

**MINUTES
PLANNING COMMITTEE**

Wednesday 26 July 2023

Councillor Roy Allan (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Helen Greensmith
 Councillor Michael Adams Councillor Lynda Pearson
 Councillor Sandra Barnes Councillor Catherine Pope
 Councillor Stuart Bestwick Councillor Grahame Pope
 Councillor David Ellis Councillor Ruth Strong
 Councillor Andrew Ellwood Councillor Jane Walker
 Councillor Des Gibbons Councillor Henry Wheeler

Absent: Councillor Ron McCrossen and Councillor Sam Smith

Officers in Attendance: M Avery, N Bryan, C Goodall, C Miles and N Osei

12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Smith. Councillor Adams attended as substitute.

13 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 JUNE 2023

RESOLVED:

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

14 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee in items 9 and 10 on the agenda, as Gedling Borough Council were the applicant.

15 APPLICATION NO. 2021/0934 - LAND NEXT TO PEPPERPOTS, MAPPERLEY PLAINS, MAPPERLEY

Erection of 8 detached dwellings and 3 apartment buildings (comprising 29 flats).

Ron Hodges, a Trustee of 3rd Woodthorpe St Marks Scout Group, spoke in objection to the application.

The Principal Planning Officer informed members that further to the publication of the report, additional comments had been received from Nottinghamshire County Council, who had identified that a contribution of £18,500 was sought towards bus stop improvements in the area. He had noted the additional letters from objectors as reported to members that raised concerns in relation to possible noise pollution, air pollution and the removal of hedges which raised no new issues.

He then went on to introduce the report.

He concluded that the application was recommended for approval subject to the signing of a Section 106 agreement to include contributions to public transport and subject to the conditions as outlined in the committee report.

Following debate, the Principal Planning Officer proposed an amendment to Condition 19 – in relation to boundary treatments as follows:

Condition 19

Prior to the commencement of the development, 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. Development shall be completed in accordance with the approved details.

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 Authority to secure a local labour agreement, affordable housing and financial contributions towards public transport, education, primary care, public open space and maintenance of the same and monitoring fees; and subject to the updated 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:

N1538_127_L_ PROPOSED siteplan / roofplan
N1538_128_G_ PROPOSED ground floor (west)
N1538_129_K_ PROPOSED ground floor (east)

N1538_130_E_ PROPOSED Building B Elevations
N1538_132_E_ PROPOSED Building A Elevations
N1538_133_C_ PROPOSED Building A Ground floor plan
N1538_134_C_ PROPOSED Building A First floor plan
N1538_135_C_ PROPOSED Building A Second floor plan
N1538_136_C_ PROPOSED Building A Roof plan
N1538_137_E_ PROPOSED Building B Ground floor plan
N1538_138_E_ PROPOSED Building B First floor plan
N1538_138_E_ PROPOSED Building B First floor plan
N1538_139_D_ PROPOSED Building B Second floor plan
N1538_141_D_ PROPOSED Building B Roof plan
N1538_142_E_ PROPOSED Building C Ground floor plan
N1538_143_E_ PROPOSED Building C Upper floor plans
N1538_144_D_ PROPOSED Building C Elevations
N1538_145_E_ PROPOSED Long Street Elevations
N1538_146_E_ PROPOSED First floor house plans
N1538_147_C_ PROPOSED Sections through site
N1538_149_A_ Location Plan

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. No development shall be brought into use on any part of the application site unless or until junctions to the West/East of Colliery Way and access off Mapperley Plains have been provided as shown for indicative purposes only on the attached plan reference no. N1538-127-L.
5. No part of the development hereby permitted shall be brought into use until the parking/turning/servicing areas are provided in accordance with the approved plan reference no. N1538-127-L. The parking/turning/servicing areas shall not be used for any purpose other than parking/turning/loading and unloading of vehicles
6. None of the five dwellings to be accessed off Mapperley Plains shall be occupied until a Traffic Regulation Order banning right hand turning on exiting the site as shown for indicative purposes only on drawing ref TP2250549/40 has been processed. The scheme to prevent the right hand turn shall then be implemented in accordance with the approved details prior to first occupation.
7. No part of the development hereby permitted shall be brought into use until provision has been made within the application site for parking of cycles in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle facilities shall be located near to the main entrance to the

development, be covered, lockable and secure and that area shall not thereafter be used for any purpose other than the parking of cycles.

8. 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.

9. 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.
10. 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.

11. 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.
12. The noise mitigation identified in the noise report submitted in support of the application (ref: 784-B038289, dated May 2022), contained in section 6.0, shall be completed prior to occupation of any properties identified as being affected.
13. Prior to above grounds works commencing, the acoustic fence shown to be re-located to the eastern edge of the site, as identified on drawing N1538-127-L, shall be in-situ.
14. A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been

completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

15. No part of the development hereby approved shall commence until a detailed surface and foul water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and drainage strategy dated 24 May 2023 (ref: MPNH-BSP-ZZ-XXRP-C 0001-P02_Flood_Risk_Assessment), has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
16. From the date of first occupation of plots 1-8 built on site shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. 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

Prior to the occupation of building(s) A-C hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of a minimum of five (5) Electric Vehicle Recharging Points [minimum four EV points serving Buildings A and B (two at each) and minimum one to Building C]. Charge points must have a minimum power rating output of 7kW, 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.

17. The development hereby approved shall completed in accordance with the mitigation identified in para 6.2 of the updated ecological report (dated April 2023 ref TS 2023/03/700), namely a qualified ecologist shall be on-site during site clearance.
18. Prior to the commencement of development, a scheme of landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously

damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.

19. Prior to the commencement of the development, 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. Development shall be completed in accordance with the approved details.
20. No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

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. In the interests of highway safety and to comply with policy LPD61.
5. In the interests of highway safety and to provide adequate parking and comply with policies LPD57 and LPD61.
6. In the interests of highway safety and to comply with policy LPD61.
7. To encourage sustainable means of transport and comply with guidance within the NPPF.
8. 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.
9. 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.

10. 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.
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 that residential amenity is respected and to comply with policy LPD32.
13. To ensure that residential amenity is respected and to comply with policy LPD32.
14. To ensure compliance with policy LPD30.
15. To ensure that the site is suitably drained and to comply with policies LPD3 and LPD4.
16. 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.
17. To ensure that any protected species are not harmed and to comply with policy LPD18
18. To ensure the character of the area is respected and biodiversity duly considered, and to comply with policies LPD18 and LPD19.
19. To ensure that the character of the area and residential amenity is respected and to comply with policies LPD32 and ASC10.
20. To ensure that the character of the area and residential amenity is respected and to comply with policies LPD32 and ASC10.

Notes to Applicant

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) and The Electric Vehicles (Smart Charge Points) Regulations 2021. The applicant should note that notwithstanding any planning permission that any development serving 5 dwellings, or more is subject to the Advance Payments Code under the highways Act 1980 (as amended). All private roads will need to be maintained under a management company and a s106 agreement will need to be entered into which

should include how the roads are to be managed and maintained. Once the landowner has completed the roads 'fit for purpose' and the above completed the landowner can then be exempted from the APC.

a) 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. It is recommended that the developer contact the Highway Authority as early as possible.

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. To undertake the works, you will need to enter into an agreement under Section 278 of the Act.

Correspondence with the Highway Authority should be addressed to:-
hdc.south@nottscg.go.uk

16 APPLICATION NO. 2023/0091 - LAND OFF GEORGES LANE, CALVERTON

Construction of two open round barrows and a grass covered barrow for the placement of cremation urns, access path and landscaping.

Matthew Lymn Rose, Managing Director of AW Lymn, the applicant, spoke in support of the application.

The Principal Planning Officer informed members that since the publication of the report an additional letter of support had been received from the Reverend Canon Malachy Brett highlighting the need and desire for this type of burial provision. He then went on to introduce the report and concluded that the application was recommended for refusal, as outlined in the report.

RESOLVED:

To Refuse Planning Permission for the following reason(s):

- 1 The proposed development would represent inappropriate development in the Green Belt and would cause harm to the openness of the Green Belt. The proposal does not meet any of the criteria listed in paragraphs 149 or 150 of the NPPF which list certain types of development that are not considered inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There are no special circumstances that outweigh the harm caused to the Green Belt. The proposal is therefore contrary to the National Planning Policy Framework (Section 13).

- 2 The proposed development would have an undue impact upon the visual amenity and landscape character of the area.

The development consists of a barrow 9 metres in height (Barrow 3) with a steep slope of 70-80 percent. This will appear as a tall, prominent and alien feature within the landscape. The proposal is therefore contrary to the National Planning Policy Framework (Section 15), Aligned Core Strategy Policy 10, Local Planning Document Policy 19 and Calverton Neighbourhood Plan Policy BE1.

17 APPLICATION NO. 2022/0009 - SARVAL, STOKE LANE, STOKE BARDOLPH

Erection of baggage storage facility on a raft foundation.

Dave Fox, Production Manager at Sarval Limited, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

The recommendation to refuse planning permission was not carried.

The Head of Development and Place had listened to the debate and noted that it was clear that members considered there were very special circumstances for granting development within the green belt, these being the need for the building to enhance the operational efficiency of the site, that it did not have an impact on the openness of the green belt, the whole area was an industrial estate, to support investment and future growth of the site and that it was a long-standing business.

He concluded that if members were to move an alternative proposal to grant planning permission, contrary to officer recommendation, they may wish to use the following proposed reason and condition for approval.

Proposed reason for approval:

The development whilst considered to result in an inappropriate form of development in this Green Belt location, very special circumstances have been demonstrated in this instance, these being the need for the building to enhance the operational efficiency of the site, supporting investment for the future growth of the site and the economy. It is also considered given that this is an expansion of the existing business at the site there are no other viable options to locate the development in an alternative location. Whilst the building is fairly large in scale it is also considered given the location of the building adjacent to other buildings on the site, the visual appearance of the development will not be unduly

visible in this location. In addition, given the submission of a Flood Risk Assessment, there are no flood risk issues arising in regard to the development. The development results in no contamination issues or highway safety issues. The development therefore accords with the aims of the NPPF 2021, policies 1 and 10 of the Aligned Core Strategy 2014 and policies LPD 3, 7, 32 and 61 of the Local Planning Document 2018.

Condition:

The development shall be retained in accordance with the details as set out within the application form received on the 5th January 2022, the location plan received on the 5th January 2022, the plans received on the 5th January 2022, drawing number 2020/025/03C, the Design and Access Statement received on the 16th January 2022, the Flood Risk Assessment by J Roberts Design Ltd dated May 2023 and the letter from IDPlanning, demonstrating very special circumstances, dated the 20th June 2023.

Reason: To define the permission

An alternative motion to grant planning permission was moved by Councillor David Ellis and seconded by Councillor Gibbons and it was

RESOLVED:

To GRANT PLANNING PERMISSION for the following reason:

Reason:

1. The development whilst considered to result in an inappropriate form of development in this Green Belt location, very special circumstances have been demonstrated in this instance, these being the need for the building to enhance the operational efficiency of the site, supporting investment for the future growth of the site and the economy. It is also considered given that this is an expansion of the existing business at the site there are no other viable options to locate the development in an alternative location. Whilst the building is fairly large in scale it is also considered given the location of the building adjacent to other buildings on the site, the visual appearance of the development will not be unduly visible in this location. In addition, given the submission of a Flood Risk Assessment, there are no flood risk issues arising in regard to the development. The development results in no contamination issues or highway safety issues. The development therefore accords with the aims of the NPPF 2021, policies 1 and 10 of the Aligned Core Strategy 2014 and policies LPD 3, 7, 32 and 61 of the Local Planning Document 2018.

Condition:

1. The development shall be retained in accordance with the details as set out within the application form received on the 5th January 2022, the location plan received on the 5th January 2022, the plans received on the 5th January 2022, drawing number 2020/025/03C, the Design and Access Statement received on the 16th January 2022, the Flood Risk Assessment by J Roberts Design Ltd dated May 2023 and the letter from IDPlanning, demonstrating very special circumstances, dated the 20th June 2023.

Reason for condition:

1. To define the permission.

18 APPLICATION NO. 2022/0338 - 4 DEABILL STREET, NETHERFIELD

Two storey rear extension, single storey rear extension to create a 6 bedroom property to be occupied by one household.

The Principal Planning Officer introduced the report.

The recommendation to grant planning permission was not carried.

The Head of Development and Place had listened to the debate and had noted that members had concerns in relation to the intensification of the use of the site and the impact this would have on the amenity of adjoining residents and the character of the area and concerns about the additional demand for very limited on street car parking. He advised members that there was no evidence to refuse the application on highways safety grounds and that any refusal in terms of highways should be directed towards the additional demand for limited on street car parking.

He concluded that if members were to move an alternative proposal to refuse planning permission, contrary to officer recommendation, they may wish to provide the following proposed wording:

Proposed reason for refusal:

The proposed development would, by reason of the intensification of the use of the site, have an adverse impact upon the residential amenity of adjoining and nearby residents and the character of the area. The proposal would also result in additional demands for very limited on street car parking, to the detriment of existing residents. The development would therefore be contrary to Policy LPD32 – Amenity.

An alternative motion to refuse planning permission was moved by Councillor Grahame Pope and seconded by Councillor Wheeler and it was

RESOLVED:

To REFUSE PLANNING PERMISSION for the following reason:

Reason:

The proposed development would, by reason of the intensification of the use of the site, have an adverse impact upon the residential amenity of adjoining and nearby residents and the character of the area. The proposal would also result in additional demands for very limited on street car parking, to the detriment of existing residents. The development would therefore be contrary to Policy LPD32 – Amenity.

19 APPLICATION NO. 2020/0581 - LAND TO REAR OF 169 MANSFIELD ROAD, PAPPLEWICK

Demolition of buildings (single storey arched and flat roof structures) and proposed 5no 3 bedroom bungalows.

Ann Incerti, a local resident, spoke against the application.

The Principal Planning Officer informed members that since the publication of the report an additional comments had been received from Papplewick Parish Council but these raised no new issues to those already contained within the report.

He then went on to introduce the report.

He concluded that the recommendation was to grant full planning permission subject to conditions set out in the report with two additional conditions in relation to off-street car parking and surface water drainage.

RESOLVED:

To Grant Full Planning Permission subject to conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form received on 19th June 2020 and deposited plans, drawing no's SI21/1078/3-01A, SI21/1078/5-A, SI21/1078/2-D,

SI21/1078/4-B, SI21/1078/9 and SI21/1078/8, received on 31st March 2022. The development shall thereafter be undertaken in accordance with these plans/details.

- 3 Before development hereby approved is first commenced a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include full details of both soft and hard landscape works together with detailed landscape plans and particulars which shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, and the frontages of properties such as driveways and footpaths to front doors, and (d) a programme of implementation. The landscape scheme would need to demonstrate compliance with Section 4 of Biodiversity Net Gain Metric and Section 5 of the Preliminary Ecological Assessment. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.
- 4 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 3, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Local Planning Authority.
- 5 The access driveway shall be surfaced in a hard-bound material (not loose gravel) for a minimum of 10.0 metres behind the Highway boundary and 4.8m in width as shown on drawing no. SI21/1078/2-D, before development is commenced. The surfaced drive shall then be maintained in such hard-bound material for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until the bin storage/ store/ collection point has been constructed and positioned within 25.0m of the public highway.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no development falling within Classes A, AA, B, C, D, E and/or F of Part 1 of Schedule 2 to that Order shall be carried out.

- 8 From the date of first occupation each dwelling shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations 2010. 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.
- 9 Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:
 - 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 and
 - 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.
- 10 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 to and approved in writing by the Local Planning Authority.
- 11 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.

- 12 No development shall take place until full details of finished floor levels, above ordnance datum, of the ground floors of the proposed dwellings and all hard landscaped surfaces, in relation to existing and proposed ground levels and cross sections of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.
- 13 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.
- 14 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.
- 15 Development shall proceed in accordance with the approved Arboricultural Implications Assessment and Arboricultural Method Statement (dated 09 June 2020) in respect of trees to retained and protective fencing to be erected.
- 16 Development shall proceed in accordance with the conclusions and recommendations outlined in Biodiversity Net Gain Metric report, dated 05 January 2023.
- 17 Prior to the commencement of development, a further badger survey shall be completed and submitted for written approval by the Local Planning Authority. Any mitigation identified in the approved report shall thereafter be adhered to.
18. No dwelling hereby approved shall be occupied until such time as all off street car parking spaces for each respective dwelling has been formed, together with the communal turning space, as detailed on plan reference SI21/1078/9. The turning area and car parking spaces shall remain in place for the lifetime of the development.
19. None of the dwellings hereby permitted shall be occupied until works for the disposal of surface water drainage and sewage

have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority. They shall remain in place for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development in accordance with the aims of policy LPD 10 of the Aligned Core Strategy.
- 4 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.
- 5 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
- 6 To enable the bins to be collected by the refuse team on collection day.
- 7 In order to protect the openness of the Green Belt.
- 8 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 Local Planning Document.
- 9 To ensure the development is safe and suitable for use, thereby taking into consideration the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 10 To ensure the development is safe and suitable for use, thereby taking into consideration the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 11 To ensure the development is safe and suitable for use, thereby taking into consideration the National Planning Policy Framework and policy LPD7 of the Local Planning Document.
- 12 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.

- 13 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.
- 14 To ensure that the character of the area is respected and to comply with policy ACS10.
- 15 To comply with policies LPD18 and LPD19.
- 16 To comply with policy LP18.
- 17 To comply with policy LP18.
- 18 To ensure there are measures to pro-actively manage surface water including the use of appropriate surface treatments and to accord with Policy LDP4 of adopted of the Local Planning Document.
- 19 To ensure the development hereby approved include measures to pro-actively manage surface water including the use of appropriate surface treatments and foul drainage and to accord with the National Planning Policy Framework and Policy LPD4 of the Local Planning Document.

Reasons for Decision

It is considered, given the scale, design and layout of the proposal, the proposed scheme would be appropriate development in the Green Belt, it would conserve and enhance the landscape character of the area, it would not result in harm to protected species and it would be acceptable from a residential amenity and highway safety perspective; in accordance with Sections 5, 11, 12, 13 and 15 of the National Planning Policy Framework, Policies 8 and 10 of the Aligned Core Strategy and Policies LPD 7, LPD 11, LPD 18, LPD 19, LPD 32, LPD 35, LPD 40, LPD 57 and LPD 61 of the Local Planning Document.

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised by letters of representation submitted in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The 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 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

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) and The Electric Vehicles (Smart Charge Points) Regulations 2021.

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

As part of the approval of details reserved by Condition 3 it is necessary to demonstrate how each of the plots is to be accessed from the shared access by virtue of materials.

**APPLICATION NO. 2023/0385TPO - ALL HALLOWS CHURCH,
ARNOLD LANE, GEDLING**

14 Lime trees within G1 & G2 – Re-pollard back to old points. Remove epicormics growth up to grown break.

The Principal Planning Officer introduced the report.

RESOLVED:

To Grant consent subject to the following conditions:-

Conditions

- 1 The works must be carried out in within 2 years beginning of the date of this permission.
- 2 The works hereby permitted shall be carried out in accordance with the application form and details submitted to the Local Planning Authority on 5th May 2023.
- 3 All works are carried out in accordance with BS 3998 2010 and by good arboricultural practice.

Reasons

- 1 In order to comply with Section 17 2(d) of Part 4 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- 2 For the avoidance of doubt and to define the terms of this permission.
- 3 In the interests of safety and good tree husbandry.

Notes to Applicant

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

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage,

destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

21 APPLICATION NO. 2023/0386TPO - LAND ADJACENT PAVILION ROAD, BESTWOOD

T! – Oak – Reduce lateral branches by 50% that are growing towards property fence.

The Principal Planning Officer introduced the report.

RESOLVED:

To Grant consent subject to the following conditions:-

Conditions

- 1 The works must be carried out in within 2 years beginning of the date of this permission.
- 2 The works hereby permitted shall be carried out in accordance with the application form and details submitted to the Local Planning Authority on 5th May 2023.
- 3 All works are carried out in accordance with BS 3998 2010 and by good arboricultural practice.

Reasons

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Notes to Applicant

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

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22 ENFORCEMENT REF: 0070/2023 - LAND TO THE NORTH OF 15 PADDOCK CLOSE, CALVERTON

Unauthorised change of use from residential garden to storage of building materials/equipment with associated siting of storage containers.

The Principal Planning Officer introduced the report.

RESOLVED:

That the Head of Development and Place, be authorised to take all relevant planning enforcement action including the service of any necessary enforcement notices and in conjunction with the Head of Governance and Customer Services, issue of proceedings through the courts, if required, to ensure the cessation of the unauthorised change of use of the site a storage facility and removal of all associated storage containers.

23 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

24 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

25 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 8.15 pm

Signed by Chair:
Date: