

**MINUTES
PLANNING COMMITTEE**

Wednesday 17 April 2019

Councillor John Truscott (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Meredith Lawrence
	Councillor Michael Adams	Councillor Marje Paling
	Councillor Pauline Allan	Councillor Alex Scroggie
	Councillor Peter Barnes	Councillor Jane Walker
	Councillor Chris Barnfather	Councillor Henry Wheeler
	Councillor Alan Bexon	Councillor Tammy Bisset
	Councillor Kevin Doyle	Councillor Jim Creamer
	Councillor David Ellis	

Absent: Councillor Barbara Miller and Councillor Colin Powell

Officers in Attendance: M Avery, S Pregon, G Wraight and L Mellors

136 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Miller and Powell, Councillors Wheeler and Bisset attended as substitutes.

137 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 27 MARCH 2019

RESOLVED:

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

138 DECLARATION OF INTERESTS

None.

139 APPLICATION NO. 2018/1143 - LAND ON FLATTS LANE, CALVERTON

Outline planning application (all matters reserved except for means of access) for the demolition of existing buildings and structures and the erection of up to 84 no. dwellings and associated open space and infrastructure.

Mike Hope, a local resident, spoke in objection to the application.

Helen Ashworth, the applicant, spoke in support of the application.

The Service Manager – Development Services introduced the report with a verbal update to the Committee on the provision of a locally equipped area of play.

If the public open space is provided on site, it is expected that it will provide a Locally Equipped Area of Play. Through the Section 106 Agreement, it will be necessary for the applicant to provide plans and details of the equipment, and layout of the open space for the Local Planning Authority to approve. A maintenance contribution of £74, 360 will be required if any on site public open space is to be adopted by the Council.

Alternatively, the public open space requirement may be met off site and the Section 106 Agreement should make provision for the following contributions:

£133,298 for the play area provision
£44,451 for the layout of amenity space
£74,360 maintenance payment

The total off site contribution would therefore be £252,109.

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, bus stop improvements, maintenance of open space areas and drainage features 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, 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 drawing number 10_01 Revision 00 (with regard to the site area only) and drawing number METM3003-01 Revision 01 (with regard to the five

access points onto Flatts Lane only). Development shall thereafter be undertaken in accordance with these plans.

- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwellings 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.
- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 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. Any remediation works and verification reports shall be undertaken in accordance with the approved remediation scheme.
- 8 No development shall commence on site in connection with the development hereby approved (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 on and adjacent to the site.
 - c) Details of any construction works required within the root protection area of trees, hedges or shrubs on and 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.

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

- 9 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each dwelling, 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.

- 10 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 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 Local Planning Authority 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.

- 11 The development shall be undertaken in accordance with the recommendations set out in Section 5 of the submitted Ecological Assessment Report (Document Ref 6710.002) dated October 2018.

- 12 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) 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. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain 'dark' areas and corridors. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime 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 in accordance with the

approved details prior to the first occupation of the development hereby approved.

- 14 a) No 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 dwellings 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.
- 15 No development shall take place, including any works of demolition, until a Construction 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

- 16 The reserved matters application for the development hereby permitted shall include detailed plans and particulars relating to the following items:(i) A detailed layout plan of the site (for the avoidance of doubt the submitted Layout Plan reference: METM3003-01 Revision 1, shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analyses of an 11.5m long refuse vehicle throughout the proposed highway to become adopted, considering the likelihood of on street parking; (ii) Details of the proposed arrangements and plan for future management and maintenance of the proposed private roads including associated drainage contained within the private part of the development;(iii) Details of the proposed arrangements and plan for future management and maintenance of any hedgerows and other vegetation located between roads, both existing and proposed, and the site boundary;(iv) Bin storage locations at shared private drives. Thereafter, the scheme shall be implemented in full accordance with the approved details.
- 17 Prior to first occupation of the development hereby approved, construction details of the five vehicular site access junctions from Flatts Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed access arrangements shall thereafter be implemented prior to first occupation of the development.
- 18 Prior to first occupation of the development hereby approved details of the two uncontrolled pedestrian crossings, across Flatts Lane, including dropped kerbs and tactile paving, as illustratively shown on drawing reference: "METM3003-01/Revision 1" shall be submitted to and approved in writing by the Local Planning Authority. The crossings shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.
- 19 Prior to first occupation of the development hereby approved construction details of the proposed 2.0m wide footway on the western side of Flatts Lane along the sites frontage, as illustratively shown in outline on plan titled: "METM3003-01/Revision 1", shall be submitted to and approved in writing by the Local Planning Authority. The approved footway arrangement and associated works shall thereafter be implemented prior to first occupation of the development hereby approved.

- 20 Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the 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 To define the permission, for the avoidance of doubt.
- 4 To ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
- 5 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
- 6 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.
- 7 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.
- 8 To ensure that existing trees and hedges are adequately protected.
- 9 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.
- 10 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National

Planning Policy Framework and policy LPD11 of the Councils Local Plan and in the interests of residential amenity.

- 11 In the interests of protecting ecological interests
- 12 In the interests of protecting ecological interests.
- 13 In the interests of enhancing ecological provision on the site.
- 14 To safeguard any potential archaeological remains.
- 15 In the interest of highway safety.
- 16 To ensure the development is designed and constructed to adoptable standards and appropriately maintained.
- 17 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development, along with safe pedestrian access.
- 18 In the interest of sustainable travel.
- 19 In the interest of sustainable travel.
- 20 In the interests of highway safety.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 84 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety, archaeological interests or ecological interests. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents and Calverton Neighbourhood Plan.

Notes to Applicant

Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). 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, and /or 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 after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: hdc.south@nottsc.gov.uk

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at; <http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>

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 by installing wheel washing facilities on site.

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 Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application.

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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 comments of the LLFA are attached.

140 APPLICATION NO. 2019/0118 - 79 KENRICK ROAD, MAPPERLEY, NOTTINGHAMSHIRE

The application was withdrawn.

141 APPLICATION NO. 2019/0130 - 16 MAIN STREET, LAMBLEY, NG4 4PN

Three storey side extension and convert existing garage to annexe.

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. This permission shall be read in accordance with the application form, site location plan and drawings Ref: RS/SB/31/01/19/05 (Proposed Ground Floor Plan), Ref: RS/SB/31/01/19/04 (Proposed Elevations, First Floor Plan, Site Block Plan) and Ref: RS/SB/31/01/19/06 REV A (Proposed Second Floor Plan) received 11th February 2019. The development shall thereafter be undertaken in accordance with these plans/details.
3. The annexe hereby approved shall only be used for purposes ancillary to the use of the existing dwelling at No.16 Main Street and not as a separate dwelling unit.
4. The proposed extensions and converted garage shall be rendered in accordance with the approved plans prior to the development hereby approved 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.
3. To preserve the amenity of adjoining properties and to ensure that the development accords with Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
4. To ensure a satisfactory standard of external appearance in the Lambley Conservation Area.

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 the Lambley Conservation Area or 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 28, 32 and 43 of the Local Planning Document.

Notes to Applicant

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 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 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.

**142 TREE PRESERVATION ORDER REF. 000119 - PARK HOUSE, MILE
END ROAD, COLWICK**

Protection of a group of 10 trees by a Tree Preservation Order (TPO).

**RESOLVED to confirm Tree Preservation Order 000119 without
modification.**

**143 TREE PRESERVATION ORDER REF. 000120 - 27 THETFORD
CLOSE, ARNOLD**

Protection of Ash tree by a Tree Preservation Order (TPO).

**RESOLVED to confirm Tree Preservation Order 000120 without
modification.**

144 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

145 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

146 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting finished at 6.50 pm

Signed by Chair:
Date: