

**MINUTES  
PLANNING COMMITTEE**

**Wednesday 27 August 2014**

Councillor John Truscott (Chair)

In Attendance:	Councillor Barbara Miller	Councillor	Cheryl
	Councillor Pauline Allan	Hewlett	
	Councillor Roy Allan	Councillor	Jenny
	Councillor Peter Barnes	Hollingsworth	
	Councillor Denis Beeston	Councillor Mike Hope	
	MBE	Councillor	Meredith
	Councillor Alan Bexon	Lawrence	
	Councillor John Boot	Councillor	Marje
	Councillor Ged Clarke	Paling	
	Councillor Bob Collis	Councillor	Lynda
	Councillor Andrew Ellwood	Pearson	
		Councillor	Colin
		Powell	

Councillor	Suzanne
Prew-Smith	
Councillor	Sarah
Hewson	

Absent: Councillor Chris Barnfather

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

**204 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Barnfather, who was substituted at the meeting by Councillor Hewson.

**205 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 AUGUST 2014.**

**RESOLVED:**

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

**206 DECLARATION OF INTERESTS.**

On behalf of all Planning Committee members, the Chair declared a non - pecuniary interest in item 6 on the agenda, on the grounds that the applicant is a fellow Councillor.

**APPLICATION NO. 2014/0214- BESTWOOD BUSINESS PARK, BESTWOOD, NOTTINGHAMSHIRE.**

Outline planning application for residential development of up to 220 dwellings, open space, landscaping, attenuation areas, access roads, associated works and demolition of the existing buildings. Detailed approval is sought for access arrangements from High Main Drive, with all other matters to be reserved

Mr Richard Hickman of Modwen Construction (the applicant) spoke in favour of the application.

The Service manager, Planning and Economic Development reported changes made to conditions 19 and 20 of the recommendation, details of which had been circulated at the meeting. The following rationale for the changed conditions was given:

**Changes to condition 19**

The Service Manager, Planning and Economic Development explained that the change alters when travel plan monitoring should commence and the period for which it should take place, clarifies that monitoring should take place for a period of 5 years and that it should commence at 50% occupation not when development complete. The change brings condition in line with County Council policy.

**Changes to condition 20**

The Service Manager, Planning and Economic Development explained that the County Council have advised that reference to trip types can be removed from condition 20 as these are used in relation to retail developments and not housing developments.

Reasons for both conditions would remain the same.

**RESOLVED: to GRANT OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards Public Transport, Travel Plan Monitoring, Educational Facilities, Health Facilities, Affordable Housing, Open Space; and subject to the following conditions:**

**Conditions**

1. Application for the Approval of the first phase Reserved Matters shall be made to the Borough Council not later than three years from the date of this permission. Details of Appearance, Landscaping, Layout and Scale (hereinafter called the Reserved

Matters) for each phase of development shall be submitted to and approved in writing by the Borough Council before any development within that phase begins and the development shall be carried out as approved. The development hereby permitted shall commence no later than two years from the date of approval of the last Reserved Matters to be approved.

2. The vehicular access hereby permitted shall be constructed in accordance with the Proposed Highway Works drawing (1144-01 Rev C), deposited on 4th July 2014.
3. Unless otherwise agreed by the Borough Council, development on any phase must not commence until details for that phase relating to the following have been complied with: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Borough Council. 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 Borough Council. 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 scheme shall be implemented in accordance with the approved details.
4. In the event that remediation is required to render the development suitable for use in any phase, the agreed remediation scheme shall be implemented for that phase in accordance with the approved timetable of works under condition 3 above. 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 Borough Council.
5. 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 Borough Council and once the Borough Council 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 Borough Council. The Remediation Scheme shall be implemented as approved.

6. Before development is commenced on any phase, including site clearance and demolition works, there shall be submitted to and approved in writing by the Borough Council a Dust Management Plan for that phase. The Plan shall be produced and carried out in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance).
7. Prior to the commencement of each phase of development hereby approved a Construction Environmental Management Plan (CEMP) for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Each CEMP shall include the following details: (1) the hedgerow and tree protection measures that shall be implemented for all retained woodland, trees and hedgerows approved as part of the landscaping details to be submitted as part of the reserved matters pursuant to this application. A statement shall also be provided which details how the protection measures shall be implemented so as to minimise damage and disturbance to habitats within the vicinity and the species they support. The protection measures shall accord with current British Standards in relation to design, demolition and construction (BS5837:2012 or any subsequent revision); (2) the measures that shall be implemented during the construction of that particular phase of the development so as to minimise water runoff and works pollution entering watercourses; and (3) the measures that shall be implemented so as to avoid any disturbance to nesting birds during that particular phase of construction.(4) details of traffic routes for Heavy Good Vehicular movements during the construction of that phase of development. (5) details of wheel washing facilities to be used by vehicles entering and leaving site during the construction of that phase of development ; and (6) details of how the principle of Best Practicable Means shall be applied in relation to minimising impact on the surrounding area during the construction of that particular phase of development in relation to noise and vibration and safeguarding air quality. The approved CEMP(s) and all details therein shall be implemented in accordance with the approved details throughout the construction period of that phase(s) of development.
8. No phase of development shall commence until a Phasing Schedule has been submitted and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in phases in accordance with the approved Phasing Schedule unless otherwise agreed in writing by the Local

Planning Authority prior to the commencement of a particular phase.

9. Before development is commenced on any phase there shall be submitted to and approved in writing by the Borough Council details of the parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays, and drainage (hereinafter referred to as reserved matters) for that phase. All details submitted to the Borough Council for approval shall comply with the County Council's Highway Design and Parking Guides which are current at the time the details are submitted. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
10. Prior to the commencement of any phase of development hereby approved there shall be submitted to and approved in writing by the Borough Council a site level survey plan for that phase of development showing existing and proposed site levels. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
11. Before development is commenced on any phase there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for that phase of the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council. The scheme to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques which incorporate at least two differing forms of SuDS treatment in accordance with Table 3.3 of CIRIA C697 'The SuDS Manual' prior to discharging from the site; (2) The limitation of surface water run-off to the equivalent Greenfield runoff rate; (3) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (4) Responsibility for the future maintenance of drainage features.
12. Before development is commenced on any phase there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage for that phase. The scheme shall be implemented in accordance with the approved details before the development is first brought

into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme to improve public transport infrastructure in the vicinity of the site. The scheme shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
14. Before development is commenced on any phase there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination, to be provided adjacent to the site boundaries and retained vegetation for that phase. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
15. Before development is commenced on any phase there shall be submitted to and approved in writing by the Borough Council details of a scheme for the incorporation of integrated bird and bat boxes within the fabric of a proportion of the houses for that phase; bird boxes should target species such as house sparrow, starling and swift. The scheme shall be implemented in accordance with the approved details before the development is first brought into use on that phase and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
16. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.
17. No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist, and any refugia which could be used by reptiles have been subject to hand searches. If any reptiles are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council. The mitigation

measures shall be implemented in accordance with the approved details before development commences.

18. Prior to the commencement of each phase of development hereby approved details of a local labour agreement to cover the construction of that phase of development shall be submitted to and approved in writing by the Borough Council. The local labour agreement shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Borough Council.
19. The development hereby permitted shall not be occupied or brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan to be approved by the Borough Council. The Travel Plan Coordinator's details shall be provided and continue to be provided thereafter to the Borough Council for a period of 5 years following 50% occupation of the development. The Travel Plan Coordinator shall remain in post for a period of 5 years following 50% occupation of the development.
20. The Travel Plan Coordinator shall submit reports to and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar to be approved by the Borough Council and submit such reports and updates to the Borough Council in accordance with the Travel Plan monitoring periods to be agreed by the Borough Council. The monitoring reports submitted to the Borough Council shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates to be approved in writing by the Borough Council.
21. The Travel Plan Coordinator shall within 3 months of first occupation produce or procure a full travel plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel to be approved by the Borough Council. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistently throughout the monitoring period with future travel initiatives, including implementation dates to the satisfaction of the Borough Council.
22. No part of any phase of the development hereby permitted shall be brought into use until all drives and parking areas for that phase are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in

such bound material for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

23. No part of any phase of the development hereby permitted shall be brought into use until the access driveways and parking areas for that phase are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
24. The wheel washing facilities required by condition 7 above shall be maintained in working order at all times during the construction period for each phase of development and shall be used by every vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
25. The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
26. The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees 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, roadways and the frontages of properties such as driveways and footpaths to front doors and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
27. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, 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 Borough Council 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 Borough Council.

28. Should any bats be found during demolition, work must stop immediately. If the bats do not voluntarily fly out, the aperture shall be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately for further advice and any advice must be followed before any further demolition work takes place.
29. During the construction phase, if any trenches are left open overnight, they should be left with a sloping end or ramp to allow badgers or other animals that may fall into the excavation to escape, and any pipes over 200 mm in diameter should be capped off at night to prevent animals from entering them.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
4. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
5. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
6. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework.
7. To ensure a satisfactory development in accordance with the aims of Sections 10 and 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy Submitted Documents.

**208 APPLICATION NO. 2014/0698- 31 LINGWOOD LANE,  
WOODBOROUGH.**

Remove condition 5 of planning consent no. 1991/0127 (agricultural tie).

**RESOLVED to Grant Consent to Remove Condition 5 of Planning Permission Number 1991/0127**

**Reasons for Decision**

In the opinion of the Borough Council insufficient demand exists to justify the retention of the planning condition restricting the occupation of the dwelling. The removal of the condition would be in accordance with the advice as set out in the National Planning Policy Framework.

**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.

**209 DISCHARGE SECTION 106 AGREEMENT- 31 LINGWOOD LANE,  
WOODBOROUGH.**

Removal of planning obligations attached to s106 agreement associated with Planning Application reference 1991/0127.

**RESOLVED: that Delegated Authority be granted to the Corporate Director to authorise the Council Solicitor and Monitoring Officer to Discharge the Section 106 Planning Agreement dated 23 April 1993, Planning Application reference 1991/0127.**

**210 APPLICATION NO. 2014/0579- 294 SPRING LANE, LAMBLEY,  
NOTTINGHAMSHIRE, NG4 4PE.**

Change of Use at Aspect Court from B1 office unit to D1 nursery/daycare unit.

Councillor Boot informed the Chair that he would not participate in the debate and determination of this item on the grounds of his personal, non - pecuniary interest, and left the meeting.

**RESOLVED: to GRANT PLANNING PERMISISON:** subject to the following conditions:

## **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be undertaken in accordance with the details as set out within the application forms received on the 15th April 2014, the plans received on the 15th April 2014, the plan received on the 30th May 2014, the Planning Statement received on the 15th April 2014 and the e-mail received from the applicant's agent confirming that paragraph 5.6 of the Planning Statement should specify that there would be a maximum of 10 full time and part time staff employed at the nursery.
3. There shall only be a maximum of 32 children accommodated at the premises at any one time.
4. The premises shall only be used as a children's nursery falling within a Class D1 (Non-Residential Institutions) use under The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 and for no other use.

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

## **Reasons for Decision**

The proposal is appropriate development within the Green Belt, results in no undue impact on the open character of the Green Belt or neighbouring properties and the proposal is acceptable from a highway safety viewpoint. The proposal therefore accords with policies contained within the Aligned Core Strategy, the National Planning Policy Framework and largely accords with policy C3 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

## **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.

### **211 APPEAL DECISION- 1 NOTTINGHAM ROAD, RAVENSHEAD.**

Councillor Boot re-joined the meeting.

#### **RESOLVED:**

To note the information.

### **212 PLANNING DELEGATION PANEL ACTION SHEETS.**

#### **RESOLVED:**

To note the information.

### **213 FUTURE PLANNING APPLICATIONS.**

#### **RESOLVED:**

To note the information.

### **214 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 7.00pm

Signed by Chair:

Date: