

**MINUTES
PLANNING COMMITTEE**

Wednesday 13 June 2018

Councillor John Truscott (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Meredith Lawrence
	Councillor Michael Adams	Councillor Barbara Miller
	Councillor Pauline Allan	Councillor Marje Paling
	Councillor Peter Barnes	Councillor Colin Powell
	Councillor Alan Bexon	Councillor Alex Scroggie
	Councillor Kevin Doyle	Councillor Jane Walker
	Councillor David Ellis	Councillor Henry Wheeler

Absent: Councillor Chris Barnfather

Officers in Attendance: M Avery, C Goodall, S Oleksiw and G Wraight

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Barnfather.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 MAY 2018.

RESOLVED:

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

3 DECLARATION OF INTERESTS

None.

4 PLANNING APPLICATION NO. 2018/0045 - KENDON PACKAGING LTD MEADOW ROAD, NETHERFIELD.

Outline planning application for up to 40 No. dwellings with all matters reserved except access.

Clare Selwood and Michael Rowley, local residents, spoke against the application.

Bob Woollard, the applicant's agent, spoke in support of the application.

The Service Manager – Development Services, introduced the report.

RESOLVED to Grant Outline Planning Permission with the matter of Access approved: 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 Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

Conditions

1. Approval of the details of layout, scale parameters, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
2. Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
3. This permission shall be read in accordance with the Site Location Plan and Access Layout Plan, drawing ADC1606-DR-001 Rev P1, and the Flood Risk Assessment, RSE_950-02V1 received by the Local Planning Authority on 16th January 2018.
4. Prior to first occupation of the development and with reference to Noise Impact Assessment by Noise Vibration Consultants Ltd (Date: 17th January 2018), verification that the approved sound insulation scheme has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.
5. Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The noise management part of the plan should make reference to the submitted Noise Impact Assessment by Noise Vibration Consultants Ltd (Date: 17th January 2018). The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:- Minimise noise and dust arising from such works

by technical and physical means, and through work scheduling & management best practice - Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents- Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance- Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours- Regularly review the Noise and Dust Management Plan. Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the regulator and communicated to all other stakeholders. The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.

6. Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has 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 Local Planning Authority. 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 following the site characterisation assessment, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) 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.

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.

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 Local Planning Authority.

7. 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 the requirements set out in Condition 6 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 Local Planning Authority.
8. No part of the development hereby permitted shall commence until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, street lighting, Traffic Regulation Orders, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority
9. No part of the development hereby permitted shall be brought into use until all drives and 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.
10. No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
11. 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

during the construction of the development 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.

12. No development shall commence on site in connection with the development thereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:
 - a) Timing and phasing of Arboricultural works in relation to the approved development.
 - b) Details of a tree protection scheme in accordance with BS5837:2012:which provides for the retention and protection of trees, shrubs and hedges adjacent to the site.
 - c) Details of any construction works required within the root protection area of trees, hedges or shrubs adjacent to the site, as defined by BS5837:2012.
 - d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement
13. Prior to the submission of any reserved matters application, a nocturnal bat emergence or dawn swarming survey and a badger monitoring survey, in accordance with the recommendations set out in the submitted Preliminary Ecological Appraisal and Bat Building Assessment (RSE_950_01_V1) shall be undertaken and submitted to the Local Planning Authority.
14. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reasons

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
2. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
3. To define the permission, for the avoidance of doubt.
4. To protect the amenity of the occupiers of the approved dwellings.
5. To protect the amenities of the occupiers of adjacent dwellings.
6. To ensure that land contamination matters are fully addressed.
7. To ensure that land contamination matters are fully addressed.
8. In the interests of Highway safety.
9. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
10. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
11. In the interests of Highway safety.
12. To ensure that existing trees on adjacent land are adequately protected.
13. To ensure that ecological interests are adequately protected.
14. To ensure that the surface water drainage scheme is appropriate to meet the needs of the site and the approved development.

Reasons for Decision

The proposed redevelopment of the site for residential use is considered to be acceptable in principle and it is considered that residential density of up to 40 dwellings could reasonably be achieved. It is not considered that the proposal would cause harm to visual or residential amenity, subject to a detailed consideration at reserved matters stage. The proposal is considered to be acceptable in highway safety terms and is acceptable with respect to ecological, flood risk and heritage matters. It is therefore considered that the proposal meets with the objectives and relevant policies of the National Planning Policy Framework, the Aligned

Core Strategy, the Replacement Local Plan and the Emerging Local Plan.

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.

This consent will require approval under Section 19 of the Nottinghamshire County Council Act 1985 and where the new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works.

The applicant should note that 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 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 (or District Council) in writing before any work commences on site.

Construction & Demolition Proposed Method of Demolition:

Where the method of proposed demolition includes the use of a mobile crusher on site the applicant must notify the Gedling Borough Council's Environmental Health Team (Tel: 0115 9013972) before crushing operations commence on site, so it may be inspected to ensure it is operating correctly under the Permit conditions imposed by the Pollution and Prevention and Control Act 1999.

Noise Control: Hours of Work and Equipment The acceptable hours for demolition or construction work are detailed below; -Monday to Friday:

0730-1800 (noisy operations restricted to 0800-1800) Saturday: 0830-1700 (noisy operations restricted to 0900-1300) Sunday: at no time Bank Holidays: at no time. Work outside these hours may be acceptable in exceptional circumstances but must be agreed in advance with Gedling Borough Council's Environmental Health Team (Tel: 0115 9013972)

Equipment: All equipment shall be properly maintained, serviced and operated in accordance with the manufacturer's recommendations and with appropriate noise suppression / silencers. Dust/Grit and Other Fugitive Emissions Construction and demolition work invariably generates grit and dust, which can be carried off-site and cause a Statutory Nuisance, and have a detrimental effect on local air quality. Contractors are expected to use appropriate methods to minimise fugitive emissions, reduce the likelihood of justified complaint and avoid costly restriction and development delays. Appropriate measures include;-Flexible plastic sheeting Water sprays /damping down of spoil and demolition waste Wheel washing. Periodic road cleaning.

The applicant's 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 we might help decrease levels by incorporating mitigation measures into scheme design as standard. (See <http://www.gedling.gov.uk/resident/planningandbuildingcontrol/planningpolicy/adoptedlocalplanandpolicydocuments/supplementaryplanningdocumentsandguidance/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow workers and customers to charge electric/plug-in hybrid vehicles whilst on site. 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 comments of the Local Lead Flood Authority are attached.

The comments of Network Rail are attached.

The comments of the Environment Agency with regard to finished floor levels and flood resilience measures are attached.

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.

APPLICATION NO. 2017/1276 - FAIRACRE AND 335 MAPPERLEY PLAINS, ARNOLD.

Outline planning application for erection of 11 dwellinghouses with details of access, layout and scale and other matters reserved and demolition of two existing bungalows

Chris Norton, spoke in objection to the application, on behalf of local residents.

The Service Manager – Development Services introduced the report and recommended an additional condition requiring the submission of a Construction Environmental Management Plan to the Local Planning Authority prior to commencement of the development.

The Service Manager – Development Services explained the reason for this additional condition was to protect the local environment.

RESOLVED that the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance and Landscaping for subsequent approval, and subject to the following amended conditions:

Conditions

- 1 Approval of the details of landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 3 The submission of all reserved matters and the implementation of the development shall be carried out in substantial accordance with the plans and documents received on the 8th November 2018: - Application Forms; Design and Access Statement; Protected Species Survey; Tree Survey; Site Location Plan and the revised Layout Plan (ref: AS-17-01revE) received by the Local Planning Authority on 22nd May 2018.

- 4 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans ref (plan ref: AS-18-02 revA). The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until all drives and 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.
- 7 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 8 No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 9 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.
- 10 The detailed plans and particulars to be submitted to the Local Planning Authority 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.

- 11 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 Local Planning Authority.
- 12 In the event that contamination is found at any time when carrying out the approved development 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 the requirements of the Local Planning Authority, 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.
- 13 Notwithstanding the details contained within approved plan (Drawing Number: AS-17-01 rev E) the scale of the proposed dwelling(s), Type A and Type B as indicated on the plan, shall be restricted in their scale to either 2 storey dwellings or 2 storey dwellings with living accommodation built into the roof space.
14. Prior to commencement of the development hereby approved a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country

Planning (Development Management Procedure)(England) Order 2015.

- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 For the avoidance doubt.
- 4 To ensure the development is constructed to adoptable standards.
- 5 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 6 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
- 7 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 8 In the interests of Highway safety.
- 9 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.
- 10 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).
- 11 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).
- 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 2008).
- 13 In the interests of the visual amenities and the character of the surrounding area.
- 14 To ensure appropriate measures are taken to protect the local environment.

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

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 to discuss issues raised, 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.

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.

This consent will require approval under Section 19 of the Nottinghamshire County Council Act 1985 and where the new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works.

The applicant should note that notwithstanding any planning permission that 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 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.

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.

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 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).

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

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

Hours of construction including deliveries to the site shall be limited to: 7:30 to 18:00 Monday to Friday - 08:00 to 13:00 Saturday - No work shall be undertaken on Sundays or Public Holidays.

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 (or District Council) in writing before any work commences on site. Highways Development Control Section, Highways South, Nottinghamshire County Council, County Hall floor 3, Loughborough Road, West Bridgford, Nottingham, NG2 7QP

Date Recommended: 22nd May 2018

6 APPLICATION NO. 2017/0661 - BANK HILL HOUSE, BANK HILL, WOODBOROUGH.

Demolish existing house and outbuildings. Construct new dwelling and garage with amended access

Mr Ubhi, the applicant, spoke in support of the application.

The Service Manager – Development Services introduced the item and explained that in addition to the information contained in the officer report, it should also be noted that paragraph 1.66 of the 2005 Replacement Local Plan advises that “ in calculating the size of the original dwelling, any garage will be included as part of the original dwelling provided it existed on 1st July 1948 or was built at the same time as the dwelling. In both cases the garage must be within 5m of the original dwelling”. While the officer report describes the building as an ‘outbuilding’, it could also be reasonably described as a garage and it is within 5m of the dwelling. Historic mapping also indicates that the building was in situ prior to 1948.

The Service Manager – Development Services also explained that when calculating the floor space of an existing dwelling, LPD14 specifically permits the inclusion of any existing outbuilding that falls within 5 metres of the original dwelling within the existing floor space calculation.

RESOLVED that the Borough Council GRANTS FULL PLANNING PERMISSION, subject to conditions

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with following plans submitted to the Local Planning Authority:- Proposed ground floor plan, site plan, block & OS plans, drawing no. 002 Revision F, received on 1st June 2018- Proposed first floor plan, site plan, block and OS plans, drawing no. 003 Revision E, received on 1st June 2018- Proposed elevations, drawing no. 004 Revision D, received on 1st June 2018- Proposed site plan layout, drawing no. 005 Revision A, received on 16th May 2018The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. No above ground construction works shall commence until samples of the proposed external facing 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.
4. Notwithstanding the details submitted, before development commences details of the existing and proposed ground levels and sections of the site, including proposed finished floor levels shall be first submitted to and approved in writing by the Local Planning Authority. The development shall then be built in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
5. No part of the development hereby permitted shall be brought into use until dropped vehicular verge crossings to serve the access points are available for use.
6. 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.
7. Notwithstanding the provisions of Part 1 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order

revoking and re-enacting that Order) the dwelling shall not be enlarged under Class A or Class D nor shall any works be undertaken under Class E.

8. No development shall commence until a Preliminary Roost Assessment (bat survey) has been carried out and a written report, to include any mitigation measures necessary and a timescale for their implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved report and any necessary mitigation measures shall be undertaken within the approved timescale.
9. Before development is commenced there shall be submitted to and approved by the Local Planning Authority a landscaping plan showing the position, type and planting size of all trees and shrubs to be planted. The approved landscaping details shall thereafter be implemented in full no later than the end of the first planting season following the development being brought into first occupation and any plant or tree that is removed, uprooted or is destroyed, dies or becomes seriously damaged or defective within 5 years of the implementation of the landscaping scheme shall be replaced with a plant or tree of the same species and size.
10. The existing buildings on the site shall be demolished prior to the first occupation of the dwelling hereby approved.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of this permission.
3. To ensure a satisfactory standard of external appearance.
4. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
5. In the interests of Highway safety.
6. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)

7. To protect the openness of the Green Belt.
8. To ensure that ecological interests are safeguarded.
9. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
10. To protect the openness of the Green Belt.

Reasons for Decision

In the opinion of the Borough Council the proposed development would meet with the objectives of national and local Green Belt policies, would be of an acceptable design, would not have an adverse impact upon residential amenity, would not cause detriment to highway safety and would not compromise ecological interests on the site. The proposed development therefore accords with Saved Policies ENV1, ENV29 and T10 of the Gedling Borough Replacement Plan as well as the Parts 6, 7 and 9 of the NPPF and Policies A, 2, 3, 8 and 10 of the Aligned Core Strategy. The development is also considered to accord with emerging policies LPD 14, 19, 32, 35 37, 57 and 61 of the Local Planning Document.

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

The proposal makes it necessary to construct a vehicular crossing over the verge 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.

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 discussions have been undertaken to ensure that the proposal meets with relevant national and local planning policies.

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

7 APPLICATION NO. 2017/1216 - 36-38 VICTORIA ROAD, NETHERFIELD

Ground floor change of use from a restaurant (Use Class A3) to a 9 bedroomed HMO (Use Class Sui Generis)

Alison Hunt, a local resident, spoke in objection to the application.

Fariba Sezavar, the applicant, spoke in support of the application.

The Service Manager – Development Services introduced the report.

RESOLVED to REFUSE PLANNING PERMISSION

1. The property is prominently located within the Netherfield Local Centre at the intersection of two main shopping streets. The proposed conversion of the existing A3 use to a nine bedroom house of multiple occupation falling within a Sui Generis use class would be contrary to the objectives of Saved Local Plan Policy S2 and Emerging Local Plan Policy LPD49 which seek to ensure that the retail character of local centres is retained and to promote the vitality and viability of local centres. For these reasons, the proposal is also contrary to the overarching objectives of the National Planning Policy Framework which seeks to safeguard the vitality and viability of local centres. Whilst the property is currently vacant, it has been in use through the proceeding years and no evidence has been provided to demonstrate that it cannot be reasonably reused for its current use or in a use that would comply with the relevant national and local planning policies.

APPLICATION NO. 2018/0358 - LINBY HOUSE, LINBY LANE, LINBY.

Conversion of an existing "welfare facility and secure store" into a single residential dwelling.

The Service Manager – Development Services introduced the report.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in accordance with the submitted plans and Design and Access Statement received on the 5th April 2018, and revised drawings received by the Local Planning Authority on the 17th May 2018.
3. Notwithstanding the provisions of Part 1 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) the development hereby approved shall not be enlarged under Classes A, B, C, D, E, F, G, or H.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the details of the development are acceptable, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
3. To protect the openness of the Green Belt.

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have any detrimental impact on the openness or character of the Green Belt or the Conservation Area of Linby. It is also considered that the proposed development would result in no undue impact on the amenity of adjacent properties or on highway safety. The proposal

therefore accords with Policy 3 (Green Belt), Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014; Saved Policies ENV1 (Development Criteria) and ENV14 (Change of Use in a Conservation Area) of the Gedling Borough Replacement Local Plan; and LPD12 (Re-use of Buildings in Green Belt), LPD28 (Conservation Areas), and LPD32 (Amenity) as well as the Policies contained within the National Planning Policy Framework.

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. 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.

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

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

**10 APPEAL DECISION, APPLICATION NO 2017/0727 - REAR OF 164
AND 166 PORCHESTER ROAD, CARLTON.**

Proposed pair of semi-detached houses.

RESOLVED:

To note the information.

11 FUTURE APPLICATIONS LIST

Noted.

12 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.25 pm

Signed by Chair:
Date: