

**MINUTES
PLANNING COMMITTEE**

Wednesday 12 February 2025

In	Councillor Paul Wilkinson	Councillor Marje Paling
Attendance:	Councillor Sandra Barnes	Councillor Lynda Pearson
	Councillor Stuart Bestwick	Councillor Catherine Pope
	Councillor David Ellis	Councillor Sam Smith
	Councillor Rachael Ellis	Councillor Ruth Strong
	Councillor Andrew Ellwood	Councillor Jane Walker
	Councillor Helen Greensmith	Councillor Henry Wheeler
	Councillor Julie Najuk	Councillor Russell Whiting

Absent: Councillor Roy Allan and Councillor Grahame Pope

Officers in Attendance: N Bryan, C Goodall, J Krawczyk, N Osei, H Stylianou and C Turton

46 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Allan and Grahame Pope.

Councillors Rachael Ellis and Paling attended as substitutes.

47 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 27 NOVEMBER 2024

RESOLVED:

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

48 DECLARATION OF INTERESTS

Councillor Najuk declared a non-pecuniary interest in item 4 on the agenda, and confirmed they would leave the meeting during consideration of the item and would not participate in the discussion or vote.

Councillor Rachael Ellis declared a non-pecuniary interest in item 9 on the agenda, and confirmed they would leave the meeting during consideration of the item and would not participate in the discussion or vote.

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee in items 5, 7 and 8 on the agenda, as the Council owned either part of or all the land on these applications.

49 APPLICATION NO. 2024/0526 - FRIAR TUCK, GEDLING ROAD, ARNOLD

Councillor Najuk left the meeting.

Demolition of existing buildings and erection of a 51 no. apartment retirement living development (Use Class C3), landscaping, car parking and associated works.

Carole Ball, a local resident, spoke against the application.

Matthew Serginson, Development Director of McCarthy & Stone Retirement Lifestyle Ltd (The Applicant), spoke in support of the application.

The Development Manager introduced the report.

RESOLVED to:

Grant Planning Permission: Subject to the owner(s) entering into a planning obligation secured through a Section 106 legal agreement with the Borough Council as the Local Planning Authority and the County Council to secure an affordable housing contribution, a contribution towards bus stop infrastructure and travel plan monitoring, a healthcare contribution and a Local Labour Agreement; and the conditions listed for the reasons set out within 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:

0100	P03	–	Site	Location	Plan
0101	P02	–	Existing	Site	Plan
0102	P08	–	Proposed	Site	Plan
0104	P03	–	Ground	Floor	Plan
0105	P02	–	Upper	Floors	Plan
0106	P02	–		Roof	Plan
0107	P05	–	Boundary	Treatment	Plan
0108	P02	–	Buggy	and Bin	Store

0120	P06	–	North	and	West	Elevations
0121	P04	–	South	and	East	Elevations
0122		P06		–		Streetscenes
0130		P04	–		Site	Sections
0140 P03 - Design and Access Statement						
Existing			Drainage		Plan	P01
Existing			Impermeable	Area	Plan	P01
Proposed			Foul Water	Drainage	Plan	P02
Proposed			Surface Water	Drainage	Plan	P02
Proposed			Impermeable	Area	Plan	P02
Proposed			Cut and	Fill	Layout	P01
Proposed			Levels		Layout	P04
R/2778/1B			–	Landscape		Masterplan
Site			Access		Plan	P05
Swept Path Plan P04						
Travel	Plan		(pb	associates,		2024)
Air	Quality		Assessment	(NoiseAir,		2024)
Arboricultural	Impact		Assessment	Middlemarch,		2024)
Arboricultural	Method		Statement	(Middlemarch,		2024)
Biodiversity Statement and Metric assessment (Middlemarch, 2024)						
Preliminary	Ecological		Appraisal	(Middlemarch,		2024)
Energy			Statement	(Focus,		2024)
Flood Risk and Drainage Impact Assessment (GGP Consult, 2024)						
Phase I	Site		Appraisal	(Patrick Parsons,		2024)
Phase II	Site		Appraisal	(Patrick Parsons,		2024)
Preliminary	Arboricultural		Assessment	(Middlemarch,		2024)
Preliminary	Bat Roost		Assessment	(Middlemarch,		2024)
Transport			Statement	(pb associates,		2024)
Planning			Statement	(Planning Potential		2024)
Preliminary Bat Roost Assessment, Ground Level Tree Assessment and Aerial Inspection Survey (Rev A) (Middlemarch, 2024)						

3. Occupation of the proposed development shall not take place until the parking layout as shown for indicative purposes on drawing EVS2964-BSA-ARC-00-DR-A-0102 has been provided. The parking layout shall be maintained in accordance with the approved details for the lifetime of the development.
4. Occupation of the proposed development shall not take place until the existing site access has been permanently closed and the crossing has been reinstated to footway with full height kerbs.
5. Occupation of the proposed development shall not take place until the site access is fronted by a dropped kerb vehicular crossing.

6. Occupation of the proposed development shall not take place until the site access has been constructed with provision to prevent the discharge of surface water from the access to the public highway. The provision to prevent the discharge of surface water from the access to the public highway shall be retained for the lifetime of the development.
7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
8. No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.
9. Prior to first occupation the agreed eleven (11) EV charging points should be operational and available for residents and staff. 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.

10. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
11. Unless otherwise agreed by the Local Planning Authority, development must 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.
12. 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.
13. 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.
14. Development may not be begun unless:
 - a) a biodiversity gain plan has been submitted to the planning authority; and
 - b) The planning authority has approved the plan.

Development shall thereafter be carried out in accordance with the approved biodiversity gain plan, in accordance with the timings agreed by the biodiversity gain plan.

15. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

16. The development hereby approved shall be carried out in strict accordance with the recommendations set out in the Preliminary Ecological Appraisal (PEA) report (Middlemarch, 2024a), recommendations R3-R6 within the Preliminary Bat Roost Assessment report – Rev A (Middlemarch, 2024b), and the mitigation strategy and recommendations within the Bat Surveys & Mitigation Strategy report (Middlemarch, 2024c).

17. Prior to the commencement of development, in accordance with the recommendations of the submitted Preliminary Ecological Appraisal (Middlemarch, 2024) a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved details thereafter.

18. Prior to the commencement of development, in accordance with the recommendations of the submitted Preliminary Ecological Appraisal (Middlemarch, 2024) a Landscape and Ecology Management Plan shall be submitted to and approved in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved details thereafter.

19. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the site or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

20. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy 30097/DIA/WOB 19th July 2014, GGP Consult, 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.

21. 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.

22. 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 were living in the unit as part of a single household with such a person or persons who have since died.
23. Samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.
24. The development hereby approved shall be carried out in accordance with the recommendations set out in the part 3 of the submitted Arboricultural Method Statement (Middlemarch, 2024).
25. Prior to demolition of the existing building on site details of a programme of historic building recording (including elevations, floor plans and internal features in the form of measured drawings and photographs and any relevant elements of architectural/historical analysis) shall first be submitted to and approved in writing by the local planning authority. Recording shall thereafter be carried out prior to the demolition, in accordance with the approved details. The recording shall be presented in format as agreed in the approved programme, and a copy lodged with the Local Planning Authority and Nottinghamshire Historic Environment Record.

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 in accordance with policy LPD61.
- 4) In the interest of highway safety in accordance with policy LPD61.
- 5) To ensure drivers can cross the footway in a safe and controlled manner in accordance with policy LPD61.
- 6) In the interest of highway safety in accordance with policy LPD61.
- 7) In the interest of highway safety in accordance with policy LPD61.

- 8) To ensure that the development encourages forms of travel other than the private motor vehicle and to comply with guidance within the NPPF.
- 9) 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.
- 10) 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.
- 11) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 196 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 12) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 196 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 13) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 196 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 14) To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) - Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 15) To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) - Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 16) In the interest of preserving protected habitats and species in accordance with policy LPD18 of the Local Planning Document (2018).
- 17) In the interest of preserving biodiversity in accordance with policy LPD18 of the Local Planning Document (2018).
- 18) In the interest of preserving biodiversity in accordance with policy LPD18 of the Local Planning Document (2018).

- 19)To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policy 10 of the Aligned Core Strategy LPD19 of the Local Planning Document (2018)
- 20)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.
- 21)To accord with Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy and paragraph 049 of the Planning Practice Guidance.
- 22)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.
- 23)To ensure that the character of the area is respected and to comply with policies ACS10 and LPD40.
- 24)To protect the retained trees throughout the development in accordance with policy LPD19 of the Local Planning Document (2018).
- 25)To ensure and safeguard the recording and inspection of matters of archaeological and historical importance associated with the building, in accordance with Policy LPD 26 and 31

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 2024, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

The development makes it necessary to construct/reinstate a vehicular crossing of the public highway, which is land subject to the

provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you are required to obtain a licence. Please contact licences@viaem.co.uk for further details.

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

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.

Please note that this grant of planning permission does not override the need to comply with the Wildlife and Countryside Act or need to ensure protected species are not detrimentally impacted.

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APPLICATION NO. 2024/0708 - NOTTINGHAMSHIRE FIRE AND RESCUE HEADQUARTERS, BESTWOOD LODGE DRIVE

Councillor Najuk re-joined the meeting.

Full planning application to demolish existing buildings and develop a new private residential therapy and treatment centre, together with associated infrastructure and landscaping.

Martin Preston - CEO of Delamere Health (The Applicant), spoke in support of the application.

The Principal Planning Officer provided an update in respect of the wording of conditions 5, 15, 20, 27, 30 and 32 the wording of which should be altered from 'no development should be commenced until certain further details are submitted to and approved in writing by the local planning authority', to 'no development other than demolition and remediation shall be commenced until certain further details are submitted'.

They added that an additional condition was recommended to secure a construction ecological management plan at the request of the Council's Ecological Officer.

They concluded that there had been a late consultation response by The Environment Agency, who had requested that conditions be attached to the grant of any planning permission, not regarding flooding but regarding land contamination, and recommended that these conditions be attached should planning permission be granted.

They then went on to introduce the report.

RESOLVED:

To GRANT PLANNING PERMISSION subject to the signing of a Legal Agreement with the Borough Council as the Local Planning Authority and the County Council to secure Travel Plan monitoring and a local labour agreement, and the following updated conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted documents;-

Existing Plans, received 18th November 2024
Proposed Elevation Plans, 23rd October 2024
Proposed Floor Plans, received 3rd October 2024
Proposed Site Plan, received 3rd October 2024
Site Location Plan, received 3rd October 2024
Application Form, received 3rd October 2024
Drawing no. PBL5-BSP-ZZ-ZZ-DR-D-0001 Rev P02, received 23rd January 2025

- 3 No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.

- 4 The development shall not be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries, cycle storage area and bin storage area, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is first brought into use.
- 5 No development (other than demolition and remediation) shall be commenced until full details of hard landscape works have been submitted to and approved in writing by the local planning authority. The scheme as approved shall be carried prior to the first occupation of the development.
- 6 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy 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 175.
 - 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.
- Details of the proposed Swales and Soakaways are required prior to the discharge of condition stage.

- 7 From 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. A minimum of three (3) active chargepoints and, cable routes installed to at least one-fifth of the remaining 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.
- 8 No part of the development hereby permitted shall be brought into use until the cycle parking store as indicated on the submitted site plan, has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.
- 9 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. The CEMP should include detailed plans for all relevant mitigation recommendations set out within the EclA report. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

- 10 Development may not be begun unless:
- (a) a biodiversity gain plan has been submitted to the planning authority; and
 - (b) The planning authority has approved the plan.

Development shall thereafter be carried out in accordance with the approved biodiversity gain plan, in accordance with the timings agreed by the biodiversity gain plan.

- 11 The Biodiversity Gain Plan shall be prepared in accordance with the Ecological Impact Assessment, received 3rd October 2024 and the BNG Metric, received by the Local Planning Authority 3rd October 2024.

- 12 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

- 13 Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
 - (b) habitat creation and enhancement works as set out in the HMMP have been completed.
- 14 Monitoring reports shall be submitted to and approved in writing by local planning authority in accordance with the methodology and frequency specified in the approved HMMP.
- 15 a) Development (other than demolition) must not commence until the following has 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 Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.

Submission of Remediation Scheme

Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

b) 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.

c) 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 No development shall commence until a Waste Audit has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details. Specific guidance on what should be covered within a waste audit is provided within paragraph 049 of the National Planning Practice Guidance.
- 17 Development shall not commence until a pre-commencement badger survey has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.
- 18 Development shall not commence until precise details of wildlife friendly lighting both during and post-development 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.
- 19 If protected species are encountered during development then works should halt, the scheme ecologist should be consulted and the Local Planning Authority informed. Works should not re-commence until any required mitigation measures to ensure no adverse impact to that species have been submitted to the Local Planning Authority and approved in writing. Development shall then re-commence in accordance with the approved details.
- 20 Development (other than demolition and remediation) shall not commence until an ecological enhancement plan, including enhancement recommendations made within the EcIA report, such as installation of a variety of bat and bird boxes on retained site trees within the site has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
- 21 All retained trees, and hedges must be protected in accordance with the submitted tree survey and implemented before and during construction phases.
- 22 If the tree protection fencing layout is altered from what is shown within the Tree Protection Plan - site location plan Tree Protection Plan RSE_8329_TPP then the Council's Arboricultural Officer must be notified and must agree in writing to any such alterations prior to any works being carried out within the root protection area

of retained trees. Development shall thereafter be carried out in accordance with the approved details.

- 23 No development shall take place until a date for the Council's Arboricultural Officer to inspect the installed tree protection fencing in accordance with tree survey as part of the pre-development preparations has been agreed in writing by the Local Planning Authority.
- 24 Any structures built on the site should comply with current building regulations and NHBC Chapter 4.2 - Building near Trees (2022) 6. Foundation depths for buildings near or adjacent to trees should consider the potential size of the trees at maturity and their subsequent water demand. The soil types throughout the site should be fully investigated and appropriate measures taken. If trees are removed across the site, the potential for soil heave should be assessed and foundations designed accordingly.
- 25 No development shall be commenced until the following details 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.
 1. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted
 2. a schedule detailing sizes and numbers/densities of all proposed trees/plants
 3. specifications for operations associated with plant establishment and maintenance that are compliant with best practise
 4. a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details.
- 26 There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees.
- 27 Development shall not commence (other than demolition and remediation) until precise details of the following 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.

Samples and details of the finish of all lighting

Parking delineation
Details of the cycle store
Details of the external pavilion
Location and details of any plant required

- 28 The proposed development hereby permitted shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan.
- 29 The proposed development hereby permitted shall not be brought into use until the highway works as shown on drawing number PBL5-BSP-ZZ-ZZ-DR-D-0001 Rev P02, received by the Local Planning Authority, 23rd January 2025, have been provided.
- 30 No part of the development shall be commenced (other than demolition and remediation) 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.
- 31 No development (other than demolition and remediation) shall be commenced until a Construction Ecological Management Plan to protect retained habitats and protected or priority species during the planned works has been submitted to and agreed in writing by the Local Planning Authority. The CEMP should include detailed plans for all relevant mitigation recommendations set out within the EclA report. Development shall thereafter commence in accordance with the approved details.
- 32 No drainage systems for the infiltration of surface water to the ground are permitted unless precise details have been submitted to and agreed in writing by the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall thereafter be carried out in accordance with the approved details.
- 33 No piling or any other foundation designs using penetrative methods shall be carried out unless precise details have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. A site-specific piling risk assessment

must be provided for review and approval by LPA / EA prior to commencing piling activities on the site.

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 and heritage.
- 4 In the interests of visual amenity and heritage.
- 5 In the interests of visual amenity and heritage.
- 6 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.
- 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 ensure that adequate cycle provision has been provided.
- 9 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 and in the interest of biodiversity.
- 10 To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 11 To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 12 To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and

Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 13 To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 14 To ensure that 10% BNG is achieved at the site in accordance with The Environment Act (2021) – Biodiversity Net Gain and Schedule 7A of the Town and Country Planning Act 1990 (as amended).
- 15 To ensure the development is safe and suitable for use, thereby taking into consideration the National Planning Policy Framework and Policy LPD7 of the Councils Local Plan.
- 16 To minimise the creation of waste.
- 17 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 18 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 19 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 20 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 21 In the interests of visual amenity and biodiversity.
- 22 In the interests of visual amenity and biodiversity.
- 23 In the interests of visual amenity and biodiversity.
- 24 In the interests of visual amenity and biodiversity.
- 25 In the interests of visual amenity and biodiversity.
- 26 In the interests of visual amenity and biodiversity.
- 27 In the interests of visual amenity and heritage.
- 28 To promote sustainable travel.
- 29 To promote sustainable travel, in the general interest of highway safety.

- 30 In the interests of visual amenity and in order to preserve the openness of the Green Belt.
- 31 In the interests of biodiversity and in order to comply with Policies ACS17 LPD18.
- 32 To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the NPPF.
- 33 To ensure that any proposed penetrative foundation solutions do not harm groundwater resources in line with paragraph 180 of the National Planning Policy.

Informatives

- 1 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.
- 2 An informative should be added advising the applicant that any new signage may require advertisement consent.
- 3 The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2023). 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.
- 4 With regards to condition 10, the biodiversity gain plan must include :
 - (a) information about the steps taken or to be taken to minimise the
 - (b) adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
 - (b) the pre-development biodiversity value of the onsite habitat;

- (c) the post-development biodiversity value of the onsite habitat;
 - (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
 - (e) any biodiversity credits purchased for the development; and
 - (f) any such other matters as the Secretary of State may by regulations specify.
 - (g) timings for implementation
- 5 With regards to condition 7, 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
- 6 A claim for a bridleway has been made along the track that the applicant proposes to use for access. The applicant is strongly advised to contact countryside.access@nottsc.gov.uk for further information regarding the status of the claim and the impact that this may have on the proposal. If the claim for a bridleway is successful, this will need to be accommodated within the development.
- 7 It is recommended that the Secured by Design standard is adopted as part of this property redevelopment. Nottinghamshire Police Designing Out Crime Officers will be available to provide ongoing guidance to the developer in the adoption of the SBD standards, Further information can be found at:
- https://www.securedbydesign.com/images/COMMERCIAL_GUIDE_2023_v4.pdf
- 8 The developer is encouraged to consider site security during construction and review the relevant guide:
- https://www.securedbydesign.com/images/CONSTRUCTION_SITE_SECURITY_GUIDE_A4_8pp.pdf
- 9 The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here – <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

- 10 There may be a gas pipeline close to the site. The applicant is advised to contact Cadent Gas for further information.

51 APPLICATION NO. 2023/0851 - LEIVERS COURT, DOURO DRIVE, ARNOLD

Demolition of existing care home and construction of a 3-storey building to incorporate 22 flats providing supported accommodation, staff office, and communal hub, and the erection of 8 semi-detached dwellings including access, parking and turning.

The Development Manager introduced the report.

RESOLVED:

To Grant Planning Permission: Subject to the owner(s) entering into a planning obligation secured through a Section 106 legal agreement with the Borough Council as the Local Planning Authority and the County Council to secure an affordable housing, parks and public open space enhancements, bus stop infrastructure, a healthcare contribution and a local labour agreement; and the conditions listed for the reasons set out within 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:
 - Design and Access Statement
 - Phase 1 Geo-Environmental Desk Study (GI Associates)
 - Existing Tree Survey Report (Paul Hicking Associates)
 - Drainage Strategy (BSP Consulting)
 - Flood Risk Statement (BSP Consulting)
 - Levels Strategy (BSP Consulting)
 - Swept Path Analysis (BSP Consulting)
 - Protected Species Survey (Paul Hicking Associates)
 - Emergence Survey (Thompson Ecology)
 - Technical Note (Thompson Ecology)
 - 47492_T – Topographical Survey
 - 2339-01 – Tree Survey and Root Protection Areas
 - 2759/P 100 – Site Location Plan
 - 2759/P 102D – Proposed Site Plan
 - 2759/P 103 – Proposed Site Section
 - 2759/P 200A – Plots 1-4

2759/P 201A – Plots 5-6
2759/P 202A – Plots 7-8
2759/P 203C GF Plans – Flats
2759/P 204C FF Plans – Flats
2759/P 205C SF Plans – Flats
2759/P 206B Elevations – Flats

3. Prior to occupation, details of the proposed arrangements and plan for future management and maintenance of the private road including associated drainage should be submitted to and approved in writing by the Local Planning Authority. The private road and drainage shall thereafter be maintained in accordance with the approved management and maintenance details, until such time that a private Management and Maintenance Company has been established.
4. The access into the site shall remain hard surfaced in a bound material. The surfaced drive shall then be maintained in such hard-bound material for the life of the development.
5. No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy LCDD-BSP-XX-XX-T-W-0001-P01_Drainage_Strategy, 25th October 2023, BSP Consulting., 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.
6. From the date of first occupation every property 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.
 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.

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. Prior to commencement of development, a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

10. Samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.

11. Prior to the commencement of development, a scheme of landscaping showing the location, species and size of

specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority.

12. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

13. Prior to the commencement of development, the following shall be complied with:

A) Site Characterisation

An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.

B) Submission of Remediation Scheme

Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

14. 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.

Reasons

- 26) To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.
- 27) For the avoidance of doubt and to define the permission.
- 28) To ensure that the road infrastructure is maintained to an appropriate standard in accordance with policy LPD61 of the Local Planning Document (2018).
- 29) To reduce the possibility of deleterious material being deposited on the public highway in the interest of highway safety in accordance with policy LPD61 of the Local Planning Document (2018).
- 30) 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.
- 31) 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.

32)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.

33)To accord with Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy and paragraph 049 of the Planning Practice Guidance.

34)To protect the retained trees throughout the development in accordance with policy LPD19 of the Local Planning Document (2018).

35)To ensure that the character of the area is respected and to comply with policies ACS10 and LPD40.

36)To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policy 10 of the Aligned Core Strategy LPD19 of the Local Planning Document (2018)

37)To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policy 10 of the Aligned Core Strategy LPD19 of the Local Planning Document (2018)

38)To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 196 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

39)To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 196 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

40)To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 196 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

Informatives

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2024, 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

All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015) and The Electric Vehicles (Smart Charge Points) Regulations 2021. The submitted Tree Protection Plan and Arboricultural Impact Assessment required by condition 10 shall detail include the following:

- a) Location and installation of services/ utilities/ drainage.
- b) Details of construction within the RPA or anything that may impact on the retained trees.
- c) A full specification for the installation of boundary treatment works.
- d) A full specification for the construction of any new roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.

- e) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- f) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- g) A specification for scaffolding and ground protection within tree protection zones.
- h) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- i) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- j) Boundary treatments within the RPA
- k) Methodology and detailed assessment of root pruning
- l) Arboricultural supervision and inspection by a suitably qualified tree specialist
- m) Reporting of inspection and supervision
- n) Methods to improve the rooting environment for retained and proposed trees and landscaping

52

APPLICATION NO.2024/0910 - SOLAR FARM, ARNOLD LANE, GEDLING

Solar Farm – Variation of condition 16 of planning permission 2014/0633 to allow retention of solar farm for 40 rather than 25 years.

The Principal Planning Officer introduced the report.

RESOLVED:

To GRANT PLANNING PERMISSION subject to the signing of a Legal Agreement and the following conditions:

- 1 The development hereby permitted shall be read in accordance with the following approved plans and documents submitted as part of planning application 2014/0633:

Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01, received on 28th June 2013; Technical Details 1 (4020 1069-69.2), received on 23rd July 2013; PV Array Elevation and Section (000903_09 Rev A), Technical Details 2 (4020 1069-69.2), DNO Substation and Customer Switchgear Enclosure (000903_10 Rev A), LV Station

Arrangement (3 no.) (000903_08 Rev A), deposited on 19th May 2014; Site Location Plan (000903_04 Rev D) received on 29th May 2014; and the revised Site Layout - Planning (000903_01_PL Rev B), received on 18th August 2014.

- 2 The surface water drainage scheme approved on 4th September 2014, under application no: 2014/0619DOC shall be retained for the lifetime of the development.
- 3 The CCTV cameras shown on the details approved on 4th September 2014, under application no: 2014/0619DOC shall be retained for the lifetime of the development.
- 4 The sub-station adjacent to the western boundary shall remain a dark green finish for the lifetime of the development.
- 5 The proposed Solar Farm and associated works hereby permitted shall be dismantled and removed from the site within 6 months at the end of 40 years from it first being brought into use or in the event of it becoming non-operational, whichever is the sooner, and the site re-instated and returned to its original condition.
- 6 The measures contained within the Habitat Management Plan reference 424.05075.00002, version No. 1, October 2016, submitted as part of planning application 2014/0633 shall be maintained and retained for the lifetime of the development.

Within three months of the development hereby permitted first being brought into use, there shall be submitted to and approved in writing by the Borough Council a Habitat Management Plan, detailing works to enhance the retained grassland beneath the solar arrays, including a sensitive mowing regime, the re-seeding of disturbed areas, and the over-seeding of the whole compound site with a wildflower seed mix to raise its botanical diversity (further details of which, including species mixes, should be submitted within the Habitat Management Plan). The Habitat Management Plan shall be complied with and implemented as approved and shall thereafter be maintained or retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

Reasons

- 1 Reason: For the avoidance of doubt.
- 2 Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures

- 3 Reason: In the interests of amenity
- 4 Reason: In the interests of visual amenity
- 5 Reason: In the interests of visual amenity
- 6 Reason: To enhance biodiversity

Informatives

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 39 of the National Planning Policy Framework based on seeking solutions to problems arising in relation to dealing with the planning application.

53 APPLICATION NO.2024/0802 - EAGLE SQUARE, FRONT STREET, ARNOLD

Use of land for siting 12 market stalls.

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 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; and
Layout Plan – Bin Storage.

Reasons

- 1 For the avoidance of doubt.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 39 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 disable 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.

54

**APPLICATION NO. 2024/0752TPO - BESTWOOD COUNTRY PARK,
BESTWOOD LODGE DRIVE**

Councillor Rachael Ellis left the meeting.

Removal of 14 Sycamore trees (G1)- Remove trees due to poor structural condition and damage caused by squirrels.

The Development Manager introduced the report.

RESOLVED:

To Grant permission subject to the following conditions:

Conditions

- 1 The works must be carried out within 2 years beginning of the date of this permission.
- 2 The works are to be carried out in accordance with the submitted Site Plan and Application Form received: 18/10/2024
- 3 All works are carried out in accordance with BS 3998 2010 and by good arboriculture practice.

Reasons

- 1 In order to comply with Section 17 2(d) of Part 4 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2 For the avoidance of doubt and to define the terms of this permission.

3 In the interests of safety and good tree husbandry.

Notes to Applicant

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

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019).

55 AUTHORITY MONITORING REPORT APRIL 2023 - MARCH 2024

Councillor Rachael Ellis re-joined the meeting.

The Assistant Director of Place introduced a report, which had been circulated in advance of the meeting, asking Members to note the Gedling Borough Council Authority Monitoring Report April 2023 – March 2024.

RESOLVED:

To note the Gedling Borough Council Authority Monitoring Report April 2023 - March 2024 attached as Appendix A.

56 FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2024

The Assistant Director of Place introduced a report, which had been circulated in advance of the meeting, asking Members to note the latest year housing land supply assessment.

RESOLVED:

To note the Gedling Borough Five Year Housing Land Supply Assessment 2024 published in December 2024, attached as Appendix 1.

57 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

58 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

59 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.00 pm

Signed by Chair:
Date: