

PLANNING COMMITTEE

Wednesday, 29th May, 2013

Councillor J. Truscott (Chair)

Councillors:

P.A. Allan	R.D. Allan
P.G. Barnes	C.P. Barnfather
D.N. Beeston MBE	A.S. Bexon
F.J.D. Boot	R.F. Collis
A.M. Ellwood(a)	C.J. Hewlett
S. Hewson(a)	J. Hollingsworth
M. Hope	M. Lawrence(a)
B.S.R. Miller	M. Paling
C.J. Powell	S.J. Prew-Smith
G.G. Tunncliffe	

Officers in Attendance: P. Bagaley, J. Cole, L. Parnell, F. Whyley

1 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Ellwood, Hewson and Lawrence.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD 8 MAY 2013.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record, subject to the following amendment:

Minute number 158- To remove the word "not" so that the sentence reads, "Mr Thorpe, a local resident, reiterated that he did not feel that need had been proven sufficient to warrant such development on green belt and made reference to the impact of the numbers of services held at any potential crematorium on traffic in the local area. "

3 DECLARATION OF INTERESTS.

All members declared a non-pecuniary interest in Application number 2013/0336 as Members of Gedling Borough Council.

**4 APPLICATION NO.2013/0420
KING GEORGES FIELD, GEDLING ROAD, ARNOLD**

Members were advised that the correct Application number for the application in question is 2013/0336.

The Service Manager, Planning and Economic Development advised Members of 1 amendment and 1 addition to the Officer's recommendations as set out within the report.

RESOLVED to GRANT PLANNING PERMISSION, subject to no further representation being received and the following conditions:

Conditions

1. The development hereby permitted shall be retained for the life of the development in accordance with the details set out on the plans received on the 27th March 2013, together with the plans received on 27th March 2013 drawing no's: PG73 B-07 and PG73 B-06a.
2. The existing trees shown on the Master Plan received on 27th March 2013 drawing no: PG73 B-06a shall be retained for the life of the development. Should the trees indicated as existing on the plan become diseased or die then they shall be replaced with a tree of similar species and planting size in the next planting season by the applicants or their successors in title.

Reasons

1. For the avoidance of doubt.
2. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed play equipment apparatus are visually acceptable and would have no undue impact on neighbouring residential amenity or the locality in general. The development therefore complies with Policies ENV1 and R1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2008.

5

**APPLICATION NO. 2012/1373
SITE OF DAYBROOK LAUNDRY, MANSFIELD ROAD, ARNOLD**

Erection of a new Retail Food Store (Class A1) with associated car

parking and landscaping.

The Service Manager, Planning and Economic Development, advised Members of four further conditions in addition to the Officer's recommendation contained within the report.

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: Proposed Site Plan (W10A03-P003), Proposed Drainage Plan (W10A03-P004), Proposed Landscaping Plan (W10A03-P005), Proposed Floor Plan (W10A03-P200) and Proposed Elevations (W10A03-P201), deposited on 26th November 2012 and Section Through Site (W10A03-P300 Rev A), received on 27th March 2013.
3. Unless otherwise agreed by the Borough Council, development 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 Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Borough Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
4. 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 under condition 3 above. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be

submitted and approved in writing by the Borough Council.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and once the Borough Council has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of condition 3 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council.

6. Before development is commenced, including site preparation or any works of demolition, there shall be submitted to and approved in writing by the Borough Council a Construction Method Statement. The approved Construction Method Statement shall be adhered to throughout the construction period and 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; and a method of traffic signal control.

7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme, including cross sections, layout and elevations, for a boundary wall between the car parking spaces fronting the spine road and the spine road, which shall be of solid construction and shall be no less than 1 metre in height at the level of the car parking spaces. 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.

8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination and a lux plot of the estimated luminance, to be provided on the proposed building or elsewhere within the site. Any security lighting/floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and

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

9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme for the provision and implementation of surface water run-off limitation. The scheme shall not result in an increase in the rate of surface water discharge to the local land drainage system and the drainage works shall be completed in accordance with the approved details and a timetable to be agreed as part of the scheme.

10. Before development is commenced, including site preparation, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the protection of existing trees to be retained. The scheme shall be implemented in accordance with the approved details before development is commenced and shall be retained until all construction works have been completed.

11. Before development is commenced, and if there are proposals to remove any or all of the dense ivy and virginia creeper on the brick wall to the eastern boundary of the site, pre-commencement checks for the presence of roosting bats shall be undertaken and the outcome reported to the Borough Council. If any roosting bats are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council. The mitigation measures shall be implemented in accordance with the approved details before development commences.

12. No part of the development hereby permitted shall be brought into use until the spine road into the site, the signalised access road junction and the re-phasing of the existing traffic signals have been provided/implemented in accordance with the "in principle" site plan drawing number W10A03-P003.

13. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are provided in accordance with plan reference number W10A03-P003. The parking, turning and servicing areas shall not be used for any purpose other than the parking, turning, loading and unloading of vehicles.

14. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be

submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences.

15. The approved landscape scheme shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

16. The development shall not be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan to be approved and whose details shall be provided and continue to be provided thereafter to the Borough Council.

17. The Travel Plan Coordinator shall submit reports to and update the TRICS database in accordance with the Standard Assessment Methodology (SAM), or similar to be approved in writing by the Local Planning Authority, in accordance with the Travel Plan monitoring periods to be agreed. The monitoring reports submitted to the Borough Council shall summarise the data collected over the monitoring period that shall have categorised trip types into new trips, pass-by-trips, linked trips, diverted trips, and transferred trips, and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates to be approved in writing by the Borough Council.

18. The Travel Plan Coordinator shall within 3 months of occupation of the development hereby permitted produce or procure a full travel plan that sets out final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel to be approved in writing by the Borough Council. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives, including implementation dates, to the satisfaction of the Borough Council.

19. The proposed food store shall: (i) only be occupied for uses within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987, as amended; (ii) be predominantly used for the purposes of sale of convenience goods and not more than 15% of the [net sales] floor space of the unit [990 square metres] shall at any time be used for the display and sale of comparison goods, unless otherwise approved in writing by the

Borough Council; and (iii) not be subdivided into separate units, unless otherwise approved 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 ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
4. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
5. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
6. In the interests of highway safety.
7. To prevent the glare of vehicle headlights across the public highway in the interests of highway safety.
8. To protect drivers from uncontrolled light sources near the public highway and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
9. To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
10. In the interests of visual amenity in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
11. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

12. To ensure a satisfactory means of access to the site in the interests of highway safety.

13. In the interests of highway safety.

14. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

15. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

16. The development shall not be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan to be approved and whose details shall be provided and continue to be provided thereafter to the Borough Council.

17. To promote sustainable travel.

18. To promote sustainable travel.

19. To ensure the development does not go beyond the scope of the detail submitted as part of this application, which assesses the potential trading impact associated with a store with that scale of net sales floorspace.

Reasons for Decision

In the opinion of the Borough Council it has been demonstrated that there is no suitable or available site within or on the edge of a town centre and that the proposed development would not be likely to have a significant impact on the vitality or viability of a town centre or on investment in a centre. Additionally, the redevelopment of the site and economic benefits that would result from the proposal has been given significant weight in the decision. The proposed development would have no significant adverse impact on highway safety, local heritage, protected trees, ecology or residential amenity and would address land contamination issues. The proposed development meets with the fundamental aims of the National Planning Policy Framework & Policies ENV1, ENV3, ENV21, ENV47, S11 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008). It also accords

with the aims of Policies 6, 10, 11 and 17 of the Gedling Borough Aligned Core Strategy Submission Documents.

Notes to Applicant

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 appropriate agreement with the Highway Authority.

Your attention is drawn to the attached correspondence from Nottinghamshire County Council as Highway Authority, the Environment Agency, the Borough Council's Public Protection Section and the Nottinghamshire Wildlife Trust.

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.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

6

APPLICATION NO. 2013/0267 VICTORIA PARK WAY, NETHERFIELD

Variation of Condition 2 and 17 of 2012/1031 (Demolition of Unit 1 and redevelopment of it and the adjoining former garden centre for three new retail units along with related external works.) to amend the details of the approved plans and allow for the sale of food from proposed Unit 1A.

The Service Manager, Planning and Economic Development outlined an amendment to Condition 2 of the Officer's recommendation as set out within the report.

RESOLVED to GRANT PLANNING PERMISSION subject to the following 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 carried out in accordance with the following approved plans: Site Plans (1081-U1-P02B & P03B); Ground Floor Plan (1081-U1-P05B); Roof Plan (1081-U1-P09B); Elevations (1081-U1-P11C); & Sections (1081-U1-P12B), which were deposited on 7th and 12th March 2013; Mezzanine Floor Plan (1081-U1-P07C), received on 21st May 2013 and the email from Blue Sky Planning on 15th May 2013, stating that the mezzanine in Unit 1A is to be non-trading.

3. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment; FRA addendum (Pinnacle 120717); Micro Drainage calculations for a 2 year, 30 year and 100 year return period; and Drainage Plan (5335 S(52)06 Rev B). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Borough Council as local planning authority.

4. The development hereby permitted by this permission shall not be initiated by the undertaking of a material operation as defined in Section 56 (4) (a) - (d) of the Town & Country Planning Act 1990 in relation to the development, until a separate planning obligation pursuant to Section 106 of the said Act relating to the land has been made & lodged with the Nottinghamshire County Council in respect of a contribution towards Integrated Transport Measures & the provision of on-crossing pedestrian detectors on phase J, K and N to the Victoria Park Way and Colwick Loop Road junction & the Borough Council as local planning authority has notified the persons submitting the same that it is to the local planning authority's approval.

5. Unless otherwise agreed by the Borough Council, development 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 Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the

Borough Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

6. 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 under condition 5 above. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Borough Council.

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 once the Borough Council has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of condition 5 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council.

8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure. The development shall then be completed in accordance with the approved details.

9. Before development is commenced there shall be submitted to and approved by the Borough Council details of the proposed means of surfacing of the access, parking, servicing areas and other unbuilt on portions of the site. The development shall then be completed in accordance with the approved details.

10. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted.

11. Before development is commenced there shall be submitted to and approved by the Borough Council details of the on-crossing pedestrian detectors on phase J, K and N to the Victoria Park Way and Colwick Loop Road junction.

12. No part of the development hereby permitted shall be occupied until the access, parking (including the provision of the cycle parking stands)

and servicing arrangements have been appropriately hard surfaced in a bound material and have been drained to prevent surface water discharging onto the highway. The surfaced access, parking and servicing arrangements shall then be maintained in such hard bound material for the life of the development.

13. No part of the development hereby permitted shall be occupied until the individual parking spaces have been clearly marked out on site in accordance with the approved plans 1081-U1-P02B or P03B. Parking spaces shall be kept available for parking in association with the development thereafter.

14. No part of the development hereby permitted shall be occupied until provision has been made within the application site for the parking of cycles and powered two wheeled vehicles (PTW) with secure anchor points, ideally covered, in accordance with details to be submitted to and approved in writing by the Borough Council. The provision for cycles and PTW shall be retained in accordance with the approved details for the life of the development.

15. No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Borough Council. 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 Borough Council and shall include arrangements for monitoring 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 Borough Council.

16. The approved landscape scheme shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

17. With the exception of Unit 1A shown on plan 1081-U1-P03B, the goods to be sold within the units hereby approved shall not include food. The goods to be sold within the approved units shall consist primarily of building, decorating and home improvement materials and equipment, furniture and floor coverings, garden goods and equipment, car parts/spares and maintenance goods and equipment, caravans, camping equipment and boats, cycles, carpets, electrical goods and equipment, toys, curtains, household textiles, soft furnishings, bedding and light fittings and pet food and pet supplies as well as, within Unit 1A only, food.

18. None of the units hereby approved shall be further sub-divided to form separate retail units.

Reasons:

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To prevent flooding and to reduce the risk and impact of flooding in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 and the National Planning Policy Framework.
4. To comply with Policy T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
5. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
6. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
7. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
8. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
9. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
10. In the interests of visual amenity, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
11. In the interests of Highway safety.
12. In the interests of Highway safety.

13. In the interests of Highway safety.

14. In the interests of sustainable travel.

15. In the interests of sustainable travel.

17. To control the type of goods sold at the proposed units in order to safeguard the viability, vitality and quality of existing district centres in accordance with the aims of Policy S12 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 and the National Planning Policy Framework.

18. To accord with Policy S12 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Reasons for Decision

In the opinion of the Borough Council there are no sequentially preferable sites which can be considered as suitable or available alternatives to the location proposed and there will be no significant impact on the vitality or viability of existing centres. The proposed development will make a positive contribution to the appearance of the Victoria Retail Park and there are no undue highway or flood risk implications. The proposed development meets with the fundamental aims of the National Planning Policy Framework and Policies ENV1, S11 and T1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008). It also accords with the aims of Policies 6 and 10 of the Gedling Borough Aligned Core Strategy Submitted Documents.

Notes to Applicant

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.

Your attention is drawn to the attached comments from Nottinghamshire County Council as Highway Authority, the Environment Agency & the Borough Council's Public Protection Section.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

**7 APPLICATION NO. 2013/0251
147 MAIN STREET, WOODBOROUGH**

Demolition of bungalow and residential re-development of 6 houses, garages, parking, landscaping and access.

RESOLVED to GRANT CONSERVATION AREA CONSENT 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. This consent relates to the demolition of the existing bungalow at the site, shown on location plan Ref. 423/Location - A

Reasons

1. Required to be imposed pursuant to section 18 of the Town and Country Planning (Listed and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council, the demolition of the buildings would have a less than significant impact on the character of the Conservation Area and would accord with the National Planning Policy Framework (March 2012).

Notes to Applicant

Decision Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

**8 APPLICATION NO. 2013/0252
147 MAIN STREET, WOODBOROUGH**

Demolition of bungalow and residential re-development of 6 houses,

garages, parking, landscaping and access.

An amendment to condition 4, to request that the site be fenced off prior to commencement was put to the vote and was carried.

RESOLVED to GRANT PLANNING PERMISSION subject to the applicant entering into Section 106 Agreements with the Borough Council for financial contributions towards open space and with the County Council as Highway Authority which requires the applicant to set up a management company for the future maintenance of the private drive and subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be completed in accordance with Plans Ref. MH423/ 102 Rev L, MH423/103 Rev H, MH423/104 Rev A, MH423/105 Rev B, MH423/106 Rev D, MH423/107 Rev B, MH423/108 MH423/109 Rev F, MH423/110, the Planning Statement March 2013, Design and Access Statement February 2013 as well as the Arboricultural Survey Report dated August 2011, Protected Species Survey by EMEC Ecology dated September 2011, Highway Statement by Armstrong, Stokes and Clayton Limited March 2013 and the Drainage Statement Armstrong, Stokes and Clayton Limited March 2013.
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of all materials to be used in the external construction of the proposed dwellings. Thereafter the development shall be constructed in accordance with the approved details.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure of the site as well as individual plot boundaries and the shared boundaries with 5 Hawthorn Close and 7 Hawthorn Close and that the site be enclosed thus prior to commencement. Thereafter the development shall be constructed in accordance with the approved details.
5. No development on site shall occur until appropriate protective fencing as detailed within the applicants Silvanus tree survey report is erected to the satisfaction of the Borough Council. The fencing will be

authorised as correct and in position and then left in place until authorised for removal by the Senior Forestry Officer on behalf of the Borough Council.

6. The approved landscape scheme as shown on plan MH423/109 Rev E shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

7. Prior to the commencement of development locations of bat boxes shall be submitted to and approved in writing by the Borough Council. Thereafter the bat boxes shall be erected in accordance with the approved details and retained for the life of the development.

8. The window on the south facing side elevation serving the stairwell on the proposed dwelling within Plot 1 shall be obscure glazed and fixed shut at all times.

9. No part of the development hereby permitted shall be brought into use until a suitable means of access in accordance with drawing no MH423/102REVK has been constructed and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.

10. No part of the development hereby permitted shall be brought into use until the access into the site has been surfaced in a hard bound material in accordance with drawing no: MH423/102REVK. The hard surfaced entrance into the site shall then be maintained in such hard bound material for the life of the development.

11. No part of the development hereby permitted shall be brought into use until the access is constructed with provision to prevent the unregulated discharge of surface water from the site access point to the public highway in accordance with details first submitted to and approved in writing by the Borough Council. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

12. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. The scheme shall be implemented in accordance with the approved details prior to the occupation of the first dwelling.

13. Prior to the commencement of the development details of any solar panels or other form of green technology that could affect the appearance of the development shall be submitted to and approved in writing by the Borough Council. Any green technologies that could affect the appearance of the development that are to be provided as part of the development shall be installed in accordance with the approved details prior to the occupation of the first dwelling.

14. No development shall take place within the application site until details of an archaeological scheme of treatment which includes a strip, map and sample exercise has been submitted to and approved in writing by the Borough Council. Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt.

3. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2008).

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

5. To ensure the health of the trees identified to be retained at the site which contribute to the visual amenity of the site and wider Conservation Area.

6. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2008).

7. In order to protect the local wildlife and promote biodiversity enhancements for bats.

8. In order to protect the privacy of the neighbouring dwellings, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2008).

9. In the interests of Highway safety.

10. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

11. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

12. To ensure that the proposed development is provided with a satisfactory means of drainage so as to accord with Policy ENV42 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.

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

14. To ensure a satisfactory development and to protect any potential historical assets of the site, in accordance with the aims of Policies ENV1 and ENV15 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

The proposed development would not result in any material impact on the openness of the Green Belt and would have a neutral impact on the character and appearance of the site and wider Conservation Area. The proposal would also not have any material impact on neighbouring residential amenity or upon Highway safety at the site. The proposed development therefore accords with the overarching aims of Policies ENV1, ENV13, ENV15 ENV26 ENV30 and H16 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008) Paragraphs 56,60, 61 79-92 of the NPPF and Policies 3, 8 and 10 of the emerging Publication Version Aligned Core Strategy for Gedling Borough.

Notes to Applicant

The development makes it necessary to construct an access on land outside of the applicant's control, which is subject to the provision of the Highways Act 1980. The applicant is therefore required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80.to arrange for these works to be carried out.

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.

Decision Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

9 THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2013.

RESOLVED:

To note the content of the report.

10 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

11 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

12 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.