

**MINUTES
PLANNING COMMITTEE**

Wednesday 6 April 2016

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 Bob Collis Councillor Paul Wilkinson
 Councillor Gary Gregory

Absent: Councillor Chris Barnfather and Councillor Alan Bexon

Officers in Attendance: N Morley, L Parnell, P Seddon and F Whyley

146 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Councillor Parr and Doyle attended as substitutes for Councillors Barnfather and Bexon, who had given their apologies for absence.

147 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 MARCH 2016.

RESOLVED:

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

148 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest, on behalf of all members of the Committee, in application number 2016/0196 on the grounds that the applicant is Gedling Borough Council and in application number 2016/0254 on the grounds that Gedling Borough Council is both the applicant and the owner of the site.

149 APPLICATION NO. 2016/0075- THE FOLLY, PARK LANE, LAMBLEY, NOTTINGHAMSHIRE

Outline planning application to Gedling Borough Council for the residential redevelopment of land next to The Folly, Park Lane, Lambley

to provide five new affordable dwellings comprising of two 2 bedroom bungalows and three 2 bedroom starter houses.

The Planning Officer introduced the application, informing Members of a letter received from the agent following the publication of the agenda. The letter raised a number of points around the developments limited effect on the openness of the greenbelt, the size, bulk and design of the properties and around the infill development, all of which were addressed in the content of the report. Additional information was provided within the letter in relation to the interest received in relation to the purchase of the affordable homes proposed for the site.

After discussion and on the requisition of two Members, the motion to refuse planning permission was put to a named vote and the motion was carried.

For the motion:

Councillor Michael Adams
Councillor Sarah Hewson
Councillor Colin Powell
Councillor John Truscott
Councillor John Parr

Councillor Pauline Allen
Councillor Meredith Lawrence
Councillor Paul Stirland
Councillor Kevin Doyle

Against the motion:

Councillor Sandra Barnes
Councillor Bob Collis
Councillor Barbara Miller
Councillor Paul Wilkinson

Councillor Peter Barnes
Councillor Gary Gregory
Councillor Marje Paling

RESOLVED:

To REFUSE PLANNING PERMISSION:

1. In the opinion of the Borough Council, the proposed development would constitute inappropriate development in the Green Belt by virtue of not serving the five purposes of land within the Green Belt. Therefore, in the absence of any very special circumstances the proposed development would, by definition, be harmful to the Green Belt contrary to the guidance contained within the National Planning Policy Framework (2012) and the Aligned Core Strategy.
2. In the opinion of the Borough Council, the proposed development would result in a significantly detrimental impact on the openness of the Green Belt. Therefore, in the absence of any very special circumstances the proposed development would, by definition, be harmful to the Green Belt contrary to the guidance contained within the National Planning Policy Framework (2012) and the Aligned Core Strategy.

Notes to Applicant

You are advised that as of 16th October 2015, the Gedling Borough Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website.

150

APPLICATION NO. 2016/0181- 4 RENALS WAY, CALVERTON, NOTTINGHAM, NG14 6PH

Application for the removal of a condition to change wooden window frames to UPVC (white).

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 undertaken in accordance with the details as set out within the application forms received on the 3rd February 2016.
3. Notwithstanding the provisions of the Town & Country Planning General Development Order 1988 (or any order revoking and re-enacting that Order) no further extensions shall be built without the prior written permission of the Borough Council as Local Planning Authority.
4. No additional windows to those shown on the submitted plans shall be inserted in the elevations of the proposed dwelling at any time.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In order to protect the amenity of neighbouring properties, in accordance with the aims of policy ENV1 of the Replacement Local Plan (Certain Policies Saved 2014).

4. In order to protect the privacy of neighbouring dwellings, in accordance with the aims of policy ENV1 of the Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The proposal is visually acceptable, results in no undue impact on neighbouring properties or the Calverton Conservation Area. The proposal therefore accords with the National Planning Policy Framework 2012, the Aligned Core Strategy and the Gedling Borough Council Replacement Local plan (Certain Policies Saved 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.

You are advised that the remaining conditions attached to planning permission 91/0324 remain applicable.

151 APPLICATION NO. 2016/0110- 24 PATRICIA DRIVE, ARNOLD, NOTTINGHAMSHIRE, NG5 8EH.

Ground floor front extension to form a wet room.

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 carried out in accordance with the following plans: Existing and Proposed Elevations, Existing and Proposed Ground Floor Layouts and Proposed Section and Site Plan, all received by the Local Planning Authority on 27th January 2016.
3. The materials to be used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwelling.

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).

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and has no adverse impact upon the highway network. The proposal therefore accords with Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014 and saved Policies ENV1 (Development Criteria) and H10 (Extensions) of the Gedling Borough Replacement Local Plan.

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. During the processing of the application there were considered to be no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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 at www.gedling.gov.uk. 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 gross internal area of new build is less 100 square metres

152

APPLICATION NO. 2016/0196- PROPOSED CCTV, TILFORD ROAD, NEWSTEAD, NOTTINGHAMSHIRE.

CCTV Camera at the junction of Tilford Road and Fraser Street, Newstead Village.

RESOLVED to GRANT CONDITIONAL PLANNING PERMISSION

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 approved plans and supporting information received on 4th February 2016 which form part of this permission, unless otherwise agreed 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. For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring properties, and seeks to reduce crime and disorder in the area. The proposal therefore accords with the requirements of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy (2014) and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

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.

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. There were no issues to resolve in the processing of this application.

The applicant is advised that it is necessary to obtain a Licence to construct a structure on the public highway. In this regard, the applicant is required to contact the County Council's Highway Liaison Team on telephone 0115 9774474 to arrange for these works to be carried out.

153 APPLICATION NO. 2016/0253- LAND (2) AT PARK ROAD/BROAD VALLEY DRIVE, BESTWOOD, NOTTINGHAMSHIRE.

Item withdrawn.

154 APPLICATION NO. 2016/0254- LAND CORNER OF PARK ROAD AND BROAD VALLEY DRIVE, BESTWOOD, NOTTINGHAMSHIRE.

Residential development for 3 dwellings.

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

Conditions

1. An application for approval of all the reserved matters (appearance, landscaping, layout and scale) 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 in writing 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 an Arboricultural Method Statement, including details of tree protection fencing and a tree protection plan, to protect the existing trees, 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 trees shall be 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 a landscape plan of the site showing 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. The formal written approval of Gedling Borough Council is required prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, visibility splays and drainage (Hereinafter referred to as reserved matters). All details submitted to Gedling Borough Council for approval shall comply with the County Council's current 6'cs Highway Design and shall be implemented as approved.
11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of surface water and foul drainage. Once approved the development shall be carried out in accordance with these details.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of any proposed alterations to the existing ground levels of the site and details of the height of proposed floor levels of the proposed dwellings relative to the existing levels. Once approved the development shall be carried out in accordance with these details.
13. 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.
14. Unless otherwise agreed by the Local Planning Authority, 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 Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it

originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The assessment should be carried out in line with current guidance CLR11 and the appropriate British Standards (i.e. BS10175).

15. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority. The assessment should be carried out in line with current guidance CLR11 and the appropriate British Standards (i.e. BS10175).

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. In the interest of highway safety.
11. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
12. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
13. To ensure the details of the development are satisfactory, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2014.
14. Because the site has had a history of 'industrial' land use (agriculture) that is a potentially contaminative use. Additionally, the Borough Council is aware that assessments carried out during the re-development of the neighbouring site revealed made ground to depth.
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16. Because the site has had a history of 'industrial' land use (agriculture) that is a potentially contaminative use. Additionally, the Borough Council is aware that assessments carried out during the re-development of the neighbouring site revealed made ground to depth.

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), Policies ENV1, H7 and T10 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2014 and advice contained within the NPPF (2012).

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 PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

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

The proposal makes it necessary to relocate the Parish Council sign in order to facilitate accesses to the proposed dwellings.

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 the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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.

155 PLANNING ENFORCEMENT 0014/2015- 4 DERRY DRIVE, ARNOLD, NOTTINGHAMSHIRE.

Erection of unauthorised fence above 1 metre in height adjacent to a public highway.

RESOLVED:

To authorise the Corporate Director to close the enforcement investigation without taking enforcement action in relation to the Town and Country Planning Act 1990.

156 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

157 FUTURE PLANNING APPLICATIONS

The Planning Officer advised Members that the revised expected committee dates of applications 2014/0273 and 2015/1376 were 08/06/2016 and 27/04/2016, respectively.

RESOLVED:

To note the information.

158 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.45 pm

Signed by Chair:

Date: