

**MINUTES
PLANNING COMMITTEE**

Wednesday 16 December 2015

Councillor John Truscott (Chair)

In Attendance:	Councillor Barbara Miller	Councillor Sarah Hewson
	Councillor Michael Adams	Councillor Meredith Lawrence
	Councillor Pauline Allan	Councillor Marje Paling
	Councillor Peter Barnes	Councillor Colin Powell
	Councillor Sandra Barnes	Councillor Paul Stirland
	Councillor Chris Barnfather	Councillor Paul Wilkinson
	Councillor Alan Bexon	Councillor David Ellis
	Councillor Bob Collis	

Absent: Councillor Gary Gregory

Officers in Attendance: P Baguley, D Gray, L Parnell and F Whyley

100 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Gregory, who was substituted by Councillor Ellis.

101 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 25 NOVEMBER 2015.

RESOLVED:

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

102 DECLARATION OF INTERESTS

None.

103 APPLICATION NO. 2014/0169- GEDLING CARE HOME, 23 WAVERLEY AVENUE, GEDLING

Revised Plans (Resubmission) Demolition of the care home and construction of 14 apartments, car parking and associated landscaping.

The Service Manager, Planning, informed Members of 8 additional objections received and their content.

The Service Manager, Planning, also introduced two amendments to conditions requested by the agent and accepted by the Environment Agency, in the following terms:

Condition 2 to be amended to remove reference to plan 108/05/C and replace with 108/05/B, to read:

2. The development hereby permitted shall be constructed in accordance with the following approved plans: 108/07/C, 108/05/B, 108/04/C, 108/06/C received November 2015, location plan received 13 February 2014.

Condition 14 to be amended to remove the word floor at part 1, to read:

14. The development hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision D, prepared by SCC Consulting Engineers in September 2015 and in particular the following mitigation measures detailed within the FRA: 1. The internal finished floor levels shall be set no lower than 300mm above the existing ground levels. 2. The design and layout of the building shall incorporate an 8.0m wide unobstructed easement from the top embankment of the Ouse Dyke. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Ms. Thelma Felstead, a neighbouring resident, spoke against the application.

RESOLVED to GRANT PLANNING PERMISSION, subject to Section 106 Agreement with the Borough Council as local planning authority and the County Council as education authority for the provision of financial contributions towards Educational Facilities 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 permitted shall be constructed in accordance with the following approved plans: 108/07/C, 108/05/B, 108/04/C, 108/06/C received November 2015, location plan received 13 February 2014.
3. 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.

4. Before development is commenced, 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.
5. Before development is commenced, 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.
6. Before development is commenced, 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.
7. 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.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details and samples of the materials to be used in the external elevations of the proposed dwellings. Once approved the development shall

be constructed in accordance with these approved details unless otherwise agreed in writing by the Borough Council.

9. 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 and including where appropriate details of existing trees to be felled and retained.
10. No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossing has been extended and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
11. No part of the development hereby permitted shall be brought into use until the access driveway is constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway in accordance with details first submitted to and approved in writing by the 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.
12. The proposed access, parking and turning facilities shall be surfaced in permanent materials in accordance with details, including plans of the facilities showing their precise location, to be approved in writing by the Borough Council as local planning authority before the development hereby permitted is first occupied. The access, parking and turning facilities shall be maintained as approved for the lifetime of the development and shall not be used for any purpose other than the manoeuvring and parking of vehicles.
13. No part of the development hereby permitted shall be occupied until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and which never exceeds 1 in 12 thereafter, in accordance with details to be approved in writing by the Borough Council as local planning authority.
14. The development hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision D, prepared by SCC Consulting Engineers in September 2015 and in particular the following mitigation measures detailed within the FRA: 1. The internal finished floor levels shall be set no lower than 300mm above the existing ground levels. 2. The design and layout of the building shall incorporate an 8.0m wide unobstructed easement from the top embankment of the Ouse Dyke. The mitigation measures

shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

15. The development hereby permitted shall not be commenced until such a time as a scheme to ensure that there is no loss of floodplain storage and that the existing overland flood flow routes are not compromised as a result of the redevelopment of the site has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by, the Local Planning Authority.
16. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first occupied. The scheme to be submitted shall: - undertake infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site;- demonstrate that the surface water drainage system is designed in accordance with CIRIA C697 and C687 and the National SUDS Standards;- 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 the Greenfield runoff rates for this 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;- Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments';- 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 plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

17. Before development is commenced there shall be submitted to and approved by the Borough Council details of the height of proposed floor levels of the proposed building(s) relative to existing levels.
18. All balconies shall be fitted with privacy screens in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The privacy screens shall be implemented in accordance with the approved details before the development is first occupied and shall maintained thereafter for the lifetime of the development.

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 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).
4. 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).
5. 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 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).
7. 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).
8. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

9. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).
10. In the interests of road safety, in accordance with the aims of policies ENV1 and T10 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).
11. In the interests of road safety, in accordance with the aims of policies ENV1 and T10 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).
12. To ensure that adequate off-street parking provision is made to reduce the possibilities of the development leading to on-street parking in the area.
13. In the interests of road safety, in accordance with the aims of policies ENV1 and T10 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008).
14. To reduce the risk of flooding to the proposed development and future occupants and to allow future maintenance and emergency activities relating to Ouse Dyke to be undertaken without obstruction.
15. To prevent flooding elsewhere by ensuring there is no loss of flood plain storage and that the existing overland flood flow routes are not compromised as a result of the redevelopment of the site.
16. 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.
17. To ensure that the details of the development are acceptable , in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
18. To prevent the overlooking of neighbouring properties in accordance with Policy H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 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, on flood risk and is acceptable from a highway safety viewpoint. The proposal therefore accords with Policy 10 of the Aligned Core Strategy (2014) and H7, H16 and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 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.

Your attention is brought to comments received from Severn Trent Water. For any new connection(s), into the public sewer or the reuse of an existing sewer connection(s), you will need to apply under Section 106 Water Industry Act 1991 as amended by the Water Act 2003. Severn Trent New Connection Team currently processes Section 106 applications and can be contacted on 0800 707 6600 for an application pack and guidance notes (or visit www.stwater.co.uk). Applications to make such connections should be made separately from any application for adoption of the related sewers under Section 104 Water Industry Act 1991 as amended by the Water Act 2003.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

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 these works you will need to enter into an agreement under Section 278 of the Act. Please contact Matt Leek on 0300 500 8080 for details.

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application to address adverse impacts identified by officers and the Highway Authority to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and

proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

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APPLICATION NO. 2015/1024- LAND ADJACENT BRADSTONE DRIVE, SPRING LANE, GEDLING.

Application for the Approval of Reserved Matters in relation to Appearance, Layout and Scale of outline planning permission no: 2014/0740 for the erection of 150 houses.

The Service Manager, Planning, introduced the application and informed Members of an amendment to condition 1, an additional condition and the addition to the note to applicant.

Condition 1 to be amended to remove reference to Site Plan (MI108-SL-001L), and replace with Site Plan (MI108-SL-001M), remove reference to Materials Layout (MI108-MAT-001D) and replace with Materials Layout (MI108-MAT-001E) and add reference to Swept Path Analysis and Horizontal Road Alignment (MI108-EN-101B). Condition 1 is, therefore, amended to read:

1. The development hereby permitted shall be constructed in accordance with the following approved drawings: Finished Floor Levels (MI108-EN-100) and House Type Planning Pack (Rev A), received on 12th November 2015; Site Sections (MI108-EN-001), received on 19th November 2015; Site Plan (MI108-SL-001M); and Swept Path Analysis and Horizontal Road Alignment (MI108-EN-101B) and Materials Layout, excluding surfacing details (MI108-MAT-001E), received on 3rd December 2015.

An additional condition to be added at condition 2 and reason, to read:

2. The area within the visibility splays hereby approved shall be kept free of all obstructions, structures or erections exceeding 0.6 metres in height above carriageway level at all times.
2. 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).

The addition of the following as part of the Note to Applicant:

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.

RESOLVED to GRANT APPROVAL of RESERVED MATTERS, as specified below:

Approve the Reserved Matters under planning application no: 2014/0740 in relation to the Appearance, Layout and Scale of the proposed development, and subject to the following conditions:

Conditions

1. The development hereby permitted shall be constructed in accordance with the following approved drawings: Finished Floor Levels (MI108-EN-100) and House Type Planning Pack (Rev A), received on 12th November 2015; Site Sections (MI108-EN-001), received on 19th November 2015; Site Plan (MI108-SL-001M); and Swept Path Analysis and Horizontal Road Alignment (MI108-EN-101B) and Materials Layout, excluding surfacing details (MI108-MAT-001E), received on 3rd December 2015.
2. The area within the visibility splays hereby approved shall be kept free of all obstructions, structures or erections exceeding 0.6 metres in height above carriageway level at all times.

Reasons

1. For the avoidance of doubt and to allow a proportionate approach to minor material amendments.
2. 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).

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development given that the original outline was granted both prior to this reserved matters approval and to the date from which the CIL regime came into effect. Please note that should the original outline expire, or be re-submitted (including via an extension of time application) that CIL may be applicable.

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.

105

APPLICATION NO. 2015/1219- CARLTON LE WILLOWS ACADEMY, WOOD LANE, GEDLING.

Extension to existing sports hall to provide table tennis facility.

The Service Manager, Planning, introduced the application, highlighting issues around the pavement on Wood Lane and concentration of school traffic using the road.

The applicant, Craig Weaver, spoke in favour of the application.

RESOLVED to GRANT CONDITIONAL PLANNING CONSENT.

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the following plans: Proposed Sections and Elevations Dwg no. TT/100/03- received 13 October 2015 and Proposed Plans Dwg no. TT/100/02A received 16 November 2015. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. The materials to be used in any exterior work shall be as stated in the Design and Access Statement received by the Local Planning Authority on 13 October 2015. The development shall thereafter be carried out in accordance with those details unless otherwise agreed with the Local Planning Authority.
4. The development hereby approved shall only be available for use by non-school clubs or groups between the hours of 4pm-10pm Monday to Friday during school term time, or not earlier than 1 hour after the official school day ends if later than 3pm. At any other time the development shall only be available for use until 10pm.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of this permission.

3. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
4. To reduce the impact upon the highway network on Wood Lane.

Reasons for Decision

In the opinion of the Borough Council, the proposed development will result in no undue impact on the amenity of adjacent properties, any undue detriment to the visual amenity of the locality, or result in harm to the openness or character of the Green Belt. The proposal is also considered to have no adverse effects in terms of highway safety. The proposal accords with; Policy 3 (Green Belt), Policy 10 (Design and Enhancing Local Identity) and Policy 12 (Local Services and Healthy Lifestyles) of the Aligned Core Strategy 2014; Saved Policies ENV1 (Development Criteria) and C1 (Community Services General Principles) of the Gedling Borough Replacement Local Plan; and Part 8 (Promoting healthy communities) and Part 9 (Protecting Green Belt land) of the National Planning Policy Framework.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. Discussions have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised in letters of representation submitted in connection with the proposal. The application for planning permission is subsequently approved subject to conditions.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated

106 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

107 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

108 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.50 pm

Signed by Chair:
Date: