

**MINUTES
PLANNING COMMITTEE**

Wednesday 21 September 2016

Councillor John Truscott (Chair)

In Attendance:

Councillor Barbara Miller	Councillor Marje Paling
Councillor Pauline Allan	Councillor Colin Powell
Councillor Chris Barnfather	Councillor Paul Stirland
Councillor Alan Bexon	Councillor Paul Wilkinson
Councillor Bob Collis	Councillor Henry Wheeler
Councillor Kevin Doyle	Councillor John Parr
Councillor David Ellis	Councillor Jim Creamer
Councillor Gary Gregory	

Absent: Councillor Michael Adams and Councillor Meredith Lawrence

Officers in Attendance: M Avery, D Gray, F Whyley and C Goodall

45 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Adams and Lawrence. Councillors Creamer and Parr attended as substitutes.

46 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 24 AUGUST 2016.

RESOLVED:

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

47 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest on behalf of all Members of the Committee in application number 2016/0745 as Gedling Borough Council is the owner of the site.

48 APPLICATION NO. 2016/0745- LAND TO THE REAR OF 94 PHOENIX AVENUE, GEDLING, NOTTINGHAMSHIRE.

Change of use of land from open space to residential curtilage.

The Planning Delivery Manager introduced the report.

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. This permission shall be read in accordance with the following plan: 'Land at Phoenix Avenue Gedling' received by the Local Planning Authority on 27 June 2016. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Borough Council.
3. Prior to the commencement of development, details of the proposed boundary treatments shall be submitted to and approved in writing by the Borough Council. The development shall be undertaken in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of this permission.
3. In the interest of visual amenity and in accordance with Saved Policy ENV1 of the Gedling Borough Replacement Plan.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities, and results in no unduly detrimental harm to the character and setting of the locality. The proposal therefore accords with Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014 and saved Policies ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan.

Notes to Applicant

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

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. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The applicant is advised that all planning permissions granted on or 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that there is no net additional increase of floorspace as a result of the development.

49 APPLICATION NO. 2016/0808- 786 MANSFIELD ROAD, DAYBROOK, NOTTINGHAMSHIRE.

Installation of a mezzanine floor to measure 1,115 sq m for use as retail floor space.

The Planning Delivery Manager introduced the report.

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 hereby permitted shall be implemented in accordance with the application form, site location plan, Supporting Statement, Sequential Test and drawing no. 01 "Existing site plan", received on 11th July 2016, and revised drawing no. 02 "Proposed site plan" received on 09th September 2016, and Transport Statement received on 2nd August 2016.
3. Unless otherwise agreed in writing by the Borough Council, this permission shall only permit the sale of tents, camping and caravanning equipment and accessories, outdoor pursuit equipment and accessories (including walking, climbing, skiing, cycling, fishing, running and horse riding) along with associated clothing and footwear, carpets, floorcovering, builder's merchants and home improvement goods, fitted kitchens and bathrooms, furniture and home and soft furnishings, beds and bedding products, homewares, electrical and electronic goods, bicycle and spare parts, motor accessories and goods ancillary thereto, domestic hire shop and ancillary cafe.

4. This permission shall be restricted in respect of retail floorspace to units of not less than 500 sq m gross floorspace each, unless otherwise agreed in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the proposal is in accordance with the aims of the National Planning Policy Framework (2012).
4. To ensure the proposal is in accordance with the aims of the National Planning Policy Framework (2012).

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have a significant impact on the vitality and viability of existing centres or on highway safety and would accord with the aims and objectives of the National Planning Policy Framework (2012).

Notes to Applicant

Positive and Proactive 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. During the processing of the application there were no problems for which the Borough Council had to seek a solution in relation to this application.

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

It is brought to your attention that any external changes to the front of the retail unit may require planning permission and the advice of the Borough Council should be sought before implementing any changes.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that the development comprises a retail mezzanine(s) which is to be located in an existing retail property.

50 APPLICATION NO. 2014/1149- LAND SURROUNDING 315 SPRING LANE, MAPPERLEY, NOTTINGHAMSHIRE.

Diversion of Carlton Footpath No.1 Mapperley. The footpath proceeding from a point SK6069 4451, to a point SK6102 44 59, identified by the bold continuous line on plan TWY007/LOCO3 C.

The Chair advised that this item had been withdrawn from the agenda and that it would be considered at a future meeting.

51 APPLICATION NO. 2015/0913- SAINSBURYS LOCAL, 1 NOTTINGHAM ROAD, RAVENSHEAD, NOTTINGHAMSHIRE.

Demolition of existing car showroom (use class sui generis) and erection of convenience store (use class 1) with associated landscaping, car parking and servicing.

The Planning Delivery Manager introduced the item.

RESOLVED:

To grant planning permission, subject to the following conditions:

Conditions

1. Notwithstanding any indication given in relation to the proposed off-site highway works, which shall be implemented in accordance with the terms of condition 2. The development hereby permitted shall be carried out in accordance with the following approved plans: Wallbrook Management Plans 13/W14215: 200 revision B (site plan), 201 revision B (location plan), 204 (proposed ground floor plan), 205 (proposed first floor plan), 210 (proposed elevation A), 211 (proposed elevation B), 212 (proposed elevation C), 213 (proposed elevation D, 217 (proposed plant detail), 218 (proposed sections), and 219 (existing and proposed street scenes). Vectos Plan VN30200-200 revision B (general arrangement) and drawing number 1058-02 (soft landscape proposals) prepared by Arthur Amos Associates, as amended by the details submitted with application 2015/0284NMA drawing no.'s: 2001 Rev D, 2002 Rev D, 2003 Rev B, 2004, 2005, 2006, 2007, 2008, 2010 Rev C, 2011 Rev C, 2012 Rev C, 2013 Rev C, 2014, 2015 Rev D, 2020 Rev C, 2021 Rev C, 2022 Rev C, 2025

Rev A and 2030 and the details submitted with applications: 2014/1368DOC and 2015/0228DOC.

2. The off-site highway works hereby approved shall be completed in accordance with the approved S278 Highway Improvement Plans received on 13 July 2015 drawing no's: VD14226-D001, VD14226-D002, VD14226-D003, VD14226-D004 and VD14226-D005.
3. The use hereby permitted shall not be open to customers outside the following hours: 0700hrs to 2300hrs.
4. The net sales floorspace of the convenience store (defined as the sales area within the building excluding checkouts, fitting rooms, lobbies, concessions, customer toilets and walkways behind the checkouts) shall not exceed 254 sq m, of which no less than 85% shall be used for the sale of convenience goods (defined as food and non-alcoholic beverages, tobacco, alcoholic beverages, newspapers and periodicals, and nondurable household goods) and no more than 15% may (be) used for the sale of comparison goods (defined as clothing materials & garments, shoes & other footwear, materials for maintenance & repair of dwellings, furniture & furnishings, carpets & other floor coverings, household textiles, major household appliances whether electric or not, small electric household appliances, tools & miscellaneous accessories, glassware, tableware & household utensils, medical goods & other pharmaceutical products, therapeutic appliances & equipment, bicycles, recording media, games, toys & hobbies, sport & camping equipment, musical instruments, gardens, plants & flowers, pets & related products, books & stationery, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches & clocks, other personal effects).
5. The external areas of the site shall be landscaped, in accordance with the details shown on plan number 1058-02, within the first planting season following the store being first brought into use. Thereafter, any trees, shrubs or plants that die or become seriously diseased within five years following the implementation of the landscaping scheme shall be replaced in the next available planting season with plants of a similar size and variety.

Reasons

1. For the avoidance of doubt.
2. For the avoidance of doubt
3. To protect the amenity of nearby residents and to ensure a satisfactory development, in accordance with the aims of policy

ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the minor material amendment to amend the off-site highway works would not result in any significant undue highway safety implications.

52 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

53 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

54 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.15 pm

Signed by Chair:
Date: