

**MINUTES
PLANNING COMMITTEE**

Wednesday 2 September 2015

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller Councillor Gary Gregory
 Councillor Michael Adams Councillor Sarah Hewson
 Councillor Pauline Allan Councillor Marje Paling
 Councillor Sandra Barnes Councillor Colin Powell
 Councillor Alan Bexon Councillor Paul Stirland
 Councillor Bob Collis Councillor Paul Wilkinson

Absent: Councillor Peter Barnes, Councillor Chris Barnfather
 and Councillor Meredith Lawrence

Officers in Attendance: D Gray, L Mellors, N Morley and L Sugden

50 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Barnfather and Lawrence.

Councillor Ellis attended as a substitute for Councillor Barnes, who had given apologies for his absence.

51 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 AUGUST 2015.

RESOLVED:

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

52 DECLARATION OF INTERESTS

On behalf of all Members, the Chair declared a non-pecuniary interest in application 2015/0636 as the site is in the ownership of the Borough Council.

53 APPLICATION NO. 2014/0856- 21 ETHEL AVENUE, MAPPERLEY.

Proposed demolition of 21 Ethel Avenue and erection of two dwellings.

Mr Lee Freeley, the applicant, spoke in support of the application.

Mr Andrew Robinson, the resident, spoke against the application.

The Principal Planning Officer presented the report, and informed Members of an amendment to Condition 2 to add the following wording the reflect revised plans:

“and the revised house types (ETH – 1003 Rev A) and revised street scenes (ETH – 1005 Rev A), received on the 16th July 2015; and the revised site plan and site location plan (ETH – 1001 Rev L), received on 2nd September 2015”.

Councillor Powell, seconded by Councillor Bexon, proposed a motion to defer consideration of the application to a future meeting of the Committee. The motion was duly put to the vote and was not carried.

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 shall be built in accordance with the details as set out within the application forms received on the 17th July 2014, the Transport Statement and the Tree Survey received on the 17th July 2014 and the revised house types (ETH – 1003 Rev A) and revised street scenes (ETH – 1005 Rev A), received on the 16th July 2015; and the revised site plan and site location plan (ETH – 1001 Rev L), received on 2nd September 2015.
3. Before development is commenced there shall be submitted to and approved by the Borough Council precise details and samples of the materials to be used in the external construction of the proposed dwellings. Once these details are approved the dwellings shall be built and retained thereafter in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
4. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the existing levels of the site together with the finished floor levels of the dwellings. Once these details are approved the dwellings shall be built in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
5. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of enclosure of the site and the individual plot boundaries. The

approved means of enclosure shall be erected before the dwellings are first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council as Local Planning Authority.

6. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the means of surfacing of the unbuilt on portions of the site. Once these details are approved the development shall be carried out and retained thereafter in accordance with the approved details and be completed in accordance with these approved details before the dwellings are first occupied.
7. Before development is commenced there shall be submitted to and approved by the Borough Council a plan of the site showing the details any proposed planting on site as well as details of the existing planting to be removed or retained. The approved details 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.
8. Before development is commenced there shall be submitted to and approved by the Borough Council a scaled plan of the site showing the precise details of the proposed fencing and planting proposed to the area shown on the revised plans outlined in blue which is adjacent to the application site. Once these details are approved the fencing shall be erected before the proposed dwellings are first brought into use and retained thereafter at all times. The proposed landscaping 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.
9. Before development is commenced there shall be submitted to and approved by the Borough Council a method statement showing how the existing trees at the site will be safeguarded during site preparation and the development of the site. This shall include precise details of construction works within the root protection areas of the trees, including details of any pruning and protection works required to facilitate the access and development of the site. Once these details have been approved the development, including site preparation, shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.

10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council as Local Planning Authority a Drainage Statement which outlines the measures that would be put in place in order to deal with surface water run-off from the site and details of how the development of the site will ensure that there is no increase in flood risk to the site, neighbouring properties or the area in general. Once these details are approved the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.
11. 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 as Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
12. The first floor windows to the north east side elevation of the dwelling to plot 2 which serve a bathroom and en-suite shall be obscure glazed with small top hung opening windows at all times. No additional windows shall be inserted in this first floor north east side elevation of the dwelling at any time.
13. No windows shall be inserted in the first floor north west front elevation of the dwelling to plot 2 at any time.
14. No works permitted under Class A, B, C and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council as Local Planning Authority.
15. No part of the development hereby permitted shall be brought into use until the vehicle access arrangements, parking and turning areas are provided in accordance with the submitted details. The vehicle access arrangements, parking and turning areas shall thereafter be retained as such for the life of the development.
16. No part of the development hereby permitted shall be brought into use until the site access/ drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The access/surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
17. No part of the development hereby permitted shall be brought into use until the access driveway/parking/turning areas are

constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning areas to the public highway in accordance with details first submitted to and approved in writing by the Borough Council as Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

18. Before development, including site preparation, is commenced there shall be submitted to and approved in writing a protected species survey in respect to the potential presence of bats on the site. Once these details are approved the recommendations with the survey shall, be adhered to and any mitigation measures implemented.

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 that the materials are appropriate and result in a visually satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
4. To ensure that the dwellings are visually acceptable within the streetscene and have an acceptable relationship with neighbouring properties, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
5. To ensure that the materials are appropriate and result in a visually satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
6. To ensure that the materials are appropriate and result in a visually satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
7. To ensure that the details of the development are visually acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
8. To ensure that the details of the development are visually acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
9. To ensure that the trees are protected at all times and the site remains visually acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.

10. To ensure the details of the development are satisfactory and do not increase the risk of flooding in the area.
11. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
12. To prevent the overlooking of the neighbouring properties, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
13. To prevent the overlooking of the neighbouring properties, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
14. To ensure that the amenity of neighbouring properties is protected, in accordance with the aims of Policy 10 of the Aligned Core Strategy 2014.
15. In the interests of highway safety.
16. In the interests of highway safety.
17. In the interests of highway safety.
18. To ensure that the development does not result in a detrimental impact on any protected species at the site.

Reasons for Decision

The proposed development of the site results in no undue impact on neighbouring properties, the area in general and there are no highway safety implications arising from the proposal. The proposal therefore accords with policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014), the National Planning Policy Framework March 2012 and the Aligned Core Strategy for Gedling Borough 2014.

Notes to Applicant

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

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.

You are advised of the need to comply with the Wildlife and Countryside Act 1981 (as amended) at all times in respect to protected species and nesting birds.

You are advised in regard to access for the Fire and Rescue Service that the development would need to comply with Approved Document B - Fire Safety, administered under Building Regulations Approval.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address any adverse impacts identified. Amendments have been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

54 APPLICATION NO. 2015/0636- SITE OF FORMER GARAGES, BAGNALL AVENUE, ARNOLD.

Outline planning application for new residential development of land off Bagnall Avenue, Arnold to provide a pair of semi-detached houses.

The Principal Planning Officer presented the report and informed Members of an amendment to Condition 4, to read:

“The proposed dwellings shall not be brought into use until the details approved as part of the plans and particulars to be submitted for the application for the approval of reserved matters referred to in condition 1, 2 and 3 above have been implemented, unless other timescales are prior agreed in writing by the Borough Council.”

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:-

Conditions

1. An application for approval of all the reserved matters (design, layout, scale, landscaping) shall be made to the local planning authority before the expiration of three years from the date of this permission.

2. The development hereby approved shall be begun within two years from the date of the approval of the last reserved matter to be approved.
3. Before development is commenced there shall be submitted to and approved by the Borough Council detailed plans, sections and elevations of all buildings.
4. The proposed dwellings shall not be brought into use until the details approved as part of the plans and particulars to be submitted for the application for the approval of reserved matters referred to in condition 1, 2 and 3 above have been implemented, unless other timescales are prior agreed in writing by the Borough Council.
5. Before development (including site preparation) is commenced a Tree and Hedge Survey and a protection plan and method plan, incorporating details of a no dig methodology, to protect the existing hedging, shall be submitted to and approved in writing by the Borough Council as Local Planning Authority. Once these details are approved the development shall be carried out in accordance with the approved details and the tree and hedges protected at all times during site preparation and development.
6. Before development is commenced there shall be submitted to and approved by the Borough Council details a plan of the site showing the details of any proposed planting as well as details of the existing planting to be removed or retained. The approved details 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. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used in the external elevations of the development. Once approved the development shall be carried out in accordance with these details.
8. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of enclosure of the site. The approved means of enclosure shall be erected before the dwellings are first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of

surfacing of the unbuilt on portions of the site. The approved means of surfacing shall be erected before the dwellings are first occupied.

10. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council as local planning authority.
11. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing has been widened and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
12. No part of the development hereby permitted shall be brought into use until the driveway access has been cleared of the hedging on both sides and the driveway to be surfaced in a hard bound material (not loose gravel). The surfaced drive shall then be maintained in such hard bound material for the life of the development.
13. In the event that contamination is found at any time when carrying out the approved development it must be reported immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

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. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).

4. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
5. In the interests of good arboricultural practice and to ensure that the details of the development are acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
6. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
7. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
8. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
9. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
10. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
11. In the interests of Highway safety.
12. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
13. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

In the opinion of the Borough Council the proposed development will result in no undue impact on the amenities of neighbours, the character and appearance of the area or on highway safety. The application is therefore in accordance with Policies 8 and 10 of the Aligned Core Strategy (September 2014) and Policies ENV1, H7 and T10 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2014.

Notes to Applicant

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

The proposal makes it necessary to widen the 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 Customer Services to arrange for these works on telephone 0300 500 80 80.to arrange for these works to be carried out.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

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.

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APPLICATION NO. 2015/0444- KENRICK STREET, NETHERFIELD

Proposed Conversion of the Carlton Constitutional Hall into 10 apartments.

RESOLVED to GRANT CONDITIONAL 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 shall be built in accordance with the details as set out within the application forms received on the 11th May 2015, the plans received on the 18th June 2015, and the Design and Access Statement received on the 18th June 2015.
3. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing no

CLB/CCKS/2015/0/003 Rev A has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

4. The precise method of storage of cycles within the dedicated building shall be carried out in accordance with the details submitted by email on 13th August 2015. The cycle store shall be provided in accordance with these details for the life of the development unless otherwise agreed in writing by the Borough Council.
5. No doors or windows shall open out/protrude over the adopted highway, in contravention of Section 153 of the Highways Act 1980.
6. The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing building.

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 that the cycle store is available for storage of cycles.
4. To define the terms of this permission and in the interests of supporting sustainable transport.
5. In the interests of pedestrian safety.
6. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, the area in general and is acceptable from a highway safety sustainability viewpoint. The proposal therefore accords with Policy 10 of the Aligned Core Strategy (2014) and ENV1, H7, H11, H16 and C4 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

The resident parking scheme in operation opposite the site on Kenrick Street is fully subscribed and no further permits can be issued at present.

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. During consideration of the planning application inconsistencies with the plans submitted have been clarified with the Agent and detailed concerns over the use of the dedicated cycle storage facility have been addressed to ensure a satisfactory scheme and a favourable recommendation.

56 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

57 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

58 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.45 pm

Signed by Chair:
Date: