

**MINUTES
PLANNING COMMITTEE**

Wednesday 2 December 2020

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Rosa Keneally
 Councillor Michael Adams Councillor Meredith Lawrence
 Councillor Peter Barnes Councillor Barbara Miller
 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: None

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

63 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

None.

64 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 OCTOBER 2020.

RESOLVED:

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

65 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all Members in item 7 on the agenda, as Gedling Borough Council were in ownership of the land and had made the application.

Councillor Barnes declared a personal interest in item 8 on the agenda and did not participate in the discussion nor the vote.

66 APPLICATION NO. 2020/0238 - ASHDALE, NOTTINGHAM ROAD, BURTON JOYCE

Outline application for 11 new dwellings with matters of access, scale and layout to be considered as part of this application.

A written representation from Sallyanne Johnson, a local resident in objection to the application, was read by Alec Dubberley, Service Manager - Democratic Services.

The Assistant Director – Planning and Regeneration introduced the report.

RESOLVED:

To Grant Outline Planning Permission with the matter of Access, Layout and Scale approved: Subject to the owner entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for financial contributions towards open space and education and a local labour agreement; and subject to the conditions listed for the reasons set out in the report:

Conditions

- 1 Application for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission. Details of appearance and landscaping (hereinafter called the reserved matters) for the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
- 2 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 3 This permission shall be read in accordance with the application form and following list of approved drawings:
1508G/002 Revision H - Site Block Plan
1508G/004 Revision E - Site Block Plan - Impact Plan

The development shall thereafter be undertaken in accordance with these plans/details.
- 4 No dwelling hereby approved shall be occupied until a suitable access arrangement has been provided in accordance with the approved drawing no. 1508G/004 Revision E - Site Block plan - Impact Plan.
- 5 No dwelling shall be occupied until the roads necessary to serve that dwelling have been constructed to base level.

- 6 No dwelling shall be occupied until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 7 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.
- 8 No dwelling shall be occupied until one or more dedicated vehicle parking spaces and/ or a garage have been provided at each dwelling with access to an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.
- 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 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, thereafter, be undertaken in accordance with the approved CEMP
- 10 The development shall be carried out in accordance with the submitted flood risk assessment (ref: Land at Ashdale, Nottingham Road, Burton Joyce, Gracemachin Planning and Property Ltd, Farrow Walsh Consulting, FW1907_FRA_001, V2.1, 06/04/2020) and the following mitigation measures it details:
 - o Finished floor levels shall be set no lower than 19.82 metres above Ordnance Datum (AOD) as stated within section 7.2.1 of the FRA. The mitigation measures shall then be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
- 11 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy has been submitted to and approved in writing

by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of any dwelling. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the 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 and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

- 12 Before development is commenced there shall be submitted to and approved in writing by the Local Planning Authority drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development thereafter.
- 13 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.
- 14 Development shall be undertaken in accordance with the approved noise report, completed by BSP Consulting, BSP Document Ref: RDBJ-BSP-ZZ-XX-RP-C-001-

P1_Environmental_Noise_Assessment and the mitigation therein, notably with regard to window details and ventilation to the dwellings and fencing to the garden areas. Verification that the approved sound insulation has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

- 15 Development shall be undertaken in accordance with the Ecological Appraisal Report by JJH Consulting Ltd dated December 2019 and the recommendations and mitigation measures adhered to at all times.
- 16 Prior to the commencement of development, a further badger survey of the site shall be submitted and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall thereafter be implemented.
- 17 Prior to the commencement of development, Great Crested Newt presence/absence surveys shall be submitted and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall thereafter be implemented.
- 18 The development shall be undertaken in accordance with the Arboricultural Report and Impact Assessment by AWA Tree Consultants, dated August 2020, Reference AWA2971 and the Arboricultural Method Statement by AWA Tree Consultants, dated August 2020 reference AWA3363, specific attention shall be given to the timings of events from arboricultural works through erection of protective fencing and development to protective fence removal and the need for strict monitoring throughout the process. The protective fencing shall be provided before site preparation commences and the protective fencing shall remain in place at all times during site preparation and development. The protective fencing shall only be removed following completion of the development.
- 19 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.
- 20 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.

- 21 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross-sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with the approved details and retained thereafter for the life of the development.
- 22 All access driveways and parking areas shall be 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.
- 23 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.

Reasons

- 1 To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.
- 2 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 For the avoidance of doubt.
- 4 To ensure an adequate form of development in the interests of highway safety and to comply with policy LPD61.
- 5 To ensure that each dwelling has appropriate vehicular access and to comply policy LPD61.
- 6 To ensure that loose material does not enter the highway and to comply with policy LPD61.
- 7 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.

- 8 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 10 To ensure that the site is safe and suitable for use, thereby taking into consideration the aims of the National Planning Policy Framework 2019, policy 1 of the Aligned Core Strategy 2014 and policy LPD3 of the Local Planning Document 2018.
- 11 A detailed surface water management plan is required to ensure that the development is in accordance with National Planning Policy Framework 2019 and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 12 To ensure foul water is adequately disposed of and to comply with policies LPD4, LPD5 and LPD6.
- 13 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 14 To ensure that amenity of proposed dwellings are suitably protected and to comply with guidance within the NPPF.
- 15 To ensure that protected species are not detrimentally impacted and to comply with guidance within the NPPF.
- 16 To ensure that protected species are not detrimentally impacted and to comply with guidance within the NPPF.
- 17 To ensure that protected species are not detrimentally impacted and to comply with guidance within the NPPF.
- 18 To ensure that the trees to be retained at the site are appropriately protected at all times.
- 19 In the interests of protecting ecological interests.
- 20 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.

- 21 To ensure the development is constructed to adoptable standards.
- 22 In the interests of highway safety.
- 23 In the interests of highway safety.

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

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 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) 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 conditions 16 and 17, relating to the requirement for a further badger survey and a survey regarding the potential presence of Great Crested Newts shall be read in conjunction with the submitted Ecological Appraisal Report by JJH Consulting Ltd December 2019.

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). Negotiations have taken place during the assessment 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 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.

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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

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

17th November 2020

67 APPLICATION NO. 2020/0258 - LAND NORTH OF PAPPLEWICK LANE, LINBY

Development of 18no houses.

The Assistant Director – Planning and Regeneration introduced the report and informed members that further to the information contained in the report, a local labour agreement was considered to be necessary to comply with Policy LPD48 as the development met the threshold for an agreement. It was recommended that this was secured via a planning condition which was consistent with the method of securing such provision for the wider site.

The Assistant Director – Planning and Regeneration recommended that permission was granted in accordance with the report, but with an additional condition requiring the development to be undertaken in accordance with a local labour agreement, to be submitted to and approved in writing by the local planning authority.

RESOLVED:

To Grant Full Planning Permission: Subject to the owner entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as education authority for the provision of, or financial contributions towards Educational Facilities, Affordable Housing, and the provision of Open Space and its future maintenance and 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 The development hereby permitted shall be completed in accordance with the submitted documents received on 13th July 2020:

Proposed Location Plan Dwg No. 02
Proposed Site Plan Dwg No. 01 Red D
Materials Plan Dwg No. 03
Landscape Strategy Dwg No. 101

Proposed Boundary Treatment Plan Drawing No. 04
Outline Hardworks Surfaces Dwg No. 201
Tree Protection Plan Dwg No. RSE_3685_TPP Rev V1

House Types

Somerby Dwg No. SOM/WKDG/100/26/02 Rev CA
Lovesby Dwg No. LOW/WKDG/100/75/03 Rev CA
Willesley Dwg No. WIL/WKDG/100/67/03 Rev CA
Dalby Dwg No. DALB/WKDG/100/73/02 Rev CA
Lichfield Dwg No. LIC/WKDG/100/30/03 Rev CA
Somerby (Brick Banding) Dwg No. SOM/WKDG/100/26/03 Rev CA
Worcester Dwg No. WOR/WKDG/100/10/04 Rev CA

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

- 3 Prior to the 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 an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle.
- 4 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.
- 5 No dwelling hereby approved shall be occupied until all access driveways and parking areas relating to that dwelling 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.
- 6 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.

- 7 Unless otherwise agreed by the Local Planning Authority, works must not commence until a detailed remediation scheme is submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and criteria, and a timetable of works and site management procedures. The agreed remediation scheme shall be implemented in accordance with the approved timetable of works.
- 8 Prior to completion of the works a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
- 9 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.
- 10 All the trees and hedges shown on the Tree Protection Plan Dwg No. RSE_3685_TPP Rev V1 as "to be retained" and/or any trees whose canopies overhang the site] shall be protected by strong fencing, the location and type in accordance with the approved Arboricultural Impact Assessment, Method Statement and Tree Protection Plan. The fencing shall be erected in accordance with the approved details 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 materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.
- 11 Prior to the commencement of the development hereby permitted, details of a local labour agreement to cover the construction of the development shall be submitted to and approved in writing by the Borough Council. The local labour agreement shall be implemented in accordance with the approved details

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 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.
- 4 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.
- 5 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 6 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 8 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 9 A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 10 In the interests of visual amenity and effective landscaping of the site.
- 11 To ensure the development complies with policy LPD48 – Local Labour Agreements.

Notes to Applicant

- 1 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.
- 2 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.
- 3 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.
- 4 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 7Q
- 5 The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles.
- 6 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).
- 7 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

68 APPLICATION NO. 2020/0698 - 19 ASHE CLOSE, ARNOLD

The item was withdrawn from the agenda.

69 APPLICATION NO. 2020/1042 - EAGLE SQUARE, FRONT STREET, ARNOLD

Temporary relocation of 12 market stalls on to Eagle Square for up to 12 months (change of use).

The Assistant Director – Planning and Regeneration introduced the report and informed members that further to the publication of the report, the separate street trading consent application had been approved by the Environment & Licensing Committee.

RESOLVED:

To Grant full Planning Permission subject to the conditions listed for the reasons set out in the report.

Conditions

- 1 This permission shall be for a period of 12 months only from the date of this permission, at the expiration of which time the market stalls and any ancillary structures shall be removed.
- 2 The development hereby approved shall be carried out in accordance with the following documents/plans deposited on the 16th October 2020:-
 - Application form;
 - Planning Statement;
 - Site Location OS Plan drg. no EGR/ AMP/ ES -001 -;
 - Site Survey Block Plan drg. no. EGR/ AMP/ ES - 002-;

and the following plans and documents received on the 17th November 2020

- Interim Market Proposals drg. no. GBC/EG+R/AMP_004; and
- Correspondence relating to the servicing of the market and the waste strategy.

Reasons

- 1 To allow for the retention of a market facility within Arnold Town centre during the redevelopment of Arnold Market place and in the interests of the viability and vitality of the Town Centre.
- 2 For the avoidance of doubt.

Notes to Applicant

Your attention is drawn to the following:-

Sufficient electric supply should be provided for the stalls.

The trees in the area and the in situ seating area should be protected when installing the market stalls to prevent damage.

Access must be allowed from High Street into the precinct for shop deliveries, emergency vehicles and disable blue badge holders. As a public right of way it should not be blocked - unless an alternative route is arranged with Nottinghamshire County Council highways.

The flood relief water storage tank under the Eagles Square shall remain accessible at all times.

The applicant is advised that all planning permissions granted on or 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that there is no net additional increase of floorspace as a result of the development.

70

ENFORCEMENT REF: 0186/2020 - AGRICULTURAL LAND TO THE NORTH OF ASH VALE FARM, BANK HILL, WOODBOROUGH

The construction of an unauthorised building, engineering works, unauthorised fence and earth bund.

The Assistant Director – Planning and Regeneration informed members that the building was not within the residential curtilage and that it was within the Green Belt.

RESOLVED:

That the Assistant Director - Planning and Regeneration, be authorised to take all enforcement action including the service of any enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised development at the site is removed.

**71 ENFORCEMENT REF: 0184/2020 - 3 WOBURN RISE,
WOODTHORPE**

Unauthorised development.

The Assistant Director – Planning and Regeneration introduced the report informed members that the temporary stop notice served under the scheme of delegation expired on the 3rd December and that subject to committee approval, it was intended to issue a full stop notice and an enforcement notice.

RESOLVED:

That the Assistant Director - Planning and Regeneration, be authorised to take all enforcement action including the service of any necessary stop notices and enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised development at the site is removed.

72 APPEAL DECISION - THE FOLLY, PARK LANE, LAMBLEY

Erection of a link extension to the existing dwelling and conversion of stables and workshop to additional living accommodation together with associated parking and landscaping works.

RESOLVED:

To note the information.

73 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

74 ANNUAL MONITORING REPORT

RESOLVED:

To note the report.

75 BRIEFING NOTE - AMENDMENTS TO USE CLASSES

RESOLVED:

To note the report.

76 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the report.

77 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.00 pm

Signed by Chair:
Date: