



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Planning Committee

Date: **Wednesday 22 July 2015**

Time: **6.00 pm**

Place: **Council Chamber, Civic Centre.**

For any further information please contact:

Lyndsey Parnell

Senior Elections and Members' Services Officer

0115 901 3910

Planning Committee

Membership

Chair Councillor John Truscott

Vice-Chair Councillor Barbara Miller

Councillor Michael Adams
Councillor Pauline Allan
Councillor Peter Barnes
Councillor Sandra Barnes
Councillor Chris Barnfather
Councillor Alan Bexon
Councillor Bob Collis
Councillor Gary Gregory
Councillor Sarah Hewson
Councillor Meredith Lawrence
Councillor Marje Paling
Councillor Colin Powell
Councillor Paul Stirland
Councillor Paul Wilkinson

AGENDA

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- Planning Committee Protocol.**
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MINUTES PLANNING COMMITTEE

Wednesday 1 July 2015

Councillor John Truscott (Chair)

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

Officers in Attendance: P Baguley, L Mellors, N Morley and F Whyley

19 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

None.

20 **TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 17 JUNE 2015.**

RESOLVED

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

21 **DECLARATION OF INTERESTS**

All members declared a non-pecuniary interest in application numbers 2014/1346, and 2015/0565 as the Council owns the site which is the subject of the applications. All members declared a non-pecuniary interest in application 2015/0058 as the applicant was a Gedling Borough Councillor.

Councillor Barnfather declared a non-pecuniary interest in application number 2015/0058 as a he is an Executive Member of the Newstead Youth Club Committee and indicated that he would leave the meeting during the debate.

22 **APPLICATION NO. 2014/0918- 44 SANDFORD ROAD, MAPPERLEY.**

Demolish existing dwelling and construct 3 detached and 4 town houses.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. An application for approval of all the reserved matters (namely layout, scale, appearance, access and landscaping) shall be made to the local planning authority before the expiration of three years from the date of this permission.
2. The development hereby approved shall be begun within two years from the date of the approval of the last reserved matter to be approved.
3. The submissions for approval of the reserved matters named above within condition 2 shall also include details of access and access widths, drive lengths, gradients, surfacing and drainage. All details submitted to the Local planning Authority for approval shall comply with the County Council's 6c's Highway Design and Parking Guides and shall be implemented as approved and retained as such for the lifetime of the development.
4. Before development is commenced there shall be submitted to and approved by the Borough Council detailed plans, sections and elevations of all buildings.
5. 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, 3 and 4 above have been implemented, unless other timescales are prior agreed in writing by the Borough Council.
6. Before development (including site preparation) is commenced a detailed tree protection plan and method plan, incorporating details of a no dig methodology, to protect the existing street tree on Sandford Road shall be submitted to and approved in writing by the Borough Council as Local Planning Authority. Once these details are approved the development shall be carried out in accordance with the approved details and the tree protected at all times during site preparation and development.
7. Before development is commenced there shall be submitted to and approved by the Borough Council details of the siting, species and height of a replacement tree to be planted on Robinson Road in the first planting season following the removal of the existing tree. The replacement tree shall be planted in accordance with the approved details within the first planting season following substantial completion of the development,

whichever is sooner. If the tree to be planted becomes diseased, dies or is removed shall be replaced by another tree of similar size and species unless otherwise agreed in writing with the Borough Council.

8. 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.
9. 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 dwelling is first occupied and shall thereafter be retained unless alternative means of enclosure are agreed in writing by the Borough Council.
10. 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.
11. Before development is commenced there shall be submitted to and approved by the Borough Council a plan of the site showing the details of any proposed planting as well as details of the existing planting to be removed or retained. The approved details shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.
12. 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.
13. Occupation of the proposed dwellings shall not take place until the associated access driveways are fronted by a dropped kerb vehicular crossing.
14. Occupation of the proposed dwellings shall not take place until the associated access driveways have been surfaced in a suitably bound material (not loose gravel) for a minimum distance of 5.0

metres behind the highway boundary. The driveway shall then be maintained in the bound material for the life of the development.

15. Occupation of the proposed dwellings shall not take place until the associated access driveways have been constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway. The provision to prevent the discharge of surface water to the public highway shall then be retained for the life of the development.
16. Occupation of the proposed dwellings shall not take place until the associated accesses are constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary and never exceed 1:12 thereafter.

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).
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5. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).
6. 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).
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).

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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. In the interest of highway safety.
14. In the interest of highway safety.
15. In the interest of highway safety.
16. In the interest of highway safety.

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 Policy 10 of the Aligned Core Strategy (September 2014) and Policies ENV1, H7 and T10 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies) 2014.

Notes to Applicant

The development makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these works to be carried out on telephone 0300 500 80 80.

The development makes it necessary to replace the existing street tree on Robinson Road. These works shall be constructed to the satisfaction of the County Council Forestry Manager. You are, therefore, required to contact the County Council's Customer Services to arrange for these works on telephone 0300 500 80 80.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to

the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

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

Your attention is drawn to the requirements on the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended). Should any bats be found at the site during demolition and development, works must stop immediately and the Bat Conservation Trust be contacted on 0845 1300228.

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.

23 APPLICATION NO. 2014/1346- PLAY AREA, DUNSTAN STREET, NETHERFIELD.

Construction of 6 dwellings.

The Service Manager for Planning and Economic Development informed the Committee that a letter had been received from Severn Trent stating no objections to the application.

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

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in accordance with the approved plans: 2266/P102D (Proposed Site Plan) dated 06/11/14, 2266/P103a (Plot Layouts) dated 27/11/2014, and 2266/P104A (Street Views) dated 28/11/2014.
3. The development hereby permitted shall be completed in accordance with the Revised Phase II Site Investigation Report

(revision B, dated: 19.05.2015) and the email received from the agent on 22/05/2015 stating that the rear gardens will be finished with poured concrete presenting a solid barrier as shown on plan no: 2266/P102D.

4. Before the properties are first occupied a verification report confirming that the gas membrane has been installed by a suitably qualified person (i.e NVQ level 2 Diploma in Sub Structure Work Occupations (Construction) - Installation of Gas Membranes, or equivalent) before any finished floor was placed, shall be submitted to the Borough Council and approved in writing. The verification report should be based on the Council's Gas Membrane Proforma (available on request) including photographic evidence.
5. Occupation of the proposed dwellings shall not take place until their respective driveways have been provided surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary and which shall be drained to prevent surface water run-off onto the public highway. The bound surface and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.
6. No part of the development hereby permitted shall be occupied until the extension to Dunstan Street as shown for indicative purposes only on drawing number 2266/P102D has been provided.
7. Before development commences the applicant shall provide confirmation that the Section 228 of the Highways Act 1980 procedure has been determined favourably. The confirmation should be submitted to and confirmed in writing by the Borough Council before development commences.
8. The applicant shall provide confirmation from the Highway Authority of proposed extension to Dunstan Street being acceptable under Section 278 of the Highways Act 1980. The confirmation should be submitted to and confirmed in writing by the Borough Council prior to the dwellings being occupied.
9. The approved landscape shall be completed in accordance with the approved plans: 2266/P102D (Proposed Site Plan) dated 06/11/14 and 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.

10. The development hereby permitted shall be completed in accordance with the approved Flood Risk Assessment dated November 2014 (Report Ref No. C2081/FRA/A) incorporating the details contained within appendix 8 and appendix 9.
11. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the bricks and tiles to be used in the external elevations of the proposed development along with the precise details for the Block Paver for the private drives. Once approved the development shall be carried out in accordance with these details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that practicable and effective measures are taken to treat, contain or control any contamination in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To prevent third party water/deleterious material from being discharged onto the public highway, in the general interest of highway safety.
6. To ensure that drivers can access off-street parking provision, and to ensure that any affected highway assets can be removed/repositioned.
7. To ensure the development is not constructed on contested land.
8. To ensure the development is constructed to the satisfaction of the Highway Authority in the general interest of highway safety.
9. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or

exacerbating a flooding problem and to minimise the risk of pollution.

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

Reasons for Decision

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

Notes to Applicant

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

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

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

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application to address adverse impacts identified by officers and the Highway Authority to address concerns in

connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake these works you will need to enter into an agreement under Section 278 of the Act. Please contact Matt Leek on 0300 500 8080 for details.

24 APPLICATION NO. 2015/0058- MULTI USE GAMES AREA, TILFORD ROAD, NEWSTEAD.

To install wind and solar powered lights on the multi-use games area (MUGA) at Newstead.

Councillor Barnfather left the meeting.

Councillor Andrews spoke in favour of the application.

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 carried out in accordance with the application form, site location plans and deposited plan, drawing no. GA-706, received on 14.01.2015.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council, the proposed lights on the multi use games area would have no undue impact on neighbouring residential amenity, highway safety or the locality in general. The development therefore complies with Policies 10 of the Aligned Core

Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough 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.

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

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

Councillor Barnfather returned to the meeting.

25 APPLICATION NO. 2015/0565- ARNOT HILL HOUSE, ARNOLD.

Internal alterations to Arnot Hill House.

Service Manager, Planning and Economic Development informed the Committee that no comments had been received from Historic England on the application.

RESOLVED to GRANT LISTED BUILDING CONSENT, subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission
2. The development hereby approved shall be carried out in accordance with the submitted application form received on 22 May 2015, as amended by the Heritage Statement and location plan received by email on 1st June 2015, the details of the button

panel and handset received by email on 11th June 2015 and the revised plan received by email on 16th June 2015.

Reasons

1. In order to comply with Section 18 of the Listed Building and Conservation Areas Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt as to what is permitted

Reasons for Decision

The proposed work has been designed to minimise the impact on the special architectural and historic interest of this listed building, whilst ensuring it continues in its use as offices. It is considered, therefore, that it will be in accordance with The National Planning Policy Framework, the Planning Practice Guidance and the Gedling Borough Aligned Core Strategy

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.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework by meeting on site and negotiating a revised scheme, which is acceptable to the applicant, the Council as Local Planning Authority and its heritage advisers.

26 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

27 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

28 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.40 pm

Signed by Chair:
Date:

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PLANNING COMMITTEE PROTOCOL

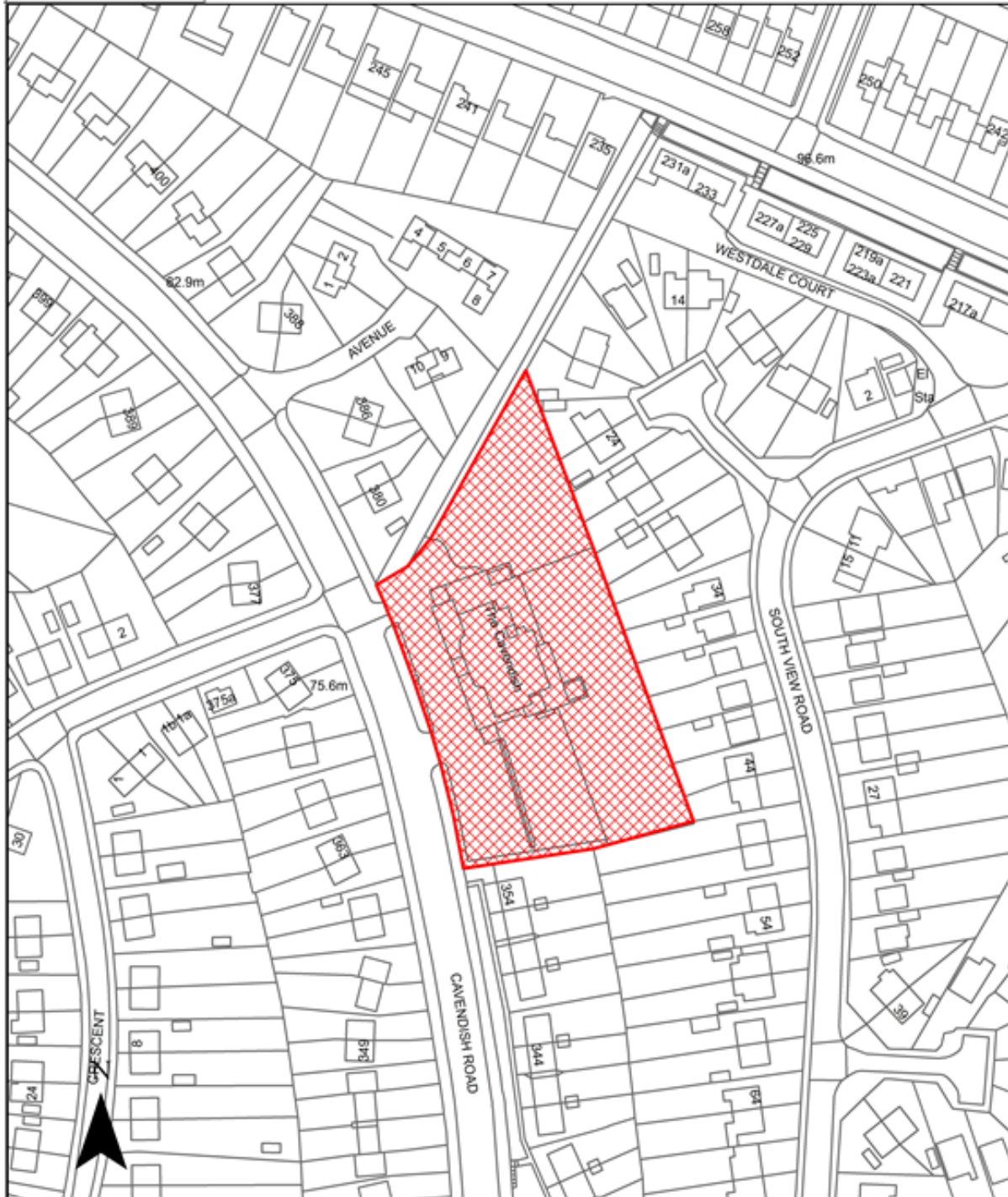
1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is a quasi-judicial body, empowered by the Borough Council to determine planning applications in accordance with its constitution. In making legally binding decisions therefore, it is important that the committee meeting is run in an ordered way, with Councillors, officers and members of the public understanding their role within the process.
3. In terms of Councillors' role at the Planning Committee, whilst Councillors have a special duty to their ward constituents, including those who did not vote for them, their over-riding duty is to the whole borough. Therefore, whilst it is acceptable to approach Councillors before the meeting, no opinion will be given, as this would compromise their ability to consider the application at the meeting itself. The role of Councillors at committee is not to represent the views of their constituents, but to consider planning applications in the interests of the whole Borough. When voting on applications, Councillors may therefore decide to vote against the views expressed by their constituents. Members may also request that their votes are recorded.
4. Planning Committee meetings are in public and members of the public are welcome to attend and observe; however, they are not allowed to address the meeting unless they have an interest in a planning application and follow the correct procedure.
5. Speaking at Planning Committee is restricted to applicants for planning permission, residents and residents' associations who have made written comments to the Council about the application and these have been received before the committee report is published. Professional agents representing either applicants or residents are not allowed to speak on their behalf. A maximum of 3 minutes per speaker is allowed, so where more than 1 person wishes to address the meeting, all parties with a common interest should normally agree who should represent them. No additional material or photographs will be allowed to be presented to the committee.
6. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chairman will bring the meeting to order. In exceptional circumstances the Chairman can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
7. After Councillors have debated the application, a vote will be taken. If Councillors wish to take a decision contrary to Officer recommendation, a motion to do so will be moved, seconded and voted upon. Where the decision is to refuse permission contrary to Officer recommendation, the motion will include reasons for refusal which are relevant to the planning considerations on the application, and which are capable of being supported and substantiated should an appeal be lodged. The Chairman may wish to adjourn the meeting for a short time for Officers to assist in drafting the reasons for refusal. The Chairman may move that the vote be recorded.
8. Where members of the public wish to leave the chamber before the end of the meeting, they should do so in an orderly and respectful manner, refraining from talking until they have passed through the chamber doors, as talking within the foyer can disrupt the meeting.

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Application Number: 2014/0559

Location: The Cavendish Pub, Cavendish Road, Carlton, Nottingham.



NOTE:

This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 100021248
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Report to Planning Committee

Application Number: 2014/0559

Location: The Cavendish Pub, Cavendish Road, Carlton, Nottingham.
Proposal: Revised Plans: Demolition of existing pub and redevelopment of the site to create 41 no residential units (12 no. 1-bed flats, 23 no. 2-bed units and 6 no. 3-bed units).

Applicant: Mr John Murphy

Agent: Miss Jessica Rowden

Case Officer: David Gray

Site Description

The application site relates to a two-storey former public house / restaurant situated centrally on a large plot measuring approximately 0.588 hectares. The site is located to the east of Cavendish Road within the urban residential area of Carlton. There is a significant drop in level of the site, approximately 10 metres, from the north to the south. To the north of the site is Carlton Parish Unregistered Footpath which is an unregistered right of way between Cavendish Road and Westdale Lane.

Residential properties are located to the north, south and east of the site. The rear gardens of properties on Southview Road back onto the east boundary of the application site and are in an elevated position. The north, east and south boundaries of the site are defined by mature vegetation and trees. The housing to the west of Cavendish Road and to the north of the application site is post war 50's / 60's semi-detached properties. The properties to the south are modern retirement bungalows, in a terrace, fronting Cavendish Road.

The site currently has two vehicle access points onto Cavendish Road. The majority of the site fronting onto Cavendish Road is defined by a tarmac car park that served the public house and provided approximately 52 car parking spaces. Cavendish Road has traffic calming measures to the front of the application site.

Planning History

This application was submitted in December 2014 seeking Full Planning Permission for the demolition of the existing public house and the erection of 38no new residential dwellings consisting of: -

- 8 no. 1 bedroom units;
- 24 no. 2 bedroom units;
- 6 no. 3 bedroom units.

During the processing of the application major revisions were made to the scheme and an extension of time was agreed until 31 July 2015.

Proposed Development

The Revised Proposal now seeks Full Planning Permission for the demolition of the existing public house and the erection of 41no new residential dwellings consisting of:

- 12 no. 1 bedroom flats;
- 23 no. 2 bedroom units;
- 6 no. 3 bedroom units.

The layout plan shows the properties to be set around a central 'T' shaped road layout culminating in two cul-de-sac turning heads and parking courts.

The development would consist of 9 property types.

- 1 apartment block of 12no. 1 bedroom flats – maximum footprint dimensions: some 27 metre (width) x some 23 metres (depth)
- 2 bed properties – footprint dimensions: 5.523 m (width) x 6.569 metres (depth). There are 3 house types with these footprint dimensions accounting for the varying window and door locations and internal layouts.
- 2 bedroom properties – footprint dimensions 4.765 metres (width) x 7.77 metre (depth)
- 2 bedroom properties - footprint dimensions 5.215 metres (width) x 7.77 metre (depth)
- 3 bedroom properties - footprint dimensions 5.523 metres (width) x 7.219 metres (depth)
- 3 bedroom properties - footprint dimensions 4.765 metres (width) x 8.945 metres (depth)

The 7 dwellings fronting Cavendish Road would consist of 1 terrace with 4 x 2 bedroom properties, and 1 terrace with 3 x 2 bedroom properties. The 3 storey apartment block would also front Cavendish Road. The new access road would have a pair of 2 bedroom semi-detached dwellings facing north.

The south boundary of the site would be backed onto by 1 row of terraced properties consisting of 4 x 3 bedroom properties and 1 terrace consisting of 2 x 2 bedroom properties and 1 x 3 bedroom property.

The east boundary of the site would consist of 4 terraces, a mixture of 12 x 2 bedroom properties and 1 x 3 bedroom property with a parking court in the southeast corner of the site.

Cross sections have been provided showing that, when developed, there would be a slight slope on the site from north to south.

Supporting documents include a Design and Access Statement and an Arboricultural

Implications Assessment and Arboricultural Method Statement.

The units are to be adopted by a housing association as affordable dwellings, providing a benefit to local people.

The materials proposed for the external elevations would be a quality buff facing brickwork with contrasting white render to feature gables and spandrel panels.

The adoptable access road would be illuminated at night by standard lighting columns as required. All dwellings would have wall-mounted external lights to their individual garden areas. Low-level bollard-style luminaries would be provided to communal driveways and parking areas to ensure safe level of illumination.

Consultations

Nottinghamshire County Council (Highway Authority) –

Further to the receipt of the swept path analysis it is noted that the wrong refuse lorry has been used for the calculations, together with the swept path going into the car parking area which is on private land outside the applicant's control. However, due to the principles of the layout being previously agreed with the carriageway widths/footpaths and service margins as stated by the agent, on this occasion the Highway Authority will accept the discrepancies as highlighted above.

The revised layout is now acceptable in principle, subject to a detailed design to be undertaken under a section 38 / 278 agreement. No objections subject to recommended conditions which cover providing the parking and turning areas, details to prevent debris onto the highway, and the details of the new road.

No S106 contributions have been sought for integrated transport measures.

Severn Trent Water – No objections subject to condition requiring drainage plans to be submitted and approved.

Wildlife Trust –

Habitats:

No particularly notable habitats were recorded on site, although trees, scrub and grassland should be retained where possible. The report recommends mitigation for the loss of brash and dead wood coverings which should be secured.

Bats:

The lack of internal inspection of the building is considered to be a constraint to the survey. Although few access points were noted from external inspection, the report does not rule out the possible use of the building by roosting bats. An internal inspection of the building, together with emergence/re-entry surveys where appropriate should therefore be carried out prior to determination of the application.

The report summary suggests that mature trees are present on site. If these are to be affected by the development, they should be fully assessed for bat roost potential

(including emergence/re-entry surveys where necessary) prior to determination of the application.

The Wildlife Trust can provide further comment regarding bats, including any proposals for mitigation, once the above surveys have been carried out.

Other mammals:

Due to lack of suitable habitat and field signs, it would be unlikely that there would be any impact on otter, water vole and badger is considered unlikely.

Breeding birds:

Suitable habitat and direct evidence of nesting activity was recorded on site and therefore any works will be constrained by the bird breeding season. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. All birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (as amended).

The recommendation for mitigation for any loss of nesting habitat in the form of native tree and shrub planting and installation of artificial nest boxes is supplied.

Great crested newts, amphibians:

We are satisfied that the present of great crested newts on the site is highly unlikely due to a lack of suitable habitat. Should any common amphibians be encountered during works, they should be carefully moved to an undisturbed area of the site where suitable cover is present - gloves should be worn. Any potential refugia such as brush piles should be dismantled by hand.

Reptiles:

The report has assessed the site and finds that suitable habitat for slow worm exists. Survey work would be required to be carried out between mid-March and early October. This survey work should be carried out prior to determination of the application to ensure that potential impacts on this protected species are properly considered and to enable any required mitigation to be incorporated into development plans. Slow-worm are protected under Schedule 5, Section 9 (1 and 5) of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 against deliberate or reckless killing and injuring and sale.

Invertebrates:

The site is unlikely to support any notable invertebrate species. It is suggested that the record of girdled snail should be submitted to the Nottinghamshire Biological and Geological Records Centre to assist with monitoring of this alien species.

No further comments to add following on from the re-consultation.

Ramblers Association (Gedling and Dukeries Group) – Support the application and welcome the protection of the existing footpath. It is expected that the width of the footpath would be retained and the flanking of the grass verges be minimal with the lighting maintained.

No further comments to add following on from the re-consultation.

Nottinghamshire County Council (Forestry Manager) – The survey presented should be viewed as factually correct and that it offers an appropriate detail to enable appendix 3 of the tree survey document to be used as a non-standard condition to ensure adequate and safe tree retention on site should development be granted.

No further comments to add following on from the re-consultation.

Housing Strategy and Development – The principle of the development is supported as it fits with the Council's priorities of providing more homes of the right type, in the right place. It also makes use of previously developed land.

There is a requirement of at least 20% of the properties (i.e. 8) to be provided as affordable rent, and in accordance with the provisions of Affordable Housing SPD.

Nottinghamshire County Council (Education) – The Development of 41 dwellings would yield an additional 9 primary and 6 secondary places. Based on current pupil projections, the additional 6 secondary aged pupils can be accommodated in existing schools. The catchment school (Haddon Primary) is, however at capacity and unable to accommodate the additional 9 primary places. An education contribution of £103,095 (9 x £11,455) to provide additional primary provision to serve the proposed development would be sought.

Parks and Street Care – An offsite capital contribution is required because no open space provision is allowed for onsite. The contribution is required to improve amenity open space and play provision in the immediate area surrounding the development. The reduced figures of commuted capital sum of £33,364.10 and a 10 year maintenance sum of £13,871.00 is required.

Waste Services – No comments received.

Nottinghamshire County Council (Rights of Way) – The application could impact on Carlton Parish Unregistered Path, which runs alongside the northern boundary of the site. Although not a registered Right of Way this path accrued public rights over the years.

Whilst not an objection this office would require that the availability of the path is not affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders. That the Rights of Way officer is consulted in any resurfacing or gating issues, also developers should be aware of potential path users in the area who should not be impeded or endangered in any way.

No further comments to add following on from the re-consultation.

National Health Service – From the information provided NHS England Nottinghamshire Area Team is aware that the application outlines the development of 41 dwellings. The proposal would trigger the need to provide health related section 106 funding of £551 per dwelling based on 2.3 person occupancy.

Neighbouring Properties were notified (10.11.2014) and a Site Notice posted (22.05.2014) and 7 letters of representation were received as a result. The following comments were received following the consultation on the 1st scheme prior to the amendments. The comments can be outlined as follows: -

Design and Layout

- It is requested that the car parking court adjacent to the footpath is relocated, as it could attract anti-social behaviour.
- The parking court is not overlooked by any of the residential properties.
- The dark grey windows would be out of keeping with other properties in the area.

Residential Amenity

- Concerns have been raised over the boundary treatments being adequate and suitable for security.
- Concerns raised over the proximity of plots 11 and 12 to the rear of properties on South View Road.
- The car parking court would result in an unpleasant outlook from properties on South View Road. Car lights approaching the car parking court to the south of the site would shine directly into windows of properties on South View Road.
- The two car parking courts could attract anti-social behaviour to the detriment of properties that back onto the areas on South View Road.

Other Considerations

- Comments received with regards to the surfacing, maintenance, and lighting of the parking court.
- Thought should be given to the potential for renewable energy to be incorporated into the scheme.
- The car parking court to the north corner of the site could attract fly tipping and anti-social behaviour.
- Questions have been raised on the height and materials for the retaining wall in the northeast corner of the site.
- It is requested that the footpath has a barrier.
- Concerns raised with regards to the potential pollution caused by on site preparation and development.
- Trees and foliage should be removed in the proper manner.
- Bollards or gates should be incorporated at the entrance to the footpath to prevent vehicular access.

Following receipt of revised plans a further neighbour consultation has been undertaken on 10th June 2015. Neighbouring Properties were notified and a Site

Notice posted and 3 letters of representation have been received. The comments can be outlined as follows: -

- Concerns are raised over the properties facing onto Cavendish Road being out of keeping with the traditional residential look in the area.
- Questions are raised over the time frames for the development and the hours in which construction would be taking place.
- Questions are raised over the tenure of the properties.
- Plots 13, 14, 15 and 16 could potentially unduly overlook neighbouring residential properties.
- Confirmation of the boundary treatments are sought for the shared boundaries.

Planning Considerations

The relevant national planning policy guidance in respect of this application is set out in the National Planning Policy Framework (March 2012). The core planning principles set out in the guidance is a presumption in favour of sustainable development. In particular the following chapters are relevant in considering this application:

- 6. Delivering a wide choice of quality homes
- 7. Requiring good design

Section 6 of the NPPF states inter-alia that housing applications should be considered in the context of the presumption in favour of sustainable development. Section 7 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings... decisions should aim to ensure developments, amongst other things, respond to local character and history, and reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Gedling Borough Council at its meeting on 10th September approved the Aligned Core Strategy (ACS) for Gedling Borough (September 2014) which is now part of the development plan for the area. The following policies are relevant: -

- Policy 2 – The Spatial Strategy.
- Policy 8 – Housing Size, Mix and Choice.
- Policy 10 - Design and Enhancing Local Identity.

Appendix E of the ACS refers to the Saved Policies from Adopted Local Plans. The following policies contained within the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2014 are relevant: -

- ENV1 – Development Criteria
- H7 – (Residential Development On Unidentified Sites Within the Urban Area and the Defined Village Envelopes)
- H16 (Design of Residential Development)

Criterion a. c. and d. of Policy ENV1 of the Replacement Local Plan are relevant in this instance. These state that planning permission will be granted for development provided it is in accordance with other Local Plan policies and that proposals are, amongst other things, of a high standard of design which have regard to the appearance of the area and do not adversely affect the area by reason of their scale, bulk, form, layout or materials. Development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles and incorporate crime prevention measures in the design and layout.

Design and layout are also considered in criterion a. and b. of Policy H7 and criterion c. of Policy H16 of the Replacement Local Plan. These policies state inter alia that permission will be granted for residential development, including conversions and the change of use of buildings to residential use within the urban area and the defined village envelopes provided it is of a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials and that it would not result in the loss of buildings or other features including open space which make an important contribution to the appearance of the area.

Policy 10 of the ACS also looks at design and enhancing local identity and reflects the guidance contained in both the NPPF and the Replacement Local Plan policies.

In respect to car parking, regard should be had to the Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this proposal are: -

- a) The principle of developing the site;
- b) Whether the proposal makes efficient and effective use of the land;
- c) Whether the design of the development is acceptable;
- d) The highway implications of the development, including parking provision;
- e) Whether there would be an adverse impact on neighbouring properties;
- f) Other matters raised by local residents.

Each of the above aspects is considered in detail below.

The Principle of Developing the Site

The site is located within the main urban area of Greater Nottingham and therefore accords with Policy 2 of the ACS which adopts a strategy of urban concentration with regeneration.

The proposal is for the demolition of a Public House for residential development. Policy C4 of the Replacement Local Plan (2014) states that planning permission will not be granted if development would lead to the loss of community facilities. The reasoned justification at paragraph 6.25 refers to retaining facilities such as public houses in rural locations. Similarly, the NPPF refers to retaining community facilities

such as public houses in villages. The proposed development involves a loss of a community facility outside a local centre and within the urban area of Carlton, not within the local centre or within the rural area. The application site is within the urban area of Carlton and is close to community facilities and services including the nearby centres of Carlton Hill and Mapperley Plains. I therefore do not consider the loss of the Public House would lead to the loss of a community facility in a rural location.

When referring to the NPPF the definition of brownfield land is 'previously developed land that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure'.

Given the location of the development within the established residential area of Carlton and its former use previously developed and therefore brownfield land, there is no objection in principle to the redevelopment of the site for residential purposes. It is also my opinion that the development would be in a sustainable location delivering economic development that would provide a wider choice of homes to serve the local community. The redevelopment of the site is therefore considered acceptable in principle.

Efficient and Effective Use of Land

The development is to provide 41 homes on a site of 0.588 hectares, equating to a residential density of 69 dwellings per hectare, which accords with the requirements of Policy H8 of the Replacement Local Plan 2014 which requires 30 dwellings per hectare.

I am also of the opinion that the application site is of sufficient size to accommodate the 41 no residential units with the layout proposed without appearing cramped or over-intensive.

The proposed development is being brought forward for affordable housing to reflect demand for that type of housing within the local area. The provision of housing that is of a size, type and tenure that meets local needs will assist in ensuring that land is used as effectively and efficiently as possible providing a wider mix of housing to serve the local community.

Whilst it is noted that all the units of the scheme are to be provided by a Housing Association, the council's requirement is for only 20%. Therefore in this instance it is only reasonable to condition that at least 20% of the units are provided as affordable. Should planning permission be forthcoming a condition would be attached requiring details of the arrangements that will be put in place to ensure that 20% the housing is provided as affordable housing as defined by Annex 2 of the NPPF.

Design

Policies ENV1, H7 and H16 of the Replacement Local Plan require development to be of a high standard of design. The policies require regard to be given to the appearance of the surrounding area, the provision of safe and convenient access and circulation of pedestrians and vehicles, and incorporating crime prevention measures in the design and layout in terms of good lighting levels, natural

surveillance, and defensible space and well considered layouts and landscaping.

I note that the surrounding area is defined by a wide range of architectural styles. Whilst the area is predominantly 50's / 60's post war semi-detached dwellings, immediately to the south of the site are long terraces of bungalows fronting onto Cavendish Road.

I note that the proposal would result in a high density development that would not reflect the density of the surrounding area. However I consider, given the limitations of the site, that every opportunity has been taken to provide green space and gaps in the built-up frontage for the development not to appear cramped or over-intensive within the existing streetscene.

Given the mixture of architectural styles in the immediate vicinity and the size of the application site I consider that taking the opportunity to create a sense of place, introducing contemporary design principles and materials would add to the architectural mix in the area and would result in a positive feature in the immediate streetscene. The design also incorporates feature buildings on the access to the site creating a gateway into the development. These architectural features would help integrate the contemporary design into the existing street pattern creating its own identity within the existing streetscene.

I note the representations received with regards to the properties on the frontage of the development onto Cavendish Road. It is my opinion that, given the limited height of the proposed apartments that the proposed elevations onto the streetscene would not be overly dominant and would integrate well the surrounding area.

I consider the scale of the properties would be in keeping with the existing properties on Cavendish Road and would not detract from the architectural characteristics of the surrounding area.

I am satisfied that an imaginative layout has been achieved. Despite the limited dimensions of the site and the number of properties being proposed, the layout achieves a frontage onto Cavendish Road with architectural features of merit. I consider this will ensure a positive contribution to the streetscene.

During the processing of the application, amendments were made to the design to ensure that the development was not over dominated by hardstanding for car parking, breaking up the car parking spaces with green space fronting onto Cavendish Road. Positive changes were also made to the scheme creating vistas through the development to feature buildings on visually prominent areas of the site.

The use of a contemporary architectural style and materials is considered appropriate for this site and the resulting development. The layout and design of the access, parking and open space proposals are also acceptable with the unregistered right of way between Cavendish Road and Westdale Lane being retained, maintaining a good linkage for pedestrians.

Having considered the overall design of the development and the constraining factors of the site, it is my opinion that the proposal would satisfy the design and

landscaping criteria of Policies ENV1 of the RLP and Policy 10 of the ACS. I also consider that the proposed development accords with the broad design aims of the NPPF, which states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

In my opinion, the proposed development would also meet the relevant design elements of Policy 10 of the ACS/PV in terms of the positive contribution it would make in the streetscene by virtue of its architectural style, detailing and materials.

Highway Safety, Car Parking Provision and Rights of Way

When considering the car parking provision the adopted Parking Provision for Residential Development Supplementary Planning Document (SPD) May 2012 is relevant. The proposed development is for 41 residential units with allocated car parking provision of 38 spaces. 12 of the units are 1 bedroom flats that would share a communal car parking area with 10 shared spaces. When referring to the Parking Provision for Residential Development Supplementary Planning Document (SPD) May 2012 the developments allocated provision would result in an additional demand of 12.4 unallocated spaces.

The breakdown of car parking provision for the proposed development is as follows:

12	x	1 bedroom flats:	0 allocated spaces
20	x	2 bedroom Properties:	1 allocated space each
3	x	2 bedroom Properties:	2 allocated spaces each
6	x	3 bedroom Properties:	2 allocated spaces each
TOTAL:			38 allocated spaces
Unallocated Car Parking Provision:			19 unallocated car parking spaces.

10 of the unallocated car parking spaces are accounted for to provide flexible car parking for the 12no flats. The result would be an unallocated car parking provision for visitors to the site of 9 car parking spaces. This would result in an under provision of unallocated off street car parking provision of 3.4 spaces.

I note the development would result in an under provision of car parking. However; given that the under provision is by only 4 car parking spaces, that provision has been made for unallocated / visitor car parking and the majority of the properties are 1 and 2 bedroomed affordable properties, it is therefore my opinion that the development would provide sufficient off street car parking. It is also noted that the application site is in close proximity to a local centre with good public transport, cycling and pedestrian facilities in close proximity.

I also note that the Highway Authority have been consulted and have not objected to the level of car parking provision. Should planning permission be forthcoming I would suggest attaching the conditions from the Highway Authority with regards to the parking/turning and servicing areas, the new access provision, and details to prevent the deposit of debris upon the public highway with reference to the amended plan.

I note the comments from the Rights of Way Officer and should planning permission be forthcoming I would suggest attaching an informative to any approval advising that should the path be affected or obstructed in any way by the proposed development then appropriate closure orders or diversion orders should be sought. The surfacing of the unbuilt on portions of the site would be secured by condition and the Rights of Way office would be consulted should the surface of the path be proposed to be altered.

Residential Amenity

I note that the topography of the land drops in level from the rear boundaries of properties on South View Road onto the proposed development site. I also note that the gardens with the shortest length would back onto the rear boundaries of residential properties in the new development and would be sited in an elevated position. It is my opinion that the design of the scheme carefully considers the topography of the land, the location of neighbouring properties and adjoining garden depths to minimise any potential undue impact on neighbouring amenity. I am satisfied that the design and layout of the scheme would not result in any undue overlooking, overshadowing or overbearing impact on neighbouring amenity.

I note the comments with regards to the proximity of plots 11 and 12 to properties on South View Road these have now been omitted from the scheme and replaced 2 bedroom residential dwellings. Given the properties would be at a lower level with a minimum distance of 23 metres between the properties, I am satisfied that there would be no undue impact on residential amenity as a result of this relationship.

I note the concerns which have been raised with regards to the parking courts and the potential for anti-social behaviour. However, one of the parking courts has been omitted from the scheme. With regards to the southeast corner of the site the Gedling Borough Council Parking Provision for Residential Properties accounts for the car parking demand of individual properties whilst appreciating that there can be additional demand for visitor car parking. Unallocated car parking on new development allows for a flexible approach to allocated parking, reducing the requirement for allocated spaces, whilst providing on street car parking to service additional demand. The proposed parking courts account for the additional demand for visitor parking whilst retaining a development that is not overly dominated by off-street allocated car parking provision to the front of individual properties.

Whilst I note the concerns that are raised with regards to the potential for anti-social behaviour in the parking court areas, during the processing of the application one of the parking courts has been omitted from the scheme. I note that the same concerns are raised to the parking area adjacent to properties in the southeast corner of the site. It is my opinion, given the front elevations of the properties in this area face onto the parking areas, that this would provide sufficient natural surveillance to mitigate any potential for anti-social behaviour in this area. Should planning permission be forthcoming, a landscape condition would be attached to any approval requiring precise details of the column lighting and bollard-style luminaries to be used to ensure adequate crime prevention measures, natural surveillance, and defensible space.

I note the representation received with regards to the potential negative impact from car headlights. However, I am satisfied that there is a sufficient distance of approximately 15 metres to the rear elevations of the neighbouring properties and that suitable boundary treatments along the shared boundary would be sufficient to mitigate any undue luminance from headlights in this area.

I note the representation received with regards to appropriate boundary treatments being implemented. I am satisfied that appropriate boundary treatments can be implemented and that appropriate details should be secured by condition in this instance.

Ecology

The relevant planning policies that need to be considered in relation to ecological matters are set out in Policy 17 of the ACS and Section 11 of the NPPF.

Policy 17 of the ACS states that development on or affecting non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that there is an overriding need for the development and that adequate mitigation measures are put in place.

Section 11 of the NPPF advises, at paragraph 118, that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles, including the encouragement of opportunities to incorporate biodiversity in and around developments. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

I note the comments from the Wildlife Trust with regards to the potential for bat roosts in the existing building. The current building is not currently derelict and I consider that an informative advising the applicant that bats are protected under the Conservation of Habitats and Species Regulations 2010 and should bats be found during the demolition then work should stop and the Bat Conservation Trust should be contacted to give advice.

I also note the comments with regards to the suitable habitat for slow worms that can be seen on the application site. Likewise I consider that an informative be attached to any approval advising that should slow worms be discovered on site a suitably qualified ecologist should be contacted to give specialist advice.

Arboricultural Considerations

The relevant planning policy which needs to be considered in relation to trees is set out in Policy 10 of the ACS which states that development must have regard to the local context, including valued landscape characteristics.

I note the comments from the Forestry Manager that the tree survey presented is factually correct and that it offers appropriate detail. Should planning permission be forthcoming a condition would be attached requiring the works to be carried out in

accordance with the submitted Tree Survey to ensure adequate and safe retention of trees on the site.

Other Considerations

I note the concerns raised with regards to the materials for the proposed retaining wall and the details of lighting on the parking courts. I am satisfied that appropriate details can be secured by condition in this instance.

I note the comments received with regards to vehicle movements during construction. However this would not be a material planning consideration in the determination of this application.

Planning Obligations

The relevant planning policies which need to be considered in relation to S106 planning obligations are set out in Policy C2 of the RLP, Policies 18 and 19 of the ACS and paragraphs 173-177 and 203-205 of NPPF in relation to plan-making and decision- taking.

Policy C2 of the RLP states that in considering applications for new development, the Borough Council will have regard to the need for the provision of community facilities arising from the proposal. Planning obligations will be sought in order to secure appropriate community facilities or financial contributions thereto, reasonably related to the scale and kind of development proposed.

Similarly, Policy 18 of the ACSSD requires new development to be supported by the required infrastructure (including any necessary community facilities) and that contributions will be sought from developers for infrastructure needed to support the development. This is in line with the planning obligations tests set out in paragraph 204 of the NPPF.

Policy 19 of the ACSSD states that all development will be expected to:

- Meet the reasonable cost of new infrastructure required as a consequence of the proposal;
- Where appropriate, contribute to the delivery of necessary infrastructure to enable the cumulative impacts of developments to be managed, including identified transport infrastructure requirements; and
- Provide for the future maintenance of facilities provided as a result of the development.

Paragraph 173 of the NPPF states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Public Open Space

I note that the development would be over the threshold of 0.4Ha and that a contribution towards open space would be required. The necessary improvements to open space can be secured by means of a financial contribution as part of a S106 Agreement, should members agree with the recommendation, in accordance with Policies 12 and 19 of the ACS and paragraph 204.

Education

I note that the development would be over the threshold of 0.4Ha and also over 25 dwellings and that a contribution towards education facilities would be required. The necessary improvements to education facilities can be secured by means of a financial contribution as part of a S106 Agreement, should members agree with the recommendation, in accordance with Policies 12 and 19 of the ACS and paragraph 204.

Healthcare

I note that the development would be over the threshold of 0.4Ha and also over 10 dwellings and that a contribution towards health care would be required. The necessary improvements to health care can be secured by means of a financial contribution as part of a S106 Agreement, should members agree with the recommendation, in accordance with Policies 12 and 19 of the ACS and paragraph 204.

Affordable Housing

I note the comments received from Housing Strategy and Development that support the proposed development. I also note that the development is being brought forward as 100% affordable housing. Whilst I note the agreement to provide 100% affordable housing the affordable housing SPD would only require 20% of the site to be affordable.

The necessary affordable housing of at least 20% can be secured as part of a S106 Agreement, should members agree with the recommendation, in accordance with the affordable housing SPD.

The current position in relation to the Heads of Terms for the Section 106 Agreement between the applicant and the Borough Council is for financial contributions towards the following:

- Educational Facilities
- Healthcare Facilities
- Public Open Space
- Affordable Housing

Conclusion

I am of the opinion that the proposed development would comply with the relevant planning policies that are set out above and that planning permission should be granted.

Recommendation:

That the Borough Council GRANTS PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority, the County Council as education authority and the National Health Service for the provision of, or financial contributions towards Affordable Housing, Educational Facilities, Healthcare and Open Space; and subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in accordance with the approved plans drawing no's: 7595 70-001 (Site Plan as Existing), 7595 70-002 REV F (Site Plan as Proposed), 7595 20-000 Rev A (Block Elevations as Proposed), 7595 20-001 Rev A (Block Elevations as Proposed), 7595 20-002 Rev A (Block Elevations as Proposed), A-7595-20-006 (Apartment Elevations), 795 00-000 Rev A (Typical Unit Floor Plans as Proposed), and 7595 20-004C (Street Elevations).
3. The development hereby permitted shall be completed in accordance with the Arboricultural Implications Assessment and Arboricultural Method Statement: Appendix 3, dated April 2014.
4. No part of the development hereby permitted shall be brought into use until the private car parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 7595 70-002 REV F. The parking areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of cars.
5. No development shall commence on any part of the application site until a new access junction has been provided onto Cavendish Road as shown on drawing number 70-002-RevD to the satisfaction of the Local Planning Authority.

6. No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.
7. No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
8. No part of the development hereby permitted shall take place until details of the new road (shown on plan no. 7595 70-002 REV F (Site Plan as Proposed)) have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
9. No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
10. No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the LPA. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
11. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
12. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the bricks and tiles to be used in the external elevations of the proposed development. Once approved the development shall be carried out in accordance with these details.
13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the means of enclosure of the site and precise details of the materials and structure of the retaining walls. Thereafter the means of enclosure shall be erected and retained in

accordance with the approved details.

14. Before development is first commenced full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be carried in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme of works that has been prior agreed in writing with the Local Planning Authority.
15. The hard and soft landscaping details to be submitted in relation to condition 14 above shall include the following; proposed finished levels or contours of the site; hard surfacing materials for car parking areas, and other vehicular and pedestrian access and circulation areas; minor artefacts and structures such as column lighting and bollard style luminaries to communal car parking areas; planting plans; written specifications; schedules of plants (noting species, plant sizes and proposed numbers/densities) and a schedule of landscape maintenance for a minimum period of five years from the date that the soft landscape works are completed.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the adequate and safe tree retention on site in the interests of good Arboricultural practise.
4. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
5. To ensure the development is constructed to adoptable standards
6. To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
7. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
8. To ensure the development is constructed to adoptable standards.
9. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
10. In the interests of Highway safety.
11. To ensure the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem

and to minimise the risk of pollution.

12. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
13. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. To ensure that the details of the development are acceptable , in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
15. To ensure that the final form of the development complies with policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

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

Notes to Applicant

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application and during Pre Application discussions to address adverse impacts identified by officers to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework (March 2012).

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.

Notwithstanding any planning permission if any highway forming part of the development is to be adopted by the Highways Authority the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the 6CsDG.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The Highway Authority should be contacted with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the Highway Authority is contacted as early as possible.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the County Council for details.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

This consent will require approval under Section 19 of the Nottinghamshire County Council Act 1985 and where the new streets are to be adopted an Agreement pursuant to Section 38 of the Highways Act 1980 will be required. Please contact Nottinghamshire County Council to ensure that approvals and agreements are secured before commencement of works.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site

I bring your attention to Carlton Parish Unregistered Footpath that passes through the site from Cavendish Road to Westdale Lane. The availability of the footpath should not be affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders.

It is noted that suitable habitat for slow worms exist on site. Should any slow worms be found during works to clear the site, work must stop immediately until a suitably qualified ecologist has attended the site to ensure that potential impacts on this protected species are properly considered and to enable any required mitigation to be incorporated into the development. Slow Worms are protected under Schedule 5, Section 9 (1 and 5) of the Wildlife and Countryside ACT 1981 and the Countryside and Rights of Way act 2000 against deliberate or reckless killing and injuring and sale.

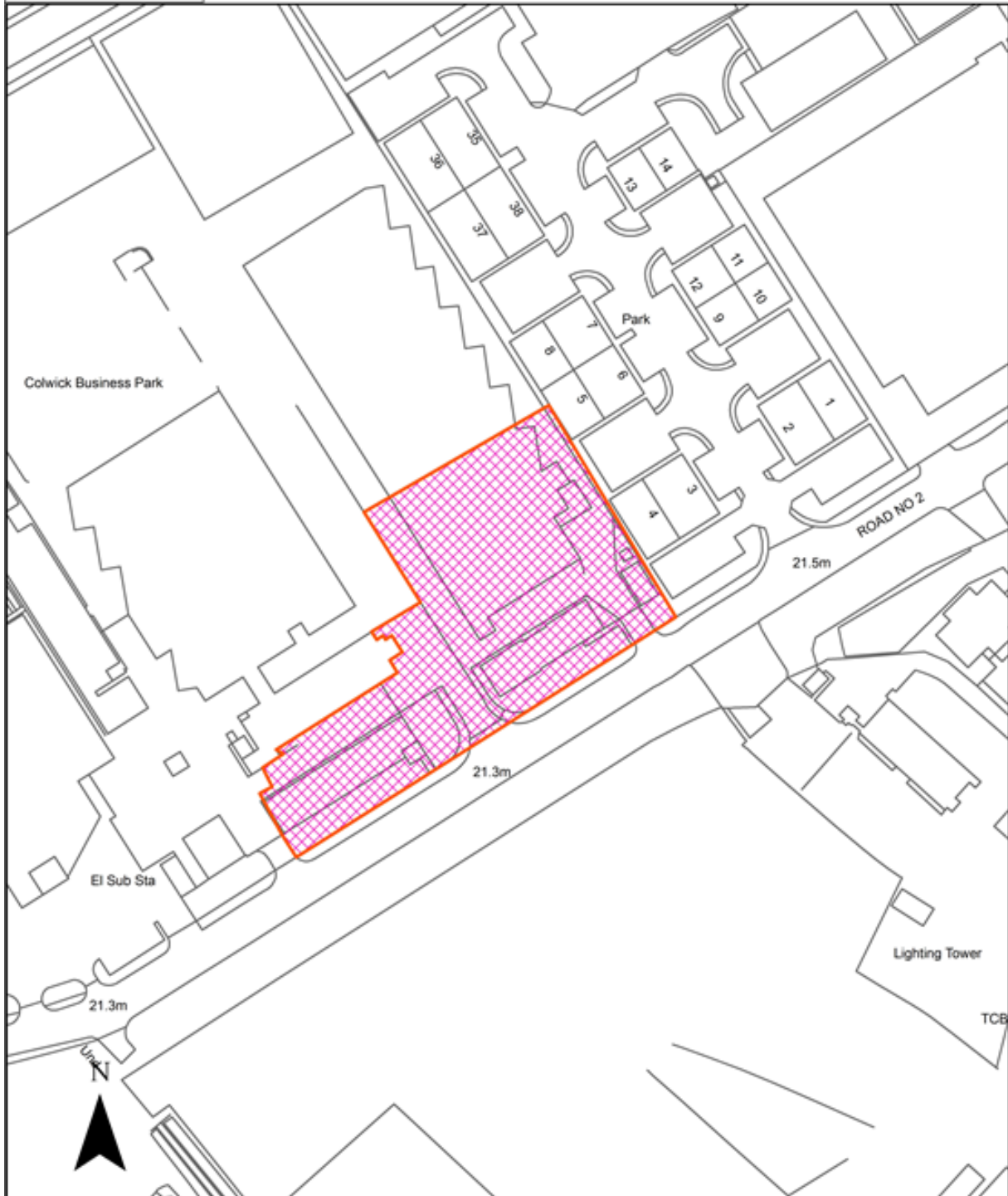
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal 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.

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



Application Number: 2014/1180
Location: Units Colwick Business Park, Road No 2, Colwick, Nottingham.



NOTE:
This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Report to Planning Committee

Application Number:	2014/1180
Location:	Units Colwick Business Park, Road No 2, Colwick, Nottingham.
Proposal:	Demolition of two existing two storey office buildings, partial demolition of existing block of light industrial/warehouse buildings. Construction of new 3 storey office building and associated parking and landscape works.
Applicant:	Mr Roger Radford
Agent:	Mr Steve Riley
Case Officer:	David Gray

1 Site Description

The application site is located to the north of Private Road No. 2 within the Protected Employment Site of Colwick Industrial Estate, as indicated on the Proposals Map of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014). The premises are currently in use as Hillary's Blinds. The application site has an irregular shape with a site area of some 5,132 sq m (0.51 Hectares). The frontage of the site, facing on to Private Road No.2, measures some 116 metres. The main access to the site is located centrally on the frontage with a secondary access to the north eastern end splitting the site into two distinct areas.

The western part of the site is accommodated by a two-storey B1 office building. To the north of the office building there is macadam surfaced car parking area beyond which is the southern fanade of an adjacent industrial building. The application site currently accommodates 39 existing off street car parking spaces.

The southern part of the eastern side of the site also contains a two-storey B1 office building similar in size to the one on the western side. There is an area of soft landscaping to the south of this building, fronting onto Private Road No.2.

To the north west of the site there are existing single storey and two storey industrial units within the Colwick Business Park. Land to the opposite of the site is also in industrial use.

Topographically the site remains relatively level throughout.

The site is in an area at risk of Flooding as identified on the RLP Proposals Map.

2 Proposed Development

Full Planning Permission is sought for the demolition of two existing two storey office buildings, partial demolition of light industrial / warehouse buildings. Construction of a new 3 storey B1 office building and associated parking and landscape works.

The application site has an irregular shape with an area of 5,132 sq m (0.51 hectares).

The proposed 3 storey office block would be sited to the northeast of the existing main site entrance. The office block would have a rectangular shape with a curved gateway entrance adjacent to the main vehicle access from Private Road No.2. The maximum footprint dimensions of the office block would be some 56 metres x 33 metres.

The accommodation within the proposed office building would be distributed over three floors as follows:

Ground Floor:	1,519 sq m
First Floor:	1,519 sq m
Second Floor:	1,519 sq m
Total:	4,557 sq m

The overall height of the main building from ground level would be 13.8 metres.

The proposed development indicates an increase in off street car parking provision from 39 spaces to 88 spaces.

A Design and Access Statement, Flood Risk Assessment, and Transport Assessment have all been submitted to accompany the application.

The three main materials proposed for the development would be render, horizontal metal cladding, and glass. The final approval for the materials colours and the lighting would be dealt with via pre commencement condition.

3 Consultations

Nottinghamshire County Council (Highway Authority) –

The proposed development is located on Private Road No. 2 which is not adopted or maintained at public expense and any works that are necessary particularly to provide a one way access arrangement to the North West of the frontage into the site will need to be undertaken in agreement with the owners of the road.

Car Parking for the development is in excess of current maximum parking standards for this size of B1 usage, however, due to the majority of the office comprising of call-centre staff, who utilise less space than normal office layouts, it is considered that the 90 space provision for car parking is acceptable.

Regarding traffic movements, it is anticipated that the development will result in a maximum peak hour increase of traffic which exceeds the Transport Assessment Guidance, however, routes to the East may be alleviated through a new additional route through, as a result of a recently committed development. Overall, these traffic

movements may be managed by encouraging more sustainable forms of transport. Public transport, cycling and pedestrian facilities are in close proximity to the proposal and should be encouraged further, by way of a Travel Plan, which should include a car parking Management Plan to ensure that on-site demand is managed to an appropriate level.

Under the current Revised Nottinghamshire County Council Planning Obligations Strategy contributions of £32 000 are sought towards integrated transport measures in the area as there are more than 30 two-way movements occurring during network peak hours.

Should planning permission be forthcoming I would suggest attaching the recommended planning conditions in relation to the submission of a Travel Plan and the provision of the Cycle Parking Layout before occupation.

Rights of Way Officer – This application may impact on Carlton Parish Footpath No 22 (aka No 2), which runs alongside the south eastern boundary and is the access road to the site.

Whilst not an objection the Rights of Way Office would require that the availability of the footpath(s) is not affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders. The Rights of Way Office should be consulted in any re-surfacing or proposed structure issues, also developers should be aware of potential path users in the area who should not be impeded or endangered in any way.

Environment Agency (EA) –

Following receipt of the revised Flood Risk Assessment the Environment Agency were re-consulted. The comments are outlined below: -

The EA has no objections, in principle, to the proposed development but recommend that if planning permission is granted that conditions relating to the development being carried out in line with the details in the Flood Risk Assessment and a detailed surface water drainage scheme being submitted to and approved by the Borough Council in consultation with the EA.

Severn Trent Water – No objections subject to a condition requiring the details of drainage plans for the disposal of surface water and foul sewage being submitted and approved.

Planning Policy – The application should be considered in line with the Policies contained within the Aligned Core Strategy, Replacement Local Plan, and the National Planning Policy Framework.

Public Protection – Public Protection are satisfied with the contents and findings included within the Phase 1 Desk Study Report (Geodyne Ltd. Ref. D34084).

Sections 5.8 and 5.9 outline further assessment works which are considered necessary to further refine the site conceptual model, and assess the risks to future

occupants. As such it is recommended that conditions are attached to any approval to deal with a Dust Management Plan for the demolition of the existing buildings, the provision of an electric vehicle charging point, and a contamination scheme.

Health and Safety Executive – Using the HSE’s Planning Advice for Developments near Hazardous Installations (PADHI+) standing advice software tool for use by Planning Authorities: The HSE ‘DDA - Does Not Advise Against’ the development.

Neighbouring Properties were notified and Site Notice and 2 letters of representation were received as a result. The comments can be outlined as follows: -

- Object to the development if the premises would overlook any neighbouring dwelling on Stratford Close.
- The building would dominate the area.
- As the premises would be 3 stories in height it would affect the skyline and would be visible from neighbouring residential properties.

4 Assessment of Application and Planning Considerations

The most relevant national planning policy guidance in the determination of this application are contained within the National Planning Policy Framework (NPPF) (March 2012) and additional information provided in the National Planning Practise Guidance (NPPG).

The following paragraphs of the NPPF are of relevance to the principle of this application: -

- NPPF paragraphs 18 to 22 (Building a strong, competitive economy);
- NPPF paragraphs 23 to 27 (Ensuring the vitality of town centres);
- NPPF paragraphs 56 to 68 (Requiring good design);
- NPPF paragraphs 93 to 108 (Meeting the challenge of climate change, flooding and coastal change);
- NPPF paragraphs 203 to 206 (Planning Conditions and obligations).

On 10th September 2014 Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) which now forms part of the development plan for the area along with certain saved policies contained within the Gedling Borough Replacement Local Plan (GBRLP) referred to in Appendix E of the GBACS. It is considered that the following GBACS policies are relevant:-

- Policy 1 (Climate Change)
- Policy 4 (Employment Provision and Economic Development);
- Policy 10 (Design and Enhancing Local Identity).

The following saved policies of the Gedling Borough Council Replacement Local Plan (GBRLP) (Certain Policies Saved 2014) are also relevant: -

- ENV1 (Development Criteria);
- ENV3 (Development on Contaminated Land);
- E3 (Retention of Employment);

- T10 (Highway Design and Parking Guidelines).

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless other material considerations indicate otherwise.

In making a recommendation in relation to this application, regard has been given to the above legislation and policy and as a result it has been determined that the main planning considerations in relation to this application are: -

4. The principle of the redevelopment of the site;
5. Highway implications including parking provision;
6. Design;
7. Impact on the amenities of neighbouring residents;
8. Flood Risk and Drainage;
9. Contamination and Health and Safety;
10. Meeting the challenge of climate change;
11. Other considerations.

5 The Principle of Redeveloping the Site

At the heart of the NPPF is a 'presumption in favour of sustainable development' which is described as a golden thread running through decision taking. Three dimensions to sustainable development are identified which are economic, social and environmental.

Paragraphs 18 and 19 set out that the Government is committed to securing economic growth and that the planning system should support growth and not act as an impediment.

Policy E3 (Retention of Employment) of the GBRLP is relevant to this application and states inter-alia: -

'Within the following sites, as defined on the Proposals Map, the expansion, conversion or redevelopment of land and premises for employment uses (other than retailing and other uses appropriately sited in shopping and local centres) will be permitted provided the development would not cause traffic, amenity or conservation problems...'

The proposed site falls within the Colwick Industrial Estate as defined on the proposals map therefore Policy E3 is relevant to this application and there are no limitations in place in respect to the redevelopment of the site for B1 Office use which would be supported in the protected employment area of Colwick subject to the criteria as set out under Policy E3 above.

I note that the application site is already in use for light industrial and office space and the proposal would be for the redevelopment of brownfield land to provide a new office complex for an existing business. Given the site is allocated for employment uses on the Proposals Map and the proposal would result in the expansion of an existing business premises there would be no objection in principle to the

redevelopment of the site to provide office accommodation.

It is considered that the principle of the proposal is accepted and supported; however, its acceptability rests in parts on the detailed consideration in particular to the impact on highway safety, design, residential amenity, flood risk and contamination.

6 Highway Implications and Parking Provision

I note the comments from the Highway Authority that do not raise any specific objections to the proposed development in planning terms. The Highway Authority considers that the traffic movements may be managed by encouraging more sustainable forms of transport. It is also noted that public transport, cycling and pedestrian facilities are in close proximity to the application site. It is my opinion that the car movements can be managed adequately by implementing a Travel Plan including a Car Parking Management Plan. Should planning permission be forthcoming I would suggest attaching the advised conditions relating to the Travel Plan and the Cycle storage in order to promote sustainable travel.

I note the comments with regards to the two-way movements during peak hours and the subsequent requirement for offsite contributions. The agent and applicant entered into Pre Application discussions with the Borough Council in March 2014 which led to a detailed submission of the current application. During the processing of the application and an agreement to extend the time of the application with submission of revised plans, offsite contributions were not raised by the Highway Authority.

When referring to the NPPF paragraph 204:

‘Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.’

Paragraph 205 states: ‘Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.’

Given the individual circumstances relating to this development in which the Highway Authority were consulted at all stages of the planned development, it is my opinion that the request for offsite contributions sought outside of the statutory consultation period would not be reasonable to impose on the applicant at this stage of the planning process.

It is also noted that the planned development is a replacement of an existing business and the access is from a private road outside of the control of the Highway Authority. I concur with the comments from the Highway Authority that a satisfactory development can be achieved by implementing an efficient transport plan and car

parking plan and as such I do not consider the contribution is necessary to make the development acceptable in planning terms. Therefore following the guidance contained within the NPPF I consider that the requirement for offsite contributions could be considered unreasonable in this instance.

7 Design

Policy 10 of the Aligned Core Strategy requires all new development to be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment; reinforce valued local characteristics; be adaptable to meet evolving demands and the effects of climate change; and reflect the need to reduce the dominance of motor vehicles.

Replacement Local Plan Policy ENV1 (a) reflects this guidance requiring that proposals should be of a high standard of design which has regard to the appearance of the area and does not adversely affect the area by reason of its scale, bulk, form, layout or materials.

Section 7 of the NPPF states that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; respond to local character and history; and are visually attractive as a result of good architecture and appropriate landscaping.

I note the representation received with regards to the proposal being of a scale (3 Stories) that would dominate the area and the skyline.

I also note that the location of the development is within the existing Colwick Industrial Estate / Business Park and the surrounding area is defined by light industrial and storage and distribution premises varying in height from 1 to 2 stories.

Whilst I note the representation received, it is my opinion that the proposed development is of a scale and design that would not overly dominate the area given the industrial setting of the site, the overall height of 13.8 metres, and the distance of over 100 metres to the rear boundary of the nearest neighbouring resident.

It is my opinion that the proposal sits well within the context of the existing business park and the design of the premises would create a gateway to an existing business park creating a sense of place that would improve the character of the area. I consider that the development, with the materials proposed, represents a high standard of design that has taken into account the local surroundings.

Should planning permission be forthcoming I would suggest attaching appropriate conditions requiring submission of precise details of the materials to be used on the external elevations of the development and the submission of both the hard and soft landscaping works to be carried out, including details of any column lighting and luminaries that might be incorporated in the scheme.

It is my opinion the proposed design and layout of the proposal does satisfy the guidelines set out in Policy 10 of the ACS and the guidelines contained within the NPPF. It is my view that that the new development would sit well within its context

and the proposal has taken this opportunity to improve the character and quality of the area and the way it functions.

8 Impact on the amenities of neighbouring residents

I note the representation received with regards to the potential overlooking impact from the side elevation windows of the proposed premises. It is my opinion given the substantial distance of over 100 metres to the nearest private residence; the proposed development would not result in any undue overlooking impacts on neighbouring residential amenity.

I note that the immediate adjoining premises are all light industrial buildings with few openings; I am therefore satisfied that the proposal would have no undue overbearing or overshadowing impact on the immediate vicinity. Given the scale, design and layout of the proposed development and the distances to neighbouring dwellings I am satisfied that the proposed development would have no undue impact on the amenity of neighbouring residents.

Given that it is considered the proposal would have no undue impact on the amenity of nearby neighbouring residents the proposed development would accord with the requirements of policy E3 and policy ENV1 (b) which relate to protecting the amenity of adjoining development.

9 Flood Risk and Drainage

I note that the site is located within an area at risk of flooding and that the Environment Agency has raised no objections to the proposed development. Should planning permission be forthcoming I would suggest attaching a condition to any approval requiring the development to be carried out in line with the details in the Flood Risk Assessment and that a detailed surface water drainage scheme should be submitted to and approved by the Borough Council in consultation with the Environment Agency.

I also note that Severn Trent Water has not objected to the proposal. Whilst I note that Severn Trent have requested a condition requiring details for surface and foul drainage, foul drainage would be dealt with directly with Severn Trent Water and a detailed surface water drainage scheme would be required by condition in consultation with the Environment Agency.

Should planning permission be forthcoming I would suggest attaching an informative to any approval advising of the requirements of Severn Trent with regards to connection to the public sewer.

10 Contamination and Health and Safety

I note that the Health and Safety Executive do not advise against the development and as such, I am satisfied that there would be no Health and Safety implications as a result of the development being within the Outer Zone (OZ) of the HSE consultation zone around Total Oil Refinery Ltd and Colwick Industrial Estate.

I note the comments from Public Protection and as such I am satisfied that the proposed development would not result in any adverse contamination risks provided that appropriate details and mitigation can be secured by conditions. Should planning permission be forthcoming I would suggest attaching the recommended conditions in order to secure a satisfactory development to ensure that practicable and effective measures are taken to treat, contain or control any contamination and to manage the dust during the demolition.

11 Meeting the challenge of climate change

Paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

I note that, following correspondence with the Scientific Officer it was recommended that that scheme should incorporate provision for an EV (electrical vehicle) charging point. During the processing of the application the agent has confirmed that a condition to secure the provision of an EV charging point is acceptable. Should planning permission be forthcoming the details of the proposed EV charging point would be reserved by condition. I am satisfied that the proposed development has taken the opportunity to address the need to meeting climate change by providing sustainable transport options for employees in line with the requirements of Paragraph 93 of the NPPF.

I am also satisfied, given the issues addressed in Section 9.0 that the development has accounted for the future flood risks present on the site.

12 Other Considerations

I note the comments from the Rights of Way Officer with regards to Carlton Footpath no.22 (aka No 2), which runs alongside the south eastern boundary and is the access road to the site. The Right of Way is the public footpath that runs in front of the application site. Should planning permission be forthcoming I would suggest attaching an informative to any approval to require that the availability of the footpath(s) is not affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders. The Rights of Way Office should be consulted in any re-surfacing or proposed structure issues, also developers should be aware of potential path users in the area who should not be impeded or endangered in any way.

13 Conclusion

The development has been considered in accordance with the National Planning Policy Framework, the Planning Practise Guidance, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate.

In my opinion, the proposed development accords with the relevant policies of these frameworks and plans, and that planning permission should be granted.

Recommendation:

GRANT PLANNING PERMISSION subject to the following conditions: -

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in accordance with the approved revised plans and Design and Access Statement received on 24th March 2015, drawing no's: 14003(PL) 01 rev F (Site Plan); 14003(02) 01 rev E (Proposed Elevations, Sheet 2 South East and South West); 14003(02) 02 rev E (Proposed Elevations, Sheet 2 North East and North West); 14003(01) 01 rev E (Proposed Sections, Sheet 1. Sections AA and BB); 14003(01) 02 rev E (Proposed Sections, Sheet 2 Sections CC and DD); 14003 (00) 04 rev G (GA Plans, Proposed Roof); 14003 (00) 03 rev F (GA Plans, Proposed Second Floor); 14003 (00) 02 rev F (GA Plans, Proposed First Floor); 14003 (00) 01 rev G (GA Plans, Proposed Ground Floor).
3. 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 proposed development. Once approved the development shall be carried out in accordance with these details prior to the first occupation of the premises.
4. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Emergency Plan (FRA), Document RHL/01, August 2014 compiled by Charnwood Property Consultants and Developers Ltd and also the Design and Access Statement entitled 'Proposed New Officers for Hillary's Blinds' Revision A, March 2015 compiled by Steve Riley Architect Ltd. In particular the following mitigation measures shall be incorporated into the proposed development: (1) Finished floor levels are set no lower than 21.9 m above Ordnance Datum (AOD). Therefore 0.8 m above mean site level of 21.1 AOD; (2) Incorporated flood resilient design up to 0.6 m above ground floor level. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Borough Council.
5. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details

before the development is completed. The scheme to be submitted shall: (1) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C697 and C687 or the National SUDS Standards, should the later be in force when the detailed design of the surface water drainage system is undertaken; (2) Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to ideally Greenfield runoff rates for the site. As a minimum, the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site; (3) Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'; Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods; (4) Confirm how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

6. Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: (1) 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. (2) 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.
7. 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.
8. 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 of conditions 6 and 7, 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.

9. Before development is first commenced there shall be submitted to and approved by the Local Planning Authority precise details and location of an EV (Electrical Vehicle) charging point for use on the site. Once approved the EV (Electrical Vehicle) charging point shall be provided in accordance with the approved details before the development is first brought into use and should be retained for the life of the development.
10. No part of the development hereby permitted shall be more than 75% occupied before or until a Travel Plan including a Car Parking Management Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.
11. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing 14003 (PL) 02 REV B has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.
12. Before development is first commenced full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be carried in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme of works that has been prior agreed in writing with the Local Planning Authority.
13. The hard and soft landscaping details to be submitted in relation to condition 12 above shall include the following; proposed finished levels or contours of the site; hard surfacing materials for car parking areas, and other vehicular and pedestrian access and circulation areas; minor artefacts and structures such as: bicycle parking details and bin store details; column lighting and bollard style luminaries to car parking areas; planting plans; written specifications; schedules of plants (noting species, plant sizes and proposed numbers/densities) and a schedule of landscape maintenance for a minimum period of five years from the date that the soft landscape works are completed.

Reasons

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

2. For the avoidance of doubt.
3. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To reduce the risk of flooding to the proposed development and future occupants and to reduce the possible consequences of an imminent flood event in line with the requirements of paragraph 93 of the NPPF.
5. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.
6. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
9. To help minimise the vulnerability of the development and to provide resilience to the impacts of climate change by supporting the delivery of renewable and low carbon energy and associated infrastructure, in accordance with the requirements of Paragraph 93 of the National Planning Policy Framework.
10. To promote sustainable travel
11. To promote sustainable travel
12. To ensure that the details of the development are acceptable , in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
13. To ensure that the final form of the development complies with policies ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) and Policy 10 of the Aligned Core Strategy (2014).

Reasons for Decision

In the opinion of the Borough Council the proposed development would result in no significant impact on neighbouring premises or the area in general. The proposed development would represent sustainable development as identified in the NPPF. The proposal is acceptable from a highway safety viewpoint, raises no flood risk issues, health and safety issues or contamination issues. The works therefore accord with Policies E3 and ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved policies 2008) and Policies 1 (Climate Change), 4 (Employment Provision and Economic Development) and 10 (Design and Enhancing Local Identity) of the Gedling Borough Aligned Core Strategy (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.

I bring your attention to Carlton Footpath 22 which runs alongside the south eastern boundary and is the access road to the site. The availability of the footpath should not be affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders. The Rights of Way Office should be consulted in any re-surfacing or proposed structure issues. Developers are also made aware of potential path users in the area who should not be impeded or endangered in any way.

The development makes it necessary to alter the vehicular access arrangement over the footway of the private road no. 2. These works shall be constructed to the satisfaction of the owners of the road. You should therefore contact the owners as this is not highway maintained at public expense.

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.

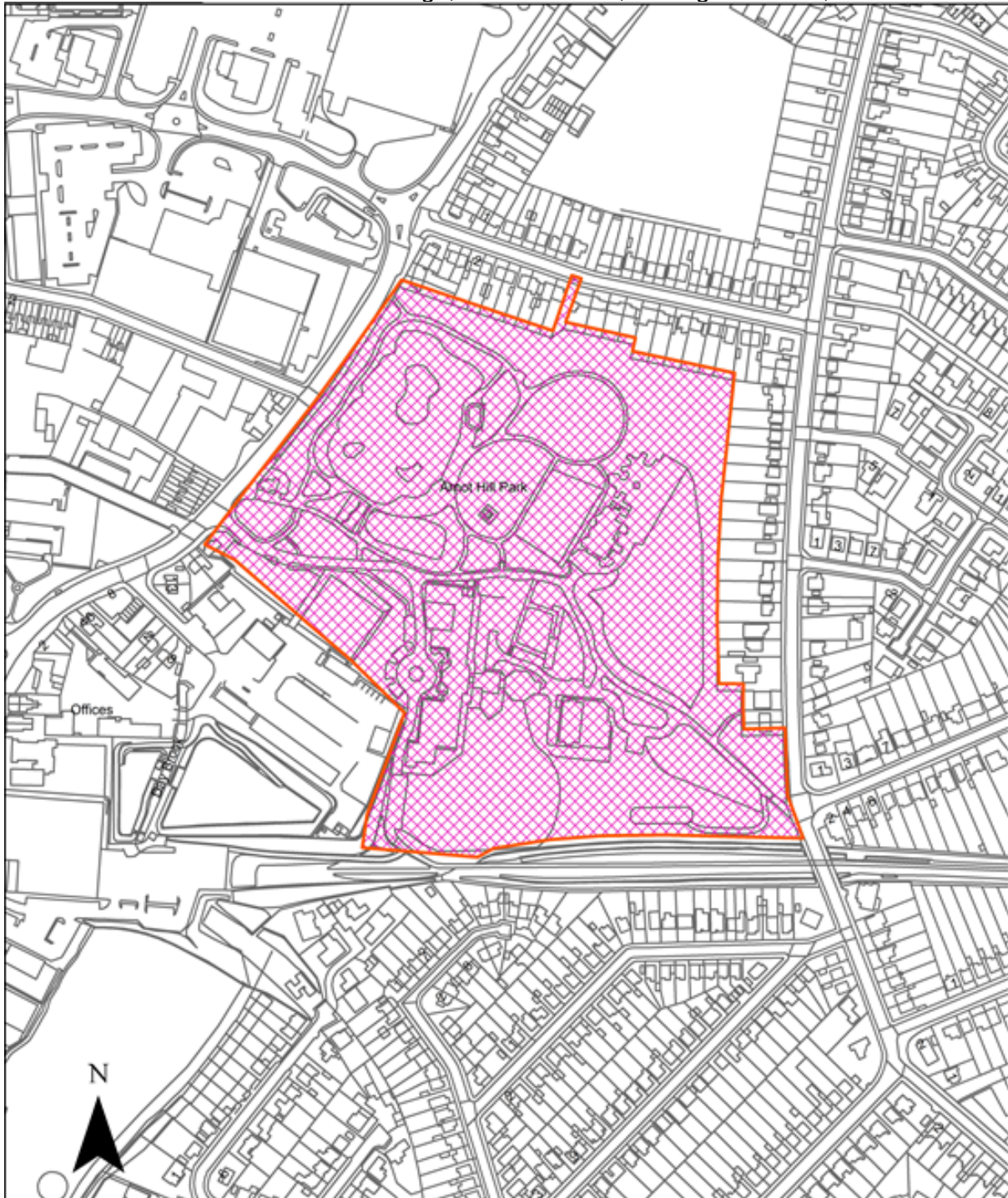
Advice regarding travel plans can be obtained from the Transport Strategy Section at Trent Bridge House, Fox Road, West Bridgford, Nottingham, NG2 6BJ, contact transport.strategy@nottscc.gov.uk

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

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Application Number: 2015/0674

Location: The Lodge, Arnot Hill Park, Nottingham Road, Arnold.



NOTE:

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Report to Planning Committee

Application Number:	2015/0674
Location:	The Lodge, Arnot Hill Park, Nottingham Road, Arnold.
Proposal:	Internal & external works as per plan drawings ref: G15/AHPL/01 - 02 & 03.
Applicant:	Gedling Borough Council
Agent:	Mr Steve Wiseman
Case Officer:	Elizabeth Campbell

This application is presented to the Planning Committee because the building is owned by Gedling Borough Council

Site Description

The Lodge is a small detached single storey building at the former vehicular entrance, from Nottingham Road, to Arnot Hill House and is now one of the pedestrian entrances into Arnot Hill Park. It is a stone building with slate roof. On the back of the building there is a small brick built flat roof extension. The Lodge has previously been used as the residence for the Borough Council's caretaker and as a storage facility by Leisure Services and most recently as a Youth One Stop Shop.

Arnot Hill House is a Grade II listed building (since 1987) and The Lodge is treated as listed being within its curtilage at that date. It is also a locally listed building in its own right.

The building stands within the built up area of Arnold but protected open space.

Relevant Planning History

2006/0177 - Conditional permission granted for change of use of building, including construction of entrance ramp and timber ramp to back door, to Youth One Stop Shop

Proposed Development

This is an application for listed building consent for:

Externally:

- The addition of a door buzzer, for security purposes, glued onto the timber frame of the front door. In addition there would be a small instruction plaque in

- rigid plastic
- Replacement of the notice with one of the same size and using the same posts
- Metal brackets to be fixed onto the back wall of the extension on which to hang the boat, which is used for access across the Park lake

Internally:

- Provide and fix a timber door, between the front room and the kitchen, with the frame and door to match the existing modern doors in the building

In support of the application a heritage statement states:

- The external works will not affect the visual appearance of the building
- The internal works will match existing fittings and fixtures and with drains and pipes being put through existing holes in the fabric

Justification of the works

The building has been previously converted to office accommodation with kitchen and toilet. Currently the building is unoccupied and the Council, as owners of the building, propose to let this space to a charitable organisation to use as offices and small scale activities. The Council will arrange for, or supervise works, in order to meet an agreed specification.

There is a companion application under 2015/0681 for planning permission to change the use of the building from a drop in youth centre (sui generis) to office.

Consultations

The application has been advertised on site and in the press. No representations have been received to date.

Historic England - No intention to comment and recommend application is determined in line with the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the Planning Practice Guidance and the Historic Environment Good Practice Advice in planning –notes 1-3

Planning Considerations

The main consideration in the determination of this application is the impact that the work would have on the special architectural and historic interest of the listed building.

It is a statutory requirement for local planning authorities to have special regard to the desirability of preserving the building, its setting and any features of special interest (S66 Planning (Listed Buildings and Conservation Areas Act) 1990). Great weight is given to the conservation of listed buildings and any degree of harm to listed buildings requires “clear and convincing” justification (paras131-134 of the National Planning Policy Framework (NPPF)).

The importance of understanding the significance of a heritage asset is developed in the Planning Practice Guidance (as updated April 2014) in understanding the potential impact and acceptability of development proposals and the recently ((April 2015) published Good Practice Advice Note 2 – The Historic Environment – managing significance in decision - taking.

Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September 2014 and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan referred to in Appendix E of the GBACS. The following policy is relevant:

- Policy 11 – Proposals will be supported where heritage assets are conserved and/or enhanced in line with their interest and significance.

Appendix E of the GBACS refers to saved policies contained within the Gedling Borough Replacement Local Plan (certain policies saved) 2014.

Policy ENV 19 (Extension or alteration to a listed building) has been replaced by the National Planning Policy Framework (paras 132 – 141). Paragraph 134 requires that in determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and the positive contribution that conservation of heritage assets can make to sustainable communities.

The building, the subject of this application, is treated as being part of a listed building because it stands within the former curtilage of Arnot Hill House. It is also a locally listed building.

Policy ENV22 states that planning permission for development which would affect a local interest building or its setting will be granted provided:-

- The appearance or character of the building and its setting are safeguarded; and
- Any significant harm caused by the development would be outweighed by significant local community or environmental benefits

As noted by the applicant there is very little impact on the building either internally or externally. Furthermore this proposal is companion to the change of use application which will bring this unoccupied building back into an appropriate use. There have been no representations received to date.

I therefore consider that the proposal accords with the above policies and in conclusion, I support this application.

Recommendation:

To GRANT LISTED BUILDING CONSENT subject to the following conditions:

Conditions

1. Any work must be begun not later than three years beginning with the date of this consent.
2. The development shall be carried out in accordance with the submitted application form, location plan G15/AHPL/03, block plan (G15/AHPL/02), heritage statement, floor plan (G15/AHP/01) and photos all received on 11 June 2015, as amended by drawing no. G15/AHP/01 in respect of the position of the new door and frame, received on 9 July 2015. All work shall be carried out in accordance with these approved details.

Reasons

1. In order to comply with Section 18 of the Listed Building and Conservation Areas Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt

Reasons for Decision

It is not considered that the proposed alteration will detract from the special architectural and historic interest of this listed building. It is considered, therefore, that it will be in accordance with The National Planning Policy Framework, the Planning Practice Guidance, the Gedling Borough Aligned Core Strategy and the Gedling Borough 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.

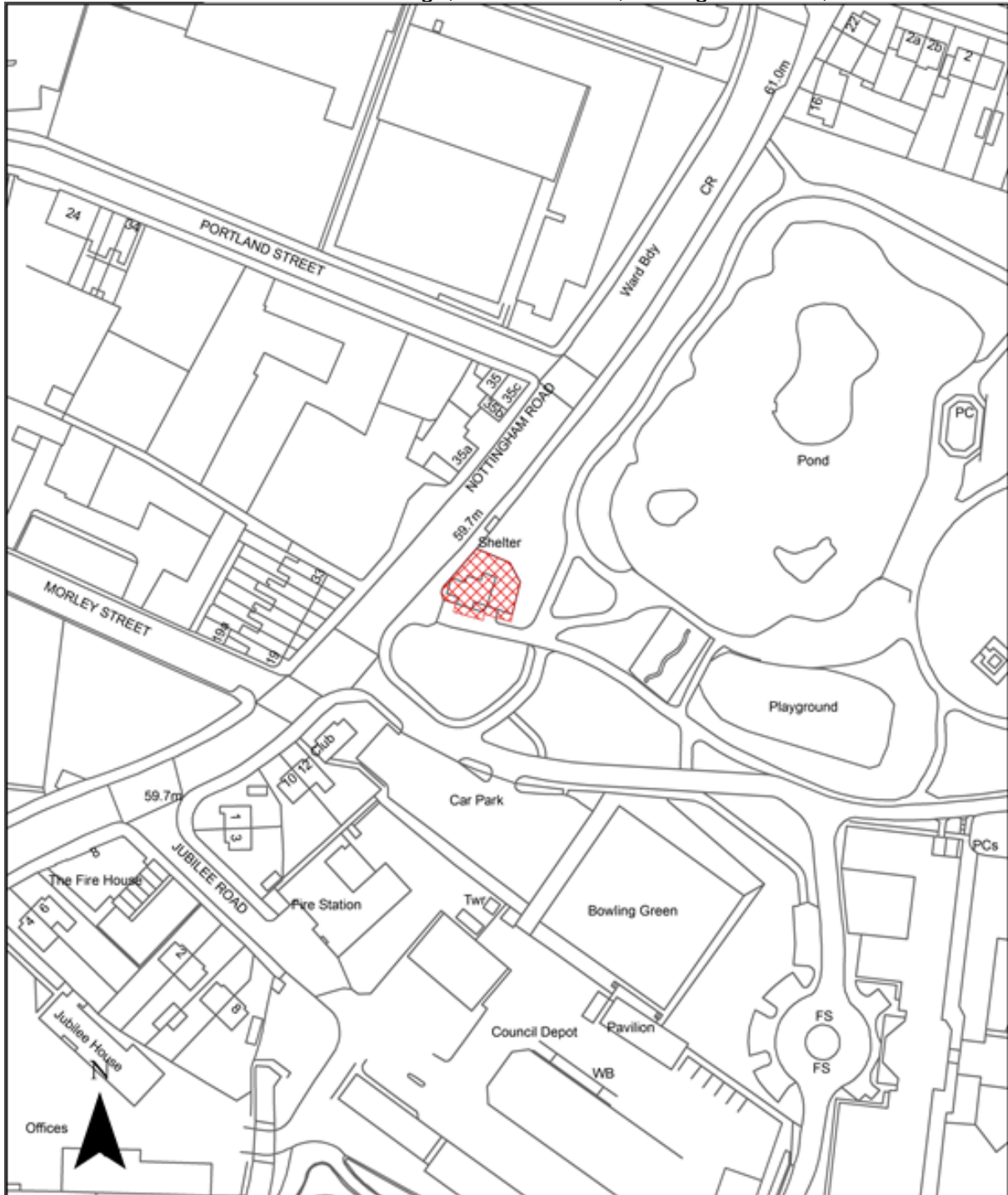
The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework by discussing the proposal with the applicant and meeting them on site and agreeing a scheme, which is acceptable to the applicant, the Council and its heritage advisers.

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Application Number: 2015/0681

Location: The Lodge, Arnot Hill Park, Nottingham Road, Arnold.



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Report to Planning Committee

Application Number: 2015/0681

Location: The Lodge, Arnot Hill Park, Nottingham Road, Arnold.

Proposal: From drop in youth centre (Sui Generis) to office.

Applicant: We R Here

Agent:

Case Officer: Elizabeth Campbell

This application is presented to the Planning Committee because the building is owned by Gedling Borough Council

Site Description

The Lodge is a small detached single storey building at the former vehicular entrance, on Nottingham Road, to Arnot Hill House and now one of the pedestrian entrances into Arnot Hill Park. It is a stone building with slate roof. On the back of the building there is a small brick built flat roof extension. The Lodge has previously been used as the residence for the Borough Council's caretaker and as a storage facility by Leisure Services and most recently as a Youth One Stop Shop. Internally the building comprises a reception area with two office/meeting rooms and a kitchen and toilet. This totals 72 square metres. Outside there is a small back yard, where the Council store the boat and to the side, behind metal gates, a yard and shrubbery.

Arnot Hill House is a Grade II listed building (since 1987) and The Lodge is treated as listed as a building within its curtilage. It is also a locally listed building in its own right.

The building stands within the built up area of Arnold but outside the main and secondary shopping areas. It is situated within the protected open space of Arnot Hill Park and within 100metres of the lower car park.

Relevant Planning History

2006/0177 - Conditional permission granted for change of use of building, including construction of entrance ramp and timber ramp to back door, to Youth One Stop Shop

Proposed Development

This is an application for full planning permission for the change of use from the drop in youth centre, which is a sui generis i.e. a use on its own and which does not fit into any particular use class, to an office (Class B1a)

The application is submitted by a charity "We R Here". This charity has the strap line "Here supporting young people and their families". In a supporting statement the charity describes itself and work:

We R Here is a local charity formed in October 2011 by a committed group of volunteers, all of whom had a background of working within a range of services supporting young people and families, who had been impacted by a variety of traumatic life experiences. The need for this support has grown since the cuts in public services which began late in 2010. The charity has its main base at The Community Hub on Main Road in Gedling.

Through fundraising, grants and donations the charity is able to provide free support by the provision of 1:1 counselling, group work, training and advocacy as well as working with Women's Aid, Sure Start, and Schools.

The charity believes it is unique as it "provides a restorative approach to enable service users to build increased self-esteem and confidence, which in turn improves their ability to engage with opportunities for education and employment creating the environment for positive outcomes and life chances"

The building will be used between 09.00 and 17.00 Monday to Friday and on one evening a week between 19.30 and 21.00 by a self – esteem group. It will provide more accessible premises to people on the Arnold/North side of the Borough.

Occasional fundraising activities and social events for service users will be held on a site well served by public transport and fully accessible for those with mobility difficulties.

The Council Car Park will be used for car parking and there is a bus stop on Nottingham Road, almost immediately outside this pedestrian entrance to Arnot Hill Park. One person would be employed full time on site with up to six part time volunteers.

A companion application for listed building consent is considered elsewhere on the agenda under 2015/0674.

Consultations

A site notice has been posted and the application, as affecting a listed building, has been advertised in the press. No representations have been received to date.

The occupiers of the residences opposite, on Nottingham Road, have been notified of the proposal. No representations have been received to date.

Nottinghamshire County Council (Highways Authority) - Consultation not required.

Planning Policy – The proposal accords with the saved Policy E11 in the (replacement) Local Plan in respect of office development outside shopping centres , and in particular criteria ‘a’ and ‘d’. (see planning considerations for further explanation)

Planning Considerations

The main planning considerations in the determination of this application are whether the proposal accords with policy since the building is situated outside the main and secondary shopping centres of Arnold, the impact on the special architectural or historic interest of this building, whether there is any impact on the amenities of neighbouring properties and whether there are any highway issues.

At national level the National Planning Policy Framework (March 2012) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development.

The relevant national planning guidance is set out in the National Planning Policy Framework (NPPF) The following sections of the NPPF are particularly relevant to this proposal:

7. Requiring good design (Paragraphs 56 – 68)
12. Conserving and enhancing the historic environment (Paragraphs 126 – 141)

Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10th September 2014 and this now forms part of the Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan referred to in Appendix E of the GBACS.

The following policies are relevant: -

Policy 11 – the Historic Environment

These policies reflects the guidance contained in the NPPF and Replacement Local Plan policies (see below)

Appendix E of the GBACS refers to the following saved relevant policy contained within the Gedling Borough Replacement Local Plan (certain policies saved) 2014:-

- ENV1 (Development Criteria)
- ENV22 (Local Interest Buildings)

This states that planning permission for development, which would affect a local Interest building, or its setting will be granted provided the appearance or character of the building and its setting are safeguarded

- E11 (Office development outside shopping centres). This states:

Planning permission will not be granted for new office uses (Use Classes A2 and B1 (a)) outside of the district and local shopping centres unless: -

- a. The introduction of an office use into a non-residential building which is of architectural or historic importance, or considered by the Borough Council to be of local importance, would lead to the retention of the building without damaging its character, or causing environmental or traffic problems, and for which there is no better alternative use acceptable to the Borough Council; or

- d. The location of a small B1 (a) office use can be achieved without having a detrimental effect on the locality and would not conflict with other Local Plan policies

The Lodge is currently empty and the bringing it back into use as a small office will accord with the NPPF, as being sustainable development within an existing building. It is also, most recently, a building in non - residential use and a building of architectural or historic importance and therefore its conversion to a small office would accord with the saved Policies E11 and ENV22 of the Gedling Borough Local Plan. Furthermore there are no alterations proposed to the outside of the building, apart from the addition of a door buzzer and hooks to hold the boat on the back of the brick extension and internally, no features of historic interest are affected.

Para 140 of the NPPF state that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies. It is my opinion that whilst office is generally a town centre use this proposal is for a small office and bringing back into use a heritage asset.

With respect to the impact on the amenities of the neighbouring properties these are all situated on the opposite side of Nottingham Road. No representations have been received to date and I do not consider that the proposed use will detrimentally affect the amenities of these properties. I am also mindful that the site is located with a Public Park.

With respect to any highway concerns the Highway Authority has advised that it does not require to be consulted. The Council public car park is only about 100 metres away and there is a bus stop almost immediately outside the building on Nottingham Road. I conclude that there are no highway concerns.

I conclude that the proposal is acceptable, that it accords with the National Planning Policy Framework, policy 11 of the Gedling Aligned Core Strategy and Policies ENV 1, E11 and ENV22 of the Gedling Borough Local Plan (certain policies saved) 2014. I therefore recommend that planning permission be granted.

Recommendation:

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. This development shall be carried out in accordance with the details submitted on the planning application form, supporting statement, site location plan, block plan and floor plan all received on 17th June 2015 as amended by the floor plan, (G15/APH/01) revised in respect of the position of the new door and frame received on 9th July 2015. The proposed development shall be carried out in accordance with the approved details.

Reasons

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

Reasons for Decision

In the opinion of the Borough Council provides a small office in a building of local interest just outside the town centre and well served by public transport and where the proposed use would not detract from the special architectural or historic interest of this building or have undue impact on the amenities of neighbouring residential properties or the locality in general and would not result in any highway safety issues. The proposal therefore complies with ENV1, ENV22 and E11 of the Gedling Borough Replacement Plan (certain policies saved) 2014, Policy 10 of the Aligned Core Strategy for Gedling Borough (Sept 2014) and the National Planning Policy Framework.

Notes to Applicant

Planning Statement - The Borough Council has worked proactively with the applicant in accordance with paragraphs 186 and 187 of the National Planning Policy by meeting on site and agreeing a scheme which satisfies the policies and its heritage advisers.

ACTION SHEET PLANNING DELEGATION PANEL 19th June 2015

2014/1350

Ramsdale House Oxtan Road Arnold

Internal works and addition of windows and sliding doors externally to existing barns.

The proposed development would have no undue impact on the special architectural & historic interest of this listed building or on the residential amenities of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

2014/1351

Ramsdale House Oxtan Road Arnold

Internal works and addition of windows and sliding doors externally to existing barns.

Internal works to existing kitchen and bathroom in main house.

The proposed development would have no undue impact on the special architectural & historic interest of this listed building or on the residential amenities of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued.

2015/0058

Multi Use Games Area Tilford Road Newstead

To install wind and solar powered lights on the multi use games area (MUGA) at Newstead

Application to be determined by Planning Committee as the applicant is an elected member.

2015/0154

The Folly Park Lane Lambley

Outline planning application for the residential redevelopment of land next to The Folly, Park Lane, Lambley to provide 5 no. new affordable dwellings comprising of 2 no. 2 bedroom bungalows and 3 no. 2 bedroom starter houses

Application withdrawn from agenda.

2015/0186

130A Main Road Ravenshead Nottinghamshire

Proposed garage conversion with single storey front extension, and new shared detached garage (with 130b Main Road) with a new window proposed in the side elevation to kitchen.

The proposed development would have an adverse impact on the shared turning area, off-street car parking spaces and residential amenity of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2015/0188

130B Main Road Ravenshead Nottinghamshire

Single storey front extension and shared detached garage (with the neighbouring property) and a garage conversion.

The proposed development would have an adverse impact on the shared turning area, off-street car parking spaces and residential amenity of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2015/0338

1 De Vere Gardens Woodthorpe Nottinghamshire

Two Storey and single storey extensions to side and rear

The proposed development would have no undue impact on the streetscene, the residential amenity of adjacent properties or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

2015/0352

Little Tithe Farm Blidworth Lane Calverton

A 100kW Solar PV array. The solar PV array covers an area of a33m x b105m x h26m: 1 array of 40 panels, 1 array of 80 panels, 1 array of 120 panels and 1 array of 160 panels. This incorporates the timber fencing (height 1.2meters) and room left for access.

Application withdrawn from agenda.

2015/0357

Former Pioneer Accident Repair Centre Manor Road Carlton

Erection of four 2 storey 2 bedroom dwellings (NB Demolition is being carried out as part of previous planning consent)

The proposed development would have an adverse overbearing & overshadowing Impact on adjacent residential properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

2015/0384

1-3 Stokers Cottages Papplewick Pumping Station Rigg Lane

Erection of a front entrance porch. 4kW PV array on ground mount stands within the property curtilage.

The proposed development would have no undue impact on the Scheduled Ancient Monument & Building of Local Interest.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2015/0409

51 Whittingham Road Mapperley Nottinghamshire

Internal alterations forming disabled toilet and rear single storey extension incorporating repositioned kitchen.

The proposed development would have no undue impact on the residential amenity of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued.

2015/0468

10 Green Lane Lambley Nottinghamshire

Removal of condition 8 attached to planning application 96/0779 in order to allow the windows and doors to the property to be constructed in upvc.

The proposed development would have no undue impact on the character & appearance of Lambley Conservation Area.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2015/0465

27 Shelt Hill Woodborough Nottinghamshire

Proposed 1800mm wide window to replace existing 1200mm window opening.

The proposed development would have no undue impact on the residential amenity of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

NM

19th June 2015

ACTION SHEET PLANNING DELEGATION PANEL 26th June 2015

2015/0106

101 Bridle Road Burton Joyce Nottinghamshire
Front side and rear extension

The proposed development would be visually acceptable and results in no undue impact on neighbouring amenity or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified of decision

SS

2015/0314

1 Rowland Avenue Mapperley Nottinghamshire
Demolition of existing garage, proposed dormer bungalow (with parking space) in the garden adjacent to no.1

The proposed development would be visually acceptable and results in no undue impact on neighbouring amenity or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

2015/0352

Little Tithe Farm Blidworth Lane Calverton
A 100kW Solar PV array. The solar PV array covers an area of a33m x b105m x h26m: 1 array of 40 panels, 1 array of 80 panels, 1 array of 120 panels and 1 array of 160 panels. This incorporates the timber fencing (height 1.2meters) and room left for access.

The application would have no undue impact on the openness of the Green Belt and Very Special Circumstances have been provided that outweigh the harm to the Green Belt by way of the developments inappropriateness.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified of decision

SS

2015/0412

6 Bretton Road Ravenshead Nottinghamshire

Porch Extension to front of Dwelling and Detached Garage & Store building to rear of garden.

The proposed development would be visually acceptable and results in no undue impact on neighbouring amenity or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified of decision

SS

2015/0445

17 Lee Road Calverton Nottinghamshire

Two storey side and single storey rear extensions

The proposed development would be visually acceptable and results in no undue impact on neighbouring amenity or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified of decision

SS

2015/0416

6 Kingsbridge Avenue Mapperley Nottinghamshire

Single storey extensions to front and rear

The proposed development would be visually acceptable and results in no undue impact on neighbouring amenity or highway safety.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

David Gray

26th June 2015

ACTION SHEET PLANNING DELEGATION PANEL 3rd July 2015

2015/0258
31 Main Street, Lambley
Erect first floor extension

The proposed development would have no undue impact on the setting of the Conservation Area or on the residential amenities of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2015/0329
68 Westdale Lane East, Gedling
Installation of Click and Collect lockers and associated signage

Application withdrawn from agenda

2015/0330
68 Westdale Lane East, Gedling
Click and Collect graphics and parking space details

Application withdrawn from agenda

2015/0370
115 Main Street, Calverton
Construction of double garage in lieu of existing two storey barn

Subject to the comments of the Conservation Officer, the proposed development would have no undue impact on the character of the Conservation Area or on the residential amenities of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued.

Parish to be notified following issue of decision.

SS

2015/0371
122 Main Street, Calverton

Convert one cottage into two residential units with two storey front extension

The proposed development would have an adverse impact on the character and appearance of the Conservation Area.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued following completion of paperwork.

Parish to be notified following issue of decision.

SS

2015/0574
12 Rowan Close, Calverton
Rear First Floor Extension

The proposed development would have no undue impact on the residential amenities of adjacent properties.

The Panel recommended that the application be determined under delegated authority.

Decision to be issued.

PB
3rd July 2015



Report to Planning Committee

Subject: Future Planning Applications

Date: 22 July 2015

The following planning applications or details have been submitted and are receiving consideration. They may be reported to a future meeting of the Planning Committee and are available for inspection online at: <http://pawam.gedling.gov.uk:81/online-applications/>

Alternatively, hard copies may be viewed at Gedling1Stop or by prior arrangement with Development Control.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2011/0523	Woodborough Park, Foxwood Lane, Woodborough.	Wind turbine with hub height of 50.09m & blade length of 16.7m. Ancillary development comprises a permanent access track & crane pad.	12/8/15
2014/0273	Land at corner Longdale Lane & Kighill Lane, Ravenshead.	Site for residential development.	12/8/15
2014/1343	Westhouse Farm Moor Road Bestwood Village.	New single storey Primary School.	12/8/15
2015/0750	Arnot Hill House, Arnot Hill Park.	Improve security.	12/8/15
2014/0169	Gedling Care Home, 23 Waverley Avenue, Gedling.	Demolition of care home & construction of 14 apartments, car parking & associated landscaping.	2/9/15
2015/0444	Carlton & District Constitutional	Conversion of Carlton Constitutional Hall into 10 apartments.	2/9/15

Club,
Kenrick Street,
Netherfield.

Please note that the above list is not exhaustive; applications may be referred at short notice to the Committee by the Planning Delegation Panel or for other reasons. The Committee date given is the earliest anticipated date that an application could be reported, which may change as processing of an application continues.

Recommendation:

To note the information.