



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

# Agenda

## Planning Committee

Date: **Wednesday 18 October 2017**

---

Time: **6.00 pm**

---

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

---

For any further information please contact:

**Cayte Goodall**

Democratic Services Officer

0115 901 3961

---

# Planning Committee

## Membership

**Chair** Councillor John Truscott

**Vice-Chair** Councillor Barbara Miller

Councillor Michael Adams  
Councillor Pauline Allan  
Councillor Chris Barnfather  
Councillor Alan Bexon  
Councillor Bob Collis  
Councillor Kevin Doyle  
Councillor David Ellis  
Councillor Gary Gregory  
Councillor Meredith Lawrence  
Councillor Marje Paling  
Councillor Colin Powell  
Councillor Paul Stirland  
Councillor Paul Wilkinson  
Councillor Henry Wheeler

## **AGENDA**

## **Page**

1. **Apologies for Absence and Substitutions.**
2. **To approve, as a correct record, the minutes of the meeting held on 30 August 2017.** 5 - 22
- Planning Committee Protocol.**
3. **Declaration of Interests**
4. **Application No. 2017/0207 - St Wilfrids Square Calverton** 27 - 64
5. **Application No. 2017/0157 - 72-74 Westdale Lane East Gedling** 65 - 80
6. **Application No. 2017/0822 - Land Adjacent 8A Orchard Rise Lambley** 81 - 86
7. **Appeal decision Rose Cottage Goosedale Lane Bestwood** 87 - 88
8. **Planning Delegation Panel Action Sheets** 89 - 106
9. **Future Applications** 107 - 108
10. **Any other items which the Chair considers urgent.**

This page is intentionally left blank

## **MINUTES PLANNING COMMITTEE**

**Wednesday 30 August 2017**

Councillor John Truscott (Chair)

In Attendance: Councillor Pauline Allan  
Councillor Chris Barnfather  
Councillor Alan Bexon  
Councillor Bob Collis  
Councillor Kevin Doyle  
Councillor David Ellis  
Councillor Gary Gregory  
Councillor Meredith Lawrence  
Councillor Marje Paling  
Councillor Colin Powell  
Councillor Paul Stirland  
Councillor Paul Wilkinson  
Councillor Henry Wheeler  
Councillor Sarah Hewson  
Councillor Jim Creamer

Absent: Councillor Barbara Miller and Councillor Michael Adams

Officers in Attendance: M. Avery, D. Gray, L. Parnell & F. Whyley

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

Apologies for absence were received from Councillors Adams and Miller, who were substituted by Councillors Hewson and Creamer.

### **47 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 19 JULY 2017.**

#### **RESOLVED:**

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

### **48 DECLARATION OF INTERESTS**

Councillor Barnfather declared a non-pecuniary interest in Enforcement Reference 0018/2017 due to a working relationship with the site owner and that he would leave the meeting during consideration of the item.

### **49 APPLICATION NO. 2016/0854 - METALLIFACTURE LTD, MANSFIELD ROAD, REDHILL.**

Erection of 72 dwellings and new vehicular access from Mansfield Road.

The Service Manager, Development Services, introduced the application covering density, car parking and a number of special requirements due

to the previous usage of the site and the impact on the ability of the developer to provide affordable housing on site.

**RESOLVED that the Borough Council GRANTS FULL PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as education authority for the provision of / or financial contributions towards; On Site Affordable Housing; Open Space; Healthcare; Education; Management Company for areas of open space / private drives / parking courts not within residential curtilages and not adopted by the Highway Authority; a Local Labour Agreement; and subject to the conditions:**

### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby approved shall be completed strictly in accordance with the approved plans, application forms, plans and drawing no's: Planning Statement (July 2016); Noise Assessment Report 15/0715/R1; Site Location Plan (3029 01); Design and Access Statement (12/07/2016 ref 3029); Proposed Site Plan (3029-04 Rev U); Bin Collection Plan (3029-16); Road Adoption Plan (3029-17); The Ashby Floor Plans and Elevations (3029-06 Rev B); The Ashby and Ashby Variant Floor Plans and Elevations (3029-13 Rev A); RH2 Floor Plans and Elevations (3029-11 Rev B); RH2 Variant - Floor Plans and Elevations (3029-15); RH2 Floor Plans and Elevations (3029-11 Rev B); RH2 Variant 1 - Floor Plans and Elevations (3029-12 Rev A); The Hardwick Floor Plans and Elevations (3029-08); The Alnwick (Terraced) Floor Plans and Elevations (3029-14); The Alnwick Floor Plans and Elevations (3029-09 Rev B); RH2 Floor Plans and Elevations (3029-12); The Ashby Variant and Bradgate Floor Plans and Elevations (3029-13); Ashby and Bradgate Floor Plans and Elevations (3029-07 Rev A); The Alnwick Floor Plans and Elevations (3029-09 Rev A); Arboricultural Report - July 2016 - (T\_EDP2897\_01b); Topographical Study (574); Ecological Appraisal June 2016 (EDP2897\_02a); Flood Risk and Drainage Strategy (Project No: 15075 - 6th July 2016); Ground Conditions Report (SLR Ref: 415.05614.00001); and the Transport Statement (ADC1321 A).
- 3 Occupation of the proposed dwellings shall not take place until their respective off-street parking areas as shown on drawing number 3029-04 Revision U have been provided.
- 4 Occupation of the proposed dwellings shall not take place until the private drive areas have been surfaced in a bound material

(not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the life of the development.

- 5 Prior to the occupation of any dwellings hereby approved the junction to the A60 (the site access) shall be provided strictly in accordance with the approved plan drawing no: Proposed Site Plan (3029-04 Rev U) to the satisfaction of the Highway Authority.
- 6 No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Borough Council. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the Borough Council and shall include arrangements for monitoring of progress of the proposals. The approved Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Borough Council.
- 7 Occupation of the proposed dwellings shall not take place until "no waiting at any time" restrictions have been provided on the new access road in accordance with details first submitted to and approved in writing by the Borough Council.
- 8 The development hereby approved shall be constructed strictly in accordance with the information provided within the Flood Risk and Drainage Strategy for the Proposed Residential Development at Land Adjacent to Mansfield Road, Redhill, Nottingham, by Travis Baker Ltd dated 6th July 2016 unless otherwise agreed in writing by the Local Planning Authority.
- 9 The development hereby approved shall be constructed strictly in accordance with the submitted Arboricultural Statement dated July 2016. All tree protection measures stated within the statement must be adhered to. All tree pruning must be carried out in accordance to BS3998:2010. Should the existing boundary treatment require removal prior to the commencement of development, the written approval from the Borough Council should be sought on the Pre Commencement Meeting outlined in the Arboricultural Statement paragraphs 6.7 - 6.10.
- 10 Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until a Dust Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Dust Management Plan should be produced in accordance 'The Control of Dust and

Emissions from Construction and Demolition' (Best Practice Guidance) and carried out in accordance with the approved plan.

- 11 Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the bricks and tiles to be used in the external elevations of the proposed development. Once approved the development shall be carried out in accordance with these details.
- 12 Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the means of enclosure of the site and precise details of the materials and structure of the retaining walls. Thereafter the means of enclosure shall be erected and retained in accordance with the approved details.
- 13 Before development is first commenced full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be carried in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme of works that has been prior agreed in writing with the Local Planning Authority.
- 14 The hard and soft landscaping details to be submitted in relation to condition 13 above shall include the following; proposed finished levels or contours of the site; hard surfacing materials for car parking areas, and other vehicular and pedestrian access and circulation areas; minor artefacts and structures such as column lighting and bollard style luminaries to communal car parking areas; planting plans; written specifications; schedules of plants (noting species, plant sizes and proposed numbers/densities) and a schedule of landscape maintenance for a minimum period of five years from the date that the soft landscape works are completed.
- 15 The development hereby approved shall be completed strictly in accordance with the submitted Noise Report 15/0715/R1/Revision 1 unless otherwise prior agreed in writing by the Local Planning Authority. The Glazing and Ventilation strategy shall be adopted in accordance with the glazing plan illustrated in the noise report figure 15/0715/GM1 and the associated specification outlined in 15/0715/SPC1 together with the ventilation.

#### **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 adequate off-street parking is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
- 4 In the interest of highway safety.
- 5 In the interest of highway safety.
- 6 To promote sustainable travel.
- 7 To maintain the free-flow of traffic, in the general interest of highway safety.
- 8 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 sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 9 In the interests of good Arboricultural practice.
- 10 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).
- 11 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 12 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 13 To ensure that the details of the development are acceptable , in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 14 To ensure that the final form of the development complies with policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 15 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).

## **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

### **Notes to Applicant**

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

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

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

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

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).

Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

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 in this location.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guide and specification for roadworks.

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

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing before any work commences on-site. Correspondence to the Highway Authority should be addressed to: TBH - NCC Highways (Development Control, Floor 9), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

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. Correspondence to the Highway Authority should be addressed as above.

The proposed off-site highway works referred to in condition 7 require a Traffic Regulation Order (TRO) to be enforceable. The developer should note that the TRO can be made on behalf of the developer by VIA in partnership with Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the Highway Improvements Team on 0300 500 8080 for details.

The applicant is advised to safeguard the land that is required for future development to avoid prejudicing access to the site.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation). Also, consideration should be given to the installation of Low NOx Boilers: DEFRA, in their document entitled 'improving air quality in the UK' - Tackling nitrogen dioxide in our towns and cities' Dec 2015, are keen to encourage further use of low NOx boilers both in domestic and commercial premises.

## **50 APPLICATION NO. 2017/0455 - LAND AT WOOD LANE GEDLING.**

Residential development of 13 houses.

The Service Manager, Development Services, introduced the application outlining two additional representations received since the publication of the report. The additional representations raised concerns in relation to the removal of a tree causing increased overlooking onto neighbouring properties and the status of properties opposite the site as Grade 2 listed.

Ms. Jill Harper, a neighbouring resident, spoke in objection to the application.

Councillor Lawrence, seconded by Councillor Wilkinson, proposed an amendment to impose an additional condition to require a construction traffic management plan in the interest of road safety, the wording of which to be delegated to the Service Manager, Development Services and it was

**RESOLVED to GRANT FULL PLANNING PERMISSION subject to the applicant entering into a Section 106 planning obligation with the Borough Council as Local Planning Authority and Nottinghamshire County Council for the provision of / or financial contributions towards: Public Open Space; Education; Management Company for Maintenance of access road and areas of open space not within residential curtilages; A Local Labour**

**Agreement and subject to the following conditions and an additional condition requiring the provision of a construction traffic management plan, the wording of which to be delegated to the Service Manager, Development Services:**

**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 strictly in accordance with the Application Forms and the following approved and revised plans submitted with the application, drawing numbers: Existing Site Plan (P002 P); Proposed Site Elevations (P004); Plot 1 Floor Plans (P100); Plot 1 Elevations (P101); Plot 2 Floor Plans (P102); Plot 2 Elevations (P103); Plot 3 Floor Plans (P104 Rev A); Plot 3 Elevations (P105); Plot 4 Floor Plans (P106); Plot 4 Elevations (P107); Plot 5 Floor Plans (P108); Plot 5 Elevations (P109); Plot 6 Floor Plans (P110); Plot 6 Elevations (P111); Plot 7 Floor Plans (P112); Plot 7 Elevations (P113); Plot 8 Floor Plans (P114); Plot 8 Elevations (P115); Plot 9 Floor Plans (P116); Plot 9 Elevations (P117); Plot 10 Floor Plans (P118); Plot 10 Elevations (P119); Plot 11 Floor Plans (P120); Plot 10 Elevations (P121); Plot 12 Floor Plans (P122); Plot 12 Elevations (P123); Plot 13 Floor Plans (P124); Plot 13 Elevations (P125); Detached Garage (P126); Proposed Private Levels Sheet 1 (16041-210); Proposed Private Levels Sheet 2 (16041-211); Private Drainage Layout Sheet 1 (16041-240); Private Drainage Layout Sheet 2 (16041-241); Exploratory Hole Location Plan (36011/DRAFT); Swept Paths - Refuse Vehicle (16041-03B); Geodyne Contamination Survey (38011/DRAFT & TP1 & WS13); Drainage and Water Report (SF23263878000); Roads, Footpaths and Verges Plan (78724673\_1\_1); Topographical Survey (0001); Emec Ecology Biodiversity Study (8518/SG/16); Design and Access Statement (March 2017); Proposed Site Layout (P003 Status P); Location Plan (P001); Tree Survey (October 2016); Proposed Private Road Long Sections.
- 3 No part of the development hereby permitted shall be brought into use until the access has been constructed as per plan reference 10641-01 Rev H. These access works are proposed on land which falls outside the applicant's control, and is subject to the provisions of the Highways Act 1980. To be able to carry out these works on the Public Highway the applicant will need to enter in a S278 legal agreement with the County Council as Highway Authority.
- 4 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with plan reference 10641-01 RevH. The area within the visibility splays

referred to in this condition shall thereafter be kept free of all obstructions.

- 5 No part of the development hereby permitted shall be brought into use until the access drive and internal access drives/ parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until the access driveway and internal access driveways/ parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 7 No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 8 Before development hereby approved is first commenced full details of both soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways, and the frontages of properties such as driveways and footpaths to front doors and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
- 9 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 9, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

- 10 Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the bricks and tiles to be used in the external elevations of the proposed development. Once approved the development shall be carried out strictly in accordance with these details, unless otherwise agreed in writing by the Borough Council as the Local Planning Authority.
- 11 Prior to the development hereby approved commencing (including site preparation) a tree protection plan and an Arboricultural Method Statement shall be submitted to and approved by the Local Planning Authority, which shall include: (i) Tree Protection Plan: to graphically show proposed site with retained trees and locations of root protection barriers; (ii) Arboricultural Method Statement: to give guidance on aspects of the proposed works which may have an Arboricultural impact to retained trees and show how they are mitigated; and iii) Details of any special engineering works and surfacing required near trees; in accordance with BS5837:2012.
- 12 Unless otherwise agreed in writing by the Local Planning Authority development must not commence until a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- 13 In the event that remediation is required to render the development suitable for use, the remediation scheme approved pursuant to condition 12 shall be implemented strictly in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.

## **Reasons**

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

- 4 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 5 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 6 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 7 In the interests of Highway safety.
- 8 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.
- 9 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 17 of the Aligned Core Strategy.
- 10 To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 11 To ensure satisfactory development, in accordance with the aims of Policy 17 of the Gedling Borough Council Aligned Core Strategy.
- 12 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 13 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

### **Reasons for Decision**

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



opinion of the Borough Council, the proposed development accords with the relevant policies of these frameworks and plans.

### **Notes to Applicant**

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

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have / no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Daniel Sullivan on 0115 for details.

Your attention is brought to the recommendations of the Highway Authority. The plans submitted are not to an adoptable standard therefore the road will always remain Private. For private developments with six building frontages or more, it is required under Sections 219 to 225 of the Highways Act to serve a notice on the applicant with an assessment of the full cost of the proposed roadworks under the Advance Payment Code (APC), to protect frontage's interests. The cost of the APC notice will reflect the full cost of the proposed street works likely to be required to complete the works to an adoptable standard and must be paid in cash and not by bond. The requirement for an APC notice can only be removed by entering into a S38 agreement to have the road adopted. However as the road layout is not to adoptable standards and the ownership unknown, it cannot therefore be adopted. However, just as the APC would be served and money paid or retained, the Highway Authority are not indicating any future intention to adopt and maintain the street works at public expense.

Your attention is drawn 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 to decrease levels by incorporating mitigation measures into scheme design as standard. (see: <http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

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)

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

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

Your attention is brought to the implications of the private drive for future occupiers if the roads are not adopted. (i) Future maintenance liabilities; (ii) Public liabilities; (iii) Street cleansing; (iv) Lack of pedestrian facilities; (v) Lack of / or poor standard of lighting and drainage; (vi) Nottinghamshire County Council have no powers under the Highways Act; (vii) The police have no powers to remove obstructions.

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).

Removal of hedgerow approx. 150 metres in length.

The Service Manager, Development Services, introduced the application informing Members that a number of further comments had been received following the publication of the report. The Service Manager informed Members that additional comments received related to hedgerow wildlife and tenancy arrangements on the land.

Ms. Leigh Barton, tenant of the land subject to the application, spoke in objection.

**RESOLVED:**

Grant consent for the Removal of Hedgerow.

**Reasons for Decision**

In the opinion of the Borough Council the proposed development does not qualify as an important hedgerow as outlined in the Hedgerow Regulations 1997. As such the proposed removal of the hedgerow is considered acceptable and a Hedgerow Retention Notice shall not be issued.

**Notes to Applicant**

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

Your attention is drawn to the attached comments from the Nottinghamshire County Council's Senior Practitioner for Nature Conservation with regards to the proposed replacement hedgerow and tree planting.

52

**ENFORCEMENT REF. 0114/2015- SEVEN ACRES, 15 MANSFIELD ROAD, PAPPLEWICK.**

Material Change of Use.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be

authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts to ensure the cessation of the caravan storage.

**53                    ENFORCEMENT REF. 0110/2017- WOODLAND TO THE SOUTH OF LONGDALE LANE, RAVENSHEAD.**

Unauthorised development, engineering works and tipping.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be authorised to take all enforcement action required including the service of a Stop Notice and any other enforcement notices and proceedings through the courts, including an application for an injunction if necessary to ensure the unauthorised development and engineering works cease and the unauthorised works are removed and the land is returned to its former condition.

**54                    ENFORCEMENT REF. 0018/2017- 3 NOTTINGHAM ROAD, RAVENSHEAD.**

Councillor Barnfather left the meeting.

Breach of Planning Conditions of Permission 2012/0686.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts to ensure the outstanding conditions are complied with.

**55                    ENFORCEMENT REF. 0178/2016- 6 JESSOPS LANE, GEDLING.**

Councillor Barnfather entered the meeting.

Unauthorised development.

**RESOLVED:**

That the Service Manager, Development Services in conjunction with the Director of Organisational Development & Democratic Services be authorised to take all enforcement action necessary including the service of any enforcement notices and proceedings through the courts to ensure the unauthorised garage is demolished and the garden area reinstated.

**56                    ENFORCEMENT REF 0155/2017- 1 SALCOMBE DRIVE, REDHILL.**

Alterations to first floor window.

The Service Manager, Development Services, informed Members that work to fit restrictors to the window was now complete.

**RESOLVED:**

No enforcement action is taken in respect of the breach of planning control, subject to the installation, within the next 56 days, of a permanent restrictor mechanism to prevent the existing top hung window from opening more than 200mm.

**57                    APPEAL DECISION- 8 FAIRFIELDS DRIVE, NEWSTEAD.**

**RESOLVED:**

To note the information.

**58                    APPEAL DECISION- LAND TO THE REAR OF 64 MAIN STREET, CALVERTON.**

**RESOLVED:**

To note the information.

**59                    APPEAL DECISION- 48 NORTHCLIFFE AVENUE, MAPPERLEY.**

**RESOLVED:**

To note the information.

**60                    PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**61                    FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

**62                    ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 7.10 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.

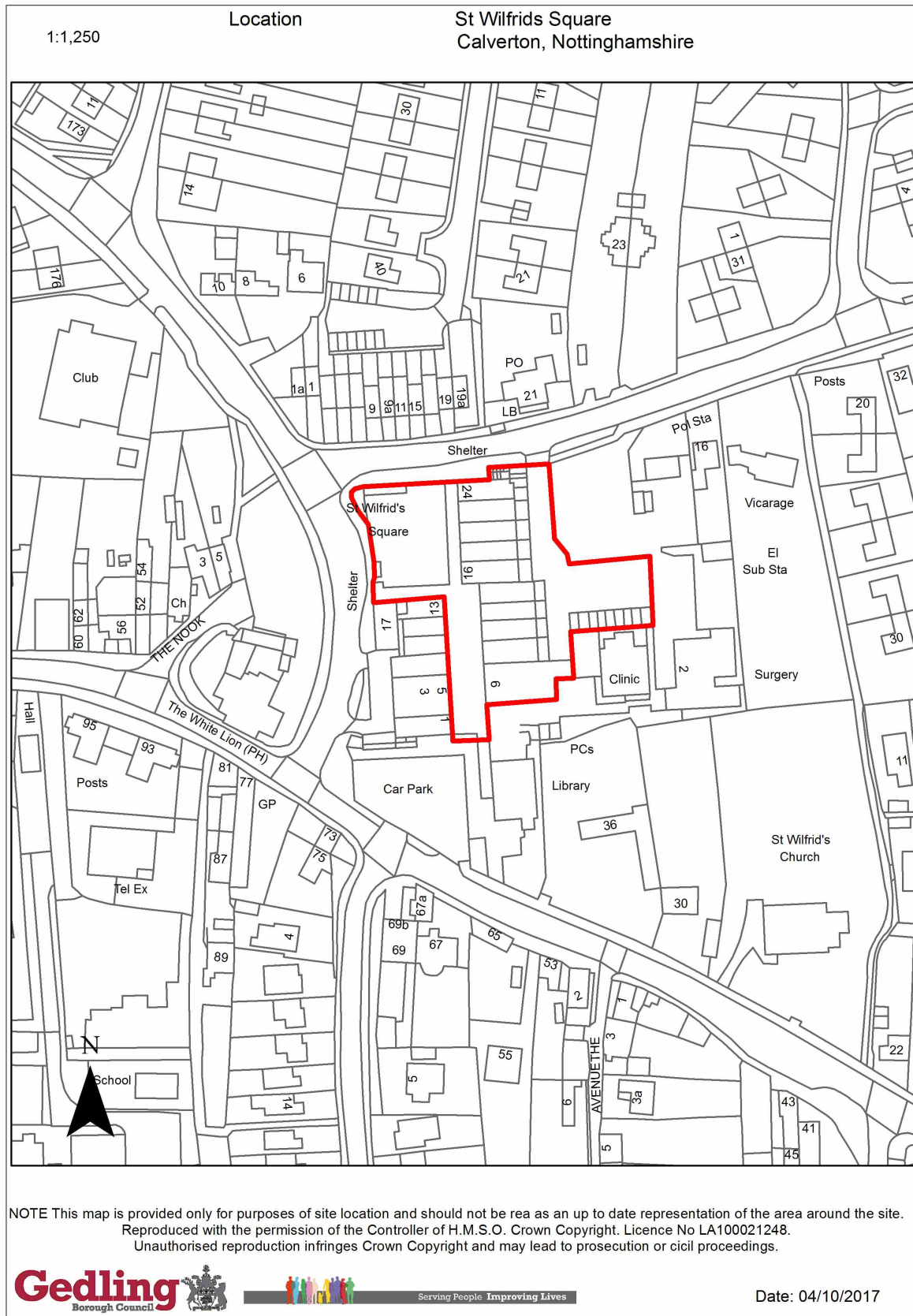
17. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee 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



**Report to Planning Committee**

<b>Application Number:</b>	2017/0207
<b>Location:</b>	St Wilfrids Square Calverton NG14 6FP
<b>Proposal:</b>	3 storey building comprising; 8no. first and second floor residential dwelling flats (C3) and 4no. ground floor retail units (A1).
<b>Applicant:</b>	Wayshop1 (Tree) Limited
<b>Agent:</b>	Gordon White & Hood
<b>Case Officer:</b>	David Gray

**1.0 Site Description**

- 1.1 The application site relates to an undeveloped area at St Wilfred's Square in Calverton which is currently a pedestrianised open area with 3no. street trees and a raised planter. There is currently no statutory designation of the application site as Public Open Space, however, the immediate area is characterised as an open space / St Wilfred's Square. The application site is not within the designated Conservation Area of Calverton.
- 1.2 The application site is on the northwest corner of St Wilfred's Square and fronts onto the adjoining highways of Crookdole Lane to the north and Mansfield Lane to the west.
- 1.3 There is currently an existing bus shelter fronting Mansfield Lane serving the Calverton Connection which serves a route to Nottingham City Centre via Arnold.
- 1.4 The application site is bound to the South and East by retail / commercial units, at ground level, and residential accommodation above. The North and West boundaries are public highways.
- 1.5 Opposite the site, to the West, is also open and currently operates as a car park serving the Oscar's (bar and restaurant), with a car washing facility adjacent to the north boundary. To the North, on the opposite side of Crookdole Lane is a row of 2-storey terraced residential properties. The buildings that have been constructed in the vicinity of the application site date from around the 1960s / 1970s.
- 1.6 To the northeast and south of Wilfred's Square are public car parks which are operated by Gedling Borough Council and within the ownership of the applicant are 16No. additional car parking spaces and 9 garages.

1.7 The application site measures 1250 square metres (0.125 hectares).

## **2.0 Proposed Development**

2.1 Planning Permission is sought for the redevelopment of St Wilfred's Square to provide 8no. Residential Apartments (C3) and a commercial development comprising A1 retail units.

2.2 The additional floor areas to be created are outlined below:

- ☐ Residential: Plots 1 and 5 (1 bed / 2 person flat) – 53sq m
- ☐ Residential: Plots 2,4,6 and 8 (2 bed / 2 person flat) – 71sq m
- ☐ Residential: Plots 3 and 7 (2 bed / 2 person flat) – 81sq m
- ☐ Retail Unit A: 1185sq / ft. (110sq / m)
- ☐ Retail Unit B: 420sq / ft. (40sq / m)
- ☐ Retail Unit C: 720sq / ft. (67sq / m)
- ☐ Retail Unit D: 731sq / ft. (68sq / m)

2.3 The proposed development would be set over three stories and would incorporate a flat roof with a small parapet wall.

2.4 It was resolved that a brick finish matching the elevations of the existing buildings onto Crookdole Lane would better assimilate with the existing surroundings. Visualisations rendering the proposal within the existing streetscene have been produced demonstrating how the external finishes would integrate with the surrounding area.

2.5 The proposal would require the loss of three street trees from the public realm and a raised planting bed. In mitigation, it is proposed that 4no. new trees are planted between the existing and new building.

2.6 During the processing of the application revisions were made to the design of the proposal and the application site size was increased to incorporate additional land within the ownership of the applicant.

2.7 The existing underused garage block in a poor state of repair would be demolished and the car park realigned to account for 9 additional car parking spaces to be included within the existing rear car park area.

## **3.0 Application Publicity and Procedures**

The application was publicised for representation in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Site notices were posted and press notices have also been advertised in the Nottingham Post.

During the determination period, revised plans were submitted amending the red line plan to incorporate additional car parking. As this amended the red line plan a further 21 days consultation period was instigated.

3.1 Nottinghamshire County Council (Highway Authority) –

The Highway Authority is in receipt of revised/additional plans for the proposal which aim to overcome the concerns which were raised as part of the previous correspondence, in regards to the balcony relocation not overhanging over the bus shelter.

The comments regarding the proposed layout of the site are made on the revised plan entitled 'Proposed Floor Plans', (Drawing Ref: 7097/06 Rev E) which are now acceptable from a Highways/Transportation perspective.

No objection from the Highway Authority.

Note: The red line is incorrect on the plans, which shows the red line covering part of the adopted footway.

3.2 Nottinghamshire County Council (LLFA) –

No objections subject to a drainage plan being secured by condition in line with the requirements of the NPPF.

3.3 Severn Trent –

No comments received.

3.4 Architectural Liaison Officer –

No comments received.

3.5 Arboricultural Officer –

Following site visit it has been confirmed that one tree is in decline and requires removal and the others are also of poor form and considered to be of low visual amenity.

3.6 Public Protection (Scientific Officer) –

No objections regarding land contamination or air quality.

3.7 Public Protection (Community Protection Manager) -

As previously stated the development is likely to have a detrimental effect on the Council's CCTV camera on St Wilfred's Square. It is therefore asked that the Council request that the relocation of the CCTV is agreed in writing by the Borough Council and is carried out at the expense of the applicant.

3.8 Economic Development –

The size of the development meets the threshold for an Employment and Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board (CITB) and the National Skills Academy for Construction Client-Based Approach; Local Client Guidance for England – to be implemented during the term of the build to deliver employment and

training activities – including work experience, jobs, apprenticeships and training.

### 3.9 Conservation Officer -

The boundary of Calverton Conservation Area runs along the line of the stone wall to the west that bounds 'Oscar's' car park adjacent to Mansfield Lane. The area is characterised by a mixture of earlier C19 developments mainly to the west and south with some buildings to the north while the buildings immediately bounding St Wilfrid's Square to the south and east have C20 origins.

Buildings of note are the Baptist Chapel at The Nook which is locally listed and Oscar's public house which is highlighted within the Calverton Conservation Area Character Appraisal as being prominent building but which does not have statutory protection and is not locally listed. Both buildings are C19 Victorian buildings within the adjacent Conservation Area and appear of Historic Maps however Oscars has been significantly altered to its detriment. There is also a further red brick two storey C19 property next to the Chapel with a corner shop window. This appears to have been extended and altered to its detriment by insertion of C20 UPVC windows on its gable end which faces St Wilfrid's Square and is seen from there across the car park. Consequently, I do not consider that views from outside the conservation area and in particular St Wilfrid's Square towards the gable of this building are significant. Long views towards the Chapel from the Square (east to west) are not highlighted as being significant in the Conservation Area Character Appraisal and views from Mansfield Lane towards the Conservation Area and the cluster of C19 buildings will not be harmed by the proposed development. It is views north or south along Mansfield Road that are highlighted and while there would be some obscuring of views south from Crookdale Lane towards Main Street they are not of significance in causing harm to the setting of the Conservation Area.

St Wilfrid's Square has always been open space although the space has been slightly altered over time with development that surrounds and impinges upon the space. The proposed building is rectangular in shape and would follow the alignment of existing buildings to the south, extend north and then return on its north gable along Crookdale Lane. It would mark the corner plot of the junction of Crookdale Lane and Mansfield Lane, but leave space to the rear east side for pedestrian access linking to the existing retail area to the south and leaving space between the proposed building and the flats above the shops to the east.

The proposed development which will be of 3 storeys will significantly change the character and appearance of this space. However, the site is located outside the Conservation Area and as such the key factor will be the proposed impact upon the setting of the conservation area to the east including the locally listed Chapel and adjacent C19 properties and key views as highlighted in the conservation Area character appraisal for Calverton.

The key here is the value of the existing space and its contribution to the setting of the Conservation Area compared to the Value of the proposed

building in that location and its physical and visual impact upon the setting of the Conservation Area. The location of St Wilfrid's square to the east of Mansfield Lane ensures that the public space of the Lane and private space of the car park provide a spatial buffer that in my opinion reduces the physical and visual impact of a building in the proposed location upon the setting of the Conservation Area and consequently I support the principle of the development on this site from a conservation perspective. However, what will be seen will have some impact upon setting of the Conservation Area and the balance of judgment in accordance with the NPPF paragraph 134 must also take account of the proposed form, scale, height and design of the building and public realm as proposed upon that setting.

There is a cluster of flat roofed buildings existing on the east side of Mansfield Lane and in proximity to the site, including the public library and CORE training and advice centre. The form of these buildings with their flat roofs detracts from this area generally.

There is good use of glazing to the ground floor but careful consideration should be given to the use of materials to upper elevations as proposed, including the mesh appearance to the east elevation facing the flats and planning conditions may control colour and appearance. Designs have progressed and the use of brickwork is now proposed to elevations instead. I believe this more consistent use of brickwork as opposed to a multitude of different materials would simplify the designs and be more effective. Better still if the materials reflect what is within the vicinity and I consider that the creative use of brickwork, incorporating different bond patterns and designs can be visually attractive, enhance and complement the area. The use of angled balconies is acceptable since these would not impact upon the Conservation Area.

The proposed development has an opportunity to significantly improve the appearance of the public realm in this location which in turn would enhance the setting of the proposed building, St Wilfrid's Square and the Conservation Area opposite. The use of paving stones to footways along the front Mansfield Lane and Crookdale Lane sides would be a significant improvement over the ubiquitous Tar Macadam. The use of paving slabs to the rear and connecting through to the existing shopping precinct to the south would also improve the appearance of these areas. The applicant should also provide information relating to lighting and security coverage for the Square and the retention/use of relevant trees will help soften the environment of the location. A landscape condition is recommended given the lack of information in the design and access statement. The public Realm should provide and enhance the aesthetic link to the surrounding buildings, spaces and area.

I consider that while the principle of a building is on balance acceptable from a conservation view point, considerable work is required to improve the design of the building in terms of roof form and materials to elevations and simpler designs with careful consideration required regarding the possible benefits including improvements to the materials of the public realm.

Paragraph 134 of the NPPF is relevant



‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use’.

In its current form the Value of the space as it currently stands (and which is surrounded by low quality designed buildings) would be further harmed by the proposed building with a further degree of harm that is less than substantial to the setting of the Conservation Area. This would be achieved by compounding the poor visual impact of existing buildings upon the location. The harm caused does not outweigh the public benefits of the scheme as proposed. However, a revised scheme that would enhance the location in design terms as suggested and provides a focal point that more greatly respects the setting of the Conservation Area and its traditional buildings could positively contribute to the character of the Conservation Area.

3.10 Waste Services – verbally advised following a Site Visit that they are satisfied with the locations of the proposed new bin storage areas.

3.11.0 Neighbouring Properties were notified and a Site Notice / Press Notice posted and **1152** letters of representation were received as a result of the first consultation and **66** letters of representation were received following the consultation of revised plans.

The comments can be outlined as follows: -

#### 3.11.1 Highway Safety / Traffic

- ☐ The application makes no provision for additional car parking. There is currently a shortfall of car parking serving the square. The development would further add to the car parking deficit the square currently experiences.
- ☐ Displacing car parking to the surrounding road network would have a negative impact on highway safety and pedestrian safety.
- ☐ Residents car parking which is claimed to be additional, is allocated in an existing, already congested car park;
- ☐ There would be an inconvenience to bus users and drivers using Crookdole Lane. There would be conflict between bus drivers and service vehicle drivers due to service vehicle drivers loading in the bus bay.
- ☐ There would be restricted views for left turners from Crookdole Lane.
- ☐ The proposal incorporates no facilities such as loading area for shops and a space for waste bins. The existing properties have no facilities for bins as these are left on the public highway.
- ☐ There needs to be a park and ride facility to serve the people using Calverton from the outlying villages.

#### 3.11.2 Design

- ☐ The development being a low quality, 3 storey structure with flat roof would not be sympathetic to its sensitive central village location next to a Conservation Area;

- The development results in the loss of community space which provides the only outdoor space in the centre of the village. This space has been available for community use for over 50 years;
- The design of the development is no improvement to the already poorly designed square;
- The proposed development is over intensive and poorly designed.

#### 3.11.3 Neighbouring Amenity

- The scale of the development would be overpowering and reduce light, which would negatively impact on other residents and businesses;
- The proposed enclosed passageway next to the CORE Centre / dentists would present a problem in terms of a lack of openness. Reduced natural surveillance, both with the alley and the rest of the precinct, would result in a built environment that encouraged anti-social behaviour.
- The 3 storey building would be sited close to the CORE centre, a vital service and activity hub in Calverton. It would block natural daylight to the front office and to the IT room upstairs, and the recently installed, much needed CCTV camera;
- Properties on Crookdole Lane would have their outlook reduced;

#### 3.11.4 Heritage / Conservation Area

- The Conservation Area is hugely impacted by the existing built environment of St Wilfrid's Square; the design/scale of the proposals would exacerbate this to an unacceptable degree. This impact would be unjustifiable and contrary to local and national planning policies.
- The development would harm a designated heritage asset. Harm to a designated asset can only be permitted if it is outweighed and thereby justified by the public benefit that would be derived. The proposed development of a limited number of additional residential units would not outweigh the harm. There has been no evidence presented by the applicant that the retail units would be viable in this location.

#### 3.11.5 Flooding

- The application does not acknowledge the flooding issue, this development would exacerbate an established problem significantly.

#### 3.11.6 Calverton Neighbourhood Plan

- The development is contrary to the key aims of the neighbourhood plan.

#### 3.11.7 Economic /Commercial Impacts

- Economic viability is an ongoing issue for existing businesses on St Wilfrid's Square – the limited range of businesses that survive in this precinct indicate that additional retail units would lead to unwelcome competition rather than commercial diversification;
- Many of the retail units remain vacant for many months which suggests that there is not a demand for new retail outlets;
- Difficulty finding occupiers for the new shops;

- Concerns are raised over the type of shops that may be attracted to the new units. There are already a number of fast food outlets and it is likely that at least one of the new units would be a fast food outlet adding to the national obesity issue;

#### 3.11.8 Trees and Vegetation

- The development results in the loss of trees within the square that make an important contribution to the public realm.

#### 3.11.9 Public Open Space

- The open space of the square is now used for many community events that see people congregate in this area, which include: Theatrical Productions, Armistice Day, Christmas Lights Switch On, and Village Get Together. The loss of the public open space would be to the detriment of the community.

#### 3.11.10 Other Considerations

- The proposed development would overshadow and overlook the dentist surgery sited adjacent to the proposal;
- The village requires additional facilities such as a larger doctors surgery, a new police station and schools;
- There is a high level of crime in the village and the development would give rise to additional anti-social behaviour in the village centre.

### 3.12.0 Calverton Parish Council

3.12.1 Calverton Parish Council is extremely concerned about the proposed development at St Wilfred's Square. Proper consideration of the scale, design, purpose and impact of the proposals on the immediate and wider area would make it unreasonable for Gedling Borough Council to permit this development within the current planning policy context.

3.12.2 The Calverton Neighbourhood Plan process is nearing completion. Given its advanced stage there is a statutory requirement for it to be afforded significant weight in the determination of planning applications (Annex 1 NPPF).

#### 3.12.3 Impact on Conservation Area

The application gives absolutely no consideration to the impact on Calverton's Conservation Area; either in terms of its setting or its appearance and character.

Great weight should be afforded to the impact of development on a designated heritage asset.

No justification has been given to the harm the development would have to the setting of Calverton's Conservation Area.

Calverton Conservation Area Appraisal States:

*'The Conservation Area is, however, compromised by surrounding development. Most obvious is the St Wilfred's Square complex, which has a hugely negative impact in terms of scale, design and materials'.*

Given the already fragile nature of Calverton's historic core, the Conservation Area Appraisal highlights the importance of it not being compromised any further by additional unsympathetic development:

*'There is little capacity for significant change within the Conservation Area. It is possible, however, that further sites bordering the Conservation Area might be redeveloped. Should this prove to be the case, considerable care will need to be taken to ensure that development enhances or respects the setting of the Conservation Area in terms of its plan, scale, massing, materials and detailing.'* (5.39)

The development fails to respect the proximity of the Conservation Area.

The D&A states that the development reflects the character of the surrounding area as it was constructed in the 60s/70s; however this is incorrect as there are a number of historic buildings in close proximity.

The importance of the area of the village centre to the setting of the Conservation Area is highlighted by consideration of the Conservation Appraisal 'Map 5: Key views and Vistas'. Two of the key Conservation Area viewpoints are located adjacent to the proposed development site.

Another significant issue is that the development turns it back on the streetscene and the Conservation Area. This will accentuate the problem of existing retail units facing away from the street, which inevitably leads to clutter such as rubbish bins and storage roadside – further adversely affecting the setting of a Conservation Area. It is notable, in this respect, that the application makes no provision that would assist either in the storage or collection of waste/recycling for the residential or retail units.

#### 3.12.4 Non-Conformity with the Calverton Neighbourhood Plan

In the opinion of the Parish Council the application needs to take account of the emerging Neighbourhood Plan Policies: -

##### Policy G2 – Developer Contributions

The neighbourhood plan identifies 'Village centre environmental improvements', whilst it is recognised that the application includes the removal and replacement of canopies, the details provided are not sufficient to determine whether this would constitute an enhancement.

The scale of the proposed development would compromise any future improvements. It is impossible to envisage any contributions that would offset the scale of damage that would be inflicted on the village centre by this development proposal.

##### Policy G3 – Village Centre

The Neighbourhood Plan is clear that there is a need to improve the village centre environment and that such investment would bring significant socio-economic benefits.

The proposed development would reduce the prospect of St. Wilfrid's Square making a positive contribution to the public realm of the village centre in the future – contrary to the objectives set out in the Neighbourhood Plan.

In addition the development would remove an area of open space that performs a significant role.

The development would 'turn its back' on the streetscene, which would negatively impact the streetscene.

#### Policy G5 – Housing Mix

The proposed residential units would make an insignificant contribution to the overall levels of housing to be provided over the current development plan period.

A need for the elderly and accessible dwellings has been identified in the village. As the development is not ground floor this would not make a contribution to the required mix and cannot be justified in terms of the public benefit that could outweigh the harm that would be caused by the development.

#### Policy ISF1 – Sustainable Transport

The application indicates the relocation of the bus stop which would make it less operationally effective.

#### Policy ISF2 – Car Parking

There is insufficient car parking provision to meet current need in the village centre. The housing would create the need for additional car parking which would reduce the overall availability for the existing retail units and the other facilities in the centre.

The Gedling SPG would require a total of 7 unallocated parking spaces to serve the residential flats.

The new retail units, using the 6C's parking standards, would require 1 space per 14sqm, giving a requirement of 18 additional parking spaces.

In total, the new development generates a parking requirement of 25 additional spaces.

There is no capacity in the existing car parks to facilitate the additional development.

#### Policy ISF3 – Highway Impact

Significant Highway Concerns relating to the relocation of the bus stop, off street car parking provision.

#### Policy BE2 – Local Distinctiveness and Aesthetics

The Neighbourhood Plan seeks good design, emphasising that new development '*should be designed to a high quality that reinforces local distinctiveness*'.

The proposed design is both generic and extremely low quality and contains no elements that could be interpreted as representing local distinctiveness.

BE2 recommends that building heights should be restricted to one or two stories.

#### Policy BE3 – Public Realm

The development would have a major negative impact on the village centre and the public realm.

The design would diminish the ability of the remaining open space to fulfil a positive social function. There, are elements of the design that raise significant concerns amongst residents.

The design includes a narrow, enclosed access between the existing precinct building and the proposed new building. The space would be transformed from a positive open space to one that lacks natural light and natural surveillance that could present a risk to public safety. A high potential for anti-social behaviour is built into this design due to the lack of natural surveillance.

The current proposal does not accommodate the current location of the recently installed CCTV camera.

#### Policy BE4 – Parking Provision

Contrary to the Calverton Neighbourhood Plan the proposals fail to adequately consider parking provision.

#### Policy BE5 – Heritage Assets

The proposals would have a substantial negative impact on the character of Calverton. There is a statutory requirement that designated heritage assets should only be harmed by development when it can be demonstrated that there is no alternative and the harm is outweighed by the public benefit that would be derived. The proposal does not provide significant residential development that would constitute a public benefit and there has been no demonstrable need for retail units beyond the current provision.

Even if retail units were justified a far higher standard of design should be sought.

### Policy NE3 – Flooding

The application gives no consideration to the issue of flooding. It wrongly identifies the proposed site as being in an area that has no risk of flooding. It is a matter of record that the village centre has suffered significant flooding in response to high rainfall events, accompanied by a rapid increase in surface water runoff.

The development proposal offers no integrated flood management measures. An increased development footprint would reduce the area remaining for surface water runoff at a sensitive, high-risk central location; this would increase surface water / flood water.

### Conclusion

Calverton Parish Council objects to every aspect of this application. The development would result in a major negative impact on Calverton Village as a whole.

Calverton residents are already significantly disadvantaged by having a village centre that is dominated by poorly designed and built shopping precinct, accompanied by extreme car parking constraints. St. Wilfrid's Square, in its current form, represents a visual intrusion that compromises the setting of Calverton's Conservation Area.

The development does nothing to alleviate existing problems in this sensitive central location, but would rather exacerbate identified issues and limited future potential solutions.

*The prevailing context is for sustainable development that, NPPF 'is about change for the better... a creative exercise in finding ways to enhance and improve the places in which we live our lives.... This should be collective enterprise. Yet, in recent years, planning has tended to exclude, rather than include, people and communities. In part, this has been a result of targets being imposed, and decisions being taken, by bodies remote from them. Dismantling the unaccountable regional apparatus and introducing neighbourhood planning addresses this.'*

The community of Calverton has responded to the new policy context that promotes localism has progressed the neighbourhood plan to the final stages; it is vital that Gedling Borough Council now works in partnership with residents to shape the future development in a sustainable manner.

- 3.13 A letter from a Member of Parliament was received making representation on the application. The comments can be outlined as follows:

#### 3.13.1 Parking

The applicant owns 16 parking spaces at St Wilfrid's Square the rest are in Parish Council ownership.

It is stated in the application that the car parking provision is not to increase which would be totally unacceptable. There is not adequate car parking to serve the residents and visitors to the shops at present. Further car parking for both residents and visitors needs to be addressed. New Infrastructure is required in the first place before the development is commenced.

### 3.13.2 Design

The Height of the building; the building would be three stories in height and would be located within an existing area of open space that forms the first point of vision for many visitors to the square and has residential properties opposite on Crookdole Lane. The development must not adversely affect the intrinsic environmental value and character of the square and this part of Calverton as a lovely open space. It would result in the whole square being dark and uninviting.

### 3.13.3 Position of Bus Shelter

Moving the bus shelter closer to Crookdole Lane / Mansfield Lane would result in highway safety implications.

## 4.0 **Assessment of Planning Considerations**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless other material considerations indicate otherwise'.

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

### 4.3 Development Plan Policies

4.4 The following paragraphs of the National Planning Policy Framework are of relevance to the principle of this application:

- ☐ NPPF paragraphs 6 to 16 (Presumption in favour of sustainable development);
- ☐ NPPF paragraphs 18 – 22 (building a strong, competitive economy);
- ☐ NPPF Paragraphs 29 – 41 (Promoting sustainable transport);
- ☐ NPPF Paragraphs 69 – 78 (Promoting healthy communities);
- ☐ Part 2 – Ensuring the vitality of town centres;
- ☐ Part 6 – Delivering a wide choice of high quality homes;
- ☐ Part 12 – Conserving and enhancing the historic environment.

### 4.5 Development Plan Policies

4.6 Gedling Borough Council adopted the Gedling Borough Aligned Core Strategy (GBACS) on 10<sup>th</sup> September 2014 and this now forms part of the



Development Plan along with certain saved policies contained within the Gedling Borough Replacement Local Plan (adopted 2005) (GBRLP) referred to in Appendix E of the GBACS.

- 4.7 It is considered that the following policies contained in the GBACS are relevant to this application:
- ☐ GBACS Policy 2 (The Spatial Strategy);
  - ☐ GBACS Policy 6 (Role of Town and Local Centres);
  - ☐ GBACS Policy 10 (Design and Enhancing Local Identity);
- 4.8 In accordance with paragraphs 214 – 215 of the NPPF due weight should be given to the policies of the GBRLP in accordance to their degree of consistency with the framework. Consideration will also need to be given to whether policies are out of date in line with paragraph 14 of the NPPF.
- 4.9 It is considered that the following policies from the Replacement Local Plan 2005 (RLP) are relevant to this application:
- ☐ Policy ENV1 – Development Criteria;
  - ☐ Policy H7 – Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes;
  - ☐ Policy S1 – Retailing in Shopping Centres;
  - ☐ Policy S3 – Use of Upper Floors in Shopping Areas.
- 4.10 Emerging Local Planning Document 2017 (LPD)
- 4.11 Paragraph 216 of the NPPF outlines that weight can be given to emerging policies, relative to their advancement in preparation; the extent of unresolved objections; and consistency with the NPPF. The LPD is currently being examined in accordance with paragraph 182 of the NPPF. Until the Inspector's report is published LPD policies cannot be given significant weight.
- 4.12 Where LPD policies meet the requirements set out in Paragraph 216 (i.e. they have no substantive objections) they are afforded "moderate" weight. Where the LPD policies have outstanding objections, they are afforded "limited" weight.
- 4.13 The following LPD policies are relevant to this application (and the weight to be given):
- ☐ LPD 4 – Surface Water Management (moderate weight);
  - ☐ LPD 32 – Amenity (moderate weight)
  - ☐ LPD 35 – Safe, Accessible and Inclusive Development (limited weight)
  - ☐ LPD39 – Housing Development on Unidentified Sites (moderate weight)
  - ☐ LPD 48 – Retail Hierarchy and Town Centre Boundaries (moderate weight)
  - ☐ LPD 49 – Development within Town and Local Centres (limited weight)
  - ☐ LPD 50 – Upper Floors (moderate weight)
  - ☐ LPD57 – Parking Standards (moderate weight) unresolved objection but the Car Parking SPD is already adopted.

- ☐ LPD61 – Highway Safety (moderate weight – no objection)

#### 4.14 Calverton Neighbourhood Plan 2016 (CNP)

- 4.15 As outlined above, NPPF para. 216 gives weight to emerging policies, relative to certain factors. The independent examiner released his report on the CNP on 11<sup>th</sup> September 2017. Given the advanced stage of preparation I would afford moderate weight to the Policies of the CNP:

- ☐ G2 – Developer Contributions
- ☐ G3 – Village Centre
- ☐ G5 – Housing Mix
- ☐ BE3 – Public Realm
- ☐ BE4 – Parking Provision
- ☐ ISF2 – Car Parking
- ☐ ISF4 – Infrastructure provision.

#### 4.16 Additional Supplementary Documents of relevance

- ☐ Parking Provision for Residential Development SPD (2012)
- ☐ CIL Charging Schedule (2015) / Indexation (2017)

- 4.17 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: -

- ☐ Principle of development;
  - o General;
  - o Residential;
  - o Retail;
- ☐ Masterplan and Design;
- ☐ The impact on neighbouring amenity;
- ☐ Transport, Connectivity and Highway Safety
- ☐ Heritage and Conservation Area;;
- ☐ Water resources, flood risk and drainage;

- 4.18 The main planning considerations in the determination of an application of this nature are the principle of the development within the existing Local Shopping Centre as indicated on the Proposals Map of the GBRLP and as such policies relating to Retail, Fast Food, and Residential Development. Matters relating to the Design and Layout of the Development, Pedestrian and Highway Safety, impact on the amenity of nearby residential dwellings and any undue impact on the character and appearance of the site and the wider area will also need to be carefully considered.

## 5.0 Principle of Development

### 5.1.0 General Principle

- 5.1.1 The NPPF sets out that planning policy should be positive and promote town centres which provide customer choice. Part 2 of the NPPF promotes

planning approaches that support the vitality and viability of town centres. In particular, the 6<sup>th</sup> bullet point of paragraph 23 identifies a range of Use Classes that are appropriate for town centre environments, including retail, commercial and residential uses. The use-elements that make up this mixed-use development can therefore be considered appropriate for a town/local centre environment and supported by the NPPF subject to compliance with other policies such as those on amenity, design and highways.

- 5.1.2 I note that St Wilfrid's Square in Calverton currently has a statutory designation as indicated on the Proposals Map of the GBRLP as a Local Centre and there are no statutory designations protecting the unbuilt on area as public open space. Whilst I appreciate that there are no statutory designations that restrict the redevelopment of the open area of St Wilfred's Square the redevelopment would need to be balanced against any other considerations, impacts and constraining factors.
- 5.1.3 ACS Policy 6 - Part 7 sets out that main town centre uses should be located within town centres with the development appropriate in scale and nature to the role and function of the town centre. Part 6 sets out that vitality and viability of centres will be maintained and enhanced (including widening range of use). St Wilfrid's Square, Calverton, serves the key settlement of Calverton and forms part of the Local Centre as identified in the GRLP and the LPD. The adopted Aligned Core Strategy states the settlement hierarchy to accommodate growth in which Calverton is identified as a key settlement for growth and a distribution of 'up to 1055 homes' is stated as a figure to be provided. The Local Planning Document which is currently being examined proposes that 820 new homes are to be provided within Calverton in the period between 2011 and 2028. It is my view that the provision of additional commercial / retail / residential development would economically support Calverton which has been identified as a key settlement for growth. It is also my opinion the proposed development, within the identified Local Shopping Centre, would assist in providing local amenities and wider choice to existing residents and future residents within the next plan period. In my opinion this would represent a significant economic development that would support the needs of Calverton and I would attach significant weight to the provision of a wider range of services that would support the vitality and viability of the existing Local Centre.

## 5.2.0 Residential

- 5.2.1 Paragraph 49 of Part 6 of the NPPF states that applications for housing should be considered in the context of the presumption in favour of sustainable development, as outlined in paragraph 14 of the Framework. For decision making, this means (unless material considerations indicate otherwise):
- ☐ Approve development proposals that accord with the development plan without delay; and
  - ☐ Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
    - o Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- o Specific policies in this Framework indicate development should be restricted.
- 5.2.2 Furthermore the Borough Council cannot currently demonstrate a five year land supply of deliverable housing, and therefore under Paragraph 49 of the NPPF relevant housing policies for the supply of housing should not be considered up-to-date.
- 5.2.3 With regards to the principle of residential development at the proposed location, ACS Policy 2 sets out the adopted spatial strategy of urban concentration with regeneration. Calverton is a key settlement for growth and given the developments central location it accords with the spatial strategy.
- 5.2.4 RLP Policy R7 provides the following criteria for residential development within the defined village envelopes, which should form part of the decision maker's consideration:
  - a. 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;
  - b. 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.
- 5.2.5 With regards to the principle of residential development on the upper floors of shops, LPD50 (para 13.4.1) supports the use of upper-floors within Local Centres for residential use, provided that:
  - a. it would not cause unacceptable conflict with the need for rear servicing;
  - b. it would not cause significant adverse impact on the amenity of nearby residents or occupiers; and
  - c. appropriate provision for parking is made.
- 5.2.6 I note the comments received with regards to the residential units not making a significant contribution to the overall levels of housing required in Calverton over the plan period. However, I consider that even small scale schemes can contribute to housing provision and large scale schemes should not be considered in isolation to the small scale windfall sites that can be brought forward immediately. I would also note that subject to the schemes design and the principle of development in this area, the location of residential accommodation above shops is supported in Local Centres under the NPPF and Policies contained within the NPPF and LPD50 (para 13.4.1).
- 5.2.7 I note the comments regarding a need for elderly residential accommodation in Calverton and the mix not being justified to represent a public benefit. However, I am satisfied that that given the sustainable location within an existing Local Centre that the development would result in a wider choice of homes to serve the local community to its benefit.
- 5.2.8 It is my opinion that the principle of residential development within Local Centres above shops/commercial development is supported by policy provided the development does not have an adverse impact on rear serving, car parking provision, the appearance of the area. Considerations relating to car parking, rear servicing and design will be discussed in more detail in the

following chapters. Whilst I note that the development would result in the loss of open space this loss needs to be balanced against the economic and social benefits of a scheme to enhance an existing Local Centre providing important community facilities which would serve a growing population.

### 5.3.0 Retail

- 5.3.1 ACS Policy 6, part 6, supports the maintenance and enhancement of the vitality and viability of all Local Centres, including the widening of range of uses whilst maintaining a strong retail character. The proposal consolidates the retail-focussed character of the area through the provision of four retail/commercial units, whilst providing residential accommodation on the upper floors, as such, in my opinion; is in accordance with ACS Policy 6.
- 5.3.2 Calverton is identified as a Local Centre in Policy LPD48 and, therefore, the requirements of Policy LPD49 (this policy has unresolved objections – NPPF Paragraph 216) apply to this application. Paragraph 13.3.5 of LPD49 requires that at least 45% of Local Centre frontages are A1 retail.
- 5.3.3 The vitality and viability of centres is protected by Policies S1 and S10 and the emerging Policy LPD49. S1 sets out proposals for A1 will be granted where they are in keeping with the scale and character of the centre and would not prejudice the effective use of upper floors.
- 5.3.3 LPD49 sets out the proposed policy for development within town centres. It includes policy restricting the percentage of frontages for each use class within the centre, groupings or non-A1 units and provides policy on design and the impacts of proposals on adjoining amenity. It also includes a policy setting out that planning permission will be granted unless it would result in the loss of features that make a contribution to the appearance of the local centre.
- 5.3.4 Both S3 of the GBRLP and LPD50 adopt a similar approach to the use of upper floors. LPD50 sets out that the use of upper floors within local centres will be granted provided that: -
- a. it would not cause unacceptable conflict with the need for rear servicing;
  - b. it would not cause a significant adverse impact on the amenity of nearby residents or occupiers; and
  - c. appropriate car parking is made.
- 5.3.5 I note the representations with regards to the potential for unwanted A5 (Hot Food Takeaway) Use Classes dominating the commercial units. I also note that the proposal as originally submitted lists a number of potential end users for the proposed ground floor commercial units namely Use Classes A1 / A2 or A5. During the processing of the application further clarification was sought on the proposed mix of uses to enable us to assess the application under ACS Policy 6 and LPD49 which promotes a strong retail-focussed character for Local Centres. In light of the above policy requirements promoting a strong retail focus it has been agreed with the agent that the commercial units can be conditioned to be A1 (Retail) effectively giving the Borough Council control over the change of use of the units in the future to ensure that the strong retail

character of the Local Centre is preserved in line with the adopted Development Plan for the area.

- 5.3.6 I note the representations received with regard to the economic viability of the scheme given that there are a number of properties on the square that have remained vacant, and also the potential for new business opportunities to result in unwelcome competition. Whilst, the planning system cannot direct market forces as it predominately deals with land use, I consider due to Calverton having been identified as a key settlement for growth, increasing the population of the village, and that the redevelopment of the St Wilfrid's Square would represent significant economic growth in the area, the proposed scheme could potentially have a regenerating effect improving the vitality and viability of the existing centre to the public benefit.
- 5.3.6 I note the comments from Calverton Parish Council with regards to the Neighbourhood Plan for the Area and the potential negative impact the principle of this development would have on the Local Centre. Whilst I only afford moderate weight to this policy (NPPF para 214) it does demonstrate the future aspirations of the Community moving forward. Policy G3 – Village Centre is clear that there is a need to improve the village centre environment and that such investment would bring significant socio-economic benefits. As discussed above I consider that the development would have a significant beneficial impact on the vitality and viability of the Local Centre. Whilst I note that the development does result in the loss of the open space this is addressed in the following chapter (6.0).
- 5.3.7 Given the above considerations it is my opinion that the proposed development would enhance the vitality and viability of the Local Centre and would locate main town centre uses in the most appropriate location, easily accessible for pedestrians and by existing public transport linkages. I would note that Calverton is identified as a key settlement for growth in the Local Plan Part 2 and I would attach significant weight to the provision of a wider range of facilities providing economic growth within an existing Local Centre in line with part 2 of the NPPF. The significant benefits outlined above would need to be balanced against any other adverse impacts that would result as a consequence of the development. It is my opinion that the above policies establish the principle which supports the case for a mixed use residential and commercial development within the existing Local Centre of Calverton and I would attach significant material weight in the planning balance to the socio-economic and public benefits that a proposal of this nature would bring.

## **6.0 Masterplan and Design**

- 6.1 The Government attaches great importance to the design of the built environment. Section 7 (NPPF) states that good design is a key aspect of sustainable development and that it should contribute positively to making places better for people. Developments should function well and add to the overall quality of the area, respond to local character and history, reflecting the identity of local surroundings and materials and be visually attractive as a result of good architectural practice and appropriate landscape.

- 6.2 National guidance in the form of Planning Practice Guidance, published in March 2014 furthermore reinforces the NPPF's commitment to requiring good design by stating that "Achieving good design is about creating places, buildings or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations. Good design responds in a practical and creative way to both the function and identity of a place" (paragraph 001).
- 6.3 Criterion a. and c. of Policy ENV1 of the Replacement Local Plan are also 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.
- 6.4 Policy 10 of the GBACS looks at design and enhancing local identity and reflects the guidance contained in both the NPPF and Replacement Local Plan policies.
- 6.5 Paragraph 69 of the NPPF states that planning should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, safe and accessible environments where crime and disorder do not undermine quality of life or community cohesion and safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
- 6.6 I note the representations received with regards to the design and layout of the proposed development, and particularly the negative impact the redevelopment of the open space serving St Wilfrid's Square would have. I also note that Calverton Parish Council have objected to the size, appearance and design of the proposed building and stated that the development would not be of high quality and would not reinforce local distinctiveness. I also note that Policy BE2 (Local Distinctiveness and Aesthetics) and BE3 (Public Realm) of the Calverton Neighbourhood Plan are relevant; however, there is no reference to building size being restricted to one or two stories.

Policy BE2 of the Calverton Local Plan states:

"Development should be designed to a high quality that reinforces local distinctiveness.

Design should be guided by the overall scale, density, massing, height, landscape, layout, materials, detailing, roof orientation, relationship to back edge of pavement, walls to window ratios, proportion of windows, plan depth, plot width and access, the site and its surroundings including considerations of flood risk management,

Buildings on the fringes of major developments should have variations in height, style and position. They should reflect the local heritage design and characteristics with a variety of traditional and modern building materials. As a matter of good design, defensible space should be provided.

Careful consideration should be given to the servicing requirements of buildings to ensure that essential items such as car parking and space for the storage of waste and recycling bins are successfully integrated into the design, including access for emergency vehicles.”

- 6.7 There is presently an area of open space which is bounded by the buildings that make up the Local Centre to the south and east and by Crookdole Lane and Mansfield Lane to the Northern and Western boundaries, respectively. Within the area of open space there are currently 3 street trees, a raised planting bed and a CCTV camera and pole. Opposite the application site is a large car park serving the Oscar's which also operates a hand car washing facility on the northeast corner of the site.
- 6.8 The local character of the area, immediately around the application site, is defined by the buildings and built form of the existing Local Centre, which comprises 3 storey premises with pitched roofs constructed in the 1960s; incorporating retail/commercial uses at ground level and predominantly residential accommodation above on the east of the square. The elevations of the premises to the East consist of a red brick gable facing onto Crookdole Lane, the front elevations incorporate shop frontages at ground floor and dark stained wood panelled elevations with white window / recessed balcony detailing on the front elevations. The existing buildings making up the Local Centre incorporate canopies to the front elevations consisting of green steel supports and obscure glass effect coverings. To the south of the application site the buildings are typically flat roof two-storey premises with red brick elevations. To the west of the application site, on the opposing side of Crookdole Lane, there is presently a row of two-storey terraced dwellings erected in the 1970's which are of traditional design.
- 6.9 The proposed development would consist of a 3 storey mix use development with commercial units at ground floor and residential accommodation above. The proposed building would be rectangular in shape and would follow the alignment of existing buildings to the south, extend north and the return on its north gable along Crookdole Lane. It would mark the corner plot of the junction of Crookdole Lane and Mansfield Lane, but leave space to the rear east side for pedestrian access linking the existing retail area to the south and leaving space between the proposed building and the flats above the shops to the east. The design of the outdoor balconies serving the new residential apartments have utilised angled windows / balconies on the West elevation to alleviate undue overlooking impact from the residential units onto the existing residential units. To further reduce overlooking impact the walls to the angled projections are indicated as an expanded metal mesh. This material allows light to penetrate from both sides. The scale of the development has been designed to reflect the scale of the existing premises at St Wilfrid's Square but would have a flat roof design within parapet wall feature reducing the overall height, when compared with the existing structures to the east, by 5.5 metres.
- 6.10 It is my opinion, given that the principle of retail / commercial / residential development should be encouraged within existing Local Centres (Chapter 5 above); there would be no more appropriate location for this type of socio-economic development within Calverton village envelope. A favourable recommendation would therefore rest in parts on the quality of the overall



design being acceptable and other material planning impacts being satisfactorily addressed.

- 6.11 It is my opinion that the main perceived adverse impact as a result of this development could be considered the redevelopment of the open space of St Wilfred's Square, creating what effectively would be an enclosed Local Centre with new shop frontages facing onto Mansfield Road and internally within the newly created enclosed St Wilfrid's Square. I would however note that the open space does not currently afford any statutory protection as a public open space, however, there are policies protecting the appearance of the area and design that could restrict this kind of development.
- 6.12 The proposed development would be located to the front west boundary of St Wilfrid's Square fronting Mansfield Lane and would retain the existing bus stop at a recessed elevation to the south of the development. The south of the proposal would incorporate a pedestrian point of access to the Local Centre adjacent to the existing bus stop; access to the Local Centre would also be retained to the north from Crookdole Lane. The development would effectively make a central pedestrianised area between the existing units and the proposed development. The area of pedestrianised open space would measure 10.8 metres in width and would, in my opinion, create a public place and a physical setting to the Local Centre despite enclosing the existing commercial and residential elements within an area previously open to Mansfield Lane and the Car Park of Oscar's.
- 6.13 The visualisations produced by the architect illustrate how street furniture and street trees would be incorporated into development to create a public place and a safe meeting place for the community to use and access local amenities. It is my view that well defined public places are fundamental to achieve the vitality and viability required within Local Centres and the open areas of the Local Centre would be shaped and defined with the use of public furniture and street trees. As has been demonstrated in the visualisations (produced by the architect) a well-defined public setting would be created between the existing and proposed development that would have legible pedestrian routes and would be accessible to the whole community. Should planning permission be forthcoming any approval would be conditioned to provide a detailed landscaping scheme showing precise details of all street furniture, street trees and lighting to ensure a satisfactory public realm is created that is accessible and safe to pedestrians providing a place for the community to meet and access amenities.
- 6.14 I note that during the processing of the application additional plans have been received illustrating the proposed commercial and residential waste management and bin collection areas to serve the development. Enclosures for the storage of bins are proposed to the north elevation of the proposal and to the rear servicing area of the development. Following consultation with Waste Services there are no objections to the location of the waste serving areas and as such I am satisfied that the servicing of the waste from the development has been satisfactorily addressed. Should planning permission be forthcoming I recommend a condition requiring the precise scale elevation details including materials for all the bin stores that are proposed to serve the

development in order to ensure they are well designed and reflect the materials of the building.

- 6.15 I note that the development would incorporate the replacement of the existing canopies that are erected over the commercial premises at St Wilfrid's Square. I also note that the new improved canopies would be utilised above the proposed retail units of the development. In my opinion the use of matching canopies, which could be designed to a high quality, would help to assimilate the proposed development into the existing dated 60s architecture of the Square. I consider that the improvements to the existing canopies could be considered a planning gain that would improve the visual appearance of the existing elevations. Should planning permission be forthcoming I recommend attaching a condition to any approval requiring the precise details and materials for the proposed canopies to be submitted to and approved by the Borough Council prior to the development first commencing in order to give an element of control over the finish and materials and to ensure that they would improve the visual appearance of the existing buildings whilst respecting the proposed development. The canopies should be implemented prior to the first use of the development.
- 6.16 I have carefully considered the overall design of the proposal and consider that a more traditionally led approach to the design to reflect features of the Conservation Area on the south side of Main Street could potentially appear incongruous and in contrast to the C20 buildings at St Wilfrid's Square. St Wilfrid's Square was constructed in the 1960's following the opening of the coal mine in 1952. Development to the north of Main Street all occurred following the 1950s and the design of the surrounding area reflects this era and these styles. It is my view that introducing traditional architectural design features would juxtapose with the existing C20 development and would not be in keeping with the immediate surroundings.
- 6.17 St Wilfrid's Square is currently defined by poor quality 1960s architecture, which in my view, does not provide a public realm of particular visual or architectural merit. I also consider given the principle of development within existing Local Centres is not objected to there is an opportunity to seek a high quality development that improves the area for the existing residents in terms of design and amenities. I consider that an imaginative contemporary building as proposed would be more appropriate in this location and has the opportunity to improve the immediate streetscene and the visual appearance of the existing centre.
- 6.18 It is my opinion that the detailed plans illustrate that good legibility and character has been provided with clear points of entrance and egress from the development. The development would result in a strong contemporary elevation facing onto Mansfield Lane that would reflect the flat roof block type development that is demonstrated in the CORE building, and the library and in my view would represent an improvement to the existing 1960's elevations that are present. During the processing of the development discussions were held on the most appropriate materials to be used on the external elevations of the proposed new development. After discussing various solutions it was established that a brick finish that matches the gables of the existing units facing onto Crookdole Lane would be most appropriate. The development

would incorporate high quality materials and finishes that would add texture to the elevations, and whilst it would have a contemporary feel it would in part reflect the materials of the surrounding buildings.

- 6.19 In assessing the development on the localised streetscene and wider area I consider the scale, massing and materials would be in keeping with the existing properties that make up St Wilfrid's Square. Whilst I accept that the development would result in a prominent building this should be seen within the wider context of a Local Centre that serves a large village community. I also consider that the contemporary elevations proposed would improve the main elevation onto Mansfield Lane and would create a sense of place for the community which would allow access a wider range of facilities. It is accepted there would be a significant impact on the immediate vicinity, however, in my opinion the quality of the design would be an improvement to the existing street elevations of St Wilfrid's Square and would result in positive enhancements to the Local Centre which in turn would improve and enhance local distinctiveness.
- 6.20 In light of the above considerations, whilst I accept there would be an significant impact on the current streetscene by way of the loss of the open space and in visual terms its character would change; there is a significant socio-economic benefits that the proposal would realise and the immediate area would still be viewed as a Local Village Centre. It is my view the proposed contemporary elevations would add to the architectural mix in the area that are currently defined by Post War development which has little distinct architectural merit. I consider that the development would result in a well-designed mixed use unit that would bring economic development to an existing Local Centre. I consider that the negative impact of the loss of the open space needs to be balanced against the significant socio-economic benefits investment in the Local Centre would bring and merits of the contemporary design which would add to the architectural quality of the area.

## **7.0 Heritage Assets and Conservation Area**

- 7.1 The NPPF has a number of core principles at paragraph 17, one of which states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- 7.2 The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset; may affect the ability to appreciate that significance; or, may be neutral.
- 7.3 I note the comments received from Calverton Parish Council (paragraphs 3.11.3 above) and residents raising concerns on the impact of the development on the setting of the Conservation Area and on Designated Heritage Assets and the non-conformity with the Calverton Neighbourhood Plan, Policy BE5 – Heritage Assets. I also note the comments received from neighbouring residents.

- 7.4 Paragraph 3.9 above outlines the detailed comments received from the Conservation Officer. I would note that buildings of note close to the application site are the Baptist Chapel on The Nook which is locally listed and Oscar's bar and restaurant which is highlighted in the Calverton Conservation Area Character Appraisal as being prominent but does not have any statutory protection.
- 7.5 The closest Listed Building to the application site is Corner Cottage on The Avenue which is sited on the opposing side of Main Street to the rear of the existing buildings on St Wilfrid's Square some 180 metres to southeast of the proposed development and St Wilfrid's Church 142 metres to the southeast. It is my opinion that the proposed development would not adversely affect the setting of any Listed Buildings or Locally Listed Buildings given the significant distances to the assets. The proposed development, in my opinion, would not directly impact any important views or vistas leading to Listed Buildings or any Local Interest Buildings. It is my opinion that the impact of the development on the setting of any Locally Listed or Listed Buildings would be neutral and the socio-economic benefits that would arise from the proposal would outweigh any harm in this instance.
- 7.6 When considering the impact of the development on the Conservation Area of Calverton I have had specific regard to how the village has developed over time and to the Calverton Conservation Area Appraisal January 2007. Historically the village was a rural economy and it was only in 1952, with the Coal Board opening the Colliery, the village began to assume its present identity. Calverton's historic core is architecturally distinct from, and has been engulfed by, the substantial post-War development that houses the vast majority of residents to the north of Main Street and to the west of George's Lane. The key to Calverton's architectural and historic interest in this core lies with the knitters' cottages and farm buildings that sit along Main Street to the south, the majority of which are red brick and clay pantile construction. Although most of the farmland to the south of Main Street has been developed, the village's rural past is still evident through the remaining small groupings of farm houses and farm workers cottages which are often clustered around narrow historic trackways leading from Main Street out of the village to the south and away from the most recent post-War development of St Wilfrid's Square and the surrounding area.
- 7.7 Given the location of St Wilfrid's Square to the East of Mansfield Lane this ensures the public space of the Lane and private space of the car park at Oscar's provide a spatial buffer that would in my opinion reduce the physical and visual impact of a building in the location of the proposal on the nearby Conservation Area of Calverton. It is therefore my opinion that the presence of a building in this location would have a less than substantial harm on the Historic Core of Calverton or any important views or vistas to the Conservation Area. I therefore consider a building as proposed in this location would have a less than substantial harm on the setting of the Conservation Area. Whilst I note that St Wilfrid's Square at this location has always been an open space, this open space does not fall within the Conservation Area and is not designated as a protected public open space. Given the considerations within chapter 6 (Masterplan and Design) of this report I consider that the contemporary design as proposed would result in positive change to the

existing centre that has deteriorated over time and would not compound further the negative impact afforded by the current development at St Wilfrid's Square. In my opinion the redevelopment as proposed would secure other improvements to the existing square to uplift the dated 1960s architecture.

- 7.8 In accordance with the NPPF, given that it is my opinion that the harm to the settings of Heritage Assets could be commensurate as less than substantial, this impact needs to be weighed against the wider public benefits of the proposal. I consider that the significant weight to be given to; Calverton being identified as a Key Settlement for growth, no better alternative locations to provide main town centre uses other than existing Local Centres, and the significant socio-economic benefits to the local community, would outweigh the less than substantial harm to the heritage assets discussed above.

## **8.0 Transport, Connectivity and Highway Safety**

- 8.1 The application site is located on the corner of Crookdole Lane and Mansfield Lane with an existing bus layby and covered bus shelter facing Mansfield Lane. The existing rear car park has 35 off street car parking spaces. The proposal would incorporate the demolition of underused residential garage spaces to provide additional off street car parking to serve the development. The revised plans show that, within the applicant's ownership, the existing car parking to be 16. Further to the demolition of the garage blocks this provision would be increased to 25 spaces which would increase the overall provision of car parking serving St Wilfrid's Square to 44 (9 additional spaces).
- 8.2 Paragraph 32 of the NPPF requires that safe and suitable access to the site can be achieved and that any improvements to the transport network effectively limit the significant impacts of the development.
- 8.3 I note that significant concerns have been raised by residents making representation on this application, a Member of Parliament and Calverton Parish Council on the under provision of car parking, the visibility at the junction of Crookdole Lane, the relocation of the bus stop and the existing highway safety implications that would be exacerbated by the current proposal. I would also note that during the processing of this application revised plans were received increasing the total provision of off street car parking spaces by 9 spaces and retaining the location of the existing bus stop.
- 8.4 The Local Centre is currently served by 2 public car parking areas and the proposal would increase public car parking by 9 spaces. I note that following revisions to the plans that the Highway Authority have not raised any highway safety objections to the development and consider that there would be no highway safety implications with regards to the visibility at the junction of Crookdole Lane. Whilst I note that they have raised concerns over the ownership boundaries I consider that this would be a private legal matter between both land owners.
- 8.5 I note that the NPPF at paragraph 37 state that planning policy should aim for a balance of land uses so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities. Given the location within an existing Local Centre with good public transport

links there is no alternative, sequentially preferable location to provide main town centre uses within the village of Calverton. Concentrating the main town centre uses within the existing centre would in my view minimise journeys that residents of Calverton would need to take to access a variety of services and main town centre uses. I attach significant weight to the benefits of providing a wider range of facilities within an existing Local Centre which would result in a reduction in the requirement of journeys.

- 8.6 LPD50 supports the use of upper-floors of shops within Local Centres provided that it would not cause conflict with rear servicing, would not adversely impact on the amenity of nearby residents and appropriate car parking is provided. I note that the proposal would increase the public car parking provision by 9 spaces to serve the development and would incorporate 8 residential flats above the retail units. When referring to the Gedling Borough Council Parking Provision for Residential Developments SPD, outside of existing Local Centres the creation of 8 residential flats would result in an unallocated off street car parking provision of 7no spaces. However, I would also note that paragraph 4.5 of the SPD states that there are circumstances that require departure from this provision which includes residential uses above existing shops in shopping areas. Given that the residential units above the proposed shops would not generate an allocated car parking requirement, and that the Highway Authority have not objected to the servicing of the proposed commercial units using the existing car park to the east, I am satisfied that the proposal would not result in significant highway safety implications that would warrant the refusal of this application.
- 8.7 I note the comments from Calverton Parish Council with regards to the requirement to provide an additional 18 spaces to serve the commercial development when referring to the 6C's Highway Design Guide for new retail units. I also note that the development would provide an additional 9 car parking spaces. When referring to the 6C's Highway Design guide – Highway Requirement - Part 4 – Class A1: shops below 300sq metres require the provision of one car space per 50 square metres of retail floorspace up to 100 square metres. Additional spaces at the rate of one per 100sq metres. The development would result in an additional retail floor space of some 285 square metres that would result in a requirement of an additional 6 off street car parking spaces. Given that the proposed development provides 9 additional spaces this falls within the requirements of the 6C's Design Guide. I would also note that the development would result in 3 additional unallocated spaces over the 6 required which could serve the proposed residential units. I am satisfied that adequate off street car parking has been provided. It is noted that the development would also be located in an existing Local Centre which is served by existing public car parking.
- 8.8 Given the above considerations, whilst I accept that issues have been raised relating to the provision of car parking, I am satisfied that the proposed development incorporating an additional 9 car parking spaces would provide for residents and visitors to the site without causing any undue highway safety implications for other road users. For the reasons highlighted I consider the development to accord with the requirements of the 6C's Highways Design Guide, NPPF, GBACS, GBRLP, and the LPD.

## **9.0 The impact on neighbouring amenity**

- 9.1 Residential amenity considerations relevant to this proposal include the impact on existing residents in terms of overshadowing, overlooking or overbearing impact. Criterion b. of ENV1 of the GBRLP states that planning permission would be granted for development providing that it would not have a significant adverse effect on the amenity of occupiers of neighbouring properties or the locality in general. Criterion f) of Policy 10 of the GBACS relating to impact upon the amenity of nearby residents and occupiers is also relevant.
- 9.2 I note the representations received with regards to the potential for overshadowing, overlooking and overbearing from the proposed 3 storey mixed use development. In particular, concerns have been raised about the overshadowing and overbearing impact on the CORE building adjacent to the proposal, and also the outlook of properties on Crookdole Lane being adversely affected. The CCTV pole would also be restricted.
- 9.3 I note that the development would result in the creation of residential units on the first and second floor of the development and that there are existing residential units, in the ownership of the applicant, on the east side of St Wilfrid' Square. During Pre Application discussions concerns were raised with regards to the potential overlooking impacts from the balconies of the residential units on each side of the Square. To address these concerns metal mesh screens and angled balconies have been incorporated into the design to angle any direct views from the residential flats away from the private amenity of the existing residential units within the Square. I am satisfied that the proposed screens to the balcony would provide sufficient protection from any potential undue overlooking impact from the proposed development.
- 9.4 Given the orientation of the sun and that the open area created as a result of the development would be south facing, the Local Centre would still benefit from natural sunlight during key daylight hours. Should planning permission be forthcoming a condition is proposed requiring a detailed landscape plan to be submitted that would incorporate a detailed lighting scheme to serve the development and ensure that defensible space is created with adequate lighting to make people feel safe at night. I also note that the development would require the relocation of the CCTV camera, should planning permission be forthcoming, and in line with the comments received from the Public Protection Service a condition would be attached to any approval requiring the relocation of the CCTV camera to be agreed in writing with the Borough Council prior to any development taking place. This would need to be at the expense of the developer.
- 9.5 I note the comment received with regards to the adverse impact on the outlook of properties to the north of Crookdole Lane. Whilst I note that the properties are to the north, the proposed development would be sited some 20 metres from the front elevation of these properties and there is also the highway intersecting the space inbetween. Given the distances involved I do not consider there would be any undue overlooking or overshadowing impact from the proposed development on the amenity of these properties. I also

consider that the outlook from these properties would not be significantly adversely affected to warrant a refusal of this application.

- 9.6 The main impact on residential amenity is likely to be from the construction phase and it is accepted that there is likely to be some impact on residential amenity during this phase. The nearest buildings that could be affected are those fronting Crookdole Lane and the existing flats within St Wilfrid's Square. In my view the impacts of the construction activities could be managed through a Construction Environmental Management Plan (CEMP) which would ensure that working hours, traffic management, control of pollution, waste management, noise, dust and vibration are all managed and controlled to acceptable standards. The CEMP and the requirements it needs to cover would be secured through condition.
- 9.7 I am satisfied that the proposed development would not result in any material overbearing impact on neighbouring residential amenity due to the scale of the properties and their relationship with neighbouring dwellings, as well as the measures proposed to be covered within the CEMP (to be conditioned). It is therefore considered that the indicative details deposited with the application accord with the NPPF, Policy ENV1 of the RLP and Policy 10 of the GBACS.

## **10.0 Water resources, flood risk and drainage**

- 10.1 I note that the application site is Located within Flood Zone 1 and is therefore considered to have a low level risk of fluvial flooding. Given that the application site is not over 1 hectare and does not impact on an area at risk at flooding or existing water causes the Environment Agency were not a statutory consultee on this application.
- 10.2 Policy LPD4 – Surface Water Management requires all development proposals to include measures to pro-actively manage surface water including the use of appropriate surface treatments and Sustainable Drainage Systems in order to minimise the risk of flooding on the development site without increasing flood risk elsewhere.
- 10.3 Paragraph 100 of the NPPF states that: Local Plans should take into account climate change and use opportunities offered by new development to reduce the causes and impacts of flooding.
- 10.4 Paragraph 103 states: 'When determining applications, local planning authorities should ensure flood risk is not increased elsewhere'
- 10.5 I note the comments with regards to localised flooding in the area, and I also note that the Lead Local Flood Authority were consulted and responded with the requirement of drainage plans. Given the substantial nature of the development and the potential for increased surface water run-off as a result of the proposed development, I consider it appropriate, in line with the requirements of LPD4, to secure Surface Water Drainage plans by way of condition. In terms of foul drainage, Severn Trent Water have not made comments on this application, therefore there are assumed to be no issues



with connecting to foul drainage systems. The connection to foul drainage systems would however be a Building Regulations matter.

- 10.6 In my opinion, given the site is low risk of flooding and subject to acceptable surface water drainage plans being approved the development is acceptable in terms of water resources, flood risk and drainage.

#### **11.0 Community Infrastructure Levy**

- 11.1 The Community Infrastructure Levy Regulations 2010 are relevant to this application and the development would attract payments to provide funding or provision of items of infrastructure as identified on a list published pursuant to Regulation 123 of the Regulations.
- 11.2 The CIL charges are indexed annually, currently in Calverton the residential charge is £47.11 per sq m and the retail charge is £62.81 per sq m. With this in mind the proposed development would generate a liability as follows:-

Residential Floorspace = 552 sq m x £47.11 = £26,004.72

Retail Floorspace = 285 sq m x £62.81 = £17,900.85

**Total Liability = £43,905.57**

#### **12.0 Calverton Neighbourhood Plan**

- 12.1 I note the comments received from Calverton Parish Council and from residents making representation on the application regarding the proposed development being contrary to the policies contained within the Calverton Neighbourhood Plan.
- 12.2 NPPF para. 216 gives weight to emerging policies, relative to certain factors. The independent examiner released his report on the CNP on 11<sup>th</sup> September 2017. Given the advanced stage of preparation I would afford moderate weight to the Policies of the CNP:
- 12.3 I note that representation has been received with regards to Policy G2 (Developer Contributions) and G3 (Village Centre) and that the development would not result in improvements to the Square. I would also note that the proposal represents a significant investment into St Wilfrid's Square that, in my view, offers improvements by way of the wider range of facilities that would be accessible to the residents of Calverton. I also consider that the replacement of the existing canopies whilst incorporating matching canopies on the proposed development would help improve the existing facades and assimilate the development into the existing built form. I would also note that the development would result in the addition of 9 public use car parking spaces that is in line with the requirements of Policy G3. Whilst I note that the development would result in the loss of an existing open space, in light of the above and the considerations discussed in Chapter 6 (Masterplan and Design), I consider that the proposal would serve to improve the existing architecture and facilities at St Wilfrid's Square and would result in improvements by way of the greater choice that would be available. As such I

consider that the development can be considered to be compliant with the requirements of Policy G2 and G3 of the CNP.

- 12.4 I note the comments received with regards to the contribution the development would make towards the housing mix or the overall housing need in Calverton, however, I consider that even small scale schemes can contribute to housing provision and large scale schemes should not be considered in isolation to the small scale windfall sites that can be brought forward immediately.
- 12.5 I also note the comments received with regards to the impact of the development on the Conservation Area, on Highway Safety, the relocation of the bus stop, Local Distinctiveness and the Public Realm, and the developments non-conformity to policies: ISF1 Sustainable Transport; ISF2 Car Parking; ISF3 Highway Impact; BE2 Local Distinctiveness and Aesthetics; BE3 Public Realm; BE4 Parking Provision; BE5 Heritage Assets; and NE3 Flooding. However, given the considerations in Chapters 4 – 11 above I do not consider that the development would be contrary to the aims of the Policies contained within the Calverton Neighbourhood Plan and, in my opinion; the public benefits that would result from the scheme would outweigh the identified harm by way of the loss of existing open space.

### **13.0 Other Considerations**

- 13.1 I note the comments with regards to the overshadowing of the Dentist Surgery to the south of the proposed development. Whilst I accept that the side elevation of the proposal would be close to the upper floor dentist practice (3 metres) the window would be considered secondary in planning terms. The window is also within the north elevation of the premises and would not benefit from significant direct sunlight given the orientation of the sun and the location of the window. Whilst I accept that there could be a minor adverse impact on the outlook from the premises the dentist surgery is commercial and there are no policies protecting outlook. Given the considerations in Chapter 5 on the principle of the development this less than substantial impact needs to be weighed against the overall benefits of the scheme.
- 13.2 I note the comments with regards to the lack of health, police and education facilities serving Calverton. However, given the scale of this proposal it does not give rise for the requirement for s106 contributions as a result of the development.
- 13.3 I note the comments with regards to the high level of crime in Calverton and I am satisfied that the design of the proposal would not result in any additional indefensible space as the area created would have the natural surveillance of the residents of the proposed and existing flats on St Wilfrid's Square.
- 13.4 I note the comments from Economic Development and that the proposal would be above the threshold for an Employment and Skills Strategy to be developed and Implemented in accordance with the CITB and the National Skills Academy for Construction Client-Based Approach; Local Client Guidance for England. Given the size of the development below what is classed a Major development and no other s106 contributions are being

sought, should planning permission be forthcoming, I would attach a condition to any approval requiring an Employment and Skills Plan to be agreed prior to the development first commencing.

#### **14.0 Conclusion**

- 14.1 I consider that, on balance, and taking into account the socio-economic benefits that would be generated as a result of the proposal, it would constitute a sustainable form of development. In reaching this conclusion I have had regard to paragraph 98 of the NPPF which advises that when determining planning applications, local planning authorities should approve the application if impacts are, or can be made, acceptable. Given the considerations set out in chapters 5.0 – 12.0, above, I consider that it has been demonstrated that, on balance, the planning impacts have been addressed and have therefore been made acceptable, or that such impacts are outweighed by the benefits that result from the scheme.
- 14.2 In conclusion, the development is considered acceptable for the following reasons: -
- ☐ The principle of the mixed use development within an existing Local Centre is supported in policy;
  - ☐ The development would bring significant economic development to the area which has been identified as a key settlement for growth;
  - ☐ Residential amenity would not be significantly adversely affected;
  - ☐ There would be no significant adverse impact on the Calverton Conservation Area;
  - ☐ The scheme delivers community infrastructure including local shops that could bring new employment opportunities.

#### **15.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to the following conditions:**

##### **Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be completed strictly in accordance with the approved plans and application forms drawing no's: 7097 - Design and Access Statement; (Proposed Sections) 7097/08 Rev D; (Revised Proposed Floor Plans) 7097/06 Rev G; (Revised Proposed Elevations) 7097/07 Rev E; (Revised Proposed Block Plan) 7097/04 Rev G; and (Revised Site Location Plan) 7097/02 Rev B.
3. Before the development hereby permitted commences a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. Your attention is brought to the informative below

outlining detailed requirements of the surface water drainage scheme. The scheme shall subsequently be implemented strictly in accordance with the approved details before occupation and shall be retained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

4. Prior to the commencement of the development hereby permitted, precise details of all the materials to be used in the construction of the external surfaces of the development (including details of all new external doors/window frames and decorative details), shall be submitted to and approved by the Local Planning Authority in writing. Samples of the proposed external finishes shall be submitted for consideration and subsequent approval. The development shall thereafter be completed strictly in accordance with the approved details and materials.
5. Before development is first commenced full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be carried in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme of works that has been prior agreed in writing with the Local Planning Authority.
6. The hard and soft landscaping details to be submitted in relation to condition 5 above shall include the following; proposed finished levels or contours of the site; hard surfacing materials for car parking areas, pedestrianised areas and other vehicular and pedestrian access and circulation areas; minor artefacts and structures such as lighting, bollard style luminaries, street furniture; planting plans; written specifications; schedules of plants (noting species, plant sizes and proposed numbers/densities) and a schedule of landscape maintenance for a minimum period of five years from the date that the soft landscape works are completed.
7. No part of the development hereby permitted shall be brought into use until the proposed car parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 7097/04 Rev G. The parking areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking of cars.
8. Before development is commenced there shall be submitted to and approved in writing by the Local Planning Authority precise plans and details of the relocation of the CCTV Column and Camera on St Wilfrid's Square. The relocation shall be approved in agreement with Gedling Borough Council's Community Protection Manager.

9. Before development hereby approved is first commenced, precise details and elevation drawings of the proposed bin stores, as shown on drawing no: 7097/04 Rev G, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include samples of materials to be used on the external surfaces. The development shall be implemented in accordance with the written approval and retained as such for the lifetime of the development.
10. Before development is commenced there shall be submitted to and approved in writing by the Local Planning Authority details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement should be developed and implemented in accordance with the Construction Industry Training Board (CITB) and the National Skills Academy for Construction Client-Based Approach; Local Client Guidance England. Once approved the development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
11. The new Retail Units (A, B, C, and D), as indicated on the approved drawing 7097/04 Rev G, shall be used for strictly for Retail purposes within Use Class A1 (Retail) under the provisions of The Town and Country Planning (Use Classes) (England) Order 1987 (as amended) (or any Order amending, revoking or re-enacting that Order with or without modification) only. The units shall remain A1 (Retail) only for the life of the development unless otherwise approved in writing by the Local Planning Authority.
12. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved CEMP. The CEMP shall include but not necessarily be restricted to the following details; a) Details of the siting of all temporary contractors compounds and construction operatives car parking areas; b) The loading and unloading of arrangements for heavy plant and machinery; c) The location of, extent and duration of any temporary stockpiling areas; d) Measures to avoid nesting birds; e) A tree protection plan showing the siting of the protection measures around the individual trees to be retained; f) Wheel washing facilities/measures to prevent mud being deposited on the surrounding highway; g) A programme of implementation works for items (a) - (f) above
13. Before development hereby approved is first commenced precise details and elevation drawings of the proposed/replacement canopies as shown on drawing no: 7097/04 Rev G (Proposed Block Plan), shall be submitted to and approved in writing by the Local Planning Authority. The details should include samples of materials to be used on the external surfaces. Once approved the development shall be implemented strictly in accordance with the written approval and shall be implemented prior to the first use of any part of the retail / residential building hereby approved.

## **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 prevent the increased risk of flooding, to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
4. To protect the visual amenities of the locality and nearby residential occupiers and to ensure that the development would be constructed of materials, texture and design quality and comply with saved Policy ENV1 in the Replacement Gedling Borough Council Local Plan (2005) (certain policies Saved 2014).
5. To ensure that the details of the development are acceptable , in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure that the final form of the development complies with policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
8. To protect the amenities of the locality and nearby residents and comply with saved Policy ENV1 in the Replacement Gedling Borough Council Local Plan (2005) (certain policies Saved 2014).
9. To ensure that the details of the development are acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
11. To ensure a strong retail focus is protected within the existing Local Centre and in accordance with the requirements of the Gedling Borough Council Aligned Core Strategy Policy 6 and Local Planning Document LPD49.
12. To protect the amenities of the locality and nearby residential occupiers and comply with saved Policy ENV1 in the Replacement Gedling Borough Council Local Plan (2005) (certain policies Saved 2014).

13. To ensure that the details of the development are acceptable, in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

### **Reasons for Decision**

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), and the Local Planning Document 2017, where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

### **Notes to Applicant**

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to Qbar for the entire site;- include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site;- include an exceedance check using microdrainage software to simulate the drainage system for the 100year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards;- 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.

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 drawn 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 to decrease levels by incorporating mitigation measures into scheme design as standard. (see:

<http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/>). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made

to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

Your attention is brought to the requirements of Condition 8. The relocation shall be approved in agreement with Gedling Borough Council's Community Protection Manager and at the expense of the developer of the site.

Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

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).

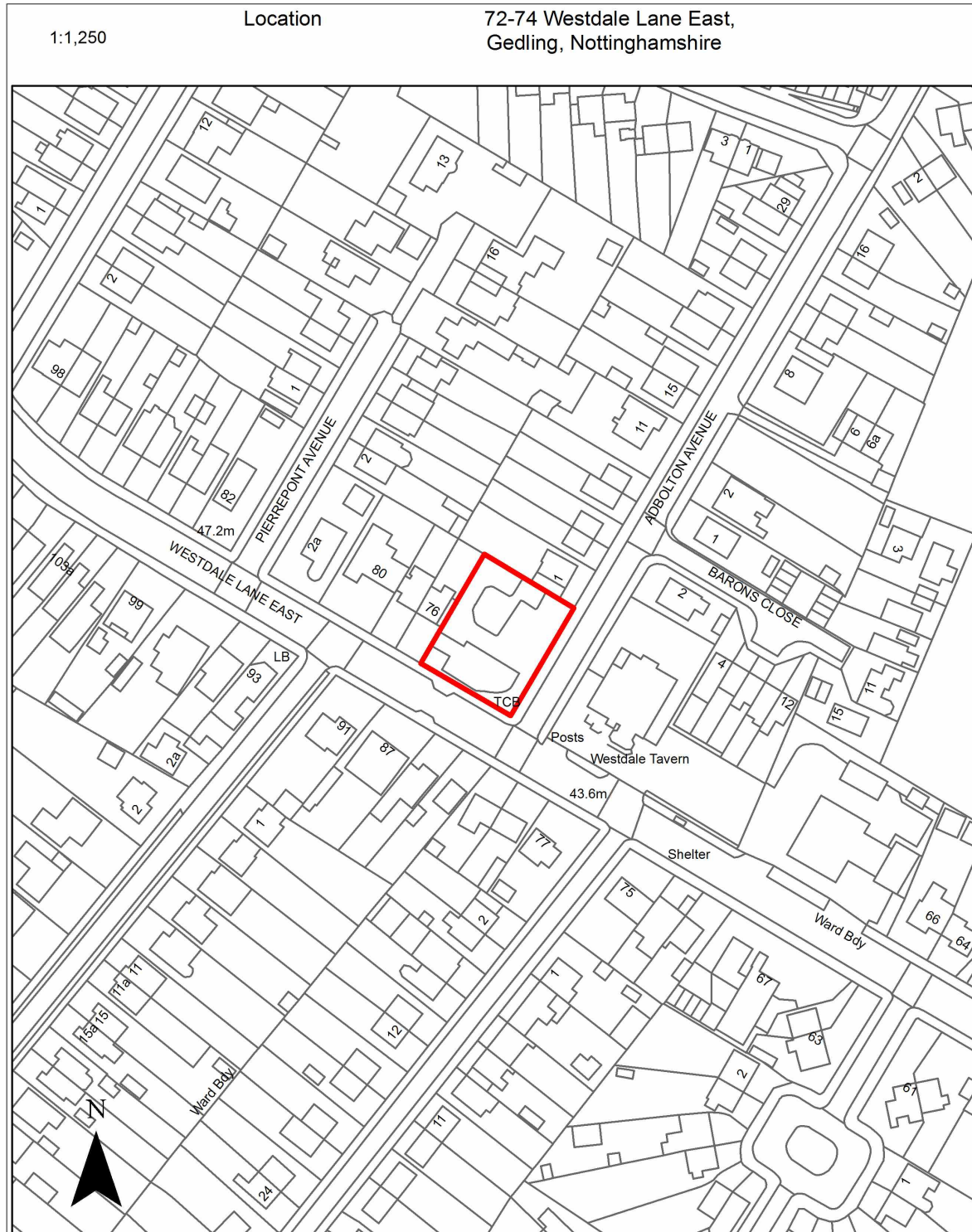
The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss issues raised, providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

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)





## Planning Report for 2017/0157



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. Licence No LA100021248.  
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Serving People Improving Lives

Date: 04/10/2017

## Report to Planning Committee

**Application Number:** 2017/0157

**Location:** 72 To 74 Westdale Lane East Gedling Nottinghamshire

**Proposal:** The erection of 10no 2 bedroom apartments

**Applicant:** Mahoney Estates Ltd.

**Agent:** Paul Gaughan Building Consultants Limited

**Case Officer:** Amy Cockayne

### 1.0 Site Description

- 1.1 The application site is located on the corner of Westdale Lane with Adbolton Avenue in the urban residential area of Gedling. The site was formerly an industrial building, which was demolished in approximately 2008. The site is currently fenced off with secure Heras style fencing and is not currently in use. The site is covered with hardstanding. The north-eastern boundary of the site adjoins 1 Adbolton Avenue and is delineated by a wall approximately 2.9m in height. The north-western boundary adjoins 76 Westdale Lane and the boundary is delineated by a wall and timber fencing between 2-3m in height. The south-east and south-west boundaries are delineated by a brick wall no greater than 1m height. There is existing vehicular access points from both Westdale Lane and Adbolton Avenue.
- 1.2 Levels on site rise towards to the north-east resulting in adjacent properties on Adbolton Avenue being at a higher ground level than that of the application site (no greater than 1m).
- 1.3 The Westdale Tavern pub (not currently trading) is situated opposite the site to the south-east. Residential properties in the locality are predominantly two storeys in nature, although there are bungalows fronting Adbolton Avenue to the north-east.

### 2.0 Relevant Planning History

- 2.1 Application reference 2006/0607 'Erect 15 one-bed apartments & associated works' was refused on 29<sup>th</sup> September 2006. An appeal against the decision was subsequently allowed and permission was granted.
- 2.2 Application reference 2010/0200 'Extend the time limit for implementation to Appn No 2006/0607' was granted Conditional Permission on 14<sup>th</sup> May 2010. This permission expired on 14<sup>th</sup> May 2013.

### **3.0 Proposed Development**

- 3.1 Full permission is sought for the erection of a building comprising 10no self-contained apartments. A revised scheme was submitted to the Borough Council on 25<sup>th</sup> May 2017 reducing the height of the proposed development. The scheme was again revised on 13<sup>th</sup> July 2017, reducing the number of apartments from twelve to ten. The proposed apartments would all comprise of two bedrooms, open plan living area (lounge, dining and kitchen) and separate bathroom.
- 3.2 The building itself is proposed to be an 'L' shaped block fronting both Westdale Lane and Adbolton Avenue. The building would be set back from the boundary with the highway at Westdale Lane by approximately 12.8m. The building would be set back approximately 5.8m from the boundary with the highway at Adbolton Avenue. The corner aspect of the building at the junction of Westdale Lane and Adbolton Avenue would be three storeys, reducing to two storeys at the north-east and south-west where the development would adjoin existing residential properties. The roof design would be hipped with gabled features to the front elevation facing Westdale Lane.
- 3.3 There would be 12 car parking spaces within the site; 7 spaces accessed from Westdale Lane and 5 with direct access to Adbolton Avenue.
- 3.4 An area of private amenity space for residents is proposed to the rear of the building measuring approximately 125m<sup>2</sup> in area. Bin storage and a cycle stores are proposed to the northern boundary of the site, adjacent to the amenity space.

### **4.0 Consultations**

- 4.1 Residents of neighbouring properties were notified via letter and a site notice posted near to the site for the original scheme in February 2017. 29 letters of representation objecting to the proposal were received, including 5 duplicate letters. Comments included;
- ☐ *Overbearing height*
  - ☐ *Highest building in the area*
  - ☐ *Existing on street parking problems in the locality and difficulty of vehicle manoeuvring*
  - ☐ *No car parking spaces on site for visitors*
  - ☐ *Access for emergency vehicles*
  - ☐ *Road safety – Adbolton Avenue junction is dangerous*
  - ☐ *Pedestrian safety*
  - ☐ *Layout of car parking spaces inadequate as there is insufficient on street parking*
  - ☐ *Overlooking/loss of privacy*
  - ☐ *Juliet balconies would have detrimental impact to neighbours*
  - ☐ *Overshadowing*
  - ☐ *Not in keeping with suburban residential area*

- ☐ *Three storeys would be out of scale*
- ☐ *Scheme is similar to previous application over 10 years ago which was not financially viable*
- ☐ *Town houses would be more viable*
- ☐ *Devaluation of property*
- ☐ *Position of bin store unsuitable - Amount of waste generated would cause smells and encourage vermin*
- ☐ *Lack of garden space proposed*
- ☐ *Increase in occupancy would result in more noise and more vehicles*
- ☐ *Main sewers on Westdale Lane cannot cope with heavy rain which would lead to local flooding*
- ☐ *The land is contaminated as it was previously used for industrial purposes*
- ☐ *Lack of disabled access to properties*
- ☐ *Intensive development, overdevelopment of site*
- ☐ *Would set precedent and result in terracing effect on Westdale Lane*
- ☐ *Lack of detail on plan for boiler flues and extraction units which would be intrusive*
- ☐ *Poor urban design, unimaginative*
- ☐ *Party wall and damage to property*
- ☐ *Poor landscaping proposed – external area dominated by parking*
- ☐ *Unknown redevelopment at Westdale Tavern*
- ☐ *Multiple schools in close proximity*
- ☐ *Advice in application that states “essentially resubmission of previous scheme” is misleading*

4.2 1 letter with supporting comments was received stating; would like to see the site developed as it is unsightly and brings the area down. Properties in this area are in demand.

4.3 Neighbours were re-consulted after a revised scheme was submitted in May 2017. A site notice was also posted near to the site. 14 letters of representation objecting to the development were received. Many comments reiterated those previously raised. New comments included;

- ☐ *Increase in parking and congestion*
- ☐ *Height is out of character with the area and is overbearing*
- ☐ *Overlooking to neighbouring properties*
- ☐ *Bin store would be located adjacent to shared boundaries with neighbouring properties*
- ☐ *Housing not needed in area with other sites being developed*
- ☐ *Saleability and value of house would decrease*
- ☐ *No more than 2 properties should be developed as address suggests*
- ☐ *The development would still be cramped*
- ☐ *Impact on highway from site access/egress to Westdale Lane and Adbolton Avenue*
- ☐ *Residential preferable to commercial development*
- ☐ *Reduction in height does not overcome parking concerns*

- 4.4 1 letter included supporting comments relating to residential development being preferable to commercial development at the site.
- 4.5 A second revised scheme was submitted to the Borough Council in July 2017. Neighbours were re-consulted. Eighteen letters of objection were received (5 duplicates). Comments at this stage restated previous reasons for objection, a summary of the comments relate to;
- ☐ *Parking provision would be inadequate to serve the development*
  - ☐ *Height is out of character with area and overbearing*
  - ☐ *Development would be overdevelopment of site*
  - ☐ *Out of character and scale*
  - ☐ *Loss of Privacy/Overlooking*
  - ☐ *Noise and disturbance from future residents of apartments*
- 4.6 Three letters of objection have been received from the elected ward member, stating;
- ☐ *Increase of on-street parking and congestion in locality*
  - ☐ *Over intensive development on site, cramped form of development with little imaginative use of the remaining space around building*
  - ☐ *Height would tower over neighbouring residential properties*
  - ☐ *Egress from site could cause poor visibility and obstruction of bus stop*
  - ☐ *Overlooking to neighbouring properties*
  - ☐ *Position of bin stores in close proximity to neighbouring properties (resulting in smells and noise)*
- 4.7 Member of Parliament –
- Forwarded a letter of objection from a constituent and neighbouring resident.
- 4.8 Nottinghamshire County Council (Highways Authority) –
- Raised no objections to the proposed ingress/egress arrangement and widened vehicular access, subject to conditions relating to; surfacing and provision of surface water run-off to parking/turning areas, delineation of parking bays, installation of dropped vehicular footways and reinstating redundant site accesses as footways.
- 4.9 Nottinghamshire County Council (Education) –
- Confirmed that no developer contributions in relation to education will be sought from the development.
- 4.10 Environment Agency –
- Advised there are no objections in principle, but recommends a condition relating to remediation strategy to deal with potential contamination risks be attached to any permission.

4.11 Community Infrastructure Levy Officer –

Advised the application site is within Residential Zone 1 which carries a zero charge for new development.

4.12 Severn Trent Water –

No comments have been received to date.

4.13 Nottinghamshire Police (Architectural Liaison Officer) –

No comments have been received to date.

4.14 Public Protection (Scientific Officer) –

Advised that as no desktop study/preliminary risk assessment has been submitted with the application, an appropriate condition should be attached to the decision if approved.

**5.0 Assessment of Planning Considerations**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless other material considerations indicate otherwise'.

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

**6.0 Development Plan Policies**

6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework

- ☐ *Part 6 – Delivering a wide choice of quality homes*
- ☐ *Part 7 – Requiring good design*

6.3 Gedling Borough Council Aligned Core Strategy 2014

- ☐ *Policy 8 – Housing Size, Mix and Choice*
- ☐ *Policy 10 – Design and Enhancing Local Identity*
- ☐ *Policy 19 – Developer Contributions*

6.4 Gedling Borough Council Replacement Local Plan (Saved Policies 2008)

- ☐ *ENV1 – Development Criteria*
- ☐ *ENV3 – Development on Contaminated Land*
- ☐ *H7 – Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes*
- ☐ *T10 – Highway Design and Parking Guidelines*

6.5 Most recently, the Local Planning Document Publication Draft (LPD) has been in preparation, published and subject to examination. Paragraph 216 of the NPPF sets out that from the day of publication, weight may be given to relevant policies in emerging plans depending on how advanced the Plan is and whether there are extant objections. At the present time, it is considered that the following LPD policies are relevant and may be given moderate weight as there are no unresolved objections:

- ☐ LPD 32: *Amenity (moderate weight)*
- ☐ LPD 35: *Safe, Accessible and Inclusive Development (limited weight)*
- ☐ LPD 37: *Housing Type, Size and Tenure (limited weight)*
- ☐ LPD 39: *Housing Development on Unallocated Sites (moderate weight)*
- ☐ LPD 57: *Parking Standards (limited weight)*
- ☐ LPD 61: *Highway Safety (moderate weight)*

6.6 The main planning considerations in the determination of this application are the principle of development, visual impact of the proposal on the character and appearance of the area, the impact upon the highway network and the impact on neighbouring residential properties.

## **7.0 Principle of Development**

7.1 Planning permission was allowed on appeal for a three storey apartment development in 2007. Permission was subsequently granted to extend the time limit of the permission in 2010.

7.2 The NPPF attaches great importance to sustainable development. It states: *“Development that is sustainable should go ahead without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision”* (NPPF – ministerial foreword). This is further confirmed in paragraph 14 which states that – *“at the heart of the NPPF is a presumption of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking”*. One of the core principles of the NPPF is to support and deliver economic growth to ensure that the housing, business and other development needs of an area are met.

7.3 The GBACS sets out a housing target of 7,250 dwellings in Gedling Borough between 2011 and 2028 and requires 4,025 homes located within and adjoining the Nottingham built up area. In order to meet this target the GBACS adopts a strategy of urban concentration with regeneration. This means the following hierarchy will be used to identify sites:

- ☐ Within or on the edge of the built up area of Nottingham
- ☐ Adjacent to the sub regional centre of Hucknall
- ☐ Key villages (Bestwood, Calverton, and Ravenshead)
- ☐ Other villages.

7.4 The proposal is located within the defined urban area (built-up area) of Gedling and, as such, accords with the strategy of urban concentration set out in ACS Policy 2.

- 7.5 When referring to the NPPF the definition of brownfield land is 'previously developed land that which is or was occupied by permanent structure, including the curtilage of the developed land and any associated infrastructure'.
- 7.6 Saved Policy H7 of the Replacement Local Plan advises that planning permission would be granted for residential development within the urban area provided:-
- a. It is a high standard of design and does not adversely affect the area by reason of its scale, bulk, form, layout or materials;
  - b. 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; and
  - c. It is not contrary to other policies contained in the Local Plan.
- 7.7 Whilst I am mindful that the principle of development for residential purposes has been established on this site through previous permissions, I am also satisfied that the proposed re-development of this site accords with the above Saved Policy H7 (subject to compliance with other policies). The site is currently unused, the previous industrial building having been demolished in 2008. Policy LPD 39 of the Local Planning Document for Gedling Borough echoes the above policy which also ensures that new housing development would not adversely affect the appearance of an area, result in undue impact to neighbouring residential properties and appropriate parking provision is made. This will be considered in more detail later in this report.
- 7.8 Policy 8 of the Aligned Core Strategy for Gedling Borough states that residential development should contribute to a mix of housing tenures, types and sizes to create sustainable, inclusive and mixed communities. I note that there a various types and styles of dwelling in the immediate locality and the creation of a further 10 apartments at this location would accord with the provisions of Policy 8 of the Aligned Core Strategy. This approach is echoed in the emerging Policy LPD 37.
- 7.9 Given the location of the development within the established urban residential area of Gedling and it former industrial use, and therefore brownfield land, there is no objection in principle to the redevelopment of the site for residential purposes. It is also my opinion that the development would be in a sustainable location delivering economic development that would provide a wider choice of homes to serve the local community. The development is therefore considered acceptable in principle.

## **8.0 Visual Impact**

- 8.1 The revised scheme submitted to the Borough Council in July 2017 reduced the height of the proposed development to the north-eastern and north-western elevations which are in close proximity to the two storey dwellings at 1 Adbolton Avenue and 76 Westdale Lane. The proposed development would be two storey at these aspects, with the development also incorporating a three storey aspect at its corner near to the junction of Adbolton Avenue with



Westdale Lane. The building has been designed to mirror the existing building line of the adjacent properties. This would create an aesthetically interesting design as demonstrated on the submitted drawing showing the proposed street-scene, which would respect the character and form of existing buildings in the area, resulting in a satisfactory development in the locality. Due to these considerations, I am of the opinion that the scheme would have an acceptable design in terms of scale, bulk, form and layout.

- 8.2 I consider that relevant conditions relating to details of materials to be used in external elevations, landscaping, surfacing and boundary treatments should be submitted for approval by the Borough Council before development commences on site. This would ensure a satisfactory development in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough which seeks to ensure developments are designed to create attractive and safe environments.

## **9.0 Highway Safety and Parking**

- 9.1 The Highway Authority has raised no objection in relation to the proposed development. There would be an in/out arrangement proposed from Westdale Lane which would ensure safe access and egress for both pedestrians and vehicle users from Westdale Lane. Five car parking spaces would be accessed from Adbolton Avenue.
- 9.2 Saved Policy ENV1 of the Replacement Local Plan states that development proposals should include adequate provisions for safe and convenient access and circulation of pedestrians and vehicles – particular attention shall be paid to the needs of cyclists and people with young children. I note that cycle stores have been included within the proposed scheme to encourage residents to use alternative modes of transport. Many comments have been received from neighbouring residents of the site with concerns in relation to the number of children and families walking to and from local schools past the site and the safety of the nearby junction and the manoeuvring of vehicles from the site, particularly onto Adbolton Avenue. No objections have however been raised by the Highway Authority.
- 9.3 Parking provision for the development would include allocated parking for the ten proposed apartments. Due to the reduction of the scheme for the originally proposed twelve apartments, there are now two unallocated spaces for use by the residents/visitors. Gedling Borough's Supplementary Planning Document: Parking Provision for Residential Development sets a requirement of 10 allocated spaces with 4 unallocated spaces for the proposed development. I consider the shortfall of 2no. car parking spaces to be acceptable due to the location of the site which is within walking distance of many shops and services and close to an existing, frequent bus service. It should also be noted that the Highways Authority has raised no objection to the parking provision. I therefore consider that in accordance with Saved Policy ENV1 and emerging LPD 61 of the Local Planning Document, the proposed development would not have an adverse impact on highway safety. I also consider that through the provision provided at the development, including the installation of a cycle store, the development would accord with the provisions of Policy 10 of the

Aligned Core Strategy which seeks to reflect the need to reduce the dominance of motor vehicles.

- 9.4 I consider that appropriate conditions should be attached to the permission to ensure a satisfactory development including; surfacing of parking and turning areas, installation of dropped vehicular footway crossings, making existing site accesses redundant and provision to prevent unregulated discharge of surface run-off water to be completed before development is brought into use.

#### **10.0 Impact upon Residential Amenity**

- 10.1 Emerging Policy LPD 32 of the Local Planning Document seeks to protect amenity of nearby residents and occupiers, with consideration of; overshadowing, overbearing, overlooking, noise, level of activity on site, traffic, visual amenity, pollution, impact on amenity space and impact on renewable energy generation.
- 10.2 Concerns have been raised relating the increased level on noise and traffic generated as a result of the development. Saved Policy ENV1 of the Replacement Local Plan states that planning permission will be granted for development provided it is in accordance with other Local Plan policies and the proposals meet relevant criteria including:- “it would not have a significant adverse effect on the amenities of adjoining occupiers or the locality in general, by reason of level of activities on site or the level of traffic generated.”
- 10.3 The site lies within an established residential area of Gedling. I am satisfied that the proposed development would not result in undue impact to neighbouring residential amenity by reason of increase of activity at the site and any impact is likely to be lower than if the site were to be redeveloped for employment purposes.
- 10.4 76 Westdale Lane and 1 Adbolton Avenue adjoin the boundaries of the site to the north-west and north-east respectively. It was considered that the original scheme had an overbearing impact which would result in detriment to the amenity of neighbours on Westdale Lane and Adbolton Avenue in particular. As such, discussions have taken place with the agent which has resulted in a reduction in the scale of the building to two storeys in close proximity to these dwellings to address this issue. The height of the building proposed has been designed to reflect those of the existing adjacent properties on Westdale Lane and Adbolton Avenue. This has been illustrated on a street-scene drawing submitted with the application. Furthermore, the building lines of the development also reflect the existing built form of adjacent dwellings. I am therefore of the opinion that there would be no undue overbearing or overshadowing impact to the detriment of residential amenity of neighbouring properties.
- 10.5 I consider there to be no undue overlooking impact to residential properties to the south of the application site as these properties are on the opposite side of Westdale Lane. The windows facilitating the apartments on the south-west and south-east elevations would overlook the public realm, specifically public highways. There are bathroom windows which would be obscurely glazed to the north-west and north-east side elevations facing the side elevations of 76

Westdale Lane and 1 Adbolton Avenue. A condition would be attached to the decision to ensure these windows are top-opening and obscure glazed, with no other windows to be created in these elevations without prior agreement with the Local Planning Authority. Windows to the rear elevation of the proposed development include Juliet balconies to the first floor apartments. This elevation would face the rear garden of 1 Adbolton Avenue with a separation distance of approximately 10m to the boundary. There is a wall to approximately 3m in height to this boundary which would help to screen the private amenity space of this existing property. A similar relationship would exist between the west facing rear elevation with 76 Westdale Lane. There is a distance of approximately 12m separating this elevation with the shared boundary. These distances are similar to those of the previously approved scheme and I consider that these distances are sufficient to form an acceptable relationship between the dwellings which would not result in any undue overlooking impact to the detriment of residents' privacy and amenity.

## **11.0 Other Matters**

- 11.1 Concerns have been raised by local residents regarding the proposed position shown on the submitted plans for the Bin Store to the rear of the site. Although the bin store would be near to shared boundaries with other residential properties, there is an existing wall to a height of approximately 3m delineating the boundary and I consider that this would help to screen the store. If issues arise as a result of the positioning of waste storage, this would be covered by other legislation.
- 11.2 Public Protection (Scientific Officer) and the Environment Agency were also notified of the application. It has been advised that appropriate conditions be attached to the decision to ensure potential contamination risks are addressed before any development commences on site. This would ensure the development accords with the provisions of Saved Policy ENV3 of the Replacement Local Plan.

## **12.0 Conclusion**

- 12.1 In conclusion, the development is considered acceptable for the following reasons:
- ☐ The principle of residential development is supported in policy.
  - ☐ The development would deliver local housing need, contributing significantly to Gedling's requirement to deliver 7,250 homes by 2028.
  - ☐ The development is located on brownfield land, avoiding / lessening the need for green belt release in order to deliver the Borough's housing needs, and forms a natural urban extension to Nottingham's urban boundary.
  - ☐ Residential amenity would not be significantly adversely affected
- 12.2 For the reasons set out above, the proposed development accords with Saved Policies ENV1 and H7 of the Gedling Borough Replacement Plan as well as the Parts 6 and 7 of the NPPF and Policies 8 and 10 of the Aligned Core Strategy. The development is also considered to accord with emerging

policies of the Local Planning Document Public Draft. It is therefore recommended that planning permission is granted subject to conditions

**13.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to conditions**

**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 received by the Local Planning Authority on 13th July 2017: 'Proposed Site Layout' Drawing No. MT/MH/016/037/04 Revision A, 'Proposed Floor Layouts and Elevations' MT/MH/016/037/03 Revision C and MT/MH/016/037/03 Revision B, as well as the Site Location Plan received on 3rd February 2017. The development shall thereafter be undertaken in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.
3. Before development commences, samples of all materials to be used in external elevations of the development shall be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials unless otherwise agreed with the Local Planning Authority.
4. Before development commences, details of the means of enclosure of the site shall be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.
5. Before the development is commenced there shall be submitted to and approved in writing by the Local Planning Authority details of the means of surfacing of the unbuilt portions of the site. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.
6. Before development commences, details of a landscape plan showing the position, type and planting size of all trees and shrubs proposed to be planted shall be first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority.

7. No part of the development hereby permitted shall be brought into use until the parking/turning areas are provided and surfaced in a bound material with the parking bays clearly delineated in accordance with plan ref: MT/MH/016/037/04 Revision A. The parking/turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning of vehicles.
8. No part of the development hereby permitted shall be brought into use until dropped vehicular footway crossings are available for the parking spaces accessed from Adbolton Avenue and for the accesses for the car parking area on Westdale Lane in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
9. No part of the development hereby permitted shall be brought into use until the existing site accesses that has been made redundant as a consequence of this consent are permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
10. No part of the development hereby permitted shall be brought into use until the access driveway/parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) 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.
11. Prior to the commencement of the development hereby approved, excluding the demolition of the existing buildings, a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site.
12. In the event that remediation is required to render the development suitable for use, a written remediation scheme and timetable of works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details. Prior to the development being first occupied, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.

13. 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 11 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.
14. Unless otherwise agreed by the Local Planning Authority, development shall not commence until a Dust Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan should be produced and carried out in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance).
15. Before the hereby approved development is first brought into use, details of the management arrangements for the maintenance of all areas of outdoor open space, including car parking areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved management arrangements shall remain in situ for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
16. The bathroom windows in the north-eastern and north-western elevations of the hereby approved development shall be so designed as to be top-opening only and glazed with obscure glass to a minimum of Pilkington Level 4 and thereafter be retained as such throughout the lifetime of the development. No further windows or openings shall be formed in any elevations unless otherwise agreed in writing by the Local Planning Authority.

## **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to 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 ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
5. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).

6. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
7. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
8. In the interests of Highway safety.
9. In the interests of Highway safety.
10. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
11. 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). Also to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.
12. 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). Also to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.
13. 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). Also to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.
14. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
15. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
16. To preserve the amenity and privacy of adjoining properties and to ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).

## Notes to Applicant

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

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

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

The 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 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)

The applicants attention is drawn 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 we might help decrease levels by incorporating mitigation measures into scheme design as standard. (See <http://www.gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/> )We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point per dwelling; to allow future residents to charge electric/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.





## Planning Report for 2017/0822



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. Licence No LA100021248.  
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Serving People Improving Lives

Date: 06/10/2017

## **Report to Planning Committee**

**Application Number:** 2017/0822

**Location:** Land Adjacent To 8A Orchard Rise Lambley NG4 4PU

**Proposal:** Remove steps and form ramp to public footpath adjacent to 8a Orchard Rise, Lambley

**Applicant:** Mr Roland Spencer

**Agent:** 19-10 Consulting Ltd

**Case Officer:** Lewis Widdowson

**This application has been referred to the Planning Committee as the applicant is an Honorary Alderman of Gedling Borough Council.**

### **1.0 Site Description**

- 1.1 The application site comprises part of a public footpath which forms a route between Orchard Rise and Church Street via Holy Trinity Church, which is a Grade I Listed Building. The footpath is located within and on the edge of the Lambley Conservation Area and is enclosed by a conifer hedge on one side and by a brick wall and fence on the other. The footpath measures approximately 1.5m in width and 90m in length. The entrance to the footpath from Orchard Rise is positioned between No. 8a and No.10. This entrance currently falls steeply from Orchard Rise to level off at 7.6m along the footpath which comprises of a tarmac surface. Access down the incline is via a set of steps at one side (with handrail) and a sloping tarmac surface to the other side.

### **2.0 Relevant Planning History**

- 2.1 There is no relevant planning history.

### **3.0 Proposed Development**

- 3.1 This application seeks planning permission to remove the set of steps and construct a new ramp (with tarmac surface) graded in and retained on one side by railway sleepers to provide an edging. The ramp would measure 7.6m in length and would include a handrail.
- 3.2 The development would be undertaken at the entrance to the footpath from Orchard Rise and the works would be located directly adjacent to No. 8a.

#### **4.0 Consultations**

##### **4.1 Lambley Parish Council –**

No objections were raised in relation to the proposal.

##### **4.2 Nottinghamshire County Council (Highways Authority) –**

No objection. The Highways Authority has verbally confirmed that the footpath is not adopted.

##### **4.3 Nottinghamshire County Council (Rights of Way Officer) –**

Supports the application. The availability of the footpath is not to be obstructed in any way by the development. This has been drawn to the attention of the applicant.

##### **4.4 Conservation Officer –**

No objection. The proposal would have a neutral impact upon the Lambley Conservation Area and as such complies with relevant local and national planning policy criteria. The handrail should be metal and painted black.

##### **4.5 Neighbouring Properties were notified, and a site notice/press notice posted. One letter of representation was received;**

- Supports the improvements but would like to see a handrail installed to aid users.

#### **5.0 Assessment of Planning Considerations**

##### **5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that; ‘if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless other material considerations indicate otherwise’.**

##### **5.2 Relevant Development Plan Policies**

##### **5.3 National Planning Policy Framework (2012)**

Part 7 – Requiring good design

Paragraph 56 of the NPPF 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”*.

##### **5.4 Gedling Borough Council Aligned Core Strategy 2014:**

Policy 10 – Design and Enhancing Local Identity states that development will be assessed in terms of its *“structure, texture and grain including street patterns, plot sizes, orientation and positioning of buildings and the layout of space”*.

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

ENV1 – Development Criteria states that development would be *“of a high standard of design which has regard to the appearance of the area and does*

*not adversely affect the area by reason of its scale, bulk, form, layout or materials”*

ENV15 – Development in Conservation Areas. Requires the siting and design of proposals to respect the character and appearance of the conservation area. The policy also requires development to have regard to materials and the scale, design and proportions of proposals.

T12 – Public Rights of Way. States that “Planning permission will not be granted for development affecting any existing or proposed public right of way unless the proposals included either the maintenance or diversion of the public right of way as a route no less attractive, safe and convenient for public use,”

5.6 Emerging Local Planning Document (LPD)

Paragraph 216 of the NPPF sets out that from the day of publication, weight may be given to relevant policies in emerging plans depending on how advanced the Plan is and whether there are extant objections. At the present time, it is considered that the following LPD policy is relevant and may be given moderate weight as there are no unresolved objections:

LPD 32: Amenity (moderate weight) states *“Planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures”*.

LPD 35: Safe, Accessible and Inclusive Development ii) states *“Planning permission will be granted for development proposals provided:*

a) *The proposal provides streets and spaces that:*

ii) *provide direct, clear, safe and attractive links to existing routes, local and wider services, amenities and facilities including public transport.”*

5.7 The main planning considerations in the determination of this application are the design and appearance of the ramp and the impact on the right of way.

6.0 Design and Appearance

6.1 The proposal would remove the set of steps and construct a new ramp (with tarmac surface) graded in and retained on one side by railway sleepers to provide an edging. The materials proposed to be used in the construction of the ramp would be in keeping with the appearance of the existing footpath and the adjacent highway. As detailed above, the Council’s Conservation Officer has been consulted and is of the opinion that the proposal will have a neutral impact on the Lambley Conservation Area and therefore raises no objection. The Conservation Officer does however recommend that the proposed handrail is constructed from metal and painted black. This may be controlled by way of a planning condition; and is proposed.

7.0 Impact on the Public Right of Way

7.1 The proposed ramp would improve the accessibility of the existing public right of way for all users and therefore promote the use of the footpath. Nottinghamshire County Council (Rights of Way Officer) has been consulted and has raised no objection to the proposed works.

8.0 Conclusion

8.1 The design and appearance of the ramp is acceptable and it would promote further public use of the footpath. The proposed development is therefore considered to be in full conformity with Policies 32 and 35 in the Local Planning Document, Saved Policies ENV1, ENV15 and T12 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy and the

aims set out within the National Planning Policy Framework. It is therefore recommended that planning permission is granted.

**Recommendation Grant Planning Permission subject to the following conditions: -**

**Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details and drawings submitted on the 03rd July 2017, Drawing 1770-01, amended drawings submitted on the 06th September 2017, Drawing 1770-03-A and Drawing 1770-04, and the revised redline site location plan submitted on 05<sup>th</sup> October 2017, Drawing 1770-02-A. The development shall thereafter be undertaken in accordance with these plans, unless otherwise agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the details shown on Drawing No. 1770-4, the hereby approved handrail shall be painted black and constructed from metal, unless otherwise agreed in writing by the Local Planning Authority.

**Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the terms of this permission.
- 3 In the interest of visual amenity and in accordance with Policy ENV15 of the Gedling Borough Replacement Plan.

**Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable and would improve public access. The proposed development therefore accords with Policies 32 and 35 in the Local Planning Document, Saved Policies ENV1, ENV15 and T12 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy and the aims set out within the National Planning Policy Framework. It is therefore recommended that planning permission is granted.

**Notes to Applicant**

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. Negotiations 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. Amendments have been made to the proposal, addressing the identified

adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The applicant is advised that all planning permissions granted on or 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 there is no net additional increase of floorspace as a result of the development.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](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).

Date Recommended: 13th September 2017



## Report to Planning Committee

<b>Application Number:</b>	2017/0092
<b>Appeal Reference:</b>	APP/N3020/W/17/3175435
<b>Location:</b>	Rose Cottage, Goosedale Lane, Bestwood.
<b>Proposal:</b>	Retain extension to rear of garage for workshop.
<b>Case Officer:</b>	Deirbhile Blair

Planning permission was refused by the Borough Council on the 24<sup>th</sup> March 2017 on the following grounds:

1. In the opinion of the Borough Council the extensions and alterations to the existing garage/workshop represent a disproportionate addition over and above the size of the original building. In this instance it is the opinion of the Borough Council that the cumulative increase in development on the site has an adverse impact on the openness of the Green Belt by virtue of its size scale, location, and inappropriateness. This is contrary to paragraph 89 of the NPPF as it is the Borough Council's view that by nature of its size and scale and location the development would be inappropriate development in the Green Belt. The proposal would, therefore, not be in accordance with Policies ENV1 and ENV28 of the Gedling Borough Replacement Plan (certain policies saved 2014), Policy 10 of the Gedling Borough Aligned Core Strategy and the National Planning Policy Framework.

An appeal against this decision was subsequently lodged with the Planning Inspectorate.

This appeal has been **allowed**. The Inspector concluded that the proposal is not inappropriate development in the Green Belt and no other harm has been identified. There is no conflict with the specific policies of the Framework that are relevant to the proposal and the conflict with Saved Policy ENV28 of the RLP is outweighed as it is not consistent with the Framework. Consequently, permission should, therefore, be granted in accordance with the Framework given that I have not identified any adverse impacts.

### Recommendation:

To note the information.

This page is intentionally left blank



## **ACTION SHEET PLANNING DELEGATION PANEL 25th August 2017**

2017/0753

44 Chartwell Grove Mapperley NG3 5RD

Proposed first floor extension over existing garage incorporating two bedrooms. New detached double garage. Proposed Orangery to rear of property and new two storey extension to side of property.

**Application withdrawn from agenda.**

2017/0805

114 Spring Lane Lambley NG4 4PG

Proposed new dwelling.

**Application withdrawn from agenda.**

2017/0844

43 Cromwell Crescent Lambley NG4 4PJ

Two Storey Side Extension. Single Storey rear and front extension. Loft conversion with dormers and raised ridge height. Outbuilding to the rear and front.

**Application withdrawn from agenda.**

2017/0871

1 Glen Road Burton Joyce Nottinghamshire

Demolition of porch and outbuilding. Erection of extension to dwelling.

**Application withdrawn from agenda.**

2017/0874TPO

Homestead 153 Main Street Woodborough

Removal of 2No. trees protected by a Tree Preservation Order (TPO-G0219)

Insufficient information has been submitted by the applicant to justify the felling of the protected trees.

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

Decision to be issued following completion of paperwork.

Parish to be notified

SS

**Mike Avery**

**Service Manager – Development Services**

**25th August 2017**

This page is intentionally left blank

## **ACTION SHEET PLANNING DELEGATION PANEL 1st September 2017**

2017/0819

329 Mansfield Road Redhill Nottinghamshire

Variation of Condition 2 attached to planning application No. 2009/0024 to enable use of building by playschool group for up to 18 children.

The proposed development would have no undue impact on the application site or on the amenity of neighbouring residential properties.

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

Decision to be issued following completion of paperwork.

2017/0810

63 Breck Hill Road Woodthorpe NG5 4GQ

Retention of raised swimming pool and associated works- retrospective works

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

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

Decision to be issued following completion of paperwork.

2017/0853

40 Grange Road Woodthorpe NG5 4FW

Single storey side extension to form store and utility and two storey rear extension to form kitchen and living room with two bedrooms above and front canopy over entrance

The proposed development would have no undue impact on the streetscene or on the amenity of adjoining residential properties.

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

Decision to be issued following completion of paperwork

2017/0888

99 High Main Drive Bestwood Nottinghamshire

Erection of a single storey porch to the front of the property.

The proposed development would result in an incongruous feature within a uniform streetscene to the detriment of the surrounding area.

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

Decision to be issued following completion of paperwork.

2017/0892

282 Longdale Lane Ravenshead NG15 9AH

Demolition of existing garage and construction of an extension to the main dwelling to provide an integrated double garage with a bedroom and shower room above

The proposed development would result in a disproportionate addition to original dwellinghouse contrary to Green Belt policy. No very special circumstances have been demonstrated that outweigh the harm or any other harm by way of the developments inappropriateness.

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

Decision to be issued following completion of paperwork

2017/0906

284 Longdale Lane Ravenshead Nottinghamshire

Erection of a single storey side extension

The proposed development would result in disproportionate additions over the original floor area of the dwelling within a Green Belt location. Very special circumstances have been demonstrated by the applicant to account for the minimal additional floor area which outweighs the harm to the Green Belt and any other harm.

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

Decision to be issued following completion of paperwork.

**David Gray - 1st September 2017**

## **ACTION SHEET PLANNING DELEGATION PANEL - 8th September 2017**

2017/0487

164 Porchester Road Carlton Nottinghamshire

Change of use of ground floor shop (A1) to residential (C3). External alterations including rear extension.

The proposed development would have no undue impact on highway safety or the character of the area.

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

Decision to be issued following completion of paperwork.

2017/0690

Sunrise Farm, Spring Lane Lambley

Clearance and redevelopment of Sunrise Farm for a replacement dwelling and 3 no. additional dwellings with associated works.

The proposed development would have no undue impact on the openness of the Green Belt or the character of the surrounding area.

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

Decision to be issued following completion of paperwork.

2017/0826

The School House 323 Gedling Road Arnold

Erection of detached house with garage

The proposed development would have an undue impact on the character of the area by virtue of its height, width, appearance, plot size and juxtaposition to its surroundings.

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

Decision to be issued following completion of paperwork.

2017/0856  
51 Lambley Lane Burton Joyce NG14 5BG  
Proposed ground floor extension and new roof

The proposed development would have no undue impact on the amenity of neighbouring residential properties or the character and appearance of the dwelling.

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

Decision to be issued following completion of paperwork.

2017/0868  
143 Hilton Road Mapperley NG3 6AR  
Single storey rear extension.

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

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

Decision to be issued following completion of paperwork.

2017/0869  
57 Whitby Crescent Woodthorpe NG5 4NA  
Proposed Single Storey Rear Extension & First Floor Rear Extension.

The proposed development would have no undue impact on the amenity of neighbouring residential properties or the character and appearance of the dwelling.

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

Decision to be issued following completion of paperwork.

2017/0900  
5 Celia Drive Carlton NG4 1FQ  
Outline consent for proposed two bedroom bungalow

The proposed development would have no undue impact on highway safety, or to the character and appearance of the area.

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

Decision to be issued following completion of paperwork.

2017/0964

4 Pendine Close Redhill NG5 8NS

Erection of first floor extension and erection of detached two storey building to form double garage with office and playroom above

The proposed development would have an undue impact on the amenities of neighbouring properties due to its size, height, scale, appearance and location adjacent to the boundary.

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

Decision to be issued following completion of paperwork.

**David Gray - 8th September 2017**

This page is intentionally left blank



## **ACTION SHEET PLANNING DELEGATION PANEL 15th September 2017**

2017/0670

29 Arno Vale Road Woodthorpe Nottinghamshire

2 storey side extension and single storey rear extension, detached garage front extensions and new side drive entry at front of house.

The proposed development is in keeping with character and appearance of the host dwelling and would not have an adverse impact on highway safety.

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

Decision to be issued following completion of paperwork.

2017/0730

243 Mansfield Road Arnold NG5 8LS

Erection of single dwelling

**Item withdrawn from the agenda**

2017/0808

32 Carnarvon Grove Gedling NG4 3HF

Demolish existing garage and boundary wall and construct 2No 3 bedroom semi-detached dwellings with off street parking

The proposed development would not have an undue impact on the street scene or the residential amenity currently enjoyed by the occupiers of surrounding properties.

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

Decision to be issued following completion of paperwork.

2017/0822

Land Adjacent To 8A Orchard Rise Lambley NG4 4PU

Remove steps and form ramp to public footpath adjacent to 8a Orchard Rise, Lambley

**Item withdrawn from the agenda**

2017/0848

5 Brusty Place Burton Joyce NG14 5BY

Two storey side extension, single storey front and rear extensions

The proposed development would not have an undue impact on the street scene or the residential amenity currently enjoyed by the occupiers of neighbouring properties.

Parish to be notified

**SS**

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

Decision to be issued following completion of paperwork.

2017/0850

Par Communications Mile End Road Colwick

Demolition of existing single storey flat roof block and replacement with pitched roof block including extension. Alterations to boundary fencing and external surfacing in association with demolition and extension works.

The design and appearance of the development is appropriate within the commercial context of the site.

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

Decision to be issued following completion of paperwork.

2017/0867

114 Spring Lane Lambley NG4 4PG

Proposed dwelling.

The design, appearance and access arrangements are acceptable.

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

Decision to be issued following completion of paperwork.

2017/0910

30 Chedington Avenue Mapperley NG3 5SG

Single storey ground floor front extension and first floor front extension.

**Item withdrawn from the agenda**

2017/0944

9 Avondale Road Carlton NG4 1AE

Two storey side extension and single storey at rear.

**Item withdrawn from the agenda**

Mike Avery

Service Manager – Development Services

**15th September 2017**

## **ACTION SHEET PLANNING DELEGATION PANEL 22nd September 2017**

2015/0709

Linby House Linby Lane Linby

Retention of small welfare facility and Secure Store. Retention of relocated Refuse Store

The proposed development would have no undue impact on the amenities of existing residents or on the character and appearance of the Conservation Area.

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

Decision to be issued following completion of paperwork.

2017/0531

Land South Of Goosedale Lane Bestwood

Change of use from agricultural to dwelling and associated land to residential curtilage, including access drive

The proposed development would have no undue impact on the openness of the Green Belt. Very Special Circumstances have been demonstrated that outweigh any harm by the way of the developments inappropriateness or any other harm.

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

Decision to be issued following completion of paperwork.

2017/0721

Silverland Farm 131 Main Road Ravenshead

Proposed Barn Conversion and Associated Alterations/Extensions (including demolition of Cow Shed) to form Dwelling.

**Withdrawn from the agenda**

2017/0753

44 Chartwell Grove Mapperley NG3 5RD

Proposed first floor extension over existing garage incorporating two bedrooms. New detached double garage. Proposed Orangery to rear of property and new two storey extension to side of property.

The proposed development would have no undue impact on the design appearance of the existing dwelling or on the amenities of nearby residential properties.

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

Decision to be issued following completion of paperwork.

2017/0910

30 Chedington Avenue Mapperley NG3 5SG

Single storey ground floor front extension and first floor front extension.

**Withdrawn from Agenda**

2017/0915

120A Standhill Road Carlton Nottinghamshire

Change of use from (C3) Dwellinghouse to (Sui Generis) House of Multiple Occupation for 7 people

The proposed development would have no undue impact on the amenities of nearby residential properties or on highway safety.

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

Decision to be issued following completion of paperwork.

2017/0954

5 Summercourt Drive Ravenshead Nottinghamshire

2No two storey side extensions, single storey front extension and boundary wall to side and rear.

The proposed development would have no undue impact on the amenities of nearby residential properties or on the character and appearance of the existing streetscene.

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

Decision to be issued following completion of paperwork.

2017/0942

4 Adbolton Avenue Gedling Nottinghamshire

Construct a pair of semi detached 4 bedroom dwellings with off road parking.

**Withdrawn from Agenda**

2017/0984

10 Ruffles Avenue Arnold NG5 6PA

REPLACE EXISTING TRUSS ROOF WITH ATTIC TRUSS ROOF TO ENABLE FIRST  
FLOOR EXTENSION

**Withdrawn from agenda**

**David Gray - 22nd September 2017**

This page is intentionally left blank

## **ACTION SHEET PLANNING DELEGATION PANEL 29th September 2017**

2017/0896

90 Sheepwalk Lane Ravenshead NG15 9FB

Erection of modern detached dwellinghouse and associated works within front garden of 90 Sheepwalk Lane

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

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

Decision to be issued following completion of paperwork.

2017/0899

Land To The Front 86 Sheepwalk Lane Ravenshead

Erection of modern detached two storied dwellinghouse and associated works within front garden of 86 Sheepwalk Lane

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

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

Decision to be issued following completion of paperwork.

2017/0943

Longdale Service Station Kighill Lane Ravenshead

Erection of new raised forecourt canopy with minimum clearance of 4.3m and alterations to existing pump islands with replacement four square layout

The proposed development would have no undue impact on the character of the area.

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

Decision to be issued following completion of paperwork.

2017/0984

10 Ruffles Avenue Arnold NG5 6PA

Replace existing truss roof with attic truss roof to enable first floor extension.

**Withdrawn from Agenda**

**David Gray - 29th September 2017**



## **ACTION SHEET PLANNING DELEGATION PANEL 6th October 2017**

2017/0627

Longdale Plantations Longdale Lane Ravenshead

Change of use and conversion of existing machinery and log storage building to two holiday lets.

The proposed development would be contrary to Green Belt Policies contained in the NPPF (2012), the Gedling Borough Replacement Local Plan (2005) and the emerging Local Planning Document.

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

Decision to be issued following completion of paperwork. Parish to be notified SS

2017/0942

Land At 4 Adbolton Avenue Gedling

Construct a pair of semi detached 4 bedroom dwellings with off road parking.

**Application withdrawn from the agenda.**

Decision to be issued following completion of paperwork.

2017/0979

35 Marshall Road Mapperley NG3 6HS

Erection of bungalow on land adjoining 35 Marshall Road - resubmission 2016/0968

The principle of residential development has previously been established. The proposed development would be in keeping with the mixed character of the area.

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

Decision to be issued following completion of paperwork.

**Mike Avery**

Service Manager – Development Services

6th October 2017

This page is intentionally left blank



## Report to Planning Committee

**Subject:** Future Planning Applications

**Date:** 18/10/2017

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 Management.

<b><u>App No</u></b>	<b><u>Address</u></b>	<b><u>Proposal</u></b>	<b><u>Possible Date</u></b>
2016/0913	Calverton Colliery	Change of use, for use by radio controlled aircraft	22/11/17
2017/0800	Teal Close	Proposed 204 dwellings	22/11/17

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.

This page is intentionally left blank