

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 7 August 2019**

Councillor John Truscott (Chair)

In Attendance:   Councillor Paul Wilkinson                   Councillor Meredith Lawrence  
                  Councillor Chris Barnfather               Councillor Ron McCrossen  
                  Councillor Jim Creamer                   Councillor Barbara Miller  
                  Councillor David Ellis                   Councillor Marje Paling  
                  Councillor Rachael Ellis               Councillor John Parr  
                  Councillor Andrew Ellwood           Councillor Sam Smith  
                  Councillor Mike Hope               Councillor Henry Wheeler  
                  Councillor Rosa Keneally

Absent:           Councillor Michael Adams, Councillor Peter Barnes and  
                  Councillor Alex Scroggie

Officers in Attendance:   M Avery, K Cartwright, C Goodall and S Pregon

**13           APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Adams, Barnes and Scroggie. Councillors Creamer, McCrossen and Smith attended as substitutes.

**14           TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 19 JUNE 2019.**

**RESOLVED:**

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

**15           DECLARATION OF INTERESTS**

The Chair declared a collective non-pecuniary interest in items 7 and 8 on the agenda as the land was in the ownership of Gedling Borough Council.

Councillor Rachael Ellis declared a non-pecuniary interest in item 7 on the agenda as a member of the Warren Action Group.

**PLANNING APPLICATION 2018/0607 - LAND NORTH WEST, PARK ROAD, CALVERTON.**

Outline planning application for up to 365 No. dwellings with all matters reserved except access, with access served from Park Road and Collyer Road.

George Breed, a representative of the applicant, spoke in support of the application.

The Service Manager – Development Services clarified that the report stated that the bus service improvements were to enhance the 747 service and recommended that this was amended to also permit the contribution to be expended on any alternative bus service serving the site.

After discussion and on the requisition of two Members, the motion to grant planning permission was put to a named vote and the motion was carried.

**For the Motion:**

Councillor C Barnfather  
Councillor D Ellis  
Councillor A Ellwood  
Councillor M Lawrence  
Councillor B Miller  
Councillor J Parr  
Councillor J Truscott

Councillor J Creamer  
Councillor R Ellis  
Councillor R Keneally  
Councillor McCrossen  
Councillor M Paling  
Councillor S Smith  
Councillor P Wilkinson

**Against the Motion:**

Councillor M Hope

**Abstentions:**

Councillor H Wheeler

**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 spaces, healthcare facilities, education, bus stop improvements, bus service improvements, maintenance of open space areas and drainage features not adopted or within the curtilage of the dwellings 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 Site Location Plan drawing no 7043-L-01 Rev A; Illustrative Layout drawing no 7403-L096 Rev J (With regards to the accesses onto Park Road and Collyer Road and new proposed footway along Park Road only); Proposed Park Road Access and Fire Appliance Swept Path Analysis drawing no 001 and Proposed Collyer Road Access and Fire Appliance Swept Path Analysis drawing no 002 received 25th June 2019. 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, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should 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.

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 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.

- 7 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 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.

- 8 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.
- 9 Prior to commencement of the development a site specific Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be implemented throughout the construction works undertaken on site.
- 10 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.
- 11 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.
- 12 The reserved matters application for the development hereby permitted shall include detailed plans and particulars relating to the hedgerow replanting scheme to compensate for the loss of any existing hedgerow within the site. Details of the proposed arrangements for future management and maintenance of any hedgerows shall also be submitted. Thereafter, the scheme shall be implemented in full accordance with the approved details.

- 13 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 a statement of significance and research objectives; 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.
- 14 Prior to first occupation of the development hereby approved construction details of the proposed 2.0m wide footway on the northern side of Park Road along the sites frontage, as illustratively shown in outline on plan titled Illustrative Layout drawing no 7403-L-06 Rev J, 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.
- 15 The development shall not be brought into use until the new junctions to serve the proposed development, as shown for indicative purposes only on Park Road and Collyer Road plans reference 'A114074 - 001 and 002 have been provided in accordance with detailed plans which are first to be submitted and approved in writing to the satisfaction of the Local Planning Authority.
- 16 No above ground works shall take place until a Travel Plan has been submitted and approved in writing with the Local Planning Authority. The Travel Plan shall be implemented upon commence

of the development hereby approved in with the provisions and timescales set out with the Travel Plan.

17. No part of the development of any phase shall begin until details of the proposed landscaping and highway verges have been submitted and approved in writing by the Borough Council. Details shall include location, species, size, a written specification including, grass seed mix, cultivation and grass establishment as well as measures to prevent ingress of roots into the adjacent highway construction. Any trees shall be located such that they do not obscure visibility to vehicles accessing or using the adjacent highway.
18. No development, including any demolition and site clearance, shall take place 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:
  - a) the means of access for demolition and construction traffic;
  - b) parking provision for site operatives and visitors;
  - c) the loading and unloading of plant and materials;
  - d) the storage of plant and materials used in constructing the development;
  - e) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
  - f) wheel washing facilities (including full details of its specification and siting)
  - g) measures to control the emission of dust and dirt during construction; and
  - h) a scheme for recycling/disposing of waste resulting from and construction works.
  - i) a traffic management plan including lorry routeing, access and signage for the construction period
19. No buildings shall be occupied until the associated parking areas and manoeuvring areas have been provided, drained and surfaced in accordance with the details that have been previously submitted to and approved in writing by the Borough Council. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles, unless otherwise agreed in writing by the Local Planning Authority.

## **Reasons**

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in

outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.

- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 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 that existing trees and hedges are adequately protected.
- 8 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration paragraph 35 of the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan
- 10 In the interests of protecting ecological interests
- 11 In the interests of protecting ecological interests.
- 12 In the interests of enhancing ecological provision on the site.
- 13 To safeguard any potential archaeological remains.
14. In the interest of sustainable travel.
15. In the interest of highway safety, and to ensure sufficient junction capacity to serve the development
16. In the interest of sustainable travel.



17. To ensure the proposed landscaping works do not compromise road safety
18. In the interests of highway safety and to protect the amenities of the area
19. To ensure adequate off-street parking provision is provided in connection with the development and to ensure surface water from the site is not deposited on the public highway.

### **Notes to Applicant**

It is the responsibility of the developer to ensure that the provision of EV 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.

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. You may obtain copies of current guidance notes and application forms from their website ([www.stwater.co.uk](http://www.stwater.co.uk)). Should you require any further information please contact Severn Trent Water directly.

The availability of the rights of way adjacent to and within the site must not be affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders.

Western Power Distribution has electricity network within close proximity to this development, a full diversion would be required of the electricity assets at site.

With regards to the any future reserved matters application regarding landscaping, the proposed landscaping scheme should include the mitigation measures outlined within section 4 of the Ecological Appraisal dated May 2018.

With regards to condition 9, the CEMP must be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition.

Any security lighting / floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway. The details of any such lighting shall be submitted to and approved by the Local Planning Authority (together with a lux plot of the estimated luminance).

Reason: To protect drivers from uncontrolled light sources near the public highway

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 contact the County Highway Authority for details.

The grant of planning permission for this development does not authorise the obstruction or the stopping up or diversion of this highway and an unlawful obstruction to the right of way/highway is a criminal offence and may result in the obstructing development being required to be removed

An application to stop up the highway can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the County Highway Authority for details.

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.

No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.

**PLANNING APPLICATION 2018/0347 - LAND BETWEEN MANSFIELD ROAD AND CALVERTON ROAD ARNOLD.**

Outline planning application for up to 148 No. dwellings with all matters reserved except access.

Steve Wright, a local resident, spoke in objection to the application.

The Service Manager – Development Services, introduced the report and informed Members of an error at paragraphs 4.2 and 7.33 regarding the education contributions, which incorrectly stated the contribution for secondary provision was £540,480,072. This should read "... and a sum of £540,480 is sought for the cost of expansion of secondary school places at Redhill Academy – there would be a need for 24 new places at a cost of £22,520 per place."

**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, maintenance of open space areas and drainage features not adopted or within the curtilage of the dwellings, healthcare facilities, education, bus stop improvements 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 Amended Site Location Plan drawing no 002\_A; Indicative Site Layout (with regards to the proposed access and realigned Arch Hill); Amended Proposed Access Arrangements General Arrangements & Signalised Junction drawing no 17-0622/002 Rev B and Proposed Site Access

Arrangements General Arrangement & Priority Accesses drawing no 17-062/003 (attached at Appendix B of Transport and Drainage Matters-Designers Response) received 26<sup>th</sup> November 2018.

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 dwelling 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.

8. No development shall commence on site in connection with the development thereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:

- a) Timing and phasing of Arboricultural works in relation to the approved development.
- b) Details of a tree protection scheme in accordance with BS5837:2012:which provides for the retention and protection of trees, shrubs and hedges adjacent to the site.
- c) Details of any construction works required within the root protection area of trees, hedges or shrubs adjacent to the site, as defined by BS5837:2012.
- d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

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

9. No above ground works shall commence until a proposed replacement tree planting scheme has been submitted to and approved in writing by the Local Planning Authority to mitigate for the loss of any existing tree within the site. The specification shall include number, size, species, pit specification and positioning of all trees to be planted, how they will be planted and protected and when planting will occur. The tree planting shall be carried out in accordance with the approved scheme. Any of the trees planted in accordance with the approved specification which within 5 years from the completion of the development are

removed or serious become damaged or diseased shall be replaced within the next planting season.

10. The reserved matters application for the layout of the development 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 the indicative site layout reference GA\_101\_E, 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 any proposed private roads;

(iii) Details of the proposed arrangements and plan for future management and maintenance of any hedgerows and other vegetation not within the curtilages of the proposed dwellings;

(iv) Any bin storage proposals located on any shared private drives.

Thereafter, the scheme shall be implemented in full accordance with the approved details.

11. No dwelling shall be occupied until such time as access to that dwelling has been provided in a bound material and the associated parking spaces have been provided in in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.

12. Prior to commencement of any external 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.

13. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works

on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

14. 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. 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.

15. 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.

16. The development hereby approved and any subsequent reserved matters application shall be designed and completed in accordance with section 3 of the Confidential Badger Report relating to landscaping buffer and proposed habitats, protection measures and Monitoring.

17. Prior to first occupation of the development hereby approved, construction details of the site access junction from the A60 Mansfield Road, as show in outline on plan titled: "Proposed Site Access Arrangements General Arrangements + Priority Accesses", reference: 17-0622/003, shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed access arrangement shall thereafter be implemented prior to first occupation of the development.

18. Prior to the construction of the 68<sup>th</sup> dwelling of the development hereby approved, construction details of the revised traffic signal controlled site access junction on the A60 Mansfield Road, as show in outline on plan titled: "Proposed Site Access Arrangements General Arrangements + Signalised Jct", reference 17-0622/002 Revision B, shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed traffic signal controlled access arrangement shall thereafter be implemented prior to construction of the 68<sup>th</sup> dwelling.

19. No above ground works shall take place until a Travel Plan has been submitted and approved in writing with the Local Planning Authority. The Travel Plan shall be implemented upon commence

of the development hereby approved in with the provisions and timescales set out with the Travel Plan.

20. No dwelling shall be occupied until such time as access to that dwelling has been provided in a bound material and the associated parking spaces have been provided in in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.
21. Prior to first occupation of the development hereby approved details of future pedestrian connections between the site and Felton Way, and Hadstone Drive to the east of the site shall be submitted to and approved in writing by the Local Planning Authority. The connections shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.
22. Prior to first occupation of the development hereby approved construction details of the widening of the existing footway on the eastern side of Mansfield Road from the proposed site entrance to a point roughly 50m north of the rear boundary of 48 Georgia Drive Lodge Close, including improvement to the lighting of this route, shall be submitted to and approved in writing by the Local Planning Authority. The approved footway widening arrangement and associated works shall thereafter be implemented prior to first occupation of the development hereby approved.
23. Prior to first occupation of the development hereby approved construction details of Improvements to the Rights of Way, specifically footpath 14/20/22, shall be submitted to and approved in writing by the Local Planning Authority. The approved improvements shall thereafter be implemented prior to first occupation of the development hereby approved.
24. 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

## 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. This pre-commencement condition is necessary to ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings
5. This pre-commencement condition is necessary to ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
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 are adequately protected.
9. To ensure the replacement of the existing trees that are protected by a TPO
10. To ensure the development is designed and constructed to adoptable standards and appropriately maintained.
- 11 To ensure appropriate access and parking arrangements are available.
  
- 12 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
13. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
14. In the interests of protecting ecological interests.
15. In the interests of enhancing ecological provision on the site.
16. In the interests of protecting ecological interests.
17. In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 18 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
19. In the interest of sustainable travel.
20. To ensure appropriate access and parking arrangements are available.
21. In the interest of sustainable travel.
22. In the interest of sustainable travel
23. In the interest of sustainable travel by means of improving access to existing neighbourhoods and their facilities.
24. To safeguard any potential archaeological remains.

## **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 148 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk concerns. 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.

## **Notes to Applicant**

The comments of Nottinghamshire County Council's Rights of Way Officer are enclosed.

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@nottscc.gov.uk](mailto:hdc.south@nottscc.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 comments of the Lead Local Flood Authority are enclosed.

No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.

The Applicants attention is drawn to the Governments Guidance regarding Japanese Knotweed which can be found at:  
<https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading>

The Applicants attention is drawn to NCC comments regarding landscaping which should be taken into consideration within the Reserved Matters Application.

With reference to condition 15 the submission of a bat-sensitive lighting scheme, should be developed in accordance with to be developed in accordance with Bat Conservation Trust publication "*Artificial Lighting and Wildlife – Interim Guidance: recommendations to help minimise the impact of artificial lighting*" dated June 2014.

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

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**PLANNING APPLICATION 2018/0823 - LAND WEST OF WESTHOUSE FARM MOOR ROAD BESTWOOD.**

**Outline planning application for up to 365 No. dwellings with all matters reserved except access, with access served from Park Road and Collyer Road.**

Jack Ashworth, 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:**

1. This permission shall be read in accordance with the following plans:

MRBDR07-SBP-P1 Rev B  
MRBDR06-SLP-P1 (landscaping)  
13152/100-01 Rev f (levels only)  
Materials Schedule 19.07.2019 Rev A

Housetypes:

A1/2018, A2/2018, B6/2017, BGA4/2018, C8/2018, C9/2018, DA3/2018, E20/2018, F5/2018, G7/2018, HA/2018, JD/2018, KA2/2018, KB1/2018, T20/2018, VA/2018, XAA/2018, YAB/2018, Y2/2018, Z4/2018, and X3.

The development shall thereafter be undertaken in accordance with these plans.

Reason: To define the permission, for the avoidance of doubt

2. Notwithstanding the submitted details, prior to the occupation of plots 13-28, precise details of the rear boundary treatment of these plots along the common boundary with The Spinney shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved plans.

Reason: To ensure a satisfactory form of development and in the interests of residential amenity.

**19 PLANNING APPLICATION 2019/0549 - RECREATION GROUND MUIRFIELD ROAD BESTWOOD.**

Installation of a climbing unit in the play area.

**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 and elevation details of the climbing frame received 4th June

2019, Site Location Plan received 12th June 2019 and Proposed Equipment Layout Plan drawing reference Q-23378-J7S7-C Rev O received 12th July 2019. 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 enhance and improve the recreational potential or quality of the site and would be visually acceptable in the streetscene. The proposal would not result in a significant undue impact on the amenity of neighbouring properties. Therefore the proposed development would be in accordance with the advice contained within the NPPF (2019), Policy 10, 13 and 16 of the ACS (2014) LPD 20 & LPD32 of the Local Planning Document (2018).

### **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. 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 applicant is advised that all planning permissions granted on or 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 given that there is no net additional increase of floorspace as a result of the development.

**PLANNING APPLICATION 2019/0226 - 43 BROOK AVENUE  
ARNOLD NG5 7HL.**

**Change of use of land to facilitate vehicular access to dwellinghouse.**

**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 received on 8th March 2019 and the site location plan received on 26th March 2018. The development shall thereafter be undertaken in accordance with these plans/details.
3. The driveway shall not be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.
4. The driveway shall not be brought into use until the drive/ parking areas are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard-bound material for the life of the development.

**Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of Highway safety.
4. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

## **Reasons for Decision**

By virtue of the size of the grass verge and the nature of the proposed development, the proposal would not result in any highway safety issues whilst ensuring off-street parking provision for no.43 Brook Avenue, it would not result in a detrimental impact on the visual amenity of the area nor on neighbouring residential amenity. The proposal is in accordance with the advice contained within the NPPF, Policy 10 of the Aligned Core Strategy and policies LPD 32, LPD 57 and LPD 61 of the Local Planning Document.

## **Notes to Applicant**

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 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 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/cil](http://www.gedling.gov.uk/cil). The proposed development has been assessed and it is the Council's view that the development hereby approved is not CIL Liable as the development is for a use that is not chargeable on Gedling Borough Council's Community Infrastructure Levy Charging Schedule.

The proposal makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services, on telephone 0300 500 80 80, to arrange for these works be carried out.

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).

## **APPEAL DECISION 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.

**RESOLVED:**

To note the information.

**22 GEDLING BOROUGH HOUSING DELIVERY ACTION PLAN AND FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2019**

To note the Gedling Borough Housing Delivery Action Plan and the Five Year Housing Land Supply 2019 Assessment which has been updated.

**RESOLVED:**

To note the information.

**23 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**24 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.20 pm

Signed by Chair:  
Date: