

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 5 December 2018**

Councillor John Truscott (Chair)

In Attendance:      Councillor Paul Wilkinson      Councillor Meredith Lawrence  
                         Councillor Michael Adams      Councillor Marje Paling  
                         Councillor Chris Barnfather      Councillor Colin Powell  
                         Councillor Tammy Bisset      Councillor Alex Scroggie  
                         Councillor Jim Creamer      Councillor Muriel Weisz  
                         Councillor Kevin Doyle      Councillor Henry Wheeler  
                         Councillor David Ellis

Absent:              Councillor Pauline Allan, Councillor Peter Barnes, Councillor Alan Bexon, Councillor Barbara Miller and Councillor Jane Walker

Officers in Attendance:      M Avery, C Goodall, F Whyley and G Wraight

**85              APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Allan, Barnes, Bexon, Miller and Walker. Councillors Bisset, Creamer and Weisz attended as substitutes.

**86              TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 07 NOVEMBER 2018.**

**RESOLVED:**

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

**87              DECLARATION OF INTERESTS**

Councillor Lawrence declared a non-pecuniary interest in item 6 on the agenda as a member of Colwick Parish Council.

**88              APPLICATION NO. 2018/0228 - LAND ADJACENT OAKDENE, GEORGES LANE, CALVERTON**

The change of use of agricultural land to a mixed traditional, natural and woodland burial ground, erection of facilities building and associated car parking, landscaping and new access arrangements onto Georges Lane.

Linda Reynolds, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report.

**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 following plans and details submitted to the Local Planning Authority: Site location plan received on 23rd August 2018, Drawing no. PRI 20524 10 J received on 23rd August 2018 and Drawing no. PL-01 Rev B received on 2nd March 2018. The development shall thereafter be undertaken in accordance with these plans.
- 3 No part of the development hereby permitted shall be brought into use until the existing site access onto Georges Lane has been permanently closed and reinstated to verge, in accordance with details first submitted to and approved in writing by the Borough Council.
- 4 No part of the development hereby permitted shall be brought into use until the new access to Georges Lane and car parking area, as shown indicatively on drawing PRI 20524 10 J, has been provided and made available for use, in accordance with technical details that have been first submitted to and approved in writing by the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until the footway improvements along Georges Lane, as shown indicatively on drawing PRI 20524 10 J, has been provided and made available for use, in accordance with technical details that have been first submitted to and approved in writing by the Local Planning Authority.
- 6 No part of the development hereby permitted shall take place until visibility splays of 2.4m x 120m have been provided at the site access.
- 7 All burials shall be:
  - o a minimum of 250 m from a potable groundwater supply source;
  - o a minimum of 30 m from a water course or spring;
  - o a minimum of 10 m distance from field drains;
  - o no burial into standing water and the base of the grave must be above the local water table

- 8 Prior to the development hereby approved being first brought into use, there shall be submitted to and approved by the Local Planning Authority a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted together with a management plan for the long term retention of the landscaping. The approved landscape plan shall be carried out in the first planting season following the development first being brought into use and shall be managed in perpetuity in accordance with the approved management plan.
- 9 Prior to the erection of any external lighting there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance, to be provided on the approved buildings or elsewhere within the site. Any security lighting/floodlighting to be installed, shall be designed, located and installed so as not to cause disturbance to ecological interests on and adjacent to the site. The external lighting shall be provided in accordance with the approved details and shall be retained as such for the lifetime of the development.
- 10 The internal access roads within the site shall not be installed until precise details of their widths and the proposed materials to be used in their construction have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained as such in perpetuity.
- 11 No development shall commence on site in connection with the approved car park, facilities building or woodland walk through the Woodland Burial Area (including, 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
- e) Details and construction details of any pathways and other development to take place within the Woodland Burial Area.

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

- 12 The Woodland Burial area shall be used for the scattering of cremated remains only and not for ground burials, in accordance with the email received from the Agent on 1st October 2018.

### **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 In the interest of highway safety.
- 4 In the interest of highway safety.
- 5 To promote sustainable travel, in the interest of pedestrian safety.
- 6 In the interest of highway safety.
- 7 To protect the quality of controlled waters in the local area.
- 8 In the interests of visual amenity and landscape character.
- 9 To protect ecological interests on and adjacent to the site.
- 10 In the interests of visual amenity and landscape character.
- 11 To ensure that existing trees are adequately protected.
- 12 To ensure that the woodland is retained and to define the permission, for the avoidance of doubt.

### **Reasons for Decision**

The proposed development would represent appropriate development in the Green Belt and would not cause harm to openness or to the purposes of including land within the Green Belt. It is not considered that there would be an undue impact upon visual amenity or landscape

character, residential amenity, highway safety, designated heritage assets, ecological considerations or ground water. The proposal therefore accords with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies A, 1, 3, 10, and 11, Local Planning Document Policies 6, 19, 26, 32, 57 and 61 and Calverton Neighbourhood Plan Policies ISF1, ISF2, ISF3, BE1, BE5, NE3, NE4 and NE5. Whilst it is noted that a departure is taken from the Aligned Core Strategy Policy 17 in that the prospective Special Protection Area is not being treated as confirmed European Site, the reason for this is set out in detail in the Officer report to Planning Committee.

### **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 not payable on the development hereby approved as the development type proposed is zero rated in this location.

The off-site works associated to this consent will require you to undertake works within 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 work you will need to enter into an Agreement under Section 278 of the Act. Please contact [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) for details.

The applicant should make themselves familiar with the Environment Agency's guidance on cemeteries and burials, which can be found at: <https://www.gov.uk/guidance/cemeteries-and-burials-prevent-groundwater-pollution>

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.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Amendments were secured to address matters arising with respect to highway safety and heritage assets.

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)

**89 APPLICATION NO. 2018/0613 - MILL FIELD CLOSE, BURTON JOYCE**

Application for the approval of the reserved matters of access, layout, scale, appearance and landscaping following outline approval 2015/0424 - residential development of 14 units with associated parking and garages.

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

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant approval of reserved matters subject to the following conditions:**

**Conditions**

- 1 This permission shall be read in accordance with the following plans: BRL-PL201 received on 19th June 2018, 13, 14A, 15, 16, 17, 18, 19A, 20, 21, 22, 31, 32, 33, 36, 37, 39, 023C, 024A, 025A, 026A, 027A, 028A, 029A and 038 received on 4th September 2018 and the S278 works drawing received on 22nd October 2018. The development shall thereafter be undertaken in accordance with these plans.
- 2 The development shall be undertaken in accordance with the recommendations of the Arboricultural Survey dated July 2015.
- 3 No part of the development hereby permitted shall be brought into use until the verge frontage of the development has been hard

surfaced as footway, together with the kerbs dropped for the 3no accesses as shown for indicative purposes only on the approved S278 works drawing and constructed under s278 agreement in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

- 4 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved S278 works drawing. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.
- 5 No part of the development hereby permitted shall be brought into use until 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.
- 6 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.
- 7 The approved landscape plan shown on drawing BRL-PL201 shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area 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, shrub or seeded area 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.
- 8 No dwelling shall be occupied until details of the maintenance arrangements for all landscaped areas, drainage features and other areas not falling within the residential curtilages of the approved dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be maintained in accordance with the approved details in perpetuity.

## **Reasons**

- 1 To define the permission, for the avoidance of doubt.
- 2 To ensure that existing trees are adequately protected.
- 3 To provide suitable sustainable access facilities for pedestrians.
- 4 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 5 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 6 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 7 In the interests of visual amenity.
- 8 To ensure that these areas are adequately maintained, in the interests of visual amenity.

### **Reasons for Decision**

The proposed development would be of a scale, layout and appearance that would be appropriate in the context of the surrounding area and would not have an adverse impact upon visual amenity or residential amenity. The proposed access and landscaping arrangements are considered to be acceptable. The proposal is therefore considered to meet with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies, A ,10 and 17, Local Planning Document Policies 32, 33, 57, 61 and 68 and Burton Joyce Neighbourhood Plan Policies NP1, NP2, NP3 and NP4.

### **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. Please email [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)

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 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 comments of Network Rail are attached.

Due to the proximity of the site to the railway, it is recommended that consideration be given to soundproofing measures that could be incorporated into the approved dwellings.

The applicant's attention is drawn to the recommendations set out in the updated ecological survey received on 15th November 2018.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Amendments were secured to address matters arising from comments made by the Highways Authority.

**90 APPLICATION NO. 2016/0347 - SOL CONSTRUCTION LTD, 26 VALE ROAD, COLWICK**

Section 73 application to amend Condition 12 (approved plans) on 2008/0287 (demolish offices, car parking & storage areas & erection of 44 dwellings with associated roads & sewers) and amend previously agreed Section 106 planning obligation to omit the integrated transport and public open space contributions, and reduce the education contribution from £120,820 to £75,000 on viability grounds.

The Service Manager – Development Services advised Members that further to the publication of the report, significant consideration had been given to recommendation one in view of the fact that the applicant for planning permission was strongly opposed to entering into a planning obligation above the value of £75,000. Whilst recommendation one was technically correct, should planning committee resolve to approve the application, it would result in an undeterminable application. The Service Manager advised that a more pragmatic approach would be to refuse both parts of the application as this would engage a right of appeal for the applicant.

The Service Manager – Development Services recommended that recommendation one was amended to refuse permission for the section 73 application and that permission is refused for recommendation two as per the recommendation in the report.

**RESOLVED:**

- 1) Refusal in respect of the section 73 application for the following reason:**

The proposed delivery of this development without the full payment of the education contribution would result in a significant shortage in the number school places required to meet with the needs arising from the development. The proposal therefore represents unsustainable development, contrary to the objectives of national and local planning policies, in particular Section 2 (Achieving sustainable development) and Paragraph 94 of the National Planning Policy Framework and Policy 19 of the Aligned Core Strategy.

**2) Refusal in respect of modification of the planning obligations for the following reason:**

The proposed delivery of this development without the full payment of the education contribution would result in a significant shortage in the number school places required to meet with the needs arising from the development. The proposal therefore represents unsustainable development, contrary to the objectives of national and local planning policies, in particular Section 2 (Achieving sustainable development) and Paragraph 94 of the National Planning Policy Framework and Policy 19 of the Aligned Core Strategy.

**91 APPLICATION NO. 2018/0549 - CARLTON POLICE STATION, CAVENDISH ROAD, CARLTON**

Conversion of former police station into 42 apartments including external alterations, erection of a three storey block of 24 apartments, erection of a three storey office block (B1 use) and reconfigured car parking.

The Service Manager – Development Services introduced the report and recommended that planning permission was granted in accordance with the report, with an amendment to the recommendation to specify that the review of the planning obligations relates specifically to affordable housing, public open space and health.

**RESOLVED to Grant Planning Permission: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority to allow a review of the affordable housing, public open space and health planning obligations required at an appropriate time and to secure a local labour agreement and the following 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: TMA 18-07-01, TMA 18-07 09, TMA 18-07 11, TMA 18-07 12, TMA 18-07 13 and TMA 18-07 14 received on 4th June 2018, TMA 18-07 15A received on 20th August 2018 and TMA 18-07 06A, TMA 18-07 07A, TMA 18-07 08A and TMA 18-07 16 received on 19th November 2018. The development shall thereafter be undertaken in accordance with these plans.
- 3 Prior to the first occupation of the buildings hereby approved there shall be submitted to and approved by the Local Planning Authority a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted. The approved landscape plan shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area 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, shrub or seeded area 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.
- 4 The new windows and doors and to be inserted into the elevations of the existing building (former Police Station) shall be of the same appearance, colour and materials as the existing doors and windows in the building.
- 5 Prior to the demolition of the enclosed yard to the rear of the existing building (former Police Station), or any other timescale agreed in writing with the Local Planning Authority, details of the proposed finish of the exposed walls shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained as such in perpetuity.
- 6 The development shall be carried out in accordance with the submitted flood risk assessment (compiled by SCC Consulting Engineering dated August 2018) and the following mitigation measures it details:
  - o Finished floor levels for the apartment building shall be set no lower than 37.0m above Ordnance Datum (AOD).
  - o Finished floor levels for the office building shall be set no lower than 36.3m AOD.

- 7 No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossings/accesses to serve the approved accesses are available for use and constructed in accordance with the Highway Authority specification.
- 8 No part of the development hereby permitted shall be brought into use until the existing site accesses that have been made redundant as a consequence of this permission are permanently closed and the access crossing reinstated as footway and kerbs brought up to full height kerbs.
- 9 No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number TMA 18-07 09. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
- 10 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

- 11 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 10 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.
- 12 Prior to commencement of an external works, details of Electric Vehicle charging points to be provided within the site, to include their location and specification 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 prior to the first occupation of the development.
- 13 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided prior to the first occupation of the development hereby approved.
- 14 a) No external development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:
  - i) The programme and methodology of site investigation and recording
  - ii) The programme for post investigation assessment
  - iii) Provision to be made for analysis of the site investigation and recording
  - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - v) Provision to be made for the archive deposition of the analysis and records of the site investigation
  - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a)

c) The new buildings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made for analysis, publication and dissemination of results has been secured.

## **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 In the interests of visual amenity.
- 4 In the interests of visual amenity.
- 5 In the interests of visual amenity.
- 6 To reduce the risk of flooding to the proposed development and future occupants.
- 7 In the interests of Highway safety.
- 8 In the interests of Highway safety.
- 9 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 10 To ensure that land contamination matters are fully addressed.
- 11 To ensure that land contamination matters are fully addressed.
- 12 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
- 13 In the interests of enhancing ecological provision on the site.

## **Reasons for Decision**

The proposed development would not cause harm to the vitality and viability of the Carlton Square local centre, would be of an acceptable design and appearance, would not cause undue harm to residential amenity, would not be detrimental to the surrounding highway network or highway safety and would be acceptable in flood risk terms. The proposal would not be viable if the required planning obligations are provided however, in the overall planning balance it is considered that this is outweighed by the fact that the development would bring a vacant site in a prominent location back into use, that it would provide residential and office accommodation in a sustainable location and that it would contribute to the Council's 5 year housing land supply. The proposal would therefore meet with the objectives of the National Planning Policy Framework 2018, the Aligned Core Strategy Policies A, 1, 2, 4, 6, 10 and 19 and Local Planning Document Policies LPD 3, 11, 32, 33, 35, 37, 40, 45, 48, 49, 50, 56, 57 and 61.

**92 APPLICATION NO. 2018/0861 - 42 CHARTWELL GROVE, MAPPERLEY**

Erection of a single storey rear extension garden room and retrospective permission for the erection of additional fence panels to front.

Dr Lidder, a local resident, spoke in objection to the application.

The applicant spoke in support of the application.

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant Planning Permission subject to the following conditions: -**

**Conditions**

- 1 This permission shall be read in accordance with the details within the application form, the Site Location Plan and the following drawing, NSB/50/02/A "Ground Floor and Roof", submitted on the 27th August 2018, the supporting "Plans and Drawings for Proposed Fence" submitted on the 5th September 2018, and the amended drawing NSB/50/05 "Construction Section A - A" submitted on the 15th October 2018. The development shall thereafter be undertaken in accordance with these plans/details.
- 2 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.

- 3 No building/extension hereby approved by this permission shall be occupied or first brought into use until the agreed gas protection measures have been completed and certified in accordance with the details shown on the amended drawing NSB/50/05 "Construction Section A - A" submitted on the 15th October 2018.

### **Reasons**

- 1 For the avoidance of doubt and to define the terms of this permission.
- 2 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 3 To ensure that this development does not prejudice the groundworks carried out under the provisions of planning application ref: 95/1495.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highways Safety. The development therefore accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policies 32, 34 and 43 of the Local Planning Document.

### **Notes to Applicant**

Particular care should be taken to avoid damaging, penetrating or puncturing the gas resistant membrane. Before laying the membrane, all projections on the top of the slab which may puncture or damage the membrane must be removed. The membrane should be protected during installation, such as through the use of temporary boarding. This should protect the membrane from accidental damage from site activities. Heavy trafficking over the membrane should be avoided. It is important to check that the barrier is not damaged in any way before it is covered with a screed. Any damage to the membrane should be repaired before proceeding with later works.



It is especially important that attention is paid to detailing and workmanship in jointing of the barrier, and to ensure that the barrier is sealed across the entire footprint of the building including the use of a compatible proprietary damp proof course. Joints in the gas-resistant membrane should be overlapped and taped or site welded to the membrane manufacturer's specifications. If the joints are site-welded, care is needed to avoid damaging the membrane during the welding operation. Prefabricated sections for edges and corners can be used to continue the gas-resistant barrier over awkward areas. To avoid the potential for migration pathways that may arise from poorly constructed joints, an alternative to site-welding is to install a prefabricated membrane as a single sheet manufactured to the same plan dimensions as the ground floor. All sealants used which come into contact with the membrane should be chemically compatible with the membrane. Precautions must be taken to avoid thermal effects including heating / fires etc. which may cause physical breakdown of the material.

Each service penetration through the membrane should be sealed against gas ingress. This can be achieved by the use of pre-fabricated joints / seals, such as 'top-hat' sections for pipes. The top-hat diameter should match the service pipe diameter. Penetrations should be avoided at points where the membrane is lapped, because of the greater difficulty of resealing.

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

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). During the processing of the application there were considered to be no problems for which the Borough Council had to seek a solution in relation to this application.

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**APPLICATION NO. 2018/0960 - 11 LONG WEST CROFT, CALVERTON**

Single storey rear extension to utility room and rear porch.

**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 and block plan received 27th September 2018 and the Proposed Elevations and Floor Plans received 13th November 2018 . The development shall thereafter be undertaken in accordance with these 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 is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highways Safety. The development therefore accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy, Policies 32 and 43 of the Local Planning Document and Policies BE2 and BE4 of the Calverton Neighbourhood 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 paragraph 38 of the National Planning Policy Framework (2018). 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).

**94 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**95 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.50 pm

Signed by Chair:  
Date: