

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 14 February 2018**

Councillor John Truscott (Chair)

In Attendance:      Councillor Barbara Miller                      Councillor David Ellis  
                                 Councillor Michael Adams                      Councillor Meredith Lawrence  
                                 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

Absent:                      Councillor Gary Gregory

Officers in Attendance:                      M Avery, D Gray, C Goodall and S Oleksiw

**85                      APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

No apologies for absence were received.

**86                      TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 22 NOVEMBER 2017.**

**RESOLVED:**

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

**87                      DECLARATION OF INTERESTS**

None.

**88                      APPLICATION NO. 2017/0194 - LAND WEST OF BEESTON CLOSE, BESTWOOD**

Erection of 7 No. detached, split level dwellings.

The Service Manager – Development Services introduced the report.

**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 for the provision of a financial contribution to be expended on offsite Public Open**

**Space, and the provision of a Management Company for the maintenance of the access road and areas of open space not within residential curtilages; and subject to the conditions listed 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 Application Form dated 8 February 2017 and the following approved plans / details: AA/16/BCBV/01 (Arboricultural Survey); Design and Access Statement; AAA.01 (Site Location Plan); Arboricultural Survey (18th February 2016); Preliminary Ecological Appraisal (PEA); 1604 D.1-A1 (Site Location Plan + Site Plan); D.2-A1 (Block Plan); D.3-A1 (Site Sections / Street Elevations); D.4-A1 (Houses 1 + 6); D.5-A1 (House 2); D.6-A1 (House 3); D.7-A1 (Houses 4 + 5); D.8-A1 (House 7). The development shall thereafter be undertaken in accordance with these approved plans / details unless otherwise agreed in writing by the Local Planning Authority.
- 3 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 (d) details and location of bird nesting boxes and bat boxes, and (e) 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.
- 4 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. The development shall thereafter be undertaken in accordance with the approved details unless otherwise prior agreed in writing by the Borough Council.

- 5 No above ground construction works shall commence until samples of the proposed external facing and roofing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 6 Notwithstanding the details submitted prior to the commencement of development details of the existing and proposed ground levels and sections of the site in relation to each dwelling (and the site boundaries) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
- 7 Development shall not commence until a scheme for the satisfactory disposal of surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved surface water drainage works are completed in accordance with the approved scheme.
- 8 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 Practise Guidance). Once approved the development shall be carried out strictly in accordance with the approved plan.
- 9 No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 10 No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and not exceeding 1:12 thereafter, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
- 11 No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5

metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

- 12 No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 13 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 3, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.
- 14 Hours of construction including deliveries to the site shall be limited to: 7:30 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday. No work shall be undertaken on Sundays or Public Holidays.

### **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 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.
- 4 To ensure satisfactory development, in accordance with the aims of Policy 17 of the Gedling Borough Council Aligned Core Strategy.
- 5 To ensure a satisfactory standard of external appearance.

- 6 This pre-commencement condition is necessary to ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
- 7 This pre-commencement condition is necessary to ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
- 8 In order to protect the amenity of the adjoining dwellings, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2016)
- 9 In the interests of Highway safety.
- 10 In the interests of Highway safety.
- 11 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
- 12 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 13 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.
- 14 In the interests of residential amenity

### **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. 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 impacts that can be mitigated through further details and particulars secured by condition.

### **Notes to Applicant**

The proposal makes it necessary to construct a vehicular 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.

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.

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.

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).

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

The 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.

Date Recommended: 24th January 2018

## **89 APPLICATION NO 2017/1018 - CHASE FARM, GEDLING**

Replacement of plots 01, 02, 03, 169, 170 and 171. Replace existing house type 764 and 651 with house type ILKE

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 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 affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed 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 This permission shall be read in accordance with the details within the Application Form and Drawings 17056 P300 "Street Scene" and 17056 P200 B "House Type ILKE" submitted on the

15th August 2017 and the Site Location Plan 17056 P102 Rev A submitted on the 17th November 2017. The development shall thereafter be undertaken in accordance with these approved plans / details unless otherwise agreed in writing by the Local Planning Authority.

### **Reasons**

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

### **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 would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

### **Notes to Applicant**

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)

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 considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

Date Recommended: 29<sup>th</sup> January 2018

**APPLICATION NO 2017/1076 - CHASE FARM, GEDLING**

Repositioning of plots 5, 6 & 7(rotation through 90 degrees)  
Replacement of existing plot 5 house type from a 1233 house type to a 877 house type.

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 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 affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed 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 This permission shall be read in accordance with the details within the Application Form and Drawings 17054 PY300 "Street Scene" and 17054 PY220 "House Type 867 & 1178" submitted on the 7th September 2017 and the Site Location Plan 17054 PY102 Rev A submitted on the 17th November 2017. The development shall thereafter be undertaken in accordance with these approved plans / details unless otherwise agreed in writing by the Local Planning Authority.

**Reasons**

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

**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 would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and

H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

### **Notes to Applicant**

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)

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 considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

Date Recommended: 29th January 2018

## **91 APPLICATION NO 2017/1275- CHASE FARM, GEDLING**

Re-Elevating of 110 Plots.

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 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 affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed 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 This permission shall be read in accordance with the details within the Application Form and Drawings submitted on the 6th November 2017: P100 (Location Plan); P101 (Site Master Plan); P102 (Phase 1 Site Plan); P200 House Type (651 + 764); P202 House Type (651 + 752); P203 House Type (955 + 1054 + 1272); P204 House Type (1157 + 1247); P205 House Type (1178); P206 House Type (1224 + 1244); P210 (Block 1); P211 (Block 3); P212 (Block 6); P300 (Street scenes); P101a (Site Master Plan); P102b (Phase 1 Site Plan). The development shall thereafter be undertaken in accordance with these plans / details unless otherwise agreed in writing by the Local Planning Authority.

## **Reasons**

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

## **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 would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

## **Notes to Applicant**

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)

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 considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

Date Recommended: 30th January 2018

**92 APPLICATION NO. 2017/1307TPO - 11 COLWICK PARK CLOSE, COLWICK**

Works to 3 No. trees protected by a Tree Preservation Order (TPO).

**RESOLVED to Grant consent subject to the following conditions:**

**Conditions**

1. The works must be carried out in within 2 years beginning of the date of this permission.
2. The works hereby permitted shall be carried out in accordance with the application form and details submitted to the Local Planning Authority on 14th November 2017.
3. All works are carried out in accordance with BS 3998 2010 and by good arboricultural practice.

**Reasons**

1. In order to comply with Section 17 2(d) of Part 4 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. For the avoidance of doubt and to define the terms of this permission.
3. In the interests of safety and good tree husbandry.

**Reasons for Decision**

**Notes to Applicant**

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 considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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.

**93 TREE PRESERVATION ORDER- WESTDALE LANE WEST, MAPPERLEY**

Protection of 2 Sycamore trees.

**RESOLVED** that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of two Sycamore trees situated in the southern corner of 400 Westdale Lane West, Mapperley.

**94 APPEAL DECISION- 51 SURGEYS LANE, ARNOLD**

First floor extension to existing ground floor extension.

**RESOLVED:**

**To note the information.**

**95 APPEAL DECISION- 7 ROBINSON ROAD, MAPPERLEY**

1no. 2 bedroom attached chalet bungalow.

**RESOLVED:**

**To note the information.**

**96 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**97 FUTURE APPLICATIONS LIST**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 6.26 pm

Signed by Chair:  
Date: