

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 30 August 2017**

Councillor John Truscott (Chair)

In Attendance:   Councillor Pauline Allan                           Councillor Marje Paling  
                  Councillor Chris Barnfather               Councillor Colin Powell  
                  Councillor Alan Bexon                           Councillor Paul Stirland  
                  Councillor Bob Collis                           Councillor Paul Wilkinson  
                  Councillor Kevin Doyle                       Councillor Henry Wheeler  
                  Councillor David Ellis                       Councillor Sarah Hewson  
                  Councillor Gary Gregory                   Councillor Jim Creamer  
                  Councillor Meredith Lawrence

Absent:                           Councillor Barbara Miller and Councillor Michael Adams

Officers in Attendance:     M. Avery, D. Gray, L. Parnell & F. Whyley

**46           APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Adams and Miller, who were substituted by Councillors Hewson and Creamer.

**47           TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 19 JULY 2017.**

**RESOLVED:**

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

**48           DECLARATION OF INTERESTS**

Councillor Barnfather declared a non-pecuniary interest in Enforcement Reference 0018/2017 due to a working relationship with the site owner and that he would leave the meeting during consideration of the item.

**49           APPLICATION NO. 2016/0854 - METALLIFACTURE LTD, MANSFIELD ROAD, REDHILL.**

Erection of 72 dwellings and new vehicular access from Mansfield Road.

The Service Manager, Development Services, introduced the application covering density, car parking and a number of special requirements due

to the previous usage of the site and the impact on the ability of the developer to provide affordable housing on site.

**RESOLVED that the Borough Council GRANTS FULL 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 education authority for the provision of / or financial contributions towards; On Site Affordable Housing; Open Space; Healthcare; Education; Management Company for areas of open space / private drives / parking courts not within residential curtilages and not adopted by the Highway Authority; a Local Labour Agreement; and subject to the conditions:**

### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby approved shall be completed strictly in accordance with the approved plans, application forms, plans and drawing no's: Planning Statement (July 2016); Noise Assessment Report 15/0715/R1; Site Location Plan (3029 01); Design and Access Statement (12/07/2016 ref 3029); Proposed Site Plan (3029-04 Rev U); Bin Collection Plan (3029-16); Road Adoption Plan (3029-17); The Ashby Floor Plans and Elevations (3029-06 Rev B); The Ashby and Ashby Variant Floor Plans and Elevations (3029-13 Rev A); RH2 Floor Plans and Elevations (3029-11 Rev B); RH2 Variant - Floor Plans and Elevations (3029-15); RH2 Floor Plans and Elevations (3029-11 Rev B); RH2 Variant 1 - Floor Plans and Elevations (3029-12 Rev A); The Hardwick Floor Plans and Elevations (3029-08); The Alnwick (Terraced) Floor Plans and Elevations (3029-14); The Alnwick Floor Plans and Elevations (3029-09 Rev B); RH2 Floor Plans and Elevations (3029-12); The Ashby Variant and Bradgate Floor Plans and Elevations (3029-13); Ashby and Bradgate Floor Plans and Elevations (3029-07 Rev A); The Alnwick Floor Plans and Elevations (3029-09 Rev A); Arboricultural Report - July 2016 - (T\_EDP2897\_01b); Topographical Study (574); Ecological Appraisal June 2016 (EDP2897\_02a); Flood Risk and Drainage Strategy (Project No: 15075 - 6th July 2016); Ground Conditions Report (SLR Ref: 415.05614.00001); and the Transport Statement (ADC1321 A).
- 3 Occupation of the proposed dwellings shall not take place until their respective off-street parking areas as shown on drawing number 3029-04 Revision U have been provided.
- 4 Occupation of the proposed dwellings shall not take place until the private drive areas have been surfaced in a bound material

(not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.

- 5 Prior to the occupation of any dwellings hereby approved the junction to the A60 (the site access) shall be provided strictly in accordance with the approved plan drawing no: Proposed Site Plan (3029-04 Rev U) to the satisfaction of the Highway Authority.
- 6 No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Borough Council. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the Borough Council and shall include arrangements for monitoring of progress of the proposals. The approved Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Borough Council.
- 7 Occupation of the proposed dwellings shall not take place until "no waiting at any time" restrictions have been provided on the new access road in accordance with details first submitted to and approved in writing by the Borough Council.
- 8 The development hereby approved shall be constructed strictly in accordance with the information provided within the Flood Risk and Drainage Strategy for the Proposed Residential Development at Land Adjacent to Mansfield Road, Redhill, Nottingham, by Travis Baker Ltd dated 6th July 2016 unless otherwise agreed in writing by the Local Planning Authority.
- 9 The development hereby approved shall be constructed strictly in accordance with the submitted Arboricultural Statement dated July 2016. All tree protection measures stated within the statement must be adhered to. All tree pruning must be carried out in accordance to BS3998:2010. Should the existing boundary treatment require removal prior to the commencement of development, the written approval from the Borough Council should be sought on the Pre Commencement Meeting outlined in the Arboricultural Statement paragraphs 6.7 - 6.10.
- 10 Unless otherwise agreed in writing 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 Dust Management Plan should be produced in accordance 'The Control of Dust and

Emissions from Construction and Demolition' (Best Practice Guidance) and carried out in accordance with the approved plan.

- 11 Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the bricks and tiles to be used in the external elevations of the proposed development. Once approved the development shall be carried out in accordance with these details.
- 12 Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the means of enclosure of the site and precise details of the materials and structure of the retaining walls. Thereafter the means of enclosure shall be erected and retained in accordance with the approved details.
- 13 Before development is first commenced full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be carried in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme of works that has been prior agreed in writing with the Local Planning Authority.
- 14 The hard and soft landscaping details to be submitted in relation to condition 13 above shall include the following; proposed finished levels or contours of the site; hard surfacing materials for car parking areas, and other vehicular and pedestrian access and circulation areas; minor artefacts and structures such as column lighting and bollard style luminaries to communal car parking areas; planting plans; written specifications; schedules of plants (noting species, plant sizes and proposed numbers/densities) and a schedule of landscape maintenance for a minimum period of five years from the date that the soft landscape works are completed.
- 15 The development hereby approved shall be completed strictly in accordance with the submitted Noise Report 15/0715/R1/Revision 1 unless otherwise prior agreed in writing by the Local Planning Authority. The Glazing and Ventilation strategy shall be adopted in accordance with the glazing plan illustrated in the noise report figure 15/0715/GM1 and the associated specification outlined in 15/0715/SPC1 together with the ventilation.

## **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 adequate off-street parking is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 4 In the interest of highway safety.
- 5 In the interest of highway safety.
- 6 To promote sustainable travel.
- 7 To maintain the free-flow of traffic, in the general interest of highway safety.
- 8 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 sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 9 In the interests of good Arboricultural practice.
- 10 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 (September 2014).
- 11 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 12 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 13 To ensure that the details of the development are acceptable , in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 14 To ensure that the final form of the development complies with policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 15 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 (September 2014).

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), 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 Development 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 Development Plan.

### **Notes to Applicant**

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application and during Pre Application discussions to address adverse impacts identified by officers to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

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.

Notwithstanding any planning permission 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 the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the 6CsDG.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

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).

Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

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.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guide and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under Section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on-site. Correspondence to the Highway Authority should be addressed to: TBH - NCC Highways (Development Control, Floor 9), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

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. Correspondence to the Highway Authority should be addressed as above.

The proposed off-site highway works referred to in condition 7 require a Traffic Regulation Order (TRO) to be enforceable. The developer should note that the TRO can be made on behalf of the developer by VIA in partnership with Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0300 500 8080 for details.

The applicant is advised to safeguard the land that is required for future development to avoid prejudicing access to the site.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation). Also, consideration should be given to the installation of Low NOx Boilers: DEFRA, in their document entitled 'improving air quality in the UK' - Tackling nitrogen dioxide in our towns and cities' Dec 2015, are keen to encourage further use of low NOx boilers both in domestic and commercial premises.

**50 APPLICATION NO. 2017/0455 - LAND AT WOOD LANE GEDLING.**

Residential development of 13 houses.

The Service Manager, Development Services, introduced the application outlining two additional representations received since the publication of the report. The additional representations raised concerns in relation to the removal of a tree causing increased overlooking onto neighbouring properties and the status of properties opposite the site as Grade 2 listed.

Ms. Jill Harper, a neighbouring resident, spoke in objection to the application.

Councillor Lawrence, seconded by Councillor Wilkinson, proposed an amendment to impose an additional condition to require a construction traffic management plan in the interest of road safety, the wording of which to be delegated to the Service Manager, Development Services and it was

**RESOLVED to GRANT FULL PLANNING PERMISSION subject to the applicant entering into a Section 106 planning obligation with the Borough Council as Local Planning Authority and Nottinghamshire County Council for the provision of / or financial contributions towards: Public Open Space; Education; Management Company for Maintenance of access road and areas of open space not within residential curtilages; A Local Labour**



**Agreement and subject to the following conditions and an additional condition requiring the provision of a construction traffic management plan, the wording of which to be delegated to the Service Manager, Development Services:**

**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 Application Forms and the following approved and revised plans submitted with the application, drawing numbers: Existing Site Plan (P002 P); Proposed Site Elevations (P004); Plot 1 Floor Plans (P100); Plot 1 Elevations (P101); Plot 2 Floor Plans (P102); Plot 2 Elevations (P103); Plot 3 Floor Plans (P104 Rev A); Plot 3 Elevations (P105); Plot 4 Floor Plans (P106); Plot 4 Elevations (P107); Plot 5 Floor Plans (P108); Plot 5 Elevations (P109); Plot 6 Floor Plans (P110); Plot 6 Elevations (P111); Plot 7 Floor Plans(P112); Plot 7 Elevations (P113); Plot 8 Floor Plans (P114); Plot 8 Elevations (P115); Plot 9 Floor Plans (P116); Plot 9 Elevations (P117); Plot 10 Floor Plans (P118); Plot 10 Elevations (P119); Plot 11 Floor Plans (P120); Plot 10 Elevations (P121); Plot 12 Floor Plans (P122); Plot 12 Elevations (P123); Plot 13 Floor Plans (P124); Plot 13 Elevations (P125); Detached Garage (P126); Proposed Private Levels Sheet 1 (16041-210); Proposed Private Levels Sheet 2 (16041-211); Private Drainage Layout Sheet 1 (16041-240); Private Drainage Layout Sheet 2 (16041-241); Exploratory Hole Location Plan (36011/DRAFT); Swept Paths - Refuse Vehicle (16041-03B); Geodyne Contamination Survey (38011/DRAFT & TP1 & WS13); Drainage and Water Report (SF23263878000); Roads, Footpaths and Verges Plan (78724673\_1\_1); Topographical Survey (0001); Emec Ecology Biodiversity Study (8518/SG/16); Design and Access Statement (March 2017); Proposed Site Layout (P003 Status P); Location Plan (P001); Tree Survey (October 2016); Proposed Private Road Long Sections.
- 3 No part of the development hereby permitted shall be brought into use until the access has been constructed as per plan reference 10641-01 Rev H. These access works are proposed on land which falls outside the applicant's control, and is subject to the provisions of the Highways Act 1980. To be able to carry out these works on the Public Highway the applicant will need to enter in a S278 legal agreement with the County Council as Highway Authority.
- 4 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with plan reference 10641-01 RevH. The area within the visibility splays

referred to in this condition shall thereafter be kept free of all obstructions.

- 5 No part of the development hereby permitted shall be brought into use until the access drive and internal access drives/ parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until the access driveway and internal access driveways/ parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 7 No development hereby permitted shall commence until wheel washing facilities have been installed on the site. 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 mud, dirt or other debris is discharged or carried on to a public road.
- 8 Before development hereby approved is first commenced full details of both soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges 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.
- 9 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 9, 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.

- 10 Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the bricks and tiles to be used in the external elevations of the proposed development. Once approved the development shall be carried out strictly in accordance with these details, unless otherwise agreed in writing by the Borough Council as the Local Planning Authority.
- 11 Prior to the development hereby approved commencing (including site preparation) a tree protection plan and an Arboricultural Method Statement shall be submitted to and approved by the Local Planning Authority, which shall include: (i) Tree Protection Plan: to graphically show proposed site with retained trees and locations of root protection barriers; (ii) Arboricultural Method Statement: to give guidance on aspects of the proposed works which may have an Arboricultural impact to retained trees and show how they are mitigated; and iii) Details of any special engineering works and surfacing required near trees; in accordance with BS5837:2012.
- 12 Unless otherwise agreed in writing 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) for the development shall be 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.
- 13 In the event that remediation is required to render the development suitable for use, the remediation scheme approved pursuant to condition 12 shall be implemented strictly in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.

## **Reasons**

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

- 4 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 5 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 6 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 7 In the interests of Highway safety.
- 8 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.
- 9 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.
- 10 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 11 To ensure satisfactory development, in accordance with the aims of Policy 17 of the Gedling Borough Council Aligned Core Strategy.
- 12 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 2014).
- 13 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 2014).

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), 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**

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

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 Daniel Sullivan on 0115 for details.

Your attention is brought to the recommendations of the Highway Authority. The plans submitted are not to an adoptable standard therefore the road will always remain Private. For private developments with six building frontages or more, it is required under Sections 219 to 225 of the Highways Act to serve a notice on the applicant with an assessment of the full cost of the proposed roadworks under the Advance Payment Code (APC), to protect frontage's interests. The cost of the APC notice will reflect the full cost of the proposed street works likely to be required to complete the works to an adoptable standard and must be paid in cash and not by bond. The requirement for an APC notice can only be removed by entering into a S38 agreement to have the road adopted. However as the road layout is not to adoptable standards and the ownership unknown, it cannot therefore be adopted. However, just as the APC would be served and money paid or retained, the Highway Authority are not indicating any future intension to adopt and maintain the street works at public expense.

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/emerginglocalplan/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 PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application to address adverse impacts identified by officers to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

Your attention is brought to the implications of the private drive for future occupiers if the roads are not adopted. (i) Future maintenance liabilities; (ii) Public liabilities; (iii) Street cleansing; (iv) Lack of pedestrian facilities; (v) Lack of / or poor standard of lighting and drainage; (vi) Nottinghamshire County Council have no powers under the Highways Act; (vii) The police have no powers to remove obstructions.

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).

Removal of hedgerow approx. 150 metres in length.

The Service Manager, Development Services, introduced the application informing Members that a number of further comments had been received following the publication of the report. The Service Manager informed Members that additional comments received related to hedgerow wildlife and tenancy arrangements on the land.

Ms. Leigh Barton, tenant of the land subject to the application, spoke in objection.

**RESOLVED:**

Grant consent for the Removal of Hedgerow.

**Reasons for Decision**

In the opinion of the Borough Council the proposed development does not qualify as an important hedgerow as outlined in the Hedgerow Regulations 1997. As such the proposed removal of the hedgerow is considered acceptable and a Hedgerow Retention Notice shall not be issued.

**Notes to Applicant**

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

Your attention is drawn to the attached comments from the Nottinghamshire County Council's Senior Practitioner for Nature Conservation with regards to the proposed replacement hedgerow and tree planting.

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**ENFORCEMENT REF. 0114/2015- SEVEN ACRES, 15 MANSFIELD ROAD, PAPPLEWICK.**

Material Change of Use.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be

authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts to ensure the cessation of the caravan storage.

**53                    ENFORCEMENT REF. 0110/2017- WOODLAND TO THE SOUTH OF LONGDALE LANE, RAVENSHEAD.**

Unauthorised development, engineering works and tipping.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be authorised to take all enforcement action required including the service of a Stop Notice and any other enforcement notices and proceedings through the courts, including an application for an injunction if necessary to ensure the unauthorised development and engineering works cease and the unauthorised works are removed and the land is returned to its former condition.

**54                    ENFORCEMENT REF. 0018/2017- 3 NOTTINGHAM ROAD, RAVENSHEAD.**

Councillor Barnfather left the meeting.

Breach of Planning Conditions of Permission 2012/0686.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts to ensure the outstanding conditions are complied with.

**55                    ENFORCEMENT REF. 0178/2016- 6 JESSOPS LANE, GEDLING.**

Councillor Barnfather entered the meeting.

Unauthorised development.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be authorised to take all enforcement action necessary including the service of any enforcement notices and proceedings through the courts to ensure the unauthorised garage is demolished and the garden area reinstated.



**56 ENFORCEMENT REF 0155/2017- 1 SALCOMBE DRIVE, REDHILL.**

Alterations to first floor window.

The Service Manager, Development Services, informed Members that work to fit restrictors to the window was now complete.

**RESOLVED:**

No enforcement action is taken in respect of the breach of planning control, subject to the installation, within the next 56 days, of a permanent restrictor mechanism to prevent the existing top hung window from opening more than 200mm.

**57 APPEAL DECISION- 8 FAIRFIELDS DRIVE, NEWSTEAD.**

**RESOLVED:**

To note the information.

**58 APPEAL DECISION- LAND TO THE REAR OF 64 MAIN STREET, CALVERTON.**

**RESOLVED:**

To note the information.

**59 APPEAL DECISION- 48 NORTHCLIFFE AVENUE, MAPPERLEY.**

**RESOLVED:**

To note the information.

**60 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**61 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.10 pm

Signed by Chair:  
Date: