

**MINUTES
PLANNING COMMITTEE**

Wednesday 13 October 2021

Councillor John Truscott (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Rosa Keneally
	Councillor Peter Barnes	Councillor Meredith Lawrence
	Councillor David Ellis	Councillor Ron McCrossen
	Councillor Rachael Ellis	Councillor Marje Paling
	Councillor Andrew Ellwood	Councillor Sam Smith
	Councillor Mike Hope	Councillor Henry Wheeler

Absent: Councillor Michael Adams, Councillor Chris Barnfather, Councillor Barbara Miller and Councillor John Parr

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

44 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Adams, Barnfather, Miller and Parr.

Councillor Sam Smith attended as substitute.

45 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 8 SEPTEMBER 2021

RESOLVED:

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

46 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all members in item 5 on the agenda, as part of the land was in the ownership of Gedling Borough Council.

47 APPLICATION NO. 2021/0694 - LAND TO THE SOUTH BURTON ROAD, GEDLING

Erection of 120 dwellings with associated access, landscaping and infrastructure (approval of matters reserved by outline consent 2019/1186 (appearance, landscape, layout and scale)).

Clare Thornton, Senior Planner of Miller Homes (The Applicant), spoke in support of the application.

The Principal Planning Officer introduced the report. He advised Members that further to the publication of the report additional comments had been received from Severn Trent Water who had raised no objections to the application, subject to entering a Section 106 connection approval agreement which would secure a foul pumping station on the site. He added that a letter of objection had also been received which raised no new issues.

RESOLVED:

To Grant reserved matters approval, subject to the imposition of conditions, as set out in the report:

Conditions

1. This permission shall be read in accordance with the application form and following list of approved drawings:

- Site location plan (ref: 6097-L-05A)
- Planning layout (ref: G-DPL-01D)
- Materials layout plan (ref: BRG/MAT01 Rev C)
- Affordable housing plan (ref: BRG/AHP/01 Rev C)
- House Type Pack March 2021 (ref: BRG/HTP01)
- POS Landscape proposals (ref: 06097-FPCR-XX-XX-DR-L-0001-P09)
- Detailed LEAP plan (ref: 06097-FPCR-XX-XX-DR-L-0007-P06)
- On plot landscaping proposals sheets 1 to 4 (ref: 06097-FPCR-XX-XX-DR-L_0002-P04, 0003-P04, 0004-P04 and 0005-P04)
- Detailed hardworks and boundary treatment plan (ref: 06097-FPCR-XX-XX_DR-L-0006-P05) - Drainage/alternative pond layout/levels plan (ref: 22069-SK03 Rev F)
- Swept path analysis plan (ref: 22069-108-A)

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

2. No above ground works shall commence until samples of external facing and roofing materials 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.

3. Development shall proceed in accordance with the approved Arboricultural Assessment, which identifies the trees to be retained and protected; appropriate fencing to protect trees to be retained shall be in situ prior to commencement of development and be retained whilst development is underway that would impact on the trees and hedges to be retained.

4. Notwithstanding condition 1 above, no above ground works shall commence until details of the existing and proposed ground and finished floor levels of the site and approved building[s], including sections, 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.

5. No above ground works shall commence 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, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall, thereafter, be implemented in accordance with the details as approved.

6. No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

7. No above ground works shall commence until details of the closing of the existing access arrangement to Burton Road to the North East of the bus turning facility have been submitted to and approved in writing by the Local Planning Authority. This should be implemented on occupation of the final plot on the private drive serving plots 89-94.

Reasons

1. For the avoidance of doubt.
2. To ensure that the character of the area is respected and to comply with policy ACS10 of the Aligned Core Strategy.
3. To ensure that the character of the area and existing ecology in site is protected and to comply with policies LPD18 and ACS10.
4. In the interests of amenity and to respect the character of the area and to comply with policies LPD32 and ACS10.
5. To ensure that relevant parts of the development is constructed to adoptable standards.
6. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
7. In the interests of Highway safety.

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 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, in advance of any Section 38 Agreement and bond under the Highways Act 1980 that a developer/applicant may wish to complete to enable adoption of highways. 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.

A licence/agreement will be required to enable works to be undertaken on Burton Road to reinstate the existing access.

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 for this development should be addressed to: hdc.south@nottscc.gov.uk

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:

APPLICATION NO. 2019/0374 - LAND OFF TEAL CLOSE, NETHERFIELD

Variation of Conditions 2 (approved plans), 7 (parameters plan written statement), 10 (flood risk), 28 (highway works), 30 (highway works), 31 (highway works), 32 (highway works), 33 (highway works) and 35 (footway/cycleway) on planning permission reference 2017/0999

The Principal Planning Officer introduced the report.

RESOLVED:

That the application be granted permission subject to the applicant entering into a deed of variation amending the original Section 106 Agreement dated 30 June 2014 as varied by the deed of variation dated 27th February 2018 with the Borough Council as Local Planning Authority, City Council as transport authority and with the County Council as highways and education Authority to bind the new permission to all of the requirements of the original section 106 agreement as varied and to include additional planning obligations in the form of financial contributions in relation to the revised off-site highway works as detailed in paragraph 7.24. and subject to the following conditions:

Conditions

- 1 Application for the approval of reserved matters shall be made to the Local planning Authority not later than 30th June 2019. Details of Appearance, Landscaping, Layout and Scale (hereinafter called the reserved matters) for each phase of development shall be submitted to and approved in writing by the Local Planning Authority before any development within that phase begins and the development shall be carried out as approved. The development hereby permitted shall commence no later than two years from the date of approval of the last reserved matters to be approved.
- 2 The development shall be carried out in accordance with the Schedule of Development Revision B submitted on the 10th October 2013 and the following plans: Site Location Plan DE076_016, Parameters Plan DE076_014 Rev D. The vehicular accesses to the site shall be constructed in general accordance, subject to detailed design, with drawing numbers: 90372_003 (Revision B), deposited on 20th May 2013; and drawing number: 90372_001 (Revision E), received on 6th August 2013.
- 3 The development hereby approved shall be carried out in phases in accordance with the approved Phasing Schedule as approved

by planning reference 2017/1092DOC and 2018/0333DOC prior to the commencement of a particular phase.

- 4 The development hereby approved comprises;(1) up to 830 residential dwellings; (2) up to 18,000 square metres of business use falling within use classes B1 'Business', B2 'General Industrial' and B8 'Storage and Distribution'; (3) the creation of a local centre and commercial centre of up to 2,800 square metres within use classes falling into A1 'Shop', A2 'Financial', A3 'Restaurant and café', A4 'Drinking Establishment', A5 'Hot Food Takeaway', B1 'Business' and D1 'Non-residential institutions'; (4) a Hotel providing up to 150 beds; (5) up to 500 square metres of uses falling with use classes D1 ' Non- residential institutions' and D2 'Assembly and Leisure' (additional to (3) above); (6) a one form entry primary school which shall cover a minimum of 1.1ha; (7) a C2 'Residential Institution' of up to 60 beds; and (8) general opening space including landscaping, children's play areas, allotments and playing pitches as indicated on the approved parameters plan.
- 5 The total B1 'Business' floor area within the business and/or local centre and commercial areas hereby approved shall comprise not more than 4,500 square metres. The local centre shall not comprise of more than 2,499 square metres floor area of A1 'Shop' or D2 'Assembly and Leisure' uses.
- 6 The total amount of A1 'Shop' floor space shall not exceed 1,500 square metres and no individual A1 'Shop' unit shall exceed 750 square metres (measured internally).
- 7 Applications for the approval of reserved matters for each phase of development shall include a written statement setting out how that particular phase has been designed to take account of the approved Parameters Plan drawing reference DE076_014 Rev. D.
- 8 Phase 1 of the development shall be read in accordance with the levels details as approved by planning reference 2017/1092DOC and 2018/0333DOC.

Phase 2 Residential elements of the development shall be undertaken in accordance with the levels details as approved by planning 2020/0562DOC.

Phase 2 employment elements of the development shall be undertaken in accordance with the levels details as approved by planning reference 2020/1085DOC.

Prior to the commencement of any remaining phase of development hereby approved a site level survey plan shall be

undertaken for that phase of development showing existing site levels. This existing site level survey plan shall be submitted to and approved in writing by the Local Planning Authority.

- 9 Buildings comprising Less Vulnerable uses (as defined by the National Planning Policy Framework) and their associated vehicle access routes within the development hereby approved shall have finished floor levels at no lower than 20.660m Ordnance Datum (AOD) where existing levels are at or exceed that level. Where existing levels are below 20.660m Ordnance Datum (AOD), set finished floor levels shall be a minimum of 20.660m Ordnance Datum (AOD) or 600mm above existing ground levels, whichever is lower.
- 10 Prior to the commencement of any phase of development hereby approved a scheme for that phase of development to provide flood prevention design for More Vulnerable uses (as defined by the National Planning Policy Framework) shall be submitted to and approved in writing by the Local Planning Authority. The flood prevention design scheme shall: (1) Set finished floor levels for all More Vulnerable buildings to the east of the A612 to 20.690m above Ordnance Datum (AOD); (2) Set finished floor levels for all More Vulnerable buildings and associated vehicular access routes to the west of the A612 to 20.650m above Ordnance Datum (AOD), and (3) provide a minimum of 300mm flood resilience measures for all More Vulnerable Buildings unless the floor of the buildings is set at least 300mm above the finished floor levels stated in parts (1) and (2). The scheme for each phase shall be implemented in accordance with the approved details prior to the occupation of buildings within that phase.
- 11 The development within the employment land shall be undertaken in accordance with the flood resilience design measures as approved by planning reference 2020/0306DOC.

Prior to the commencement of any other phase of development hereby approved relating to less vulnerable uses a scheme to provide flood resilience design for Less Vulnerable development, as defined by the National Planning Policy Framework, within that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of any buildings within that phase and subsequently maintained.
- 12 Prior to the occupation of any building(s) falling within use classes C3 'dwelling houses', C2 'Residential institutions', C1 'Hotels' or D1 'Non-residential institutions', a Verification Report confirming the finished base slab and wearing course levels of that building(s) and the finished levels of internal road(s) serving that

building(s) within the particular phase shall be submitted to and approved in writing by the Local Planning Authority. The Verification Report for each phase shall also include confirmation that the approved flood resilient construction methods approved under condition 10 for More Vulnerable uses accords with the approved details..

- 13 The development within phase 1 shall be undertaken in accordance with the easement details approved by planning reference 2017/1092DOC and 2018/0333DOC.

The development within phase 2 shall be undertaken in accordance with the easement details approved by planning reference 2020/0562DOC.

Prior to the commencement of any remaining relevant phase of development hereby approved a scheme to provide a minimum of an 8 metre unobstructed easement from all watercourses, culverted watercourses and flood defence structures, including the Ouse Dyke (Main River) and any ordinary watercourses, within that phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to occupation of any buildings within that phase or any other features (i.e. playing fields) being brought into use and subsequently maintained.

- 14 The development within the employment land shall be undertaken in accordance with the approved flood evacuation details as approved by planning reference 2020/0306DOC.

Prior to the commencement of any other relevant phase of development hereby approved an evacuation plan for all Less Vulnerable development at risk of flooding within that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of any buildings within that phase and subsequently maintained.

- 15 No ground raising or permanent built structures shall be built within the modelled floodplain of the Ouse Dyke as shown in the Flood Risk Assessment, November 2013, submitted as part of the outline planning application hereby approved.

- 16 Development within Phase 1 shall be undertaken in accordance with the sustainable drainage details as approved by planning reference 2017/1092DOC and 2018/0333DOC.

Development within the employment land shall be undertaken in accordance with the sustainable drainage details as approved by planning reference 2020/0306DOC.

Development within Phase 2 shall be undertaken in accordance with the sustainable drainage details as approved by planning reference 2020/0562DOC.

Prior to the commencement of any other phase of development hereby approved, a surface water drainage scheme for that phase of development, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any buildings within that phase. The scheme (s) to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques; (2) The limitation of surface water run-off to equivalent greenfield rates; (3) A minimum of two forms of surface water treatment to be provided prior to discharge from the site, in accordance with CIRIA C697; (4) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (5) Responsibility for the future maintenance of drainage features.

- 17 Phase 1 of the development shall be undertaken in accordance with the foul drainage details as approved by planning reference 2018/0332DOC.

The development within the employment land shall be undertaken in accordance with the foul drainage details as approved by planning reference 2020/0306DOC.

Phase 2 of the development shall be undertaken in accordance with the foul drainage details as approved by planning reference 2020/0562DOC.

Prior to the commencement of any other phase of development hereby approved a scheme to dispose of foul drainage for that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme (s) shall be implemented as approved.

- 18 The development within Phase 1 shall be undertaken in accordance with the remediation strategy as approved by planning reference 2018/0719DOC.

The development within the employment land shall be undertaken in accordance with the remediation strategy as approved by planning reference 2020/0306DOC.

The development within Phase 2 shall be undertaken in accordance with the remediation strategy as approved by planning reference 2020/0562DOC.

Prior to the commencement of any other phase of development hereby approved a remediation strategy that addresses the provision of the following components to deal with the risks associated with contamination of that phase of the site, together with a programme for submission and prior approval of the component elements, shall each be submitted to and approved, in writing, by the local planning authority: (1) A preliminary risk assessment which has identified; (a) all previous uses (b) potential contaminants associated with those uses; and (c) a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site; (2). A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; and (3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how and when they are to be undertaken. The scheme(s) and all details identified therein shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.

- 19 Phase 1 of the development shall be undertaken in accordance with the remediation methodology as approved by planning reference 2018/0332DOC.

Development of the employment land shall be undertaken in accordance with the remediation methodology as approved by planning reference 2020/0306DOC.

Phase 2 of the development shall be undertaken in accordance with the remediation methodology as approved by planning reference 2020/0562DOC.

Prior to the occupation of each phase of development hereby approved a verification plan shall be submitted to and approved in writing by the Local Planning Authority. The verification plan shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) (of condition above 18) are complete and identifies any requirements for longer-term monitoring of pollutant linkages,

maintenance and arrangements for contingency action. The verification plan(s) and all details identified therein shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.

- 20 In the event that contamination is found at any time when carrying out the approved development that was not previously identified pursuant to condition 18 above 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 until an assessment has been undertaken in accordance with the requirements set out in condition 18 and 19 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, has been submitted to and approved in writing by the Local Planning Authority. The development must then proceed in accordance with the approved details.

- 21 The development within Phase 1 shall be undertaken in accordance with the construction lighting details as approved by planning reference 2018/0332DOC and 2018/0333DOC.

The development within the employment land shall be undertaken in accordance with the construction lighting details as approved by planning reference 2020/1085DOC.

Prior to the commencement of any other phase of development hereby approved, details of any lighting to be used during the construction of that particular phase of development shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall indicate the location and type of lighting to be utilised together with luminance levels and hours that lighting will be in operation. The lighting of the construction of any approved phase of development shall be lit in accordance with the approved details.

- 22 The development of employment units 1 and units 6-13 shall be undertaken in accordance with the operational lighting details approved by planning reference 2021/0511DOC.

Details of any lighting to be provided (other than street lighting and lighting within domestic curtilages) during the operational phase of that phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to its implementation. The details to be submitted shall indicate the location and type of lighting to be utilised together with luminance levels and hours that any such lighting will be in operation. The

lighting of the development during its operational phase shall be carried out in accordance with the details approved.

- 23 If the sports pavilion to the north of the A612 is not demolished by the 30th June 2014, then in accordance with the submitted Bat Activity Surveys at the sports pavilion off Teal Close report further bat survey work shall be undertaken and an assessment report together with any proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority, prior to any demolition taking place. Any approved mitigation measures shall be carried out in accordance with the approved details. In the unlikely event that bat(s) are found during the demolition of the sports pavilion then the procedure set out in the appendix to the Bat Activity Surveys at the sports pavilion off Teal Close report (dated 24th June 2013) shall be followed.
- 24 The development within Phase 1 shall be undertaken in accordance with the Construction Environmental Management Plan (CEMP) as approved by planning reference 2018/0332DOC and 2018/0333DOC.

The development within the employment land shall be undertaken in accordance with the Construction Environmental Management Plan (CEMP) as approved by planning reference 2020/0306DOC. The development within Phase 2 shall be undertaken in accordance with the Construction Environmental Management Plan (CEMP) as approved by planning reference 2020/0562DOC.

Prior to the commencement of any other phase of development hereby approved a Construction Environmental Management Plan (CEMP) for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Each CEMP shall include the following details; (1) the hedgerow and tree protection measures that shall be implemented for all retained woodland, trees and hedgerows approved as part of the landscaping details to be submitted as part of the reserved matters pursuant to this application. A statement shall also be provided which details how the protection measures shall be implemented so as to minimise damage and disturbance to habitats within the vicinity and the species they support. The protection measures shall accord with current British Standards in relation to design, demolition and construction (BS5837:2012 or any subsequent revision); (2) the measures that shall be implemented during the construction of that particular phase of the development so as to minimise water runoff and works pollution entering watercourses; and (3) the measures that shall be implemented so as to avoid any disturbance to nesting birds during that particular phase of construction.(4) details of traffic routes for Heavy Good Vehicular movements during the construction of that phase of development. (5) details of wheel

washing facilities to be used by vehicles entering and leaving site during the construction of that phase of development; and (6) details of how the principle of Best Practicable Means shall be applied in relation to minimising impact on the surrounding area during the construction of that particular phase of development in relation to noise and vibration and safeguarding air quality. The approved CEMP(s) and all details therein shall be implemented in accordance with the approved details.

- 25 Phase 1 of the development shall be undertaken in accordance with the scheme of archaeological investigation as approved by planning reference 2017/1092DOC.

The development within the employment land areas E1 and LC1 shall be undertaken in accordance with the scheme of archaeological investigation as approved by planning reference 2019/0567DOC.

Phase 2 of the development shall be undertaken in accordance with the scheme of archaeological investigation as approved by planning reference 2020/0562DOC.

Prior to the commencement of any other phase of development hereby approved a written scheme of archaeological investigation related to that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved scheme(s).

- 26 Prior to the commencement of any development on the existing playing pitches located to the west of the A612 (including the demolition of the existing sports pavilion) replacement playing pitches (including associated changing room facilities) hereby approved to the east of the A612 shall have been provided and shall be operational.

- 27 Prior to the commencement of development of the playing pitches to be provided to the east of the A612 details of the following shall be submitted to and approved in writing by the Local Planning Authority; (1) the location and specification of the playing pitches to be provided together with details of their drainage; (2) the location and specifications of the changing room facilities to be provided; and (3) a schedule of maintenance of the playing pitches and associated drainage. The playing pitches and changing room facilities shall be provided, managed and maintained in accordance with the approved details.

- 28 Prior to the occupation of the development hereby approved, other than the business development to be accessed off Stoke Lane, the site access junction from the A612 as shown in outline on plan reference 90372_001 Revision E and the construction

details approved under 2017/1092DOC shall be implemented prior to the occupation of the first dwelling

29 Prior to first occupation of the business floor space (Class B1, B2, B8) hereby approved (aside from any B1 use contained in the Local Centre) the access from Stoke Lane as shown in outline on plan reference 90372_003 Revision B shall be provided in accordance with the construction details to be first submitted to and approved in writing by the Local Planning Authority. The business floorspace hereby approved (Class B1, B2, B8) (aside from any B1 use contained in the Local Centre) shall only be accessed via Stoke Lane, other than in an emergency.

30 Deleted.

31 Deleted.

32 Deleted.

33 Deleted.

34 Deleted.

35 The construction of a new shared footway/cycleway along the northern boundary of the site is to be completed in general accordance with details approved under 2017/1092DOC. The shared footway/cycleway shall be provided prior the occupation of the 350th dwelling of the development hereby approved.

36 The development within Phase 1 shall be undertaken in accordance with local labour agreement as approved by planning reference 2018/0332DOC.

The development within the employment land shall be undertaken in accordance with local labour agreement as approved by planning reference 2020/1121DOC.

The development within Phase 2 shall be undertaken in accordance with the local labour agreement as approved by planning reference 2020/0562DOC.

Prior to the commencement of any other phase of development hereby approved details of a local labour agreement to cover the construction of that phase of 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, unless otherwise agreed in writing by the Local Planning Authority.

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 For the avoidance of doubt
- 3 To provide a degree of flexibility to assist the delivery of the site, that also enables the Local Authority to monitor and manage the supply of housing and employment land.
- 4 To define the consent and to ensure that a satisfactory form of development is obtained.
- 5 A limit has been placed on B1 uses in order to ensure an appropriate balance of uses. A limit has also been placed on the amount of A1 and D2 uses in order to ensure that there is no adverse impact on any surrounding local centres.
- 6 A limit has been placed on the amount of A1 uses to ensure that such uses are commensurate with the scale of the proposed development and would not cause harm to viability of the nearby Netherfield Centre.
- 7 To ensure that a satisfactory development is achieved that takes account of the Parameters Plan.
- 8 To establish existing site levels in order to ensure that finished floor levels accord with conditions 9 to 12 below and that flood risk is appropriately mitigated in line with the National Planning Policy Framework.
- 9 To reduce the risk of flooding to the proposed development and future occupants.
- 10 To reduce the risk of flooding to the proposed development and future occupants.
- 11 To reduce the impact of flooding to the proposed development.
- 12 To ensure that finished floor levels accord with conditions 9 and 10 above and that approved flood resilient measures have been provided in order to reduce the risk of flooding to the proposed development and future occupants.
- 13 To allow for future maintenance, emergency access, natural morphology, and improvements of the watercourses. Please note that our records show a culverted watercourse located between the storage pond (immediately south of the A612) and the Ouse

Dyke, which will require further investigation at detailed design stage.

- 14 To confirm that all occupants and site users can access and egress the site safely during time of flood.
- 15 To prevent an increase in flood risk elsewhere.
- 16 To prevent the increased risk of flooding elsewhere.
- 17 To ensure that the proposals are appropriate and protective of controlled waters.
- 18 The submitted Phase 1 Desk Study, Curtins Consulting, January 2013 (preliminary risk assessment) identifies potential for contamination. This condition is required to ensure that the risks posed to controlled waters are investigated and remediated as necessary and that the site is remediated appropriately.
- 19 The submitted Phase 1 Desk Study, Curtins Consulting, January 2013 (preliminary risk assessment) identifies potential for contamination. This condition is required to ensure that the risks posed to controlled waters are investigated and remediated as necessary and that the site is remediated appropriately.
- 20 This condition is required to ensure that the risks posed to controlled waters or the environment are investigated and remediated as necessary.
- 21 To minimise light spill around the development during the construction of the development as inappropriate lighting could have an adverse impact on nocturnal species such as bats.
- 22 To minimise light spill around the development during the operation of the development as inappropriate lighting could have an adverse impact on nocturnal species such as bats
- 23 To ensure that the demolition of the sports pavilion has no adverse impact upon bats
- 24 To ensure that appropriate measures are taken to protect the local environment in terms of impact on trees; hedgerows and woodland, flora and fauna, water quality, air quality and on the amenity of neighbouring uses.
- 25 To ensure that the site is surveyed appropriately to identify any potential archaeology and if found is appropriately dealt with.
- 26 To ensure that the replacement recreation ground is in operation prior to the existing pitches being removed, so as to protect sports

facilities and ensure continuity for those sports affected by the proposed development.

- 27 To ensure that the required replacement playing pitches and changing room facilities are provided appropriately in order to provide satisfactory replacement facilities for those to be lost as part of the development hereby approve
- 28 In the interests of highway safety.
- 29 In the interests of highway safety.
- 30 Deleted
- 31 Deleted
- 32 Deleted
- 33 Deleted
- 34 Deleted
- 35 To promote sustainable travel.
- 36 To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area.

Notes to Applicant

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

The applicant is advised that the Use Classes Order was amended on 1st September 2020. As such any use classes reference in this permission shall be read in conjunction with the revised legislation in relation to any future changes of use.

Footpath Diversion

RESOLVED:

That Members authorise the Head of Governance and Customer Services to make an order to divert Carlton Footpath No. 1 as set out in the submitted plans and, if the Order is unopposed following the requisite 28 day consultation period, that the Order be confirmed thereafter.

50 ENFORCEMENT REF. 0104/2021 - 4 ANGELA CLOSE, REDHILL

Material change of use of residential dwelling (Use Class C3) to a mixed use of residential dwelling (Use Class C3) and a car sales business (sui generis) and storage of vehicles in connection with that business (Use Class B8).

RESOLVED:

That the Head of Development and Place be authorised to take all relevant planning 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:

- a) the cessation of the unauthorised car sales business including bringing vehicles to the property to be prepared in readiness for sale and storing vehicles awaiting sale at the property;
- (b) the removal of all vehicles which are not incidental or ancillary to the domestic residential use of the dwelling.

51 TREE PRESERVATION ORDER 000144 - REDHILL PAVILION, THORNTON AVENUE, REDHILL

Protection of group consisting of 1 x Cedar, 1 x Red Oak and 1 x Sorbus by a Tree Preservation Order (TPO)

RESOLVED:

To Confirm Tree Preservation Order - 000144 'Former sports pavilion, Thornton Avenue' without modifications.

52 TREE PRESERVATION ORDER 000145 - LAND TO THE REAR OF 111 SANDFIELD ROAD, ARNOLD

Protection of 1 no. Pear tree by a Tree Preservation Order (TPO)

RESOLVED:

To Confirm Tree Preservation Order - 000145 'Land to the Rear of 111 Sandfield Road, Arnold' without modifications.

53 APPLICATION DECISION REF: APP/N3020/D/21/3272382 - 1 OXTON ROAD, CALVERTON

Single storey rear extension.

RESOLVED:

To note the information.

54 APPEAL DECISION REF: APP/N3020/W/21/3272020, APP/N3020/W/21/3272871, APP/N3020/W/21/3272865 AND APP/N3020/W/21/3276147 - RAMPER COVERT WOODLAND NEXT TO LAY BY, MANSFIELD ROAD, ARNOLD

Ramper Covert Woodland next to Lay By, Mansfield Road, Arnold NG5 8PH

RESOLVED:

To note the information.

55 APPEAL DECISION REF: 2021/0026 - SPRING LANE FARM, 382, SPRING LANE, LAMBLEY

Proposed Single Storey Conservatory Extension.

RESOLVED:

To note the information.

56 APPEAL DECISION REF: APP/N3020/D/21/3272382 - LAND TO REAR OF 14 MAIN STREET, LINBY

Alterations and extensions to detached garage to form a new dwelling.

RESOLVED:

To note the information.

57 FUTURE APPLICATIONS

RESOLVED:

To note the information.

58 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

59 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.35 pm

Signed by Chair:
Date: