

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 23 November 2016**

Councillor John Truscott (Chair)

In Attendance:

Councillor Barbara Miller	Councillor Gary Gregory
Councillor Michael Adams	Councillor Meredith Lawrence
Councillor Pauline Allan	Councillor Marje Paling
Councillor Chris Barnfather	Councillor Colin Powell
Councillor Bob Collis	Councillor Paul Stirland
Councillor Kevin Doyle	Councillor Paul Wilkinson
Councillor David Ellis	Councillor Henry Wheeler

Absent: Councillor Alan Bexon

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

**66 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Bexon.

**67 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 19 OCTOBER 2016.**

**RESOLVED:**

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

**68 DECLARATION OF INTERESTS**

Councillors Gregory and Miller declared disclosable pecuniary interests in application number 2016/0414 as Directors of the Gedling Homes Board.

**69 APPLICATION NO. 2016/0726- LAND TO THE REAR OF 194, 196, 198, 200 AND 202 OAKDALE ROAD, CARLTON, NOTTINGHAMSHIRE, NG4 1AH.**

Construction of 9 three bedroom houses and 3 four bedroom houses.

Ian Burton, a neighbouring resident, spoke in objection to the application.

The Service Manager - Development Services introduced the report.

Councillor Collis moved and Councillor Barnfather seconded a motion to defer the item on the grounds that further clarity was required in respect of access to the site.

**RESOLVED:**

To defer the item to be considered at the next meeting.

70

**APPLICATION NO. 2015/0424- MILL FIELD CLOSE, BURTON JOYCE, NOTTINGHAMSHIRE, NG14 5AA.**

Outline Planning Permission for Residential Development.

Sally Anne Johnson, a neighbouring resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report and explained that the item had been previously presented to Planning Committee in February where it was resolved to approve the application subject to the developer entering into a Section 106 Agreement for financial contributions towards public transport, education facilities and affordable housing. During Section 106 negotiations it had been established that a further policy constraint would need to be considered within the committee report in order to be compliant with the development plan for the area. It was therefore recommended that the Council granted outline planning permission with an amendment to the Section 106 to include the provision of public open space and an amendment to conditions 3 and 15.

**RESOLVED:**

**That the Borough Council GRANTS 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 Public Transport, Educational Facilities, Affordable Housing, and Public Open Space; and subject to the following amended conditions:**

**Conditions**

1. Application for the Approval of the Reserved Matters shall be made to the Borough Council not later than three years from the

date of this permission. Details of Access, Appearance, Landscaping, Layout and Scale (hereinafter called the Reserved Matters) for the development shall be submitted to and approved in writing by the Borough Council before any development 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. This permission relates to the approved plans received on the 7th May 2015: - Topographical Survey - Drawing number - 14100cv-01- Site location plan scale 1:2500
3. Before any development is commenced there shall be submitted to and approved in writing by the Borough Council details of the improvement of the access to and at the junction with Nottingham Road and a footway along the site frontage, the parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays, and drainage (hereinafter referred to as reserved matters) . All details submitted to the Borough Council for approval shall comply with the County Council's Highway Design and Parking Guides which are current at the time the details are submitted. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
4. Unless otherwise agreed in writing by the Local Planning Authority the development shall be carried out in strict accordance with the recommendations contained within the approved Flood Risk Assessment reference FW655/FRA/001 v2 submitted with the application.
5. Prior to the commencement of development hereby approved a Construction Environmental Management Plan (CEMP) for the development shall be submitted to and approved in writing by the Local Planning Authority. The 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 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 construction.(4) details of traffic routes for Heavy Goods Vehicular movements during the construction of the development. (5) details of wheel washing facilities to be used by vehicles entering and leaving site during the construction of the development ; (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 the development in relation to noise and vibration and safeguarding air quality and (7) details on protecting the adjacent Network Rail land, services and infrastructure in respect of the issues raised by Network Rail in their email dated 01 September 2015 from Matthew Leighton. The approved CEMP(s) and all details therein shall be implemented in accordance with the approved details throughout the construction period of the development.

6. Prior to the commencement of development hereby approved there shall be submitted to and approved in writing by the Borough Council a site level survey plan for the development showing existing and proposed site levels. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
7. Before development is commenced on site there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

9. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.
10. No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist, and any refugia which could be used by reptiles have been subject to hand searches. If any reptiles are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council. The mitigation measures shall be implemented in accordance with the approved details before development commences.
11. No development shall commence on site until a detailed survey of Protected Species and their habitats has been conducted and the report and conclusions and recommendations for mitigation measures, including protection measures to be put in place to prevent accidental ingress and damage, and including timings, has been submitted to and approved in writing by the Local Planning Authority. The report shall include: (1) Updated ecological surveys, in the event that 2 years has elapsed since the date of the original survey: (2) Details relating to the protection of retained vegetation, to included trees and hedgerows: (3) A working methodology to minimise impacts on common toad, a Section 41 species (i.e. national conservation priority) recorded on site during the reptile surveys: (4) A detailed landscaping plan, to provide details of planting mixes and establishment regimes and to ensure the use of locally-appropriate native tree and shrub species on the site boundaries: (5) Details of any water attenuation facility, to ensure that this is multifunctional and designed to maximise its biodiversity value: (6) A detailed lighting scheme, in the event that lighting is required, to be designed to minimise its impacts on nocturnal wildlife: (7) Other biodiversity enhancement measures, such the incorporation of integrated bird and bat boxes into the fabric of the new buildings, measures to provide bird and bat breeding boxes

within the site area in accordance with details to be agreed in writing with the Local Planning Authority. The report shall include measures for the prevention of light spillage to adjacent habitats from the development. The detailed layout and other plans submitted at the Reserved Matters stage shall incorporate all the measures identified including stand-offs and other similar measures to protect the habitat of Protected Species. The mitigation measures identified in the approved details shall be fully implemented in accordance with the approved timings at all times and in their entirety.

12. 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. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Borough Council.
13. The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
14. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, 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 Borough Council 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 otherwise prior agreed in writing by the Borough Council.
15. Unless otherwise agreed by the Borough Council, development must not commence until details relating to the following have been complied with: Site Characterisation An assessment of the nature and extent of any potential contamination has been

submitted to and approved in writing by the Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Borough Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme shall be implemented in accordance with the approved details.

16. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works under condition 3 above. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Borough Council.
17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and once the Borough Council has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above and, where remediation is necessary, a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.

### **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 that the roads of the proposed development are designed to an adoptable standard, to ensure adequate vehicular access to the highway network and to ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
4. To prevent the increased risk of flooding in accordance with the National Planning Policy Framework, Section 10.
5. To ensure a satisfactory development in accordance with the aims of Sections 10 and 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy Submitted Documents.
6. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
7. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
8. To ensure the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with the National Planning Policy Framework and Policy 1 of the Gedling Borough Aligned Core Strategy Submission Documents.
9. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
10. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
11. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

12. To ensure a satisfactory development in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
13. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
14. To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
15. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
16. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
17. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

### **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.

### **Notes to Applicant**

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.

Your attention is drawn to the attached correspondence from Nottinghamshire County Council, the Environment Agency, Severn Trent Water, Nottinghamshire Wildlife Trust and the Borough Council's Public Protection Section.

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 PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

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 these works you will need to enter into an agreement under Section 278 of the Act. Please contact Matt Leek on 0300 500 8080 for details.

The developer is advised that Severn Trent has a public sewer within the application site which is protected under the provisions of the Water Industry Act 1991. The developer is advised to contact Severn Trent on 0116 234 3834 before submitting the detailed plans for the site.

71

**APPLICATION NO. 2016/0414- DEVELOPMENT NEXT TO 64 BYRON STREET, DAYBROOK, NOTTINGHAMSHIRE.**

*Councillors Gregory and Miller left the meeting.*

(Revised Plans) The erection of 21 residential apartments on land to the Rear of Majestic Wines.

Robert Simmons, a neighbouring resident, spoke in objection the application.

The Service Manager – Development Services introduced the report.

**RESOLVED:**

**That the Borough Council GRANT FULL PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority for the provision of Affordable Housing; and subject to the following conditions listed in the decision notice attached for the reasons set out in the report:**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed strictly in accordance with the following approved and revised plans submitted with the application drawing numbers: L001 revA (Site Plans) 17.10.16; L100 revJ(Proposed Site Layout) 24.10.16; P100 revB (Proposed Plans - Ground & First Floor) 14.09.16; P101 revB (Proposed Plans - Second Floor & Roof) 14.06.16; P110 rev D (Elevations) 07.11.16; P111 revC (Elevation Materials) 07.11.16; P112 rev E (Proposed Streetscene) 07.11.16; P113 revC (Block Elevations) 07.11.2016; P120 revB (Site Sections) 25.10.16; S110 revH (Proposed Site Layout) 28.10.16; S111 revC (Proposed Site Layout - Indicating Survey) 14.09.16; S112 revB (Proposed Site Layout - Site Visibility) 14.09.16; S113 revB (Site Plan - Vehicle Tracking) 14.09.16; S114 rev B (Site Plan - Constraints) 14.09.16; M100 rev A (Street Image - Existign and Proposed); Design and Access Statement 02.09.16; S115 (Site Constraints 2) 22.09.16; Tree Survey Report 18.10.16; 1542-001 (Tree Survey Report Plan) 18.10.16; S116 (Vision Splays) 24.10.16; S120 (Site Coordinates) 03.11.16; GEDA (Dust Management Plan) 07.11.16; (SK)1000 revD (Swept Path Analysis) 03.11.16; and (SK)1002 and revC (S184 Vehicle Access Detail) 03.11.16.
3. Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) is submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that

demonstrates the effectiveness of remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it 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. An assessment must be undertaken in accordance with good practice and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
5. Unless otherwise agreed by the Local Planning Authority, development shall not commence until a Dust Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan should be produced and carried out in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). Once approved the plan shall be carried out in strict accordance with the approved details.
6. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
7. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.
8. No part of the development hereby permitted shall be brought into use until the accesses and dropped vehicular footway crossing/s are available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
9. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in

accordance with drawing number 'Vehicle Access Detail', drawing no. SK 1002 Rev B. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

10. No part of the development hereby permitted shall be brought into use until the existing site access on Byron Street which currently serves Majestic Wine that has been made redundant and is permanently closed and access crossings are reinstated as footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
11. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site. The means of enclosure shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees, shrubs, and soft landscaping proposed to be planted. The details shall include the precise location of the proposed highway lime tree/s to be planted to the front of the application site. Once approved the landscape plan shall be implemented strictly in accordance with the approved details and shall be carried out in the first planting season following substantial completion of the development. Any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

### **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 that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).
4. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the

aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

5. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough Council (September 2014).
6. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough Council (September 2014).
7. To ensure that the development is provided with satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
8. In the interests of Highway safety.
9. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
10. In the interests of Highway safety.
11. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough Council (September 2014).
12. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, the area in general, and is acceptable from a highway safety viewpoint. The proposal therefore accords with Policy 10 of the Aligned Core Strategy (2014) and H7, H16 and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

### **Notes to Applicant**

The proposal makes it necessary to construct vehicular crossing/s and reinstatement of the redundant crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the

Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

Any essential maintenance to the tree marked TCL: 77.41 within the application site, shown on the site location plan reference: 10684/S110/G, shall be carried out in accordance with the relevant consent received from Nottinghamshire County Council as the Highway Authority at the expense of the applicant or their successors in title.

Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have a statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which both protects the public sewer and the building.

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.

Your attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how to decrease levels by incorporating mitigation measures into scheme design as standard.

(see: <http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginlocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

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 hereby approved as the development type proposed is zero rated in this location.

72

**APPLICATION NO. 2016/0990- 9 ROSEGROVE AVENUE, ARNOLD  
, NOTTINGHAMSHIRE, NG5 8DU.**

*Councillors Gregory and Miller re-joined the meeting.*

Construction of a detached bungalow and associated alterations to existing boundary and parking arrangement.

The Chair introduced the report.

**RESOLVED:**

**TO REFUSE PLANNING PERMISSION:**

**Reasons**

1. The proposed development by reason of its scale, position and design would result in an over intensive development of the site that would be detrimental to the visual appearance of the area and incongruous on the streetscene. The proposal would therefore not accord with the following local policies:- Policy 10 'Design and Enhancing Local Identity' of the Gedling Borough Aligned Core Strategy 2014 and Saved Policies H7 'Residential Development on unidentified sites within the Urban Area and the Defined Village Boundaries' and ENV1 'Development Criteria' of the Gedling Borough Council Replacement Local Plan. The proposed development would also fail to accord with paragraph 63 of the National Planning Policy Framework which seeks to ensure that new development is of good design.
2. In the opinion of the Borough Council, by reason of the position, scale and bulk of the proposed bungalow on elevated land and the proximity to neighbouring residential amenity, the proposed development would result in an undue overbearing and overshadowing impact on no.9 Grenville Rise. The proposal would therefore be contrary to the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

73

**APPLICATION NO. 2016/0969- 89 SHEEPWALK LANE,  
RAVENSHEAD, NOTTINGHAMSHIRE, NG15 9FD**

Variation of Condition 6 under planning permission 2015/1117 (use of private swimming pool to provide private swimming lessons) to allow 4 additional hours of operation. Wednesdays 16.00-18.00 and Thursdays 9.30-11.30.

The Service Manager – Development Services introduced the report and an amendment to condition 5 in the following terms:

During the hours referred to in condition 4 there shall be a maximum 6 non-residents and a teacher attending the site in connection with the swimming lessons at any one time. A written record shall be kept of the number of non-residents attending lessons on site at any one time, and the day on which the swimming lessons take place. The record shall be made available, on request, for inspection by the Borough Council.

The Service Manager as a result of the amendment to condition 5 also proposed an additional condition relating to the production of a management plan.

Councillor Truscott proposed, and was seconded by Councillor Lawrence to delegate authority to officers to produce wording for an additional condition 6.

**RESOLVED:**

**TO GRANT PLANNING PERMISSION subject to the following amended conditions and a condition 6 requiring the applicant to produce a management plan for the operation, the wording of which to be delegated to officers to approve.**

**Conditions**

1. This permission relates to the submitted application form, supporting letter and location plan received on 2nd September 2016 and the subsequent supporting letter received by email on 8th November 2016. The development shall be carried out in accordance with the approved details.
2. This permission relates to No 89 Sheepwalk Lane continuing in residential use (C3a) with limited use of the existing swimming pool to provide private swimming lessons as described in the submitted details, as listed in Condition 1 above.
3. The hard surfaced parking area shall be kept available for the accommodation for vehicles at all times, incidental to the enjoyment of the dwelling house and the use of the swimming pool to provide private swimming lessons.
4. The swimming pool shall be only be used for private swimming lessons for a maximum of 12 hours a week between the hours of 16:00hrs - 18:00hrs Tuesday, Wednesday and Thursday and 09:30hrs - 11:30hrs Wednesday, Thursday and Saturday unless

otherwise agreed in writing by the Borough Council, as Local Planning Authority.

5. During the hours referred to in Condition 4 there shall be a maximum of 6 persons/children/non-residents attending lessons plus one teacher on the site at any one time. A written record should be kept of the number of children/persons/non-residents attending lessons on the site at any one time, and the days on which the swimming lessons take place. These records shall be made available, on request, for inspection by the Borough Council.

### **Reasons**

1. For the avoidance of doubt
2. To protect the amenities of neighbouring properties and the appearance and character of this residential area.
3. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
4. To preserve the amenities of adjoining neighbours and this residential area
5. To preserve the amenities of adjoining neighbours and the soft landscaped appearance of this part of the Ravenshead Special Character Area

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development would not unduly impact the amenities of neighbouring residential properties or the Ravenshead Special Character Area subject to the recommended conditions. The proposal therefore complies with Policies ENV1 and ENV17 of the Gedling Borough Replacement Local Plan (certain policies saved 2014), Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and the National Planning Policy Framework.

### **Notes to Applicant**

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.

Planning Statement - The Borough Council has worked proactively with the applicant in accordance with paragraphs 186 and 187 of the National Planning Policy Framework by advising of the correct type of application and the comments from the Delegated member's Panel.

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)

**74 APPEAL DECISION- THE FOLLY, PARK LANE, LAMBLEY, NOTTINGHAMSHIRE.**

Outline planning permission was sought for the development of the site to provide 5 no. new affordable dwellings comprising of 2 no. 2 bedroom bungalows and 3 no. 2 bedroom starter houses.

**RESOLVED:**

To note the information.

**75 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**76 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.12 pm

Signed by Chair:

Date: