

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 11 July 2018**

Councillor John Truscott (Chair)

In Attendance:      Councillor Paul Wilkinson              Councillor David Ellis  
                            Councillor Michael Adams              Councillor Barbara Miller  
                            Councillor Peter Barnes              Councillor Marje Paling  
                            Councillor Chris Barnfather              Councillor Colin Powell  
                            Councillor Alan Bexon              Councillor Alex Scroggie  
                            Councillor Jim Creamer              Councillor Jane Walker  
                            Councillor Kevin Doyle              Councillor Henry Wheeler

Absent:              Councillor Pauline Allan and Councillor Meredith Lawrence

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

**13              APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Allan and Lawrence. Cllr Creamer attended as a substitute.

**14              TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 JUNE 2018.**

**RESOLVED:**

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

**15              DECLARATION OF INTERESTS**

None.

**16              APPLICATION NO. 2014/0238 - LAND WEST OF WESTHOUSE FARM**

Proposed residential development for 101 market dwelling units, new access, amenity space, open space.

The Service Manager – Development Services introduced the report.

**RESOLVED that the Borough Council GRANTS OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, Open Space, Healthcare Facilities, Integrated Transport, Management Company and Educational Facilities; and subject to the following conditions:**

**Conditions**

- 1 Approval of the details of Appearance, Landscaping, Layout and Scale (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 vehicular access hereby permitted shall be constructed strictly in accordance with the Proposed Site Access drawing (13152-010), deposited on 28th February 2014.
- 4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and once the Borough Council has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken and, where remediation is necessary, a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.
- 5 In the event that remediation is required to render the development suitable for use, a written remediation scheme and timetable of works shall be submitted to and approved in writing by the Borough Council. The scheme shall then be implemented in accordance with the approved details. Prior to the development being first brought into use, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action) must be submitted to and approved in writing by the Borough Council.

- 6 No development shall take place until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 7 Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the new road, including longitudinal and cross sectional gradients, visibility splays, Traffic Regulation Orders, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. All details submitted to the Borough Council for approval shall comply with the County Council's Highway Design and Parking Guides which are current at the time the details are submitted. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
- 8 No development shall commence on any part of the application site unless or until; (1) a suitable access arrangement, as shown for indicative purposes on drawing number 13152-010; (2) the provision of pedestrian links and a suitable crossing point to the nearby bus stops; (3) the provision of upgrades to the public footpath link to the NET tram stop at Butlers Hill, as well as cycle links to the Leen Valley Country Park; and (4) the provision of a new 'Gateway' treatment and extended traffic calming zone for Moor Road; have been provided to the satisfaction of the Local Planning Authority.
- 9 Before development is commenced 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. The scheme to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques which incorporate at least two differing forms of SuDS treatment in accordance with Table 3.3 of CIRIA C697

'The SuDS Manual' prior to discharging from the site; (2) The limitation of surface water run-off to the equivalent Greenfield runoff rate; (3) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (4) Responsibility for the future maintenance of drainage features.

- 10 Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of an archaeological scheme of treatment. The scheme shall include post-determination evaluation beginning with a scheme of geophysical survey, possibly with a subsequent scheme of trial trenching and/or archaeological monitoring, as deemed necessary. The scheme shall be implemented strictly in accordance with the approved details.
- 11 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority, (1) A tree protection plan to graphically show the locations of any tree and root protection barriers; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement to give guidance on aspects of proposed works which were identified within the arboricultural impact assessment. The AMS provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees. The approved measures of protection shall be implemented strictly in accordance with the approved details for the duration of the construction period.
- 12 Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting (including any construction site lighting and compound lighting), avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat (including the balancing pond). The scheme shall be implemented strictly in accordance with the approved details.
- 13 Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the incorporation of integrated bird and bat boxes within the fabric of a proportion of the houses; bird boxes should target species such as house sparrow, swallow and swift. The scheme shall be implemented strictly in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development.

- 14 Before development is commenced, including any vegetation clearance or ground works, there shall be submitted to and approved in writing by the Borough Council a reptile method statement to ensure the field margins are cleared sensitively. The method statement shall be implemented strictly in accordance with the approved details before the development is first commenced.
- 15 No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist to ensure that badgers have not moved onto the site. If any badgers are found to be present, details of any mitigation measures that may be deemed necessary shall be submitted to and approved in writing by the Borough Council before vegetation clearance or ground works commence. The mitigation measures shall be implemented in accordance with the approved details before development commences.
- 16 During the construction phase, if any trenches are left open overnight, they should be left with a sloping end or ramp to allow badgers or other mammals that may fall into the excavation to escape, and any pipes over 150 mm in diameter should be capped off at night to prevent mammals from entering them.
- 17 The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
- 18 The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
- 19 The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (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.

- 20 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.
- 21 Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards. The garage doors shall be retained to this specification for the lifetime of the development.

## **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 of doubt.
- 4 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).
- 5 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).
- 6 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).

- 7 To ensure that the roads of the proposed development are designed to an adoptable standard in order to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 8 To ensure an adequate form of development in the interests of highway safety in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 9 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; to ensure the future maintenance of the sustainable drainage structures; and to protect the water environment from pollution, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 10 To ensure the appropriate investigation and recording of archaeological features, in accordance with Section 12 of the National Planning Policy Framework and Policy 11 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 11 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 12 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
- 13 To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 14 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
- 15 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
- 16 To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).

- 17 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 18 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 19 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 20 To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 21 In the interests of highway safety in accordance with the aims of Policy ENV1 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) The Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Planning Document Part 2 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**

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 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.

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.

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. All correspondence with the Highway Authority should be addressed to: TBH - NCC (Highways Development Control) (Floor 8), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

The Environment Agency advises that condition 8 should not be altered without its prior notification to ensure that the above requirements can be incorporated into an acceptable drainage scheme that reduces the risk of flooding.

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative above ground sustainable drainage should be used.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

The Environment Agency advises that SuDS involve a range of techniques, including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques. Support for the SuDS approach is set out in NPPF.

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

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant 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.

The County Council Rights of Way require that the availability of the Bestwood St Albans Parish Footpath No.3, which runs alongside the northern boundary of the site, is not affected or obstructed in any way by the proposed development at this location, unless subject to appropriate diversion or closure orders. The County Council should be consulted on any re-surfacing or gating issues and the developers should be aware of potential path users in the area, who should not be impeded or endangered in any way.

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).

Date Recommended: 18th June 2018

17

**APPLICATION NO. 2018/0578 - LAND ADJOINING MOOR ROAD, BESTWOOD**

New access road linking the new Hawthorne Primary school to Moor Road, Bestwood.

The Service Manager – Development Services introduced the report.

**RESOLVED that subject to no further material planning considerations being raised following the expiry of the Statutory Press Notice Consultation period - The Borough Council GRANTS 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 approved shall be constructed in accordance with the details within the Application Form, Drawings, and Submission Documents received on 9th June 2018 drawing no's: Planning Statement dated 8th June 2018; RT-MME-126954-01 (Arboricultural Survey - Middlemarch Environmental); N1100/2 - GA\_104 (School Access Road); N1100/2 - GA\_105 (Site Location Plan); and N1100/2 - GA\_107\_A (Proposed Vegetation Alterations).
- 3 The new link road cannot be utilised unless or until; a suitable access arrangement as shown for indicative purposes on drawing number 13152-010 has been provided to the satisfaction of the Local Planning Authority.
- 4 No part of the New Access Road hereby permitted shall be provided 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, traffic regulation orders, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The access road shall be implemented in accordance with these details to the satisfaction of 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 To ensure an adequate form of access arrangement is provided in the interests of highway safety
- 4 To ensure the new link road is constructed to adoptable standards.

## **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) The Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Planning Document Part 2 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**

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

The link road should be designed to Nottinghamshire County Councils Highway Design guidance link <http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide> and an appropriate agreement entered into with the Highway Authority to enable construction of the highway

An application is to be made for a Traffic Regulation Order to reduce the speed limit on Moor Road from 40mph to 30mph to facilitate the access arrangement to the link road which is to be undertaken at the applicants' expense. All correspondence with the Highway Authority should be addressed to: - NCC (Highways Development Control) (Floor 3), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford.

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).

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.

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 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 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.

Date Recommended: 28th June 2018

**18 APPLICATION NO. 2018/0296 - 400 WESTDALE LANE WEST, MAPPERLEY**

Erection of single storey extensions to the side and rear, installation of canopies, external alterations and buggy store to front, in conjunction with use as a day nursery.

Mr Robin Batten, the applicant, spoke in support of the application.

Mrs Leanne Banks, a local resident, spoke against the application.

The Service Manager – Development Services informed members that further to the publication of the report a revised first floor plan had been submitted, detailing 10 children and revised elevations, which confirmed the precise materials to be used in the construction of the extensions. These revisions would be included as an amendment to condition 2.

**RESOLVED to Grant planning permission subject to amended conditions;**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.

2. This permission shall be read in accordance with the following plans/details submitted to the Local Planning Authority; email received from the applicant's agent on 11<sup>th</sup> July, drawings 101 Rev D, 102 Rev C, 150 Rev D and 151 Rev D received on 4<sup>th</sup> July, email received from the applicant's agent on the 3<sup>rd</sup> July, drawings 001 Rev C, 100 Rev B, 125 Rev B, 126 Rev C received on 15<sup>th</sup> June 2018, buggy store details received on 3<sup>rd</sup> April 2018.
3. The maximum number of children on site at any time shall not exceed 75.
4. The extensions shall be rendered in accordance with the approved plans prior to being brought into first use.

### **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 that the number of children permitted at the property is not increased, in the interests of the residential amenities of adjacent occupiers and to ensure that there is not a material change in the amount of vehicular activity.
4. In the interests of visual amenity.

### **Reasons for Decision**

The site has an existing unrestricted use within planning use class D1 and planning permission is not required to change the use of the building to operate a day nursery. Subject to a condition restricting the number of children that can attend the premises, it is not considered that the impact of the proposed development would be materially different than that which would arise from the use of the existing building, in terms of the impact upon residential amenity and highway safety. The proposal is considered to be acceptable in design terms and would not cause harm to visual amenity of the surrounding streetscene. For these reasons, the proposal would accord with the objectives of the National Planning Policy Framework, Policies A, 1, 10 and 12 of the Aligned Core Strategy, Saved Policies ENV1, T10 and C3 of the Replacement Local Plan and Policies LPD 32, LPD 57 and LPD 61 of the Local Planning Document (Part 2 Local Plan).

## 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. Following concerns raised about the impact of the rear extension, amended plans have been received which have successfully overcome this concern.

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.

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### **APPLICATION NO. 2018/0394 - CERTIFICATE OF APPROPRIATE ALTERNATIVE DEVELOPMENT**

Application for a S17 Certificate for Appropriate Alternative Development.

The Service Manager – Development Services introduced the report.

#### **RESOLVED:**

- (A) That a positive Certificate be issued under section 17(1)(a) of Part III of the Land and Compensation Act 1961, as amended by Part 9 of the Localism Act 2011, indicating that it is the opinion of the Local Planning Authority that planning permission would have been granted for development comprising of the construction of up to eleven dwelling houses within Class C3 use if it were not proposed to be**

acquired by the authority possessing compulsory purchase powers:

- (B) That authorisation is given to the Service Manager, Development Services, in consultation with the Director for Organisational Development and Democratic Services, to issue the Certificate of Appropriate Alternative Development, including the conditions and planning obligations to which planning permission for the development could reasonably have been expected to be subject and a statement of the Council's reasons, which shall be based on the contents of this report, meeting the statutory requirements of the Land Compensation Act 1961 (as amended).

**20 APPLICATION NO. 2018/0516 - 103 MOORE ROAD, MAPPERLEY**

Erection of a single storey rear extension.

**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 the application form received on the 16th May 2018, the location plan received on the 16th May 2018, the block plan received on the 16th May 2018 and the plan received on the 16th May 2018, drawing number 5/17/2. The development shall thereafter be undertaken in accordance with these plans/details.

**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 as Local Planning Authority the proposed extension is visually acceptable and results in no significant impact on neighbouring residential properties. There are no highway safety implications arising from the proposal. The proposal therefore



accords with the NPPF, Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014, Saved Policies ENV1 (Development Criteria) and H10 (Extensions) of the Gedling Borough Replacement Local Plan and Policies LPD 32 (Amenity) and LPD 42 (Extensions to Dwellings Not in the Green Belt) of the emerging Local Planning Document (Part 2 Local Plan).

### **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 at [www.gedling.gov.uk](http://www.gedling.gov.uk). 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 gross internal area of new build is less 100 square metres

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

The 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.

**21                    APPLICATION NO. 2018/0510 - 7 GROUVILLE DRIVE,  
WOODTHORPE**

Single storey rear extension and raised terrace area to the rear.

**RESOLVED to Grant 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 the application form, site location plan and deposited plans, drawing no's 180012/PL03, 180012/PL04, 18002(PL)01 rev C and 18002(PL)02 rev A, received on 22nd May 2018. The development shall thereafter be undertaken in accordance with these plans/details.

## **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 would have no significant undue impact on neighbouring residential amenity or the locality in general. The proposal is of a size and design in keeping with the existing dwelling and its wider setting. The development therefore complies with the National Planning Policy Framework (2012) and Policy 10 of the Gedling Borough Aligned Core Strategy, Policies ENV1 and H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2014 and emerging LPD32 and LPD42.

## **Notes to Applicant**

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this 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 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 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 at [www.gedling.gov.uk](http://www.gedling.gov.uk). 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 gross internal area of new build is less 100 square metres

**22 TREE PRESERVATION ORDER - FLATTS LANE, CALVERTON**

Protection of a group of 2 trees by a Tree Preservation Order (TPO).

**RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated on land at Flatts Lane.**

**23 TREE PRESERVATION ORDER - HAYDEN LANE**

Protection of a group of 3 trees by a Tree Preservation Order (TPO).

**RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated on land at Hayden Lane.**

**24 TREE PRESERVATION ORDER - LODGE FARM LANE**

Protection of two individuals trees by a Tree Preservation Order (TPO).

**RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated on land at Lodge Farm Lane.**

**25 TREE PRESERVATION ORDER - MAIN STREET, CALVERTON**

Protection of a group of 3 trees by a Tree Preservation Order (TPO).

**RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated on land at Main Street.**

**26 TREE PRESERVATION ORDER - ROLLESTON DRIVE**

Protection of a group of 8 trees by a Tree Preservation Order (TPO).

**RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated on land at Rolleston Drive.**

**27 TREE PRESERVATION ORDER - WEST OF A60**

Protection of two groups of trees by a Tree Preservation Order (TPO).

**RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated on land at West of A60, Redhill.**

**28 TREE PRESERVATION ORDER - WESTHOUSE FARM**

Protection of a group of 9 trees and a group of 7 trees by a Tree Preservation Order (TPO).

**RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated on land at Westhouse Farm.**

**29 DELEGATION PANEL ACTION SHEETS**

**RESOLVED to note the information.**

**30 FUTURE PLANNING APPLICATIONS**

Noted.

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

None.

The meeting finished at 6.55 pm

Signed by Chair:  
Date: