

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 15 January 2020**

Councillor John Truscott (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Andrew Ellwood
	Councillor Michael Adams	Councillor Rosa Keneally
	Councillor Peter Barnes	Councillor Meredith Lawrence
	Councillor Chris Barnfather	Councillor Marje Paling
	Councillor Pat Bosworth	Councillor John Parr
	Councillor Jim Creamer	Councillor Alex Scroggie
	Councillor David Ellis	Councillor Henry Wheeler
	Councillor Rachael Ellis	

Absent: Councillor Mike Hope and Councillor Barbara Miller

Officers in Attendance: M Avery, N Bryan, C Goodall, C McCleary and F Whyley

**82 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Hope and Miller. Councillors Bosworth and Creamer attended as substitutes.

**83 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 4 DECEMBER 2019.**

**RESOLVED:**

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

**84 DECLARATION OF INTERESTS**

The Chair declared a non-pecuniary interest in item 9 on the agenda as Gedling Borough Council were the applicant and in item 10 on the agenda as Gedling Borough Council had made a financial contribution to the applicant towards the installation of the 3G pitch.

Councillor David Ellis declared a non-pecuniary interest in item 9 on the agenda as the Portfolio Holder for Public Protection.

**APPLICATION NO. 2019/0213 - LAND TO THE WEST MAPPERLEY PLAINS, MAPPERLEY**

**Erection of 164 dwellings including new vehicular and pedestrian access, garages, parking, roads, footpaths, infrastructure, drainage and attenuation/detention basins, landscaping and open space.**

Matthew Sanders of Davidson Homes (The Applicant) spoke in favour of the application.

The Service Manager – Development Services introduced the report and recommended that permission was granted in accordance with the report but with an amendment to conditions 2 and 10 to permit a minor amendment to the proposed 4 arm roundabout. A further amendment was required to condition 2 to include a proposed garage type which had been omitted from the plans list.

The Service Manager – Development Services also recommend an additional condition seeking details of the proposed boundary treatments as these were not detailed on the submitted plans.

**RESOLVED:**

**To GRANT FULL PLANNING PERMISSION subject to the minor amendments to conditions 2 and 10, an additional condition relating to the proposed boundary treatments and subject to the owner(s) entering into planning obligations 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, education, bus stop improvements, health, public open space including management arrangements for the open spaces/drainage feature and a local labour agreement; 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 following plans:
  - Location Plan
  - Planning Layout 1184-100 PLANNING LAYOUT P18
  - Open Space Plan 1184-101 POS PLAN P03

#### House Types:

- DH200GI-4 (OP), DH301GE-4 (AS) DH301GE-4 (OP) DH413B-4 (AS) DH414GH-4 (AS) DH414GH-4 (OP) DH421B-4 (OP) SH16BR-4 (AS) SH16BR-4 (OP) SH34BRI-3 (AS) SH34BRI-3 (OP)

#### House Types Received 3-10-19

- DH328R-4 (AS), DH328R-4 (OP), DH421G-4 (OP) DH421GR-4 (AS) DH501G-4 (AS) DH509V-4 (AS) DH509V-4 (OP) SB21V-3 (AS) SH35BG-3 (OP) DH342G-4 CARPORT (AS) DH532R-4 (AS), SG4-4 SINGLE GARAGE (AS)

#### House Types Received 6-3-2019

- HOUSE TYPE 402BR, HOUSE TYPE 201 L, HOUSE TYPE 201-202, HOUSE TYPE 201-202 - OP, HOUSE TYPE 302 GE, HOUSE TYPE 302 GI, HOUSE TYPE 302 GI-OP, HOUSE TYPE 302 OP, HOUSE TYPE 312 G, HOUSE TYPE 313 B OP, HOUSE TYPE 318B, HOUSE TYPE 318B - OP, HOUSE TYPE 320 R, HOUSE TYPE 320 R - OP, HOUSE TYPE 330V, HOUSE TYPE 330V - OP, HOUSE TYPE 342M, HOUSE TYPE 400B, HOUSE TYPE 400B OP, HOUSE TYPE 404G HOUSE TYPE 404G OP HOUSE TYPE 409G, HOUSE TYPE 409G OP, , HOUSE TYPE 412G, HOUSE TYPE 412G OP, HOUSE TYPE 414 GR OP, HOUSE TYPE 427B, HOUSE TYPE 427B OP , HOUSE TYPE 430B , HOUSE TYPE 430B OP, HOUSE TYPE 532V , HOUSE TYPE 552G , HOUSE TYPE SH14BR , HOUSE TYPE SH14BR OP, HOUSE TYPE SH24 BRE, HOUSE TYPE SH24 BRE OP, HOUSE TYPE SH24 BRG , HOUSE TYPE SH24 BRG OP, HOUSE TYPE SH24 BRI , HOUSE TYPE SH24 BRI OP, HOUSE TYPE SH33G , HOUSE TYPE SH33G OP , HOUSE TYPE SH34 BRE OP, HOUSE TYPE SH34BRE,
- LG1 SINGLE GARAGE , LG4 TWIN SINGLE GARAGE CAR PORT - BRICK ARCH - 3M, CAR PORT - BRICK ARCH - 6M DG23 TRIPLE GARAGE DG23 TRIPLE GARAGE OP DOUBLE GARAGE
- Floor Levels E132-00-90 D PRELIMINARY FFLS-A1 , E132-00-91 D PRELIMINARY FFLS-A1, E132-00-92 D PRELIMINARY FFLS-A1 , E132-00-93 D PRELIMINARY FFLS-A1, E132-00-94 D PRELIMINARY FFLS-A1 , E132-00-95 D PRELIMINARY FFLS-A1
- Road Adoption E132-200-01F ADOPTIONS PLAN-A1, E132-200-02F ADOPTIONS PLAN-A1
- Landscaping GL1057 910B , GL1057 911C , GL1057 912C , GL1057 913C, GL1057 914A
- Roundabout Access Junction Layout ADC1642-DR-007 P4 and the Swept Path Analysis ADC1642-DR-051 P4

#### MG1-4 Single Garage and Street Scene 88-95 and Floor Plans

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

- 3 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 4 No development in respect of the erection of dwellings shall take place above damp proof course until details of the bat and bird boxes to be incorporated within the fabric of the buildings 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.
- 5 No development in respect of the erection of dwellings shall take place above damp proof course until details of Electric Vehicle charging points to be provided for 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. The charging points shall be provided prior to the occupation of the dwelling to which they serve.
- 6 All the trees and hedges shown to be retained and/or any trees whose canopies overhang the site shall be protected during the construction phase in accordance with the approved details as indicated on Landscape Protection Plan Drawing No. GL1057 914A. The fencing/protection shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus material have been removed from the site. Nothing shall be stored or placed within the protected areas.
- 7 Within a period of five years from the first occupation of the final dwelling of the development hereby permitted, any trees or plants provided as part of the soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged

or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved on the landscaping plan.

- 8 No development in respect of the erection of dwellings shall take place above damp proof course until details of the external facing and roofing materials of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority.
- 9 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. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 10 No dwellings hereby permitted shall be occupied until the access arrangements have been provided as shown on the drawings entitled Roundabout Access Junction Layout ADC1642-DR-007 P4 and the Swept Path Analysis ADC1642-DR-051 P4.
- 11 No dwellings hereby permitted shall be occupied until any access drives and parking areas to that dwelling are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 12 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development
- 13 The development hereby permitted shall be undertaken in accordance with the approved Flood Risk Assessment Rev B received by the local planning authority on 3rd October 2019.
- 14 Prior to the completion of the 50th dwelling hereby permitted details of reptile refugia shall be submitted to and approved in writing by the local planning authority. Such details shall include:
  - (1) location of the refugia
  - (2) its design and constructionThe refuge shall be constructed on site in accordance with the approved details prior to the completion of the final dwelling.

- 15 No above ground works shall take place until details of all walls (including retaining structures) fences, gates or other means of enclosure to be erected in or around the development have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of each dwelling within the development, the walls (including retaining structures), fences, gates or other means of enclosure for that property shall be erected as approved and shall thereafter be permanently retained and maintained.

### **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the permission.
- 3 To ensure the development is safe and suitable for use.
- 4 In the interest of enhancing ecological provision on the site.
- 5 To ensure that the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration LPD11 of the Local Plan.
- 6 To ensure that retained trees and hedgerows are protected.
- 7 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
- 8 To ensure a satisfactory form of development and the interest of visual amenity.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.
- 10 To ensure an adequate form of development in the interests of highway safety.
- 11 To reduce the possibility of deleterious material being deposited on the public highway.
- 12 To ensure surface water from the site is not deposited on the public highway causing dangers to road users

- 13 To ensure a satisfactory means of drainage for the site.
- 14 In the interests of promoting biodiversity on the site.
- 15 To ensure a satisfactory form of development and in the interests of residential amenity.

### **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 the proposed 164 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 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**

Note to applicant in relation to the adjacent public right of way: The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path. There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. Structures cannot be constructed on the line of the right of way with the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed

The developer is encouraged to consider installing the EV charging facilities to incorporate mode 3 charging capability, as this will help future proof the development and improve its sustainability. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided to allow 'Mode 3' charging of an electric vehicle; Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. All electrical circuits/installations shall

comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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

It is 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. 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 Nottinghamshire County Council Highway Development Control (email: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)) for details. The applicant should note that notwithstanding any planning permission, if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. All correspondence with the Highway Authority should be addressed to:- NCC (Highways Development Control) (Floor 3) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

The applicant is advised that all planning permissions granted on or 16<sup>th</sup> 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 and it is the Council's view that CIL IS PAYABLE on the development hereby approved.

The applicant is advised not to undertake any site clearance during the bird nesting season 1<sup>st</sup> March to 31<sup>st</sup> August inclusive in any given year.

**APPLICATION NO. 2019/0770 - 86 CHAPEL LANE, RAVENSHEAD NG15 9DH**

Demolition of existing dwelling at 84 & 86 Chapel Lane and construction of 6 new dwellings with garages.

Lisa Salmon, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report.

**RESOLVED:**

**To GRANT FULL PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority for the provision of a financial contribution to be expended on offsite Public Open Space; 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 received on 28th August 2019, Arboricultural Method Statement received on 3rd October 2019, and deposited plans, drawing no's VED587-03A received on 28th August 2019, VED587-10A, VED587-11A, VED587-12A, VED587-13A, VED587-14A and VED587-15A received on 3rd October 2019, VED587-04B and VED587-06B received on 18th October 2019 and VED587-02F received on 15th November 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 No above ground construction works shall commence until precise details of the proposed external facing and roofing materials to be used in the construction of the development have been submitted to, and approved in writing by the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 4 Before development hereby approved is first commenced full details of both soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The

detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, and the frontages of properties such as driveways and footpaths to front doors, and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Local Planning Authority.

- 5 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 4, 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, unless otherwise prior agreed in writing by the Local Planning Authority.
- 6 No development shall take place until the following information has been submitted to and approved in writing by the Local Planning Authority: a full site survey showing the datum used to calibrate the site levels, levels along all site boundaries levels across the site at regular intervals; full details of the proposed finished floor levels of all buildings and hard landscaped surfaces; and cross-sections of the. The development shall be carried out in accordance with the approved details.
- 7 From the date of first occupation each dwelling hereby permitted shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a safe overnight 'trickle' charge to an electric vehicle using a mode 2 charging cable. Charging points should be provided either within garage space or via outdoor, weatherproof sockets within 3m easy access of the off road parking areas. All EV charging points shall be clearly marked with their purpose.
- 8 The foundations to plot 1 and the driveways to serve plots 1, 2 and 6 hereby approved within the root protection area of trees T10, T11, T12, T13, T14 and T15 shall be constructed in accordance with the method of installation described in sections 2.5 and 2.6 of Arboricultural Method Statement and Tree Protection Plan received on 3rd October 2019.
- 9 Before development is commenced precise details for the installation and location of one general purpose bat box shall be submitted to and approved in writing by the Local Planning Authority. The bat box shall be positioned on one of the retained

trees, in a south-east / south-west direction, at a height of 3-5 metres above ground level and with a clear flight path to and from the entrance. The bat box shall be installed in accordance with the approved details.

- 10 No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no. VED587-02F received on 15th November 2019 are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections.
- 11 No part of the development hereby permitted shall be brought into use until the bin store has been provided, as shown on drawing no. VED587-02F received on 15th November 2019.
- 12 No part of the development hereby permitted shall be brought into use until the site access on Chapel Lane and verge crossing have been widened and made available for use and constructed in accordance with the Highway Authority specification and drawing no.VED587-02F received on 15th November 2019.
- 13 No part of the development hereby permitted shall be brought into use until both access drives (to Chapel Lane and to Birchwood Drive) are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives shall then be maintained in such hard-bound material for the life of the development.
- 14 No part of the development hereby permitted shall be brought into use until both access drives (to Chapel Lane and to Birchwood Drive) are constructed with provision to prevent the unregulated discharge of surface water from the driveways 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.
- 15 The demolition of the buildings at no.84 Chapel Lane shall only be undertaken in strict accordance with Appendix 4 - Precautionary Method Statement of Bat Emergence and Re-entry Surveys received on 5th November 2019.
- 16 The first floor windows in the north and south (side) elevations of the dwellings on plots 1 and 2 shall be glazed with obscure glass to a minimum privacy level of Pilkington 4 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room they serve. The windows shall be permanently retained as such 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 To ensure a satisfactory development in accordance with the aims of policy LPD 40 of the Local Planning Document.
- 4 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 5 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 6 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 7 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 LPD 11 of the Local Planning Document.
- 8 To ensure the trees are offered adequate protection.
- 9 To ensure bats recorded in the local area are offered adequate protection.
- 10 In the interest of Highway safety.
- 11 To allow the bins to be pulled to the highway on refuse collection day.
- 12 In the interest of Highway safety.
- 13 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
- 14 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 15 To prevent any harm to protected bats during demolition.

- 16 To avoid the possibility of overlooking, in accordance with the aims of policy LPD 32 of the Local Planning Document.

### **Reasons for Decision**

The construction of six detached dwellings on the site, by virtue of the size, scale, design and layout proposed, would result in an acceptable form of development, in keeping with the character and appearance of the streetscene and the wider area; in accordance with Sections 5, 11 and 12 of the National Planning Policy Framework, Policies 8 and 10 of the Aligned Core Strategy and Policies LPD 11, LPD 21, LPD 32, LPD 33, LPD 34, LPD 40, LPD 57 and LPD 61 of the Local Planning Document. Accordingly it is recommended that planning permission be granted.

### **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. 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.

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)

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat,

Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

The proposal makes it necessary to widen the verge/ vehicular crossing on Chapel lane over the verge 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).

**87 APPLICATION NO. 2019/0902 - 35 GARDENIA GROVE, CARLTON NG3 6HY**

Erection of 5 new dwellings and associated parking areas and garaging.

Jacqueline Maidment, 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:**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings: RHA1817-0150 - site plan RHA1817-0151 rev A - site plan RHA1817-0152 rev A - house plan (type A) RHA1817-0153 - house plans (type B) RHA1817-0154 rev A - site entrance RHA1817-0155 rev A - front elevations RHA1817-0156 rev A - rear elevations RHA1817-0157 rev A - side elevations RHA1817-0158 - side elevation RHA1817-

0161 - Drainage layout RHA1817-0162 rev A - house plans as proposed RHA1817-0163 - house plans (type B) RHA1817-0058 rev A - site sections

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

3. No above ground work shall commence until samples of the materials for the external appearance of the dwellings have been submitted to and approved in writing by the Local Planning Authority; development shall thereafter be carried out in accordance with the approved details.
4. No part of the site hereby permitted shall be brought into use until a dropped vehicular footway crossing/ has been widened and is available for use, together with a possible relocation of the gully. These works shall be constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
5. No part of the site hereby permitted shall be brought into use until the site access drive/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 drive/parking or turning 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 access is constructed with a gradient not exceeding 1 in 10 for a distance of 5m from the rear of the highway boundary as shown on drawing number: RHA 1817-0154a
7. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no: RHA 1817-0154a are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections.
8. The hedging on both sides of the access point shall be cleared completely and a 0.9m wall shall be erected on drawing no: ref: RHA 1817-0154a.
9. From the date of first occupation every property built on the site with one or more dedicated vehicle parking spaces and/or a garage shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a safe overnight 'trickle' charge to an electric vehicle using a mode 2 charging cable. Charging points should be provided either within garage space or via outdoor, weatherproof sockets within 3m

easy access of the off road parking areas. All EV charging points shall be clearly marked with their purpose.

10. 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 produced by the Council 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.
11. Any first floor windows in the side elevation of the properties hereby approved shall be obscured glazed to level 4 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be complied with before the specific dwelling is occupied and thereafter be retained for the lifetime of the development.

### **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt
3. To ensure that the character of the area is respected and to comply with policy 10 of the Aligned Core Strategy.
4. In the interests of highway safety and to comply with policy LPD61.
5. In the interests of highway safety and to comply with policies LPD57 and LPD61.
6. In the interests of highway safety and to comply with policy LPD61.
7. In the interests of highway safety and to comply with policy LPD61.
8. In the interests of highway safety and to comply with policy LPD61.
9. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National

Planning Policy Framework and policy LPD11 of the Councils Local Plan.

10. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
11. To ensure the amenity of neighbouring properties is respected and to comply with policy LPD32.

### **Notes to Applicant**

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. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles.

All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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. If the applicant proposes to divert the sewer, the applicant will be required to make a formal application to the Company under Section 185 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our Developer Services Team (Tel: 0800 707 6600).

The flat roof aspect to the rear of plot 1 (adjacent to 27b Gardenia Drive) shall not be accessed as a balcony or other seating area and is something that would require planning permission in its own right.

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.

Where the Council's view is that CIL is payable, 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 Councils website or from the Planning Portal: [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

88

**APPLICATION NO. 2019/0876 - LENDRUM COURT, BURTON JOYCE**

New build development of 34 no. flats and 1 guest suite on the site of an existing sheltered housing complex, proposed for demolition, Lendrum Court, Burton Joyce.

The Service Manager – Democratic Services introduced the report.

**RESOLVED:**

**That the Borough Council GRANTS PLANNING PERMISSION, subject to the completion of a satisfactory Legal Agreement (Unilateral Undertaking) to secure 100% of the dwellings as affordable (affordable rent), restrict occupation to over 55's, and a financial contribution toward improved public transport infrastructure as detailed in paragraphs 7.15 and 7.17 of the report, and subject to the following conditions:**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

N1429 001 (location plan)  
N1429 106C (tree constraint plan)  
N1429 110G (proposed groundfloor plan)  
N1429 111E (first floor plan)  
N1429 112D (second floor plan)  
N1429 113K (proposed site and roof plan)  
N1429 120F (proposed elevations -Church Road)  
N1429 121B (courtyard elevations)  
N1429 122B (courtyard elevations)  
N1429 123B (proposed elevations - Lambley Lane)  
N1429 126B (proposed elevations - Church Road)  
N1429 127A (courtyard elevations)  
N1429 128A (proposed elevations - Lambley Lane)  
LCBJ-BSP-ZZ-XX-DR-C-0001 P01 - Swept path analysis

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

3. Prior to above ground works commencing, details of materials to be used for the external appearance of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
4. Prior to the commencement of development, the trees identified to be protected, as detailed on drawing N1429 106C and within the Tree Survey and Arboriculturist Impact Assessment, shall be protected by fencing for the duration of the construction phase.
5. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
6. Development shall proceed in accordance with the recommendations of the Flood Risk Assessment and Drainage Strategy of BSP Consulting dated May 2019.
7. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 110\_G. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.
8. No part of the development hereby permitted shall be brought into use until the 2 footpaths fronting the site to Church Street, as identified on drawing N1429 110G, are constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
9. Prior to above ground work commencing a scheme showing details of both hard and soft landscape works shall be submitted to and approved in writing by, the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.

10. 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 produced by the Council 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.
11. Prior to the occupation of either building(s) hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of two (2) Electric Vehicle Recharging Points. The Electric Vehicle Recharging Points shall be in a prominent position on the site. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development.

### **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.
3. To ensure that the character of the area is respected and to comply with policy 10 of the Aligned Core Strategies.
4. To ensure that the existing mature landscape is retained and to comply with policy LPD20 of the Local Planning Document.
5. To ensure the site is adequately drained and to comply with policies LPD3 and LPD4.
6. To ensure the site is adequately drained and to comply with policies LPD3 and LPD4.
7. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
8. To ensure that the site is appropriately accessed and built to an acceptable standard and to comply with policy LPD61.
9. In the interests of highway/pedestrian safety.
10. 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.

11. 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.

### **Notes to Applicant**

The development makes it necessary to construct the 2no footpaths and reinstate the redundant path on/ over the verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

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. Where the Council's view is that CIL is payable, 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 Councils website or from the Planning Portal: [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

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. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

The Service Manager – Development Services introduced the report.

**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, education, primary care, bus stop improvement and a local labour agreement; and subject to the conditions listed for the reasons set out in the report:**

**Conditions**

- 1 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.
- 2 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.
- 3 This permission shall be read in accordance with the Site Location Plan and Indicative Site Layout (with regards to access only).The 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. If a pumped solution is being proposed for this development, a sewer modelling assessment may be required to determine what impact the generated flows from this site will have on the network and to determine the maximum pump rate that could be accommodated within the existing network without worsening the existing sewer performance in rainfall events. 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 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.

- 9 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.
- 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. 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 prior to the first occupation of the development hereby approved.
- 12 No dwelling shall be occupied until such time as the Gedling Access Road has been completed and is open to traffic.
- 13 No direct vehicle access shall be taken at any time between the application site and the B684 Mapperley Plains Road.
- 14 Prior to the first occupation of the dwellings hereby approved the highway works (access junction to the GAR) as shown on the plan entitled 'Site Access Arrangements', drawing no. CFGN-BSP-ZZ-XX-DR-D-001, revision P2 shall be provided.
- 15 No dwelling hereby approved shall be occupied until any access driveway or parking area directly relating to that dwelling has been surfaced in a bound material (not loose gravel). The surfaced driveway or parking area shall then be maintained in such bound material for the life of the development.
- 16 No part of the development hereby permitted shall be brought into use until all access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development

- 17 No development hereby permitted shall commence until details of wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities thereby approved shall be maintained in working order for the duration of the construction works at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 18 The maximum number of residential units to be constructed on site shall be 46.

### **Reasons**

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 2 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.
- 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 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 Planning Document.
- 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 Planning Document.
- 8 In the interest of sustainable travel
- 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 policy LPD11 of the Councils Local Planning Document.

- 10 In the interests of protecting ecological interests
- 11 In the interests of enhancing ecological provision on the site.
- 12 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development
- 13 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 14 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 15 To ensure appropriate access and parking arrangements are available.
- 16 To ensure appropriate access and parking arrangements are available.
- 17 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 18 To define the permission and for the avoidance of doubt

### **Reasons for Decision**

The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. 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**

Notes to Applicant: It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring. The applicant should note that notwithstanding any planning permission if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments

Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. All correspondence with the Highway Authority should be addressed to:- NCC (Highways Development Control) (Floor 3) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. 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. They may obtain copies of our current guidance notes and application forms for diversions from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our Developer Services Team (Tel: 0800 707 6600).

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 applicant is advised that any site clearance works are undertaken outside of the bird breeding season - October to February inclusive.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application

The applicant attention is drawn to the following advice in relation to the control of non-native plant species.

<https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

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. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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

**90 APPLICATION NO. 2019/0945 - CARLTON LE WILLOWS ACADEMY, WOOD LANE**

Section 73 application to vary condition 2 (approved drawings) of permission 2018/0836 (Installation of 3G artificial grass pitch, fencing, hardstanding, flood light system, together with the erection of 1no. single storey pavilion and 1no. storage container).

**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, Proposed Site Location Plan drawing no 928.002-A-10-01 Rev A03, Site Plan drawing no 928.002-A-10-02 Rev A07, Ground Floor Layout 2 Changing Rooms drawing no 928.002-A-20-02 Rev A00 received 10<sup>th</sup> October 2019; Design & Access Statement, Typical Section drawing no 928.002-A-22-02 Rev A00, Block Plan drawing no 928.002-A-10-03 Rev A06, Proposed Site Plan drawing no 01 Rev 02, Proposed AGP Layout Drawing no 02 Rev 03, Proposed Elevations Drawing no 03 Rev 02, Proposed Floodlighting Drawing no 04 Rev 02 received 4<sup>th</sup> November 2019; Proposed elevations 4 changing rooms drawing no 928.002-A-21-02 Rev A01, Proposed elevations-2 changing rooms drawing no 928.002-A-21-01 Rev A01, Roof Plan - 2 Changing Rooms drawing no 928.002-A-20-12 Rev A00, Roof Plan - 4 Changing Rooms drawing no 928.002-A-20-13 Rev A00 received 12<sup>th</sup> December 2019; Ground Floor Layout - 4 Changing Rooms drawing no 928.002-A-20-01 Rev A00, received 18<sup>th</sup> December 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 The development hereby approved shall only be available for use by non-school clubs or groups between the hours of 16:00-22:00, Monday to Friday during school term time, or not earlier than 1 hour after the official school day ends if later than 3pm. At any other time the development shall only be available for use between the hours of 0900 and 2200.
- 4 The development hereby approved shall not be brought into use until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the development hereby approved and include details of pricing policy, hours of use, access by non-[educational establishment] users [non-members], management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.
- 5 Details of the location and specification of the bat boxes specified as a mitigation measures within the Follow-up Aerial Tree Survey - Bats, March 2019 shall be implemented in accordance with the details approved by application 2019/0563DOC and shall be retained for the lifetime of the development.
- 6 The flood light system hereby approved shall be implemented in accordance with the Floodlighting Performance Report received on 11/03/2019 and shall be retained for the lifetime 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 To reduce the impact upon the highway network on Wood Lane and in the interest of residential amenity.
- 4 To secure well managed and safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.
- 5 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
- 6 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

## **Reasons for Decision**

In the opinion of the Borough Council, the proposed development will result in no undue impact on the amenity of adjacent properties and any undue detriment to the visual amenity of the locality. Very special circumstance justify any harm to the openness or character of the Green Belt. The proposal is also considered to have no adverse effects in terms of highway safety. The proposal accords with; Policy 3 (Green Belt), Policy 10 (Design and Enhancing Local Identity) and Policy 12 (Local Services and Healthy Lifestyles) of the Aligned Core Strategy 2014; LPD19, LPD20, LPD32, LPD35, LPD57 & LPD61 and Part 8 (Promoting healthy communities), Part 12 (Achieving well-designed places and Part 13 (Protecting Green Belt land) of the National Planning Policy Framework.

## **Notes to Applicant**

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

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 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.

The Applicants attention is drawn to your obligations to ensure the protection of bats under The Conservation of Habitats and Species Regulations 2010 (as amended). It is therefore recommended to resurvey the trees prior to the flooding lights first coming into use to ensure that no bats are roosting within the trees.

*Councillor Ellwood left the meeting.*

**91 APPLICATION NO. 2019/0830 - PROPOSED CCTV, ROLLESTON DRIVE, ARNOLD**

CCTV Camera on 10m pole.

**RESOLVED:**

**To GRANT PLANNING PERMISSION, subject to the following conditions:**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

Location plan Pole elevation (TC.10.400.01)  
Dome camera detail  
Antenna Reasons

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

**Reasons**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. For the avoidance of doubt.

**92 APPLICATION NO: 2001/1763 - 12 COLLEGE ROAD, MAPPERLEY, NG3 6FD**

Variation of Section 106 Agreement with the Borough Council for Affordable Housing.

The Service Manager – Development Services introduced the report.

**RESOLVED:**

**To Refuse Variation of Section 106 Agreement.**

*Councillor Scroggie left the meeting.*

**93 TREE PRESERVATION ORDER 000125 - 69 MAIN STREET, CALVERTON, NOTTINGHAMSHIRE NG14 6FG**

Protection of 3 no. Birch trees by a Tree Preservation Order (TPO)

**RESOLVED:**

**To Confirm Tree Preservation Order 000125 without modification.**

**94 APPEAL DECISION - APPLICATION NO. 2019/0508 - 79, MAIN ROAD, GEDLING**

Erection of a two storey rear extension and loft conversion including new roofs and dormer windows to the front and rear. Proposed decking area to the rear of the property.

**RESOLVED:**

To note the information.

*Councillor Scroggie re-joined the meeting.*

**95 APPEAL DECISION - APPLICATION NOS: 2018/0727, 2018/1186 & 2018/1166 - 22 KIGHILL LANE, RAVENSHEAD, NOTTS NG15 9HN**

Erection of 6 dwellings.

**RESOLVED:**

To note the information.

**96 APPEAL DECISION - APPLICATION NO: 2019/0410 - 147 ROLLESTON DRIVE, ARNOLD, NOTTINGHAMSHIRE, NG5 7JG**

Build a new 2 bedroom, 2 storey detached house in the front garden.

**RESOLVED:**

To note the information.

**97 APPEAL DECISION - APPLICATION NO. 2019/0428 - 117 MOOR ROAD, PAPPLEWICK NG15 8EN**

Erect small front extension to existing semi-detached house.

**RESOLVED:**

To note the information.

**98 APPEAL DECISION - APPLICATION NO: 2019/0391 - 107 MANSFIELD ROAD, PAPPLEWICK NG15 8FJ**

Double garage with first floor, replacing incomplete balcony with Juliette balcony.

**RESOLVED:**

To note the information.

**99 DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**100 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.15 pm

Signed by Chair:  
Date: