approved in writing by the local planning authority. Any proposed lighting scheme shall also include details of the spread of light beyond the site boundaries and the hours of illumination. Any minor artefacts or structures shall be installed in accordance with the approved details and retained thereafter.
- 10 The Public House shall not be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan 0055/12/0202 Rev C. The parking/turning/servicing areas shall not be used for any purpose other than purpose thereafter.
- 11 The Public House shall not be brought into use until the cycle parking layout as indicated on drawing 0055/12/0202 Rev C has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.
- 12 The Public House or Restaurant element shall not be occupied until a Full Travel Plan for that respective element has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority.
- 13 Details of measures to prevent the deposit of debris upon the adjacent public highway during the construction of both the proposed Public House and Restaurant element shall be submitted to and approved in writing by the LPA prior to the

commencement of development of the respective elements(excluding any site clearance and remediation works as required by condition 20). The approved measures shall be implemented in accordance with the approved details prior to any construction works commencing on the respective phase and retained in situ until the respective element has been constructed.

- 14 The proposed development shall not be brought into use until the following works have been provided in accordance with details that have been first agreed with the Local Highway Authority and shall be carried out to the satisfaction of the Local Planning Authority.; (a) A new signalised junction has been provided on to the Colwick Loop Road. (b) Highway Improvements have been provided at Colwick Loop Road / Road No1 junction. (c) Highway improvements have been provided at A612 / Burton Road / Shearing Hill junctions.
- 15 The Public House and Restaurant elements shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures: (a) As a minimum, proposed floor levels will be set with a freeboard of 600mm above existing ground levels. (b) Other than in those areas where levelled or graded access is required to or from a building or to provide vehicular access into and between the respective elements, external finished ground levels will be no less than 300mm below the proposed floor level of the nearest building. (c) Where local flooding occurs surface water runoff is to be routed away from the buildings along the footways and roadways to the drainage system. The mitigation measures for each respective element shall be fully implemented prior to occupation of the respective element.
- 16 Prior to the commencement of development of the Public House or Restaurant elements (excluding any site clearance and remediation works as required by condition 20) a scheme providing an evacuation plan for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Council's emergency planner. The approved scheme for the respective element shall be fully implemented and subsequently maintained.
- 17 Prior to the commencement of development of the Public House or Restaurant elements (excluding any site clearance and remediation works as required by condition 20) a scheme to provide flood resilience design for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Council's emergency planner. The approved scheme for the respective element shall be fully implemented and subsequently maintained.

- 18 Prior to the commencement of development of the Public House or Restaurant elements (excluding any site clearance and remediation works as required by condition 20) a surface water drainage scheme for the respective element, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The respective scheme for each element shall subsequently be implemented in accordance with the approved details before the respective element is occupied. The scheme shall also include:  
(a) The utilisation of sustainable drainage techniques, including rainwater harvesting and permeable paving; (b) Limitation of the runoff rate to a 10% betterment from the existing drainage conditions as detailed in a letter dated 16th September 2013 from Morgan Tucker, limiting discharge to 5.3l/s/ha (QBAR); (c) Water quality management to be incorporated within the design, with two forms of treatment prior to discharge from the site; (d) Demonstration through hydraulic calculations that appropriate attenuation is to be provided to limit the rate of runoff from the site. (e) Confirmation of responsibility and management of the drainage features on construction of the scheme.
- 19 Prior to the commencement of development of the Public House (excluding any site clearance and remediation works as required by condition 20) a scheme for the safe refuge of any residents during an extreme event has been submitted to, and approved in writing by, the local planning authority, in consultation with the Council's emergency planner. The scheme shall be fully implemented and subsequently maintained.
- 20 Prior to the commencement of development of the Public House or Restaurant elements (excluding any site clearance) an investigation and contamination risk assessment report relating to the respective element detailing those areas and / or contaminants not covered within the Ground Conditions Chapter of the submitted Environmental Statement shall be provided to the Local Planning Authority. If the information submitted with the application or within this additional report indicates that remediation is necessary, details of a remediation scheme for the respective element shall be submitted to and approved in writing by the Local Planning Authority. The remediation scheme shall include all works to be undertaken, remediation objectives and remediation criteria, a timetable of works and site management procedures and shall be carried out in accordance with the approved details and timetable of works. Written notification of the commencement of the remediation scheme shall be given to the

local planning authority at least 2 weeks before the start of the remediation works and a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the respective element. If during the course of development contamination not previously identified is found to be present at the site, no further development other than that agreed in writing with the Local Planning Authority shall be carried out until an amendment to the remediation scheme giving details on how to deal with this contamination has been submitted to and approved in writing by the Local Planning Authority. The remediation measures shall thereafter be carried out in accordance with the approved amended details.

- 21 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- 22 The Public House and Restaurant element hereby approved shall not be brought into use until full details of a Local Employment Partnership has been submitted to and approved in writing by the Local Planning Authority, this shall include details of how the partnership shall be sustained for the life time of the development. The partnership shall be implemented in accordance with the approved details prior to either element being brought into use. Evidence shall be submitted to the Local Planning Authority that the partnership has been established.
- 23 Prior to occupation of either the public house element or the restaurant element a viability assessment for additional renewable energy installations shall be submitted to the Local Planning Authority. If these prove viable, including those producing power only for the site's use, full details of the proposed installations shall be submitted for the approval of the Local Planning Authority and installed until technologically obsolete.

## **Reasons**

- 1 To accord with Section 51 of the Planning and Compulsory Purchase Act 2004 and to allow sufficient time to enable either the revocation of the relevant Hazardous Substance Consents for Total Lindsey Oil Refinery Ltd and Chevron Ltd or for the Borough Council as Local Planning Authority to have confirmed in writing that the risk posed by the Total Lindsey Oil Refinery to be acceptable.



- 2 To accord with Section 51 of the Planning and Compulsory Purchase Act 2004
- 3 To accord with Section 51 of the Planning and Compulsory Purchase Act 2004
- 4 The Borough Council as Local Planning Authority is not satisfied that the risk posed by the adjacent Total Lindsey Oil Refinery is acceptable to allow the occupation of the proposed public house/restaurant and the proposed drive through restaurant. This condition will enable the public house/restaurant and the proposed restaurant/takeaway to be occupied only if the relevant hazardous substances consent for both the Total Lindsey Oil Refinery Ltd and Chevron Ltd have been revoked or if the Borough Council as Local Planning Authority has confirmed in writing that it is satisfied that the so as to allow the development to be occupied whilst the adjacent Total Lindsey Oil Refinery is still in operation and the relevant hazardous substance consent for Chevron Ltd has been revoked.
- 5 For the avoidance of doubt and to ensure that the gross external floor area of the unit is set at outline stage so that the impact of the proposed development is within the parameters indicated within the assessments that have accompanied the application.
- 6 To ensure a satisfactory development that accords with Policy ENV1 of the Gedling Borough Replacement Local Plan.
- 7 To ensure a satisfactory development that accords with Policy ENV1 of the Gedling Borough Replacement Local Plan.
- 8 To ensure a satisfactory development that accords with Policy ENV2 of the Gedling Borough Replacement Local Plan.
- 9 To ensure a satisfactory development that accords with Policy ENV2 of the Gedling Borough Replacement Local Plan.
- 10 In the interests of highway safety.
- 11 To encourage sustainable forms of transport
- 12 To encourage sustainable forms of transport .
- 13 In the interests of highway safety.
- 14 To ensure improve the capacity of the local highway network, in the interests of highway safety.
- 15 To reduce the risk of flooding to the proposed development.

- 16 To enable a safe means of egress from the site during an extreme flood event.
- 17 To reduce the impact of flooding on the development.
- 18 To prevent the increased risk of flooding, both on and off site and to manage surface water in a sustainable manner.
- 19 As living accommodation, ancillary to the use, is proposed then a safe refuge must be provided.
- 20 To ensure the site is suitable for use.
- 21 To ensure that there is no mobilisation/ migration of contamination into the underlying aquifer.
- 22 To ensure that the uses once operational employ local people.
- 23 To assist in satisfying energy demand from renewable energy sources, in line with paragraph 17 of the National Planning Policy Framework.

#### **Reasons for Decision**

The proposed development accords with the relevant policies of the Local Plan and the National Planning Policy Framework.

#### **Notes to Applicant**

For the purpose of the above conditions the following words and expressions shall be used, and unless otherwise stated elsewhere in the conditions shall have the following meaning: The proposed public house with dining facilities, managerial residential accommodation at first floor, car parking, landscaping and pedestrian access running east west between the retail element and the new access road comprise the "Public House". The proposed restaurant element to the south of the public house area is defined as the "Restaurant element".

For the purposes of this application the reference to details required prior to the commencement of development (except in relation to condition 20) shall exclude remediation works required under the remediation scheme approved under condition 20.

Your attention is drawn to the written comments of the Environment Agency, The Highway Authority, the Gedling Borough Council Scientific Officer, Network Rail and the Health and Safety Executive.

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.

**APPLICATION NO. 2013/1101- 1 BURNOR POOL, CALVERTON, NOTTINGHAMSHIRE**

Demolish two storey and single storey rear additions and construct new two storey rear extension and conservatory.

**RESOLVED 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 shall be carried out in accordance with the plans received on the 18th September 2013.
3. Prior to the commencement of development precise details of the materials to be used within the construction of the development hereby granted shall be submitted and approved in writing by the Borough Council. The development shall be completed in accordance with the approved details.
4. The landing window on the north elevation of the proposed extension shall be obscure glazed with top opening lights only and shall remain so 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. To secure a satisfactory development that accords with Policy ENV15, ENV1 and H10 of the Gedling Borough Replacement Local Plan.
4. To safeguard the residential amenity of the neighbouring property (35 Main Street).

**Reasons for Decision**

The proposed development would have no adverse impact on the Conservation Area or on the amenity of neighbouring properties. The development would accord with the relevant policies of the Local Plan.

**Notes to Applicant**

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

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

**69 DISCHARGE OF SECTION 106- BIG WOOD COMPREHENSIVE SCHOOL, BEWCASTLE ROAD, ARNOLD, NOTTINGHAMSHIRE**

The Service Manager, Planning and Economic Development presented the report, which had been circulated prior to the meeting, and outlined the reasons for authorisation being sought to discharge the Section 106 agreement.

**RESOLVED:**

To authorise the Council's Solicitor and Monitoring Officer to discharge the S106 Agreement dated 30<sup>th</sup> May 2008 in relation to planning application ref. 2006/0726 in order that the extant S106 agreement be discharged by agreement and a formal discharge entered into by the parties.

**70 UPDATE OF FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT (AGAINST THE EMERGING ALIGNED CORE STRATEGY TO INFORM THE EXAMINATION) AS AT 31 MARCH 2013**

**RESOLVED:**

To note the report.

**71 PLANNING POLICY UPDATE**

**RESOLVED:**

To note the report.

**72 APPEAL DECISION- 375 CAVENDISH ROAD, CARLTON,  
NOTTINGHAMSHIRE**

**RESOLVED:**

To note the report.

**73 APPEAL RECEIVED- LAND SOUTH OF RICKET LANE,  
BLIDWORTH, NOTTINGHAMSHIRE**

**RESOLVED:**

To note the report.

**74 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**75 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.05 pm

Signed by Chair:  
Date: