

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 8 September 2021**

Councillor John Truscott (Chair)

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

Absent:                      Councillor Mike Hope

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

**32                      APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Hope.

**33                      TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 28 JULY 2021**

**RESOLVED:**

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

**34                      DECLARATION OF INTERESTS**

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

**35                      APPLICATION NO. 2021/0238 - 19 THACKERAYS LANE, WOODTHORPE**

The Principal Planning Officer introduced the report. He advised members that further to the publication of the report a late objection had been received from a neighbouring resident in relation to concerns around parents parking on the footpath, vehicles facing oncoming traffic and parents not utilising the nearby pedestrian crossing. However, these concerns raised no new issues and were covered within the main report.

The Principal Planning Officer added that additional comments had been sought from the Highways Authority in relation to parking and gave the following update:

Parking could not be formalised on the footway outside the site, as parking in that location would be illegal and a matter for the Police Authority. Parking on the highway was allowed, but they would not wish to have designated parking bays outside the facility as the highway itself was available for the public and all users. There was a car park further down Thackeray's Lane and on street parking within the area. They accepted that Thackeray's Lane was a busy road, and at times traffic was heavy, but they had not received any recent parking complaints or reports of severe congestion in the area and therefore they had no concerns in relation to the scheme.

### **RESOLVED:**

To Grant Planning Permission subject to conditions:

### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form and deposited plans, drawing no's RDS11563/07(a), RDS11563/05(c) and RDS11563/01(\_), received on 9th March 2021, and drawing no. RDS11563/06(d) received on 2nd August 2021. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 The day nursery shall have no more than 48 children in their care on-site at any one time.

### **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 32 of the Local Planning Document.

### **Reasons for Decision**

It is considered the proposal would be visually acceptable and in keeping with the character of the host property and the wider area, it would not result in a significant undue impact on residential amenity and

it would be acceptable from a highway safety perspective; in accordance with the NPPF Section 12, Policy 10 of the Aligned Core Strategy and policies LPD 32, LPD 57 and LPD 61 of the Local Planning Document

### **Notes to Applicant**

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. 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 not payable on the development hereby approved as the development type proposed is zero rated in this location.

An appropriate measure to help alleviate residents' difficulties with vehicle access / egress to properties can be the provision of advisory 'H bar markings' and these can be provided in line with the County Council's charging policy on request from the applicant/owner/occupier of Coteswood Nursery. Requests can be made through Nottinghamshire County Council's customer service teams on 0115 500 80 80 or via <https://www.nottinghamshire.gov.uk/contact-and-complaints/contact-us/contact-us>. Please note that the applicant will need to liaise with the owner/occupier of no's 17 and 21 to agree that the application can be made, and all costs are to be borne by the applicant/owner/occupier of Coteswood Nursery.

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).

Erection of 9 dwellings.

The Principal Planning Officer introduced the report, which identified that a contribution of £17,635 was targeted to be spent at the park on the corner of Bailey Drive and Plains Road. He added that as this area of public open space remained under the control of a private company, that rather than explicitly identifying that the money would be spent on this park, as it might not be possible to reach agreement with the site owner, it was requested that the wording of the legal agreement identified that the money be spent in the locality, in accordance with the Open Space Supplementary Planning Document.

**RESOLVED:**

To Grant Planning Permission: Subject to the owner(s) entering into planning obligations with the Borough Council as Local Planning Authority for a financial contribution towards off-site public open space and the provision of a management company for maintenance of access roads and areas of on-site open space not within the curtilages; and subject to the conditions listed for the reasons set out in the report:

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:  
21/402-02D - site layout

21/402-A01\_A - housetype A elevations plot 1

21/402-A02\_A - housetype A floor plans plot 1

21/402-A03 - housetype A elevations plot 2

21/402-A04 - housetype A floor plans plot 2

21/402-B01 - housetype B

21/402-C01 - housetype C

21/402-D01 - housetype D

21/402-E01 - housetype E elevations

21/402-E02 - housetype E floor plans

21/402-G01\_A - detached garage

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

3. No above ground works shall commence until samples of external facing and roofing materials to be used in the erection 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. 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.
5. 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.
6. 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 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.
7. Prior to the commencement of development, a scheme of landscaping showing the location, species and size of specimens to be planted 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.

8. No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building(s) 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.
9. No development shall be commenced 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.
10. Prior to the commencement of development, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The document shall, where possible, identify compliance with the recommendations contained in the preliminary ecological appraisal submitted in support of the application.
11. Prior to the occupation of any dwelling, the parking spaces for that dwelling shall be made available for use and be retained as such thereafter.
12. No part of the development hereby permitted shall be brought into use until the access drive and footways are constructed and surfaced in a hard-bound material (not loose gravel). The surfaced access drive and footways shall then be maintained in such hard-bound material for the life of the development.
13. No part of the development hereby permitted shall be brought into use until the access and footways are constructed with a gradient not exceeding 1 in 30 for a distance of 10m from the rear of the highway boundary, and never exceeds 1:15 thereafter, in accordance with drawing no. 21/402-02D.
14. 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 LPA. 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. 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 21/402-02D.

## 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 of the Aligned Core Strategy.
4. To ensure that if any unexpected contamination is found it is fully investigated and to comply with policy LPD7.
5. 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.
6. 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.
7. To ensure that the development assimilated within the green landscape and to comply with policies LPD18 and LPD19.
8. To ensure that the character of the area and residential amenity is respected and to comply with policy LPD32.
9. To ensure that the site is adequately drained and to comply with policy LPD4.
10. To ensure compliance with policies LPD18 and ACS17.
11. To ensure adequate parking provision is provided and to comply with policy LPD57.
12. To ensure adequate access to the properties and to comply with policy LPD61.
13. To ensure adequate access to the properties and to comply with policy LPD61.
14. 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.

- 15 To enable the bins to be collected by the refuse team on collection day and to comply with policy LPD61.

### **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 (2015).

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 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)

Please note that the grant of planning permission does not override civil legal matters in respect of development on or over a boundary or in respect of access to third party land, advice on which should be sought from a suitably qualified solicitor or surveyor.

Please note that this grant of planning permission does not override the need to comply with the Wildlife and Countryside Act.



No part of the development hereby permitted shall be brought into use until the extended footway and access has been fully constructed under s278 agreement.

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 [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) for details.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2021). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

**37 APPLICATION NO. 2021/0727 - FAIRACRE AND 335 MAPPERLEY PLAINS, ARNOLD**

Reserved Matters Application – Appearance and Landscaping – in relation to outline permission ref. 2017/1276 for 11 dwellings.

The Principal Planning Officer introduced the report. He informed Members of a 'typo' in paragraph 2.2 of the report on page 55 which incorrectly identified what was considered at the outline stage. He added that for the avoidance of doubt the proposal was a reserved matters application made pursuant to outline permission 2017/1276, that the outline access, layout and scale were approved and as a result the only matters under consideration for this application were appearance and landscaping.

**RESOLVED:**

That the Borough Council Grant Reserved Matters Approval subject to the following conditions:-

**Conditions**

- 1 This permission shall be read in accordance with the application form, Design and Access Statement and following list of approved drawings deposited on the 8th June 2021:-Site Location Plan; House Type A1 (drg no. MP-21-P101); House Type A1 (drg no. MP-21-P102); House Type B (drg no. MP-21-P103); House Type C1 (drg no. MP-21-P104); House Type C2 ((drg no. MP-21-P105); House Type D1 (drg no. MP-21-P106); House Type D2 (drg no. MP-21-P107); and revised Landscaping Plan (drg no.

MP-21-P108 Rev C) deposited on the 23rd August 2021. The development thereafter shall be undertaken in accordance with these approved plans and details.

- 2 The landscaping scheme as shown on the Landscaping Plan (drg no. MP-21-P108 Rev C) deposited on the 23rd August 2021 hereby approved shall be carried out in complete accordance with the approved details 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 the development, 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.
- 3 No above ground works shall commence until samples of external facing and roofing materials to the dwellings and brick work to the proposed boundary walls have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

### **Reasons**

- 1 For the avoidance of doubt.
- 2 In the interests of visual amenity in accordance with the aims of Policy 10 of the ACS, and Policy LPD 32, Policy LPD 35 Policy and LPD 40 of the LPD.
- 3 In the interests of visual amenity in accordance with the aims of Policy 10 of the ACS, and Policy LPD 32, Policy LPD 35 and Policy LPD 40 of the LPD.

### **Reasons for Decision**

The principle of the development has been established following the grant of outline permission (2017/1276). Access, layout and scale have already been approved under the aforementioned outline permission. With regards to layout and appearance submitted as this Reserved Matters application it is considered that the appearance of the proposed dwellings is acceptable in terms of design and materials and the proposed landscaping strategy is acceptable. The proposal therefore accords with Section 12 of the NPPF, Policy 10 of the ACS, Policy LPD 32, Policy LPD 35 and Policy LPD 40 of the LPD

## Notes to Applicant

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

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2021). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The 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).

### **38 APPLICATION NO. 2021/0240 - BURNTSTUMP COUNTRY PARK, LOWER CAR PARK, BURNTSTUMP HILL**

Alterations to existing car park to include fencing, security barrier, surfacing and footway to adjoining Police HQ.

The Chair informed Members of a typo on page 67 para 7.16 which incorrectly stated that the proposal failed to accord with section 12 of the NPPF, whereas it should have stated that the proposal was in accordance the NPPF and not contrary.

The Principal Planning Officer introduced the report.

## **RESOLVED:**

That the Borough Council 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 The development hereby approved shall be completed in accordance with the following submitted documents and plans :-

Received on the 10th March 2021 - Application form; Tree Survey statement produced by Landscape Science Consultancy General Arrangement (Excluding the route of ductwork)

Received 25th June 2021 - Lighting Details drg. no. 2006025MHGCPB dated 08.03.2021  
Received 27th August 2021  
Tree Protection Plan dated 21st July 2021 (excluding the route of ductwork)

Received 23rd August 2021 - Position of lighting and CCTV columns and route of ductwork drg no. 2006023MHGCPB dated 08/03/2021; Lamp Head Details - KENO Flat to Ground LED Luminaire (height of column confirmed as being 7m by email dated 23rd August 2021); Barrier Details - Nicebar System - M3BAR as confirmed by email dated 23rd August 2021; CCTV camera Details HIKVISION - DS-2CD5A46G0-IZ(H)S (height of column confirmed as being 5m by email dated 23rd August 2021).

The development hereby permitted shall be undertaken in accordance with the submitted documents.

- 3 Before any excavation/installation works commence on the proposed footpath the applicant/agent shall notify the Local Planning Authority (LPA) giving 21 days notice of the date of commencement to allow a pre commencement meeting to be held with a representative from the LPA in order to supervise the footpath installation working procedures.
- 4 Prior to the car park being brought into use by the applicant the parking spaces shall delineated in accordance with the approved General Arrangement Plan (excluding the details of the ductwork route) and shall be retained as such thereafter.
- 5 The barriers, CCTV columns and lighting columns shall be installed and maintained in accordance with the details submitted and layout plans drg. no 2006025MHGCPB and details deposited on the 23rd April 2021.

## **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 the health of the tree is preserved.
- 4 For the avoidance of doubt.
- 5 For the avoidance of doubt.

## **Reasons for Decision**

Whilst the application consists of inappropriate development within the Green Belt and the proposal would have an impact upon openness, very special circumstances have been provided that in the planning balance outweigh the harm to the Green Belt by virtue of its inappropriateness. Impact on trees adjacent to the footpath have been given consideration and proposed mitigation measures would be secured by condition in order to safeguard the health of these trees. The proposal would not result in any undue impact on nearby amenity, highways or parking issues. On balance the proposal is in accordance with the National Planning Policy Framework (2021), Policy 3 and 10 of the Aligned Core Strategy 2014, policies, LPD19, LPD32, LPD57 and LPD61 of the Local Planning Document 2018.

## **Notes to Applicant**

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

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2021).

## **39 TREE PRESERVATION ORDER 000142 - CONINGSBY GARDEN EAST, WOODTHORPE**

Protection of group of 7no. Sorbus trees by a Tree Preservation Order (TPO).

**RESOLVED:**

To Confirm Tree Preservation Order - 000142 'Coningsby Gardens East' without modifications.

**40 TREE PRESERVATION ORDER 000143 - LAND AT CORNER OF BIRCHWOOD DRIVE AND MAVIS AVENUE, RAVENSHEAD**

Protection of 2no. trees by a Tree Preservation Order (TPO).

**RESOLVED:**

To Confirm TPO 000143 with the following Modifications:

- The associated Map be amended to show the correct location of T2 Beech tree within the curtilage of 2 Birchwood Drive, Ravenshead.

**41 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

**42 PLANNING DELEGATION ACTION SHEETS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 6.57 pm

Signed by Chair:

Date: