

**MINUTES
PLANNING COMMITTEE**

Wednesday 11 March 2015

Councillor John Truscott (Chair)

In Attendance:	Councillor Barbara Miller	Councillor Cheryl Hewlett
	Councillor Peter Barnes	Councillor Mike Hope
	Councillor Chris Barnfather	Councillor Meredith Lawrence
	Councillor Denis Beeston MBE	Councillor Marje Paling
	Councillor Alan Bexon	Councillor Lynda Pearson
	Councillor John Boot	Councillor Colin Powell
	Councillor Bob Collis	

Absent: Councillor Pauline Allan, Councillor Roy Allan, Councillor Ged Clarke, Councillor Andrew Ellwood, Councillor Jenny Hollingsworth and Councillor Suzanne Prew-Smith

Officers in Attendance: P Baguley, J Cole, H Lee, L Mellors and F Whyley

291 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Pauline Allan, Roy Allan, Clarke and Hollingsworth.

Councillor Parr attended the meeting as a substitute for Councillor Prew-Smith, who gave apologies.

292 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 18 FEBRUARY 2015.

RESOLVED:

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

293 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest in Application No. 2014/0856 on behalf of all Members as Gedling Borough Council own the land and in Application No. 2014/0740, as Gedling Borough Council have a leasehold interest in part of the land.

Councillor Beeston MBE declared a pecuniary interest in the authorisation for a deed of variation to the section 106 agreement at Park Road, Bestwood, as a Member of Bestwood Parish Council.

294 APPLICATION NO. 2014 0856- 21 ETHEL AVENUE, MAPPERLEY

The Chair informed the Committee that Application No. 2014 0856 – 21 Ethel Avenue, Mapperley had been withdrawn from the agenda.

295 APPLICATION NO. 2014/1349- THE GROVE PUBLIC HOUSE, DAYBROOK.

Proposed erection of 18 flats and 2 houses.

RESOLVED To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed in accordance with the following approved plans: Flats - First Floor (2265/P 103 A), Flats - Second Floor (2265/P 104 A), and Roof Plan (2265/P 105 A), received on 3rd December 2014; Proposed Site Plan (2265/P 101 B), and Flats - Ground Floor (2265/P 102 B), received on 13th January 2015; and Flats - Elevations 1 (2265/P 106 C), Flats - Elevations 2 (2265/P 107 E), Flats - Elevations 3 (2265/P 108 D) and House Plans & Elevations (2265/P 109 A), received on 23rd February, 2015.
3. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council a design scheme for a mechanical ventilation system. The air for the required mechanical ventilation system shall be drawn from the rear of the property and all windows along the Mansfield Road elevation shall be sealed and un-openable at all times. The design 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.
4. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a sound insulation scheme. The sound insulation scheme shall include the glazed areas and any associated acoustical ventilation scheme. The sound insulation scheme shall also include third octave band analysis and all

assumptions made (e.g. glazing and façade areas) and should be designed to achieve the following internal noise levels: (1) Not exceeding 30 dB LAeq,8hr and not exceeding NR 25 in bedrooms between 23:00 and 07:00; and (2) Not exceeding 35 dB LAeq,16hr and not exceeding NR30 for bedrooms and living rooms between 07:00 and 23:00. The sound insulation scheme shall be implemented in accordance with the approved details before the development hereby permitted is first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

5. Prior to the commencement of the development hereby approved, excluding the demolition of the existing buildings, a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Borough Council. This assessment shall 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. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site.
6. In the event that remediation is required to render the development suitable for use, a written remediation scheme and timetable of works shall be submitted to and approved in writing by the Borough Council. The scheme shall then be implemented in accordance with the approved details. Prior to the development being first occupied, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Borough Council.
7. 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 development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken in accordance with the requirements of condition 5 above. Where remediation is necessary, a written 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.
8. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The plan shall be implemented in accordance with the approved details.

9. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of measures to prevent the deposit of debris upon the adjacent public highway. The approved measures shall be provided before development is commenced and shall be maintained in working order at all times during the construction period 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.
10. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of surface water and foul sewage. 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.
11. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site. The means of enclosure 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.
12. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
13. No part of the development hereby permitted shall be first occupied until the private drive, parking and turning areas are surfaced in a hard bound material in accordance with drawing number 2265/P 101 B, behind the highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
14. No part of the development hereby permitted shall be first occupied until details of a dropped vehicular footway crossing have been submitted to and approved in writing by the Borough Council. The dropped vehicular footway crossing shall be constructed in accordance with the approved details before the development hereby permitted is first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

15. No part of the development hereby permitted shall be first occupied until details of the proposed means of closure of the existing site access and re-instatement of the access crossing as footway have been submitted to and approved in writing by the Borough Council. The existing site access shall be permanently closed and the access crossing reinstated as footway in accordance with the approved details before the development hereby permitted is first occupied and shall be retained as approved for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
16. No part of the development hereby permitted shall be first occupied until the cycle parking layout indicated on drawing no: 2265/P 101 B has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
17. The proposed means of surfacing shall be implemented before the development hereby permitted 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.
18. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

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 protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
4. To protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
5. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies

ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

6. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
9. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure the development is provided with a satisfactory means of drainage and to minimise the risk of pollution, in accordance with Section 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
11. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
12. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
13. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
15. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

16. To promote sustainable transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 1 of the Gedling Borough Aligned Core Strategy Submitted Documents.
17. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
18. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

The development makes it necessary to construct and alter a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Highways Office to arrange for these works to be carried out.

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

The development makes it necessary to relocate an existing bus stop in the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Public Transport Office to arrange for these works to be carried out.

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 (08451 300228) or an appropriately qualified ecologist should be contacted immediately for further advice and any advice must be followed before any further demolition work takes place.

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

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

**296 AUTHORISATION FOR ENFORCEMENT NOTICE- LINBY HOUSE,
LINBY LANE**

Breach of Planning Control, unauthorised development.

RESOLVED:

That the Corporate Director be authorised in Consultation with the Council Solicitor and Monitoring Officer to take any necessary enforcement action including service of notices and issuing/defending legal proceedings if required.

**297 APPLICATION NO. 2014/0740- LAND ADJACENT BRADSTONE
DRIVE, SPRING LANE, LAMBLEY.**

Hybrid Planning application comprising: Part A Full planning application for creation of temporary access and enabling earth works to create development platform, Part B Outline planning application for residential development of up to 150 houses with associated access, landscaping and public open space. Approval sought for access. All other matters reserved.

Mr Stuart Ashton, the applicant, spoke in favour of the application.

The Service Manager, Planning and Economic Development, informed the Committee that in negotiations with the County Council, as the local Highway Authority, the council had requested a contribution to the Gedling Access Road as part of the Section 106 Agreement.

RESOLVED To GRANT FULL AND 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 Affordable Housing, Open Space, Healthcare Facilities, Highways, Educational and Library Facilities; and subject to the following conditions:

Conditions

1. The development hereby permitted for the creation of a temporary access and enabling earthworks must be begun not later than three years beginning with the date of this permission.
2. Application for the approval of reserved matters relating to the residential development (appearance, landscaping, layout and scale) shall be made not later than three years beginning with the date of this permission and the development shall be begun not later than two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.
3. The development hereby granted full planning permission for the creation of a temporary access and enabling earthworks, and outline planning permission for the residential development, shall be constructed in accordance with the following approved plan: Proposed Access Junction Layout (ADC1040/001 Rev A) and Cut and Fill Volumetrics (10-02 Rev P1), received on 19th June, 2014, except where further details are required for approval by other conditions of this planning permission.
4. The temporary access hereby permitted shall be provided on Spring Lane in accordance with the details shown on drawing number ADC1040/001 Rev A, prior to the commencement of the enabling works. The temporary access shall be retained for the duration of the enabling works, unless otherwise prior agreed in writing by the Borough Council.
5. The temporary access hereby permitted shall be completed and surfaced in a bound material for a minimum distance of 15.00 metres behind the highway boundary, prior to the commencement of the enabling works. The temporary access shall be retained for the duration of the enabling works, unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced on the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council a Materials Management Plan. The development would require significant earth movements and these

should be identified within the Materials Management Plan, which would need to be well developed and integrated within the Construction Environmental Management Plan, given the potential for contamination release during excavations. The stability issues of the spoil tip itself should also be considered, such that the stability of the slopes of the spoil tips are not compromised. The enabling earthworks shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.

7. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council: (1) cross-sections and contour plans showing details of the existing and proposed site levels in relation to adjacent properties, including finished floor levels for the residential development, for each of these phases; and (2) an assessment of any site slope stability issues the development may have with respect to the creation of ponds and any special stabilisation measures that are required to mitigate slope stability issues for each of these phases. Each phase of the development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
8. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development hereby permitted, a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Borough Council. This assessment shall 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. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site.
9. In the event that remediation is required to render the development suitable for use in any phase, a written remediation scheme and timetable of works for that phase shall be submitted to and approved in writing by the Borough Council. The scheme shall then be implemented in accordance with the approved details. Prior to the development for that phase being first brought into use, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out, including a review of the soil sampling results and the proposed areas for residential development, refining the conceptual site model and ensuring the whole of the site is suitable for use, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action) must be submitted to and approved in writing by the Borough Council.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken in accordance with the requirements of condition 8 above. Where remediation is necessary, a written 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.
11. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of a scheme to treat and remove suspended solids from surface water run-off during construction works for each of these phases. The approved scheme shall be implemented prior to any other works (excluding those required by conditions 12 and 13) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
12. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan for each of these phases. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The approved plan shall be implemented in accordance with the approved details prior to any other works (excluding those required by conditions 11 and 13) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
13. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of measures to prevent the deposit of debris upon the adjacent public highway. The approved measures shall be implemented prior to any other works (excluding those required by conditions 11 and 12) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
14. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the

Borough Council details of a surface water drainage scheme for each of these phases. The surface water drainage scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme to be submitted shall: (1) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C697 and C687, or the National SuDS Standards, should the later be in force when the detailed design of the surface water drainage system is undertaken; (2) Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to ideally the Greenfield runoff rates for the site. As a minimum, the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site; (3) Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'; (4) Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. 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 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods; and (5) Confirm how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters. The surface water drainage scheme shall be implemented in accordance with the approved details at the time that each phase is constructed and shall be retained in accordance with the approved details for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

15. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, a written Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Borough Council for each of these phases. The CEMP shall include the following: (1) details of an ecological clerk who shall be employed to oversee ecological mitigation and to gain necessary licences to undertake ecological mitigation; (2) details of the proposed hours of working during the period of development, together with details of any site lighting and compound lighting; (3) details of the proposed area for the storage of soil and other materials during the period of development, together with details of how dust, noise, incidental damage and spillages will be monitored and dealt with; (4) details of the proposed means of access of construction vehicles during the period of development; (5) details of a methodology and programme of site clearance of vegetation; (6) details of a methodology and mechanism for the surveying, recording and reporting together with the provision of a programme and timetable for the implementation of mitigation measures, including translocation measures, in relation to flora and

fauna that could be affected during the period of development (the ecological interest to be covered shall include amphibians, badgers, bats, birds, insects, reptiles, trees, hedgerows and grassland); and (7) details of planting schemes indicating the location, size, species and density of all planting proposed to compensate for the loss of habitat during development and a schedule of implementation and timetable of the proposed planting and a management plan including long term design objectives, management responsibilities and maintenance schedules covering the construction phase. The CEMP shall be implemented in accordance with the approved details for each of these phases and the proposed mitigation measures shall be retained in accordance with approved details.

16. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, a written Ecological Management Plan (EMP) for the retained and created habitats, including any appropriate mitigation measures, shall be submitted to and approved in writing by the Borough Council for each of these phases. The EMP shall be implemented in accordance with the approved details and the proposed mitigation measures shall be retained in accordance with the approved details.
17. Prior to the commencement of site clearance for the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council a Tree Protection Plan and Method Statement for each of these phases. The Tree Protection Plan and Method Statement shall be implemented in accordance with the approved details for the duration of each phase.
18. Prior to the commencement of the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council: (1) details of a new hedgerow, which shall consist of native species, along the new alignment of the visibility splays to Spring Lane; and (2) details of how the existing hedgerow to Spring Lane is to be managed, including the planting up of gaps and laying. The new hedgerow and any management works to the existing hedgerow to Spring Lane shall be implemented in accordance with the approved details in the first planting season following the completion of the temporary access and enabling earthworks and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
19. Prior to the commencement of the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council an assessment of the practicality of prior extraction of brick clay from the site. In the event that the assessment demonstrates that the prior extraction of brick clay is feasible, the development

hereby permitted shall not commence until the prior extraction of brick clay has been completed.

20. Before development is commenced on the residential development, 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. 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.
21. Before development is commenced on the residential development there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use, unless otherwise prior agreed in writing by the Borough Council.
22. Before development is commenced on the residential development, there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
23. Before development is commenced on the residential development there shall be submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting, avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat. The scheme shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
24. Before development is commenced on the residential development, 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; bird boxes should target species such as house sparrow, swallow and swift. 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.
25. No removal of hedgerows, trees, shrubs or grassland shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks,

including transects and vantage points in areas of rough vegetation to search for the presence of ground 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. If birds are found to be nesting once development has commenced, works must be halted in the vicinity until the young have fledged.

26. During the construction of the temporary access, the enabling earthworks and construction of the residential development, if any trenches are left open overnight, they should be left with a sloping end or ramp to allow badgers or other mammals that may fall into the excavation to escape, and any pipes over 150 mm in diameter should be capped off at night to prevent mammals from entering them.
27. The detailed plans and particulars to be submitted as reserved matters for the residential development 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.
28. The detailed plans and particulars to be submitted as reserved matters for the residential development in relation to landscaping shall include: (1) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (2) details of the boundary treatments, including those to individual plot boundaries, which shall retain and incorporate the strips of plantation woodland and peripheral hedgerows into the proposed scheme; (3) typical cross-sections, showing areas to be planted and how they will reduce the visual impact of the development from the Country Park; (4) 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 (5) 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.
29. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters for the residential development 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.

30. The existing pedestrian link in the north-western corner of the application site at its junction with Spring Lane, and its associated footpath to the Country Park, shall be retained as part of any design layout for the residential development of the site, unless otherwise prior agreed in writing by the Borough Council.
31. Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards. The garage doors shall be retained to this specification for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
3. For the avoidance of doubt.
4. To ensure adequate means of access to the site for initial construction traffic in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure a full rotation of vehicle wheels to prevent mud and detritus being deposited on the highway in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure a satisfactory development and 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

9. 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. 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 Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To reduce the risk of surface water contamination during the construction phase, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
13. To prevent mud and detritus being deposited on the highway in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. 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, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
16. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
17. To minimise the arboricultural impact of the proposed development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

18. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
19. To ensure that there will be no unnecessary sterilisation of mineral resource, in accordance with Section 13 of the National Planning Policy Framework.
20. To ensure that the roads of the proposed development are designed to an adoptable standard, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
21. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
22. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
23. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
24. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
25. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
26. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
27. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
28. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

29. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
30. To retain pedestrian links to the Country Park, in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
31. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

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

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

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design

calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the Highway Authority for details.

The Environment Agency advises that condition 14 should not be altered without its prior notification to ensure that the above requirements can be incorporated into an acceptable drainage scheme that reduces the risk of flooding.

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

The Environment Agency advises that SuDS involve a range of techniques, including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques. Support for the SuDS approach is set out in the NPPF.

The Environment Agency notes that the application proposes a number of culvert crossings to access the site. The Environment Agency recommends that preference be given to clear span bridges to limit the loss of channel capacity, risk of blockages and the loss of bank habitat. If clear span bridges are not feasible, then the culverts should be designed to convey up to the 100 year plus climate change flows. Consent for culverting the ordinary watercourses will be required from the Lead Local Flood Authority (LLFA) and therefore the Environment Agency recommends that the applicant contacts the LLFA as early as practically possible.

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both

the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

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

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss issues raised, providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

298 AUTHORISATION FOR DEED OF VARIATION TO S106- PARK ROAD, BESTWOOD.

Variation of Section 106 Agreement to provide for Off Site Financial Contribution associated with proposed development of 175 dwellings, public open space and associated works.

RESOLVED:

To give authorisation to the Corporate Director to instruct the Council's Solicitor and Monitoring Officer to make a deed of variation to the Section 106 associated with Planning Application 2005/0928 to enable an off-site contribution of £55,000 (to be paid to the Parish Council) to be made in lieu of the full provision on site of a formal ball court/kick about area on the Park Road Development.

299 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

300 FUTURE PLANNING APPLICATIONS

The Chair requested that, if possible, application nos. 2011/0523, Woodborough Park, and 2012/0616 Land North of the Lighthouse, Catfoot Lane, be considered at separate meetings of the Planning Committee.

RESOLVED:

To note the information.

301 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.40 pm

Signed by Chair:
Date: