

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 7 September 2022**

In Attendance:      Councillor Paul Wilkinson      Councillor Andrew Dunkin  
                         Councillor Michael Adams      Councillor Meredith Lawrence  
                         Councillor Peter Barnes      Councillor Ron McCrossen  
                         Councillor Chris Barnfather      Councillor Barbara Miller  
                         Councillor David Ellis      Councillor Marje Paling  
                         Councillor Rachael Ellis      Councillor John Parr  
                         Councillor Mike Hope      Councillor Lynda Pearson  
                         Councillor Rosa Keneally      Councillor Henry Wheeler

Absent:                      Councillor John Truscott and Councillor Andrew Ellwood

Officers in Attendance:      M Avery, N Bryan, C Goodall and S Pregon

**12                      APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Ellwood and Truscott. Councillors Dunkin and Pearson attended as substitutes.

**13                      TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 27 JULY 2022.**

**RESOLVED:**

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

**14                      DECLARATION OF INTERESTS**

The Chair declared collective non-pecuniary interests on behalf of all councillors in respect of item 5, application no. 2021/1225 as the Council had the benefit of servitudes which affected part of the application site and the Council owned part of the application site, and in respect of item 6 application no. 2022/0795 as the Council owned the application site.

Councillors Paling and Wheeler declared that they were predetermined on item 6, as they had been campaigning for CCTV to be installed on Killisick Recreation Ground for a number of years, and that they would therefore abstain from the debate and from voting on the application.

Councillor Rachael Ellis declared, in respect of item 5 on the agenda, that she was a member of St Albans Parish Council who had submitted comments, but that she had been careful not to predetermine herself.

Councillor David Ellis declared, in respect of item 6 on the agenda, that as Portfolio Holder he had signed off the application relating to the installation of the CCTV and would therefore not take part in the debate, nor the vote.

**15 APPLICATION NO. 2022/0153 - 49 CHANDOS STREET  
NETHERFIELD**

Proposed change of use from dwelling (C3) to 7 bedroom HMO including rear dormer extension.

Rae Murphy of JBM Property Management (The applicant) spoke in support of the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To GRANT PLANNING PERMISSION: subject to the following conditions:

**Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be carried out in accordance with the details as set out within the amended application form received on the 5th April 2022, the site location plan received on the 8th February 2022, the site/block plan received on the 8th February 2022 and the plan showing the proposed floor plans and elevations received on the 8th February 2022, drawing number: 22017-P-102.
- 3 The development shall be carried out in accordance with the submitted Flood Risk Assessment received on the 8th February 2022 titled 'Application for the Proposed Change of Use to 49 Chandos Street, Netherfield, NG4 2LP.

**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 that the site is safe and suitable for use, thereby taking into consideration the aims of the National Planning Policy Framework 2021, policy 1 of the Aligned Core Strategy 2014 and policy LPD3 of the Local Planning Document 2018.

### **Reasons for Decision**

The proposed development is consistent with national and local planning policies. The proposal will result in no undue impact on the residential amenity of occupiers of neighbouring properties, there are no highway safety or parking issues arising and space standards within the development are considered to be acceptable, a Licence however would need to be sought from the Borough Council. The development is also acceptable in respect to flood risk issues. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 5, 12 and 14), Policies 1, 8 and 10 of the GBCAS (2014) and Policies LPD 3, 32, 37 and 61 of the LPD.

### **Notes to Applicant**

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).

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.

Your attention is drawn to the following Building Regulations advice which will need to be adhered to: Sound Insulation & Building Regulations The resistance to the passage of sound in buildings must comply with Approved Document E of the building regulations which sets out standards for the resistance to airborne sound and impact sound between and within dwellings. Approved Documents E covers:- Separating walls, floors & associated flanking transmissions for new buildings-Internal walls, floors & stairs for new buildings-Dwelling houses & flats formed by a material change of use-Rooms for residential purposes-Common internal parts of buildings containing flats or rooms for residential purposes . Approved Document E states that it is good practice to consider the layout of rooms in separate dwellings at the design stage to avoid placing noise sensitive rooms next to rooms in which noise is generated eg not situating living areas or kitchens above or next to bedrooms. This will reduce the likelihood of future complaints about impact noise.

**APPLICATION NO. 2021/1225 - NOTTINGHAMSHIRE FIRE AND RESCUE HEADQUARTERS BESTWOOD LODGE DRIVE**

Outline planning application with means of access, layout and scale for consideration for the construction of 32 dwellings.

Margaret Davenport (on behalf of local residents of the Old Stable Block) spoke in objection to the application.

Terry Scott of Nottinghamshire Fire and Rescue Service (The applicant) spoke in support of the application.

The Head of Development and Place introduced the report.

**RESOLVED:**

To GRANT OUTLINE PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, education, health contributions, management company for the on-going maintenance of the access road and any other roads within the development and open spaces not within residential curtilages and not adopted by the Highway Authority or Borough Council and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

**Conditions**

1. Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
2. Approval of the details of appearance, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
3. This permission shall be read in accordance with the following approved plans:

Site Location Plan 20040-FSA-00-XX-DR-A-0001 P02 received 4<sup>th</sup> April 2022.

Site layout Plan 20040-FSA-00-XX-DR-A-0002 P01 received 20<sup>th</sup> June 2022.

Proposed Access Arrangements PBL5-BSP-ZZ-ZZ-DR-D-0001 Rev PO2 received 4<sup>th</sup> April 2022.

The development shall thereafter be undertaken in accordance with the approved plans.

4. Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
5. No part of the development hereby permitted shall commence until a detailed surface water drainage scheme based on the principles set out by the approved Flood Risk Assessment (FRA) and Drainage Strategy dated 27<sup>th</sup> May 2021 has been submitted to and approved in writing by the Local Planning Authority. These details shall include infiltration testing results for the site.

The scheme shall be implemented in accordance with the approved details prior to the completion of the development.

6. Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with:

#### Site Characterisation

An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.

#### Submission of Remediation Scheme

Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

- a) In the event that remediation is required to render the development suitable for use, the agreed remediation scheme

shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

- b) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

- 7. 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.

- 8. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 9. No development shall be commenced until details of the means of foul drainage have been submitted to and approved in writing by

the local planning authority. The development shall be undertaken in accordance with the approved details.

10. No development shall commence on any part of the application site unless or until a suitable access arrangement as shown for indicative purposes on drawing number PBL5-BSP-ZZ- ZZ-DR-D-0001 Rev P02 has been provided to the satisfaction of the Local Planning Authority.
11. 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.
12. Notwithstanding the submitted details, the formal written approval of the Local Planning Authority is required prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage. The development shall be undertaken in accordance with the approved details.
13. Notwithstanding the submitted details prior to the commencement of any development on site a further protective species survey of the site as advised by the submitted Preliminary Ecological Appraisal Report shall be undertaken. Should any protected species be found to be present then precise details of mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
14. No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme for tree protection. The scheme shall include indications of all existing trees and hedgerows on and adjacent to the land, identify those to be retained, identify root protection zones and set out measures for their protection throughout the course of development. The development shall be undertaken in accordance with the approved details.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) Class E, no buildings shall be erected other than those expressly authorised by this permission.

## Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 3 To define the permission, for the avoidance of doubt.
- 4 This pre-commencement condition is necessary to ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings
- 5 To ensure that satisfactory provision is made at the appropriate time for the disposal of surface water.
- 6 To ensure the development is safe and suitable for use.
- 7 In the interest of sustainable travel
- 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 policy LPD11 of the Councils Local Planning Document.
- 9 To ensure a satisfactory means of foul drainage.
- 10 In the interest of Highway Safety, to ensure adequate access.
- 11 In the interest of Highway Safety, to ensure adequate access.
- 12 To ensure appropriate access and parking arrangements are available.
- 13 In the interests of protecting ecological interests
- 14 In the interests of visual amenity.
- 15 To assess the impact on openness of the Green Belt of any additional buildings on the site.

## 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. During the processing of the application discussions



took place with the applicant to make amendments to the application to ensure a positive outcome could be achieved.

**Informative:** In relation to Condition 5 the details shall demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.

- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.

**Informative:** 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).

**Informative:** 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 that any highway forming part of the development is to be constructed 'fit for purpose'. The new roads and any drainage should be built in line with Nottinghamshire County Council's current highway design guidance and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code and a management company will need to be set up on the site to manage and maintain the highway elements of the development

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.

All correspondence with the Highway Authority should be addressed to:-  
hdc.south@nottsc.gov.uk

**17 APPLICATION NO. 2022/0795 - RECREATION GROUND KILLISICK ROAD ARNOLD**

To install a 10m cabinet style galvanised column together with a 2m antennae extension and a concrete base for a CCTV camera.

**RESOLVED:**

To Grant Conditional Planning Permission.

**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 documents and approved drawings:
  - Application Form, received 7th July 2022
  - Site Location, received 20th July 2022
  - Drawing no. TC.10.10.400.01 entitled 400 Sq Cabinet Based 10 Mtr Pole, received 7th July 2022
  - Supporting Document - AUTODOME IP Starlight 5100i IR, received 7th July 2022
  - Supporting Document - Data Sheet: 5 GHz 450b, received 7th July 2022
  - Drawing no. WEC-467586A1 entitled CS2000 showing Plastic Bung, received 7th July 2022

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

## **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.

## **Reasons for Decision**

The proposed development is consistent with Gedling Borough planning policies. The proposal represents an acceptable form of development which seeks to reduce crime, the detection of crime and the fear of crime. The proposal is not considered to have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of the occupiers of neighbouring properties. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Section 8 and 12), Policy 10 of the GBCAS (2014) and Policy 32 of the LPD.

## **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. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

18

## **FUTURE APPLICATIONS**

### **RESOLVED:**

To note the information.

**19 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.00 pm

Signed by Chair:  
Date: