

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 4 September 2019**

Councillor John Truscott (Chair)

In Attendance:      Councillor Paul Wilkinson                      Councillor Rosa Keneally  
                                 Councillor Michael Adams                      Councillor Meredith Lawrence  
                                 Councillor Peter Barnes                      Councillor Ron McCrossen  
                                 Councillor Chris Barnfather                      Councillor Marje Paling  
                                 Councillor David Ellis                      Councillor John Parr  
                                 Councillor Rachael Ellis                      Councillor Alex Scroggie  
                                 Councillor Andrew Ellwood                      Councillor Henry Wheeler  
                                 Councillor Mike Hope

Absent:                      Councillor Barbara Miller

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

**26                      APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Miller. Cllr R McCrossen attended as a substitute.

**27                      TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 7 AUGUST 2019.**

**RESOLVED:**

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

**28                      DECLARATION OF INTERESTS**

None.

**29                      APPLICATION NO. 2017/1571 - DEVELOPMENT SITE CHASE FARM ARNOLD LANE GEDLING**

Erection of employment units (Class B1c/B2/B8 Use), Pub/Restaurant (Class A3/A4 Use) and Drive Thru (Class A3 Use), together with associated parking, servicing and landscaping.

The Service Manager – Development Services introduced the report.

## **RESOLVED:**

**That the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance, Landscaping, Scale, and Layout reserved for subsequent approval; subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway authority for the provision of, or financial contributions towards a Management Company, Integrated Transport Facilities, Translocation of Habitat and a Local Employment Agreement (in accordance with Section 14.0 of the report), and subject to the following conditions:**

### **Conditions**

- 1 Approval of the details of Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
- 2 Application for the approval of reserved matters must be made not later than five years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 3 The submission of all reserved matters and the implementation of the development shall be carried out in accordance with the plans and documents received on the 22nd December 2017: -; Extended Phase 1 Habitat Survey; Bat Survey Report; Breeding Bird Surveys; Design and Access Statement (P17-1794\_200); Drainage Strategy (P15-157 - 202A); Planning Statement (Dec 2017 - SLR/ST - P17-1794); Overall Proposed Site Plan (14005-102); Overall Proposed Site Plan (14005-103); Existing Location Plan (14005-100); Existing Location Plan (14005-101); Framework Travel Plan (ADC1616-B); Indicative Zoning Plan (14005-105); and Indicative Design Site Section (14005-104) and Amended Application Forms received on 11<sup>th</sup> June 2019.
- 4 No part of the development hereby permitted shall be occupied until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan.

- 5 No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking areas shall then be maintained in such hard bound material for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until the Gedling Access Road is built and open to traffic in its entirety.
- 7 No development shall take place until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 8 Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The surface water drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development.
- 9 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority, (1) A tree / hedge protection plan to graphically show the locations of any tree / hedge and root protection barriers. A tree protection plan should be overlaid to graphically show root protection areas in accordance with BS 5837:2012; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement (AMS). The AMS provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees / hedges. The approved measures of protection shall be implemented in accordance with the approved details for the duration of the construction period.

- 10 Before development is commenced, there shall be submitted to and approved in writing by the Local Planning Authority a Desktop Study for Existing Ecological Information, to include: (1) Consultation with the Nottinghamshire Biological and Geological Records Centre (NBGRC); (2) An Extended phase 1 Habitat Survey; (3) Details of avoidance, mitigation and compensation measures, and opportunities for enhancements (4) Further surveys and/or assessment in relation to badger, common toad, grass snake and butterflies, and (5) Further information in relation to the loss of Open Mosaic Habitat, including mitigation and/or compensation measures and quantification of losses/gains using an ecological accounting approach. The development shall be implemented strictly in accordance with the approved details.
- 11 The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted (in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape), which shall consist of native species, ideally of local provenance, where possible; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties (d) details of the mitigation and compensation for the loss of Open Mosaic Habitat (e) details of the mitigation and landscaping proposals in relation to dingy skipper (butterflies) and (f) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
- 12 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.
- 13 The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented in accordance with the approved details.
- 14 The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in

accordance with the approved details, which shall be retained for the lifetime of the development.

- 15 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 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.
- 16 In the event that remediation identified in the Remediation Scheme 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.
- 17 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. Prior to the first occupation of the development 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.

## **Reasons**

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 For the avoidance of doubt.
- 4 To promote sustainable travel.
- 5 In the interest of Highway safety.
- 6 There is no alternative access from the highway.
- 7 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 8 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 9 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy LPD18 (July 2018).
- 10 To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling (September 2014) and Policy LPD18.
- 11 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 12 To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

- 13 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 14 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 15 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.
- 16 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.
- 17 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Local Planning Document 2017, where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted.

### **Notes to Applicant**

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to  $Q_{bar}$  for the entire site;- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;- include an exceedance check using microdrainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;- demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall

arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

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.

Your attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how to decrease levels by incorporating mitigation measures into scheme design as standard. (see: <http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

No removal of hedgerows, trees or shrubs 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 and the outcome reported to the Borough Council.

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).

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). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts,



thereby resulting in a more acceptable scheme and a favourable recommendation.

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.

**30 APPLICATION NO. 2019/0304 - LAND AT CHASE FARM (FORMER GEDLING COLLIERY), ADJACENT TO ARNOLD LANE AND LAND OFF LAMBLEY LANE**

3 plot re-plan of plots 229,230 and 231.

The Service Manager – Development Services introduced the report.

**RESOLVED to:**

**Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.**

**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 details within the Application Form received on the 17th April 2019, the Design and Access Statement received on the 27th March 2019 and the plans received on the 27th March 2019, drawing numbers P100, P101, P102, P103, P104 and P105.

**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 neighbouring residential properties and amenities and would not have any impact on highway safety. The proposed development therefore accords with Policy LPD32 of the Local Planning Document, Policy 10 of the Aligned Core Strategy 2014, and the aims set out in the National Planning Policy Framework 2019.

## Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019).

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### **APPLICATION NO. 2019/0586 - LAND AT CHASE FARM (FORMER GEDLING COLLIERY), ADJACENT TO ARNOLD LANE AND LAND OFF LAMBLEY LANE.**

Plot 329 substitution from ILKE house type to a traditionally built house type (1233).

The Service Manager – Development Services introduced the report.

#### **RESOLVED to:**

**Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing, open space,**

**healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.**

### **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 details within the Application Form received on the 20th June 2019, the plans received on the 20th June 2019, drawing numbers P100, P102, P103 and P200 and the additional plan received on the 20th August 2019, drawing number P104.

### **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 neighbouring residential properties and amenities and would not have any impact on highway safety. The proposed development therefore accords with Policy LPD32 of the Local Planning Document, Policy 10 of the Aligned Core Strategy 2014, and the aims set out in the National Planning Policy Framework 2019.

### **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 (2019).

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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

**32 APPLICATION NO. 2019/0553 - 10 CAVENDISH AVENUE, GEDLING.**

Change of use of existing garage from residential to residential and childcare business (retrospective).

Mr Kiel Peters, the applicant, spoke in support of the change of use.

The Service Manager – Development Services introduced the report.

It was proposed and seconded to refuse planning permission.

**RESOLVED:**

**To not support refusal of the planning application.**

An alternative motion was then proposed to grant planning permission subject to conditions relating to hours of operation and on the number of children on the premises, the wording of such conditions to be delegated to the Service Manager – Development Services in consultation with the Chair of the Planning Committee. This was seconded.

**RESOLVED:**

**To grant planning permission subject to conditions relating to hours of operation and on the number of children on the premises with wording delegated to the Service Manager – Development Services in consultation with the Chair of the Planning Committee for the following reason:**

**Reason**

1. The principle of operation of a child care business from a residential unit is acceptable in this location and the proposal does not have an adverse impact upon residential amenity or highway safety. The proposal is therefore in accordance with the objectives of policy 12 of the Aligned Core Strategy and policy LPD32, LPD41 and LPD61 of the Local Planning Document.

**APPLICATION NO. 2019/0401 - LAND WEST OF BEESTON CLOSE, BESTWOOD.**

Re-orientation of dwellings on Plots 4 & 5 and additional dwelling to Plot 8 (between plots 2 and 3).

The Service Manager – Development Services introduced the report.

**RESOLVED to:**

**GRANT FULL PLANNING PERMISSION** subject to the applicant entering into a deed of variation amending original Section 106 Agreement to planning approval: 2017/0194 with the Borough Council as Local Planning Authority for the provision of a financial contribution to be expended on offsite Public Open Space, and the provision of a Management Company for the maintenance of the access road and areas of open space not within residential curtilages; and subject to the conditions listed for the reasons set out in the report.

**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, Section 6.0 of Arboricultural Report, Tree Protection Method Statement and deposited plans, drawing no's JWS/BCBR/PP5 rev A and JWS/BCBR/PP4 rev A, received on 16th April 2019 and deposited plans, drawing no's JWS/BCBR/PP8 rev B, JWS/BCB/SECT/1 rev D and JWS/BCBR/EW/1 rev C, received on 21st June 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to drawing no. JWS/BCBR/EW/1 rev C received on 21st June 2019, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.
- 4 Hours of construction including deliveries to the site shall be limited to: 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturday. No works or deliveries of materials shall be undertaken on Sundays or Public Holidays.

- 5 The development hereby approved shall be implemented in accordance with the approved Dust Management Plan as per planning reference 2018/1187DOC.
- 6 No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 7 No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and never exceeds 1:12 thereafter, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
- 8 No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
- 9 No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 10 No part of the development hereby permitted shall be brought into use until a bin collection point is provided within 15.0m of the public highway in accordance with details first submitted to, and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the details so approved and shall be retained as such thereafter.

### **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development in accordance with the aims of policy LPD 10 of the Aligned Core Strategy.

- 4 In the interest of residential amenity, in accordance with the aims of policy LPD 32 of the Local Planning Document.
- 5 In the interest of residential amenity, in accordance with the aims of policy LPD 32 of the Local Planning Document.
- 6 In the interests of Highway safety.
- 7 In the interests of Highway safety.
- 8 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
- 9 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 10 To allow the refuse team to pull the bins within pulling distance to the public highway, as the refuse lorry will not enter a private development.

### **Reasons for Decision**

The proposed development, by virtue of the design, scale and relationship with adjoining properties, would be visually acceptable in the streetscene and would result in no significant undue impact on the amenity of neighbouring residential properties and amenities and would have no undue impact on highway safety. The proposal is in accordance with the NPPF, Policies 8, 10 and 11 of the Aligned Core Strategy and policies LDP 28, LPD 32, LPD 35, LPD 40, LPD 57 and LPD 61.

### **Notes to Applicant**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](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. 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.

Your attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how to decrease levels by incorporating mitigation measures into scheme design as standard. (see: <http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

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 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.

Your attention is brought to the implications of the private drive for future occupiers if the roads are not adopted. (i) Future maintenance liabilities; (ii) Public liabilities; (iii) Street cleansing; (iv) Lack of pedestrian facilities; (v) Lack of / or poor standard of lighting and drainage; (vi) Nottinghamshire County Council have no powers under the Highways Act; (vii) The police have no powers to remove obstructions.

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.

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. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised by letters of representation submitted in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before



clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

Date Recommended: 19th August 2019

**34 APPLICATION NO. 2019/0324 - 77 MAIN ROAD, GEDLING.**

Remove existing roof, increase eaves and ridge height to provide loft conversion, construct dormer windows to front and dormer windows & balcony to rear elevations and construct new entrance to front elevation.

Tracy Featherstone, a local resident, spoke in objection to the application.

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; Existing Floor Plans drawing no 2006.016.004; Proposed First Floor Plans drawing no 2006.016.001 Rev D and Proposed Ground Floor Plans drawing 2006.016.002 received 4th April 2019; Site Location Plan drawing no 2006.016.006 Rev B and Existing Elevation drawing no 2006.016.005 received 19th April 2019 and Proposed Elevations drawing no 2006.016.003 Rev G received 10th July 2019 and emails from the Applicants Agent regarding the proposed roofing and dormer window materials received 30th July 2019. The development shall thereafter be undertaken in accordance with these plans/details.
3. The floor level of the porch extension hereby approved shall be set no lower than the floor level of the existing dwelling.

**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 reduce the risk of flooding to the proposed extended dwelling and its occupants.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development would be visually acceptable in the streetscene and in keeping with the character of the property and the area. The proposal would not result in a significant undue impact on the amenity of neighbouring properties and is acceptable in terms of flood risk. Therefore the proposed development would be in accordance with the advice contained within the NPPF (2019), Policy 1 & 10 of the ACS (2014) LPD3, LPD32 & LPD43 of the Local Planning Document (2018).

### **Notes to Applicant**

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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](http://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](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).

**35 APPEAL DECISION REF: APP/N3020/W/18/3218826 - 12 BANK HILL, WOODBOROUGH**

Replacement dwelling (resubmission of 2018/0026)

**RESOLVED:**

To note the information.

**36 APPEAL DECISION REF: APP/N3020/W/19/3223336 - 12 BANK HILL, WOODBOROUGH**

Replacement dwelling (resubmission of 2018/0026 and 2018/0628)

**RESOLVED:**

To note the information.

**37 APPEAL DECISION REF: APP/N3020/W/19/3227512 - 7 STATION ROAD, CARLTON**

Single bedroom residential unit on land within the grounds of 7 Station Road

**RESOLVED:**

To note the information.

**38 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

**39 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.10 pm

Signed by Chair:  
Date: