



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

Agenda

Planning Committee

Date: **Wednesday 13 June 2018**

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 Paul Wilkinson

Councillor Michael Adams
Councillor Peter Barnes
Councillor Chris Barnfather
Councillor Alan Bexon
Councillor Kevin Doyle
Councillor David Ellis
Councillor Meredith Lawrence
Councillor Barbara Miller
Councillor Marje Paling
Councillor Colin Powell
Councillor Alex Scroggie
Councillor Jane Walker
Councillor Henry Wheeler

AGENDA

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1. **Apologies for Absence and Substitutions.**
2. **To approve, as a correct record, the minutes of the meeting held on 16 May 2018.** 5 - 14
Planning Committee Protocol.
3. **Declaration of Interests**
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MINUTES PLANNING COMMITTEE

Wednesday 16 May 2018

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller Councillor Meredith Lawrence
 Councillor Michael Adams Councillor Marje Paling
 Councillor Pauline Allan Councillor Colin Powell
 Councillor Chris Barnfather Councillor Paul Stirland
 Councillor Alan Bexon Councillor Paul Wilkinson
 Councillor Kevin Doyle Councillor Henry Wheeler
 Councillor David Ellis Councillor Muriel Weisz

Absent: Councillor Bob Collis and Councillor Gary Gregory

Officers in Attendance: M Avery, D Gray, C Goodall, F Whyley

118 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Collis. Cllr Weisz attended as a substitute.

119 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 18 APRIL 2018.

RESOLVED:

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

120 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest in item 7 on the agenda, as the land was in the ownership of Gedling Borough Council.

121 APPLICATION NO. 2018/0249 - LAND AT CHASE FARM

14 plot re-plan including landscape buffer and a retaining wall adjacent to Arnold Lane.

The Service Manager – Development Services introduced the report.

RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.

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 within the Application Form and Drawings: Design and Access Statement; 102(1) Rev E (External Levels Layout Sheet 1 of 2); 102(2) Rev E (External Levels Layout Sheet 2 of 2); P201 (House Type 955); P204 (House Type 1244); P206 (14 Plot Re-Plan Sections); Site Location Plan; P200 (House Type 954); P202 (House Type 1178); P203 A (House Type 1233); P400 (Materials Plan); P204 A (House Type 1244); P205 (House Type 1244); P101 Rev C (Site Layout Plan); P300 Rev C (Street Scenes); and P101D (Landscape Plan).
- 3 Prior to the occupation of the first dwelling full details of both soft and hard landscape works within the proposed landscape buffer shown on plan no: 17057a-P101 rev D shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall incorporate the mixture of plants contained within the planting schedule and shall also include details of size, species, positions and densities of all trees, hedges and shrubs to be planted. The landscaping shall be implemented in accordance with the approved details within the first planting season following approval. The landscaping shall thereafter be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
- 4 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 3, 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 Local Planning Authority 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.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development 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.
- 4 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.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

Notes to Applicant

Details of the latest proposed highway will be subject to a Technical Appraisal and should be designed in accordance with the Nottinghamshire County Councils Highway Design Guide which can be found at; www.nottinghamshire.gov.uk/transport/roads/highway-design-guide

Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). 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, and /or 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 after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: hdc.south@nottscc.gov.uk

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

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 by installing wheel washing facilities on site.

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

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 be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at; <http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>

Date Recommended: 25th April 2018

122 APPLICATION NO. 2018/0392 - LAND AT CHASE FARM

Re-elevation of houses and apartments (71 No Plots).

The Service Manager – Development Services introduced the report.

RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing,

open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.

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 within the Application Form and Drawings submitted on the 13th April 2018 drawing no's: 17057C_P101; 17057C_P102; 200 (House Types 580T and 1157T); 17057C_201 (House Type 764T and 891T); 17057C_202 (House Type 842T and 857T); 17057C_P203 (House Type 867T and 954T); 17057C_P204 (House Type 1224v3_1054); 17057C_P205 (House Type 1224v3T and 1244T); 17057C_206 (House Type 1216v1T); 17057C_P210 (Apartment Block Type 1 - 4 Storey); 17057C_P211 (Apartment Block Type 3 - 4 Storey); P212 (Apartment Block Type 5 - 4 Storey); 17057C_P300 (Streetscene 1 and 2); 17057C_P400 Materials Plan); 17057C_P100 (Location Plan); Design and Access Statement; and the letter dated 1st May 2018 amending materials in connection with drawings 17057C_P200; 17057C_P300; 17507C_P400. The development shall thereafter be undertaken in accordance with these plans / details 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.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on neighbouring residential properties and amenities and would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Saved Policies ENV1 and H10 of the Gedling Borough Replacement Plan, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

Notes to Applicant

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. 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

Date Recommended: 27th April 201

123

APPLICATION NOS. 2010/0437 AND 2012/1408, VARIATION OF S106 AGREEMENT - LAND AT STOCKINGS FARM, CALVERTON ROAD.

Variation of s106 Agreement with the Borough Council for Affordable Housing.

The Service Manager – Development Services introduced the report.

RESOLVED that the Service Manager for Development Services be authorised to instruct the Director of Organisational Development and Democratic Services to undertake the necessary work to prepare and finalise a Deed of Variation amending the definition of 'Chargee' and 'Chargee's Duty' and to amend paragraph 25 of Part 2 of the Schedule as set out above in the original s106 agreement associated to planning applications: 2005/0925, 2010/0437 and 2012/1408.

APPLICATION NO. 2018/0162 - KING GEORGES FIELD, GEDLING ROAD

CCTV camera mounted on a 10m high column.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted plans and Planning Supporting Statement received on the 13th June 2018.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To ensure that the details of the development are acceptable, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

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

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

Date Recommended: 16th May 2018

125 ENFORCEMENT REF. 0074/2018 - LAND AT 6 MARSHALL HILL DRIVE, MAPPERLEY

Breach of Planning: Material change of use of residential dwelling to a mixed use of residential dwelling and bicycle sales and repair business and ancillary storage

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 if required to ensure;

- (a) the cessation of the unauthorised bicycle sales and repair business use; and**
- (b) the removal of bicycles, tools and equipment associated with the business use and not considered to be incidental or ancillary to the domestic residential use of the dwelling.**

126 ENFORCEMENT REF. 0003/2018 - LAND AT NO. 8 CORNCRAKE DRIVE, ARNOLD

Breach of Planning: Material change of use of residential dwelling to a mixed use of residential dwelling and office/internet sales business and storage of samples.

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 if required to ensure;

- (a) the cessation of the unauthorised business use; and**
- (b) the removal of office equipment and sample clothing and any other items not considered to be incidental or ancillary to the domestic residential use of the dwelling**

127 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

128 FUTURE APPLICATIONS

RESOLVED:

To note the information.

129 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.20 pm

Signed by Chair:
Date:

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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

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Planning Report for 2018/0045

1:1,250 Planning Reference: 2018/0045
Location Kendon Packaging
Meadow Road, Netherfield

NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Gedling   *Serving People. Improving Lives* Date: 01/06/2018

Report to Planning Committee

Application Number: 2018/0045

Location: Kendon Packaging Ltd Meadow Road Netherfield NG4 2FF

Proposal: Outline planning application for up to 40 No. dwellings with all matters reserved except access.

Applicant: Kendon Packaging Group Plc

Agent: Mr Andrew Grayson

Case Officer: Graham Wraight

1.0 Site Description

- 1.1 The site is located at the southern end of Meadow Road, Netherfield and currently accommodates two employment buildings, one a traditional brick built building and the other a more modern industrial style unit. In addition, a dwelling which is understood to be a former Station Master's House is located on the site.
- 1.2 A railway line runs along the entire of the southern site boundary with the remaining boundaries being shared with residential properties, with the exception of part of the eastern boundary which is adjoins land associated with the railway.
- 1.3 At the present time the modern industrial unit and Station Master's House are vacant but the brick industrial building is occupied. The site has a predominantly industrial appearance in keeping with its most recent use.
- 1.4 The site is located within Flood Risk Zone 3. However the Greater Nottingham Strategic Flood Risk Assessment (September 2017) confirms that it benefits from flood defences which place it at low risk of flooding.

2.0 Relevant Planning History

- 2.1 None.

3.0 Proposed Development

- 3.1 The application is submitted in outline form and seeks approval for the erection of up to 40 dwellings and for the approval of the access to the site. The former Station Master's House would be retained on the site but all other

buildings demolished. The matters of appearance, scale, layout and landscaping have been reserved for later consideration.

- 3.2 A drawing has been submitted which shows how the site would be accessed from Meadow Road, this being the sole access point proposed. In addition, an indicative plan has been submitted showing how a residential development could be accommodated on the site.

4.0 Consultations

- 4.1 Environment Agency – no objection subject to conditions relating to flood mitigation measures and land contamination.
- 4.2 Gedling Borough Council Conservation Officer – no objection to the principle of residential development. However a Heritage Statement should be submitted with respect to the Station Master's House and the former Hosiery Factory.
- 4.3 Gedling Borough Council Economic Development – the size of the development meets the thresholds for a Local Labour Agreement
- 4.4 Gedling Borough Council Public Protection – no objection subject to conditions requiring verification that the sound insulation scheme has been installed and the submission of noise and dust management plan.
- 4.5 Gedling Borough Council Parks and Street Care – a S106 contribution is required towards off-site open space provision.
- 4.6 Gedling Borough Council Strategic Housing – 10% of dwellings should be affordable (70% social rented/30% intermediate housing).
- 4.7 Gedling Borough Council Scientific Officer – no objection subject to conditions relating to land contamination.
- 4.8 Forestry Officer – no objection subject to a tree protection condition.
- 4.9 Network Rail – object as the existing railway access point has not be accommodated and the attenuation pond is too close to the railway boundary. Recommend a number of planning conditions should permission be granted requiring details of drainage, boundary fencing, safety barriers, construction method statement, soundproofing, lighting and landscaping.
- 4.10 NHS Clinical Commissioning Group – request a S106 contribution of £21,675 towards health facilities.
- 4.11 Nottinghamshire County Council Flood Risk Team (Lead Local Flood Authority) – no objection.
- 4.12 Nottinghamshire County Council Highways – no objection subject to conditions requiring detailed drawings of the proposed road, that bound surfaces be used, that there is no drainage onto the highway and that wheel washing facilities are provided during construction. The visibility splay shown

should be incorporated into the adopted footway and the entrance road may need some slight adjustments to better tie into the existing road

- 4.13 Nottinghamshire County Council Planning Policy – requests a financial contribution of £22,000 towards bus stop improvements and £103,560 towards secondary education provision.
- 4.14 Neighbouring Properties were notified and Site Notices and Press Notice posted and 9 representations have been received as a result. The comments can be outlined as follows: -
- Parking issues are already present on existing roads
 - Highway safety concerns
 - Increase in traffic
 - Loss of light at existing dwellings
 - Residents have not been notified
 - The applicant does not own all of the planning application site
 - The Station House must be retained
 - Pownall's Factory should be retained and converted.
 - Loss of local businesses
 - Overlooking onto existing dwellings
 - Only one entrance to the development
 - Existing road junctions should be improved
 - Retention of the Station Master's House is supported
 - Design and layout matters
 - Massing/overbearing impacts
 - Increase in air pollution
- 4.15 A copy of an email between the occupier of a neighbouring property and Councillor John Clarke has been provided in which Councillor Clarke states that any buildings with a heritage link should be saved.

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 – sets out the national objectives for delivering sustainable development.

6.3 Greater Nottingham Aligned Core Strategies Part 1 Local Plan:

- Policy A: Presumption in Favour of Sustainable Development
- Policy 1: Climate Change
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 8: Housing Size, Mix and Choice
- Policy 10: Design and Enhancing Local Identity
- Policy 11: The Historic Environment
- Policy 14: Managing Travel Demand
- Policy 15: Transport Infrastructure Priorities
- Policy 17: Biodiversity
- Policy 19: Developer Contributions

6.4 Gedling Borough Replacement Local Plan

- Saved Policy ENV1: Development Criteria
- Saved Policy ENV3: Development on Contaminated Land
- Saved Policy H7: Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes
- Saved Policy H8: Residential Density
- Saved Policy T10: Highway Design and Parking Guidelines

6.5 Emerging Part 2 Local Plan

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. Where the 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.

The following LPD policies are relevant to this application (and weight given):

- LPD 3: Managing Flood Risk (moderate weight)
- LPD 7: Contaminated Land (moderate weight)
- LPD 18: Protecting and Enhancing Biodiversity (limited weight)
- LPD 21: Provision of New Open Space (moderate weight)
- LPD 26: Heritage Assets (moderate weight)
- LPD 31: Locally Important Heritage Assets (moderate weight)
- LPD 32: Amenity (moderate weight)
- LPD 33: Residential Density (moderate weight)
- LPD 35: Safe, Accessible and Inclusive Development (limited weight)
- LPD 36: Affordable Housing (limited weight)
- LPD 37: Housing Type, Size and Tenure (limited weight)
- LPD 39: Housing Development on Unallocated Sites (moderate weight)
- LPD 47: Local Labour Agreements (limited weight)
- LPD 57: Parking Standards (limited weight)
- LPD 61: Highway Safety (moderate weight)

7.0 Planning Considerations

Principle of the development

- 7.1 The site is previously developed land which is located within an urban area. Although it has most recently been in industrial use, it is positioned immediately adjacent to existing residential areas and therefore its redevelopment for residential use is considered to be compatible with surrounding land uses.
- 7.2 Whilst it is noted that the site does currently sustain a reduced level of employment use, it is not located within a protected employment site designation on the adopted Gedling Borough Local Plan Proposals Map 2005 or on the emerging LPD Policies Map Publication Draft (May 2016). Furthermore, the Strategic Housing Land Availability Assessment (SHLAA) 2017 identified the site as being developable for housing.
- 7.3 Given that the site is not protected for employment uses and that the existing premises do not appear to be attractive for ongoing employment use, it is considered that the loss of the employment buildings does not compromise the objectives of the relevant national and local planning policies. The principle of residential development is therefore considered to be acceptable.

7.4 Proposed Density

It is noted that the indicative plan submitted is unclear in terms of the number of dwellings it shows although it is accepted that the number proposed could be delivered by the provision of smaller units such as flats and maisonettes. Furthermore, the SHLAA identified the site as having potential for 35 units. Having considered the potential constraints of the site and its character in further depth, it is considered that the figure of up to 40 dwellings is reasonable. As the site is 1.05 hectares, this would meet with the objectives of Saved Policy H8 and Emerging Policy LPD33.

Impact upon visual amenity

- 7.5 As appearance and scale are reserved for later consideration the impact upon visual amenity does not fall to be considered at the present time. It is considered however that a scheme could be presented that would be visually appropriate within the surrounding area and would meet with the relevant planning policies.

Impact upon residential amenity

- 7.6 As the matters of appearance, scale and layout have been reserved for later consideration it is not possible to make a detailed assessment of the impact that the development would have on the adjacent dwellings. However, it is considered that up to 40 dwellings could be accommodated on this site in a manner that would not cause harm to the amenities presently enjoyed by the occupiers of the adjoining dwellings.

- 7.7 Subject to the implementation of the sound insulation scheme outlined within the submitted Noise Impact Assessment, Public Protection considers that development in this location and in proximity to the adjacent railway line would provide an acceptable level of amenity. Subject to an appropriate design and layout, it is also considered that a scheme can be developed that would provide an acceptable living environment.
- 7.8 It is noted that objections have been received on the ground of traffic movements along Meadow Road from the proposed development. However, given that the existing use of the site is for industrial purposes where frequent visits of larger vehicles could be expected, it is not considered that the level of traffic movements generated by the proposed development would cause any undue harm to residential amenity.

Highway matters

- 7.9 A drawing (ADC1606-DR-001 P1) has been submitted for approval which shows the proposed access point of the site onto Meadow Road. The Highway Authority has raised no objection to the access point shown although they have outlined a couple of minor points in terms of requiring the visibility splay to form part of the adoptable footway and that the alignment of the proposed internal road near the entrance road may need some slight adjustments to better tie into the existing road. It is considered that this can be addressed at reserved matters stage. Accordingly, it is considered that that adequate details have been provided to allow for approval of the matter of access.
- 7.10 An objection has been raised by a member of the public on the ground that there should be more than one access point to the site however as the Highway Authority have not requested such provision it is not considered reasonable or necessary to require a second access point. The Highway Authority has also not advised that any alterations to the existing highway network are required and they have not raised concerns with respect to parking matters.

Impact upon protected species

- 7.11 The Ecological Assessment makes recommendations that additional bat (nocturnal bat emergence surveys or dawn swarming surveys) and a badger survey are undertaken. It is considered these matters could be addressed by planning conditions on the outline planning permission requiring details to be submitted in conjunction with the subsequent reserved matters application(s).

Flood risk

- 7.12 The site is located within Flood Risk Zone 3 and a Flood Risk Assessment has been submitted. Consultation has been undertaken with the Environment Agency who do not object subject to a condition securing flood mitigation measures. It is not considered that the requirements of the Environment Agency would constrain the proposal to develop the site for up to 40 dwellings.

- 7.13 Residential developments within Flood Zone 3 would usually be required to demonstrate that there are no sequentially preferable sites available on which the development could take place in order to meet with the objectives of the National Planning Policy Framework. However, in this instance, it is noted that the site falls in an area of low risk when the Greater Nottingham Strategic Flood Risk Assessment (September 2017) is considered. Furthermore, the National Planning Policy Framework (paragraph 101) is clear that a Strategic Flood Risk Assessment will provide the basis for applying a sequential test. Therefore, given the site is considered to be of low flood risk under the Strategic Flood Risk Assessment, it is not necessary to require that a sequential test be undertaken.
- 7.14 It is noted that part of the site would be at risk of flooding in a flood defence breach scenario, however given that the Environment Agency considers that any such flood risk concerns can be successfully overcome through mitigation measures, it is considered that it would not be reasonable to refuse planning permission on flood risk grounds.
- 7.15 In light of the above considerations it is therefore considered that flood risk matters have been adequately addressed.

Heritage considerations

- 7.16 The site contains two buildings which has been identified by the Conservation Officer as being of heritage interest; the former Station Masters House which is to be retained and a former hosiery factory building that is proposed to be demolished. Representations have been received from members of the public that both buildings should be retained and the Conservation Officer has requested that a Heritage Statement be provided. A statement has been submitted which addresses only the hosiery factory, which is considered reasonable given that it is not intended to demolish the former Station Master's House.
- 7.17 The Heritage Statement assesses the historic context of the hosiery factory which is believed to date from the late 19th Century. It considers that the location of the factory was likely to have been linked to the location of the railway but that it does not appear to have formed a contingent or adjoining part of Nottingham's wider hosiery operational locations or surrounding manufacturing activity. The statement also notes that the building is in a poor condition but accepts that it is still used for commercial purposes.
- 7.18 The hosiery factory is not a listed building nor is it in a conservation area. It also is not identified or protected as local heritage asset. The Heritage Statement concludes that the building has low to negligible significance and that this factor together with its non-designated status means that it should be assessed as part of the wider planning balance as set out in paragraph 135 of the National Planning Policy Framework. Paragraph 135 requires that a balanced judgement be made having regard to the scale of any harm or loss and the significance of a non-designated heritage asset. The Heritage Statement also identifies a number of factors that weigh in favour of the proposed redevelopment of this site, including the provision of new market and affordable housing in a sustainable urban location.

- 7.19 On balance, it is not considered that the hosiery factory, in the context of its historical interest, its location and its general scale and design is not of such significance to warrant a requirement that it be retained as part of the redevelopment of the site or to substantiate a reason for refusing planning permission. It is also considered that in the planning balance the potential to deliver new housing in this sustainable location and in a comprehensive manner outweighs the benefits of retaining the hosiery factory building on the site. Accordingly, the loss of the hosiery building as part of this development is considered to be acceptable in planning terms.

Other matters

- 7.20 Concern has been raised by members of the public that insufficient consultation has been undertaken in respect of the planning application. Neighbouring properties immediately adjoining the site were notified by post. In addition 3 site notices were displayed and a press notice was published. This meets with the legislative requirements set out in the Development Management Procedure Order and is considered to be proportionate to the scale of the development proposed. It is noted that the applicant does not own the entire site however they have certified that they have served the appropriate notices on the owners which again meets with the relevant legislative requirements.
- 7.22 Network Rail have made specific comments on access arrangements to their land and on the positioning of a drainage pond shown on the indicative plan submitted, however both of these concerns can be addressed at reserved matters stage. They have also raised a number of points with respect to the proximity of the site to the railway however this can be addressed by attaching a note to applicant. The Council's Scientific Officer has not raised a concern with respect to the impact that the development would have upon air quality.

Planning Obligations

- 8.0 The development proposed would require that the following planning obligations be met:
- 10% on site affordable housing (70% social rented/30% intermediate) in accordance with the adopted Affordable Housing Supplementary Planning Document 2009
 - Contribution (which based upon 40 dwellings and a site area of 1.05 hectare would be £65,690.10) towards the improvement, and on-going maintenance, of existing provision of open space/recreation facilities within a radius of 2km from the centre of the development, in accordance with the Open Space Supplementary Planning Document 2001
 - Local Labour Agreement to meet with the requirements of LPD Policy 47
 - £21,675 for health facilities as requested by the NHS
 - £103, 560 for the provision of 6 secondary school places in the Carlton le Willows catchment area.

These obligations would need to be secured by way of a S106 Planning Obligation which shall be completed prior to determination of the

planning application. It is considered that all of the above obligations meets with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010

- 8.1 It is noted Nottinghamshire County Council requested a sum of £22,000 towards bus stop improvements to two existing bus stops on Meadow Road (in the vicinity of Knight Street). At the present time these bus stops consist of single poles with no interactive displays or shelters however it is not considered that the proposed development of up to 40 dwellings would justify a financial contribution towards upgrading the bus stops. Therefore the three tests set out on Section 122 of The Community Infrastructure Levy Regulations 2010 (necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development) would not be met by this request.

8.0 Conclusion

The proposed redevelopment of the site for residential use is considered to be acceptable in principle and it is considered that residential density of up to 40 dwellings could reasonably be achieved. It is not considered that the proposal would cause harm to visual or residential amenity, subject to a detailed consideration at reserved matters stage. The proposal is considered to be acceptable in highway safety terms and is acceptable with respect to ecological, flood risk and heritage matters.

It is therefore considered that the proposal meets with the objectives and relevant policies of the National Planning Policy Framework, the Aligned Core Strategy, the Replacement Local Plan and the Emerging Local Plan.

9.0 Recommendation:

- 9.1 **Grant Outline Planning Permission with the matter of Access approved: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.**

Conditions

1. Approval of the details of layout, scale parameters, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.
2. Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.

3. This permission shall be read in accordance with the Site Location Plan and Access Layout Plan, drawing ADC1606-DR-001 Rev P1, and the Flood Risk Assessment, RSE_950-02V1 received by the Local Planning Authority on 16th January 2018.
4. Prior to first occupation of the development and with reference to Noise Impact Assessment by Noise Vibration Consultants Ltd (Date: 17th January 2018), verification that the approved sound insulation scheme has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.
5. Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The noise management part of the plan should make reference to the submitted Noise Impact Assessment by Noise Vibration Consultants Ltd (Date: 17th January 2018). The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice - Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents- Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance- Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours- Regularly review the Noise and Dust Management Plan. Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the regulator and communicated to all other stakeholders. The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.
6. Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with:

Site Characterisation

An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.

Submission of Remediation Scheme.

Where required following the site characterisation assessment, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) 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.

In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works.

Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements set out in Condition 6 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
8. No part of the development hereby permitted shall commence until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, street lighting, Traffic Regulation Orders, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority
9. No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
10. No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated

discharge of surface water to the public highway shall then be retained for the life of the development.

11. 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 during the construction of the development 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.
12. No development shall commence on site in connection with the development thereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:
 - a) Timing and phasing of Arboricultural works in relation to the approved development.
 - b) Details of a tree protection scheme in accordance with BS5837:2012:which provides for the retention and protection of trees, shrubs and hedges adjacent to the site.
 - c) Details of any construction works required within the root protection area of trees, hedges or shrubs adjacent to the site, as defined by BS5837:2012.
 - d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement
13. Prior to the submission of any reserved matters application, a nocturnal bat emergence or dawn swarming survey and a badger monitoring survey, in accordance with the recommendations set out in the submitted Preliminary Ecological Appraisal and Bat Building Assessment (RSE_950_01_V1) shall be undertaken and submitted to the Local Planning Authority.
14. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reasons

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
2. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
3. To define the permission, for the avoidance of doubt.
4. To protect the amenity of the occupiers of the approved dwellings.
5. To protect the amenities of the occupiers of adjacent dwellings.
6. To ensure that land contamination matters are fully addressed.
7. To ensure that land contamination matters are fully addressed.
8. In the interests of Highway safety.
9. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
10. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
11. In the interests of Highway safety.
12. To ensure that existing trees on adjacent land are adequately protected.
13. To ensure that ecological interests are adequately protected.
14. To ensure that the surface water drainage scheme is appropriate to meet the needs of the site and the approved development.

Reasons for Decision

The proposed redevelopment of the site for residential use is considered to be acceptable in principle and it is considered that residential density of up to 40 dwellings could reasonably be achieved. It is not considered that the proposal would cause harm to visual or residential amenity, subject to a detailed consideration at reserved matters stage. The proposal is considered to be acceptable in highway safety terms and is acceptable with respect to ecological, flood risk and heritage matters. It is therefore considered that the proposal meets with the objectives and relevant policies of the National Planning Policy Framework, the Aligned Core Strategy, the Replacement Local Plan and the Emerging Local Plan.

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.

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

The applicant should note that 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 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 (or District Council) in writing before any work commences on site.

Construction & Demolition Proposed Method of Demolition:

Where the method of proposed demolition includes the use of a mobile crusher on site the applicant must notify the Gedling Borough Council's Environmental Health Team (Tel: 0115 9013972) before crushing operations commence on site, so it may be inspected to ensure it is operating correctly under the Permit conditions imposed by the Pollution and Prevention and Control Act 1999.

Noise Control: Hours of Work and Equipment The acceptable hours for demolition or construction work are detailed below; -Monday to Friday: 0730-1800 (noisy operations restricted to 0800-1800) Saturday: 0830-1700 (noisy operations restricted to 0900-1300) Sunday: at no time Bank Holidays: at no time. Work outside these hours may be acceptable in exceptional circumstances but must be agreed in advance with Gedling Borough Council's Environmental Health Team (Tel: 0115 9013972)

Equipment: All equipment shall be properly maintained, serviced and operated in accordance with the manufacturer's recommendations and with appropriate noise suppression / silencers. Dust/Grit and Other Fugitive Emissions Construction and demolition work invariably generates grit and dust, which can be carried off-site and cause a Statutory Nuisance, and have a detrimental effect on local air quality. Contractors are expected to use appropriate methods to minimise fugitive emissions, reduce the likelihood of justified complaint and avoid costly restriction and development delays. Appropriate measures include;-Flexible plastic sheeting Water sprays /damping down of spoil and demolition waste Wheel washing. Periodic road cleaning.

The applicant's 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/resident/planningandbuildingcontrol/planningpolicy/adoptedlocalplanandpolicydocuments/supplementaryplanningdocumentsandguidance/>) We would also ask therefore, that the developer considers the commitment to incorporate provision for an EV (electric vehicle) charging point(s); to allow workers and customers to charge electric/plug-in hybrid vehicles whilst on site. 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 comments of the Local Lead Flood Authority are attached.

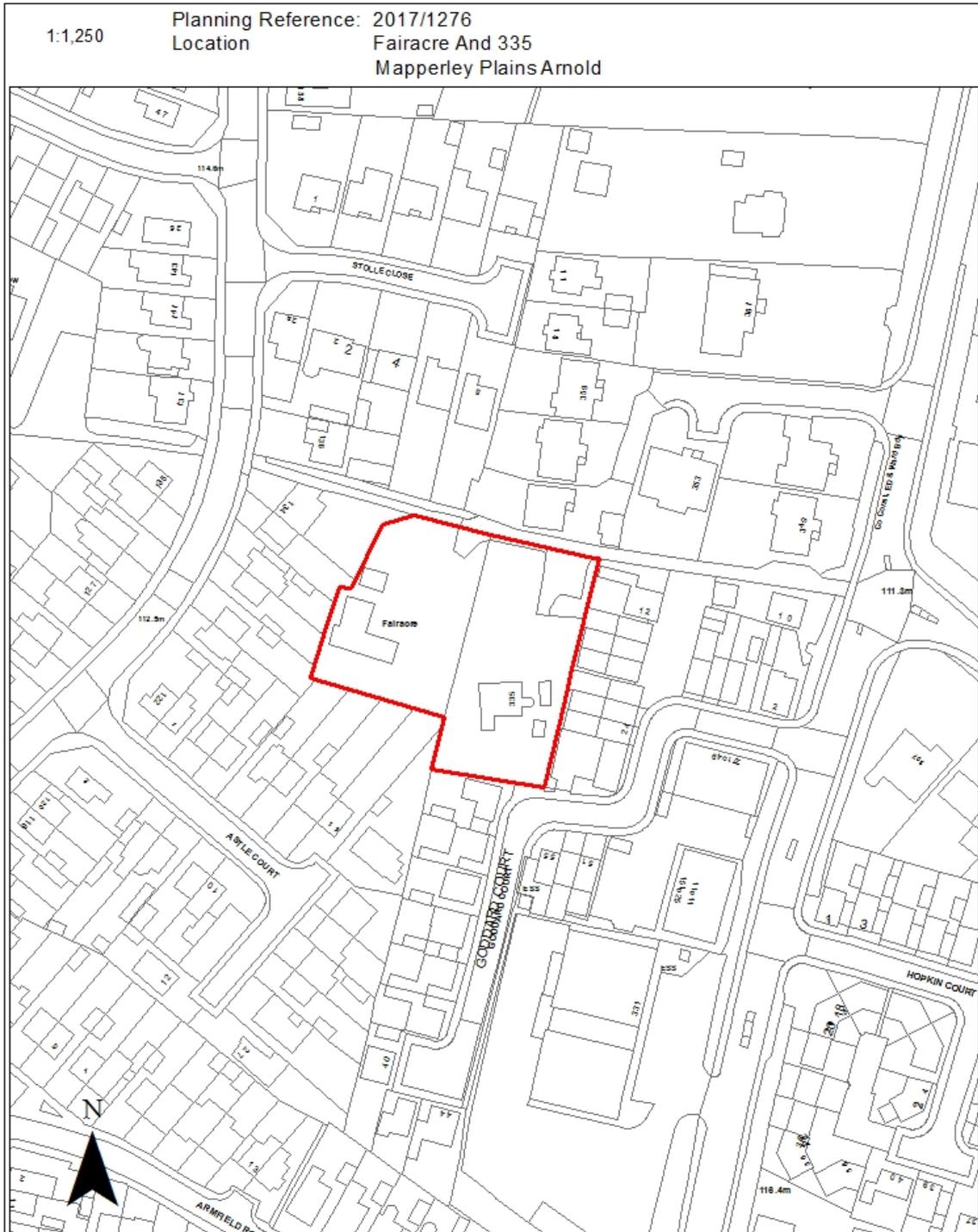
The comments of Network Rail are attached.

The comments of the Environment Agency with regard to finished floor levels and flood resilience measures are attached.

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.



Planning Report for 2017/1276



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Serving People. Improving Lives

Date: 01/06/2018

Report to Planning Committee

Application Number: 2017/1276

Location: Fairacre And 335 Mapperley Plains Arnold

Proposal: Outline planning application for erection of 11 dwellinghouses with details of access, layout and scale and other matters reserved and demolition of two existing bungalows

Applicant: Mr A Sisson

Agent: Zenith Planning And Design

Case Officer: David Gray

1.0 Site Description

1.1 The application site comprises two detached residential bungalows (no.335 Mapperley Plains and 'Fairacre') and their associated curtilages. The application site measures approximately 0.3 hectares in area.

1.2 Access to the site is currently from Mapperley Plains via a private drive to the north of the site.

1.3 Fairacre is located to the southwest of the site. Rear boundaries of properties on Ramsey Drive adjoin the west side boundary and rear boundaries of properties on Astle Court adjoin the rear south boundary of this property. The north boundary of the site adjoins the private access drive and the east boundary adjoins no.335 Mapperley Plains. The boundaries are currently defined by close-boarded panelled fencing, trees and planting.

1.4 No.335 Mapperley Plains is located to the southeast of the application site. The rear south boundary adjoins a rear boundary of no.15 Astle Court and the side boundary of no.28 Goddard Court. The east side boundary adjoins the rear boundaries of properties on Goddard Court. To the north is the private access drive. The boundaries are defined by close-boarded panelled fencing.

2.0 Relevant Planning History

2.1 In December 2006 Outline Planning Permission was granted (reference: 2006/1085) for a residential development at no's 333 – 339 Mapperley Plains.

2.2 In June 2007 a Reserved Matters application was granted for the residential development of 49 houses, garages and associated works. The approval included an area of land which accesses the current application site from

Goddard Court onto no.335 Mapperley Plains and Fairacre. This development has been fully implemented with the access currently hardsurfaced.

3.0 Proposed Development

3.1 Outline Planning Permission is sought with matters relating to (i) Access, (ii) Layout, and (iii) Scale being sought for approval, with (iv) Appearance and (v) Landscaping being reserved for subsequent approval at reserved matters stage.

3.2 (i) Access: The sole access to the site would be from adjacent to the frontage of no.28 Goddard Court.

3.3 (ii) Layout:

- The development would comprise 7 dwellings (2.5 stories in height with rooms in the roof) fronting onto the new access drive, each with a minimum of 2 allocated off street car parking spaces. These 7 dwellings would be set back from the back edge of the proposed pavement by 5 metres.
- The remaining 4 properties would be set around a private turning head in a crescent layout and would each have a minimum 2 allocated off street car parking spaces, 1 being an attached garage.

3.4 (iii) Scale: The development would be made up from 5 house types outlined below:

- Type A – 3 bedrooms, 3 storeys - 90sqm internal floor area, 5.2m wide x 8m deep;
- Type B – 3 bedrooms, 3 storeys - 100sqm internal floor area, 5.85m wide x 8m deep;
- Type C1 – 3 bedrooms, 2 storeys – 96sqm internal floor area, 5.8m wide x 9.8m deep;
- Type C2 – 3 bedrooms; 2 storeys – 78sqm internal floor area, 5.8m wide x 8.1m deep;
- Type D – 4 bedrooms, 2 storeys – 96sqm internal floor area, 8.5m wide x 6.7 deep.

3.5 Supporting information has been submitted by the agent including:

- Design and Access Statement;
- Protected Species Survey; and
- Tree Survey.

4.0 Consultations

4.1 Nottinghamshire County Council (Highway Authority) –

The Highway Authority is satisfied that all outstanding issues have been resolved. It would have been preferred that the service margin did not go through the car parking space adjacent to the access to the private drive, however there appears to be 4.7m remaining for the car to park. No objections to the proposal subject to conditions relating to the surfacing, layout and turning and provision of car parking in accordance with the revised plan ref: AS-17-01-RevE.

- 4.2 Nottinghamshire County Council (Forestry Officer) –
Satisfied with the conclusions of the submitted Tree Survey, none of the trees on site are worthy of protection.
- 4.3 Nottinghamshire County Council (Lead Local Flood Authority) –
No construction should take place until a detailed surface water design and management proposal has been submitted to and approved by the Local Planning Authority.
- 4.4 Nottinghamshire County Council (Ecology) –
It may be expedient to request a bat survey of the buildings to be demolished, to establish whether or not there would be impact on roosting bats.
- 4.5 Nottinghamshire County Council (Education) –
Current projections show that both primary and secondary schools in the area can accommodate any yield from such a development. There are no education requirements at present.
- 4.6 Severn Trent
No comments received.
- 4.7 Scientific Officer
- 4.7.1 The proposed development is on land that has been used for what could be considered a 'low risk' historical land use. However, a condition should be attached to deal with any unidentified contamination found at any time when carrying out the development.
- 4.7.2 The applicant's attention should be brought to the 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 decrease levels by incorporating mitigation measures into scheme design as standard. Therefore it is requested that the developer considers the commitment to incorporate provision of EV charging points to allow residents to charge electric/plug-in hybrid vehicles.
- 4.8 NHS - Clinical Commissioning Group (Nottingham East) –
No health contributions would be sought.
- 4.9 Neighbouring residents were notified and a Site Notice posted and 12 letters of representation were received from 7 separate addresses. The representations are summarised below:
- 4.9.1 Residential Amenity
- The properties would overlook nearby residential properties;
 - Concerns raised in regards to noise and pollution from construction;
 - The properties would overlook the garden areas and bedrooms of adjoining neighbouring dwellings parallel to them;
 - The access road would be adjacent to the rear gardens of neighbouring dwellings creating noise and pollution.
- 4.9.2 Access, Traffic, and Highway Safety

- The development would result in a significant increase in car numbers with only one point of access onto Goddard Court;
- Traffic on Goddard Court is already busy;
- Godard Court is a popular road with a significant number of cars double parked on both sides of the road;
- Introducing a new access halfway down Goddard Court adjacent to no.28 would greatly restrict access to this property;
- Goddard Court would be negatively impacted upon by additional traffic and restricted access for a significant amount of time;
- Increased traffic would spill onto Goddard Court and would result in unacceptable safety concerns for cars and pedestrians;
- There is a requirement for a Traffic Assessment to assess the impact on Mapperley Plains and Goddard Court;
- Assuming that each of the dwellings would have 2 cars each this result in 22 car passing adjacent to the front door of no.28 Goddard Court which would be a highway safety matter;
- The increased car numbers would create difficulties for Waste Services or Emergency Vehicles accessing Goddard Court.

4.9.3 Other Considerations

- There would be significant access issues when construction begins;
- No objections to the proposal but request the developer builds a new wall adjacent to a neighbouring property along the existing right of way due to subsidence from the path falling into a garden area;
- There has been a number of burglaries and increasing the accesses with another right of way would increase the risk;
- The covenant that retained the access from Goddard Court to 335 Mapperley Plains relates to 5 dwellings being accessed from this point and not 11 as proposed.

4.0 Planning Considerations

4.1 Assessment of Planning Considerations

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: 'if regard is 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 material considerations indicate otherwise'.

4.3 The relevant national planning policy guidance in respect of this application is set out in the National Planning Policy Framework (March 2012). In particular the following chapters are relevant in considering this application:

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

4.4 Section 6 of the NPPF states inter-alia that housing applications should be considered in the context of the presumption in favour of sustainable development. Section 7 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings...decisions should aim to ensure

developments, amongst other things, respond to local character and history, reflect the identity of local surroundings and materials. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions.

4.5 Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant: -

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

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

- ENV1 – Development Criteria.
- H7 – Residential Development on Unidentified Sites within the Urban Area and the Defined Village Envelopes.
- H8 – Residential Density.
- H16 – Design of Residential Development.

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

4.8 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 significant weight.

4.9 Where the 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.

The following LPD policies are relevant to this application (and weight given):

- **LPD 32 – Amenity (Moderate)**
- **LPD 33 – Residential Density (Moderate)**
- **LPD 34 – Residential Gardens (Moderate)**
- **LPD 35 – Safe, Accessible and Inclusive Development (Limited)**

4.10 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: -

- The principle of developing the site and whether the proposal makes efficient and effective use of the land;
- Whether the layout and scale of the development is acceptable;
- The highway implications of the development, including parking provision;
- Whether there would be an adverse impact on neighbouring properties;
- Other matters raised by local residents.

5.0 The principle of developing site

- 5.1 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 forward). This is further confirmed in paragraph 14 which states that – *“at the heart of the NPPF is a presumption in favour 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 housing, business and other development needs of an area are met.
- 5.2 The proposal is located within the urban residential area of Arnold and, as such, accords with the strategy of urban concentration set out in ACS Policy 2 and therefore the principle of the residential redevelopment of the site is supported by this policy.
- 5.3 Policy H8 of the GBRLP and LPD33 sets out residential density requirements of at least 30 dwellings per hectare, and gives support where higher densities are proposed provided that such proposals *‘reflect local characteristics and does not harm the character of the area’*. The development is to provide 11 residential units on a site of 0.3 hectares equating to a residential density of approximately 37 dwellings per hectare. As such, the proposed density accords with Policy H8 and LPD33.
- 5.4 LPD 34, which is afforded moderate weight, states inter-alia that: *‘Development involving the loss of residential gardens will not be permitted unless: (i) the development proposal would represent a more efficient use of land at a location where higher densities are appropriate.’* I note that the proposal would be located in an established urban residential area and as such accords with the strategy of urban concentration as set out in ACS Policy 2. I also note that when assessing the proposal against Policy LPD24 and GBRLP H8 that it would represent a higher density development which would result in a more effective and efficient use of land where higher densities are appropriate. This higher density would however be subject to the layout of the development being acceptable which is considered below in Chapter 6.
- 5.5 Given the location of the development within the established urban residential area of Arnold and the more effective and efficient use of the land as proposed there would be no objection in principle to the residential redevelopment of the site. 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 acceptable in principle.

6.0 Whether the layout, density and scale of the development is acceptable

- 6.1 Policies ENV1, H7, H8, H16 of the Replacement Local Plan, LPD35, and Policy 10 of the ACS require development to be of high standard of design that is safe, accessible and inclusive. The policies require regard to be given to the appearance of the surrounding area, the provision of safe and convenient access and circulation of pedestrians and vehicles, and incorporating crime prevention measures in the design and layout in terms of good lighting levels, natural surveillance and defensible space and well considered layouts and landscaping.
- 6.2 I note that the proposal incorporates 2 and 2.5 storey detached dwellings with reasonable sized gardens. The surrounding area is defined by a mixture of semi-detached and detached dwellings on Ramsey Drive and Astle Court and contemporary detached dwellings on Goddard Court. The proposal is for 11 dwellings on a site of 0.3 hectares equating to 37 dwellings per hectare. When considering the proposed layout and density of the development I am satisfied that it reflects the pattern of residential development in the immediate surrounding area. I would also note that the layout incorporates rear boundaries of the proposed dwellings adjoining the rear boundaries of the neighbouring existing dwellings along with the side boundary of the property on Goddard Court by the proposed access to the site.
- 6.3 I note that the layout shows that front facing development has been achieved along the primary access to the site and within the proposed crescent which allows for strong frontages to the public realm supporting natural surveillance and opportunities for landscaping.
- 6.4 Overall it is considered that an imaginative layout has been achieved on the site which suitably connects to the characteristics of the immediate surrounding area. Subject to the detailed design of the individual dwellings and landscaping at reserved matters stage I am satisfied that the layout accords with the broad aims of the NPPF, Policy 10 of the ACS, and Policies ENV1, H7, H8, H16 of the Replacement Local Plan.

7.0 The highway implications of the development, including parking provision

- 7.1 I note the comments received from nearby residents with regards to the potential highway safety implications that may arise as a result of the development, such as additional on street car parking and traffic volumes, particularly on Goddard Court.
- 7.2 When considering the car parking provision the adopted Parking Provision for Residential Development Supplementary Planning Document (SPD) May 2012 is relevant. The proposed development is for 11 residential units within a 'built-up area' with minimum allocated car parking provision of 2 spaces per dwelling when including the garages. When referring to the Parking Provision for Residential Development Supplementary Planning Document (SPD) the

developments allocated provision would result in additional demand of 4 unallocated spaces (on-street car parking).

- 7.3 I note that the development would result in an under provision of unallocated (visitor) car parking, however, I do note that each individual house has a minimum of 2 off street car parking spaces. The access drive has been designed to adoptable standards and for a development of this size I consider adequate on-street car parking would be available to visitors to the site within the application site boundary without the need for overspill car parking on Goddard Court. It is also noted that the application site is in a sustainable urban residential location with good public transport, cycling and pedestrian facilities in close proximity.
- 7.4 I also note that the Highway Authority have been consulted and have not objected to the level of car parking provision or raised any highway safety implications. Should planning permission be forthcoming I would suggest attaching the conditions from the Highway Authority with regards to the parking/turning and servicing areas, the new access provision, and details to prevent the deposit of debris upon the public highway with reference to the amended plan.

8.0 Whether there would be an adverse impact on neighbouring properties

- 8.1 Residential amenity considerations relevant to this proposal include the impact from the level of activity, overlooking, overshadowing, and overbearing impacts. Criterion b. of Policy ENV1 of the GBRLP states that planning permission would be granted for development providing that it would not have a significant adverse impact upon the amenity of nearby properties or the locality in general. Criterion f) of Policy 10 of the GBACS relating to impact on the amenity of nearby residents is also relevant.
- 8.2 The application site adjoins the rear boundaries of residential properties on Ramsey Drive and Astle Court along with the side boundary of no.28 Goddard Court. It is noted that a layout plan has been submitted for approval with this outline planning application. The layout plan illustrates that adequate rear garden depths have been achieved with rear elevations of properties being sufficient distance from neighbouring dwellings to ensure that there would be no significant undue overlooking, overshadowing or overbearing impact from the development. It is also noted that the side elevation of no.28 Goddard Court is blank and the proposed neighbouring dwelling would be set in line with the rear elevation of this dwelling. I am therefore satisfied that there would be no significant undue impact on the residential amenity of this dwelling.
- 8.3 I note the comments received regarding the noise, pollution and disturbance that would result from the new access along rear gardens of Goddard Court. I am satisfied that the proposed access drive would not give rise to significant undue impact on the amenity of these residents given the garden depths and the significant rear boundary treatments.
- 8.4 Given the above, I am satisfied that the proposed development would not result in any material impact on residential amenity. 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.

9.0 Other matters

- 9.1 I note the representations received with regards to private covenants contained within the deeds regarding the access to the development site being restricted to 5 new dwellings. However, matters relating to covenants remain private legal matters and are not material planning considerations when determining planning applications. I therefore do not consider that the private legal matters would warrant the refusal of this application.
- 9.2 I note the comments with regards to the request for the developer to erect a replacement wall to a nearby residential property, however, the wall is not within the application site and the planning department would not be able to require works outside the application site. This matter would be a private matter between the two land owners.
- 9.3 I note the comments with regards to an additional access creating more opportunities for crime, however, I am satisfied that the proposed front facing dwellings would offer sufficient natural surveillance. I am satisfied that the proposed layout would not result in indefensible space within the public realm that would give rise to increased crime and disorder in this location.
- 9.4 I note the comments from County Ecology and should planning permission be forthcoming an informative would be attached to any approval advising the requirement to protect bats during the demolition of buildings and the requirements of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010.

10.0 Conclusion

- 10.1 I consider that, on balance, and taking into account the benefits that would be generated as a result of this 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 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 of the scheme.

11.0 Recommendation: That the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance and Landscaping for subsequent approval, and subject to the following conditions:

Conditions

- 1 Approval of the details of landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.

- 2 Application for the approval of reserved matters must be made not later than three years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
- 3 The submission of all reserved matters and the implementation of the development shall be carried out in substantial accordance with the plans and documents received on the 8th November 2018: - Application Forms; Design and Access Statement; Protected Species Survey; Tree Survey; Site Location Plan and the revised Layout Plan (ref: AS-17-01revE) received by the Local Planning Authority on 22nd May 2018.
- 4 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with these details to the satisfaction of the Local Planning Authority.
- 5 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans ref (plan ref: AS-18-02 revA). The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions for the life of the development.
- 6 No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 7 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 8 No development hereby permitted shall commence until wheel washing facilities have been installed on the site in accordance with details first submitted to and approved in writing by the Local Planning Authority. 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.
- 9 Before development is commenced on site there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance

with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

- 10 The detailed plans and particulars to be submitted to the Local Planning Authority as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees 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.
- 11 If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, 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 Local Planning Authority.
- 12 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 13 Notwithstanding the details contained within approved plan (Drawing Number: AS-17-01 rev E) the scale of the proposed dwelling(s), Type A and Type B as indicated on the plan, shall be restricted in their scale to either 2 storey dwellings or 2 storey dwellings with living accommodation built into the roof space.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 For the avoidance doubt.

- 4 To ensure the development is constructed to adoptable standards.
- 5 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 6 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
- 7 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 8 In the interests of Highway safety.
- 9 To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
- 10 To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
- 11 To ensure a satisfactory development and that the landscaping of the development as proposed at reserved matters stage accords with Policy ENV1 and ENV2 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
- 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 2008).
- 13 In the interests of the visual amenities and the character of the surrounding area.

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

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.

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

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

The applicant should note that notwithstanding any planning permission that 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 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.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

The 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 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).

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

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

Hours of construction including deliveries to the site shall be limited to: 7:30 to 18:00 Monday to Friday - 08:00 to 13:00 Saturday - No work shall be undertaken on Sundays or Public Holidays.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Highways Development Control Section, Highways South, Nottinghamshire County Council, County Hall floor 3, Loughborough Road, West Bridgford, Nottingham, NG2 7QP

Date Recommended: 22nd May 2018
08.

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Planning Report for 2017/0661



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Date: 01/05/2018

Report to Planning Committee

Application Number:	2017/0661
Location:	Bank Hill House Bank Hill Woodborough Nottinghamshire
Proposal:	Demolish existing house and outbuildings. Construct new dwelling and garage with amended access
Applicant:	Mr Taj Ubhi
Agent:	Swish Architecture & Planning
Case Officer:	Graham Wraight

This application is referred to Planning Committee at the request of the Planning Delegation Panel.

1.0 Site Description

- 1.1 Situated to the south-west of the rural village of Woodborough, the application site is a large plot with a detached two storey dwelling, outbuilding and detached double garage. On site, levels fall away to the north allowing views towards Foxwood Lane. The existing dwelling on site is positioned to the southern corner of the site in close proximity to the highway, Bank Hill. Access to the site is gained via a gated access directly from Bank Hill.
- 1.2 There is an existing enclosed tennis court towards the rear of the site.
- 1.2 The site is set within the Nottinghamshire Green Belt.
- 1.3 There are no direct neighbouring properties to the application site, with the nearest residential property being approximately 80m to the west of the site.

2.0 Relevant Planning History

- 2.1 Application reference 2014/0415 'Proposed replacement dwelling and new field access within the site' was granted Conditional Permission on 26th June 2014. Expired.

3.0 Proposed Development

- 3.1 The application seeks full planning permission for the demolition of the existing dwelling and garage and the erection of a replacement dwelling. The existing dwelling has an external floor area of 261m² and key measurements have been verified on site. In addition there is an outbuilding with a floorspace

of 52.8m² and a garage with a floorspace of 38.3m², both of which would be demolished as part of the proposals.

- 3.2 The application was originally submitted in May 2017. Following a change of Agent, a revised more contemporary scheme was submitted for consideration in November 2017. Amended plans were also submitted in May 2018 which show a small reduction in the floorspace of the proposed dwelling.
- 3.3 The proposed development is a large contemporary two storey, 6 bedroom dwelling. The development includes the creation of a new access from Bank Hill and associated landscaping works.
- 3.4 The proposed replacement dwelling would be situated to the north of the existing dwelling's position, in the centre of the plot. The dwelling would have a maximum height of approximately 8 metres.

4.0 Consultations

- 4.1 Residents of the nearest neighbouring properties of the site were sent letters notifying them of the application. A site notice was posted near to the site and an advert was also placed in a local paper, which was published on 7th June 2017. Further letters were sent, a new site notice was posted and an advert placed in the local paper after the revised plans were submitted for consideration. No representations were received.
- 4.2 Woodborough Parish Council objected to the development originally proposed in May 2017 due to its impact on the openness of the Green Belt, the size and design of the proposal (the floor area being greater than 50% of the existing dwelling) and the impact on the character and appearance of the area due to its prominent position.
- 4.3 Woodborough Parish were also notified of the revised proposed scheme which was submitted in November 2017. The Parish Council maintain their objection noting that the previous permission (*planning ref.2014/0415*) was for a replacement dwelling a little over 50% increase in size but this proposal is 73% increase in size of the original dwelling which exceeds what is normally acceptable. Should GBC be minded to approve, the Parish Council request that permitted development rights are explicitly removed, noting that unusually this substantial property has no garage, and there may be an application to build a garage made at a later stage.
- 4.4 The Highways Authority would have objections subject to the conditions attached to a decision relating to; construction of a dropped vehicular footway, existing site access being made redundant and hard bound surfacing of drives and parking/turning areas.
- 4.5 Nottinghamshire Wildlife Trust has advised that as the proposal involves the demolition of a detached property in a rural location, it should be recommended that a Preliminary Roost Assessment/Bat Survey is carried out.
- 4.6 Nottinghamshire County Council's Forestry Officer advised that the site mostly comprises of young ornamental tree species growing within the rear garden of

the existing property. Such trees are of low visual amenity and with the lack of significant or mature trees on site/within neighbouring properties, it is not expected that a tree survey should be submitted for consideration.

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
- Part 9 – Protecting Green Belt land

6.3 Gedling Borough Council Aligned Core Strategy 2014

- Policy A – Presumption in Favour of Sustainable Development
- Policy 2 – The Spatial Strategy
- Policy 3 – The Green Belt
- Policy 8 – Housing Size, Mix and Choice
- Policy 10 – Design and Enhancing Local Identity

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

- ENV1 – Development Criteria
- ENV29 – Replacement Dwellings in the Green Belt
- 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 appropriate weight if there are no unresolved objections:

- LPD14: Replacement of Buildings within the Green Belt (moderate weight)
- LPD 19: Landscaping Character and Visual Impact (limited weight)
- LPD 32: Amenity (moderate weight)
- LPD 35: Safe, Accessible and Inclusive Development (limited weight)

- LPD 37: Housing Type, Size and Tenure (limited 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 impact of the development to the openness and character of the Green Belt, the impact upon Highway Safety, impact upon the character and appearance of the locality and impact to neighbouring residential amenity.

7.0 Principle of Development

- 7.1 The site is located within the Nottingham Green Belt and is not within the Woodborough village infill boundary. Paragraphs 79 and 80 of the NPPF outline the importance that the Government attaches to the Green Belt and the aim of Green Belt Policy to prevent urban sprawl and to retain the essential openness and permanence of the Green Belt. Paragraph 87 advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.2 Paragraph 89 of the NPPF states that the construction of a new building should be regarded as inappropriate development and then lists a series of development exceptions which are considered to be not inappropriate in the context of the Green Belt. The replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces' is listed as an exception. The national planning policy position is reinforced by local planning policies, in particular Saved Policy ENV29 of the Gedling Replacement Local Plan and emerging Policy LPD14 of the Local Planning Document, with these policies stating that a replacement dwelling over 50% of the original floor space is considered to be materially larger and thus inappropriate.
- 7.3 The proposal includes the demolition of the existing outbuilding and a garage at the site. Whilst Saved Policy ENV29 does not specifically state that outbuildings can be included within the floorspace of the original dwelling, the emerging Policy LPD 14 is more specific and confirms that any existing buildings that fall within five metres of the original dwelling can be included within the 'existing' floorspace calculation. The existing outbuilding falls within five metres of the dwelling. This being the case, the existing floorspace on the site is considered to be 261m² (dwelling) and 52.8m² (outbuilding), giving a total of 313.8m².
- 7.4 A 50% increase in floorspace in line with emerging local planning policy LPD14 would allow for a total floorspace of 470.7m². Whilst LPD 14 has not yet been formally adopted by the Council, it is to be given moderate weight. Amended plans have been received which show that the proposed replacement dwelling would have a floorspace of 470m² and as a result the development would comply with the objectives of emerging Policy LPD 14 and would not be inappropriate development within the Green Belt.
- 7.5 In terms of the impact upon the openness of the Green Belt, the replacement dwelling would be set back further into the site, away from Bank Hill. The new dwelling would be two storey but due to its design it would not be of

substantial height. Due to the sloping nature of the site the height of the proposed dwelling varies depending upon the ground level, however both the existing and proposed dwelling have an approximate highest point of 9 metres. In addition to the dwelling, there would be a patio area that would step down to the rear garden area. Whilst it is noted that there are ground level differences across the site, it is considered that a dwelling could be accommodated in a manner that would minimise its height and visual impact. Precise details of ground and finished floor level can be secured by way of a planning condition.

- 7.6 On balance, it is not considered that the proposal would have a significantly adverse impact upon the objectives of including land in the Green Belt and on the openness of the Green Belt, in comparison to the existing dwelling on the site.
- 7.7 Given the proposed increase in floor area at the site, it is considered appropriate to attach a condition to the recommendation to remove Householder Permitted Development Rights as set out in the General Permitted Development Order 2015 to ensure future development at the site is controlled by the Local Planning Authority and that the development meets with Saved Policy ENV29.

8.0 Highway Impact and Parking Provision

- 8.1 A gated access exists at the site to allow vehicular access from Bank Hill. The revised scheme proposed an 'in and out' system through the creation and widening of a vehicular access points at the south-eastern boundary line of the site.
- 8.2 The Highways Authority has raised no objections to the creation of a new access from Bank Hill. Although the Highways Authority have requested that the existing access is made redundant before the development is first brought into use, the existing access is proposed to be utilised for the 'in and out' system and therefore this condition would not be required.
- 8.3 The proposed scheme would allow adequate off-street parking provision in accordance with Gedling Borough's SPD: Parking Provision for Residential Development. It is also considered that the scheme would ensure the safe access and egress of vehicles and pedestrians in and around the site.
- 8.4 As such there are no concerns in relation to the highway impact or parking provision as a result of the development proposed at the site. The proposal therefore accords with Saved Policy T10 of the Replacement Local Plan and emerging Policy LPD 61 of the Local Planning Document.

9.0 Visual Amenity

- 9.1 The application site is in a location which allows clear views north towards Calverton; the site is therefore visible on the approach to Woodborough from Foxwood Lane. The site is not within the infill boundary of Woodborough as defined by the Replacement Local Plan; however I am mindful that the site

forms part of the character of the local area by virtue of its situation on the approach into the village on Bank Hill.

- 9.2 The proposed siting of the replacement dwelling and patio at the site would be centred within the plot, a minimum of 17m from the front boundary with the highway, approximately 5.6m from the north-eastern boundary and approximately 10.5m from the south-western boundary. The rear boundary of the site, which slopes away to the north, is located a substantial distance from the proposed dwelling.
- 9.3 The design of the replacement dwelling is contemporary and is considered to be of a high design quality. Paragraph 60 of the NPPF advises that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. It is also noted that Local Planning Authorities should seek to promote or reinforce local distinctiveness. The application site is in an isolated location, at least 80m from any other built form and more than 200m from the infill boundary of Woodborough village. Accordingly, it is considered to be adequately separated from the building to ensure that the proposed development would not have an adverse impact upon the village's character or appearance. In respect of this, I consider the proposed design of the replacement dwelling at this location to be in accordance with the aims of the NPPF.
- 9.4 I consider that the design of the proposed replacement dwelling and the associated landscaping and ground works ensure that the building would not have a bulky appearance. Given the size of the plot, the development would not constitute over-development of the site and would not adversely affect the character of the locality in general. Precise details of proposed ground and finished floor levels can be secured by way of a planning condition but is considered the replacement dwelling can be accommodated in an appropriate manner in this respect.

10.0 Impact of neighbouring residential amenity

- 10.1 The nearest residential dwellings to the application site is located a minimum distance of 80m to the south-west and north-east of the application site. Due to this separation distance and the setting of the application site, there is not considered to be any unduly detrimental impact upon the living conditions of the residents of these properties and I consider the application accords with emerging Policy LPD32 of the Local Planning Document and Saved Policy ENV1 of the Replacement Local Plan which seek to protect the amenity of adjoining residents.

11.0 Other Considerations: Bats and Trees

- 11.1 Nottinghamshire Wildlife Trust has requested that a Bat Survey is carried out at the site and it is considered that it would be appropriate to attach this requirement as a pre-commencement condition.

11.2 It has been advised by Nottinghamshire County Council's Forestry Officer that the trees present at the site are young ornamental trees, and as such a tree survey is not required to be carried out on this occasion.

12.0 Conclusion

12.1 In conclusion, the development is considered acceptable for the following reasons:

- The proposal is appropriate development within the Green Belt and would not have a significantly adverse impact upon the objectives of including land in the Green Belt and on the openness of the Green Belt
- The design of the proposed replacement dwelling is considered to be acceptable
- Highway Safety and Residential amenity would not be adversely affected
- Ecological considerations can be addressed by way of a planning condition

12.2 For the reasons set out above, the proposed development accords with Saved Policies ENV1, ENV29 and T10 of the Gedling Borough Replacement Plan as well as the Parts 6, 7 and 9 of the NPPF and Policies A, 2, 3, 8 and 10 of the Aligned Core Strategy. The development is also considered to accord with emerging policies LPD 14, 19, 32, 35 37, 57 and 61 of the Local Planning Document. 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 following plans submitted to the Local Planning Authority:- Proposed ground floor plan, site plan, block & OS plans, drawing no. 002 Revision F, received on 1st June 2018- Proposed first floor plan, site plan, block and OS plans, drawing no. 003 Revision E, received on 1st June 2018- Proposed elevations, drawing no. 004 Revision D, received on 1st June 2018- Proposed site plan layout, drawing no. 005 Revision A, received on 16th May 2018The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.
3. No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local

Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.

4. Notwithstanding the details submitted, before development commences details of the existing and proposed ground levels and sections of the site, including proposed finished floor levels shall be first submitted to and approved in writing by the Local Planning Authority. The development shall then be built in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
5. No part of the development hereby permitted shall be brought into use until dropped vehicular verge crossings to serve the access points are available for use.
6. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
7. Notwithstanding the provisions of Part 1 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) the dwelling shall not be enlarged under Class A or Class D nor shall any works be undertaken under Class E.
8. No development shall commence until a Preliminary Roost Assessment (bat survey) has been carried out and a written report, to include any mitigation measures necessary and a timescale for their implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved report and any necessary mitigation measures shall be undertaken within the approved timescale.
9. Before development is commenced there shall be submitted to and approved by the Local Planning Authority a landscaping plan showing the position, type and planting size of all trees and shrubs to be planted. The approved landscaping details shall thereafter be implemented in full no later than the end of the first planting season following the development being brought into first occupation and any plant or tree that is removed, uprooted or is destroyed, dies or becomes seriously damaged or defective within 5 years of the implementation of the landscaping scheme shall be replaced with a plant or tree of the same species and size.

10. The existing buildings on the site shall be demolished prior to the first occupation of the dwelling 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 and to define the terms of this permission.
3. To ensure a satisfactory standard of external appearance.
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. In the interests of Highway safety.
6. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
7. To protect the openness of the Green Belt.
8. To ensure that ecological interests are safeguarded.
9. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Gedling Borough Council Aligned Core Strategy (September 2014).
10. To protect the openness of the Green Belt.

Reasons for Decision

In the opinion of the Borough Council the proposed development would meet with the objectives of national and local Green Belt policies, would be of an acceptable design, would not have an adverse impact upon residential amenity, would not cause detriment to highway safety and would not compromise ecological interests on the site. The proposed development therefore accords with Saved Policies ENV1, ENV29 and T10 of the Gedling Borough Replacement Plan as well as the Parts 6, 7 and 9 of the NPPF and Policies A, 2, 3, 8 and 10 of the Aligned Core Strategy. The development is also considered to accord with emerging policies LPD 14, 19, 32, 35, 37, 57 and 61 of the Local Planning Document.

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved 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

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

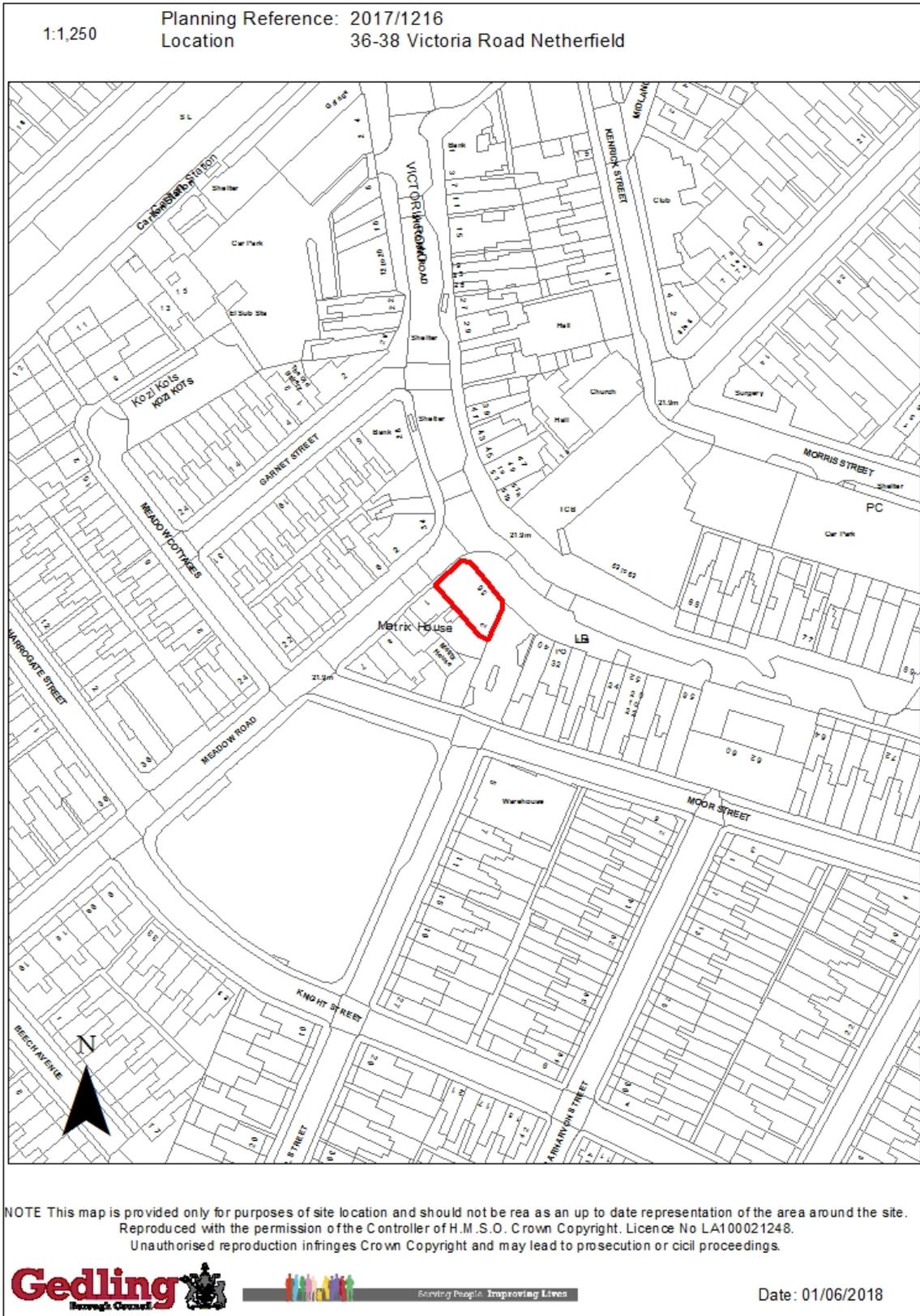
The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework. During the processing of the application there were considered to be no problems for which the Local Planning Authority had discussions have been undertaken to ensure that the proposal meets with relevant national and local planning policies.

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

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Planning Report for 2017/1216



Report to Planning Committee

Application Number:	2017/1216
Location:	36 - 38 Victoria Road Netherfield Nottinghamshire NG4 2HE
Proposal:	Ground floor change of use from a restaurant (Use Class A3) to a 9 bedroomed HMO (Use Class Sui Generis)
Applicant:	Ms Fariba Sezavar
Agent:	JLK Architects
Case Officer:	Graham Wraight

This application is referred to Planning Committee at the request of the Planning Delegation Panel.

1.0 Site Description

The application site relates to the ground floor of 36-38, Victoria Road, Netherfield, a three storey property situated within the designated shopping area for Netherfield. The ground floor of the premises is currently vacant but was last used as a restaurant. The first floor comprises a six bedroom house in multiple occupation and the second floor is in use as a three bedroom apartment.

2.0 Relevant Planning History

None.

3.0 Proposed Development

- 3.1 Planning permission is sought for the change of use of the ground floor of the premises from a restaurant, falling within a Class A3 (Restaurant and Café) use to a nine bedroom house of multiple occupation, falling within a Sui Generis use class.
- 3.2 Two car parking spaces are proposed to be provided to the rear of the premises within the existing parking area.
- 3.3 External alterations are proposed to the premises in order to accommodate the proposed use of the premises as a house in multiple occupation.
- 3.4 A Flood Risk Assessment has been submitted with the application.

4.0 Consultations

- 4.1 NCC Highway Authority – the application site is situated within the centre of Netherfield with bus stops adjacent to the site, together with two train stations within easy walking distance. Two car parking spaces alone are proposed to serve the proposal.

The lack of car parking is not a road safety concern, however the residents and their visitors may cause inconvenience to the existing residents and their visitors who also have a current demand for parking in the area.

The Highway Authority raises no objections to the proposal.

- 4.2 Environment Agency – no objections but must be carried out in accordance with the Flood Risk Assessment.
- 4.3 Local residents have been notified by letter and a site notice has been posted. One letter of representation as a result, the contents of which are summarised below:

- Antisocial behaviour.
- Whilst there is a lack of affordable housing, that is not reason to accommodate people in small homes.
- Whilst there are nine bedrooms there could be more occupants as partners, children etc. could be accommodated.
- Two bathrooms and two toilets seem inadequate to serve the accommodation.
- Concern that more rooms could be added without permission and there is space to do this.
- The two car parking spaces are inaccessible as there are bollards restricting access into the pedestrianised area adjacent to the site.
- There isn't a laundry room, drying of washing on radiators could result in health issues.
- Lack of parking and high demand for parking in the area.
- The site is situated in an area at risk of flooding.
- Concerns that the wiring of the building is not adequate.
- Overcrowding of the building.
- Concerns are raised in respect to fire issues to the building opposite.
- The proposal does not accord with the Council's ethics.

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 2 – Ensuring the vitality of town centres

Part 6 – Delivering a wide choice of high quality homes

Part 7 – Requiring good design

Part 10 – Meeting the challenge of climate change, flooding and coastal change

6.3 Gedling Borough Council Aligned Core Strategy 2014:

Policy 1 – Climate Change

Policy 6 – Role of Town and Local Centres

Policy 8 – Housing Size, Mix and Choice

Policy 10 – Design and Enhancing Local Identity

6.4 Gedling Borough Council Replacement Local Plan (Saved Policies 2014):

ENV1 – Development Criteria

S2 – Non Retail Uses in District Shopping Centres

S9 – Netherfield

H14 – Houses in Multiple Occupation

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

6.6 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 appropriate weight if there are no unresolved objections:

LPD32 – Amenity (moderate weight)

LPD49 – Development within Town and Local Centres (limited weight)

LPD 3 – Managing Flood Risk (moderate weight)

7.0 Planning Considerations

7.1 The main considerations in the determination of this application are whether the proposal is appropriate development in this town centre location, the impact on neighbouring properties and the area in general and whether there are any highway safety implications arising. The flood risk issues affecting the site also need to be assessed.

7.2 Principle of the development

The property is located with the Netherfield local centre and was most recently used as a restaurant under planning use class A3. Monitoring undertaken by Planning Policy demonstrates that the property was occupied during the years 2013 to 2017 but that it was vacant in January 2018. The property is prominently located within the central part of the local centre and forms a focal point within the surrounding street scene, at the junction between the two main shopping streets.

7.3 Saved Local Plan Policy S2 states that in district centres proposals for changes of use for non-A1 uses will be permitted provided that they do not create an unacceptable grouping of 4 or more non-A1 retail units and/or result in the proportion of non-A1 retail uses exceeding 35% of the frontage of the shopping centre. Saved Local Plan Policy S9 states that within Netherfield District Centre planning permission will be granted for non-A1 retail uses, including residential use. The text accompanying this policy advises that the need to put vacant units back into use will in some cases override policy S2. Emerging Local Plan Policy LPD49 sets out a number of criteria that must be met including that the percentage of other (non A uses) must not be more than 10% and that there must not be an unacceptable grouping of non-A1 uses.

7.4 Based on the most recent monitoring of the local centre which took place on 20th January 2018, the percentage of non-A1 frontages in the Netherfield Local Centre is 68% which is well above the thresholds set out in Saved Local Plan Policy S2 and emerging Local Plan Policy LPD49. Furthermore, the property sits adjacent to units that are not in A1 use and therefore the criteria of these policies relating the grouping of non-A1 uses would also not be met. With respect to Saved Local Plan Policy S9, whilst this does allow for residential uses with the local centre in the interests of bringing vacant units back into use, in this instance the property has not been vacant when monitoring has been undertaken in recent years. Although the unit is currently vacant, no evidence has been submitted by the applicant to demonstrate how the property has been marketed for its current use.

7.5 The proposal is therefore considered to be contrary to the objectives of Saved and Emerging Local Planning Policies that seek to safeguard the vitality and viability of local centres. Part 2 of the National Planning Policy Framework also seeks to promote local centres and to promote their vitality and viability, although it is accepted that residential development can play an important role in securing this on appropriate sites. For the reasons set out above and the evidence currently available, this is not considered to be an appropriate site.

7.6 As the proposal is contrary to both national and local planning policies, it must be considered whether there are any overriding factors that would outweigh this in the planning balance. With specific respect to this property, it is located within a key location within the local centre, linking the two main shopping streets of Victoria Road and Station Road. The loss of the current use, and its active frontage, would serve to create a break in these two streets and would result in the loss of a use that is actively promoted by planning policies at

ground floor level in retail areas. As there is no evidence that the property has been vacant for a sustained period of time, or that there were difficulties in re-letting for its current use or an alternative use that would comply with the relevant planning policies, it is considered that the proposal for residential use cannot be supported.

7.7 Impact on neighbouring properties, future occupiers and the area in general

I am satisfied that the proposed use of the premises, in terms of the activity associated with the use of the premises would result in no undue impact on neighbouring premises or the area in general.

7.8 Whilst I note that some external alterations to the building are proposed, these are relatively minor in nature and in my opinion do not detract from the building. The alterations proposed are not in my opinion dissimilar to the character of the existing building. The proposal would however result in the loss of a retail frontage, which would be undesirable given the location of the building within a local centre,

7.9 I am satisfied that there would be no undue overlooking impact as a result of the use of the building onto neighbouring properties given the distance and orientation of the building with existing neighbouring premises.

7.10 Whilst the internal space available to future residents is limited, it is considered that an adequate amount of space would be available to provide a reasonable level of amenity for the number of future occupiers that could reasonably occupy the property. Matters relating to potential over-occupation could be addressed under separate non-planning legislation.

7.11 Highway safety implications

I note the comments of the Highway Authority, as set out above in respect to the fact that only two off road car parking spaces are proposed to serve the proposal, which falls short of the amount of off road car parking spaces required under the Council's Parking SPD.

7.12 However, I am mindful that the site is situated within the Netherfield designated shopping area which is served by good public transport links and there are a number of public car parks within the area together with some off street parking availability.

7.13 I am also mindful of the previous use of the premises as a restaurant and consider that the proposed use of the premises for residential accommodation will not necessarily place a greater demand for off street parking in the area.

7.14 Flood risk issues

I note that the applicant's agent submitted a flood risk assessment as part of the application and having liaised with the Environment Agency it has been concluded that the proposed use of the site will not result in flood risk issues affecting the site or adjacent land provided that the development is

undertaken in accordance with the details as set out within the submitted flood risk assessment.

7.15 Other matters

I note the comments in respect to the provision of two bathrooms and toilets and would advise that the applicant's agent confirmed that the environmental health guidance has been adhered to regarding sanitary facilities. I note that concerns have been raised in respect to the fact that further accommodation could be provided at the site and would advise that should this be the case then planning permission would be required.

- 7.16 The lack of a provision of a laundry room is not a material consideration in the determination of the application. The concerns raised in respect to the wiring of the building together with fire risk issues would be dealt with under the submission of a Building Regulations application. There is no evidence to suggest that this proposal would give rise to anti-social behaviour.

8.0 Conclusion

The proposal is considered to be acceptable with respect to the impact that would arise upon adjacent properties, the level of amenity that would be provided for future occupiers, the impact upon the highway network and in flood risk terms. The proposal is however considered to be contrary to national and local planning policies that seek to safeguard the vitality and viability of local centres.

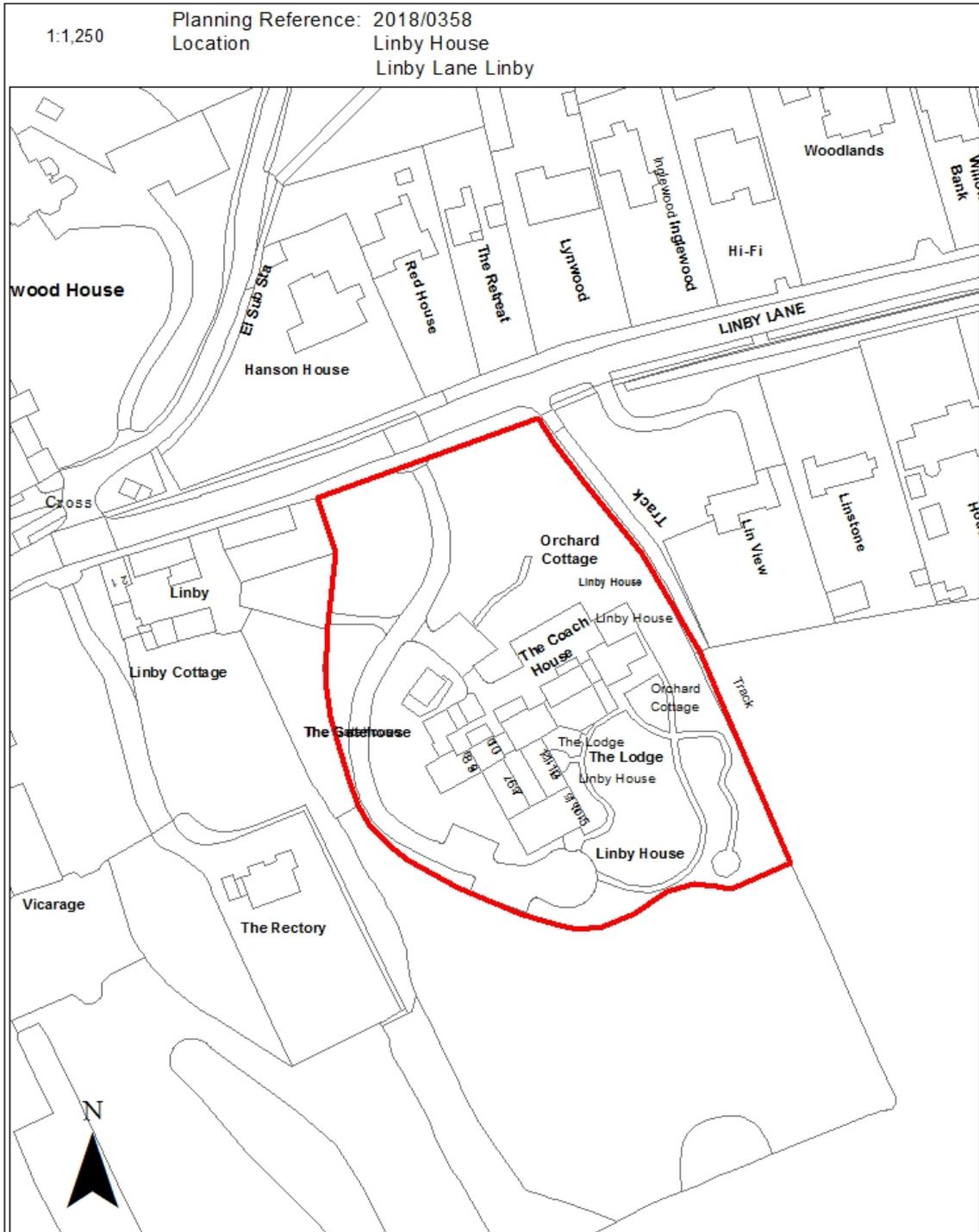
9.0 **Recommendation: REFUSE PLANNING PERMISSION**

1. The property is prominently located within the Netherfield Local Centre at the intersection of two main shopping streets. The proposed conversion of the existing A3 use to a nine bedroom house of multiple occupation falling within a Sui Generis use class would be contrary to the objectives of Saved Local Plan Policy S2 and Emerging Local Plan Policy LPD49 which seek to ensure that the retail character of local centres is retained and to promote the vitality and viability of local centres. For these reasons, the proposal is also contrary to the overarching objectives of the National Planning Policy Framework which seeks to safeguard the vitality and viability of local centres. Whilst the property is currently vacant, it has been in use through the proceeding years and no evidence has been provided to demonstrate that it cannot be reasonably reused for its current use or in a use that would comply with the relevant national and local planning policies.

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Planning Report for 2018/0358



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Serving People. Improving Lives

Date: 01/06/2018

Report to Planning Committee

Application Number:	2018/0358
Location:	Linby House Linby Lane Linby Nottinghamshire
Proposal:	Conversion of an existing "welfare facility and secure store" into a single residential dwelling.
Applicant:	Mr Steve Bell
Agent:	Mr Chris Lindley
Case Officer:	Deirbhile Blair

This application is referred to Planning Committee at the request of the Planning Delegation Panel.

1.0 Site Description

- 1.1 Linby House is a Victorian Villa standing in a large plot back from Linby Lane. It has been substantially developed by conversion to 13 apartments and extended by the construction of The Gatehouse apartment and, most recently, Orchard Cottage.
- 1.2 This application relates to a small welfare facility and secure store which is a single storey building 7.8m x 5.7m with a pyramidal roof, opposite the parking area, some five metres north of The Gatehouse Apartment.
- 1.3 The front part of the site is wooded and the rear is predominantly open garden area. A new refuse store is situated in the wooded area off the access drive. Vehicular access, from Linby Lane, is provided via a private electronically controlled gate.
- 1.4 The site is located within the Nottingham Derby Green Belt but within the defined infill boundary for Linby Village. It is also situated within the Linby Conservation Area.

2.0 Relevant Planning History

- 2.1 2015/0709 – Planning permission was granted for the retention of small welfare facility and secure store and the retention of relocated refuse store.

3.0 Proposed Development

- 3.1 Planning permission is sought to convert an existing “welfare facility and secure store” into a single self-contained residential unit.
- 3.2 There would be no external alterations.
- 3.3 One car parking space would be provided to the north east of the property.
- 3.4 Following negotiations with the Agent (17th May 2018), amendments were made to the curtilage and an amended Site Location Plan was submitted on the 17th May 2018. The application site redline is drawn tightly around the building proposed for re-use and relates solely to the additional residential unit. The outside space / curtilage would be shared with the wider residential complex.
- 3.4 The agent confirmed that the status of the residential unit should be considered as part of the wider apartment complex instead of a single dwelling with its own curtilage. In support of the application the agent advised that alterations allowed under the General Permitted Development Order could be removed from the new residential unit in order to control further development in the Green Belt.

4.0 Consultations

- 4.1 Adjoining neighbours have been notified and a Site Notice has been issued. No letters of representation have been received as a result.
- 4.2 Highways Authority – No objections.
- 4.3 Forestry Officer – No objections.
- 4.4 Public Protection – No objections.
- 4.5 Parish Council – Objections received, the comments are outlined below:
- The site is over-developed; and
 - Detached buildings have never been permitted within Linby House.
- 4.6 Conservation Officer – No objections in principle, subject to the following:
- The new use will preserve the character and appearance of the Conservation Area provided any external lighting is discreet and sensitive to its surroundings as should be any new boundary treatments. This should be controlled via condition/removal of PD rights.

5.0 Planning Considerations

- 5.1 Assessment of Planning Considerations
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that: ‘if regard is 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 material considerations indicate otherwise’.

- 5.3 The relevant national planning policy guidance in respect of this application is set out in the National Planning Policy Framework (March 2012). In particular the following chapters are relevant in considering this application:
- Part 6 – Delivering a wide choice of high quality homes
 - Part 9 – Protecting Green Belt Land
 - Part 12 – Conserving and Enhancing the Historic Environment
- 5.4 Gedling Borough Council Aligned Core Strategy (GBACS) (September 2014) is part of the development plan for the area. The following policies are relevant: -
- Policy A – Presumption in Favour of Sustainable Development
 - Policy 3 – The Green Belt
 - Policy 10 – Design and Enhancing Local Identity
- 5.5 Appendix E of the GBACS refers to the saved policies from Adopted Local Plans. The following policies contained within the Gedling Borough Replacement Local Plan (GBRLP) (Certain Policies Saved 2014) are relevant:
- Policy ENV1 – Development Criteria
 - Policy ENV14 – Change of Use of a Building in a Conservation Area
 - Policy ENV30 – Development Within Defined Infill Boundaries of Green Belt Wash Villages
- 5.6 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.
- 5.7 Where LPD policies meet the requirements set out in Paragraph 216 (i.e. they have no substantive objections) they are afforded “moderate” weight. Where LPD policies have outstanding objections, they are afforded “limited” weight.
- The following LPD policies are relevant to this application (and weight given):
- LPD12 – Re-use of Buildings within the Green Belt (Moderate)
 - LPD28 – Conservation Areas (Moderate)
 - LPD32 – Amenity (Moderate)
- 5.8 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: -
- The principle of the re-use of the building for a residential unit within the Green Belt;
 - Any adverse impact on the Linby Conservation Area and the wider site;
 - The impact on the amenity of neighbouring properties; and
 - Highway safety implications.
- 6.0 **The principle of the re-use of the building for residential unit within the Green Belt**

- 6.1 Paragraph 90 of the NPPF sets out certain forms of development that are not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt. One of the exceptions listed relates to the re-use of buildings provided that the buildings are of permanent and substantial construction. Policy LPD12 echoes paragraph 90 and states that within the Green Belt the reuse of buildings is not inappropriate provided it preserves the openness of the Green Belt and that the buildings are of permanent and substantial construction, are structurally sound and capable of re-use without major alteration, adaptations or reconstruction. It goes on to state that the proposed use should be wholly or substantially contained within the building identified for reuse. When the re-use is for residential purposes it should not result in isolated homes in the countryside.
- 6.2 I note that the current building is of substantial construction and the conversion would utilise existing openings for windows and doors. I therefore consider that its conversion can be accommodated without the requirement for major alteration or adaptation which accords with paragraph 90 of the NPPF and LPD12.
- 6.3 I would also note that the application site is located within an existing residential apartment complex and within the infill boundary of Linby village. I am therefore satisfied that its re-use would not result in an isolated new home in the countryside.
- 6.4 I note that the development is within the Green Belt wash village of Linby and the potential for further extensions to the building to have an adverse impact on openness of Green Belt. During the processing of the application the associated curtilage was removed from the proposal and the agent advised that the proposal should be considered as an additional residential unit forming part of the wider residential complex. In support of its conversion the agent has requested that enlargements, allowed under the General Permitted Development Order, could be restricted to control further enlargements to the building in the future. I would note that the proposed change of use does not incorporate associated curtilage outside the confines of the building itself and there would be no land in which further extensions could be erected. Given the above I consider that the removal of Permitted Development Rights should incorporate Class B – *additions to the roof of a dwellinghouse*, as this would be the only enlargements to the premises that could be achievable given the omission of an individual private curtilage.
- 6.5 Given that the building is of substantial construction without the requirement for major alteration I consider that the proposal would have no undue impact on the openness of the Green Belt. I would also note its location within the established village envelope of Linby where the principle of residential conversions is acceptable. It is my opinion that the proposed development would be sited in a sustainable location which would provide a wider choice of homes to serve the local community. The development is therefore acceptable in principle.
- 7.0 Any adverse impact on the Linby Conservation Area and the wider site**

- 7.1 The conversion relates to the internal alteration to form a single residential property utilising existing doors and windows to serve the property. I am therefore satisfied that there would be no significant impact on the visual external appearance of the building.
- 7.2 I note the comments from the Conservation Officer and consider that the proposed use as a single residential dwelling would conserve the character of the Conservation Area and would have no undue impact subject to the control of lighting and boundary treatments. Given that the curtilage has been removed from the proposal which would restrict domestic boundary treatments being erected I consider that the proposal would have no undue impact on the visual appearance of the site or the wider Conservation Area. I would also note that the agent has agreed to the removal of permitted development rights at the premises which would ultimately give the Local Planning Authority control over development on the premises in the future.
- 7.3 In light of the above I am satisfied that the development is in accordance with Policy ENV14 of GBRLP and LPD28 which require development to preserve or enhance the character and appearance of Conservation Areas.

8.0 The impact on the amenity of neighbouring properties

- 8.1 I note the location of the proposal set a distance of some 10 metres from the apartment complex of Linby House, the location of primary windows and the significant screening offered by vegetation and fencing presently onsite. It is my opinion that the proposed re-use would not result in any material impact on the residential amenity of the occupiers of other apartments in the complex and the details would accord with the NPPF, Policy ENV1 and Policy 10 of the GBACS.

9.0 Highway safety implications

- 9.1 When considering the car parking provision the adopted Parking Provision for Residential Development Supplementary Planning Document (SPD) May 2012 is relevant and the requirement for a 1 bedroom residential unit would be 1 space. Given that the proposal incorporates an additional off street car parking space the proposal accords with the above policy. I also note that the Highway Authority have not objected to the proposal.

10.0 Other considerations

- 10.1 I note the Parish Council comments with regards to overdevelopment within the site. However, the proposal is for the conversion of an existing building and would not result in any further construction on the site. I would also note that controls over future development would be secured by condition as outlined in paragraph 6.4 above. As such I am satisfied that the development would not result in overdevelopment of the application site.

11.0 Conclusion

- 11.1 For the reasons set out above I consider the proposal to accord with Policy 10 of the Aligned Core Strategy 2014 and saved Policies ENV1, ENV14, and

ENV30 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies), Policy LPD12, LPD28, and LPD32 and Government advice contained within the NPPF. I would therefore recommend that planning permission be granted.

12.0 Recommendation: GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in accordance with the submitted plans and Design and Access Statement received on the 5th April 2018, and revised drawings received by the Local Planning Authority on the 17th May 2018.
3. Notwithstanding the provisions of Part 1 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) the development hereby approved shall not be enlarged under Classes A, B, C, D, E, F, G, or H.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the details of the development are acceptable, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
3. To protect the openness of the Green Belt.

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have any detrimental impact on the openness or character of the Green Belt or the Conservation Area of Linby. It is also considered that the proposed development would result in no undue impact on the amenity of adjacent properties or on highway safety. The proposal therefore accords with Policy 3 (Green Belt), Policy 10 (Design and Enhancing Local Identity) of the Aligned Core Strategy 2014; Saved Policies ENV1 (Development Criteria) and ENV14 (Change of Use in a Conservation Area) of

the Gedling Borough Replacement Local Plan; and LPD12 (Re-use of Buildings in Green Belt), LPD28 (Conservation Areas), and LPD32 (Amenity) as well as the Policies contained within the National Planning Policy Framework.

Notes to Applicant

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

The 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

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



Report to Planning Committee

Application Number: 2017/0727

Location: Rear of 164 & 166 Porchester Road, Carlton

Proposal: Proposed pair of semi-detached houses

Case Officer: Amy Cockayne

Planning permission was refused by the Borough Council on the 15th November 2017 on the following grounds:

1. The proposed development by reason of its scale and design would result in an over-intensive development of the site that would be detrimental to the visual appearance of the area and would appear incongruous within the street-scene. The proposal would therefore not accord with the following local policies:- Policy 10 'Design and Enhancing Local Identity' of the Aligned Core Strategy 2014 and Saved Policies H7 'Residential Development on unidentified sites within the Urban Area and the Defined Village Boundaries' and ENV1 'Development Criteria' of the Gedling Borough Council Replacement Local Plan. The proposed development would also fail to accord with paragraph 63 of the NPPF which seeks to ensure that new development is of good design

2. The proposed development by reason of its scale and design would result in an overshadowing and overbearing impact to the detriment of the residential amenity currently enjoyed by the occupiers of No.168 Porchester Road. The proposal would therefore not accord with the following local policies:- Policy 10 'Design and Enhancing Local Identity' of the Aligned Core Strategy 2014 and ENV1 'Development Criteria' of the Gedling Borough Council Replacement Local Plan

3. In the opinion of Nottinghamshire County Council as Highway Authority and the Borough Council the proposed development, specifically the lack of adequate visibility splays for the proposed vehicular access serving Plot No.2, would not meet the minimum visibility standards required and would therefore result in highway safety issues to both drivers and pedestrians using the adjoining highway.

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

This appeal has been **dismissed**. The Inspector concluded that the proposal would represent an over intensive development that would harm the appearance of the site and the surrounding area. The development would also adversely affect the living conditions of adjoining occupiers. The development would not, however, result in harm to the public highway or to pedestrian safety.

Recommendation: To note the information.

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ACTION SHEET PLANNING DELEGATION PANEL 11th May 2018

2018/0091

98 Sandfield Road Arnold NG5 6QJ

(REVISED PLANS) Proposed residential development of 3no. dwellings.

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

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

Decision to be issued following completion of paperwork.

2018/0146

21 Rowland Avenue Mapperley NG3 6BZ

Two storey rear/side extension and insertion of/alterations to windows and doors in both side elevations and front elevation.

Withdrawn from the agenda

2018/0316

320 Spring Lane Lambley Nottinghamshire

Demolition of existing house and outbuildings and construction of new dwelling and garage (resubmission of 2017/0302)

The proposed development would have no undue impact on the Green Belt or residential amenity.

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

Decision to be issued following completion of paperwork.

2018/0327

31 Arno Vale Road Woodthorpe NG5 4JG

Proposed single storey side & rear extension.

Withdrawn from the agenda.

2018/0358

Linby House Linby Lane Linby

Conversion of an existing "welfare facility and secure store" into a single residential dwelling.

The Panel recommended that the application be determined by Planning Committee.

Mike Avery
Service Manager - Development Services
11th May 2018

ACTION SHEET PLANNING DELEGATION PANEL 18th May 2018

2018/0193

Environment Agency At Calverton Fish Farm Moor Lane Woodborough
Ground Mounted Solar PV array

The proposed development would not cause harm to the openness of the Green Belt and very special circumstances have been demonstrated.

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

Decision to be issued following completion of paperwork.

2018/0290

Tropical Bird And Pets 79 Victoria Road Netherfield
Conversion of ground floor shop into flat including external extensions/alterations

The proposed development would be contrary to planning policies that seek to safeguard the vitality and viability of local centres and flood risk concerns have not been addressed.

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

Decision to be issued following completion of paperwork.

2018/0353

6 Henry Street Redhill Nottinghamshire
Conversion to two self contained flats, Loft conversion, single storey extension.

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

2018/0344

19 Arno Vale Road Woodthorpe NG5 4JH
Two storey extension to the side of the property.

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

2018/0364
Craigness 9 Cross Street Carlton
First Floor Extension Above Garage and Dining Room.

The proposed development would have an unacceptable visual impact by reason of its design and appearance.

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

Decision to be issued following completion of paperwork.

2018/0385
16 Grange Road Woodthorpe Nottinghamshire
Side & rear single storey extension.

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

2018/0414
12 Longdale Lane Ravenshead NG15 9AD
Demolition of existing detached house and garage, erection of two detached houses and garages and formation of new access points and driveways

The proposed development would be acceptable in principle, would be in keeping with the character of the area and would have no undue impact 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.

Graham Wraight and David Gray 18th May 2018

ACTION SHEET PLANNING DELEGATION PANEL 1st June 2018

2017/0852

42 Jenned Road Arnold Nottinghamshire

Proposed extension including raised roof and extended first floor accomodation. Proposed front parking area and dropped kerb.

The proposed development would have a detrimental impact upon visual and residential amenity.

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

Decision to be issued following completion of paperwork.

2018/0024

8 Fearn Chase Carlton NG4 1DN

Internal alterations, the construction of a two storey extension to the rear elevation and the raising of the ridge height of the existing garage roof.

The proposed development would not have an undue impact upon visual or residential amenity.

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

Decision to be issued following completion of paperwork.

2018/0166

30 Church Street Lambley NG4 4QB

Single and two storey extensions to side, single storey extensions to front and construction of retaining wall

The proposed development would not have an undue impact upon visual or residential amenity or upon the Conservation Area.

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

Decision to be issued following completion of paperwork.

2018/0321

100 Kensington Gardens Carlton NG4 1DZ

First floor extension above garage & porch to front.

The proposed development would not have an undue impact upon visual or residential amenity or upon highway safety.

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

Decision to be issued following completion of paperwork.

2018/0335

19 Holme Close Woodborough NG14 6EX

Proposed two storey side extension and single storey rear.

The proposed development would not have an undue impact upon visual or residential amenity.

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

Decision to be issued following completion of paperwork.

2018/0373

20 Addison Road Carlton Nottinghamshire

Conversion of existing garage including first floor dormer to form annex to main house

The proposed development would not have an undue impact upon visual or residential amenity.

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

Decision to be issued following completion of paperwork.

2018/0367

39 Broadfields Calverton NG14 6JP

Proposed single storey side extension and alterations to existing.

The proposed development would not have an undue impact upon visual or residential amenity or upon highway safety.

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

Decision to be issued following completion of paperwork.

Graham Wraight 1st June 2018



Report to Planning Committee

Subject: Future Planning Applications

Date: 13/06/2018

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.

App No	Address	Proposal	Possible Date
2016/0347	26 Vale Road Colwick	Section 73 application to amend condition 12 (approved plans) of planning permission 2008/0287 to demolish offices, car parking & erection of 44 dwellings with associated roads & sewers	11/07/2018
2018/0471	Land Ashwell Street Netherfield	Construction of a new medical centre and pharmacy including associated car and cycle parking facilities, sub-station and landscaping	11/07/2018
2018/0516	103 Moore Road Mapperley	Erection of a single storey rear extension	11/07/2018
2014/0238	Land Westhouse Farm Moor Road Bestwood	Proposed residential development for 101 dwelling units, new access, amenity space, open space	11/07/2018
2018/0394	Land Adjacent Pepperpots Mapperley Plains	Certificate of Appropriate Alternative Development	11/07/2018
2018/0228	Land adjacent Oakdene Georges Lane Calverton	Change of use of agricultural land to a mixed traditional, natural and woodland burial ground, erection of facilities buildings	11/07/2018
2018/0365	Land on the North Side Of Briarbank Avenue Carlton	Erect 14 No. apartments	11/07/2018

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.

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