

**MINUTES
PLANNING COMMITTEE**

Wednesday 25 June 2014

Councillor Barbara Miller (Chair)

In Attendance:

Councillor Pauline Allan	Councillor Andrew Ellwood
Councillor Roy Allan	Councillor Cheryl Hewlett
Councillor Peter Barnes	Councillor Jenny Hollingsworth
Councillor Chris Barnfather	Councillor Mike Hope
Councillor Denis Beeston MBE	Councillor Meredith Lawrence
Councillor Alan Bexon	Councillor Lynda Pearson
Councillor John Boot	Councillor Suzanne Prew-Smith
Councillor Bob Collis	

Absent: Councillor John Truscott, Councillor Ged Clarke,
Councillor Marje Paling and Councillor Colin Powell

Officers in Attendance: J Ansell, P Baguley, J Cole and F Whyley

165 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Truscott, G. Clarke, Paling and Powell.

166 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 14 MAY 2014.

RESOLVED:

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

167 DECLARATION OF INTERESTS

Councillor Boot declared a personal non pecuniary interest in item 6 on the agenda.

Councillor Prew - Smith entered the meeting at 18.09pm

168 APPLICATION 2014/0415: BANK HILL HOUSE BANK HILL WOODBOROUGH NOTTINGHAMSHIRE

Proposed replacement dwelling and new field access within the site.

The Service Manager, Planning and Economic Development reported two changes to this item as follows:

1. Comments of the Wildlife Trust, a note of which he referred Members to on P. 24.
2. An amendment to the Reasons for Decision on Page 24 – last sentence – remove reference to ENV29 (Replacement of dwellings in the Green Belt.)

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 submitted plans received on 21st March 2014 drawing no's: 14.232.02, 14.232.01, and 13-60-01.
3. Before development is commenced there shall be submitted to and approved by the Borough Council details of the materials to be used in the external elevations of the proposed dwelling. Once approved the development shall be carried out in accordance with these details, unless otherwise agreed in writing by the Borough Council.
4. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted

The approved landscape shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

6. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. The proposed means of surfacing shall be completed in accordance with the approved details before the dwelling is first occupied.
7. No part of the development hereby permitted shall be brought into use until the vehicular verge crossing has been hard surfaced along the verge to bring it up to the Highway Authority specification to the satisfaction of the Borough Council.

8. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

9. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council.

10. The existing dwelling and outbuildings shall be demolished prior to the commencement of the construction of the new dwelling.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt

3. To ensure a satisfactory development in accordance with policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008)

4. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

5. To ensure satisfactory development, in accordance with the aims of policy

ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

6. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

7. In the interests of highway safety.

8. In the interests of highway safety.

9. In order to protect the openness of the Green Belt, in accordance with the aims of Policy ENV28 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).

10. To ensure that the existing dwelling and outbuildings are demolished prior to the construction of the replacement dwelling in order to ensure that there is only one dwelling on the site, so as to protect the openness of the Green Belt in accordance with the aims of Policy ENV29 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed development is acceptable in terms of Green Belt policy, results in no significant impact on the openness of the Green Belt nor does it impact upon the amenity of occupiers of neighbouring properties and highway safety. The proposal therefore accords with the National Planning Policy Framework (2012) and policies ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

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.

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence

at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

The proposal makes it necessary to hard surface the vehicular crossing over the verge of the public highway and reinstate the verge fronting the site back to verge. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the

County Council's Customer Services to arrange for these works on telephone 0300 500 80 80 to arrange for these works to be carried out.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

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APPLICATION 2014/0499: 742 MANSFIELD ROAD NOTTINGHAM NG5 3FY

Replace existing flat roof with new revised pitched roof incorporating two staff-flats and landscaping.

The Service Manager, Planning and Economic Development informed Members of additional letters received in respect of this application as follows:

1. Letter from the Old Woodthorpe Residents Association, drawing attention to previous objections submitted in October 2013.
2. Comments from Mr Singleton, landscape architect, on behalf of Mr Cope, neighbour to the property in question.

Copies had been circulated at the meeting.

RESOLVED: To Grant Planning Permission subject to the following amended Conditions:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the revised approved plans (drg. nos. WDC/13/02D, WDC/13/05C, WDC/13/07B).
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details and a sample of the materials to be used in the external elevations of the proposed roof. Once approved the development shall be constructed in accordance with these approved details.
4. The proposed parking spaces to serve the flats hereby approved shall be allocated prior to the flats first being occupied and these shall be retained at all times for the lifetime of the development.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the proposed

planting to the recessed area of the roof slope. Once approved the planting shall be carried out in accordance with these approved details.

6. The development hereby approved shall only be occupied by members of staff associated with the nursery.

7. No velux windows shall be inserted into the side roof slope facing no. 3 Albemarle Road at any time.

Additional conditions

8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise structural details and calculation with regards to the proposed roof and planting ledges.

9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the means of irrigation of the proposed planting to the roof.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt.

3. To ensure a satisfactory development, in accordance with the aims of policies ENV1 and ENV16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

4. To ensure a satisfactory development, in accordance with the aims of policies ENV1 and ENV16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

5. To ensure a satisfactory development, in accordance with the aims of policies ENV1 and ENV16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

6. To ensure a satisfactory development, in accordance with the aims of policies ENV1 and ENV16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

7. To ensure a satisfactory development, in accordance with the aims of policies ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

8. To ensure that the proposed structure can support the weight of the proposed planting.

9. To safeguard the visual amenity of the area.

Reasons for Decision

In the opinion of the Borough Council the proposed development is acceptable in this location and would not have any undue impacts upon neighbouring amenity, the streetscene, the Woodthorpe Special Character Area or highway safety. The proposal therefore accords with the National Planning Policy Framework (2013) and policies ENV1, ENV16, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application to address concerns identified by officers in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

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.

Councillor Boot left the meeting at 18.40pm

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APPLICATION 2014/0534 : SITE OFF COPPICE ROAD ARNOLD NOTTINGHAMSHIRE

Erection of convenience store with associated car parking and service yard

RESOLVED: TO GRANT PLANNING PERMISSION subject to the following amended conditions:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be built in accordance with the approved plans drawing no. 13-078-W40, the revised plans drawing no.s 2717/001 Rev J and 2717/002 Rev J deposited on the 12th June 2014 and the revised tracking plan received on the 27th May 2014.
3. This development hereby approved shall comply with the Noise Assessment details deposited on the 28th April 2014.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council samples of all materials to be used in the external elevations of the proposed building. The development shall be carried out in accordance with the approved details thereafter.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure of the site. The approved means of enclosure shall be erected before the building is first brought into use, and shall thereafter be retained unless alternative means of enclosure are agreed in writing by Borough Council as Local Planning Authority.
6. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. The approved means of surfacing of the unbuilt on portions of the site shall be completed before the building is first brought into use.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted. The approved landscape scheme shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of any ventilation or extraction plant or machinery which shall not operate above 45 dB at 10 metres in accordance with the email received on the

3rd June 2014. The ventilation or extraction plant shall be installed in accordance with the approved details before the use hereby permitted is first commenced. Ventilation or extraction plant that accords with the submitted details and specifications shall thereafter be retained in working order at all times for the lifetime of the development.

9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details (which shall include siting) of the proposed external lighting to the car park, bollards and any CCTV equipment. The approved lighting, bollards and CCTV equipment shall then be installed and retained in accordance with the approved details for the lifetime of the development.

10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the gates and fencing to the service yard. These shall be constructed in accordance with the approved details and retained for the lifetime of the development.

11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the proposed lighting column. The lighting column shall be erected in accordance with the approved details.

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

14. No part of the development hereby permitted shall be brought into use until the access driveways, parking and turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways, parking and turning 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.

15. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any

parking or turning areas shall then be maintained in such hard bound material for the life of the development.

16. Prior to the development hereby approved first being brought into use, the individual parking spaces, turning and service area shall be clearly marked out in accordance with the approved plan ref. 2717/001 Rev G. The spaces shall be kept available for parking thereafter.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. For the avoidance of doubt.
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
5. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
6. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
7. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
8. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
9. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
10. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
11. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
12. To reduce the risk of groundwater pollution

13. In the interests of Highway safety.
14. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
15. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
16. In the interests of highway safety.

Reasons for Decision

In the opinion of the Borough Council the proposed development will result in no undue impact on the vitality and viability of Arnold Town Centre or on the amenities of neighbouring properties, the character or appearance of the area or highway safety. The proposal therefore accords with the National Planning Policy Framework (2012) and policy ENV1, S11 and S13 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2008.

Notes to Applicant

The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council Highways Customers Services tel. 0300 500 80 80 to arrange for these works to be carried out.

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application to address concerns identified by officers in connection with the proposal. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

You are advised that separate advertisement consent may be required to display any advertisements on the premises.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Councillor Boot re-joined the meeting at 18.55pm.

171 APPEAL RECEIVED - 2014/1486: 28 MAIN ROAD RAVENSHEAD, NOTTINGHAMSHIRE

RESOLVED: To note the report.

172 NATIONAL PLANNING PRACTICE GUIDANCE

The Service Manager, Planning and Economic Development provided an overview of the new National Planning Practice Guidance, which he stated would be communicated to Members via a series of briefings.

Members were asked to identify any particular areas of the guidance they would like to have covered in future Member Briefing and Training sessions.

Councillor Boot requested that a timescale on the proposals contained within the document be communicated to Members.

RESOLVED: To note the contents of the report

173 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED: To note the information.

174 FUTURE PLANNING APPLICATIONS

RESOLVED: To note the information.

175 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

With the permission of the Chairman, the Service Manager, Planning and Economic Development informed Members of a possible special Planning Committee on 23rd July 2014 and asked Members to note the date.

The meeting finished at 19.35pm

Signed by Chair:

Date: