

Planning and Licensing Committee

Tuesday, 15 November 2016 at 10:30

County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- 1 Apologies for Absence
- 2 Declarations of Interest by Members and Officers arising since 5th October 2016
- 3 Declaration of Lobbying arising since 5 October 2016
- 4 To develop a hydrocarbon wellsite and drill up to two exploratory hydrocarbon wells by use of a drilling rig and ancillary works

PLANNING AND LICENCISNG COMMITTEE

date Tuesday 15 November 2016

commencing at 12 Noon or at the rising of the above meeting, whichever is the later.

at County Hall, West Bridgford, Nottingham

- 1 Minutes of the last Meeting 18 October 2016 3 - 6
- 2 Apologies for Absence
- 3 Declarations of Interests by Members and Officers:- (see note below)
 - (a) Disclosable Pecuniary Interests
 - (b) Private Interests (pecuniary and non-pecuniary)
- 4 Declarations of lobbying

5	Erection of Two Storey Extension Replacing 2 Mobile Buildings Ash Lea School Owthorpe Road Cotgrave	7 - 28
6	Relocation of Library Entrance with Alterations to External Elevations Including Replacement Windows to the Clasp Building; with External Steps and Ramp and	29 - 46
7	Development Management Report	47 - 52
8	Work Programme	53 - 56

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact David Forster (Tel. 0115 977 3552) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting **PLANNING AND LICENSING COMMITTEE**

Date **Wednesday 18 October 2016 (commencing at 10.30 am)**

membership

Persons absent are marked with 'A'

COUNCILLORS

John Wilkinson (Chair)
Sue Saddington (Vice-Chairman)

	Roy Allan	Andy Sissons
	Andrew Brown	Keith Walker
A	Steve Calvert	Jackie Williams
	Jim Creamer	Yvonne Woodhead
A	Rachel Madden	

OFFICERS IN ATTENDANCE

David Forster – Resources Department
Rachel Clack – Resources Department
Sally Gill – Place Department
David Marsh – Place Department
Joel Marshall - Place Department

CHANGE IN MEMBERSHIP

It was noted that Councillor Jackie Williams was appointed in place of Councillor Stan Heptinstall MBE for this meeting only.

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Steve Calvert.

CHANGE ON AGENDA

The Chair informed members that agenda item 6 Bunny Materials Recycling Facility Loughborough Road Bunny has been withdrawn because new information had been received and therefore the report needs rewritten

DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

None

DECLARATIONS OF LOBBYING OF MEMBERS

None

PROSPECT HILL INFANT AND NURSERY SCHOOL MAPLE DRIVE WORKSOP

Mr Marsh introduced the report and gave a slide presentation and highlighted the following:-

- The Camera is on a 3 metre pole near the entrance drive of Prospect Hill Nursery and Infant School, which also shares the drive with Prospect Hill Junior School.
- There are remote access gate controls and the camera, which is on a fixed angle records visitors accessing the site.
- There are three properties surrounding the camera and the camera does not capture any images of any of the private properties.
- The access to any recordings from the camera are subject to the Surveillance Camera Code of Practice.

Members asked questions and made comments as follows:-

- The camera is a fixed camera which can only be moved manually.
- The camera picture shown only shows the leylandii trees because this is the direction the camera is facing

Following the opening remarks of Mr Marsh, Mrs Hindley, local resident, spoke against the application and highlighted the following:-

- Have been trying to get the camera removed ever since the installation in May 2015.
- The family feel monitored 24/7 365 and therefore no privacy .Concerns over who can access the footage as it causes fear for the safety of family members
- Who can access the footage as it causes fear for the safety of family members'.
- The camera has been moved and lowered and is constantly in the eye line.
- There is no privacy given at any time of day because of the constant reminder that a camera is looking into the property
- Human Rights issues are breached by the installation of the camera.

In response to a questions Mrs Hindley responded as follows:-

- The angle of the camera is easily changed with a ladder and a spanner.
- The school cannot prove that the surveillance camera only points at the gate because of the Surveillance Camera Code and other regulations.
- The house was burglarised and concerns were given over who could access the camera to check our house.
- The school do not enter into discussions with the householders affected by the presence of the camera.

- It is intrusive why doesn't the school have security on the main door as this would be safer.

In response to issues raised by Mrs Hindley, Mr Marsh replied that the conditions contained in the appendix to the report condition 3 states that the camera will be specified and that it is a fixed camera which has no movement.

In response to Members questions and comments Mr Marsh responded as follows:-

- The planning conditions are enforceable.
- The camera has already been installed and will not be changed and it is one that does not have the ability to be moved remotely as it is not motorised
- The camera is wired to the monitor so it is unable to be hacked as it doesn't sit on a network
- The images of the camera run along the curb line so do show cars on the public highway however the images are not filed and are deleted after a short period of approx. 3-6 months.
- An informative can be drafted in the decision letter asking that the Governors audit the camera position on a regular basis to ensure it is not moved from its current position. Conditions can be clear that the camera is fixed (non-motorised) and cannot be changed from the make and model agreed.

On a motion by the Chair seconded by the Vice-Chairman it was:-

RESOLVED 2016/059

That planning permission be granted subject to the conditions set out in Appendix 1 attached to the report.

RESPONSE TO DCLG ON THE TECHNICAL CONSULTATION ON IMPROVING THE USE OF PLANNING CONDITIONS

On a motion by the Chair, seconded by the Vice-Chairman, it was:-

RESOLVED 2016/060

That the County Council's response to be sent to DCLG, as set out in Appendix 1 to this report, on the technical consultation on "Improving the use of planning conditions" be approved.

DEVELOPMENT MANAGEMENT PROGRESS REPORT

On a motion by the Chair, seconded by the Vice-Chairman, it was:-

RESOLVED 2016/061

That the Development Management Report be noted.

WORK PROGRAMME

On a motion by the Chair, seconded by the Vice-Chairman, it was:-

RESOLVED 2016/062

That the Work Programme be noted

The meeting closed at 12.20 am.

CHAIR

15 November 2016**Agenda Item: 5****REPORT OF CORPORATE DIRECTOR – PLACE****RUSHCLIFFE BOROUGH REF. NO.: 8/16/02129/CTY**

PROPOSAL: **ERECTION OF TWO STOREY EXTENSION REPLACING 2 MOBILE BUILDINGS (4 CLASSROOMS), 3 ADDITIONAL CAR PARKING SPACES, AREAS OF OUTDOOR HARD PLAY, ASSOCIATED LANDSCAPE WORKS AND SECURITY FENCING**

LOCATION: **ASH LEA SCHOOL, OWTORPE ROAD, COTGRAVE**

APPLICANT: **NCC CHILDREN, FAMILIES AND CULTURAL SERVICES**

Purpose of Report

1. To consider a planning application for the erection of a two storey extension to Ash Lea Special School, Owthorpe Road, Cotgrave. The key issues relate to the intensification of use of the site and the potential amenity and highway impacts which may arise. The application is reported to Committee because conditions recommended by Rushcliffe Borough Council are not fully reflected in the recommendations of this report. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

The Site and Surroundings

2. Ash Lea School is a Special school for 72 children (January 2016) aged 3-19 situated on the east side of Owthorpe Road, Cotgrave. The school lies approximately 500m to the south of the junction with Plumtree Road, to the south of the historic centre of the village and at the centre of the settlement. The playing fields of Candleby Lane Primary School, a redeveloped school which opened in 2008, lie to the north of Ash Lea School.
3. The school site lies in an elevated location relative to Owthorpe Road. The bank outside the school site adjoining the carriageway, which is part of the adopted highway, is screened by mature trees and established vegetation. The school playing field of Candleby Lane Primary School is on a level approximately 4m above that of Owthorpe Road.
4. The vehicular access to Ash Lea School is at the southern end of the frontage to Owthorpe Road opposite the junction with Greenfields Drive. There is a narrow

and relatively steep pedestrian access to the school to the north of the vehicular access to the site.

5. Bungalows on east side of Owthorpe Road facing the application site are generally set back 12m from the highway boundary. Residential development lies adjacent to the southern site boundary.
6. Ash Lea School comprises a group of single storey buildings built in the 1970s and is of CLASP construction. Three detached green coloured modular double classrooms are sited to the north of the principal school building, the nearest of which lies 7m from the site boundary and 12m from the footway on Owthorpe Road. Of the 72 children currently on roll, 34 are educated in the temporary buildings.
7. The school buildings cannot be readily seen from Owthorpe Road, other than possible distant views from the north when highway vegetation is not in leaf. A hedge and mature trees within the application site on the frontage to Owthorpe Road generally screen views of the school site. Mature trees are established to the north of the CLASP school building. Trees on the southern boundary have recently been significantly reduced in height. It is understood that the work has been carried out by the adjoining residents with the agreement of the school.
8. Surface water discharges in combination with site foul drainage to a public foul sewer in Owthorpe Road.
9. Ash Lea Special School takes pupils from across Nottinghamshire, many of which have complex physical needs including mobility issues. Current accommodation has been modified and extended over time to meet the differing and developing needs of students.
10. The Special School has a strong reliance on organised transport to bring children to and from the site, in addition to parents who bring and collect their children at the beginning and end of the school day. Whilst organised transport arrives at the site and off-loads children in the morning with little delay, the transport vehicles assemble on Owthorpe Road outside the school before being allowed onto the site in groups, in three phases, at specific pre-arranged times to collect the children. Limited parent waiting also takes place on Owthorpe Road. The applicant has advised that parked vehicles can lead to there being a long line of parked vehicles on Owthorpe Road restricting free two-way movement of traffic on a route which is used at that time by school buses en-route to collect from secondary schools.
11. The school operates a school day between 08:45 -15:30 hours and employs 49 full-time staff and three part-time staff (50.5 full-time equivalent – FTE). Car parking within the school site takes place to the south and west of the school building. A total of 31 parking spaces are provided for staff and visitors, with bays suitable for school mini-buses on the site.
12. The school has temporarily moved to Swithland Drive, West Bridgford in anticipation of works proposed in this application being approved and built.

Proposed Development

Background

13. The three modular classrooms on the site are the subject of temporary planning permissions. Two classrooms have been sited at the school since 1997 and 2001, while the more recent classroom nearer Owthorpe Road was sited in 2012 (planning permission reference 8/11/00075/CTY), which expired in March 2016.
14. An application is currently being considered for the retention of the temporary classroom sited closest to Owthorpe Road (application reference 8/16/02279/CTY).
15. The demand for places at Ash Lea School has risen and the Local Authority has been unable to place children at the school due to a lack of suitable space.

Proposed Development

16. Planning permission is sought to erect a two storey extension to the north of the existing CLASP school, requiring the removal of the two temporary classroom buildings sited immediately to the north. The siting of the building would also require the removal of three sycamore trees (two Category C and one Unclassified noted to be in decline).
17. The building, with a footprint approximately 32m x 10m, would be approximately 7m in height, connected to the existing building by a single storey link with the exception of one two storey element providing a stair access between the floors and a lift. Three windcatchers coloured light grey (RAL 7038) would be installed projecting 1.1m above the roof of the two-storey element of the extension.
18. Three classrooms, therapy room, hygiene suite and learning pod would be provided on the ground floor, with two Post-16 classrooms, common room and staff room provided on the upper floor. Refurbishment and enhancement of existing school rooms would be carried out. The school hall would be extended with a roof light and two windcatchers projecting above the ground floor roof.
19. The building would be faced in a combination of red oxide coloured render (RAL3009) and grey coloured render (RAL7044) above a brick plinth. A dark grey coloured aluminium fascia and soffit (RAL 7042) is proposed. Aluminium door and window frames would be coloured slate grey (RAL 7015) with doors and opening lights coloured Signal Violet (RAL 4008). The roof would be covered with a dark grey single play roof membrane.
20. Areas of hard play would be provided to the west, north and east of the proposed extension, enclosed by 2.0m high security fencing and gates.
21. One sycamore tree (Category U) would be felled within the site adjacent to the Owthorpe Road frontage to allow the widening of the access road to the carpark to the west of the school building. The area would be hard surfaced to accommodate drop-off and pick-up in addition to three additional car parking

spaces. A small tree adjacent to the site entrance within the site would also be removed.

22. Although detailed drainage proposals have not been submitted in support of the application it is proposed that a surface water would be attenuated on site before being discharge via a new connection to the surface water sewer in Owthorpe Road. The use of soakaways is not viable on the site.
23. The pupil capacity at the school would increase from 72 to 90. Two additional full-time, three teaching assistants and one additional mid-day supervisor would be employed. School operational hours, would remain as at present. Transport arrangements would remain largely as at present, although the provision of additional on-site car parking and drop-off/pick-up area would offer alternatives to alleviate on-street parking. The school has advised that the additional provision would allow all school transport to be accommodated on the site at the end of the school day and gates would be closed when children move from the school to the waiting vehicles. Some children are brought to school by car which would be accommodated on the school site. The school has advised that some staff park outside the site on the public highway but park so as not to conflict with home transport accessing the site and that this is unlikely to change.

Consultations

24. **Rushcliffe Borough Council** - No objection subject to conditions to: remove permitted development rights for alternative uses within Use Class D1; restriction of the school to 90 pupils; control of hours of use to those specified in the application; development taking place to specified site levels [now addressed by a satisfactory revised plan]; remediation of unexpected contamination; specified external finishes being used; protection of retained hedges and trees during construction; and submission of a landscaping scheme and details of external lighting.
25. **Cotgrave Town Council** - No objection. *The extension is welcomed.*
26. **NCC Highways Development Control** – No objection subject to conditions to require parking/servicing provision to be brought into use prior to the development first being brought into use; and provision of a School Travel Plan.
27. *The proposal will result in a significant increase in pupils attending the school. However additional off street parking is being provided and additional areas within the site for dropping-off of pupils are proposed. Drop-off areas should also be used for the pick-up of pupils which would help reduce the impacts of the proposal on roads in the vicinity of the site.*
28. A School Travel Plan was not submitted as required by a condition of a previous planning application for the modular buildings (planning ref. 8/11/00075/CTY). A School Travel Plan will need to be submitted as there will be an increase in pupil and staff numbers.
29. **NCC Nature Conservation Team** - No objection subject to conditions to control vegetation clearance during the bird nesting season and lighting being designed

to be sensitive to bats. *An updated ecological assessment has been submitted confirming that bats are not present and the building offers negligible roosting opportunities.*

30. **NCC Landscape Team** – No objection subject to a condition to require submission of a landscape scheme; and tree/hedge root protection along the western boundary and no-dig method statement for the construction for the drop-off area.
31. *Residential properties to the west on Owthorpe Road are well screened by the mature mixed species hedgerow on the bank along the school boundary. This is a tall dense hedgerow, although there may be filtered views in winter. Visual impact during and following construction would be negligible/minor adverse.*
32. *Properties on Owthorpe Road to the south of the school entrance are a mix of one and two storey properties. There would be oblique views of the proposed development, but again partly filtered by the large mature cherry tree on the bank to the north of the school entrance and visual impact would be minor adverse.*
33. *Properties to the south on Ash Lea Close are two storey properties which are partly screened by a hedge/close boarded fencing and semi-mature oak trees along the southern boundary [recently severely cut back]. Some residents would have clear views of the proposed development from first floor windows while others would have views filtered by the existing trees along the boundary. Visual impact would be moderate adverse during construction, reducing to minor adverse on completion.*
34. *Replacement tree planting should be considered in relation to visual impact from adjacent residential properties. Trees should be either Extra Heavy Standard or Semi-Mature specimens.*
35. **Police Force Architectural Liaison Officer** - No objection. *The school suffers from very little crime and disorder and no concerns are raised.*
36. **NCC Land Reclamation Team** - No objection subject to conditions to require an asbestos pre-demolition survey for area where connection would be made to the existing building; and a watching brief for unexpected contamination which may be encountered. A recommendation is made (Informative) regarding concrete specification and aggressive ground conditions should be incorporated into the building design.
37. *A combined desk study and Phase II targeted site investigation has not identified any significant risks from contamination of the surrounding ground.*
38. *The proposed surface water attenuation tank does not include an allowance for climate change.*
39. **NCC Project Engineer (Noise)** – No objection subject to a condition to control construction working hours and noise generated by construction activities. An acoustic specification report should be commissioned to inform the acoustic design standards of the new building (Informative).

- 40. The proposed development would increase pupil numbers by approximately 25%. The nearest residential properties lie across Owthorpe Road and it is unlikely that there will be any significant operational noise impact from the expansion of the school.
- 41. **Severn Trent Water Limited, Western Power Distribution and National Grid (Gas)** - No response received.

Publicity

- 42. The application has been advertised by site notice and neighbour notification in accordance with the County Council's Adopted Statement of Community Involvement Review.
- 43. Two letters of representation has been received from residents of Owthorpe Road. Whilst not objecting to the development, attention is drawn to no consideration being given to bus parking on Owthorpe Road with some parking taking place on the school no-waiting zone. One resident states that the parking of large mini-buses on Owthorpe Road severely restricts drive access to property.
- 44. Councillor Richard Butler has been notified of the application.
- 45. The issues raised are considered in the Observations Section of this report.

Observations

- 46. The principle issues in the determination of the application are the intensification of the proposed use, related traffic impacts and the visual impact of the proposed two storey extension.
- 47. The extended school would allow up to 90 children to be accommodated and the number of pupils, staff and the associated traffic impacts have been assessed accordingly. With reference to Rushcliffe Borough Council's recommendation that pupil numbers should be limited to the maximum number proposed in the application, the service needs to be able to respond to a wide range of needs. It may be possible to accommodate further pupils at the school which could change the travel and transport characteristics of the site. However, it is considered, after discussion with Highways Development Control, that an increase in pupil numbers of up to 10% should not give rise to significant highway impact above that assessed in the application. It is recommended that the maximum number of pupils on the school roll at any one time should be 99, beyond which the traffic impacts of any increase would need to be considered through a planning application to vary the condition (Condition 4). The demand for places can vary on an annual basis, and the flexibility offered by the condition would allow the service to be responsive to service demands without giving rise to significant impacts, or the operation of the school being unduly encumbered by the planning system.

48. Rushcliffe Borough Council has also recommended that the use of the site is restricted to the use for which permission is sought (a Special School) and that the site should be used for no other purpose within Use Class D1 (which includes clinics, health centres, creches, day nurseries, non-residential education and training centres, public halls, exhibition halls and places of worship) without the benefit of planning permission. It might be appropriate to seek to limit permitted changes of use when granting planning permission for a new use. The current planning use of the site is not restricted, and would not change as a consequence of the development. It is considered that to restrict alternative permitted uses by a planning condition of this permission would be unreasonable and would not meet the tests for conditions in National Planning Policy Framework (NPPF) Paragraph 206.
49. In addition Rushcliffe Borough Council has recommended that the school is used only during the hours specified in the application. Most schools will be opened by the site caretaker at 06:30 hours and close at 18:00 hours, although there will be occasions when the school is used in the evenings, such as parent evenings, other meetings and child performances. As with the suggested restriction of future use of the site, it is not considered reasonable to restrict the present unfettered operation of the site and a condition would not meet the tests for conditions in NPPF Paragraph 206.
50. Existing built development at the school is single storey. A two storey extension is proposed and although in an elevated position would be set back from Owthorpe Road. The extension would not impact on residents of Ash Lea Close. The design of the proposed extension is considered to be appropriate in the context of retained CLASP elements of the school. The palette of facing materials and finishes incorporating primary colours is considered to be appropriate for a school. The proposed use of Signal Violet openings against grey frames would be striking, but would reflect school colours used on temporary buildings currently on the site. The proposed use of grey and red oxide render finishes is considered to be suitable. It is considered that the proposal would comply with Rushcliffe Publication Core Strategy (2012) Policy 9 – *Design and Enhancing Local Identity* which requires development to be assessed in terms of impact on residential amenity; massing, scale and proportion; and materials, scale and proportion and Rushcliffe Borough Non-Statutory Replacement Local Plan (RBLP) Policy GP2 *Design and Amenity Criteria* which will allow new development where (amongst other criteria) the scale, height, massing, design, layout and materials are sympathetic to the character and appearance of neighbouring buildings and the surrounding area. Whilst the three windcatchers projecting above the roofline of the two-storey element of the extension may be noticeable, they would be set back from the edge of the roof and their scale and proposed grey colour are considered to be acceptable. Materials and finishes specified in the application are considered to be acceptable and no additional information is required.
51. Parking issues have been raised in representations from residents opposite the school on Owthorpe Road. Suitable additional provision would be made for the increase in staff and improved facilities would be provided within the site for pick-up and drop-off, which should address the identified school transport issue. Staff on-street parking appears to take place in consideration of neighbouring

residents and does not give rise to obstruction or other highway difficulties. It is considered that development would be in compliance with RBLP Policy GP2 *Design and Amenity Criteria* which will allow new development where (amongst other criteria) there is no significant adverse effect on amenity by reason of the type and levels of activity on the site or traffic generated.

52. In granting planning permission under reference 8/11/00075/CTY, a condition was imposed to require a School Travel Plan, but the document has not been submitted. A condition is recommended to secure the completion of a School Travel Plan, an assessment of the feasibility of the measures proposed in the Travel Plan and the timescale for the provision of measures to alleviate parking and related highway issues at the school (Condition 17). A condition is also recommended to require the improved pick-up and drop-off area to be provided before the extension is brought into use (Condition 16).
53. The proposed development would result in the loss of Category C or Unclassified trees which are not considered to be worthy of retention. Acceptable replacement tree planting is proposed but consideration needs to be given to the location and choice of species. A standard landscaping condition is recommended (Condition 15). Trees/hedges to be retained during construction would be safeguarded during construction and any work within the safeguarded area would be carried out in accordance with an approved method statement (Condition 10 and Condition 11).
54. Activities associated with operational use are considered unlikely to give rise to unacceptable impacts on neighbouring amenity. No details of proposed lighting have been submitted, and it is recommended that any lighting scheme should be sensitive to the presence of bats and be designed so as to comply with Institute of Lighting Professionals Guidance for the Reduction of Obtrusive Light – Zone E2 (Condition 14).
55. The proposed drainage strategy, to include on-site surface water attenuation and disposal to the surface water sewer in Owthorpe Road, is acceptable in principle. However, the submitted attenuation tank design does not include an allowance for climate change. The applicant has not provided confirmation that a new connection to the public sewer is acceptable to Severn Trent Water Limited. It is recommended that development should not commence until such time as a satisfactory detailed surface water scheme has been approved (Condition 8).
56. Noise related to construction, times of deliveries to site and hours of working should be controlled by planning condition (Condition 6). A condition is recommended to require the submission of a destructive survey of those parts of the CLASP building that would be affected by the addition of the extension, and a requirement to submit a watching brief for unexpected contamination which may be encountered during the proposed works (Condition 12 and Condition 13).

Other Options Considered

57. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

58. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

59. Service users would benefit from an enhanced facility suitable to meet service needs.

Crime and Disorder and Safeguarding Implications

The site is currently enclosed by perimeter security fencing. No changes are proposed.

Human Rights Implications

60. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Implications for Sustainability and the Environment

61. The proposed development would provide an enhanced facility to meet the service needs of the surrounding area. The sustainable design features would be incorporated in the construction.
62. There are no Financial, Equalities or Human Resources implications.

Statement of Positive and Proactive Engagement

63. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposals against relevant Development Plan

policies; all material considerations; consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

64. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1.

TIM GREGORY

Corporate Director – Place

Constitutional Comments

Planning and Licensing Committee is the appropriate body to consider the contents of this report.

[RHC 07/11/2016]

Comments of the Service Director - Finance

There are no specific financial implications arising directly from this report.

[SES 01/11/16]

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division and Member Affected

Cotgrave

Councillor Richard Butler

Report Author/Case Officer

David Marsh

0115 9932574

For any enquiries about this report, please contact the report author.

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RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (as amended), including documents and recommendations of reports, and the following plans:

- (a) Location Plan (Drawing A100 Rev B) received by the CPA on 15 August 2016;
- (b) Tree Protection Plan (Drawing A112 Rev A) received by the CPA on 1 November 2016;
- (c) Proposed Site Plan (Drawing A102 Rev F) received by the CPA on 1 November 2016;
- (d) Proposed Ground Floor Plan (Drawing A104 Rev G) received by the CPA on 25 October 2016;
- (e) Proposed First Floor Plan (Drawing A105 Rev C) received by the CPA on 25 October 2016;
- (f) Proposed Roof Plan (Drawing A121) received by the CPA on 1 November 2016;
- (g) Elevations (Drawing A106 Rev C) received by the CPA on 25 October 2016;
- (h) Monodraught Windcatcher Classic (Square) detail received by the CPA on 1 November 2016;
- (i) Sections (Drawing A109 Rev A) received by the CPA on 4 November 2016;

Reason: For the avoidance of doubt as to the development that is permitted.

4. Not more than 99 children shall be registered on the school roll at any time.

Reason: In order that the CPA may control and assess the wider planning impacts of the future intensification of use of the site.

5. Should any tree, shrub, scrub or other vegetation clearance works be carried out between the months of March to August inclusive, the works shall be undertaken in accordance with a methodology which shall first be submitted to and approved in writing by the CPA. Works to be carried out in accordance with the approved methodology shall only be undertaken following inspection by a suitably qualified ecologist and written confirmation from the ecologist first being submitted to the CPA that breeding birds would not be adversely impacted by the proposed clearance works.

Reason: To avoid disturbance to birds during the breeding season.

6. Unless in the event of an emergency, or as otherwise may be previously agreed in writing with the CPA;

- a) no works of construction shall be carried out or plant operated except between 07:30-18:00 hours Mondays to Fridays and 0730–13:00 hours on Saturdays;
- b) construction work shall not be carried out at any time on Public or Bank Holidays;
- c) no construction related vehicle movements to or from the site shall take place on any day other than between 07:30–18:00 hours Mondays to Fridays and 07:30-13:00 hours on Saturdays;

Reason: To safeguard the amenity of nearby residents.

7. Prior to the commencement of development, details of the proposed method of working in the form of an environment management plan, to include:

- a) measures to prevent the deposit of debris on the public highway;
- b) measures for the control of noise to minimise noise impacts in accordance with guidance in BS5228-1:2009 *Code of practice for noise and vibration control on construction and open sites*, vibration and dust emissions (including mitigation measures in the event of a complaint); and
- c) a scheme for the recycling/disposal of surplus soils and waste resulting from construction.

shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the CPA.

Reason: Details are required to be submitted prior to the commencement of development to provide adequate information and satisfactory detail in the interest of highway safety, and to protect the amenities at present enjoyed by the occupiers of nearby properties.

8. Notwithstanding drainage details shown on submitted Drawing A111 Rev D and supporting information, no development shall commence before a scheme of surface water drainage works, designed to mitigate the impact of climate change, has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details and shall be completed prior to the development hereby approved first being brought into use.

Reason: Details are required to be submitted prior to the commencement of development ensure that the site can be satisfactorily drained and to safeguard against increased risk of flooding.

9. Notwithstanding foul drainage details shown on submitted Drawing A111 Rev D, prior to the commencement of main site works, confirmation from Severn Trent Water Limited that the foul water drainage proposals submitted with the application are acceptable shall be submitted to and approved in writing by the CPA. In the event that the acceptability of the foul drainage proposals is not confirmed by Severn Trent Water Limited, or alternative foul drainage proposals to those shown on approved plans are proposed, a scheme of foul water drainage works shall be submitted to and approved in writing by the CPA prior to the commencement of main site works. The foul drainage works shall be completed prior to the development hereby approved first being brought in to use, in accordance with the approved details.

Reason: Details are required to be submitted prior to the commencement of main site works to provide appropriate detail to safeguard against increased risk of flooding and minimise pollution by ensuring the provision of a satisfactory means of foul water disposal.

10. Prior to the commencement of main site works, fencing to safeguard retained trees and hedges shall be erected in accordance with approved Drawing A112 Rev A (Condition 3b)) to the satisfaction of the CPA and shall be so retained (subject to Condition 9) throughout the period of construction.

Reason Details are required to be submitted prior to the commencement of main site works to safeguard the health of trees and hedges during the period of construction.

11. Where approved works are to take place within the root protection area of trees and excluded areas fenced in accordance with Condition 10, the works shall be carried out in accordance with a method statement which shall be first submitted to and approved in writing by the CPA.

Reason To safeguard the health of trees and hedges during the period of construction.

12. Prior to undertaking any works which may impact on the structure of the existing CLASP building being carried out, a destructive asbestos survey of the area of the existing building that would be impacted by the proposed works shall be undertaken in accordance with Nottinghamshire County Council's *Code of Practice for Carrying Out Work that may Disturb ACMs (Asbestos Containing Materials)* (NCC Code of Practice) in respect of asbestos containing materials, and submitted to the CPA for its approval in writing. In the event that the survey indicates the presence of asbestos, details of the steps to be followed in the NCC Code of Practice to manage the risk associated with asbestos shall be submitted to the CPA, and development shall be carried out in accordance with the approved details.

Reason: To ensure that the risk associated with asbestos containing materials is appropriately managed.

13. Prior to the commencement of main site works, a watching brief to deal with contamination which may be encountered shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details. If during development contamination not previously identified is found to be present, no further development shall be carried out until a remediation strategy to deal with the unsuspected contamination has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details. A validation report to confirm that contamination has been satisfactorily remediated shall be submitted to, and approved in writing by, the CPA prior to the approved development first being brought into use.

Reason: Details are required to be submitted prior to the commencement of main site works to provide an appropriate methodology that will ensure that the site is remediated to an appropriate standard.

14. Prior to being installed, the location and design details of any external light fittings, complying with Institute of Lighting Professionals Guidance for the Reduction of Obtrusive Light – Zone E2 and designed in consultation with an ecologist so as to be sensitive to the presence of bats, shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt as to the development permitted in the interest of the visual amenity of the development.

15. Within 6 months of the commencement of development a scheme, including a programme for the provision of landscaping to include
- a) species and location of replacement trees planting (notwithstanding the location of replacement tree planting shown on Drawing A112 Rev A – Condition 3b));
 - b) establishment methods (including tree pit detail);

- c) specifications for planting and grass seeding; and
- d) a schedule of maintenance including a Landscape Management Plan to guide ongoing management of created and retained habitats

shall be submitted to and approved in writing by the CPA. Other than as may be agreed in the programme for the provision of landscaping, planting and seeding, the approved scheme shall be completed not later than the first planting season following the development first being brought into use. Any tree, plant, shrub or grass seeding that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

Reason: In the interest of visual amenity.

16. The extension approved by this permission shall not be brought into use until the parking and turning areas approved by this permission have been constructed, drained through trapped gullies with an overall capacity compatible with the site being drained, surfaced, and marked out to the satisfaction of the CPA. The parking and turning areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.

Reason: In the interests of Highway safety.

17. Within six months of the date of this permission a School Travel Plan aimed at:
 - a) reducing travel and visits to school by car;
 - b) rationalisation of car parking and safe walking routes on the site;
 - c) management of the use of on-site car parking by staff, parents and visitors;
 - d) management of the home-school bus service

and including;

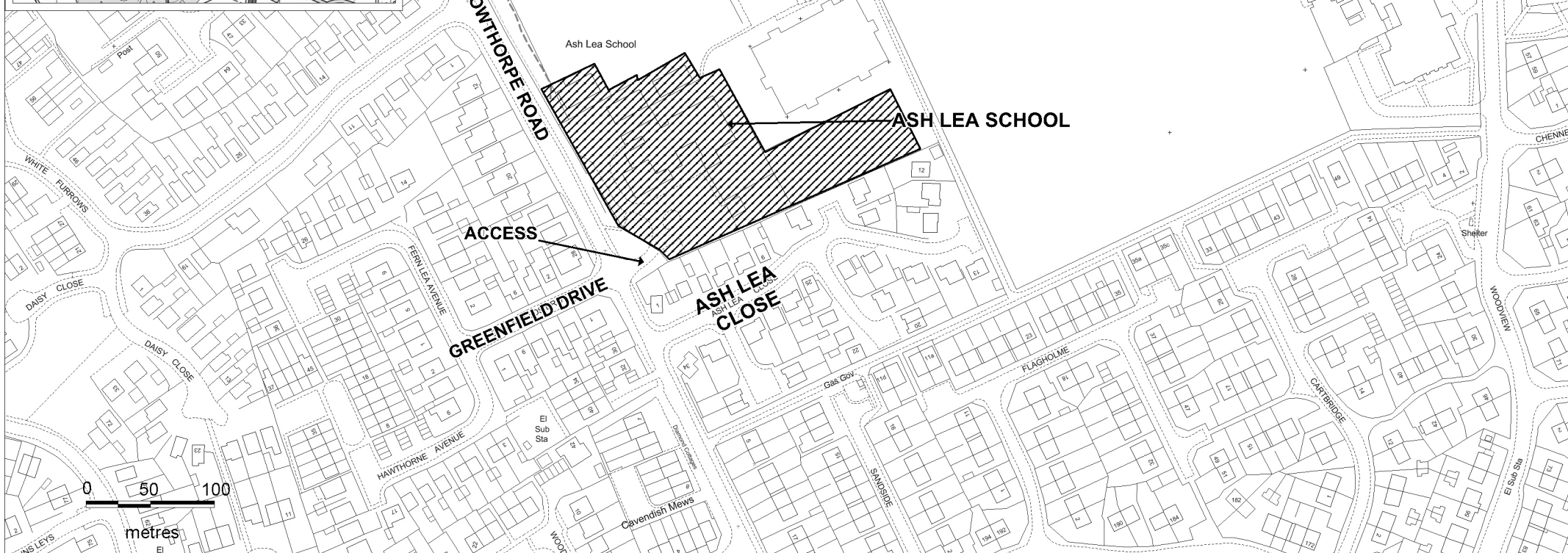
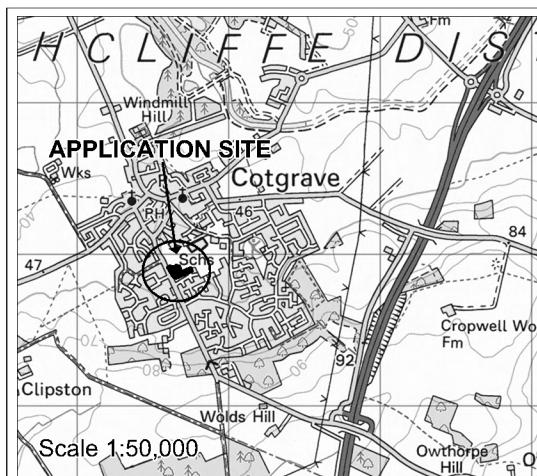
- e) a report assessing the feasibility of implementing the measures set out in the School Travel Plan; and
- f) a timescale for the implementation of measures set out in the School Travel Plan

shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason In the interest of the safety of users of the site, and to minimise the impact of the development on neighbouring occupiers in compliance with Rushcliffe Borough Non-Statutory Replacement Local Plan 2006 Policy GP2.

Informatives/notes to applicants

1. With reference to Condition 8, an on-site tank for the attenuation of surface water will need to be suitably sized to accommodate the 1 in 100 year storm event plus a 30% allowance for climate change.
2. With reference to Condition 15, NCC Landscape recommend the planting of Extra Heavy Standard or Semi-Mature trees.
3. NCC Land Reclamation advises that the requirements for concrete identified in the Phase II Site Investigation supporting the application, and guidance in BRES D1, should be followed.
4. NCC Project Engineer (Noise) advises that the design and construction of the extension must comply with Building Regulations 2010 Approved Document E Section 8, and Building Bulletin BB93. An acoustic specification report will need to be commissioned to inform the acoustic design standards of the new building.



Erection of two storey extension replacing two mobile buildings (4 classrooms),
3 additional car parking spaces, areas of outdoor hard play, associated
landscape works and security fencing.

Ash Lea School, Onthorpe Road, Cotgrave, Nottinghamshire.

Planning Application No. 8/16/02129/CTY

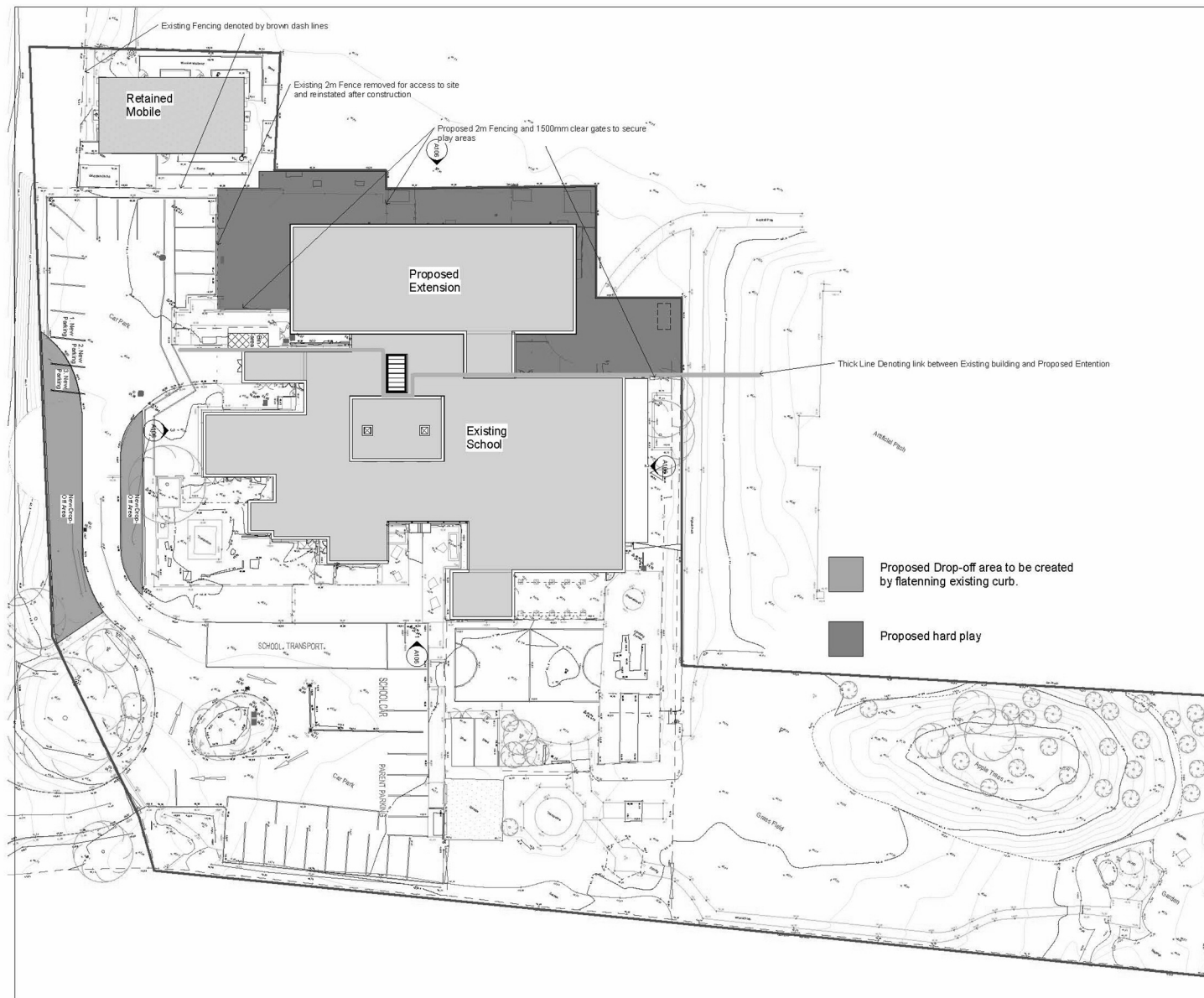
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Produced by: JW

Date: NOV 2016



Project Name	Ash Lea Special School	Client	Nottinghamshire County Council
Project No.	P.Y.BE 29/181	Project Manager	Nottinghamshire County Council
Project Title	Proposed Site Plan	Project Engineer	Nottinghamshire County Council
Scale	1:100	Date	17/08/2016
Author	A102	Check	SR
Drawn	NCC	Time	3:35:35
Rev	E	Rev	

arcpartnership
4th Floor City Gate East, Tollhouse Hill,
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Tel: 0115 538 4244 Email: info@arc-partnership.co.uk



**Nottinghamshire
County Council**

Erection of two storey extension replacing two mobile buildings (4 classrooms),
3 additional car parking spaces, areas of outdoor hard play, associated
landscape works and security fencing.

Ash Lea School, Owthorpe Road, Cotgrave, Nottinghamshire.

Planning Application No. 8/16/02129/CTY

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Date: NOV 2016

PLAN 2



15 November 2016**Agenda Item: 6****REPORT OF CORPORATE DIRECTOR – PLACE****BROXTOWE DISTRICT REF. NO.: 5/16/00632/CCR**

PROPOSAL: RELOCATION OF LIBRARY ENTRANCE WITH ALTERATIONS TO EXTERNAL ELEVATIONS INCLUDING REPLACEMENT WINDOWS TO THE CLASP BUILDING; WITH EXTERNAL STEPS AND RAMP AND ASSOCIATED LANDSCAPE WORKS

LOCATION: BEESTON LIBRARY, FOSTER AVENUE, BEESTON

APPLICANT: NCC PLACE DEPARTMENT

Purpose of Report

1. To consider a planning application for the relocation of the entrance and refurbishment works to Beeston Library, Foster Avenue, Beeston. The proposal is being reported to Committee for determination as the application is submitted by Place Department. The key issues relate to changes to the character of the building and mitigation of ecological impacts. The recommendation is to grant planning permission subject to the conditions set out in Appendix 1.

The Site and Surroundings

2. Beeston Library is located to the west of Beeston town centre facing Broxtowe Town Council offices on Foster Avenue, and to the north-west of Broxtowe Borough Council offices. Round Hill Primary School lies to the north-west of the library at the end of Foster Avenue. Beeston St John's Grove Conservation Area relates to late Victorian and early 20th century residential properties to the west of the Town Hall. Grade II listed Anglo-Scotian Mills lies approximately 150m to the north of the library (Plan 1).
3. The original Beeston Library is of single storey construction dating from the 1930s with two storey CLASP additions to the rear and north set back from Foster Avenue. The main entrance to the library is on the north facing elevation of the CLASP extension. The original library entrance facing Foster Avenue has been replaced by stonework and a window with metal tracing above, matching the detail to either side. A row of trees and a laurel hedge are established behind a low stone wall along the frontage to Foster Avenue.
4. An area of car parking is provided to the north of the library.

Proposed Development

5. Planning permission is sought for the reinstatement of the former library entrance in the 1930s building, replacing the central window with a pair of hardwood doors. The window and tracery above the new doors would be retained.
6. Existing windows in the CLASP building would be replaced by grey coloured aluminium frames with solid lower panels (RAL 7030). The existing library entrance would be replaced by a window. Cast aluminium hoppers would replace existing hoppers on the north elevation. 1.8m high black coloured Heras contour vertical rail fencing would be erected to securely enclose a basement entrance (Plan 2).
7. Steps and a ramp with hand rail at 1:17.5 suitable for disability access would be provided outside the new library entrance. Part of the stone wall and laurel hedge would be removed to create the access, which would be framed by stone piers. One dead cherry tree (Tree Survey Report T325) on the frontage to Foster Avenue would be removed. Stone removed below the existing window would be used to form the string course of the ramp, while stone reclaimed from the demolition of the wall would be used to form new entrance piers (Plan 3). The ramp would be provided with a sympathetic handrail detail complying with Building Regulations to provide suitable access for all. The design detail of the handrail has not been finalised. An area of grass would be replaced by paving to connect the lower end of the ramp to car parking to the north.
8. Existing barrel vaulted roof-lights in the original library would be replaced by hipped thermally enhanced roof-lights. The roof covering would be replaced with a light grey coloured three-ply bitumen felt system. Internal refurbishment of the library is proposed but the works are not subject to planning control.

Consultations

9. **Broxtowe Borough Council** – No objection.
10. **Beeston & District Civic Society** - No objection. *The reinstatement of the original entrance is welcomed. The entrance from Foster Avenue should reflect the stone piers, steps and handrail of the Town Hall opposite. Metal tracery should be retained. Original windows should be replaced by metal frames although the retention of the existing window frames on the original building with internal secondary glazing would be preferred.*
11. *Care should be taken not to damage trees on the frontage to Foster Avenue during construction.*
12. **Natural England** – No comments. *Specialist ecological or other environmental advice should be sought.*
13. **NCC Nature Conservation Team** – No works to commence in locations where bats are identified until a European Protected Species Licence has been obtained for the removal of bats. *The submitted bat survey has found bat roosts*

in two locations in gaps between hanging tiles and window frames on the eastern elevation of the building, and an area of hanging tiles on the north elevation of the CLASP building.

14. **NCC Built Heritage Team** – No objection subject to approval of samples of proposed materials. *Beeston Library has high streetscape value on Foster Avenue and compliments a group of adjacent mid-20th century buildings. The building should be regarded as a non-designated heritage asset.*
15. *The proposed insertion of the new door would revert to the original entrance arrangement and is regarded as a positive change which will enhance the presence of the building on Foster Avenue. It will need to be ensured that detailing remains and that proposed materials are well chosen and sympathetic to the existing. Objection would be raised to the removal of existing metal tracery above the windows.*
16. *Stone to be removed below the existing window can be re-used and stone removed to create the opening in boundary wall can be re-used to create stone entrance piers.*
17. **NCC Highways Development Control** – No objection subject to the use of Corduroy paving being used at the top and at the foot of the steps on the public highway.
18. **NCC Land Reclamation** – No objection subject to the recommendation of reports being incorporated in the decision. *A pre-demolition asbestos survey has been submitted, with asbestos containing materials identified in the fabric of the building. The area of the proposed disabled access has not identified any significant ground contamination or asbestos containing materials.*
19. **Nottinghamshire Wildlife Trust, Police Force Architectural Liaison Officer, Severn Trent Water Limited, Western Power Distribution, National Grid (Gas)** - No response received.

Publicity

20. The application has been publicised by means of press notice and site notices in accordance with the County Council's adopted Statement of Community Involvement Review. The application was originally advertised in the press as the application could have had an impact on setting of the conservation area and listed buildings to the east. On inspection of the site it is considered that the proposals would on balance not impact on heritage assets and a revised proposal has subsequently been advertised on site only.
21. Councillor Steve Carr has been notified of the application.
22. No representations have been received.

Observations

23. The Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategy (ACS) Policy 10: *Design and Enhancing Local Identity* requires proposals (amongst other criteria) to make a positive contribution to the public realm; reinforce valued local characteristics; and be assessed in terms of materials, architectural style and detailing; and setting of heritage assets.
24. The proposed development would not impact on the setting of the listed building to the north of the site or conservation area to the west. In considering the impact of the proposed works on non-designated heritage assets, NPPF Paragraph 135 advises that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The proposed works seek to reinstate the original library entrance facing Foster Avenue which is welcomed. The detail of the proposed alterations and external works require careful consideration through the careful selection of facing materials and the proposed re-use of reclaimed stone arising from the proposed works is welcomed. The choice of materials to be used and finishes is a matter best determined on site in consultation with NCC Built Heritage Team (Condition 9). Whilst the ramp handrail will need to be compliant with access requirements, its design will need to be architecturally sympathetic.
25. The design of replacement openings in the CLASP building is considered to be acceptable. The proposed development is considered to be acceptable in compliance with ACS Policy 10: *Design and Enhancing Local Identity*.
26. However, the replacement of windows would impact on identified bat roosts supporting small numbers of common pipistrelles. No maternity roost is believed to be present. All species of bat are European protected species, by virtue of the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations), which implement Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive). Under regulation 53 of the Habitats Regulations, activities which would otherwise contravene the strict protection regime offered to European protected species under regulation 41 (which includes the destruction of roost sites) can only be permitted where it has been shown that certain tests have been met. Within the context of a planning application, these are that:
 - a) the activity is for the purpose of preserving public health or safety or for other imperative reasons of overriding public interest;
 - b) there is no satisfactory alternative; and
 - c) the favourable conservation status of the species in question is to be maintained.
27. Furthermore, under regulation 9(5) of the Habitats Regulations, local planning authorities, in the exercise of their functions, have a statutory duty to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. What this means is that consideration must be given (during the determination process) to whether or not the three tests outlined above have been met.

28. It is concluded that the 'three tests' are all met as a) the development would provide a library suitable to meet current service needs b) retention of certain elements of the CLASP structure is not acceptable as their present condition is not a satisfactory alternative and c) the favourable conservation status of common pipistrelle will not be affected. Appropriate mitigation has been outlined in a Bat Method Statement. Nevertheless, due to the presence of roosting bats any works to the north and east buildings will need to be carried out under a European Protected Species licence issued by Natural England (Condition 4).
29. Care will need to be taken to ensure that trees on the frontage of Foster Avenue are not adversely impacted by construction works. A condition is recommended to require the root protection areas of trees to be protected from construction activity (Condition 6) and that where work is to take place within a root protection area it should be undertaken in accordance with an approved method statement (Condition 7). A tree should be planted on the frontage to Foster Avenue to replace the tree that would be removed, In addition, despite best intentions there is a risk that the tree to the immediate left of the new steps may be affected by the works and may need to be replaced. In the event that the tree needs to be removed, a replacement tree should be replanted (Condition 10).
30. Although limited intrusive works are proposed, given that part of the library is of CLASP construction, the developer should be alerted to the potential presence of asbestos containing materials in made ground. A Condition is recommended to require the submission of a watching brief for unexpected contaminated material that may be encountered (Condition 8).

Other Options Considered

31. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

32. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users and Equalities Implications

33. The proposed works will provide a suitable access to the library for ambulant and non-ambulant users, and in combination with proposed external works and internal refurbishment would provide a facility suitable for current service needs.

Crime and Disorder Implications

34. Proposed fencing would secure an area to safeguard against risk of falling and limit access to the CLASP basement.

Human Rights Implications

35. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6 (Right to a Fair Trial) are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Implications for Sustainability and the Environment

36. The proposed works and internal refurbishment would incorporate sustainable design features to control energy use, use of energy efficient heating, natural ventilation, provision of even levels of natural daylight, reduced water consumption and the use of low/zero carbon technologies.
37. There are no Financial Implications, Human Resource or Safeguarding of Children Implications.

Statement of Positive and Proactive Engagement

38. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

39. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1.

TIM GREGORY

Corporate Director – Place

Constitutional Comments

Planning and Licensing Committee is the appropriate body to consider the contents of this report.

[RHC 7/11/2016]

Comments of the Service Director - Finance

There are no specific financial implications arising directly from this report.

[RWK 27/10/2016]

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Division and Member Affected

Beeston North

Councillor Steve Carr

Report Author/Case Officer
David Marsh/Deborah Wragg
0115 9932575

For any enquiries about this report, please contact the report author.

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RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (as amended), documents and recommendations of reports, and the following plans:

- a) Location Plan (Drawing 71002 BL/ (0) 100 Re v 0) received by the CPA on 24 August 2016.
- b) Tree Protection Plan (Drawing 71002/BL(0) 162 Rev 1) received by the CPA on 4 November 2016.
- c) Proposed Site Plan (Drawing 71002/BL (0) 105 Rev 1) received by the CPA on 31 October 2016.
- d) Proposed Site Plan (Drawing 71002/BL (0) 138 Rev 1) received by the CPA on 31 October 2016.
- e) Proposed Elevations (Drawing 71002/BL (0) 104 Rev 1) received by the CPA on 31 October 2016.
- f) Proposed Roof Plan (Drawing 71002/BL (0) 134 Rev 1) received by the CPA on 3 November 2016.
- g) Ramp Section 1-1 (Drawing 71002/BL (0) 135 Rev 0) received by the CPA on 26 August 2016.
- h) Ramp Section 1-1 (Drawing 71002/BL (0) 139 Rev 0) received by the CPA on 26 August 2016.
- i) Steps Section 2-2 (Drawing 71002/BL (0) 125 Rev 0) received by the CPA on 26 August 2016.

- j) Steps Section 3-3 (Drawing 71002/BL (0) 136 Rev 0) received by the CPA on 26 August 2016.
- k) Miscellaneous Design Details (Drawing 71002/BL (0) 137 Rev 0) received by the CPA on 26 August 2016.
- l) Site Compound Overview (Drawing 71002 BL/ (0) 160 received by the CPA on 31 October 2016.

Reason: For the avoidance of doubt as to the development that is permitted.

- 4. No development shall commence that may impact on bats identified on the site until a European Protected Species licence for affected bats and their roosts has been obtained from Natural England. The development shall thereafter only be carried out in accordance with the measures proposed to mitigate the impacts of the development in the September 2016 BJ Collins Follow-up Bat Survey - Mitigation Strategy - Section 6 (Paragraphs 6.1 to 6.6 inclusive), received by the CPA on 13 September 2016, subject to requirements detailed in the bat licence obtained from Natural England.

Reason: To ensure that a European Protected Species is not injured or killed and to accord with the Conservation of Habitats and Species Regulations 2010 (as amended).

- 5. Should any tree, shrub, hedgerow or other vegetation clearance works be carried out between the months of March to August inclusive, the works shall only be undertaken in accordance with a methodology which shall first have been submitted to and approved in writing by the CPA. Works to be carried out in accordance with the approved methodology shall only be undertaken following inspection by a suitably qualified ecologist and written confirmation from the ecologist first being submitted to the CPA that breeding birds would not be adversely impacted by the proposed clearance works.

Reason: To avoid disturbance to birds during the breeding season and to accord with the Conservation of Habitats and Species Regulations 2010 (as amended).

- 6. Prior to the commencement of development, the means of protection of trees to be retained during the period of construction which shall be sited so as not to encroach within root protection areas identified on Drawing 71002/BL (0) 162 Rev 1 (Condition 3b)), shall be submitted to and approved by the CPA in writing. The approved scheme shall be completed as part of site enabling works, and prior to the commencement of main site works, to the written satisfaction of the CPA.

Reason: In order to safeguard the health of trees on the site during the period of construction and in the interest of the visual amenity of the site.

- 7. Notwithstanding Condition 6, where works, including any drainage works, need to be carried out within root protection areas identified on Drawing 71002/BL (0) 162 Rev 1 (Condition 3b)), the work shall be carried out in accordance with a

methodology which shall first be submitted to and approved in writing by the CPA.

Reason: In order to safeguard the health of trees on the site during the period of construction and in the interest of the visual amenity of the site.

8. Prior to the commencement of main site works, a watching brief to deal with unexpected contamination which may be encountered shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details. If during development, contamination not previously identified is found to be present, no further development shall be carried out, unless first agreed in writing by the CPA, until a remediation strategy to deal with unsuspected contamination (including validation that contamination has been satisfactorily remediated) has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: Details are required to be submitted prior to the commencement of main site works to provide an appropriate methodology that will ensure that the site is remediated to an appropriate standard.

9. Notwithstanding details and specifications on drawings approved by Condition 3 of this permission, prior to their use on site samples and a schedule of all proposed facing materials and finishes, including ramp handrail detail and new paving, shall be submitted to and approved by the CPA in writing. Heras contour fencing to be erected shall be coloured black. Development shall be carried out in accordance with the approved details, other than with the prior written consent of the CPA.

Reason: In the interest of visual amenity and to accord with Broxtowe Borough, Gedling Borough and Nottingham City Aligned Core Strategy (ACS) Policy 10: Design and Enhancing Local Identity.

10. No tree other than Tree 325 identified on Drawing 71002/BL (0) 162 Rev 1 (Condition 3b)) shall be removed except with the prior written approval of the CPA. Within 6 months of the commencement of development a scheme, including a programme for the provision of landscaping to include:

- a) replacement specie(s), location(s), and planting size for any tree removed;
- b) establishment methods (including tree pit detail); and
- c) schedule of maintenance including a Landscape Management Plan to guide ongoing management of created and retained habitats

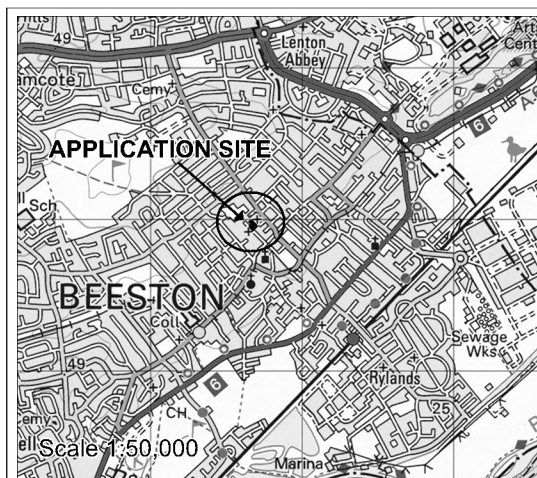
shall be submitted to and approved in writing by the CPA. Other than as may be agreed in the programme for the provision of landscaping and planting, the approved landscaping and planting scheme shall be completed not later than the first planting season following the development first being brought into use.

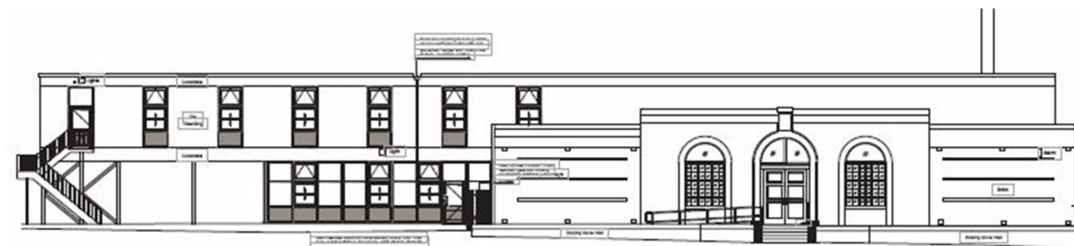
Any tree, plant, shrub or grass seeding that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

Reason: In the interest of visual amenity.

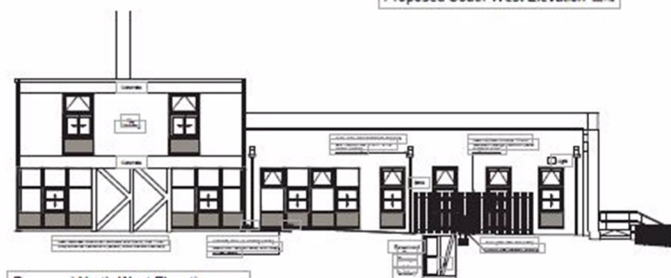
Notes/Informatives

1. With reference to Condition 9, the handrail detail should be architecturally sympathetic to the setting of the original library building.

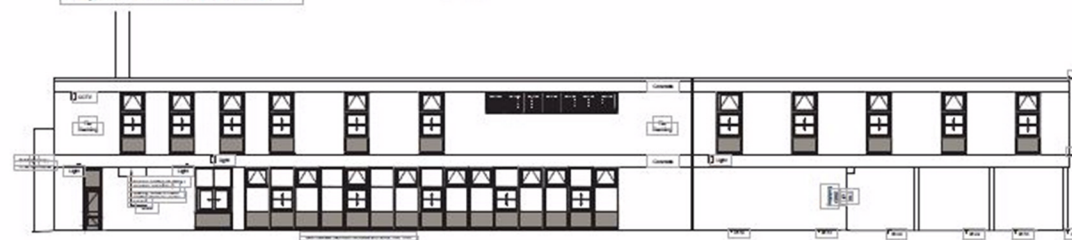




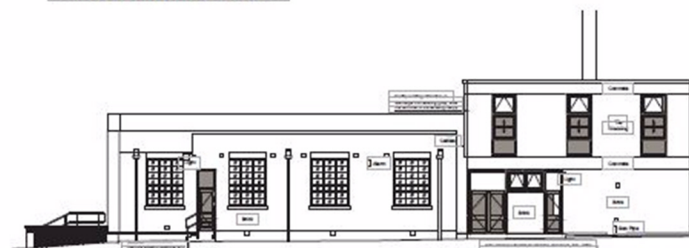
Proposed South-West Elevation



Proposed North-West Elevation



Proposed North-East Elevation



Proposed South-East Elevation



**Nottinghamshire
County Council**

Relocate the library main entrance and associated works.
Beeston Library, Foster Avenue, Beeston, Nottinghamshire.
Planning Application No. 5/16/00632/CCR

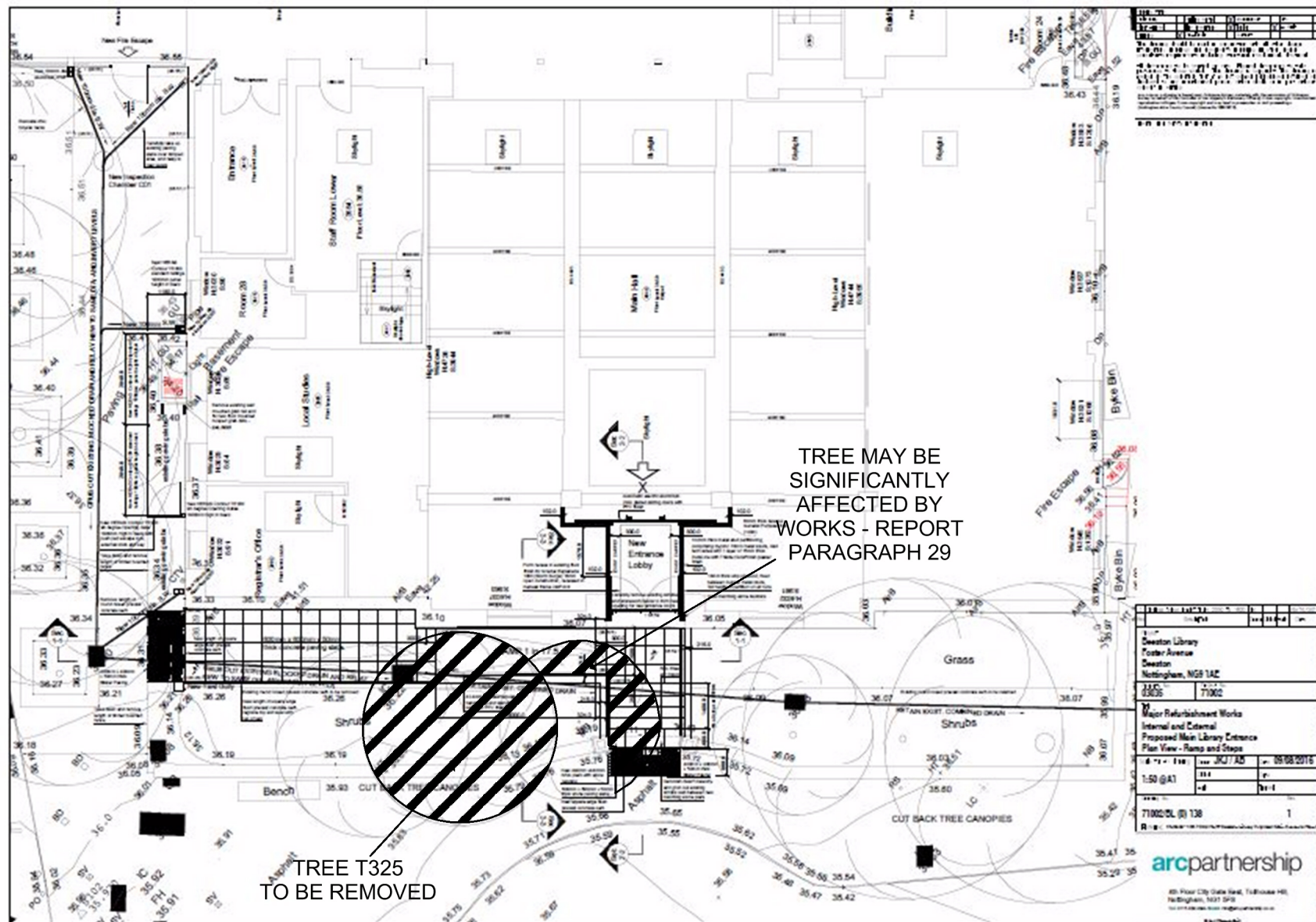
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PLAN 2



**Nottinghamshire
County Council**

Relocate the library main entrance and associated works.
Beeston Library, Foster Avenue, Beeston, Nottinghamshire.
Planning Application No. 5/16/00632/CCR

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PLAN 3



15 November 2016

Agenda Item:

REPORT OF CORPORATE DIRECTOR - PLACE

DEVELOPMENT MANAGEMENT PROGRESS REPORT

1. To report on planning applications received by the Development Management Team between 1st October 2016 and 4th November, and to confirm the decisions made on planning applications since the last report to Members on 18th October 2016.

Background

2. Appendix A highlights applications received since the last Committee meeting, and those determined in the same period.

Statutory and Policy Implications

3. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.
4. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, however, there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

RECOMMENDATIONS

5. It is RECOMMENDED that the report and accompanying appendices be noted.

TIM GREGORY

Corporate Director - Place

Constitutional Comments

"The report is for noting only. There are no immediate legal issues arising. Planning and Licensing Committee is empowered to receive and consider the report.

[HD – 04/11/2016]

Comments of the Service Director - Finance

The contents of this report are duly noted – there are no direct financial implications.
[SES– 04/11/2016]

Background Papers Available for Inspection

None

Electoral Division(s) and Member(s) Affected

All

For any enquiries about this report please contact:

Report Author / Case Officer
Ruth Kinsey
0115 9932584

Planning Applications Received and Determined
From 1st October to 4th November 2016

Division	Member	Received	Determined
BASSETLAW			
Tuxford Warsop	Cllr John Ogle Cllr John Allin	To vary conditions 1,77 and 85 of planning permission 1/64/96/2 to allow the continuation of the extraction and processing of limestone beyond 28th October 2017. Nether Langwith Quarry, Wood Lane, Nether Langwith, Received 24/10/2016	
Tuxford	Cllr John Ogle		Vary conditions 1,9,10,11,23,24,25, and 27 of planning permission 1/15/00018/CDM to facilitate approval of a revised restoration scheme for the Rampton Quarry (Area R1) Rampton Quarry, Torksey Ferry Road, Rampton. Granted 31/10/2016
Tuxford	Cllr John Ogle		To vary conditions 1,2,3,7, and 15 of planning permission 1/15/00019/CDM to facilitate approval of a revised restoration scheme for the Rampton Quarry (Area R2). Rampton Quarry, Torksey Ferry Road, Rampton. Granted 31/10/2016
Worksop North East & Carlton	Cllr Alan Rhodes		Retrospective application to erect a pole mounted CCTV camera. Prospect Hill Infant and Nursery School, Maple Drive, Worksop. Granted 02/11/2016 (Committee)

Division	Member	Received	Determined
MANSFIELD – None			
NEWARK & SHERWOOD			
Farnsfield & Lowdham	Cllr Roger Jackson	Application to construct a new access road with new weighbridge, vary conditions 3, 5, 6, 9, 11, 15, 17, 21 and 22 of planning permission reference 3/15/00630/CMA including the expansion of the permitted composting treatment area with development of an aerated composting pad on part of the currently permitted compost facility area, increase the maximum annual processing capacity to 75,000 tonnes per annum, extension of the western landscaping bund and other ancillary developments. Oxton Composting Facility, Ollerton Road, Oxton. Received 12/10/2016	
Rufford	Cllr John Peck		Erection of a porch, King Edwin Primary and Nursery School, Fourth Avenue, Edwinstowe. Granted 21/10/2016

Division	Member	Received	Determined
ASHFIELD			
Kirkby in Ashfield North	Cllr John Knight	To vary conditions 3, 26 and 27 of planning permission 4/V/2015/0711 concerning drainage, and external storage. Welshcroft Close Transfer Station, Land off Welshcroft Close, Portland Industrial Estate, Kirkby-in-Ashfield. Received 12/10/2016	
BROXTOWE			
Bramcote & Stapleford	Cllr Stan Heptinstall Cllr Jacky Williams	Erection of single storey extension, associated tarmac and canopy. William Lilley Infant and Nursery School, Halls Road, Stapleford. Received 24/10/2016	
GEDLING			
Carlton East	Cllr Nicki Brooks Cllr John Clarke		Installation of 'stand-by' electricity generation plant incorporating 40 No. 500kw generators, 10 No. 2,000kw transformers, 2 No. 22,500 litre bunded fuel tanks, 1 No. substation switch room, 3 No. 6.00m tall pole mounted security cameras and biogas upgrader to work with existing anaerobic digestion plant. Alterations to internal site access road and minor re-siting of 4th digester tank. Bio Dynamic (UK) Ltd, Private Road No 4, Colwick Industrial Estate. Granted 21/10/2016
RUSHCLIFFE - None			

15 November 2016**Agenda Item:8****REPORT OF CORPORATE DIRECTOR, RESOURCES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2016/17.

Information and Advice

2. A work programme has been established for Planning and Licensing Committee to help in the scheduling of the committee's business and forward planning. It aims to give indicative timescales as to when applications are likely to come to Committee. It also highlights future applications for which it is not possible to give a likely timescale at this stage.
3. Members will be aware that issues arising during the planning application process can significantly impact upon targeted Committee dates. Hence the work programme work will be updated and reviewed at each pre-agenda meeting and will be submitted to each Committee meeting for information.

Other Options Considered

4. To continue with existing scheduling arrangements but this would prevent all Members of the Committee from being fully informed about projected timescales of future business.

Reason/s for Recommendation/s

5. To keep Members of the Committee informed about future business of the Committee.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

That the committee's work programme be noted.

Jayne Francis-Ward
Corporate Director, Resources

For any enquiries about this report please contact: David Forster, Democratic Services Officer

Constitutional Comments (HD)

7. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (NS)

8. There are no financial implications arising directly from this report.

Background Papers

Relevant case files for the items included in Appendix A.

Electoral Division(s) and Member(s) Affected

All

Committee Work Programme

<u>Date to Committee</u>	<u>Reference</u>	<u>Location</u>	<u>Brief Description</u>
20 th December 2016	FR3/3576	Land north of Walker Street, Walker Street, Eastwood	Erection of a two storey replacement 210 place primary and 26 full time equivalent place nursery school, additional car parking, lighting and CCTV, sports pitch provision and landscaping. Widening of existing vehicular access from Walker Street, reuse of existing pedestrian access points, and provision of new pedestrian access to eastern boundary from Eastwood Public Footpath No. 27. New 2.4m high weldmesh fencing to enclose site in conjunction with retained existing boundary fencing to Walker Street. 3.5m high timber fencing to enclose sprinkler tank / pump house, 2.4m high to foul / surface drainage pumps and bin store. Resurfacing of existing hard court area and enclosure with 3m high weldmesh fencing.
15 th November 2016	1/15/01498/CDI	Land off Springs Road, Misson	To develop a hydrocarbon wellsite and drill up to two exploratory hydrocarbon wells (one vertically and one horizontally) by use of a drilling rig together with associated ancillary works. The proposed development will be carried out in four phases: Phase 1 - Wellsite construction; Phase 2 - Drilling of up to two exploratory wells for hydrocarbons including potential shale gas (the first one vertical and the second one horizontal); Phase 3 - Suspension of wells and assessment of drilling results; Phase 4 - Site decommissioning, well abandonment and restoration.
20 th December 2016 (or separate stand-alone committee meeting to be confirmed around this date)	1/16/00773/CDM	Land off A634, Between Blyth and Barnby Moor, Near Retford	Vertical multi-core well to target the Bowland Shale and Millstone Grit geological formations to assist with the assessment of the shale gas basin in the area. In addition, three sets (with each set containing up to 3 boreholes) of monitoring boreholes would be installed to sample and monitor groundwater and ground gas during the drilling of the exploration well. The proposed development would involve permission for the security cabins already on the site, together with the construction work associated with the development of the well site, the drilling (using a drill rig of a maximum height of 60m) and evaluation of the well and monitoring boreholes and then the decommissioning and restoration of the site back to agricultural use. The development would be for a proposed three year period.

20 th December 2016	8/16/01432/CMA	Marblaegis Mine, Gotham Road, East Leake	To vary condition 2 of planning permission 8/00/01321/CMA to extend the operation of the mine until 22 February 2042
20 th December 2016	8/16/01433/CMA	Marblaegis Mine, Gotham Road, East Leake	To vary condition 4 of planning permission 8/11/01544/CMA to extend the operation of the mine until 22/02/2042
20 th December 2016	8/16/01430/CMA	Marblaegis Mine, Gotham Road, East Leake	Periodic review of mineral permissions pursuant to Section 96 of Environment Act 1995
20 th December 2016	8/16/02055/CMA	East Leake Quarry, Rempstone Road, East Leake	Variation of conditions 4 and 5 of planning permission 8/11/00157 to extend the duration of extraction until 31/12/2016 and restoration until 31/12/2017 and amend the phasing details
21 st March 2016	3/16/01341/CMM	Girton Quarry, Gainsborough Road, Girton, Near Newark	Vary conditions 8 and 9 of planning consent 3/98/0800 to allow an extension to the duration of quarry workings until 31st December 2035 (currently 31st August 2016) with full site restoration to be completed by 31st December 2036. The submission also incorporates an interim restoration scheme relating to land to the south of the plant site.
21 st March 2016	3/16/01340/CMM	Girton Quarry, Gainsborough Road, Girton, Near Newark	Vary conditions 7 and 8 of planning consent 3/04/00394/CMM to allow the continued retention/use of the plant site/access road at Girton
18 th April 2016	ES/3579	Land at Langford Quarry, Newark Road, Near Collingham	Proposed southern and western extensions to existing quarry with restoration to water, nature conservation and agriculture together with revised restoration of existing workings and retention of existing plant site and site access.

Planning Applications currently being considered by NCC which currently have not been timetabled to a committee meeting.

Planning App: 5/13/00070/CM
Location: Shilo Park, Shilo Way, Cossall
Development: Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings.