

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 23 April 2014**

Councillor John Truscott (Chair)

In Attendance:      Councillor Barbara Miller                      Councillor Sarah Hewson  
                            Councillor Pauline Allan                              Councillor Jenny Hollingsworth  
                            Councillor Roy Allan                                    Councillor Mike Hope  
                            Councillor Peter Barnes                                Councillor Meredith Lawrence  
                            Councillor Denis Beeston MBE                        Councillor Marje Paling  
                            Councillor Alan Bexon                                 Councillor Lynda Pearson  
                            Councillor John Boot                                    Councillor Colin Powell  
                            Councillor Andrew Ellwood                            Councillor Suzanne Prew-Smith  
                            Councillor Cheryl Hewlett

Absent:                                      Councillor Chris Barnfather and Councillor Bob Collis

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

**146            APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Barnfather and Collis.

**147            TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 02 APRIL 2014.**

**RESOLVED:**

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

**148            DECLARATION OF INTERESTS**

None.

**149            APPLICATION NO. 2013/0255- SHEEPWALK LANE, RAVENSHEAD**

Variation of Conditions to remove one window (Application No. 2010/0968).

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

**Conditions**

1. This permission relates solely to the removal of the window on the right hand side elevation as shown on drawing no.BR/SO/10/010/001 RevA and indicated by dashed lines.

### **Reasons**

1. For the avoidance of doubt.

### **Reasons for Decision**

In the opinion of the Borough Council, the proposed removal of the window would have no undue impact on neighbouring residential amenity or the locality in general. The development therefore complies with the National Planning Policy Framework (2012) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

### **Notes to Applicant**

The Borough Council has worked positively and proactively with the applicant by assessing the application in accordance with National and Local Planning Guidance, in a way that accords with paragraphs 186 and 187 of the National Planning Policy Framework.

On the 4th April 2014 an e-mail was received confirming that the air source heat pump had been relocated, the air source heat pump shown on drawing BR/SO/10/010/001 has been omitted from the scheme and no longer forms part of the proposal.

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### **APPLICATION NO. 2013/0545- LAND OFF TEAL CLOSE, NETHERFIELD**

Outline planning application comprising residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures.

Mr David Foreshaw, the applicant, spoke in support of the development.

The Development Control Manager outlined an alteration to paragraph 5 of page 79 of the Agenda, updating the report to refer to new planning guidance in relation to prematurity.

**RESOLVED that the Borough Council supports the GRANT OF OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, the Gedling Access Road, Junction Mitigation Measures, public transport, Travel Plan Monitoring, Educational Facilities, Primary Healthcare, Affordable Housing, Open Space, an Ecology Park and Air Quality Monitoring; and subject to the following conditions:**

### **Conditions**

1. Application for the approval of reserved matters shall be made to the Local planning Authority not later than five years from the date of this permission. Details of Appearance, Landscaping, Layout and Scale (hereinafter called the reserved matters) for each phase of development shall be submitted to and approved in writing by the Local Planning Authority before any development within that phase begins and the development shall be carried out as approved. The development hereby permitted shall commence no later than two years from the date of approval of the last reserved matters to be approved.
2. The development shall be carried out in accordance with the Schedule of Development revision B submitted on the 10th October 2013 and the following plans; Site Location Plan DE076\_016; Parameters Plan DE076\_014 Rev B. The vehicular accesses to the site shall be constructed in general accordance, subject to detailed design, with drawing numbers: 90372\_002, 90372\_003 (Revision B), deposited on 20th May 2013; and drawing number: 90372\_001 (Revision E), received on 6th August 2013.
3. No phase of development shall commence until a Phasing Schedule has been submitted and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in phases in accordance with the approved Phasing Schedule unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of a particular phase.
4. The development hereby approved comprises;(1) up to 830 residential dwellings; (2) up to 18,000 square metres of business use falling within use classes B1 'Business', B2 'General Industrial' and B8 'Storage and Distribution'; (3) the creation of a local centre and commercial centre of up to 2,800 square metres within use classes falling into A1 'Shop', A2 'Financial', A3

'Restaurant and café', A4 'Drinking Establishment', A5 'Hot Food Takeaway', B1 'Business' and D1 'Non-residential institutions'; (4) a Hotel providing up to 150 beds; (5) up to 500 square metres of uses falling with use classes D1 ' Non- residential institutions' and D2 'Assembly and Leisure' (additional to (3) above); (6) a one form entry primary school which shall cover a minimum of 1.1ha; (7) a C2 'Residential Institution' of up to 60 beds; and (8) general opening space including landscaping, children's play areas, allotments and playing pitches as indicated on the approved parameters plan.

5. The total B1 'Business' floor area within the business and/or local centre and commercial areas hereby approved shall comprise not more than 4,500 square metres . The local centre shall not comprise of more than 2,499 square metres floor area of A1 'Shop' or D2 'Assembly and Leisure' uses.
6. The total amount of A1 'Shop' floor space shall not exceed 1,500 square metres and no individual A1 'Shop' unit shall exceed 750 square metres (measured internally).
7. Applications for the approval of reserved matters for each phase of development shall include a written statement setting out how that particular phase has been designed to take account of the approved Parameters Plan drawing reference DE076\_014 Rev. B.
8. Prior to the commencement of any phase of development hereby approved a site level survey plan shall be undertaken for that phase of development showing existing site levels. This existing site level survey plan shall be submitted to and approved in writing by the Local Planning Authority.
9. Buildings comprising Less Vulnerable uses (as defined by the National Planning Policy Framework) and their associated vehicle access routes within the development hereby approved shall have finished floor levels at no lower than 20.660m Ordnance Datum (AOD) where existing levels are at or exceed that level. Where existing levels are below 20.660m Ordnance Datum (AOD), set finished floor levels shall be a minimum of 20.660m Ordnance Datum (AOD) or 600mm above existing ground levels, whichever is lower.
10. Prior to the commencement of any phase of development hereby approved a scheme for that phase of development to provide flood prevention design for More Vulnerable uses (as defined by the National Planning Policy Framework) shall be submitted to and approved in writing by the Local Planning Authority. The flood prevention design scheme shall: (1) Set finished floor levels for all More Vulnerable buildings and associated vehicular access

routes to the east of the A612 to 20.960 m above Ordnance Datum (AOD); (2) Set finished floor levels for all More Vulnerable buildings and associated vehicular access routes to the west of the A612 to 20.650 m above Ordnance Datum (AOD); and (3) provide a minimum of 300mm flood resilience measures for all More Vulnerable buildings. The scheme for each phase shall be implemented in accordance with the approved details prior to occupation of buildings within that phase.

11. Prior to the commencement of any phase of development hereby approved a scheme to provide flood resilience design for Less Vulnerable development, as defined by the National Planning Policy Framework, within that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of any buildings within that phase and subsequently maintained.
12. Prior to the occupation of any building(s) falling within use classes C3 'dwelling houses', C2 'Residential institutions', C1 'Hotels' or D1 'Non-residential institutions' , a Verification Report confirming the finished base slab and wearing course levels of that building(s) and the finished levels of internal road(s) serving that building(s) within the particular phase shall be submitted to and approved in writing by the Local Planning Authority. The Verification Report for each phase shall also include confirmation that the approved flood resilient construction methods approved under condition 10 for More Vulnerable uses accords with the approved details.
13. Prior to the commencement of any phase of development hereby approved a scheme to provide a minimum of an 8 metre unobstructed easement from all watercourses, culverted watercourses and flood defence structures, including the Ouse Dyke (Main River) and any ordinary watercourses, within that phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to occupation of any buildings within that phase or any other features (i.e. playing fields) being brought into use and subsequently maintained.
14. Prior to the commencement of any phase of development hereby approved an evacuation plan for all Less Vulnerable development at risk of flooding within that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of any buildings within that phase and subsequently maintained.
15. No ground raising or permanent built structures shall be built within the modelled floodplain of the Ouse Dyke as shown in the

Flood Risk Assessment, November 2013 , submitted as part of the outline planning application hereby approved.

16. Prior to the commencement of any phase of development hereby approved, a surface water drainage scheme for that phase of development, 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 scheme shall be implemented in accordance with the approved details prior to the occupation of any buildings within that phase. The scheme (s) to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques; (2) The limitation of surface water run-off to equivalent greenfield rates; (3) A minimum of two forms of surface water treatment to be provided prior to discharge from the site, in accordance with CIRIA C697; (4) 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 (5) Responsibility for the future maintenance of drainage features.
17. Prior to the commencement of any phase of development hereby approved a scheme to dispose of foul drainage for that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme (s) shall be implemented as approved.
18. Prior to the commencement of each phase of development hereby approved a remediation strategy that addresses the provision of the following components to deal with the risks associated with contamination of that phase of the site, together with a programme for submission and prior approval of the component elements, shall each be submitted to and approved, in writing, by the local planning authority: (1) A preliminary risk assessment which has identified; (a) all previous uses (b) potential contaminants associated with those uses; and (c) a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site; (2). A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; and (3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how and when they are to be undertaken. The scheme(s) and all details identified therein shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.

19. Prior to the commencement of each phase of development hereby approved a verification plan shall be submitted to and approved in writing by the Local Planning Authority. The verification plan shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) (of condition above 18) are complete and identifies any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The verification plan(s) and all details identified therein shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.
20. In the event that contamination is found at any time when carrying out the approved development that was not previously identified pursuant to condition 18 above must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site until an assessment has been undertaken in accordance with the requirements set out in condition 18 and 19 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, has been submitted to and approved in writing by the Local Planning Authority. The development must then proceed in accordance with the approved details.
21. Prior to the commencement of each phase of development hereby approved, details of any lighting to be used during the construction of that particular phase of development shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall indicate the location and type of lighting to be utilised together with luminance levels and hours that lighting will be in operation. The lighting of the construction of any approved phase of development shall be lit in accordance with the approved details.
22. Details of any lighting to be provided (other than street lighting and lighting within domestic curtilages) during the operational phase of that phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to its implementation. The details to be submitted shall indicate the location and type of lighting to be utilised together with luminance levels and hours that any such lighting will be in operation. The lighting of the development during its operational phase shall be carried out in accordance with the details approved.
23. If the sports pavilion to the north of the A612 is not demolished by the 30th June 2014, then in accordance with the submitted Bat

Activity Surveys at the sports pavilion off Teal Close report further bat survey work shall be undertaken and an assessment report together with any proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority, prior to any demolition taking place. Any approved mitigation measures shall be carried out in accordance with the approved details. In the unlikely event that bat(s) are found during the demolition of the sports pavilion then the procedure set out in the appendix to the Bat Activity Surveys at the sports pavilion off Teal Close report (dated 24th June 2013) shall be followed.

24. Prior to the commencement of each phase of development hereby approved a Construction Environmental Management Plan (CEMP) for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Each CEMP shall include the following details; (1) the hedgerow and tree protection measures that shall be implemented for all retained woodland, trees and hedgerows approved as part of the landscaping details to be submitted as part of the reserved matters pursuant to this application. A statement shall also be provided which details how the protection measures shall be implemented so as to minimise damage and disturbance to habitats within the vicinity and the species they support. The protection measures shall accord with current British Standards in relation to design, demolition and construction (BS5837:2012 or any subsequent revision); (2) the measures that shall be implemented during the construction of that particular phase of the development so as to minimise water runoff and works pollution entering watercourses; and (3) the measures that shall be implemented so as to avoid any disturbance to nesting birds during that particular phase of construction.(4) details of traffic routes for Heavy Good Vehicular movements during the construction of that phase of development. (5) details of wheel washing facilities to be used by vehicles entering and leaving site during the construction of that phase of development ; and (6) details of how the principle of Best Practicable Means shall be applied in relation to minimising impact on the surrounding area during the construction of that particular phase of development in relation to noise and vibration and safeguarding air quality. The approved CEMP(s) and all details therein shall be implemented in accordance with the approved details.
25. Prior to the commencement of each phase of development hereby approved a written scheme of archaeological investigation related to that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved scheme(s)
26. Prior to the commencement of any development on the existing playing pitches located to the west of the A612 (including the



demolition of the existing sports pavilion) replacement playing pitches (including associated changing room facilities) hereby approved to the east of the A612 shall have been provided and shall be operational.

27. Prior to the commencement of development of the playing pitches to be provided to the east of the A612 details of the following shall be submitted to and approved in writing by the Local Planning Authority; (1) the location and specification of the playing pitches to be provided together with details of their drainage; (2) the location and specifications of the changing room facilities to be provided; and (3) a schedule of maintenance of the playing pitches and associated drainage. The playing pitches and changing room facilities shall be provided, managed and maintained in accordance with the approved details.
28. Prior to first occupation of the development hereby approved, other than the business development to be accessed from Stoke Lane, construction details of the site access junctions from the A612 as show in outline on plan references 90372\_001 Revision E and 90372\_002 shall be submitted to and approved in writing by the Local Planning Authority. Along with the construction details to be submitted, shall also be submitted to and approved in writing by the Local Planning Authority a programme of implementation of construction details of the site access. The site access details to be submitted pursuant to plan reference 903732\_002 shall also include provision of a physical strip/central refuge fronting the proposed access to prevent vehicles from u-turning and associated signing and lining. The approved detailed access arrangements shall thereafter be implemented in accordance with the approved programme of implementation, related to the phasing of the development.
29. Prior to first occupation of the business floor space (Class B1, B2, B8) hereby approved (aside from any B1 use contained in the Local Centre) the access from Stoke Lane as shown in outline on plan reference 90372\_003 Revision B shall be provided in accordance with the construction details to be first submitted to and approved in writing by the Local Planning Authority. The business floorspace hereby approved (Class B1, B2, B8) (aside from any B1 use contained in the Local Centre) shall only be accessed via Stoke Lane, other than in an emergency.
30. Prior to first occupation of the development hereby approved a u-turn prohibition shall be implemented by means of a legal Traffic Regulation Order and appropriate signs shall be provided at the A612/Stoke Lane junction for the A612 west approach in accordance with details to be first submitted and approved in writing by the Local Planning Authority.

31. Prior to the commencement of the development hereby approved details shall be submitted to and approved in writing by the local planning authority in relation to the extension of the 40mph speed restrictions by amendment of the existing Traffic Regulation Order along Stoke Lane towards west of its junction with the A612 covering the site frontage. Details shall also include the location of proposed signing/lining and street lighting to accommodate the extension. The extended 40mph speed restriction area shall be provided in accordance with the approved details prior to first occupation of the development, unless otherwise agreed in writing by the local planning authority.
32. Prior to first occupation of the development hereby approved construction details of the mitigation measures at the Lowdham Roundabout as shown in outline on plan reference 90372/PSTN/003 shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures at the Lowdham Roundabout shall be implemented in accordance with the approved details prior to first occupation of the development hereby approved.
33. Prior to first occupation of the development hereby approved construction details of the mitigation measures to be provided at A612 Mile End Road/Colwick Loop Road junction as shown in outline on plan reference 90372/PSTN/005 Revision A shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures at the junction shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.
34. Prior to the first occupation of the development hereby approved construction details of the highway improvements at Colwick Loop Road/Road No.1 shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. If the highway improvements at Colwick Loop Road/Road No.1 are required to be provided pursuant to this application they shall be provided in accordance with the approved construction details prior to first occupation of the 251st residential dwelling hereby approved.
35. Prior to first occupation of the development hereby approved details of a new shared footway/cycleway shall be provided along the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The shared footway/cycleway shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.
36. Prior to the commencement of each phase of development hereby approved details of a local labour agreement to cover the

construction of that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The local labour agreement shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

37. Prior to first occupation of the development hereby approved a travel plan coordinator(s) shall be appointed who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan Framework, and details of the appointed coordinator(s) shall be submitted to the Local Planning Authority. Travel plan co-ordinator(s) shall thereafter remain in place to perform this role on an ongoing basis, with any changes in details to be submitted to the Local Planning Authority.
38. Within 3 months of the occupation of any business (excluding businesses employing less than 20 employees who shall submit a Travel Plan Statement), the owner or occupier of each business unit shall appoint and thereafter continue to employ or engage a travel plan coordinator and within 3 months of occupation the owner or occupier shall commission a detailed travel plan that sets out the final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Travel Plan Framework and in conjunction with the site-wide travel plan coordinator to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future site-wide travel plan initiatives, including implementation dates to the satisfaction of the Local Planning Authority.
39. The site-wide travel plan coordinator shall commission travel surveys and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar method to be approved after the first, third, and fifth year of full occupation and produce monitoring reports at intervals as required by the Travel Plan Framework monitoring periods. The monitoring reports submitted to the Local Planning Authority shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority and which shall inform individual Travel Plans.

## **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.

2. For the avoidance of doubt.
3. To provide a degree of flexibility to assist the delivery of the site, that also enables the Local Authority to monitor and manage the supply of housing and employment land.
4. To define the consent and to ensure that a satisfactory form of development is obtained.
5. A limit has been placed on B1 uses in order to ensure an appropriate balance of uses. A limit has also been placed on the amount of A1 and D2 uses in order to ensure that there is no adverse impact on any surrounding local centres.
6. A limit has been placed on the amount of A1 uses to ensure that such uses are commensurate with the scale of the proposed development and would not cause harm to viability of the nearby Netherfield Centre.
7. To ensure that a satisfactory development is achieved that takes account of the Parameters Plan.
8. To establish existing site levels in order to ensure that finished floor levels accord with conditions 9 to 12 below and that flood risk is appropriately mitigated in line with the National Planning Policy Framework.
9. To reduce the risk of flooding to the proposed development and future occupants.
10. To reduce the risk of flooding to the proposed development and future occupants.
11. To reduce the impact of flooding to the proposed development.
12. To ensure that finished floor levels accord with condition 9 and 10 above and that approved flood resilient measures have been provided in order to reduce the risk of flooding to the proposed development and future occupants.
13. To allow for future maintenance, emergency access, natural morphology, and improvements of the watercourses. Please note that our records show a culverted watercourse located between the storage pond (immediately south of the A612) and the Ouse Dyke, which will require further investigation at detailed design stage.
14. To confirm that all occupants and site users can access and egress the site safely during time of flood.

15. To prevent an increase in flood risk elsewhere.
16. To prevent the increased risk of flooding elsewhere.
17. To ensure that the proposals are appropriate and protective of controlled waters.
18. The submitted Phase 1 Desk Study, Curtins Consulting, January 2013 (preliminary risk assessment) identifies potential for contamination. This condition is required to ensure that the risks posed to controlled waters are investigated and remediated as necessary and that the site is remediated appropriately.
19. The submitted Phase 1 Desk Study, Curtins Consulting, January 2013 (preliminary risk assessment) identifies potential for contamination. This condition is required to ensure that the risks posed to controlled waters are investigated and remediated as necessary and that the site is remediated appropriately.
20. This condition is required to ensure that the risks posed to controlled waters or the environment are investigated and remediated as necessary.
21. To minimise light spill around the development during the construction of the development as inappropriate lighting could have an adverse impact on nocturnal species such as bats.
22. To minimise light spill around the development during the operation of the development as inappropriate lighting could have an adverse impact on nocturnal species such as bats.
23. To ensure that the demolition of the sports pavilion has no adverse impact upon bats and to ensure that the development accords with paragraph 118 of the National Planning Policy Framework.
24. To ensure that appropriate measures are taken to protect the local environment in terms of impact on trees; hedgerows and woodland, flora and fauna, water quality, air quality and on the amenity of neighbouring uses.
25. To ensure that the site is surveyed appropriately to identify any potential archaeology and if found is appropriately dealt with.
26. To ensure that the replacement recreation ground is in operation prior to the existing pitches being removed, so as to protect sports facilities and ensure continuity for those sports affected by the proposed development.

27. To ensure that the required replacement playing pitches and changing room facilities are provided appropriately in order to provide satisfactory replacement facilities for those to be lost as part of the development hereby approved.
28. In the interests of highway safety.
29. In the interests of highway safety.
30. In the interests of highway safety.
31. In the interests of highway safety.
32. In the interests of highway safety.
33. In the interests of highway safety.
34. In the interests of highway safety.
35. To promote sustainable travel.
36. To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area.
37. To promote sustainable travel.
38. To promote sustainable travel.
39. To promote sustainable travel.

### **Reason for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the adopted Local Plan and Emerging Aligned Core Strategy, where appropriate. In the opinion of the Borough Council the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Local Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Local Plan. Environmental information has been taken into consideration by the Borough Council in reaching this decision.

### **Notes to Applicant**

Your attention is drawn to the attached comments from Environment Agency, Trent Valley Internal Drainage Board, Nottinghamshire Police Force Architectural Liaison Officer, Nottinghamshire County Council with

regard to Highways, Archaeology and Rights of Way and the Borough Council's Public Protection Section.

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).

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant and agent to discuss consultation responses; providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised and providing updates on the application's progress.

The highway improvements referred to in condition 34 above relate to those shown in outline on Morgan Tucker Plan reference JN953-NWK-SK007, which are also capable of being provided pursuant to the pending decision relating to Planning Application reference 2013/0500 which has been submitted to the Local Planning Authority. If the construction details are provided under 2013/0500, then the works referred to in condition 34 will not be required to be provided in relation to this application (2013/0546). In the event of this scenario a letter submitted as part of a discharge of condition application stating that the works have already been provided would suffice to discharge condition 34.

**151 APPLICATION NO. 2013/ 0836- CORNWATER FIELDS, RAVENSHEAD**

Residential development of up to 70 dwellings including access equipped play area and open space.

The Development Control Manager outlined a number of amendments to the report and proposed conditions.

The Development Control Manager stated that the Framework drawing, as discussed on page 129 of the agenda, was withdrawn on the 3<sup>rd</sup> of March 2014 and that the developer had agreed to provide a minimum of 30% of the units on site as bungalows.

She also provided clarification on the progress on the Local Planning Document (page 137) and provided an update to page 138 of the report following the issue of new planning guidance in relation to prematurity.

The Development Control Manager outlined the following amendments to the proposed planning conditions:

Condition 3 to be amended to read:

“The development hereby permitted shall begin no later than five years from the date of this permission, or two years from the date of approval of the last reserved matters to be approved, whichever is the later.”

Condition 4 to be deleted and replaced with:

“A minimum of 30% of the dwellings to be provided shall be provided as bungalows.”

Condition 7 (l), the word form to be deleted and replaced with from and species to be replaced with species, to read:

“Measure to remove Grey Alder from the site, as this is a non-native species.”

Condition 16 to be amended to read:

“No dwellings hereby permitted shall be occupied until a junction and pedestrian crossing have been provided as shown on drawing CRN10522 Rev A.”

Condition 18 to be amended to read, Longdale Lane, rather than Langdale Lane.

Condition 19 to be deleted as the issue is covered by conditions 11 and 12.

Condition 20 to be deleted as car parking will need to be provided at reserved matters stage, in accordance with the Council’s standards, and be assessed as part of the layout of the development.

Conditions 21, 22 and 23 to be renumbered accordingly.

Reason 4 to be amended to read:

No dwellings hereby permitted shall be occupied until a junction and pedestrian crossing have been provided as shown on drawing CRN10522 Rev A.



**RESOLVED that the Borough Council supports the GRANT OF OUTLINE PLANNING PERMISSION, subject to the following amended conditions and to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority for the provision of, or financial contributions towards:**

Provision of Public Open Space in accordance with the Council's Supplementary Planning Documents and Recreational Open Space.

Nine of the units to be affordable 2 bedroom bungalows.

Commuted sum for the provision of 12 affordable units.

Public transport.

Educational Facilities.

### **Conditions**

1. Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
2. Details of appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
3. The development hereby permitted shall begin no later than five years from the date of this permission, or two years from the date of approval of the last reserved matters to be approved, whichever is the later.
4. A minimum of 30% of the dwellings to be provided shall be provided as bungalows.
5. The detailed plans and particulars to be submitted as reserved matters in relation to layout and scale shall include plans showing existing and proposed ground levels of the site, sections across the site and in relation to existing dwellings adjacent to the site and details of the finished slab level for every property. The development shall be carried out in accordance with the approved details.
6. The detailed plans and particulars to be submitted as reserved matters in relation to layout and landscaping shall demonstrate how the site layout and its landscaping have been devised to achieve the following objectives (1) meeting County Council highway design guidance, (2) providing adequate car parking provision for residents and their visitors taking into account the Borough Council's adopted car parking standards, (3) meeting the

needs of different users of the public realm, (4) discouraging anti-social behaviour and (5) creating attractive street scenes.

7. The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) a plan showing the existing trees/hedges to be retained as part of the proposed development; (b) details of any proposed topping or lopping of any tree/hedge proposed to be retained, or of any tree on land adjacent to the site; (c) details of any proposed alterations in existing ground levels and any excavation within the root protection area of any hedge/tree to be retained on site or of any tree on land adjacent to the site; (d) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree/hedge from damage before or during the course of development ;(e) proposed and existing functional services above and below ground; (f) details of the size, species, positions and density of all trees and shrubs to be planted; (g) details of the boundary treatments, including those to individual plot boundaries; (h) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors; (i) a programme of implementation; (j) details of species mixes, establishment methods and maintenance regimes, ensuring that native species appropriate to the local area are used in informal landscaping areas. Particular attention should be given to the landscape strip along the southern boundary of the site and its development as an area suitable for common lizards, to include the creation of hibernaculae; (k) a landscape management plan to guide ongoing management of landscaped/green infrastructure areas; (l) measures to remove Grey Alder from the site, as this is a non- native species. The development shall be carried out in accordance with the approved details, unless otherwise by prior agreement in writing by the Local Planning Authority.
8. The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings, and provision of bird and bat boxes within the fabric of the proposed buildings. The development shall be carried out in accordance with the approved details, unless otherwise by prior agreement in writing by the Local Planning Authority.
9. No part of the development hereby permitted shall take place until details of the new roads have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, proposed structural works and a proposed

programme of works. The development shall be implemented in accordance with these details.

10. No part of the development hereby permitted shall commence, including site clearance, until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no debris is discharged or carried onto the public highway.
11. No part of the development hereby permitted shall take place until drainage plans for the disposal of foul sewage have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of the first dwelling, unless otherwise by prior agreement in writing by the Local Planning Authority.
12. No part of the development hereby permitted shall commence until 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, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate: (a) The utilisation of holding sustainable drainage techniques; (b) The limitation of surface water run-off to equivalent greenfield rates; (c) 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 (d) Responsibility for the future maintenance of drainage features.
13. The fencing and any other proposed measures proposed to protect existing trees/hedges to be retained on site shall be erected in accordance with the approved details prior to the commencement of development and retained in situ until the development has been completed.
14. If within a period of five years beginning with the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the local planning authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

15. No development shall commence on any part of the application site until an archaeological scheme of treatment of the site has been submitted for the approval of the Local Planning Authority. This should preferably comprise a 'strip, map and sample' exercise whereby the topsoil is stripped under archaeological supervision and any archaeological features are identified, recorded and sampled accordingly. The scheme shall subsequently be implemented in accordance with the approved details before the development is commenced.
16. No dwellings hereby permitted shall be occupied until a junction and pedestrian crossing have been provided as shown on drawing CRN10522 Rev A.
17. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4m x 43m are provided in accordance with details to be first submitted and approved in writing by the Local Planning Authority. The area within the visibility splays referred to in this Condition shall thereafter be kept free of all obstructions, structures or erections exceeding 0.6 metres in height.
18. No part of the development hereby permitted shall be brought into use until a 2.0m wide footway on the southern side of the proposed access road and on Longdale Lane between the site entrance and the site's frontage boundary.
19. Prior to the commencement of development on the site, including site clearance) a biodiversity method statement shall be submitted to the Local Planning Authority, and the approved details complied with throughout implementation of the development. The method statement shall include:(a) Passive displacement of common lizards prior to development, to the open space along the southern boundary of the site offered as replacement habitat. In order for this to work, the habitat into which the reptiles are expected to be displaced will need to have been created in advance of development.(b) Details of the creation and provision of the habitat strip along the southern part of the site.(c) No ground works can take place on the site until the habitat strip along the southern part of the site has been established, and that this is subsequently protected from development. (d) boundary treatments especially along the southern edge of the development to restrict access to Trumpers Wood
20. No part of the development hereby permitted shall commence, until details of lighting scheme have been submitted to the Local

Planning Authority, which shall minimise light spill around the development during the construction as inappropriate lighting could have an adverse impact on nocturnal species such as bats. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

21. There shall be no clearance or works to trees on the site within the wildbird nesting season, unless otherwise agreed in writing by the Local Planning Authority.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
3. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
4. No dwellings hereby permitted shall be occupied until a junction and pedestrian crossing have been provided as shown on drawing CRN10522 Rev A.
5. To ensure that the positioning of dwellings in the design produced at reserved matters stage in relation to layout and scale would accord with Policy ENV1 and H7 of the of the Gedling Borough Replacement Local Plan (saved policies) 2008.
6. To ensure that the means of vehicular access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
7. To ensure that the landscaping of the development as proposed at reserved matters stage provides sufficient detail to ensure that the trees and hedges to be retained on site will be safeguarded in to meet the landscape principles specified within the design and access statement, and so that any future decisions relating to this outline permission are consistent with the submitted statement, and to ensure that the design of the site takes into account the recommendations made in the arboricultural statement submitted with the application, in order that the development accords with Policy ENV2 and H16 of the Gedling Borough Replacement Local Plan (saved policies) 2008.

8. To ensure that the appearance of the development as proposed at reserved matters stage has regard to the appearance of the area and makes adequate alternative provision is made for bats and nesting birds; as required by Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
9. To ensure that the roads of the proposed development are designed to an adoptable standard in order to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008
10. To prevent mud being deposited onto the highway during construction of the development.
11. To ensure that the development is provided with a satisfactory means of drainage and to minimise the risk of pollution.
12. To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water management features.
13. To ensure that the trees and hedges to be retained as part of the development are protected during the construction of the development.
14. To accord with Policy ENV2 of the Gedling Borough Replacement Local Plan.
15. To ensure that any matters of archaeological interest are investigated and recorded.
16. To ensure that the means of vehicular and pedestrian access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
17. To ensure that the means of vehicular access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.
18. To ensure that the means of vehicular and pedestrian access into the site accords with the plan submitted as part of the outline application with means of access applied for and to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (saved policies) 2008.

19. To ensure that there is no adverse impact on the ecology of the site and the adjoining land.
20. To ensure that there is no adverse impact on the ecology of the site and the adjoining land.
21. To ensure that there is no adverse impact on the ecology of the site and the adjoining land.

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the adopted Local Plan and Emerging Aligned Core Strategy, where appropriate. In the opinion of the Borough Council the proposed development accords with the relevant policies of these frameworks and plans.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant and agent to discuss consultation responses; providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised and providing updates on the application's progress.

### **Notes to Applicant**

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

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

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative above ground sustainable drainage should be used.

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

Approval under Section 19 of the Nottinghamshire County Council Act 1985 is required and where new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works. If any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current design guidance and specification for roadworks. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. and Section 38 requirements with which compliance will be needed in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved in writing by the County Council in writing before any works commence.

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

The Environment Agency would also like to see the percolation test details to confirm that they conformed to BRE365 Guidance.

The proposed development could involve building or undertaking works up to or close to, the boundary of the site. If access to neighbouring land in another ownership is required to facilitate construction you are advised to obtain permission from the owner of that land for such access before beginning your development. 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 to light, etc.).

The Council would encourage the developers of the site to continue the community engagement already undertaken in the preparation of the reserved matters submission so that the consultation objectives specified in section 2.2 of the Statement of Community Engagement can be achieved in respect of any reserved matters submission made in respect of this outline planning permission.



**152 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**153 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

The Chair informed Members that a meeting of the Planning Probity Panel would take place after the European Elections and that a briefing would be arranged for Members regarding recent high court reinterpretations of the use of green belt and updates to planning policy since the last training took place.

The meeting finished at 7.00 pm

Signed by Chair:  
Date: