

**MINUTES
PLANNING COMMITTEE**

Wednesday 11 January 2023

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Rosa Keneally
 Councillor Michael Adams Councillor Meredith Lawrence
 Councillor Peter Barnes Councillor Julie Najuk
 Councillor Chris Barnfather Councillor Barbara Miller
 Councillor David Ellis Councillor Marje Paling
 Councillor Rachael Ellis Councillor John Parr
 Councillor Andrew Ellwood Councillor Henry Wheeler
 Councillor Mike Hope

Absent: None.

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

50 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

None.

**51 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 30 NOVEMBER 2022**

RESOLVED:

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

52 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee on items 7 and item 8 on the agenda as the Council were the applicant on both applications.

Councillor David Ellis declared a personal non-pecuniary interest in items 7 and 8 on the agenda as Portfolio Holder he had signed off the application to install the CCTV and would therefore not participate in the debate nor vote on the item.

Councillor Adams declared a collective non-pecuniary interest on items 7 and 8 on the agenda, on behalf of himself and Councillor Barnfather,

as they were Nottinghamshire County Councillors and Nottinghamshire County Council owned the land on both of the sites.

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APPLICATION NO. 2021/1398 - LAND AT GRANGE VIEW ROAD, GEDLING

Erection of 24 dwellings, associated parking and access road.

Phillip Oddie, a local resident, spoke on behalf of The Willow Farm Action Group, in objection to the application.

The Principal Planning Officer introduced the report and provided an update as summarised below.

He recommended that an additional condition be added in respect of a further protected species survey for a mature ash tree to be removed to the site entrance. The recommended condition was;

Prior to the commencement of development, a protected species survey shall be completed in respect of possible bat roosts for the Ash tree to the site entrance, which is intended to be removed. The survey shall be submitted to and approved in writing by the Local Planning Authority and any mitigation approved in the report shall be undertaken.

He added that since publication of the committee report a number of emails had been received from the Willow Farm Action Group and a local resident expressing concern about the application and the committee report in particular, relating to the loss of a tree to the site entrance, whether the impact on protected species had been explored, including on hedgerows, whether a Landscape and Visual Impact Assessment (LVIA) was required and also whether impacts on residential amenity had been suitably assessed, including whether neighbour letters had been appropriately summarised.

He explained that an additional condition was recommended in respect of exploration for the potential of bats in the Ash tree which was being removed, that the specimen was not considered worthy of a preservation order and that its removal was supported. He added that the layout indicated existing hedgerows would be retained as per the proposed drawings and a landscaping scheme secured through condition 4.

He added that whilst no LVIA had been submitted in support of the application, one had been undertaken as part of allocating the site for residential development within the Local Plan, which concluded that the site was of medium landscape sensitivity.

He added that in respect of the comments from neighbours, statutory consultees and the impacts on residential amenity, these had been

accurately summarised and covered within the officer report and raised no new issues.

He added that concern had been raised about the Human Rights Act and whilst recent case law established that Article 8 (Human) Rights were important, it should not be assumed that any would outweigh the importance of having coherent control over town and country planning.

He concluded that the application be recommended for approval as outlined in the report with an additional condition relating to the requirement for a protected species survey.

Councillor Lawrence joined the meeting.

Councillor Barnfather proposed a motion that the application be deferred to a future meeting until the applicant had produced a Landscape and Visual Impact Assessment, so that the committee were fully informed of the impact of the development on existing properties and on the quality of life of the residents of those properties, before a decision was made.

The motion was seconded by Councillor Adams, but was not carried, and it was therefore

RESOLVED:

To GRANT PLANNING PERMISSION: Subject to the owner entering into planning obligations secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council as Education and Transport Authority to secure affordable housing, education contributions, payment for public open space maintenance or details of a management company to fulfil the same role if not adopted by the Council, contributions towards bus stop improvements, monitoring fees and a local labour agreement; 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:

3507-101J Site layout
3507-102J Site roof plan
3507-112A Location plan
3507-203B House A
3507-204B House B
3507-205B House C
3507-206C House D
3507-207A House E

3507-208A House F
3507-209A House G
3507-210 House H
3507-211C Street scene
3507-212A House J
3507-213A House A1
3507-214A House B1
002042-JPL-ZZ-ZZ-DR-D-4701-A2-C03 Indicative Access Road
Accommodation Schedule Rev- F

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

3. Prior to above ground works commencing details of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
4. Notwithstanding details previously submitted and prior to above ground works commencing, 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.
5. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Wheel washing facilities

6. Measures to control the emission of dust and dirt during construction
 7. A scheme for recycling/disposing of waste resulting from demolition and construction works.
 8. The routing of deliveries and construction vehicles to site and any temporary access points.
6. No part of the development hereby permitted shall take place until details of the internal roads have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross-sectional gradients, speed limit and calming measures, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
 7. No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
 8. 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.
 9. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and drainage strategy NSW02042-1RP, 9/9/22, Jackson Purdue Lever, has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
 10. 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.

11. 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.

12. Prior to the commencement of development, the following shall be 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.

13. 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.
14. 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.

15. 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 buildings, including retaining walls, 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.
16. No part of the development shall be brought into use until details of all the boundary treatments proposed for the site including types, height, design and materials, have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment for each individual plot on site shall be implemented prior to the occupation of each individual dwelling.
17. Prior to the commencement of development details of means by which the site will be drained during construction shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the details as approved.
18. Prior to the commencement of development, a protected species survey shall be completed in respect of possible bat roosts for the Ash Tree to the site entrance, which is intended to be removed. The survey shall be submitted to and approved in writing by the Local Planning Authority and any mitigation approved in the report shall be undertaken.

Reasons

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.
3. To ensure that the character of the area is respected and to comply with policy ACS10.
4. To ensure that the character of the area is respected and to comply with policy ACS10.

5. In the interest of highway safety, and to minimise disruption to users of the public highway and protect the amenity of local residents and to comply with policy LPD61.
6. To ensure the development is constructed to adoptable standards and comply with policy LPD61.
7. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc) and comply with policies LPD57 and LPD61.
8. To ensure surface water from the site is not deposited on the public highway causing dangers to road users and comply with policy LPD61.
9. To ensure that the site is adequately drained and to comply with policies LPD3 and LPD4.
10. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
11. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
12. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
13. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
14. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
15. To ensure the character of the area and residential amenity are respected and to comply with policies ACS10 and LPD32.
16. To ensure the character of the area and residential amenity are respected and to comply with policies ACS10 and LPD32.

17. To ensure that the site is adequately drained and to comply with policies LPD3 and LPD4.
18. To ensure protected species are not detrimentally impacted and comply with policy LP18.

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).

In respect of the surface water drainage scheme to be approved, it should;

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 and NPPF Paragraph 169.

Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area.

Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets.

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 30 year and 1 in 100 year plus climate change return periods.

- o No surcharge shown in a 1 in 1 year.
- o No flooding shown in a 1 in 30 year.
- o For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm.

Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.

Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.

Evidence of approval for drainage infrastructure crossing third party land where applicable.

Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.

Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

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

In order to carry out the off-site works i.e. works on 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. Applicant will need to enter into an agreement under Section 278 of the Act. Please contact the County Highway Authority 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 (2018). 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.

Please note that the grant of planning permission does not override civil legal matters with regard to development on or over a boundary, including the Party Wall etc Act, advice on which should be sought from an independent source.

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APPLICATION NO. 2022/0798 - TOTAL SITE, ROAD NO 3, COLWICK

Full planning application for: 1) erection of a building for use as a builders merchant (Sui Generis) with trade counters and ancillary kitchen joinery showroom for the display, sale and storage of building, timber and plumbing supplies, plant and tool hire, including outside display and

storage including storage racking; and 2) erection of industrial and logistics units (Use Classes E(g)(iii), B2 and B8); together with access and servicing arrangements, parking and landscaping, boundary fencing and associated works.

Mark Garrity – Development Director, Chancerygate (The Applicant) spoke in support of the application.

The Principal Planning Officer introduced the report and provided an update in respect of the hazardous substance consent and confirmed that the Health and Safety Executive would not request that the application be called in for determination by the Secretary of State nor pursue the matter further, should planning permission be granted.

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 hereby permitted shall be completed in accordance with the following drawing and details; received by the Local Planning Authority on 8 July 2022 unless otherwise stated:
 - 21068-300 Revision P01 (Site Location Plan)
 - 21068-302 Revision P09 (Proposed Site Plan) - received 26 October 2022
 - 21068-310 Revision P02 (Unit 1 Proposed Elevations)
 - 21068-311 Revision P01 (Unit 1 Proposed Floor Plan)
 - 21068-312 Revision P02 (Unit 1 Proposed Roof Plan)
 - 21068-320 Revision P02 (Unit 2 Proposed Elevations)
 - 21068-321 Revision P02 (Unit 2 Proposed Floor Plan)
 - 21068-322 Revision P02 (Unit 2 Proposed Roof Plan)
 - 21068-330 Revision P01 (Unit 3 Proposed Elevations)
 - 21068-331 Revision P01 (Unit 3 Proposed Floor Plan)
 - 21068-332 Revision P01 (Unit 3 Proposed Roof Plan)
 - 21068-340 Revision P02 (Unit 4 Proposed Elevations)
 - 21068-341 Revision P02 (Unit 4 Proposed Floor Plan)
 - 21068-342 Revision P02 (Unit 4 Proposed Roof Plan)
 - 21068-350 Revision P03 (Unit 5 Proposed Elevations) - received 28 July 2022
 - 21068-351 Revision P02 (Unit 5 Proposed Floor Plan)
 - 21068-352 Revision P01 (Unit 5 Proposed Roof Plan)

- 21068-900 revision P03 (Proposed Site Section) - received 12 September 2022
- 853.29.02 (Planting Layout South)
- 853.19.05 (Planting Layout North) - received 16 November 2022
- 21068-801-P01 (Schedule of External Building Materials)
- Construction and Emissions Management Plan - received 17 August 2022

- 3 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.
- 4 Prior to the occupation of building(s) hereby permitted, Electric Vehicle Recharging Points (active) shall be installed in accordance with the details set out in drawing number 21068-302 Revision P09; with infrastructure installed for a further eighteen (18) in future years (passive). The Electric Vehicle Recharging Points shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of car park users.
- 5 The development hereby approved shall be carried out in accordance with the Proposed Drainage Plan (21-034-CHA D01 Rev T3).
- 6 The proposed Builder's Merchant shall not be brought into use until the parking/turning/servicing areas as shown on drawing 21068-302 Revision PO9 have been provided. The parking/turning/servicing areas shall be maintained in accordance with the approved details and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.
- 7 The proposed Builder's Merchant shall not be brought into use until the vehicular access from Road No.1 as shown on drawing 21068-302 Revision PO9 has been provided.

- 8 The proposed industrial units shall not be brought into use until the parking/turning/servicing areas as shown on drawing 21068-302 Revision P09 have been provided. The parking/turning/servicing areas shall be maintained in accordance with the approved details and shall not be used for any purpose other than the parking/turning/loading and unloading of vehicles.
- 9 The proposed development shall not be brought into use until bus stop GEO336 as shown indicatively on drawing 21068-302 Revision P09 has been provided unless otherwise agreed with the Local Planning Authority.
- 10 The proposed development shall not be brought into use until the redundant vehicular crossing on Road No.1 has been reinstated to verge, and full height kerbs provided along the footway.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any provision in any Statutory Instrument revoking or re-enacting that Order) the development hereby permitted shall not be used for any purposes other than the builders merchant and uses falling within use class E(g)(iii), B2 and B8.
- 12 The development shall be carried out in accordance with the Local Labour Agreement dated September 2022; received by the Local Planning Authority on 28 September 2022.
- 13 The development shall be carried out in accordance with the submitted flood risk assessment (ref 21-034-CHA Road No.3, Colwick, dated 13 June 2022 and document titled Addendum To Flood Risk Assessment, dated 25 August 2022, compiled by I&L Consulting Ltd) and the following mitigation measures it details:
 - Finished floor levels shall be set no lower than 20.95 metres above Ordnance Datum (AOD)
 - The proposed units shall be made to be floodable
 - There shall be a safe refuge areas on site and a safe access route off site (as per drawing document SK010 P1 - Proposed Safe Refuge Routes).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
- 14 The landscaping scheme as approved (including the trees to be planted on the public highway) shall be carried out in the first planting season following completion of the development. 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.

- 15 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 - a. A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site
 - b. 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.
 - c. 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 they are to be undertaken.
 - d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.
- 16 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- 17 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

The development shall be carried out in accordance with the approved details.

- 18 Piling or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interest of public health and safety.
- 4 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 5 To ensure that the development has sufficient surface water management, is not at increased risk of flooding, and does not increase flood risk off-site.
- 6 In the interest of highway amenity.
- 7 In the interest of highway amenity.
- 8 In the interest of highway amenity.
- 9 To promote sustainable travel.
- 10 In the interest of highway amenity.
- 11 To protect the vitality and viability of nearby local centres.
- 12 To enable local people to benefit from the development in accordance with LPD 48 of the Gedling Part 2 Local Plan (2018).
- 13 To reduce the risk of flooding to the proposed development and future occupants.
- 14 To ensure that the character of the area is respected and to comply with policies LPD18.
- 15 To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by,

unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

- 16 To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.
- 17 To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework
- 18 Piling can result in risks to water resources from, for example, mobilising contamination, drilling through different aquifers, and creating preferential pathways. Thus it should be demonstrated that any of these activities will not harm water resources in line with paragraph 174 of the NPPF. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

Reasons for Decision

The application site is within an established industrial estate and will enhance employment use on offer. The built form would respect the character of the area and amenity of adjacent users. Highway safety would be respected and parking provision is considered to be acceptable. Subject to conditions the development would be acceptable in respect of flood risk and contamination. The application is, therefore, deemed to comply with policies 1, 4 and 10 of the Aligned Core Strategy; policies LPD 3, LPD 4, LPD 7, LPD 11, LPD 32, LPD 44, LPD 48, LPD 57 and LPD 61 of the Local Planning Document and guidance within the NPPF, Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document (2022) and Low Carbon Planning Guidance for Gedling Borough (May 2021)..

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 development makes it necessary to construct/reinstate a vehicular crossing over a verge/footway of the public highway and provide public transport infrastructure. These works will take place on land that is subject to the provisions of the Highways Act 1980 (as amended), and is therefore land over which you have no control. Please contact licences@viaem.co.uk to ensure the necessary licences are in place prior to works commencing.

The development makes it necessary to plant trees in the public highway. You will therefore be required to obtain a cultivation licence under Section 142 of the Highways Act 1980 whereby you will be required to trim the area off to reduce competition for water/nutrients, and commit to a 3 year maintenance plan inclusive of watering.

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

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

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 regular discussions took place with the applicant to address any issues that occurred.

Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight

gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice: o excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution o treated materials can be transferred between sites as part of a hub and cluster project o some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. The Environment Agency recommends that developers should refer to: The Position statement on the Definition of Waste: Development Industry Code of Practice and; The Environmental regulations page on GOV.UK

55 APPLICATION NO. 2022/0944 - 27 FORESTER STREET, NETHERFIELD

Item withdrawn from the agenda.

56 APPLICATION NO. 2022/1114 - STREET RECORD, VALE ROAD, COLWICK

Install a 10m column, concrete base and street cabinet for CCTV camera.

RESOLVED:

To Grant Planning Permission subject to the following conditions:

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 carried out in accordance with the details set out in the application form, Site Location Plan, drawings numbered TC.10.400.01 and WEC-467586A1, and Specification

Sheet: PTP550; received by the Local Planning Authority on 5 October 2022.

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. 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

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

The proposal makes it necessary to apply for an S115e licence for installation of a CCTV camera to be installed on the verge of the public

highway. These Works will be subject to a site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

57 APPLICATION NO. 2022/1115 - STREET RECORD, COLWICK LOOP ROAD, COLWICK

Install a 10m column together with a 2M antennae extension and a concrete base for CCTV camera.

RESOLVED:

To Grant Planning Permission subject to the following conditions:

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 carried out in accordance with the details set out in the application form, Site Location Plan, and WEC Technical Specification; received by the Local Planning Authority on 14 November 2022.

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. 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

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

The proposal makes it necessary to apply for an S115e licence for installation of a CCTV camera to be installed on the verge of the public highway. These Works will be subject to a site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

58 INFRASTRUCTURE FUNDING STATEMENT 2021/22

To provide Members with information on the monies collected through the Community Infrastructure Levy (CIL) and Section 106 Planning Obligations, how they are administrated and future expenditure priorities in relation to the monies collected.

To note the publication of the Infrastructure Funding Statement for 2021/22 attached in Appendix A.

RESOLVED to:

1. Note the contents of the report.
2. Note the publication of the Infrastructure Funding Statement for 2021/22 as detailed at Appendix A.

59 AUTHORITY MONITORING REPORT 2021/22

To note the Gedling Borough Council Authority Monitoring Report April 2021 – March 2022.

RESOLVED:

To note the Gedling Borough Council Authority Monitoring Report April 2021 - March 2022 attached at Appendix A.

60 HOUSES IN MULTIPLE OCCUPATION IN THE NETHERFIELD WARD

To note the latest position on the suitability of implementing an Article 4 direction, to introduce a requirement for planning permission to change from a C3 Dwellinghouse (family dwelling) to a C4 HMO (3-6 unrelated people who share facilities) in the Netherfield Ward.

RESOLVED to:

- 1) Note that there was currently insufficient evidence to demonstrate that an Article 4 direction or any other measure was necessary to protect local amenity or the well-being of the Netherfield Ward.
- 2) Note that the overall number of HMOs in the Netherfield Ward would be monitored and a further update report would be submitted to Cabinet within 12 months.

61 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

62 DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

63 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.01 pm

Signed by Chair:
Date: