

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 27 March 2024**

Councillor Roy Allan (Chair)

In Attendance:                   Councillor Paul Wilkinson                   Councillor Catherine Pope  
  Councillor Michael Adams                   Councillor Grahame Pope  
  Councillor Sandra Barnes                   Councillor Sam Smith  
  Councillor David Ellis                   Councillor Ruth Strong  
  Councillor Andrew Ellwood                   Councillor Henry Wheeler  
  Councillor Ron McCrossen                   Councillor Russell Whiting  
  Councillor Lynda Pearson

Absent:                            Councillor Stuart Bestwick,                   Councillor Helen  
  Greensmith and Councillor Jane Walker

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

**85           APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Bestwick, Greensmith and Walker. Councillor Adams attended as substitute.

**86           TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 28 FEBRUARY 2024**

**RESOLVED:**

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

**87           DECLARATION OF INTERESTS**

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee in item 8 on the agenda, as Gedling Borough Council was the applicant and owned the land and on item 9 on the agenda, as Gedling Borough Council owned the land.

**88           APPLICATION NO. 2023/0913 - 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 of A W Lymn The Family Funeral Service (The Applicant), spoke in support of the application.

The Principal Planning Officer provided an update to the committee in respect of paragraph 7.14 of the report, which stated that the Section 106 legal agreement would ensure that if planning permission were to be granted, works could not commence on the current proposal until the previous proposal was substantially complete, but that it should read that if planning permission were to be granted, the current proposal could not be brought into use until the previous planning permission was substantially complete.

She added that the site location plan on page 19 of the public document pack was incorrect and then presented the correct plan to the committee.

She then went on to introduce the report.

**RESOLVED:**

To Grant Planning Permission, subject to the signing of a Section 106 legal agreement and 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 drawings and documents, received 22nd December 2023;-

Application forms

Drawing no. 2019-18-05 Elevations

Drawing no. 2019-18-04 Sections

Drawing no. 2019-18-02 C Proposed site plan and site location plan

- 3 No development shall be commenced until details of the materials identified below have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details. Facing stonework, Internal pathway and circulation area.

**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 interests of visual amenity

### **Reasons for Decision**

Appropriate facilities associated with cemeteries and burial grounds are an appropriate form of development within the Green Belt, subject to not conflicting with the purposes of including land within it e.g. openness considerations. The scheme has been re-designed to the minimum built-form necessary. However, there is still some built-form and the proposal does still have some impact on the openness of the Green Belt, albeit now limited. However, the development is inappropriate development within the Green Belt, due to this impact on the openness of the Green Belt. Very special circumstances exist which outweigh other policy considerations. These relate mostly to the need for such a facility within the area but also the link to the existing cemetery permission and the need for a rural location. As such, the proposal complies with paragraphs 152 and 153 of the NPPF. The proposal does not have an unacceptable impact on the visual amenity or landscape character of the area, residential amenity, highway safety, designated heritage assets, ecological considerations or ground water. As such, the proposal complies with the NPPF, Policies A, 1, 3, 10, 11 and 17 of the ACS, Policies 6, 19, 26, 30, 32, 57 and 61 of the LPD and Policies ISF1, ISF2, ISF3, BE1, BE5, NE3, NE4 and NE5 of the Calverton Neighbourhood Plan.

### **Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view

that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

**89 APPLICATION NO. 2023/0233 - LAND OFF MARION AVENUE, HUCKNALL**

Residential development of 30 dwellings with associated infrastructure, open space and landscaping with access from Marion Avenue.

Ashley Ankrett, a local resident, spoke against the application.

Clayton Penny of Chevin homes, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To GRANT PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 legal agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, public transport improvements; education; health; play equipment; monitoring and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

**Conditions**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:

Site Location Plan (ref: n2064\_001) - submitted 15th March 2023  
Planning Layout (ref: n2064\_008F) - submitted 6th February 2024  
House Type Pack Rev A - submitted 4th August 2023  
Preliminary Ecological Appraisal - Reference BG22.187 REV1 submitted 15th March 2023  
Open Space Plan (ref: n2064\_015C) - submitted 14th March 2024  
Ecological Impact Assessment (ref: BG22.187.13) - submitted 4th December 2023  
Biodiversity Impact Assessment for Net Gain - Reference BG22.187.2 submitted 15th March 2023

Design and Access Statement - (ref: n2064\_DAS) - submitted 15th March 2023

Flood Risk Assessment Report Ref: 2206730-01A - submitted 15th March 2023

Landscape Management Plan Ref: GL2077 - submitted 15th March 2023

Outline Trees, Arboricultural Consultancy Report Reference: JH0223ALISONAVE dated February 2023 - submitted 15th March 2023

Transport Technical Note Ref: 2206730-02 - submitted 15th March 2023

Soft Landscape Proposals (ref: GL2077 01 Rev A) - submitted 15th March 2024

3. No building shall be erected until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until details of all materials to be used for hard surfaced areas within the site including roads, footpaths, recreation areas, and car parking areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details so approved.
5. Occupation of any proposed dwellings shall not take place until such time as the site access arrangement via Marion Avenue as shown on drawing number Planning Layout (ref: n2064\_008F) - submitted 6th February 2024 has been provided in full.
6. Occupation of the proposed dwellings shall not take place until their respective driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
7. Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall provide details of, but not limited to, the following: a) Details of

noise, dust and vibration suppression b) Details of any compound and welfare areas to include their location and appearance, heights of any cabins to be sited, and details of any associated external lighting. c) Details of on-site materials storage areas d) Details of on-site construction parking and manoeuvring area, including loading and unloading of plant and materials e) Details of any crusher to be used on site f) Details of any piling which is required g) Details of reasonable avoidance measures (RAMs) in respect of protected species h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate i) Details of wheel washing facilities during construction j) A scheme for recycling/disposing of waste resulting from demolition and construction works. k) Details of the routing of deliveries and construction vehicles to site and any temporary access points. l) Details of any hoarding to be erected. The development shall be carried out in accordance with the approved details for its entire construction phase.

8. Development shall not 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. Thereafter, the development shall only commence in accordance with the Written Scheme of Investigation as approved.
  
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 Report Ref: 2206730-01A - submitted 15th March 2023 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:  
Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 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. No surcharge shown in a 1 in 1 year; No flooding shown in a 1 in 30 year.; 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.

10. All construction and/or demolition works on the site and all deliveries of construction materials to the site must only take place between the following hours: 0700 and 1900 on Mondays to Fridays (inclusive), and; 0800 and 1700 on Saturdays. There shall be no construction, demolition or associated deliveries whatsoever on the site on Sundays or on Bank or Public Holidays.
11. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Ecological Impact Assessment (ref: BG22.187.13) - submitted 4th December 2023 and the Biodiversity Impact Assessment for Net Gain - Reference BG22.187.2 submitted 15th March 2023 have been submitted to and approved by the Local Planning Authority. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.
12. The approved Landscaping Scheme pursuant to the Soft Landscape Proposals (Ref: GL2077 01 Rev A - submitted 15th

March 2024) and the Landscape Management (Plan Ref: GL2077 - submitted 15th March 2023)

must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved Landscaping Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

13. No development shall take place above damp proof course level until detailed drawings including materials, design, and heights of all boundaries treatments have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until such time as all boundary treatments are in place, which shall remain for the lifetime of the development.
14. From the date of first occupation every dwelling built on the 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.
15. The development hereby permitted must not be commenced until the tree protection measures as set out in the submitted Arboricultural Impact Assessment, Doc Ref: BG21.281.1 have been implemented in accordance with those approved details. Thereafter, all works to existing trees hereby given consent must be carried out in accordance with British Standard BS 3998:2010 Tree work - Recommendations. The approved tree protection measures must remain in place on the site throughout the construction of the development hereby permitted. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities are permitted within the protected area(s) without the written agreement of Local Planning Authority.
16. In the event that contamination is found at any time when carrying out the approved development 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 of the Local Planning Authority, 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.

- 17 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. To define the permission and for the avoidance of doubt.
3. To ensure the appearance of the development is satisfactory having regard to policies ASC10 and LPD26.
4. To ensure the appearance of the development is satisfactory having regard to policies ASC10 and LPD26.
5. In the interests of highway safety.
6. In the interests of highway safety.
7. 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.

8. To protect and record any potential heritage remains having regard to Policy LPD 30 - Archaeology of the adopted Local Plan.
9. A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
10. To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable noise pollution from the development hereby permitted, and to comply with policies ASC10 and LPD26.
11. To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 18 - Protecting and Enhancing Biodiversity of the adopted Local Plan and Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023).
12. To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy LDP19 - Landscape Character and Visual Impact.
13. To define the permission, to protect neighbouring amenity and to comply with policies ASC10 and LPD26.
14. 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.
15. To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to having regard to Policy LDP19 - Landscape Character and Visual Impact of the adopted Local Plan and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework (2023).
16. To ensure the development is safe and suitable for use.

- 17 To ensure the character of the area and residential amenity is respected and to comply with policies ACS10 and LPD32.

### **Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (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.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, then the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.

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 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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

The applicant is reminded that this permission is also subject to another planning application in respect of the access arrangement within the administrative area of Ashfield District Council. The applicant should also note that there are planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks

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, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Councillor Whiting left the meeting at 6:50pm.  
Councillor Whiting re-joined the meeting at 6:51pm.

**90 APPLICATION NO. 2021/0072 - LAND TO THE WEST OF MANSFIELD ROAD, REDHILL**

Proposals for 141 dwellings with associated landscaping, public open space, highways and infrastructure on land west of the A60, Redhill.

Robbie Locke of Cora Homes, the applicant, spoke in support of the application.

The Principal Planning Officer provided the following updates:

- In the committee report there was a typo as it was detailed that 141 dwellings were proposed, when a total of 144 dwellings were actually proposed.
- Two further letters of objection had been received, but all matters raised no new issues to those already contained within the published committee report.
- One letter of support had been received, made on the grounds that the development would provide an affordable home for a local resident with specific special needs requirements; that they had been waiting for suitable premises, but none were available; and that buying a new home and adapting it to their needs would be financially prohibitive.
- The Deputy Leader had made very late representation on the basis that a signalised traffic junction from Mansfield Road onto Adams Drive needed to be provided; that sufficient measures should be in place to limit water run-off from the site into housing at Phase 1 at Lodge Close, Larkspur Avenue, Henry Street and Richmond Gardens; that a pedestrian only link should be provided link to the existing public footpath to the south of the site; that additional tree planting should be provided along the green space between private shared drive, the SUDS and the adjacent rear of the

properties on Lodge Close, Larkspur Avenue, Henry Street and Richmond Gardens; and that there would be a loss of green space.

- The Highway Authority had responded to state that a further condition should be added to require more details to be provided in respect of the submitted Travel Plan. They also requested that obligations for bus stops could also be used to upgrade existing bus stop infrastructure.

He then went on to introduce the report.

Councillor McCrossen left the meeting at 7.20pm  
Councillor McCrossen re-joined the meeting at 7:21pm

### **RESOLVED:**

To GRANT PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 legal agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, education improvements; healthcare enhancements; bus stop installations; library improvements and a Local Labour Agreement; and subject to the conditions listed for the reasons set out in the report.

### **Conditions**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:

Site Location Plan	Plan Ref:	3424-01 A2	received	02 Feb
		2021		
Planning Layout	Plan Ref:	REDH-SK-001-I-A1		26
		September		2023
Materials Layout	Plan Ref:	02352 - 005-A-A1	received	02
		Feb		2024
Open Space Plan	Plan Ref:	Redh-SK-002-A1	received	13
		September		2023
Proposed House Type M2 604	24/Three	Plan Ref:	P243-	
		22017-001	-A2	received 19 April 2023
Proposed House Type B2	24/Three	Plan Ref:	P243-22017-	
		002-A2	received	19 April 2023
Proposed House Type 834 HQ1 2.1	24/Three	Plan Ref:	P243-22017-003	
		-A2	received	19 April 2023
Proposed House Type 904 HQ1 3.1	24/Three	Plan Ref:	P243-22017-004	
		-A2	received	19 April 2023

Proposed House Type BH\_725 24/Three Plan Ref: P243-  
 22017-005 -A2 received 19 April 2023

Proposed House Type BH\_866 24/Three Plan Ref: P243-  
 22017-006 -A2 received 19 April 2023

Proposed House Type BH\_891 24/Three Plan Ref: P243-  
 22017-007 -A2 received 19 April 2023

Proposed House Type BH\_937 24/Three Plan Ref: P243-  
 22017-008 -A2 received 19 April 2023

Proposed House Type BH\_986 24/Three Plan Ref: P243-  
 22017-009 -A2 received 19 April 2023

Proposed House Type BH\_1030 24/Three Plan Ref: P243-  
 22017-010 -A2 received 19 April 2023

Proposed House Type BH\_1142 24/Three Plan Ref: P243-  
 22017-011 -A2 received 19 April 2023

Proposed House Type BH\_1196 24/Three Plan Ref: P243-  
 22017-012 -A2 received 19 April 2023

Proposed House Type BH\_1220 24/Three Plan Ref: P243-  
 22017-013 -A2 received 19 April 2023

Proposed House Type BH\_1290 24/Three Plan Ref: P243-  
 22017-014 -A2 received 19 April 2023

Proposed House Type BH\_1324 24/Three Plan Ref: P243-  
 22017-015 -A2 received 19 April 2023

Proposed House Type BH\_1420 24/Three Plan Ref: P243-  
 22017-016 A-A2 received 19 April 2023

Proposed House Type BH\_1428 24/Three Plan Ref: P243-  
 22017-017 -A2 received 19 April 2023

Proposed House Type BH\_1578 24/Three Plan Ref: P243-  
 22017-018 -A2 received 19 April 2023

Proposed House Type BH\_1696 24/Three Plan Ref: P243-  
 22017-019 -A2 received 19 April 2023

Proposed Sectional Street Scenes 24/Three Plan Ref:  
 P243-22017-S01 C-A0 received 19 April 2023

Landscape and Visual Baseline Ref: edp4818\_r004b- B- A4  
 received 02 Feb 2021

Phase 1 and 2 Geo-environmental Site Assessment Ref: RSK  
 302161 R01 A4 received 02 Feb 2021

Travel Plan Ref: ADC-1759-RP-C-v3 3- A4 received 02 Feb  
 2021

Transport Assessment Ref: ADC-1759-RP-A-v4 4 A4  
 received 02 Feb 2021

Planning Statement Chave Planning Ref: 1046.R01.2 2  
 A4 received 02 Feb 2021

Arboricultural Technical Note Ref: edp4818\_r001a A  
 A4 received 02 Feb 2021

Flood Risk Assessment Ref: ADC-1759-RP-B-v2  
 received 02 Feb 2021

Design & Access Statement received 02 Feb 2021

Swept Path Analysis Refuse Vehicle Ref: DR-400B-A1  
 received 26 September 2023

s278 Arrangement Works - Phase 2 General Arrangement Ref:  
ADC2896-DR-101-P6-A1 received 26 September 2023  
Proposed Highway Lighting & Electrical Works Via Ref:  
H08630/4005-A2 received 26 September 2023  
Traffic signalised junction arrangement overall scheme layout  
Ref: TP2150932/TS101 - A2 received 26 September 2023  
Ecological Appraisal prepared by Environmental Dimensions  
Partnership LTd, Reference edp4818\_r006a received 02  
Feb 2021

3. Occupation of any proposed dwellings shall not take place until such time as the site access arrangement via Adams Drive (Phase 1) as shown on drawing number Planning Layout Plan Ref: REDH-SK-001-I-A1 received on 26 September 2023 has been provided in full.
4. No dwelling hereby approved shall take place until such time as the signal-controlled T-junction and associated works as detailed on s278 Arrangement Works - Phase 2 General Arrangement Ref: ADC2896-DR-101-P6-A1 received 26 September 2023, Proposed Highway Lighting & Electrical Works Ref: H08630/4005-A2 received 26 September 2023, and Traffic signalised junction arrangement overall scheme layout Ref: TP2150932/TS101 - A2 received 26 September 2023 drawings are fully complete and the signal control junction is operational
5. Occupation of the proposed dwellings shall not take place until their respective driveway has been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
6. Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall provide details of, but not limited to, the following: a) Details of noise, dust and vibration suppression b) Details of any compound and welfare areas to include their location and appearance, heights of any cabins to be sited, and details of any associated external lighting. c) Details of on-site materials storage areas d) Details of on-site construction parking and manoeuvring area, including loading and unloading of plant and materials e) Details of any crusher to be used on site f) Details of any piling which is



required g) Details of reasonable avoidance measures (RAMs) in respect of protected species h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate i) Details of wheel washing facilities during construction j) A scheme for recycling/disposing of waste resulting from demolition and construction works. k) Details of the routing of deliveries and construction vehicles to site and any temporary access points. l) Details of any hoarding to be erected. The development shall be carried out in accordance with the approved details for its entire construction phase.

7. 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 (Plan Ref: ADC-1759-RP-B-v2) received on 02 Feb 2021 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall: Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753 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. No surcharge shown in a 1 in 1 year; No flooding shown in a 1 in 30 year.; 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.

8. All construction and/or demolition works on the site and all deliveries of construction materials to the site must only take place between the following hours: 0700 and 1900 on Mondays to Fridays (inclusive), and; 0800 and 1700 on Saturdays. There shall be no construction, demolition or associated deliveries whatsoever on the site on Sundays or on Bank or Public Holidays.
9. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Ecological Appraisal prepared by Environmental Dimensions Partnership LTd, Reference edp4818\_r006a received 02 Feb 2021 have been submitted to and approved by the Local Planning Authority. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.
10. Notwithstanding the details contained within the landscape proposals contained on plan reference: Soft Landscape Proposals (ref: GL2077 01) - submitted 15th March 2023, the development hereby permitted must not be occupied or first brought into use until a further details of the Landscaping Scheme, have been submitted to and approved in writing by the Local Planning Authority. They shall include: a. details of all hard and soft landscaping features to be used and include the following: b. Detailed plans showing the location of all new trees and shrubs to be planted, including the number and/or spacing of shrubs in each shrub bed or hedgerow. c. A schedule of the new trees and shrubs (using their botanical/latin names) to be planted including their size at planting (height or spread for shrubs, height or trunk girth for trees); d. Plans showing the proposed finished land levels/contours of landscaped areas; e. Details of all proposed hard surfaces areas, retaining structures, steps, means of enclosure, surface finishes and any other hard landscaping features; f. Details of the protection measures to be used of any existing landscape features to be retained. The approved Landscaping Scheme must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved Landscaping Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next

planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

11. No development shall take place above damp proof course level until detailed drawings including materials, design, and heights of all boundaries treatments have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until such time as all boundary treatments are in place, which shall remain for the lifetime of the development.
12. From the date of first occupation every dwelling built on the 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.
13. The development hereby permitted must not be commenced until the tree protection measures as set out in the submitted Arboricultural Technical Note Ref: edp4818\_r001a Rev A received on 02 Feb 2021 have been implemented in accordance with those approved details, with the exception of Tree reference G20 which can be removed due to its unsafe condition. Thereafter, all works to existing trees hereby given consent must be carried out in accordance with British Standard BS 3998:2010 Tree work - Recommendations. The approved tree protection measures must remain in place on the site throughout the construction of the development hereby permitted. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities are permitted within the protected area(s) without the written agreement of Local Planning Authority.
14. Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:
  - a. 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.
- b. 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.
  - c. 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.
15. 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.
16. Development shall not commence until an assessment of the air quality impacts (including exposure) of the proposal has been submitted to, and approved in writing by, the Local Planning Authority. The level of assessment/mitigation should be commensurate with the scale of development and should characterise the significance of the impact from all sources. Any air quality assessment should be carried out in accordance with relevant guidance by suitably qualified persons. Measures required, mitigating the air quality impacts of the development should be submitted to, and approved in writing by, the Local Planning Authority in the form of an Air Quality Mitigation Statement. Any mitigation measures shall be implemented before the completion of the development and shall thereafter be retained for the life of the development.
17. 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.

18. Prior to the commencement of development hereby approved details of a Local Labour Agreement in relation to the construction phase of the development, and job creation once operational, shall be submitted to and approved in writing by the Local Planning Authority. The local labour agreement shall be implemented in accordance with the approved details thereafter.
19. No dwelling hereby approved shall be occupied until such time as the associated visitor car parking space has been formed, surfaced in a bound material (not loose gravel), and delineated and as a visitor parking space. It shall thereafter be retained for the lifetime of the development.

### **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. To define the permission and for the avoidance of doubt.
3. In the interest of highway safety.
4. In the interest of highway safety.
5. In the interest of highway safety.
6. In the interests of protecting neighbouring amenity and 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 Council's Local Plan.
7. A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major

developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

8. To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable noise pollution from the development hereby permitted, and to comply with policies ASC10 and LPD26.
9. To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 18 - Protecting and Enhancing Biodiversity of the adopted Local Plan and Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023).
10. To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy LDP19 - Landscape Character and Visual Impact.
11. To define the permission, to protect neighbouring amenity and to comply with policies ASC10 and LPD26.
12. 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.
13. To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to having regard to Policy LDP19 - Landscape Character and Visual Impact of the adopted Local Plan and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework (2023).
14. To ensure the development is safe and suitable for use.
15. To ensure the development is safe and suitable for use.
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 paragraph 192 of the National Planning Policy Framework (2023) and Policy LPD11.

17. To ensure the character of the area and residential amenity is respected and to comply with policies ACS10 and LPD32.
18. To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area and to accord with Policy LPD 48.
19. In the interest of highway safety and to define the permission having regard to Local Planning Document Policies LPD 57 and 61, and the Parking Provision for residential developments Supplementary Planning Document.

### **Notes to Applicant**

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that the proposed 141 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk concerns. It is therefore considered that the granting of planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

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.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, then the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the

land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.

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).

5. 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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.



The applicant should also note that there are planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)

**91 APPLICATION NO. 2023/0701 - SITE OF DAYBROOK LAUNDRY, MANSFIELD ROAD, DAYBROOK**

Erection of a 51 no. apartment retirement living development (use Class C3), landscaping, car parking and all associated works.

James Hanna of McCarthy Stone, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To Grant Planning Permission: Subject to the conditions listed for the reasons set out in the report:

**Conditions**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and report specification listed below:

Plan Ref: 22024-1000 P2 – location plan received 11.10.2023

Plan Ref: 22024-1002 P2 – proposed site plan received 18.09.2023

Plan Ref: 22024-1007 P2 – boundary treatment received 18.09.2023

Plan Ref: 22024-1010 P1 – GF plan received 18.09.2023

Plan Ref: 22024-1012 P1 - roof plan received 18.09.2023  
Plan Ref: 22024-1013 P1 – close boarded fence details received 18.09.2023  
Plan Ref: 22024-2000 P2 – south & east elevations received 18.09.2023  
Plan Ref: 22024-2001 P2 – north & west elevations received 18.09.2023  
Plan Ref: 22024-2010 P2 - streetscene received 18.09.2023  
Plan Ref: 22024-3000 P2 – site sections received 18.09.2023  
Plan Ref: 22024-3010 P2 – daylight review received 18.09.2023  
Plan Ref: R-2684-1C – landscape masterplan received 18.09.2023  
Plan Ref: 29688/104 Rev B – Proposed Kerbing Layout received 18.09.2023  
Design and Access statement dated June 2023, received 15.09.2023  
Phase I and II Site Appraisal ReF: MRN-PPC-00-XX-R-G-0002 received 15.09.2023  
Air Quality Assessment Ref: R6140-R1-V3 received 18.09.2023  
Preliminary Ecological Appraisal – Ref: RT-MME-158919-03 Rev B received 18.09.2023  
Flood Risk & Drainage Impact Assessment – Ref: 29688/DIA/WOB Rev 02 received 18.09.2023

3. No apartment hereby approved shall be occupied until such time as all car 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, and shall thereafter be retained for the life of the development.
4. Prior to the date of first occupation the development shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations and as detailed on Plan Ref: 22024-1002 P2 – proposed site plan received 18.09.2023. A minimum of two active charge points and, cable routes installed to at least one-fifth of the total number of parking spaces. 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 site users. They shall be thereafter maintained in the location as approved for the lifetime of the development.
5. The development hereby approved shall be undertaken in accordance with the submitted Flood Risk & Drainage Impact Assessment – Ref: 29688/DIA/WOB Rev 02 received 18.09.2023.
6. Prior to the commencement of development hereby approved details of a Local Labour Agreement in relation to the construction phase of the development, and job creation once operational, shall be submitted to and approved in writing by the Local Planning

Authority. The local labour agreement shall be implemented in accordance with the approved details thereafter.

7. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
8. No development shall commence until such time as a Waste Audit has been submitted and approved in writing by the Local Planning Authority, which shall demonstrate in both construction and operational phases of a proposed development, waste will be minimised as far as possible and that such waste as is generated will be managed in an appropriate manner in accordance with the Waste Hierarchy. In particular, the waste audit could cover the following:
  - a. the anticipated nature and volumes of waste that the development will generate;
  - b. where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
  - c. the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
  - d. any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete

Thereafter, development shall proceed in accordance with the approved Waste Audit.

9. The approved landscaping as detailed on the Soft Landscape Proposals (Plan Ref: R-2684-1C – landscape masterplan received 18.09.2023) shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area 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, shrub or seeded area of the

same species and size as that originally planted shall be planted at the same place.

- 10.**The materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 11.**Notwithstanding submitted details, prior to the use commencing, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter comply with the updated Travel Plan as approved.
- 12.**Each Unit of the development hereby permitted shall be occupied only by:
  - a) at least one person over the age of 60 years;
  - b) persons living as part of a single household with such a person or persons;
  - c) persons who where living in the unit as part of a single household with such a person or persons who have since died.
- 13.**Development shall not commence until a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) is 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. The agreed remediation scheme shall be implemented in accordance with the approved timetable of works.
- 14.**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.
- 15.**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 good practice 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.

16. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Preliminary Ecological Appraisal – Ref: RT-MME-158919-03 Rev B received 18.09.2023 have been implemented. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.

## **Reasons**

- 1) To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.
- 2) For the avoidance of doubt and to define the permission.
- 3) In the interest of highway safety and to comply with policy LPD61.
- 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 reduce the risk of flooding to the proposed development and future occupants and to comply with policy LPD4.
- 6) To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area and to accord with Policy LPD 48.
- 7) 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.
- 8) To accord with Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy and paragraph 049 of the Planning Practice Guidance.
- 9) To ensure a satisfactory form of development and appropriate landscaping of the site and to comply policy LPD19.
- 10) To ensure that the character of the area is respected and to comply with policies ASC10 and LPD26.

- 11) To ensure that the development encourages forms of travel other than the private motor vehicle and to comply with guidance within the NPPF.
- 12) In order to support the considerations of the viability assessment which effectively reduced the level of financial obligations required from this development based on the demographic of the proposed occupiers and given the lower level of parking provided, and subsequently to prevent the sale of these units on the open market to any individual and to comply with policies LPD36, LPD37 and LPD57.
- 13) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 189 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 189 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 15) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 189 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 16) To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 18 - Protecting and Enhancing Biodiversity of the adopted Local Plan and Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023).

### **Informatives**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2023, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

Works to the public highway are subject to the approval of the Highway Authority. For the new accesses works to be carried out to the satisfaction of the Highway Authority, you should contact Via (in partnership with Nottinghamshire County Council) on 0300 500 8080 or at Licences@viaem.co.uk to arrange for these works to take place.

The applicants should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional

flows, generated as a result of the development, without causing pollution.

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](http://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.

**92 APPLICATION NO. 2024/0071 - EAGLE SQUARE, FRONT STREET, ARNOLD**

Temporary planning permission of 12 Market Stalls to continue to trade for a further 12 months (change of use).

The Development Manager introduced the report.

**RESOLVED:**

To Grant Full Planning Permission subject to the conditions listed for the reasons set out in the report.

**Conditions**

- 1 This permission shall be for a period of 12 months only from the date of this permission, at the expiration of which time the market stalls and any ancillary structures shall be removed.
- 2 The development hereby permitted shall be completed in accordance with the following plans, received by the Local Planning Authority on 31 January 2024:

2020\_1042-BLOCK\_PLAN-916940  
2020\_1042-PLANNING\_STATEMENT-916944

## **Reasons**

- 1 To allow for the retention of a market facility within Arnold Town centre during the redevelopment of Arnold Market place and in the interests of the viability and vitality of the Town Centre.
- 2 For the avoidance of doubt.

## **Reasons for Decision**

The principle of the development is supported in that it will result in retention of a market facility in Arnold Town Centre whilst the Arnold Market redevelopment scheme is under construction and as such it will enhance the character of the area as well as enhance the vitality and viability of Arnold Primary and Secondary Shopping Area. Furthermore, the application would not be detrimental to residential amenity or highway safety. The application is, therefore, deemed to comply with policies A, 2, 6, 10 and 10 of the Aligned Core Strategy (2014); policies 32, 35, 49, 50, 53, and 61 of the Local Planning Document (2018) and guidance within the National Planning Policy Framework (notably chapters 2, 4, 6, 7, 9, and 12).

## **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 was no problems for which the Local Planning Authority had to seek a solution in relation to this application.

Additionally, your attention is drawn to the following:-Sufficient electric supply should be provided for the stalls. The trees in the area and the in situ seating area should be protected when installing the market stalls to prevent damage. Access must be allowed from High Street into the precinct for shop deliveries, emergency vehicles and disabled blue badge holders. As a public right of way it should not be blocked - unless an alternative route is arranged with Nottinghamshire County Council highways. The flood relief water storage tank under the Eagles Square shall remain accessible at all times. The applicant is advised that all planning permissions granted on or 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 given that there is no net additional increase of floorspace as a result of the development.



**APPLICATION NO. 2023/0778 - RICHARD HERROD CENTRE,  
FOXHILL ROAD CENTRAL, CARLTON**

New storage container associated with Gedling Southbank FC together with associated ground work in respect of site levels.

The Development Manager introduced the report.

**RESOLVED:**

To Grant 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 undertaken in accordance with the application form and the following drawings:- Steel Storage Container Adjacent Sports Pavillion Richard Herrod Leisure Centre Foxhill Road Scale 1:50 (Elevations); and- Site Location Plan (Amended and received 25th January 2024).

**Reasons**

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

**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. 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 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 at [www.gedling.gov.uk](http://www.gedling.gov.uk). 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 gross internal area of new build is less 100 square metres

**94 APPEAL REF: APP/N3020/W/23/3327141- 90 SOMERSBY ROAD,  
WOODTHORPE**

Proposed front porch extension, increase in ridge height of existing roof, erection of pitched roof over existing two storey side extension and construction of front and rear dormers.

**RESOLVED:**

To note the information.

**95 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**96 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.55 pm

Signed by Chair:  
Date: