



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

# Agenda

## Planning Committee

Date: **Wednesday 16 December 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**

**Page**

1. **Apologies for Absence and Substitutions.**
2. **To approve, as a correct record, the minutes of the meeting held on 25 November 2015.** 5 - 8
- Planning Committee Protocol.**
3. **Declaration of Interests**
4. **Application No. 2014/0169- Gedling Care Home, 23 Waverley Avenue, Gedling** 13 - 32
5. **Application No. 2015/1024- Land adjacent Bradstone Drive, Spring Lane, Gedling.** 33 - 44
6. **Application No. 2015/1219- Carlton Le Willows Academy, Wood Lane, Gedling.** 45 - 52
7. **Planning Delegation Panel Action Sheets** 53 - 58
8. **Future Planning Applications** 59 - 60
9. **Any other items which the Chair considers urgent.**

This page is intentionally left blank

## **MINUTES PLANNING COMMITTEE**

**Wednesday 25 November 2015**

Councillor John Truscott (Chair)

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

Absent: Councillor Sarah Hewson and Councillor Meredith Lawrence

Officers in Attendance: P Baguley, D Blasdale, C Goodall, N Morley and L Parnell

### **91 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Hewson.

### **92 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 4 NOVEMBER 2015.**

#### **RESOLVED:**

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

### **93 DECLARATION OF INTERESTS**

The Chair, on behalf of all members of the Committee, declared a non-pecuniary interest in application number 2015/1228 as the site is in the ownership of Gedling Borough Council.

### **94 GEDLING ACCESS ROAD UPDATE**

The Service Manager, Planning, provided Members with an update as to the progress of the Gedling Access Road development, including the amended phasing of work.

#### **RESOLVED:**

To note the information.

95

**APPLICATION NO. 2015/1228- GEDLING COUNTRY PARK,  
SPRING LANE, GEDLING, NOTTINGHAMSHIRE.**

To allow the installation of a climbing unit in the junior play area at Gedling Country Park.

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

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be undertaken in accordance with the details as set out within the application forms received on the 12th October 2015, the Design and Access Statement received on the 12th October 2015 and the plans received on the 12th October 2015.
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council as Local Planning Authority precise details of the proposed climbing unit, including full dimensions of the unit together with a scaled plan showing the precise siting of the unit within the junior play area. Once these details are approved the development shall be undertaken in accordance with these details unless otherwise agreed in writing by the Borough Council as Local Planning Authority.

**Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the scale, design and the siting are the unit is satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2014.

**Reasons for Decision**

In the opinion of the Borough Council the proposed development would help facilitate a use that would enhance recreational opportunities within the Borough and would not unduly impact upon the amenity of local

residents, the visual amenity or character of the area. The proposal therefore accords with the National Planning Policy Framework (2012) and policies ENV1, R1 or R2 of the Gedling Borough Replacement Local Plan (Saved Policies 2014) and the 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](http://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](http://www.groundstability.com).

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

#### **96 APPEAL DECISION- 29 MAIN ROAD, RAVENSHEAD.**

Conversion of existing garage to a dwelling.

#### **RESOLVED:**

To note the information.

#### **97 PLANNING DELEGATION PANEL ACTION SHEETS**

#### **RESOLVED:**

To note the information.

#### **98 FUTURE PLANNING APPLICATIONS**

#### **RESOLVED:**

To note the information.

#### **99 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 6.20 pm

Signed by Chair:  
Date:



## **PLANNING COMMITTEE PROTOCOL**

### **Introduction**

1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be reached, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is empowered by the Borough Council, as the democratically accountable decision maker, 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. If a Councillor has any doubts about the application of this Protocol to their own circumstances they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.
4. This protocol should be read in conjunction with the Council's Member's Code of Conduct, Code of Practice for Councillors in dealing with Planning Applications, briefing note on predetermination and the Council's Constitution.

### **Disclosable Pecuniary and Non- Pecuniary Interests**

5. The guidance relating to this is covered in the Council's Member's Code of Conduct and Code of Practice for Councillors in dealing with Planning Applications.
6. If a Councillor requires advice about whether they need to declare an interest, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

### **Pre-determination and Predisposition**

7. Councillors will often form an initial view (a predisposition) about a planning application early on in its passage through the system whether or not they have been lobbied. Under Section 25(2) of the Localism Act 2011 a Councillor is not to be taken to have had, or to have appeared to have had, a closed mind when making a decision just because the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take in relation to a matter, and, the matter was relevant to the decision.
8. This provision recognises the role of Councillors in matters of local interest and debate, but Councillors who are members of the Planning Committee taking part in a decision on a planning matter should not make up their minds how to vote prior to consideration of the matter by the Planning Committee and therefore should not

comment or make any commitment in advance as to how they intend to vote which might indicate that they have a closed mind (predetermination).

9. If a Councillor has made up their mind prior to the meeting, or have made public comments which indicate that they might have done, and is not able to reconsider their previously held view, then they will not be able to participate on the matter. The Councillor should declare that they do not intend to vote because they have (or could reasonably be perceived as having) judged the matter elsewhere. The Councillor will be then not be entitled to speak on the matter at the Planning Committee, unless they register to do so as part of the public speaking provision. For advice on pre-determination and predisposition, Councillors should refer to the Code of Practice for Councillors in dealing with Planning Applications in the Council's Constitution, and seek the advice of the Council Solicitor and Monitoring Officer.

### **Lobbying**

10. The guidance relating to this is covered in the Code for dealing with Planning Applications.
11. If a Councillor requires advice about being lobbied, they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.

### **Roles at Planning Committee**

12. 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. Councillors may also request that their votes are recorded.
13. The role of Officers at Planning Committee is to advise the Councillors on professional matters, and to assist in the smooth running of the meeting. There will normally be a senior Planning Officer, plus a supporting Planning Officer, a senior Legal Officer and a Member Services Officer in attendance, who will provide advice on matters within their own professional expertise.
14. If they have questions about a development proposal, Councillors are encouraged to contact the case Officer in advance. The Officer will then provide advice and answer any questions about the report and the proposal, which will result in more efficient use of the Committees time and more transparent decision making.

### **Speaking at Planning Committee**

15. 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.
16. 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. Anyone intending to speak at Committee must register to do so in writing, providing name and contact details, by 5pm three working days before the Committee meeting. As most Committee meetings are currently held on Wednesdays, this is usually 5pm on the Friday before. A maximum of 3 minutes per speaker is allowed, unless extended at the Chair of the Committee's discretion, so where more than one person wishes to address the meeting, all parties with a common interest should normally agree who should represent them or split the three minutes between them. No additional material or photographs will be allowed to be presented to the committee, and Councillors are not allowed to ask questions of speakers.

17. 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 Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
18. 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.

### **Determination of planning applications**

19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the application, a vote will be taken.
20. Whilst Officers will provide advice and a recommendation on every application and matter considered, it is the responsibility of Councillors, acting in the interests of the whole Borough, to decide what weight to attach to the advice given and to the considerations of each individual application. In this way, Councillors may decide to apply different weight to certain issues and reach a decision contrary to Officer advice. In this instance, if the Officer recommendation has been moved and seconded but fails to be supported, or if the recommendation is not moved or seconded, then this does not mean that the decision contrary to Officer advice has been approved; this needs to be a separate motion to move and must be voted on. If, in moving such a motion Councillors require advice about the details of the motion, the meeting can be adjourned for a short time to allow members and Officers to draft the motion, which will include reasons for the decision which are relevant to the planning considerations on the application, and which are capable of being supported and substantiated should an appeal be lodged. Councillors may move that the vote be recorded and, in the event of a refusal of planning permission, record the names of Councillors who would be willing to appear if the refusal was the subject of an appeal.

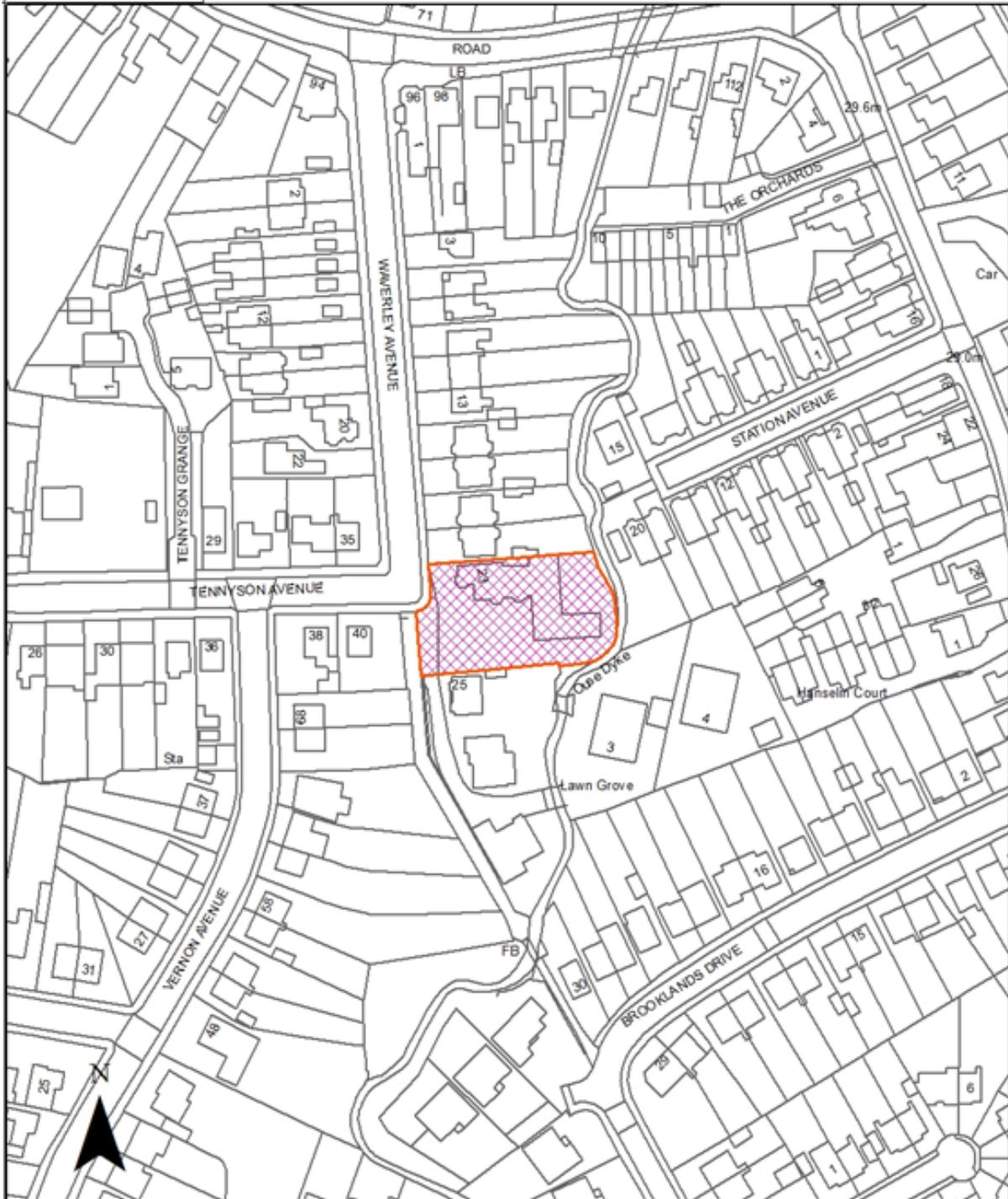
Oct 2015

This page is intentionally left blank



**Application Number:** 2014/0169

**Location:** Gedling Care Home, 23 Waverley Avenue, Gedling, Nottinghamshire.



**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  
Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings

## **Report to Planning Committee**

**Application Number:** 2014/0169

**Location:** Gedling Care Home, 23 Waverley Avenue, Gedling, Nottinghamshire.

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

**Applicant:** Mr R Kalaria

**Agent:** Miss Paula Money

**Case Officer:** Mark Simmonds

### **Site Description**

The application site, 23 Waverley Avenue, is occupied by a large residential care home (Use Class C2), formerly known as Gedling Care Home.

The site is within a built up residential area, typical of an urban residential townscape. The surrounding streets are predominantly detached and semi-detached dwellings of varying ages and styles, mostly Victorian/Edwardian in Waverley/Tennyson Avenues, with a fairly uniform 'building line' leading up to the care home along Waverley Avenue.

The existing building is a large, imposing three-storey white-washed building in a tired condition, its presence in the street scene detracts from the character of the area. The building has more modern red brick extensions to the rear and a large area of hardstanding which formerly provided parking to residents and their visitors and the staff at the care home.

The site is accessed via an existing drop-kerb on the corner of Waverley Avenue, an access shared with 'Lawn Grove' gated properties; the nearest (25 Waverley Avenue) has a blank elevation facing the site.

The site occupies an area measuring approximately 0.12ha with a frontage onto Waverley Avenue measuring approximately 27.8 metres.

To the rear of the site is a watercourse, Ouse Dyke, which requires a 9m easement and which directly results in the area in which the site is located being classed as 'high risk' on the Environment Agency's flood risk maps, although the agent believes that due to the elevated site levels the true classification should be Flood Zone 1 – lowest risk.

There are trees on site but these are not intended to be affected by the development.

The site is currently vacant and is secured with 'Heras' style fencing and is locked shut.

### **Proposed Development**

The proposed development involves the complete demolition and clearance of the existing building and the erection of three apartment blocks.

There have been several iterations of the scheme through inception to the application proposals which have been amended twice during the application process to address issues on the site, the first significant amendment was to move the apartments further away from the dyke at the rear to address flood risk issues and more recently the applicant agreed to make alterations to reduce the impact upon a neighbouring residential property, the occupiers of which had expressed concerns about overlooking of their private garden area.

The current set of proposals, being presented for determination by the Planning Committee, comprise 14 apartments divided into three blocks - mainly three-storey but with a two storey element on the rear block where it is adjacent to number 21 Waverley Avenue.

The design of the apartment blocks would be very modern/contemporary with the materials being a mixture of brick, timber cladding and render and reconstituted slate roof tiles.

The access would be as existing, a drop kerb on the corner of Waverley Avenue, and 15 parking spaces would be provided.

### **Consultations**

#### Nottinghamshire County Council (Planning and Conservation Project Support)

Request an education contribution of £34,365.

#### Nottinghamshire County Council (Highways)

Initial concerns, however following amended plans confirm that the scheme is acceptable from a highways perspective.

- Advise conditions.

#### Environment Agency

Initially objected but removed their objection following additional information including the Sequential Test and GBC Officer's confirmation that the Council accepted the findings of that test.

- Conditions advised.

## Gedling Borough Council Scientific Officer - Public Protection

Advise conditions regarding unexpected contamination and dust control during construction.

## Gedling Village Preservation Society

Object on the following grounds:

- 1) Density of apartments and impact on the street scene.
- 2) Highway issues.
- 3) Flooding risk.
- 4) Danger to residents and pupils of Carlton Le Willows Academy.

Urge refusal of the application in current form, ask that the number of apartments be reduced from 14 to 8 -10 and refer to the 'garden grabbing' legislation from 2010.

## Public

The application was publicised by way of site and press notices and notification letters were sent to adjoining neighbours.

Following the submission of amended plans to move the apartment blocks away from the watercourse at the rear of the site, approximately 20 letters of objection were received, objecting on the following grounds;

- ☐ All the other houses on Waverley Avenue are either 2 storey properties with roofs or 2 storey with dormer upper floors and the building now proposed will be a 3 storey with roof building which is fully out of character with the environment. Even the existing building is 3 stories but with a dormer 3<sup>rd</sup> floor.
- ☐ The detail of the plans does not show any clear thought and sympathy to the neighbourhood.
- ☐ The plans are out of context with the existing architecture in the area, the existing houses are all traditional Victorian or 30s design – the plans take no account of the existing buildings and will jar against the existing make-up of the street. Pathetic attempt at architecture.....not having any architectural merit.
- ☐ Waverley Avenue was built and designed to accommodate 23 homes....not 37.
- ☐ No precedent for having buildings that far back in the site.
- ☐ Level of density too high and not justified – detailed comments upon Gedling policy on density in light of Green Belt etc (Local Plan policy H8) – local density is 20 – 45 dwellings per hectare, this development would be 116 dwellings per hectare.
- ☐ Excessive over-development – existing building is considerably overdeveloped.
- ☐ All the buildings are 4 storeys overall.
- ☐ One of the blocks is 10m from the objectors property – would seriously affect their enjoyment of their property and privacy – contravenes the Human Rights



Act – Article 8.

- ☐ Number of residences should be seriously reduced.
- ☐ Only 2 bedroom apartments proposed contrary to emerging plan policy 8 as lack of mix of dwelling size.
- ☐ All of the apartments have a net internal area of 51m<sup>2</sup> – Government has issued national Technical Housing Standards – within these national standards the minimum size for a 2 bed apartment is 70m<sup>2</sup> the size for a 1 bed apartment is 50m<sup>2</sup> therefore the developer is proposing fourteen 2 bed apartments at a size barely larger than the nationally prescribed space for a 1 bed apartment. Clearly some of the rooms do not provide sufficient clearance around furniture to allow circulation – suggest it is not possible to design a 2 bed apartment of that size that can actually function.
- ☐ All of the proposed units would fail to meet building control regulations for an accessible wc or bathroom on the entry level.
- ☐ Development is not to a high standard as set out in Gedling's policies – represents a development which is sub-standard due to size of apartments.
- ☐ Loss of light and impact upon rights to light.
- ☐ Level of road noise and congestion will be greatly increased.
- ☐ Number of flats....14 is way too high for the position of this site.
- ☐ You are building upwards taking out trees and grass areas the full area will, including roofs and drives now not have any natural drainage and the rain water will end up running into the Ouse Dyke or back into the area where Waverley Avenue and Tennyson Avenue join – objector refers to recent flooding and states that there has recently been over a foot of water and that this is now a fairly common occurrence when there is persistent rain. Adjacent property is considering a flood defence barrier.
- ☐ The drains are old and too small to handle the amount of water now experienced in our current climate.
- ☐ Existing drainage has passed its maximum many years ago.
- ☐ This corner is lower than the water table – building a large development with no consideration or allowance for excess water drainage on an already waterlogged site will make this problem even worse for residents.
- ☐ Often flooded in heavy downpours to a height of 2 or 3 feet and becomes impassable. This was the case four times in 2014.
- ☐ In respect of flood risk number 40 (Tennyson Avenue) is the most vulnerable.
- ☐ Surface water runs to this corner – need to find an alternative outlet – not available or Severn Trent would have pursued it – letter signed by 6 people.
- ☐ The properties will flood.
- ☐ Average car ownership rates indicate that depending on number of people in the apartments -possibly up to 56 cars – there are not enough parking spaces and the result will be on-street parking in front of neighbours properties/drives – obstructing peoples drives – or obstructing the view of drivers if parking right on the corner to avoid being outside peoples properties.
- ☐ Both Waverley and Tennyson Avenues are swamped with vehicles which mean that most houses have to park their cars on the street and half on the pavement which is a potential problem for wheelchair users, the blind families with prams and other vulnerable pedestrians – potential accident/fatality.
- ☐ Zero provision for visitors. No provision for residents having more than one vehicle.
- ☐ During construction local residents would be hampered by construction

vehicles.

- ☐ The top end of the parking is very close to the Ouse Dyke and any possible fluid leakage from any of the vehicles would mean a catastrophic result on existing wildlife in and around the water.
- ☐ The parking spaces are not wide enough.
- ☐ Blind corner – 2 car crashes in 7 years.
- ☐ There are only 12 parking spaces.
- ☐ Parents of school children use the road – an accident waiting to happen.
- ☐ Refuse storage less than 2m to natural stream where rats and other vermin live – could cause an infestation of vermin/pests.
- ☐ The upper balconies on the rear flats would not only overlook private property as all the trees need to be removed for the parking spaces, but would also be at an angle to look straight into bedrooms and living areas of the adjacent property.
- ☐ Direct views into garden, conservatory and bedrooms and lounges.
- ☐ Bay windows would overlook neighbouring properties and bedrooms.
- ☐ Should be one or two normal 2 storey houses which would not alter the existing street/adjacent houses nor add to parking or flood problems – anyone considering putting flats in a normal housing environment is just adding to a problem.
- ☐ There is more than enough space at Gedling Colliery site – too greedy – will result in 8/10 flats which is not required or wanted.
- ☐ Garden grabbing – developer seeks to maximise profits which will benefit neither the new residents nor the neighbourhood in general.
- ☐ New plan does nothing to address the problem of density and the problems the high density causes.
- ☐ Can you actually get furniture in a two bed roomed apartment of 52 square metres?
- ☐ Where would you put all the refuse bins? Will they all fit on the pavement of Waverley Avenue?
- ☐ No design and access statement submitted.
- ☐ Concerns about anti-social behaviour – risk of fire etc.
- ☐ Anti-social behaviour statements are a blatant attempt to force through the flats – it is because the developer has not secured the property until recently – no reason to force through an ill-conceived and poorly developed plan.
- ☐ Detrimental effect on property values.

There were also a number of objections to the application following its original submission, again approximately 20 letters, which raised issues mostly covered above but also raised concerns about the development intruding into the easement required for the Ouse Dyke, and the following additional comments:

- ☐ Will worsen existing situation for 25 Waverley Avenue, will be a sizeable mass that is overbearing, restricting light and views to property and garden. Larger, higher and closer than existing building. Contravention of local plan policies on amenity.
- ☐ The land has been raised over the last 30 years which has an impact upon neighbouring properties.
- ☐ Dust and dirt during construction.
- ☐ Reference to restricting to over 55's.

- ☐ Number 40 Tennyson Avenue takes the main flood threat.
- ☐ Road has water damage from flooding.
- ☐ Footings to new buildings will result in cellars of neighbouring properties flooding. Will GBC pay to rectify the problem?
- ☐ Committee for Climate Change reports that garden grabbing is a major factor in flooding.
- ☐ Traffic speeds.
- ☐ Street has become a rat-run with school traffic and two shops at the end of the road.
- ☐ 28 bins – should have allocated spaces for ‘ownership’ and be sheltered from the sun.
- ☐ The bins will smell during warm weather and effect enjoyment of garden as will noise of the bins being wheeled around.
- ☐ Question use of black pvc and timber cladding – not in favour of design.
- ☐ Building over 10m in height would limit light to all surrounding buildings.
- ☐ Effect on wildlife.
- ☐ Over-development, building on rear garden, out of keeping with Victorian/Edwardian properties in the area.
- ☐ Overlooking of gardens – will be like living in a ‘goldfish bowl’.
- ☐ Bats seen flying around the garden, emerging from in or around the care home.
- ☐ Foundations at 21 Waverley Avenue are only 1 foot deep due to age of property – concerns about compromising the structure of the building – insist on a Stability Risk Assessment Report.

### **Planning Considerations**

The main issues for consideration in the determination of this application 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) Flood Risk;
- g) Other matters raised by local residents.

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 Defined Village Envelopes;
- ☐ H16 – Design Criteria.

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) Flood Risk;
- g) 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 development of an existing care home in a built up urban area. It is therefore my opinion that the redevelopment of the site to housing would be acceptable in principle within the well-established urban residential area of Gedling.

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 Gedling and its former use which falls within the definition of 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 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

I am of the opinion that the application site is of sufficient size to accommodate the 14 no. dwellings with the layout proposed without appearing cramped or over-intensive and is an efficient use of land.

An interested party has raised the issue of room sizes, and has referred to and sent links to a Department for Communities and Local Government publication 'Technical housing standards – nationally described space standard'. The party who has raised this, points to the fact that the room sizes in the proposed apartments are smaller than the room sizes set out in the above publication.

However, the document referred to is guidance not policy and Gedling Borough Council has no such policy within the Local Plan, nor in the emerging plan. I am content that this application, if approved, would help to diversify local housing stock

to add to the mix of dwellings available to smaller households and single people in particular and would be entirely compliant with the planning guidance within the National Planning Policy Framework.

### 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 proposal would result in a high density development that would not reflect the density of the surrounding area. However 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.

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 Waverley Avenue with architectural features of merit. I consider this will ensure a positive contribution to the streetscene.

The use of a contemporary architectural style and materials is considered appropriate for this site and the resulting development.

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.

I note that the surrounding area is a typical built up and urban area with a variety of ages of buildings and architectural styles, with the immediately surrounding area a mixture of detached and semi-detached dwellings.

I note that the proposed development would be in three blocks of apartments, 14 dwellings in total. The buildings would be a modern design style with Juliet balconies and the use of timber cladding and render as well as brickwork to give a contemporary feel to the development.

Whilst the apartment blocks would be a mixture of two-storey and three-storey elements, this reflects the scale and massing of the existing care home in general terms, and given the orientation of the elevations with windows and the distances to the neighbouring dwellings, I do not consider that the proposed development would be out of scale or keeping with the existing dwellings in the immediate vicinity.

Having considered the overall design of the development and the constraining factors of this 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.

Given the urban residential nature of the surrounding area I am satisfied that modest planting and raised shrub borders to the frontage of the development would be satisfactory to soften the built form of the development and would add visual interest to the locality. Should planning permission be forthcoming I would suggest attaching a condition requiring the submission of a detailed landscape scheme to be implemented.

I note that the preliminary materials proposed for the surfacing and external appearances of the development have been outlined on the site plan. Should planning permission be forthcoming I would suggest attaching a condition to any approval requiring precise details of the bricks, tiles and means of surfacing to be approved before development commences.

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

Given the above considerations I am satisfied that the design of the proposed development is acceptable and accords with the above Policies.

#### Highway Safety, Car Parking 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 SPD requires 0.8 parking spaces per 2 bedroom flat, this would equate to 11 spaces for this development.

The development proposes 15 unallocated car parking spaces which are over and above the requirements of the SPD – it cannot be said that there is inadequate provision of parking within this development.

Additionally, it is noted, in agreement with the applicants Planning Statement, that there does not appear to be any great issue with on-street parking on Waverley Avenue allowing some room for occasional periods of additional need, and that the site is highly sustainable, being within walking distance of local facilities and close to the main bus-route into Nottingham City Centre.

As such I am satisfied that the development complies with the requirements of the SPD.

I note the comments from the Highway Authority and as such I am satisfied that the proposed development would not result in any adverse Highway Safety implications.

## Residential Amenity

The proposed development replaces an existing, large, three-storey building. The proposals offer an opportunity for betterment of the situation relating to 21 Waverley Avenue, to the northern boundary, which is currently dominated by the existing care home to quite a significant degree. The apartment blocks would be sited sympathetically and would minimise the impacts upon neighbouring properties, in particular the situation for number 21 Waverley Avenue would be improved in relation to the current arrangement of buildings.

The nearest dwelling to the south, 25 Waverley Avenue, has a blank elevation facing the site and the impact of the apartment block adjacent to that boundary would not be unacceptably adverse, especially with a condition to require the agreement of site and finished floor levels and a requirement for privacy screens on the balconies.

Objections have been received, including from 40 Tennyson Avenue who are concerned that overlooking of their private garden area from the apartments would impact their amenity.

Following this concern being raised Officers discussed the matter with the agent and amended plans have been submitted which alter the internal layout and substitute rear balconies in place of the Juliet balconies previously shown. Now there are standard bedroom windows facing 40 Tennyson Avenue, with the distance involved (11.5m), which is over a vehicular access, a cycleway and with a large tree adjacent the actual material impact would be entirely acceptable and not untypical for new residential development in an urban area.

The two apartments, which potentially could have given rise to concerns of overlooking from Juliet balconies, have been amended to provide the living space and balcony to the rear elevation and bedrooms now form the front elevation of the block.

The side elevations of the balcony could be screened to ensure no overlooking to be created to 25 Waverley Avenue – this can be ensured by condition.

The agent confirmed that in considering the revised plans and in relation to the layout it was viewed that moving the apartment block back into the site would create an issue of massing on the boundary for no 25 Waverley Avenue and accordingly it was not considered to be an appropriate amendment – this view is shared by Officers.

It is my opinion that the design and layout of the proposed scheme carefully considers the location of neighbouring properties to minimise any potential 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.

## Flood Risk and Sustainable Urban Drainage

Whilst objectors make several references to flooding events in the vicinity of the site



it is well established as a principle in planning that new development is not expected to be burdened with resolving existing problems in an area, if it is demonstrated to have no additional impacts in terms of flooding and would not result in a worsened situation, and would itself be made safe from the risk of flooding, then new development should be allowed to go ahead.

I note the site is located within an area at risk of flooding and that the Environment Agency raised no objections to the proposed development. The design of the proposed dwellings accounts for the risk and Finished Floor Levels are to be provided that accords with the Environment Agency advice.

The proposed development would result in a significantly smaller area of the site being covered by buildings/impermeable hardstanding – so that the impermeable area would be about 50% of that currently.

To the rear of the site is a watercourse, Ouse Dyke, which requires a 9m easement and which directly results in the area in which the site is located being classed as 'high risk' on the Environment Agency's flood risk maps. The agent believes that due to the elevated site levels the true classification should be Flood Zone 1 – lowest risk, however the Environment Agency's Flood Risk maps have not been altered and the development must be assessed on the basis of a classification of 'high risk'.

Therefore a Sequential Test was required to be carried out. The applicant provided a Sequential Test document which was found to be acceptable to Officers.

With regards to the Exception Test, the site is brownfield, the provision of housing particularly of a smaller scale to diversify the Borough's housing stock I consider to be a wider sustainability benefit and the applicants Flood Risk Assessment demonstrates that the development will be safe in terms of flood risk – I therefore conclude that the Test is passed.

Should planning permission be forthcoming a condition would be attached to any approval requiring the surface water drainage to be completed in accordance with details to be submitted to and approved by the Local Planning Authority.

### Environmental Protection

The Council's Scientific Officer has considered the proposals and has commented that they have no real concerns but that conditions should be imposed to protect against unexpected contamination and dust during construction. In accordance with that advice the relevant conditions are included at the end of this report.

### Planning Obligations

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.

As the site and number of proposed dwellings are below the relevant thresholds there would be no requirement for affordable housing or open space, however an education contribution is required and the development will fall to be liable under the CIL Regulations – the agent has confirmed acceptance of both.

### 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 subject to the applicant completing a S106 legal agreement to provide an education contribution of £34,365 and the relevant CIL payment.

### **Recommendation:**

**That the Borough Council GRANTS PLANNING PERMISSION, subject to Section 106 Agreement with the Borough Council as local planning authority and the County Council as education authority for the provision of financial contributions towards Educational Facilities; and subject to the following conditions:**

### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed in accordance with the following approved plans: - 108/07/C- 108/05/C- 108/04/C- 108/06/C Received November 2015 - Location Plan Received 13 February 2014.
3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken in accordance with the requirements of condition 5 above. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.
4. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The plan shall be implemented in accordance with the approved details.
5. Before development is commenced, there shall be submitted to and approved

in writing by the Borough Council details of measures to prevent the deposit of debris upon the adjacent public highway. The approved measures shall be provided before development is commenced and shall be maintained in working order at all times during the construction period and shall be used by every vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.

6. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of surface water and foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
7. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site. The means of enclosure shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details and samples of the materials to be used in the external elevations of the proposed dwellings. Once approved the development shall be constructed in accordance with these approved details unless otherwise agreed in writing by the Borough Council.
9. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted and including where appropriate details of existing trees to be felled and retained.
10. No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossing has been extended and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
11. No part of the development hereby permitted shall be brought into use until the access driveway is constructed with provision to prevent the unregulated discharge of surface water from the driveway to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
12. The proposed access, parking and turning facilities shall be surfaced in permanent materials in accordance with details, including plans of the facilities showing their precise location, to be approved in writing by the

Borough Council as local planning authority before the development hereby permitted is first occupied. The access, parking and turning facilities shall be maintained as approved for the lifetime of the development and shall not be used for any purpose other than the manoeuvring and parking of vehicles.

13. No part of the development hereby permitted shall be occupied until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and which never exceeds 1 in 12 thereafter, in accordance with details to be approved in writing by the Borough Council as local planning authority.
14. The development hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision D, prepared by SCC Consulting Engineers in September 2015 and in particular the following mitigation measures detailed within the FRA: 1. The internal finished floor levels shall be set no lower than 300mm above the existing ground floor levels. 2. The design and layout of the building shall incorporate an 8.0m wide unobstructed easement from the top embankment of the Ouse Dyke. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
15. The development hereby permitted shall not be commenced until such a time as a scheme to ensure that there is no loss of floodplain storage and that the existing overland flood flow routes are not compromised as a result of the redevelopment of the site has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by, the Local Planning Authority.
16. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first occupied. The scheme to be submitted shall: - undertake infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site;- demonstrate that the surface water drainage system is designed in accordance with CIRIA C697 and C687 and the National SUDS Standards;- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to the Greenfield runoff rates for this site. As a minimum the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site;- Demonstrate the provisions of surface water run-off attenuation storage in

accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments';- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods;- confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

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

## **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
5. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure the development is provided with a satisfactory means of drainage and to minimise the risk of pollution, in accordance with Section 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
7. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

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

### **Reasons for Decision**

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

(Certain Policies Saved 2014)

## **Notes to Applicant**

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

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

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

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

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

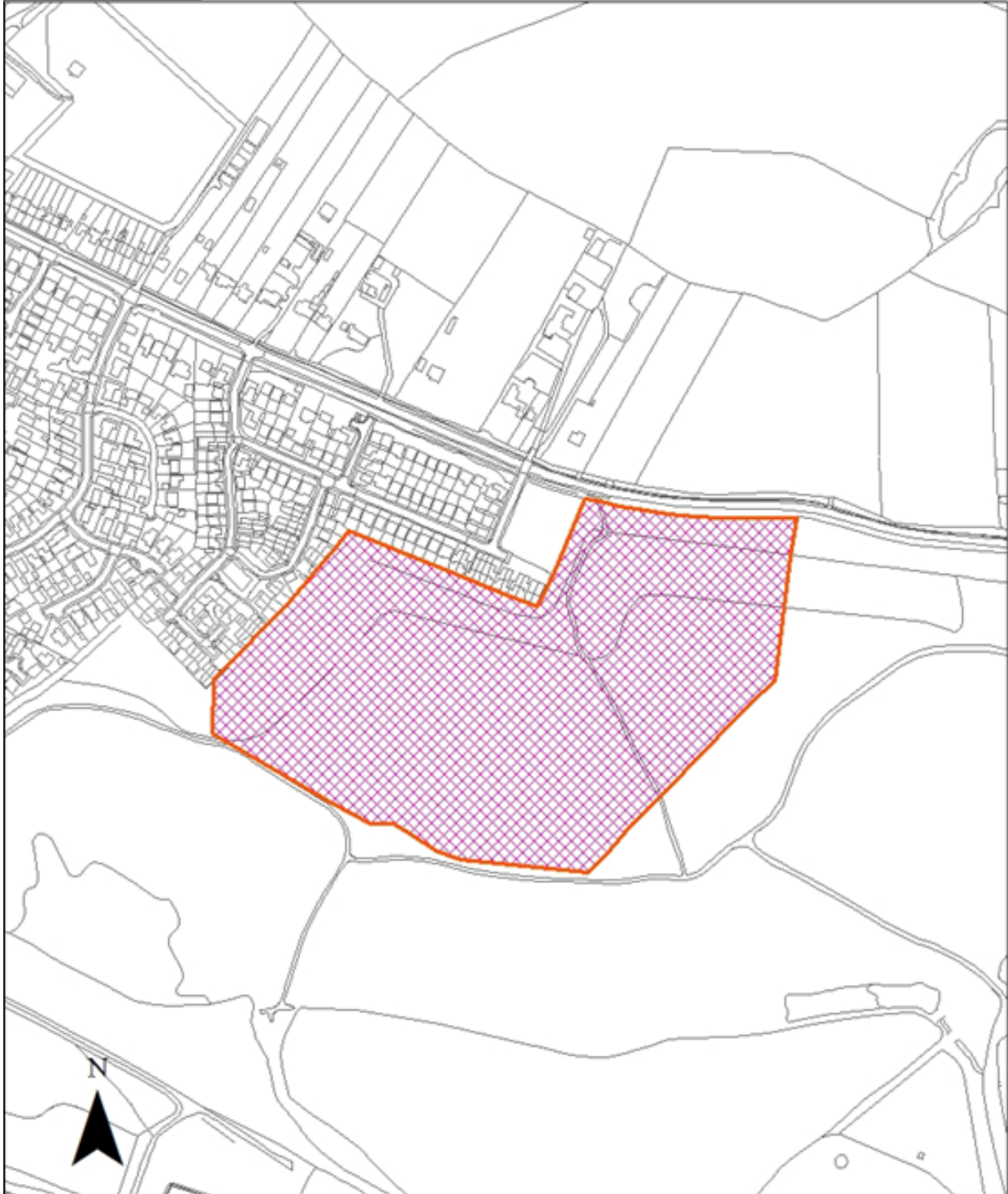
This page is intentionally left blank





**Application Number:** 2015/1024

**Location:** Land Adjacent Bradstone Drive, Spring Lane, Gedling,  
Nottinghamshire.



**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  
Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings

## **Report to Planning Committee**

<b>Application Number:</b>	2015/1024
<b>Location:</b>	Land Adjacent Bradstone Drive, Spring Lane, Gedling, Nottinghamshire.
<b>Proposal:</b>	Application for the Approval of Reserved Matters in relation to Appearance, Layout and Scale of outline planning permission no: 2014/0740 for the erection of 150 houses.
<b>Applicant:</b>	Bloor Homes Midlands And Harworth Estate Investments Ltd
<b>Agent:</b>	Mr Lee Griffin
<b>Case Officer:</b>	Nick Morley

### **Site Description**

This application relates to approximately 9.5 hectares of former colliery land located in an elevated position on the eastern edge of Mapperley Plains. The site is immediately adjoined to the west by the rear gardens of the new residential properties on Bradstone Drive. The Gedling Country Park is located to the south and west of the site.

The land is elevated and forms a plateau which significantly drops away to the Country Park land to the south and west. The boundaries with the adjacent residential properties consist of trees, whilst mature trees and shrubs form the boundary with Spring Lane.

The site falls within the Gedling Colliery Park/Protected Open Space as identified on the Proposals Map of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

### **Relevant Planning History**

In May 2015, under hybrid application no: 2014/0740, full planning permission was granted for the construction of a temporary access onto Spring Lane and enabling earthworks within the site to create a development platform and outline planning permission was granted for a residential development of up to 150 dwellings with associated access, landscaping and open space.

This permission was subject to a Section 106 planning obligation with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards Affordable Housing, Open Space, Healthcare Facilities, Highways, Educational and Library Facilities.

The works approved under the full element of planning permission no: 2014/0740 are now well advanced.

### **Proposed Development**

This application now seeks approval of the matters reserved in relation to Appearance, Layout and Scale, pursuant to the outline element of planning permission no: 2014/0740.

Landscaping is reserved for subsequent determination and will include details of boundary treatments and means of surfacing. Whilst some illustrative details of these have been submitted with the current application, including a 1.2 metres high timber post and rail fence along the site boundary to the Gedling Country Park, they are not to be determined as part of the current application.

The application is accompanied by supporting drawings and documents, including:

- ☐ Location Plan
- ☐ Site Plan
- ☐ Street Elevations
- ☐ Means of Enclosure
- ☐ Boundary Details
- ☐ Materials Layout
- ☐ House Type Planning Pack

During processing of the application, the following revised or additional drawings and documents have been submitted:

- ☐ Site Plan (Revised)
- ☐ Street Elevations (Revised)
- ☐ Means of Enclosure (Revised)
- ☐ Materials Layout (Revised)
- ☐ House Type Planning Pack (Revised)
- ☐ Finished Floor Levels
- ☐ Site Sections
- ☐ Swept Path Analysis and Horizontal Road Alignment

Vehicular access to the site was approved under application no: 2014/0740 and would be via Spring Lane.

The proposal is for the erection of 150 detached, semi-detached and terraced dwellings with a net density of 30 dwellings per hectare on the developable area of the application site. It would consist of:

- ☐ 21 two bedroom properties (all affordable for rent)
- ☐ 50 three bedroom properties (42 private; 8 affordable)
- ☐ 71 four bedroom properties (70 private; 1 affordable)
- ☐ 8 five bedroom properties (all private)

The proposed dwellings would be predominantly two-storeys in height, with eaves heights ranging between 5.0 metres to 5.25 metres and ridge heights ranging between 8.0 metres to 8.8 metres. It is also proposed to construct 6 two and a half storey dwellings, with eaves heights ranging between 5.5 metres to 6.0 metres and ridge heights ranging between 9.6 metres to 10.0 metres.

The proposed dwellings would have off-street parking provision on driveways and garages, or within small parking courts and the design of the proposed roads would accommodate at least 100 unallocated parking spaces, as calculated using the Borough Council's Parking Provision for Residential Developments Supplementary Planning Document.

Although currently subject to a tolerance of +/- 60 millimetres, the Finished Floor Levels drawing indicates that these would be predominantly lower than those shown for illustrative purposes on the Engineering Appraisal submitted with the hybrid application no: 2014/0740. Any subsequent minor adjustments to these levels, when more finalised design level information is available, can be dealt with under a finished floor levels condition attached to the hybrid application.

The Materials Layout indicates that the external elevations of the proposed dwellings would be constructed of a mixture of facing bricks, roughcast white render and plank boarding, with concrete roof tiles.

Minor amendments have been made to the proposed layout during the processing of the application in response to initial comments made by the Highway Authority and Parks and Street Care to improve the design, access and parking arrangements.

## **Consultations**

Local Residents - have been notified by letter, site notices have been posted and the application has been publicised in the local press. Two emails have been received in response, which raise the following objections:

- ☐ Whilst not objecting to the housing development, as the housing problems that this country faces is appreciated, it is disappointing that when we purchased our property, we were informed that the land was not going to be built on and we would have full access to the Country Park from the path, which was originally off Spring Lane.
- ☐ Objections are raised to the detailed development plans that have been submitted, due to the layout of the development. The main objection is the fact that despite the development being large, the plans have put a large densely populated area in one area of the development. This area has been put opposite Bradstone Drive, where there are 9 proposed houses being squeezed into a small area, which in other areas of the development only see 3/4 houses (including the 3 houses that back on to the 9 houses referred to). There are also another 5 houses that would also be seen from Bradstone Drive, so there would be a total of 14 houses squeezed into this area at the back of the development. This would have a visual impact on the surrounding neighbourhood, as the houses facing it are 4 detached properties and the properties that would be side on to it, overlooking the water balancing area in

the middle, are 2 blocks of semi-detached houses. The proposed 14 houses are terraced houses in blocks of 3, which would change/have an impact on the character of the neighbourhood that is already in place. It is also believed that there would be a significant increase in noise levels due to the fact that the densely populated small area would be facing Bradstone Drive.

- With the development being so large, it is felt that it is wrong to place these houses largely in one small area, that would effect a neighbourhood and community that is already in place and would change the characteristics of that, but instead disperse these house designs throughout the development or put them on the edge of the development, where they would not have an impact on the character of a neighbourhood that is already established.
- The Materials Layout plan has concentrated shared ownership/rental properties within the development, particularly plots 4-17 where there is practically a complete drive of one tenure type. This is extremely poor urban design and goes against a number of studies. Housing types and ownership patterns should be sprinkled, rather than clustered into exclusive enclaves as stated in the Urban Design Compendium (UDC), which was published in August 2000. Since that time, the UDC has become an internationally renowned text for those engaged with the world of urban design. A number of studies globally have also shown that such practice can lead to hot spots for anti-social behaviour, leading to a deterioration of the sense of place.
- It is questioned why the proposed development has been designed like this and why wider consultation was not undertaken with the neighbourhood and community.

No re-consultations have been undertaken with local residents following submission of the revised plans, as these relate to technical highway issues or links to the Country Park and do not significantly change the relationship of the proposed dwellings to existing adjacent dwellings as a consequence.

Friends of Gedling Country Park – have written to Parks and Street Care and asked them to consider a number of points regarding the footpath links to Gedling Country Park from the adjacent Taylor Wimpey development and the proposed development.

Lambley Parish Council – no comments received.

Nottinghamshire County Council (Highway Authority) – initially advised that the proposed layout was unacceptable as it did not address highway issues previously raised at the pre planning application enquiry stage.

A revised layout showing vehicle tracking and refuse collection points has been submitted, but still requires some technical amendments to fully satisfy the requirements of the Highway Authority. The outcome of this will be reported verbally at Committee.

Nottinghamshire County Council (Rights of Way) – comment that no definitive paths are affected by this development, but it is always possible that other public rights of

way exist which have not yet been registered. Attention is drawn to a permissive path on the development to the west of this site, which would benefit with a link to this future proposed development.

Nottinghamshire County Council (Landscape Team) – have made a number of comments with regard to landscaping matters, which have been forwarded to the applicant to help inform preparation of the Reserved Matters application in relation to landscaping.

Nottinghamshire County Council (Lead Local Flood Authority) – comment that as no Flood Risk Assessment has been included, the application does not meet the requirements of the National Planning Policy Framework at the present time.

Environment Agency – no objection to the Reserved Matters application as submitted.

Public Protection (Land Contamination) – recommend that after the earthworks to create the development platform are completed, the assessment for land contamination is re-assessed based on the final soil horizon and master plan: so refining the conceptual site model and ensuring the whole of the site is suitable for use.

Previous studies have also indicated that remedial works will be required to ensure the risk from ground gas has been managed

A number of recommendations have been made with regard to the information which needs to be submitted in this respect.

Public Protection (Air Quality & Emissions) – comments that the proposed development is unlikely to impinge on the Air Quality Management Area, but draws attention to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how it might help decrease levels by incorporating mitigation measures into scheme design as standard.

The potential for increased levels of dust from the site during construction and the need to mitigate this is also re-iterated.

Housing Strategy – have reviewed the site layout, particularly with regard to the location of the affordable housing on the site, and consider that the layout is acceptable.

Parks & Street Care (P&SC) – welcomes the intention to retain the newly constructed path through from Bradstone Drive into Gedling Country Park, and the provision of three new paths into the Country Park from the east side of the development.

However, P&SC considers that two paths would suffice in this area; as long as the applicant is prepared to link them fully back into the Country Park and to join the existing loop path infrastructure at their expense.

Then the Borough Council would be getting like for like, with pedestrian access from Spring Lane and the new estate on the western side of Gedling Country Park.

### **Planning Considerations**

The principle of developing this site for residential purposes has been established through the grant of outline planning permission under hybrid application no: 2014/0740.

The main planning considerations in relation to this application, therefore, are whether the matters submitted for approval in relation to Appearance, Layout and Scale are acceptable, having regard to relevant national and local planning policy.

These planning considerations are assessed below, as are other issues raised.

### **Relevant Policies & Background Information**

#### *National Planning Policies*

National planning policy guidance is set out in the National Planning Policy Framework (NPPF), at the heart of which is a presumption in favour of sustainable development. With regard to delivering sustainable development, the following core planning principles of the NPPF are most relevant to this planning application:

- ☐ NPPF Section 6: Delivering a wide choice of high quality homes (paragraphs 47-55)
- ☐ NPPF Section 7: Requiring good design (paragraphs 56-68)

#### *Local Planning Policies*

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.

It is considered that the following policies of the ACS are most relevant to this planning application:

- ☐ ACS Policy 8: Housing Size, Mix and Choice
- ☐ ACS Policy 10: Design and Enhancing Local Identity

The Gedling Borough Replacement Local Plan (RLP) should now be referred to as the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014). The following policies of the RLP are most relevant to this planning application:

- ☐ RLP Policy ENV1 – Development Criteria
- ☐ RLP Policy H8 – Residential Density
- ☐ RLP Policy T10: Highway Design and Parking Guidelines

Additionally, the Parking Provision for Residential Developments SPD (2012) and the

6C's Design Guide, which deals with highways and transportation infrastructure for new developments, are relevant.

### Appearance, Layout & Scale Considerations

As outlined above, the relevant planning policies which need to be considered in relation to appearance, layout and scale are set out in Policies ENV1, H8 and T10 of the RLP, Policies 8 and 10 of the ACS and Sections 6 and 7 of the NPPF.

Policy ENV1 of the RLP states, amongst other things, that planning permission will be granted for development provided that it is 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. Policy ENV1 also states that development proposals should include adequate provisions for the safe and convenient access and circulation of pedestrians and vehicles.

Policy H8 of the RLP requires developments on sites of more than 0.4 of a hectare to achieve densities of at least 30 dwellings per hectare.

Policy T10 of the RLP states that in considering proposals for new development, reference will be made to the Highway Authority's design and parking guidelines.

Policy 8 of the ACS requires that residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities.

Policy 10 of the ACS requires all new development to be designed to a high standard and sets out in detail how this should be assessed. All new development should make a positive contribution to the public realm and sense of place and create an attractive, safe, inclusive and healthy environment. The most relevant design elements in this instance include the layout; density and mix; impact on the amenity of nearby residents and the incorporation of features to reduce opportunities for crime and anti-social behaviour.

Section 6 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that local planning authorities should plan for a mix of housing.

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 comments which have been made by a local resident in respect of the proposed layout and would advise that the 14 houses facing towards part of Bradstone Drive, across the public open space on the adjacent Taylor Wimpey development, are one of three small groups of affordable houses within the proposed development. As this particular group consists solely of two bedroom houses, including 4 terraces of 3 houses, it has a higher density than other parts of the site.



Given the distance of these from existing properties on Bradstone Drive, I do not consider that they would give rise to any significant increase in noise levels or any other undue impact on the residential amenity of these properties.

In addition, it should be noted that the layout has been designed so as to retain existing hedgerows and trees adjacent to the south and south-east boundaries of the Taylor Wimpey development and to avoid the location of a former lagoon on this part of the old Gedling Colliery spoil tip, which is unsuitable for built development and which occupies a large central part of the application site.

As a consequence, the undevelopable areas are being used for public open space and landscaping, with the built development being designed to front onto these and the adjacent Gedling Country Park, which would provide good natural surveillance over these open spaces and discourage anti-social behaviour. This will help to reduce opportunities for crime and the fear of crime, disorder and anti-social behaviour in accordance with the aims of Policy 10 of the ACS and Section 17 of the Crime and Disorder Act 1998.

Whilst I also appreciate the comments which have been made with regard to the concentration of affordable houses within the development, I note that the 30 houses for rent are dispersed between three separate areas and that Strategic Housing consider that the layout is acceptable from this perspective.

The proposed layout has been designed so that corner units have two active frontages and comprises a mix of external materials and finishes which would contribute positively to the overall appearance of the proposed development.

I consider that the proposed development would provide a good mix of housing tenures, ranging from two to five bedroom houses, including the provision of 30 affordable houses for rent (20% of the total number of houses).

With regard to highway layout and design matters, I note that following the submission of a revised layout showing vehicle tracking and refuse collection points, the Highway Authority has confirmed that the proposed layout is now acceptable.

With regard to the proposed parking arrangements, I note that there are no objections from the Highway Authority in this respect and I am satisfied that these would comply with the requirements of the Borough Council's Parking Provision for Residential Development SPD, both in terms of off-street parking provision and the availability of unallocated on-street parking, which is generous due the proposed layout. To amplify, under the SPD the development would generate an unallocated requirement of 15 parking spaces, whereas the Swept Path Analysis demonstrates that 28 parking spaces could be accommodated on-street without causing an adverse impact on the free flow of traffic. In practice, the unallocated capacity is likely to be much higher than this.

As part of the proposed layout, new footpath links would be provided from the site and the Taylor Wimpey development to enable access to the Gedling Country Park. These include a replacement for the originally constructed path from Spring Lane close to the site access and a connecting link from the existing path leading from

Axmouth Drive though the development to the Country Park, which has been referred to by the County Council's Rights of Way Officer.

With regard to density, and as noted when the hybrid application was determined, the developable area of the application site is 5 hectares in size and would provide 150 dwellings. This would result in a net density of 30 dwellings per hectare, which meets the density required by Policy H8 of the RLP.

With regard to scale, I am conscious that any form of development on this elevated site would be visible from certain viewpoints within the existing urban area, particular those looking towards the site from the similarly elevated upper Westdale Lane area. However, this would not be significantly different to the views of other relatively recent residential developments in this part of the Borough and would be mitigated to some extent by the fact that the finished floor levels would be predominantly lower than those originally anticipated when the hybrid application was considered and that the majority of the proposed houses are two storeys in height.

In my overall opinion, the proposed development would function well and would add to the quality of the area. It also has the potential to establish a strong sense of place, optimise the potential of the site to accommodate development and to provide for a mix of housing.

It is considered, therefore, that the Appearance, Layout and Scale of the proposed development would be in accordance with Policies ENV1, H8 and T10 of the RLP, Policies 8 and 10 of the ACS and Sections 6 and 7 of the NPPF and the Parking Provision for Residential Development SPD and the 6C's Design Guide

### Other Issues

#### *Flood Risk & Drainage*

Whilst I note the comments of the County Council as Lead Local Flood Authority, I would advise Members that this application is for the Approval of Reserved Matters and that the Environment Agency (EA) raised no objections to the hybrid application, which included a Flood Risk Assessment and Drainage Appraisal, and which granted outline planning permission for this residential development.

At that time, the EA requested the imposition of a number of conditions requiring details of a surface water drainage scheme, a remediation strategy to deal with contamination, expected or otherwise, and a scheme to treat and remove suspended solids from surface water run-off. Appropriate conditions in this respect were attached to the hybrid application and these details need to be provided and approved by the Borough Council as part of a separate application for the discharge of conditions, prior to the commencement of the proposed residential development.

#### *Pollution & Contamination*

Appropriate conditions and notes in respect of land contamination and air quality were attached to the hybrid application and details of measures to address and remediate any contamination or dust need to be provided and approved by the

Borough Council as part of a separate application for the discharge of conditions, prior to the commencement of the proposed residential development.

The recommendations of Public Protection have been forwarded to the applicant to help inform preparation of the application for the discharge of conditions.

### *Publicity*

Publicity for this application has been carried out in accordance with the statutory requirements and the Borough Council's Statement of Consultation, which was adopted in June 2014.

### Conclusions

The planning considerations set out and discussed above indicate that the proposed development would accord with national and local planning policies in relation to Appearance, Layout and Scale.

As this is an application for the Approval of Reserved Matters in connection with outline planning permission no: 2014/0740, the necessary Section 106 agreement is already in place and no further action is required in this respect in connection with this application.

Applications for the Approval of Reserved Matters in relation to Landscaping (including boundary treatments and the means of surfacing), and the discharge of the pre-commencement conditions attached to planning permission no: 2014/0740 in relation to the residential development remain to be submitted for consideration.

### **Recommendation:**

**To GRANT APPROVAL of RESERVED MATTERS, as specified below:**

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

### **Conditions**

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

### **Reasons**

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

## **Reasons for Decision**

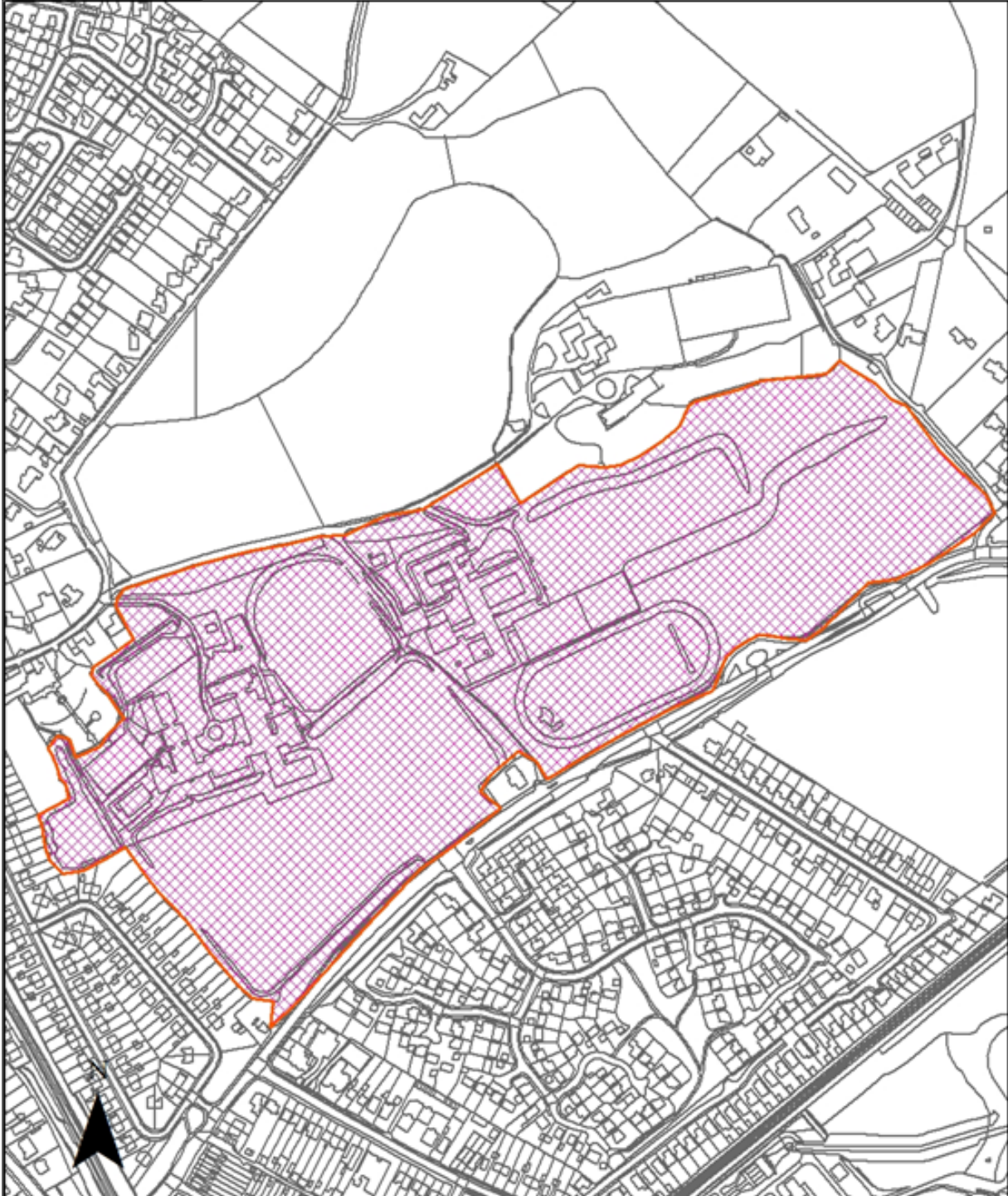
### **Notes to Applicant**

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



**Application Number:** 2015/1219

**Location:** Carlton Le Willows Academy, Wood Lane, Gedling, Nottinghamshire.



**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  
Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings

## **Report to Planning Committee**

<b>Application Number:</b>	2015/1219
<b>Location:</b>	Carlton Le Willows Academy, Wood Lane, Gedling, Nottinghamshire.
<b>Proposal:</b>	Extension to existing sports hall to provide table tennis facility
<b>Applicant:</b>	Mr Craig Weaver
<b>Agent:</b>	Mr Clive Welham
<b>Case Officer:</b>	Amy Cockayne

### **Site Description**

The application site is a secondary school, Carlton Le Willows Academy, which is set within the boundary of the Nottinghamshire-Derbyshire Green Belt. The site is accessible via Wood Lane, although there are also pedestrian only accesses from Burton Road. The Academy site itself includes two main school buildings and large areas of school fields. The site is defined as Protected Open Space within the Gedling Borough Replacement Local Plan (Saved Policies 2008). The boundaries of the site are delineated by 2m green security fencing.

The site is bordered by Burton Road to the south-east and residential properties to the west. To the immediate north is countryside: woodland and open fields.

The School has had Academy status since 2011, meaning it is independent from Nottinghamshire County Council.

### **Proposed Development**

This application seeks permission for a new sports hall building for the provision of Table Tennis facilities. The building itself would be linked to the existing sports hall at the Academy, located to the west of the site. The facility would be available for the use of the Academy students and external clubs.

The new sports hall would have a maximum depth of 21.2m and a width of 18.7m. The height of the building would match the existing sports hall, 6.9m to ridge and eaves height 5.65m. The side aspect of the proposed development would have a monopitch roof with a maximum height of 4m, 2.7m to eaves.

Revised floorplans were received on 16<sup>th</sup> November making internal amendments only.

## **Relevant Planning History**

2004/0345 Extension of existing school with a two storey building to create two ground floor science laboratories & first floor resource centre (NCC application granted Conditional Permission, 21/06/2004)

2007/0002 Extension of existing music classrooms & addition of drama studio & ancillary facilities (NCC application granted Conditional Permission, 16/04/2007)

2007/0532 Provision of container based workshop facility for the delivery of construction training course for 14 - 16 year pupils of Carlton le Willows School (NCC application granted Conditional Permission, 08/10/2007)

2008/0748 New sixth form building & relocation of the workshop facility (NCC application granted Conditional Permission, 19/09/2008)

## **Consultations**

Neighbouring properties were notified and a site notice was put up near to the site. A notice was also published in the local newspaper. Three representations were received outlining the following issues:

- ☐ Relocating access to Burton Road is feasible proposition with funding available
- ☐ Access off Wood Lane is unfit for purpose
- ☐ Planning application takes no account of access arrangements to the site, during or after the new build
- ☐ Congestion at the junction of Wood Lane with Shearing Hill/Main Road during school arrival/leaving time, parents evening or other events – a national centre will simply draw greater numbers of visitors to the site and increase congestion
- ☐ Funds available from Academy should be spent in safeguarding pupils rather than sports facilities
- ☐ When the Academy built the sixth form centre, the Highways Authority opposed planning permission on the grounds of access issues – permission was granted with requirement to report on traffic levels. It is not clear whether this has been done.
- ☐ Serious safety concerns when students walk under the railway bridge and up Wood Lane, caused by inconsiderate [drivers – parking and manoeuvring]
- ☐ Large lorries accessing the school via the private road and not avoiding bridge
- ☐ Building of new housing adjacent to Academy will place considerable burden on lower part of lane
- ☐ Safety concerns of the positioning of the actual entrance – unsuitable/complicated nature of the Academy entrance, private residence drive and road access to Gedling Homes and Day Nursery on a 90-degree blind bend
- ☐ Access into Academy served by electronic gates results in queues of vehicles and residents having dangerous encounters with stationary traffic
- ☐ Gridlock caused throughout Gedling Village – previous events occurred during 4-10pm when new centre would be operating



Nottinghamshire County Council Highways were consulted and have raised no concerns. It has been confirmed to the Highways Authority by the applicant that pupils would use the facility in the daytime and clubs would use the facility in the evening (4-10pm). It is recognised that the highway network in school hours on Wood Lane is at capacity. It is recommended that a condition is attached to any approval accordingly and if this is adhered to the Highways Authority would not have any concerns as the traffic created would not be classed as new traffic as it would be after the school has closed.

Gedling Borough Council's Planning Policy team were consulted, and after further supporting information was received, it has been confirmed that the circumstances for development at this site are capable of forming part of the very special circumstances for Green Belt development as required by the National Planning Policy Framework.

### **Planning Considerations**

The main planning considerations in the determination of this application are; the impact of the proposal upon the openness and character of the Green Belt and whether the proposal would be harmful to the Green Belt, visual impact of the proposal on the character of the locality, impact on the wider community and upon the amenity of neighbouring residents and impact upon highway safety.

At the national level, the NPPF is relevant. The following Policies are relevant to this application;

- ☐ Part 7 – Requiring good design
- ☐ Part 8 – Promoting healthy communities
- ☐ Part 9 – Protecting Green Belt land

At local level, the following policies are relevant;

#### ***Gedling Borough Council Replacement Local Plan (Saved Policies 2008)***

- ☐ *ENV1 – Development Criteria*
- ☐ *C1 – Community Services General Principles*
- ☐ *R1 – Protection of Open Space*

#### ***Gedling Borough Council Aligned Core Strategy (adopted 2014)***

- ☐ *Policy 3 – The Green Belt*
- ☐ *Policy 10 – Design and Enhancing Local Identity*
- ☐ *Policy 12 – Local Services and Healthy Lifestyles*

### **Green Belt**

NPPF Paragraph 87 states that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. I am of the opinion that the proposed development does not fall within any exemption outlined under Paragraph 89, and therefore very special circumstances will need to be



identified.

The very special circumstances that have been identified in the application are stated as:

- Facility will be of national and regional importance, with capacity to develop talent in the sport within the school and in the wider community, producing elite players and host league competitions
- Sport Partnership between school, Nottingham Sycamore Table Tennis Academy and Table Tennis England aims to support whole school improvement;
  - Increased sporting opportunities for students of Carlton Le Willows, of which student numbers are increasing and will continue to increase over the next 5 years.
  - Further classrooms and sports facilities will need to be built to provide for these additional students.
  - The sports hall is a major and strategic priority that would benefit the students' health and wellbeing from the increased provision of facilities
  - Lack of existing sports facilities will be exacerbated by the partial loss of school fields to the development of the GAR
- Benefits for the local community – a resource for adults and young people as well as families and junior schools.

The Carlton Le Willows Academy site is located in close proximity to the edge of the urban area of Carlton. I am of the opinion that the site itself does not typically have a rural or countryside character due to its close proximity to existing residential properties. The proposed development would be positioned within the curtilage of the existing Academy building on the west of the site, and will be situated upon an area of existing unused hardstanding. The development site is not directly visible from other areas of the Academy site on the approach along Burton Road to the south or Wood Lane to the north and therefore, in my opinion, the development would not harm the openness and character of the Green Belt as the built form would be contained on the site to the curtilage of an existing building. As very special circumstances have been identified for the development, I am satisfied that these outweigh any potential harm to the Green Belt at this location and the proposed development would be in accordance with the requirements of Part 9 of the NPPF.

### **Visual Amenity**

In terms of visual impact through the development, I am satisfied that the proposed Sports Hall/Table Tennis Centre would be in-keeping with the existing School building in terms of design and scale. It is my opinion that due to the positioning of the proposal within the existing built form of the Academy site and its layout in relation to the existing building, I am satisfied that the development would not constitute overdevelopment of the site. Also, as the proposed building would not be directly visible from the outside of the site, it would not have an overbearing appearance upon the street-scene or have an adverse effect upon the character of the locality. In my opinion, this part of the development site does not directly contribute to the wider open space which is protected under Saved Policy R1 of the Gedling Replacement Local Plan (2008) due to its positioning to the west of the

Academy site within the curtilage of the existing school building. I am satisfied that the proposed development is in accordance with Policy 10 of the Aligned Core Strategy 2014, which states that all development should be design to “create attractive, safe, inclusive and healthy environments”.

### **Community Value**

It is outlined in the application that the use of the Sports Hall as a Table Tennis Centre would be used by Academy students in the school day, as part of the curriculum as well as for social and recreational purposes and extra-curricular activity after school and during break times. A local club, Sycamore Table Tennis Club would also use the facilities. In my opinion, the development would allow the provision for recreational activity to non-school users in the local community as well as being a benefit for the school directly, therefore creating social interaction between the Academy and the local community. Saved Policy C1, Community Service General Principles, of the Gedling Replacement Local Plan 2008 sets out that planning permission will be granted for new community facilities provided that their location is within or near to local/district centres or easily accessible to local residents. Being located at a local secondary school would have clear advantages in terms of being sustainably located and therefore accessible for the use of its existing students and staff, as well as the wider community who would not normally benefit from such opportunities. This would also be in accordance with Part 8 of the NPPF ‘Promoting healthy communities’, specifically Paragraph 72 which seeks to ensure that schools meet the needs of existing and new communities and Paragraph 73 which states that access to high quality opportunities for sport and recreation makes an important contribution to health and well-being of communities.

### **Residential Amenity**

Due to the separation distance between the neighbouring residential properties to the Academy site, I am satisfied that the proposed Sports Hall/Table Tennis Centre would have no undue overbearing, overshadowing or overlooking impact to the detriment of the residential amenity of the occupants of these properties.

### **Highways**

The Sports Hall would act as a community facility for a Table Tennis Club as well as providing a facility for the Academy to use in the students’ curricular and extra-curricular activities. This means that the Sports Hall would be available to non-school users at evenings, weekends and in non-term time. The main access into the Academy site is served from Wood Lane. This would be the access which would serve vehicular traffic for the Table Tennis Centre out of school hours, along with the existing Academy car parks which would be available for visitors. It is considered that there is adequate provision for parking within the site for the use of the Table Tennis Centre out of school hours.

Objections have been received for the scheme from local residents who have received concerns regarding the current traffic situation experienced on Wood Lane due to activity at the Academy. It has been suggested that high volumes of traffic using Wood Lane are experienced mostly at times at the start and end of the school

day (when children are being dropped off or picked up), and at times on the occasional evening when the Academy has an event or meeting. The Highways Authority have advised, due to the proposed activity for the Table Tennis Centre being used out of school hours for clubs and community, that a condition should be attached to any recommendation that any Clubs should only use the facilities between 4pm-10pm as the current highway network in school hours is at capacity on Wood Lane. I am satisfied that this condition would address any concerns of the local community that the traffic capacity would increase at peak times of the day. The condition would also allow the use of the facility is non-term time i.e. weekends and school holidays, when the effect on the highway network is not at its maximum capacity.

### **Conclusion**

For the reasons set out above, I am satisfied the proposed development accords with Saved Policies ENV1 and C1 of the Gedling Borough Replacement Plan, Policies 10 and 12 of the Gedling Borough Aligned Core Strategy as well as the NPPF, specifically Part 8: Promoting healthy communities and Part 9: Protecting Green Belt land. It is therefore recommended that planning permission is granted.

### **Recommendation:**

**To grant conditional planning consent.**

### **Conditions**

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

### **Reasons**

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

Act 2004.

2. For the avoidance of doubt and to define the terms of this permission.
3. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
4. To reduce the impact upon the highway network on Wood Lane.

#### **Reasons for Decision**

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

#### **Notes to Applicant**

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

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

## ACTION SHEET PLANNING DELEGATION PANEL 13th November 2015

2015/0446

21 Lowdham Lane Woodborough Nottinghamshire

Erect new detached cottage

The proposed development would have no undue impact on flood risk, the residential amenity of adjacent properties, the character and appearance of the area 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 following issue of decision.

**SS**

2015/0650

153 Main Street Woodborough Nottinghamshire

Proposed two storey and single storey rear extension. Proposed alterations and single storey extension to existing outbuildings.

The proposed development would be out of keeping with the character of this Building of Local Interest & would not conserve or enhance the Woodborough 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**

2015/0822

Cockliffe Country House Hotel Burntstump Hill Arnold

New function venue in extension on the rear and side to be detached from the main part of the building, with the exception of the North gable wall, which the new building will abut. Rebuilding of north boundary wall, to form new external wall to extension.

The proposed development would detract from the special architectural and historic interest of this Listed Building.

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

Decision to be issued following completion of paperwork.

2015/0823

Cockcliffe Country House Hotel Burntstump Hill Arnold

Alterations to listed building to provide, in an extension, a new function venue on the rear and side and abutting it on the North gable wall. Careful dismantling of the existing northern boundary wall and link between North gable and boundary and rebuilding the northern boundary wall on new foundations to form part of the new external wall to the extension. Any additional stone would be locally sourced to match the existing and finished with coping to match.

The proposed development would detract from the special architectural and historic interest of this Listed Building.

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

Decision to be issued following completion of paperwork.

2015/1079

Little Tithe Farm Blidworth Lane Calverton

Variation of condition 2 to allow for the siting of an additional 46 solar panels within the existing site area.

The proposed development 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 development's inappropriateness.

Parish to be notified following issue of decision.

**SS**

2015/1119

Caravan Park Hayes Farm Hucknall Road Newstead

Proposed Extension to Existing Caravan Storage Area (Change of use of land)

The proposed development would have an undue impact on the openness of the Green Belt and Very Special Circumstances have not been provided that outweigh the harm to the Green Belt by way of the development's inappropriateness.

**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**

2015/1141  
23 Spencer Avenue Mapperley Nottinghamshire  
Erection of detached house in rear garden

The proposed development would have an unacceptable relationship with adjacent properties, would form an incongruous feature in the street scene and would have an adverse impact on the character and appearance of the site and wider area.

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

Decision to be issued following completion of paperwork.

2015/1142  
225 Longdale Lane Ravenshead Nottinghamshire  
Demolition of Existing Dwelling and Out-building. Construction of a new Dwelling.

The proposed development would not have a detrimental impact on the openness of the Green Belt and would have no undue impact on the residential amenity of adjacent properties or highway safety.

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

Decision to be issued.

Parish to be notified following issue of decision.

**SS**

**NM**  
**13th November 2015**

## **ACTION SHEET PLANNING DELEGATION PANEL 20th November 2015**

2015/0672

56 Cliff Road Carlton Nottingham

Detached 4 car garage ( Revised scheme with rear door)

The proposed development would have no undue impact on neighbouring amenity.

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

Decision to be issued following completion of paperwork.

2015/1153

7 Ploughman Avenue Woodborough Nottinghamshire

Single garage added to east elevation and new bay window to south elevation- 2015/0090  
Erection of four dwellings

The proposed development would have 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.

2015/1136

291-295 Westdale Lane West Mapperley Nottinghamshire

Demolition of existing canopy, new front and alterations to existing garage, erection of new showroom

The proposed development would have no undue impact on the streetscene or neighbouring properties.

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

Decision to be issued following completion of paperwork.



2015/1148

8A Main Street Calverton Nottinghamshire

re-sitting front door and first floor extension to front and two storey rear extension, garden room with green house and store

**The application was withdrawn from the agenda.**

2015/1162

14 Frederick Avenue Carlton Nottinghamshire

Single storey extension to rear of property to accommodate new Playroom and associated alteration of roof to existing Utility Room/WC extension.

The proposed development would have no undue impact on neighbouring amenity.

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

Decision to be issued following completion of paperwork.

**David Gray - 20th November 2015**

This page is intentionally left blank



## Report to Planning Committee

**Subject:** Future Planning Applications

**Date:** 16 December 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.	13/1/16
2015/0424	Mill Field Close, Burton Joyce.	Residential development.	13/1/16
2015/1094	Land rear of 194-202 Oakdale Road, Carlton.	Construction of 14 houses.	13/1/16
2014/0273	Land at corner Longdale Lane & Kighill Lane, Ravenshead.	Site for residential development.	3/2/16
2014/1343	Westhouse Farm, Moor Road, Bestwood Village.	New single storey primary school.	3/2/16
2015/1009	Bestwood Lodge Hotel, Bestwood.	Granite memorial to 9th Duke of St Albans.	3/2/16
2015/1376	Land at Chase	Hybrid application for phased	24/2/16

	Farm/former Gedling Colliery, Arnold Lane/Lambley Lane, Gedling.	development of 1,050 dwellings & local centre with retail units, health centre & primary school.	
--	--	--	--

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.