

**MINUTES
PLANNING COMMITTEE**

Wednesday 31 March 2021

Councillor John Truscott (Chair)

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

Absent: Councillor Michael Adams and Councillor
 Barbara Miller

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

110 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Adams and Miller.
Councillor Smith attended as substitute.

**111 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 24 FEBRUARY 2021.**

RESOLVED:

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

Under this item Councillor Barnfather addressed the committee to raise concerns in respect of the Planning Committee Protocol as the Chair of Linby Parish Council, had been not been given permission to speak on item 4 on the agenda. Councillor Barnfather expressed concern that the speaker should have been permitted to address committee in order to represent the local community's views. The Chair noted Councillor Barnfather's comments and confirmed that in his view the decision was in accordance with the Council's Planning Committee Protocol.

112 DECLARATION OF INTERESTS

Councillor Barnfather declared a non-pecuniary interest in item 4 on the agenda as a member of Nottinghamshire County Council (the applicant). Councillor Barnfather added that as he was not part of the County Council's decision making process he would not be withdrawing from the meeting.

**113 APPLICATION NO. 2020/0050 - LAND AT TOP WIGHAY FARM,
WIGHAY ROAD, LINBY**

Outline planning application for mixed-use development comprising; 805 homes, land for employment purposes (up to 49,500m² of B1/B8 uses), a Local Centre comprising A1-A5, B1(a) and D1 uses (up to 2,800m²), a 1.5 form entry Primary School and associated infrastructure, open space and landscaping (EIA Development).

Andy Evans – Programme Director at Nottinghamshire County Council, the applicant, spoke in support of the application.

The Principal Planning Officer outlined the report and gave the following updates:

A late objection had been submitted by the Woodland Trust, as they believed that a number of trees within the application site would not be appropriately protected in that root protection areas were not identified and more trees on site should be retained. As layout was not currently under consideration, these more detailed matters would be considered when reserved matters applications were submitted. Condition 23 of the outline permission also required each phase of development to be accompanied by an Arboricultural Assessment. As a result, the objection was not considered to have an overbearing impact on the outline application.

Furthermore, in respect of the width of the safeguarded route for the Nottingham Express Transit, it had been confirmed that the width of the route actually needed to be 12.5m and not 14m. As a result, condition 10 would need to be amended to reflect this change.

The recommendation in section 9 of the report also needed to be updated in that it was not possible for the County Council to be a signatory of the Section 106 Legal Agreement, to receive monies required towards Education and Highway, as they were also the landowner and it was not possible for the County Council, if required, to enforce a legal agreement against themselves. As a result, all contributions would need to be made to Gedling Borough Council and the recommendation updated to reflect this.

As a result he recommended that the application be granted permission, subject to conditions as outlined on pages 44-51 of the committee report, with condition 10 updated to secure a safeguarded route 12.5m wide, not 14m, for the Nottingham Express Transit and the recommendation to exclude the County Council as a signatory to the legal agreement, as outlined on page 43.

RESOLVED:

To Grant Planning Permission: Subject to the owner(s) entering into planning obligations with the Borough Council as Local Planning Authority; for the provision of, or financial contributions towards, affordable housing, education, highway 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. Approval of the details of layout, scale, landscaping and appearance (hereinafter called "the reserved matters") for each phase of development shall be obtained from the Local Planning Authority before the commencement of development of that particular phase.
2. Application(s) for approval of reserved matters shall be made to the Local Planning Authority no later than 5 years from the date of this permission, and the development thereby authorised shall be begun no later than 7 years from the date of this permission or 2 years from the date of the approval of the final reserved matter approval, whichever is the later.
3. This permission shall be read in accordance with the application form and following list of approved drawings:

Illustrative Masterplan: P19-0346_007 Revision K (submitted 21st July 2020)

Parameter Plan: P19-0346_005 Revision D (submitted 21st July 2020)

Transport Assessment: TWF-BWB-GEN-XX-RP-TR-003-TA-S1-P2

o Including signalised junction drawing: TWF-BWB-GEN-XX-DR-TR-101_S2-P3

TA Addendum: TWF-GEN-XX-RP-TR-005-TAA-S1-P1 (submitted 12th June 2020)

o Including highway improvements to Wighay Road: TWF-BWB-GEN-XX-DR-TR-105-S2-P3.

Travel Plan: TWF-BWB-GEN-XX-RP-TR-004-FTP-S1-P4
(submitted 12th June 2020)

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

4. No reserved matters application shall be submitted until such time as a phasing plan has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
5. The development shall comprise no more than 805 dwellings; no more than 49,500m² of buildings used for employment purposes and a local centre not more than 2800m².
6. No above ground works shall commence on site until such time as the highway improvements to Wighay Road, as shown on drawing TWF-BWB-GEN-XX-DR-TR-105-S2-P3 have been completed.
7. No above ground works shall commence on the employment aspect of the development until such time as the highway improvements to Annesley Road, as shown on drawing TWF-BWB-GEN-XX-DR-TR-101_S2-P3 have been completed.
8. No dwelling granted permission under subsequent reserved matters applications shall be occupied until the drive and parking area to serve that dwelling is surfaced in a bound material (not loose gravel). The surfaced drive and parking area shall then be maintained in such bound material for the life of the development.
9. No dwelling granted permission under subsequent reserved matters applications shall be occupied until the drive and parking area to serve that dwelling is constructed with provision to prevent the unregulated discharge of surface water from the driveway and parking area 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.

10. The safeguarded route of the Nottingham Express Transit line shall be identified on any reserved matters application that it affects and shall be not less than 12.5m wide.
11. Development shall proceed in accordance with the approved Framework Travel Plan (rev P4 dated 26/05/2020).
12. Prior to the occupation of any business (excluding businesses employing less than 20 employees who shall submit a Travel Plan Statement) the owner and the occupier of each business unit shall appoint and thereafter continue to employ or engage a travel plan coordinator and within 3 months of occupation the owner and occupier shall commission a detailed travel plan that sets out the final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Travel Plan Framework and in conjunction with the site-wide travel plan coordinator to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future site-wide travel plan initiatives including implementation dates.
13. No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order 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.
14. No development within a phase shall commence until drainage plans for the disposal of foul sewage within that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details prior to occupation of that phase of development.
15. No phase of development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. Your attention is brought to the informative below outlining detailed requirements of the surface water drainage scheme. The scheme shall subsequently be implemented strictly in accordance

with the approved details before occupation of that phase of development and shall be retained for the life of the development.

16. Prior to commencement of any phase of development a Construction Environment 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. Furthermore, impacts on wildlife would also need to be considered. All works on site shall be undertaken in accordance with the approved CEMP.

17. No development shall commence in the areas identified on drawing archaeological plan, until such time as an Archaeological Watching Brief has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out by a qualified archaeologist or archaeological body.

Within 3 months of completion of the excavation works, a summary report shall be submitted to the Local Planning Authority and the results of the 'Watching Brief' shall also be made available for inclusion in the archive of information of Nottinghamshire County Council's 'Sites and Monuments Record'.

18. Prior to the commencement of development a Noise Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall identify how the impacts on the natural environment through noise that would be generated during the construction phase of development is mitigated. The Noise Mitigation Plan as approved shall be implemented. -
Natural England

19. No development shall be commenced until a Landscape and Ecological Management Plan, including long term objectives, management responsibilities and maintenance schedule for all landscape areas, other than privately owned, domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be carried out in accordance with the approved details.

20. Prior to the commencement of development in any phase a statement identifying means by which Electric Vehicle charging points are to be supplied on site shall be submitted and approved in writing by the Local Planning Authority. The details as approved shall be installed prior to the occupation of any units that benefit from permission within that particular phase of development.
21. 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.
22. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
23. Prior to the commencement of development in any phase approved under condition 4, there shall be submitted to and approved in writing the submission of an Arboricultural Assessment that will identify any trees to be retained and mitigation measures therein. The details as approved shall be implemented prior to the commencement of development.
24. Each reserved matters application that is adjacent to either Annesley Road or Top Wighay Road shall be accompanied by a site specific noise report that should be completed by a suitably qualified individual/firm. Any mitigation that may be approved shall be implemented prior to the occupation of the particular unit.
25. The ecological mitigation measures identified in table 7.2 of the Environmental Statement shall be complied with. Each reserved matters application shall be submitted with a statement detailing

how development within that particular phase of development complies with the mitigation identified therein.

26. Prior to the commencement of development, additional surveys in respect of potential otter on the site shall be undertaken by a suitably qualified ecologist. The report shall be submitted to and approved in writing by the Local Planning Authority and any mitigation identified therein shall be implemented.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
3. For the avoidance of doubt,
4. To ensure that the development comes forward in a comprehensive way and to comply with policy 2 of the Aligned Core Strategy and The Top Wighay Farm Development Brief SPD.
5. To ensure the parameters of the planning permission are known and any variances can be suitably assessed and to comply with the Top Wighay Farm Development Brief SPD.
6. In the interest of highway safety and to comply with policy LPD61.
7. In the interest of highway safety and to comply with policy LPD61.
8. To ensure adequate parking provision is provided on site and to comply with policy LPD57.
9. To ensure adequate parking provision is provided on site and suitably drained and to comply with policies LPD57 and LPD4.

10. To ensure the site is developed in a sustainable way and to comply with guidance within the Top Wighay Development Brief SPD and guidance within the NPPF.
11. To ensure that alternative modes of transport to the private motor vehicle are encouraged and to comply with guidance within the NPPF.
12. To ensure that alternative modes of transport to the private motor vehicle are encouraged and to comply with guidance within the NPPF.
13. To ensure adequate highway safety and to comply with policy LP61.
14. To ensure foul water is suitably disposed of and to comply with policy LPD4.
15. To ensure surface water is suitably disposed of and to comply with policy LPD4.
16. To ensure that possible pollution and disturbance from the development during construction is mitigated against and to comply with policies, LPD10, LPD11 and LPD18.
17. To ensure possible impacts on archaeological features of interest are mitigated against and suitably assessed and to comply with policy LPD30.
18. To ensure that the impacts on ecology, notably breeding night jar and sky lark, are mitigated against and to comply with policy LPD18 and LPD19.
19. To ensure that public open space and ecological features of interest are suitably managed and maintained and to comply with policy LPD18.
20. To comply with policy LPD11 and paragraph 110 of the NPPF.

21. To ensure possible contamination, if found, is mitigated against and to comply with policy LPD7.
22. To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.
23. To ensure that protected species are respected and to comply with policy LPD18.
24. To ensure that the amenity of proposed occupiers is respected and to comply with policy LPD32.
25. To ensure that protected species are respected and to enhance ecology and comply with LPD18.
26. To ensure that protected species are respected and to enhance ecology and comply with LPD18.

Notes to Applicant

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank.

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

EV charging facilities should, where possible, incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability and allow 'Smart' charging. All electrical circuits/installations shall comply with the electrical requirements of relevant British Standards as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation.

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 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

Please note that development shall proceed in accordance with the masterplan, as outlined in condition 3; however, should there be a variance in the approved plan that would alter the use of land currently identified as the Local Centre, there would be a need for any subsequent reserved matters application to be accompanied by an updated Contaminated Land Survey to ensure that the land is fit for what may be the identified end user.

Please note that in respect of compliance with regard to the condition which identifies mitigation in respect of table 7.2 in respect to ecology, the Council would expect an up to date survey if those originally submitted are out of date. Furthermore, additional information would need to be supplied in respect of badgers, which are known to be in close proximity to the site, to the extent that they would impact on development within it.

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

114 APPLICATION NO. 2020/0953 - CARLTON LE WILLOWS ACADEMY, WOOD LANE, GEDLING

Two storey teaching block comprising 20 classrooms and associated accommodation, assembly hall, dining hall with kitchen; new access to Burton Road and highway improvements; creation of car park; replacement football pitch and alterations to existing building to create lift access and canteen pod.

Noel Lake, a local resident, spoke against the application.

Craig Weaver, Headteacher - Carlton le Willows Academy, spoke in support of the application.

The Head of Development and Place introduced the report.

RESOLVED:

To Grant Planning Permission: Subject to conditions listed and for the reasons set out in the report, and subject to the application not being 'called-in' by the Secretary of State, following referral to the National Planning Casework Unit, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

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:
 - CLW/100/01/A Carton le Willows Existing Site Plan
 - CLW/100/02/D Carton le Willows Proposed Site Plan
 - CLW/100/03/B Link Ground Floor Plan & South Elevation
 - CLW/100/04/B Link First Floor Plan & North Elevation
 - CLW/100/05/B Link Roof Plan & East and West Elevations
 - CLW/100/06/G Link Building Site Layout Plan
 - CLW/100/07/B Landscaping External Works Plan
 - CLW/100/08/- Accessible Lift and Catering Pod Existing
 - CLW/100/09/- Accessible Lift and Catering Pod Proposed
 - CLW/100/10/B Proposed and Existing Streetscape
 - CLW/100/11/A Proposed Playing Field Replacement
 - CLW/100/12/- Proposed Refuse Area

H/MW/003 REV B - access arrangements
2020-138-DR01 T3 – Drainage plan
2020-138-DR10 T5 - External levels layout
2020-138-50-T1 – RPA/Drop off zone sections
2020-138-51-T1 – RPA/Drop off zone sections

Design and Access Statement
Carlton le Willows Heritage Impact Statement

Carlton le Willows Sporting Facilities
Arboricultural Method Statement (rev A) and associated drawings

The development shall thereafter be undertaken in accordance with these plans/details.
3. The development hereby permitted shall not be brought into use until footway and pedestrian/cycle crossing facilities together with bus stop improvements and access arrangements to the school on Burton Road as shown on drawing reference H/MW/003 REV B has been provided.
4. The development hereby permitted shall proceed in accordance with the agreed Travel Plan dated January 2021 and Appendix 1 dated 11th Feb 2021.
5. No development shall commence on any part of the application site, including any on site infrastructure, unless or until a

Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority.

The statement shall provide for the:

- a) Proposed routing of construction traffic, including proposed site access arrangements and access points for construction traffic
- b) Parking of vehicles for site operatives and visitors
- c) Loading and unloading of materials and plant
- d) Storage of materials and plant and materials for use during construction
- e) Erection and maintenance of hoarding/ fencing where appropriate
- f) Wheel washing facilities
- g) Measures to control the emission of noise, vibration, dust and dirt during construction
- h) Details of recycling/disposing of waste resulting from the construction works
- i) Details of method to treat and remove suspended solids from surface water run-off during construction

6. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing and drop off pick up areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.

7. 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.

8. Prior to the first use of the hereby approved building, the 6 electric vehicle charging points as shown on drawing CLW/100/06/G shall be installed, fully operational and be retained as such thereafter.

9. Prior to the commencement of development the fencing around trees to be retained, as shown on drawing G86.20b 01 A, and as detailed in the Arboricultural Method Statement, shall be in situ. The fencing shall remain in situ whilst the building operations are underway.
10. Prior to the commencement of construction of the new building hereby approved details of a local labour agreement in relation to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The local labour agreement shall be implemented in accordance with the approved details thereafter.
11. Not later than one year from first occupation of the classroom building, the proposed playing field shown on drawing CLW/100/11/A shall be in situ.

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. In the interests of highway safety and to comply with policy LPD61.
4. To ensure alternative modes of transport to the private motor vehicle are encouraged to comply with guidance contained in the NPPF.
5. To ensure any possible pollution is minimised and in the interest of highway safety and to comply with policies LPD57 and LPD11.
6. In the interests of highway safety and parking provision and to comply with policies LPD57 and LPD61.
7. To ensure that possible contamination is fully explored and to comply with policy LPD7.
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 trees are protected and to comply with policy LPD18.

10. To comply with policy LPD48.
11. To ensure the loss of play pitches is mitigated and to comply with policy LPD20.

Notes to Applicant

One of the conditions requires works to be undertaken in the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. In order for these works to proceed, you are required to enter into an appropriate agreement with Nottinghamshire County Council. Please contact hdc.south@nottscc.gov.uk

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.

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 applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with the Highway Design Guide Highway design guide | Nottinghamshire County Council in conjunction with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. Please contact Highways Development Control hdc.south@nottscc.gov.uk

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive), unless the works are reviewed by a suitably qualified ecologist.

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APPLICATION NO. 2020/0954 - THE PHOENIX, SHELFORD ROAD, GEDLING

Demolition of the existing buildings on the site (former pub and outbuilding); construction of a three-storey apartment block containing 26 self-contained flats, a secure cycle and bin store and ancillary landscaping; the stopping up of the two existing vehicular accesses, the creation of a new vehicular access to Wollaton Avenue and creation of a 21 space car park.

A written representation from Joanne Iles, a local resident against the application, was read by Cayte Goodall, Democratic Services Officer.

Alan Forsyth, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

RESOLVED:

To Grant Planning Permission: Subject to the owner entering into planning obligations secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council as the Local Highway and Education Authority to provide for a review of viability of the development to secure contributions towards affordable housing, primary healthcare and primary education if the development becomes more viable and to secure a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

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:

- 2025-PL-001 - Location plan
- 2025-PL-110 - Site/Ground floor plan
- 2025-PL-111 - First and second floor plans
- 2025-PL-210 - Elevations
- 2025-PL-211 - Site sections and street elevations
- 2025-PL-050 - access design

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

3. Prior to above ground works commencing, samples of the materials to be used in the external elevation treatment of the building shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be used in the construction of the building.

4. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.

5. No part of the development hereby permitted shall be brought into use until the two existing site accesses (1no on Shelford Road and 1no on Wollaton Avenue) that has been made redundant and are permanently closed and the access crossings are reinstated as footway in

accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.

6. No part of the development hereby permitted shall be brought into use until the site access road is surfaced in a hard-bound material. The surfaced access drive shall then be maintained in such hard-bound material for the life of the development.

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 2025-PL_050. 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 access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

9. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing 2025-PL-110 has been provided.

10. No part of the development hereby permitted shall be brought into use until the bin store has been constructed and positioned in accordance with drawing number 2025-PL-050.

11. 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.

12. 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

13. Prior to the occupation of 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 at least two (2) Electric Vehicle Recharging Points. The Electric Vehicle Recharging Points shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. 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. 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 residents.

14. No development shall commence until details of the means of foul drainage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out thereafter in accordance with the approved details.

15. Prior to the commencement of development, a scheme of landscaping showing the location, species and size of specimens to be planted and those to be retained 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 each development phase. 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.

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 ACS10.
4. In the interests of highway safety and to comply with policy LPD61.
5. In the interests of highway safety and to comply with policy LPD61.
6. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc) and to comply with policy LPD61.

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 and to comply with policy.
8. To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with policy LPD61.
9. To ensure the cycle parking areas are available for use and to encourage alternative modes of transport to the private motor technical and to comply with guidance contained in the NPPF.
10. To enable the bins to be collected by the refuse team on collection day and reduce the likelihood of vehicles blocking the public highway and to comply with policy LPD61.
11. To ensure that possible contamination is explored and to comply with policy LPD7.
12. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
13. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework, ACS 1 and policy LPD11 of the Councils Local Plan.
14. To ensure the site is suitably drained and to comply with policy LPD4.
15. To ensure the character of the area is respected and to comply with policy ASC10.

Notes to Applicant

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. 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.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view

that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

The development makes it necessary to construct and reinstate the vehicular crossings over a footway 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>.

Please note that removal of any trees on site should not occur during the bird nesting season, March to August inclusive.

116 ENFORCEMENT REF: 0046/2020 - LAND TO THE WEST OF 175 MANSFIELD ROAD, PAPPLEWICK

Change of use of land from an equine or agricultural use to a use involving the repair and storage of motor vehicles and unauthorised development.

RESOLVED:

That the Head of Development and Place, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Head of Governance and Customer Services take proceedings through the courts if required to ensure the stable building is constructed in accordance with the approved plans including the fenestration and door details, the removal of unauthorised buildings and structures, lighting columns and CCTV columns, statues and other domestic items and paraphernalia, cessation of the unauthorised use and the removal of the front boundary wall, pillars and gates or alternatively the reduction in height of the wall, pillars and gates to 1m.

117 TREE PRESERVATION ORDER 000135 - HAWTHORNE NURSING HOME, SCHOOL WALK, BESTWOOD, NOTTINGHAMSHIRE, NG6 8UU

Protection of 4 groups of trees by a Tree Preservation Order (TPO)

RESOLVED:

To Confirm Tree Preservation Order - 000135 'Hawthorne Nursing Home' without modification.

118 TREE PRESERVATION ORDER 000136 - HAWTHORNE PRIMARY SCHOOL, SCHOOL WALK, BESTWOOD, NOTTINGHAMSHIRE, NG6 8UU

Protection of 2 individual trees and a group of trees by a Tree Preservation Order (TPO)

RESOLVED:

To Confirm Tree Preservation Order - 000136 'Hawthorne Primary School' without modification.

119 APPEAL DECISION - LAND EAST OF 16 KIGHILL LANE, RAVENSHEAD, NG15 9HN

Erection of up to 8 dwellings with (private) accesses and garaging.

RESOLVED:

To note the information.

120 APPEAL DECISION - 6 GEDLING ROAD, ARNOLD, NG5 6NW

Construct new bungalow.

RESOLVED:

To note the information.

121 GEDLING BOROUGH FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2020

RESOLVED:

To note the Five Year Housing Land Supply Assessment 2020.

122 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

123 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

124 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 8.05 pm

Signed by Chair:
Date: