



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

Agenda

Planning Committee

Date: **Wednesday 27 March 2019**

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 Pauline Allan
Councillor Peter Barnes
Councillor Chris Barnfather
Councillor Alan Bexon
Councillor Jim Creamer
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 Muriel Weisz
Councillor Henry Wheeler

AGENDA

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2. **To approve, as a correct record, the minutes of the meeting held on 13 February 2019** 5 - 14

- Planning Committee Protocol**

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MINUTES PLANNING COMMITTEE

Wednesday 13 February 2019

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Meredith Lawrence
Councillor Michael Adams Councillor Marje Paling
Councillor Pauline Allan Councillor Colin Powell
Councillor Peter Barnes Councillor Alex Scroggie
Councillor Chris Barnfather Councillor Jane Walker
Councillor Alan Bexon Councillor Muriel Weisz
Councillor Kevin Doyle Councillor Henry Wheeler
Councillor David Ellis

Absent: Councillor Barbara Miller

Officers in Attendance: M Avery, C Goodall, S Pregon and G Wraight

111 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

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

112 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 JANUARY 2019.

RESOLVED:

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

113 DECLARATION OF INTERESTS

None.

114 APPLICATION NO. 2018/1034 - LAND OFF ORCHARD CLOSE, BURTON JOYCE

Outline planning application (all matters reserved except for access) for the erection of up to 15 No. dwellings and associated infrastructure.

Helen Ashworth – The Applicant, spoke in support of the application.

The Service Manager – Development Services introduced the report and informed Members that a further letter of representation had been received which raised no new issues.

The Service Manager – Development Services recommended that planning permission be granted in accordance with the report with an amendment to Condition 1 as follows:

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

RESOLVED:

To 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, education, bus stop improvements 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 appearance, scale, landscaping and layout (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 drawing number 11_ Revision 00 (with regard to the site area) and drawing number 67676-CUR-00-XX-DR-TP-75001 Rev P02 (with regard to the access point onto Orchard Close only). Development shall thereafter be undertaken in accordance with these plans.
- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 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 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

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

- 9 The reserved matters application for the layout of the development shall include detailed plans and particulars relating to the following items:

- (i) A detailed layout plan of the site (for the avoidance of doubt the submitted preliminary masterplan reference: 31-01 Revision 00, shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analyses of an 11.5m long refuse vehicle throughout the proposed highway to become adopted, considering the likelihood of on street parking;
- (ii) Details of the proposed arrangements and plan for future management and maintenance of any proposed private roads;
- (iii) Details of the proposed arrangements and plan for future management and maintenance of any hedgerows and other

vegetation not within the curtilages of the proposed dwellings;

(iv) Any bin storage proposals located on any shared private drives. Thereafter, the scheme shall be implemented in full accordance with the approved details.

- 10 No dwelling shall be occupied until such time as access to that dwelling has been provided in a bound material and the associated parking spaces have been provided in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.
- 11 Prior to commencement of any external works, details of Electric Vehicle charging points to be provided at each dwelling, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.
- 12 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 13 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance. The lighting scheme submitted for approval shall meet with the recommendations set out within paragraph 5.7 of the Ecological Assessment (reference 6849.003). The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 14 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided prior to the first occupation of the development hereby approved.

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 This pre-commencement condition is necessary to ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
- 5 This pre-commencement condition is necessary to ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
- 6 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 8 To ensure that existing trees are adequately protected.
- 9 To ensure the development is designed and constructed to adoptable standards and appropriately maintained.
- 10 To ensure appropriate access and parking arrangements are available.
- 11 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
- 12 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 13 In the interests of protecting ecological interests.

14 In the interests of enhancing ecological provision on the site.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 15 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk concerns. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

Notes to Applicant

The comments of Nottinghamshire County Council's Rights of Way Officer are enclosed.

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

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

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>

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's attention is drawn to the recommendations set out in the submitted Ecological Assessment (reference 6849.003).

The comments of the Lead Local Flood Authority are enclosed.

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.

115 APPLICATION NO. 2018/1155 - 12 BANK HILL, WOODBOROUGH

Replacement dwelling (resubmission of 2018/0026 and 2018/0628).

The Service Manager – Development Services introduced the report and recommended that planning permission be granted in accordance with the report.

A motion to grant planning permission was proposed and duly seconded. The motion was lost.

A further motion to refuse planning permission was proposed and duly seconded.

RESOLVED:

To refuse planning permission for following reasons:

The proposed replacement dwelling, by virtue of its design, would result in an incongruous development, out of keeping with the prevailing character and appearance of neighbouring properties, causing harm to the streetscene and setting of the adjacent Woodborough Conservation Area as a designated heritage asset, contrary to Paragraphs 124, 127, 130, 131, 192 & 193 of the National Planning Policy Framework, Policies 10 & 11 of the Aligned Core Strategy and Policies LPD14, LPD15 & LPD28 of the Local Planning Document.

116 ENFORCEMENT REF. 0011/2019 - LAND AT 3 BERRY HILL GROVE, GEDLING

Unauthorised construction of a play house built on the roof of a garage and a wooden and corrugated structure on the front elevation of the dwelling.

RESOLVED:

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

117 APPEAL DECISION - HARROD HOUSE, CHURCH STREET, CARLTON

1x freestanding 48 sheet overhead illuminated static advertising sign.

RESOLVED:

To note the information.

118 AUTHORITY MONITORING REPORT

RESOLVED:

To note the information.

119 FUTURE APPLICATIONS

RESOLVED:

To note the information.

120 DELEGATION PANEL

RESOLVED:

To note the information.

121 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.50 pm

Signed by Chair:
Date:

PLANNING COMMITTEE PROTOCOL

Introduction

1. This protocol is intended to ensure that planning decisions made at the Planning Committee meeting are reached, and are seen to be reached, in a fair, open and impartial manner, and that only relevant planning matters are taken into account.
2. Planning Committee is empowered by the Borough Council, as the democratically accountable decision maker, to determine planning applications in accordance with its constitution. In making legally binding decisions therefore, it is important that the committee meeting is run in an ordered way, with Councillors, officers and members of the public understanding their role within the process.
3. If a Councillor has any doubts about the application of this Protocol to their own circumstances they should seek advice from the Council Solicitor and Monitoring Officer as soon as possible and preferably well before any meeting takes place at which they think the issue might arise.
4. This protocol should be read in conjunction with the Council's Member's Code of Conduct, Code of Practice for Councillors in dealing with Planning Applications, briefing note on predetermination and the Council's Constitution.

Disclosable Pecuniary and Non- Pecuniary Interests

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

Pre-determination and Predisposition

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

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

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

Lobbying

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

Roles at Planning Committee

12. The role of Councillors at committee is not to represent the views of their constituents, but to consider planning applications in the interests of the whole Borough. When voting on applications, Councillors may therefore decide to vote against the views expressed by their constituents. Councillors may also request that their votes are recorded.
13. The role of Officers at Planning Committee is to advise the Councillors on professional matters, and to assist in the smooth running of the meeting. There will normally be a senior Planning Officer, plus a supporting Planning Officer, a senior Legal Officer and a Member Services Officer in attendance, who will provide advice on matters within their own professional expertise.
14. If they have questions about a development proposal, Councillors are encouraged to contact the case Officer in advance. The Officer will then provide advice and answer any questions about the report and the proposal, which will result in more efficient use of the Committees time and more transparent decision making.

Speaking at Planning Committee

15. Planning Committee meetings are in public and members of the public are welcome to attend and observe; however, they are not allowed to address the meeting unless they have an interest in a planning application and follow the correct procedure.
16. Speaking at Planning Committee is restricted to applicants for planning permission, residents and residents' associations who have made written comments to the Council

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

17. Other than as detailed above, no person is permitted to address the Planning Committee and interruptions to the proceedings will not be tolerated. Should the meeting be interrupted, the Chair of the Committee will bring the meeting to order. In exceptional circumstances the Chair of the Committee can suspend the meeting, or clear the chamber and continue behind closed doors, or adjourn the meeting to a future date.
18. Where members of the public wish to leave the chamber before the end of the meeting, they should do so in an orderly and respectful manner, refraining from talking until they have passed through the chamber doors, as talking within the foyer can disrupt the meeting.

Determination of planning applications

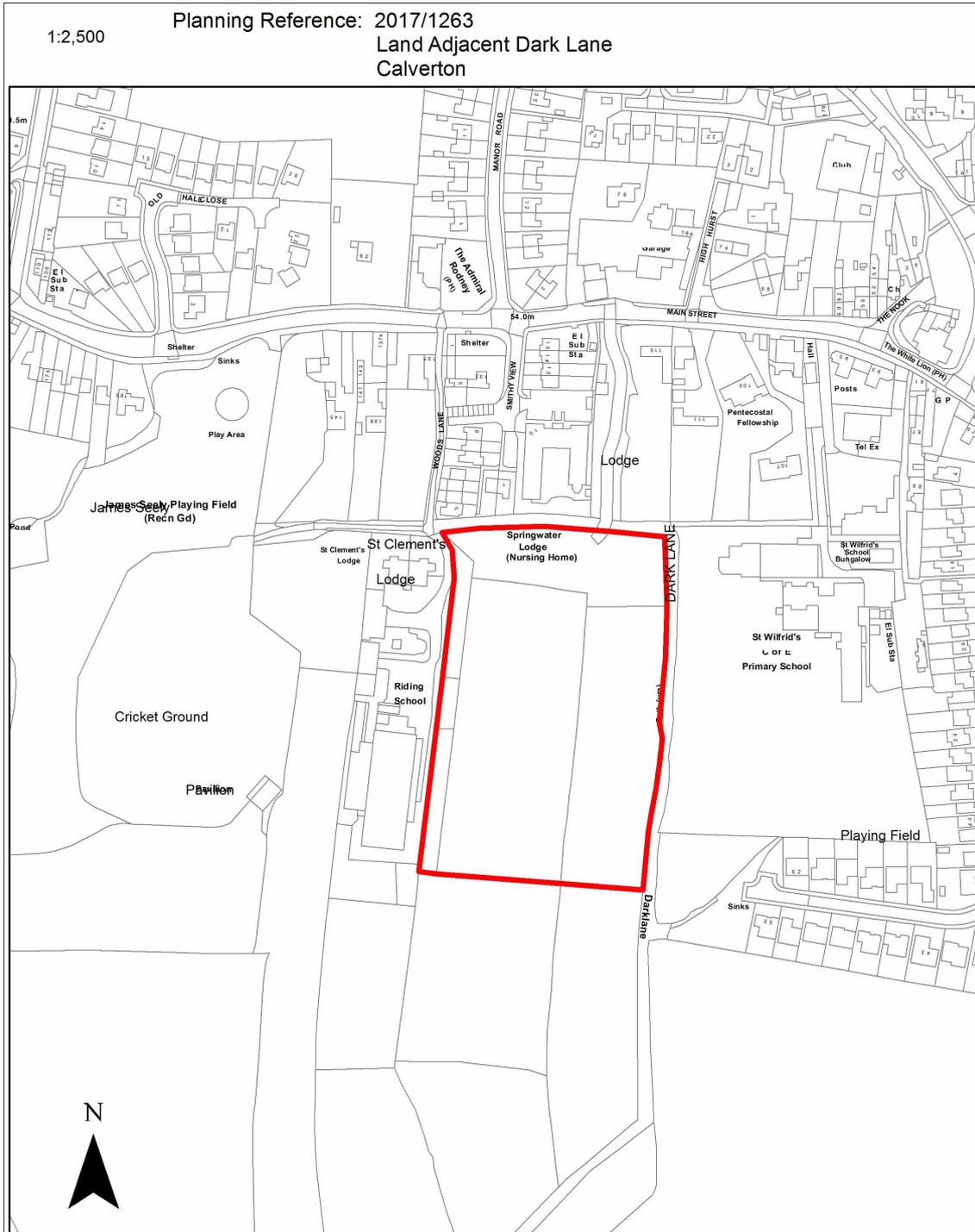
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the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

Oct 2015

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Planning Report for 2017/1263



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright. Licence No LA100021248. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Serving People Improving Lives

Date: 15/10/2018

Report to Planning Committee

Application Number: 2017/1263

Location: Land Adjacent Dark Lane Calverton

Proposal: Erection of 57 No. Dwellings and associated works.

Applicant: Langridge Homes Ltd

Agent: Halsall Lloyd Partnership

Case Officer: Graham Wraight

1.0 Site Description

- 1.1 The site comprises of a rectangular parcel of land of approximately 2.25 hectares situated to the south of Main Street in Calverton. The site is undeveloped and is overgrown in parts, although it appears to have been partially used for the keeping of horses in recent times. The land level rises from the north boundary of the site upwards towards the southern boundary of the site. The site is allocated for residential development in the Local Planning Document.
- 1.2 Dark Lane, a public footpath runs along the northern and eastern boundaries of the site. Beyond this to the north are dwellings and a nursing home and to the east is a Primary School and incidental open space located at the end of Renals Way. To the south is open land and to the west is a dwelling and a riding school.
- 1.3 Access to the site would be taken from Main Street and it noted that this access is already in place. This access point is located within the Calverton Conservation Area, however the remainder of the site where the proposed built development is to take place is not.
- 1.4 The site has established hedging and trees along its eastern and western boundaries but elsewhere vegetation is relatively sparse.
- 1.5 Fox Wood earthworks Scheduled Monument, which is also a Local Wildlife Site, is located approximately 450m to the south of the site. An L shaped Local Wildlife Site is also located between Fox Wood and the planning application site. Part of the site immediately adjacent to the eastern boundary is designated as open space by Policy NE2 of the Calverton Neighbourhood Plan.

1.6 The group of trees running along Dark Lane to the east of the site are protected by a Tree Preservation Order.

2.0 Relevant Planning History

2.1 81/1161 - Residential development – Refused

2.2 2005/0500 – Outline residential development – Withdrawn

2.3 2005/0910 – Outline Planning Application re-cladding of the existing sub-station, demolition of existing barns to the side of 115 Main Street as well as their partial rebuilding and their conversion to B1(a) offices, the construction of a new barn for 115 Main Street and the construction of 72 dwellings including the provision of a new access road to serve the development – Approved.

2.4 2010/0514 – Proposal to demolish existing barn in conservation area – Conservation Area consent granted.

2.5 2012/1503 – Reserved matters application (appearance, landscaping and scale) further to outline appn 2005/0910 – Approved.

3.0 Proposed Development

3.1 The development proposes the erection of 57 new dwellings in the following mix:

- 4 one bedroom duplex apartments
- 4 one bedroom apartments
- 3 two bedroom dwellings
- 3 three bedroom dwellings
- 19 four bedroom dwellings
- 24 five bedroom dwellings

3.2 All of the proposed dwellings would be two storey in height and the majority would be detached.

3.3 A landscape buffer would be provided along the whole of the eastern site boundary and an existing landscaping buffer runs along part of the western site boundary, outside of the red line site area.

4.0 Consultations

4.1 Environment Agency – no comment, please consult the Lead Local Flood Authority with respect to surface water disposal.

4.2 Nottinghamshire County Council – Lead Local Flood Authority – objects, the application does not include sufficient details relating to the management of surface water and as such we cannot make any further comments

4.3 Historic England – on the basis of the information available to date we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

- 4.4 Gedling Borough Council Conservation Officer – the houses appear crammed next to each other and it is recommended that housing extends into the area marked for future development, cross sections should be provided, landscape along the boundaries of the site is important to protect the setting of heritage assets, the eight dwellings along the southern boundary may have less impact if they are single storey (bungalows), recommends that traditional materials be used, the County Council Archaeologist should be consulted.
- 4.5 Gedling Borough Council Economic Development – the size of the development meets the thresholds for a Local Labour Agreement
- 4.6 Gedling Borough Council Public Protection – no objection, requests a condition relating to a noise and dust management plan.
- 4.7 Gedling Borough Council Parks and Street Care – requests a commuted sum of £ 73,823.16 towards off-site public open space provision together with £30,845.20 for 10 years maintenance.
- 4.8 Gedling Borough Council Strategic Housing – there is a requirement for 20% of the proposed dwellings to be affordable housing, of which 70% must be social rented and 30% intermediate housing. The housing mix should be representative of the development as a whole.
- 4.9 Gedling Borough Council Scientific Officer – no objection, request conditions relating to land contamination, electric vehicle charging points, a construction management plan and a travel plan.
- 4.10 Forestry Officer – no objection, requests a condition relating to the protection of root areas of all retained trees.
- 4.11 NHS Clinical Commissioning Group – request a S106 contribution of £35,595 towards health facilities, to be expended at The Calverton Practice which is situated in the village of Calverton.
- 4.12 Nottinghamshire County Council Highways – no objection subject to conditions relating to highway design matters.
- 4.13 Nottinghamshire County Council Planning Policy – requests a sum of £15,000 towards bus stop improvements.
- 4.14 Nottinghamshire County Council Education –

Primary - The development would yield 12 primary school places. The County Council would seek a contribution, based on build cost, of £228,576 (12 places x £19,048 per place). This will be used to extend the local school (St Wilfrid's C of E Primary School)

Secondary - The development would yield 9 secondary school places. The County Council would seek a contribution of £159,777 (9 places x £17,753) to mitigate the impact of this development.

4.15 Nottinghamshire County Council Archaeologist – no comments received as this service is no longer provided.

4.16 Severn Trent Water – no comments received.

4.17 Calverton Parish Council

Objects on the following grounds:

- The housing mix does not comply with the balanced mix of dwellings sizes required by Policy G5 of the Calverton Neighbourhood Plan.
- Policy G5 of the Calverton Neighbourhood Plan states that proposals for major development that do not include a mix of dwelling sizes and tenures and accommodation for elderly and disabled people will be refused.
- The proposed development fails to provide self-build opportunities as required by Policy G5 of the Calverton Neighbourhood Plan.
- Policy G5 of the Calverton Neighbourhood Plan states that Affordable Housing should be distributed across the development as a whole
- The proposal fails to meet with Policy BE1 of the Calverton Neighbourhood Plan with regard to village-edge development
- The proposal fails to meet with Policy BE2 of the Calverton Neighbourhood Plan which states that buildings on the fringes of major developments should have variations in height, style and position
- Impact upon Fox Wood Scheduled Ancient Monument
- Woodland belt should be provided to southern boundary
- The proposed materials are not appropriate, contrary to Policy BE2 of the Calverton Neighbourhood Plan.
- The development would fail to create an attractive street scene, contrary to Policy ISF3 of the Calverton Neighbourhood Plan.

Following the submission of new plans which amended the red line site area to omit an area of land along the western boundary and increase the maximum number of proposed dwellings to 57, Calverton Parish Council have advised that their original comments, which are summarised above, have not been addressed and still stand.

4.18 Calverton Preservation & History Society

Objects on the following grounds:

- The application refers to 54 dwellings but the design statement totals 53
- Straight road would lead to an angular effect neighbourhood
- Views to the Fox Wood area would be reduced, leading to a negative impact on local heritage and visual amenity of the landscape
- Land marked as for future development is surely not part of the application?
- The application is in conflict with the Calverton Neighbourhood Plan regarding housing mix, design and landscape and other aspects
- Have Historic England been invited to submit comments?
- The Preservation Society supports the view and comments submitted by Calverton Parish Council

4.19 Members of the Public

4.20 A press notice was published, three site notices were displayed and neighbour notification letters were posted. 3 objections have been received and these are summarised as follows:

- There are no dwellings suitable for the elderly, contrary to Policy G5 of the Calverton Neighbourhood Plan
- There are no extra facilities in the village such as school places and doctors
- Increase in traffic congestion
- Impact upon highway safety
- Access is being blocked by fences around the building site
- Bungalows should be included as they are lower and would allow more of the ridge line to be viewed and the elderly benefit from living at the edge of the village
- Properties should incorporate solar panels
- Where would surface water drain to?

4.21 Following the submission of new plans which amended the red line site area to omit an area of land along the western boundary and increase the maximum number of proposed dwellings to 57, a new period of consultation was undertaken which included the publication of a press notice, the display of three site notices and the posting of neighbour notification letters. 3 objections were received and these are summarised as follows:

- There are no extra facilities in the village such as school places and doctors
- Increase in traffic congestion
- Impact upon highway safety
- Where is the evidence we need these houses?
- Properties with 5 bedrooms need a double garage.
- Why are houses being built without solar panels?
- Where is the surface water going to drain to and why is it not being recycled?
- Where are the properties suitable for the elderly such as bungalows
- No more flats should be built
- Previous plans were refused
- Where are the self-build plots
- It is good that there is a space between houses & the foot path (north to south but concerned about the 2 story houses on the southern border)
- Suggests that one story bungalows are a far better way of enabling sight of a view of the ridge and would be less imposing/ dominating on the view looking down from the ridge.
- There is still a need is still for smaller properties
- Providing housing near shops, doctor, dentist, bus stops is vital for the elderly

4.22 The Ramblers, Nottinghamshire Area

Following the re-consultation in February 2019, The Ramblers, Nottinghamshire Area have made the following comments:

- No view either for or against the application but seek assurance that it will not affect the integrity of Dark Lane, which is a Definitive Right of Way, Calverton

Footpath No.14, in so far that the soft boundary currently in situ will be maintained thus preserving the character of path and its rural environment.

5.0 Planning Considerations

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 material considerations indicate otherwise'.
- 5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2018 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG)

6 Development Plan Policies

- 6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework 2019

Sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a sufficient supply of homes), 11 (Making effective use of land), 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals

Policy 1: Climate Change – all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.

Policy 2: The Spatial Strategy – sets out that settlement growth will take place in Calverton.

Policy 8: Housing Size, Mix and Choice – sets out the objectives for delivering new housing.

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

Policy 11: The Historic Environment – sets out the approach to conserving and/or enhancing heritage assets and their settings.

Policy 17: Biodiversity – sets out the approach to safeguarding and increasing ecological interests.

Policy 19: Developer Contributions – sets out that developer contributions will be required to secure necessary infrastructure.

6.4 Local Planning Document (Part 2 Local Plan)

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 4: Surface Water Management – sets out the requirements with respect to surface water management.

LPD 11: Air Quality – states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.

LPD 18: Protecting and Enhancing Biodiversity – sets out the approach to protecting and enhancing biodiversity.

LPD 19: Landscape Character and Visual Impact – states that planning permission will be granted where new development does not result in a significant adverse impact on the character of the landscape.

LPD 21: Provision of New Open Space – sets out that open space provision is required where sites exceed 0.4 hectares.

LPD 26: Heritage Assets – sets out the requirements with regard to development that may affect designated or non-designated heritage assets and sets out the criteria for doing so.

LPD 28 – Conservation Areas – states that development proposals should preserve or enhance the character or appearance of Conservation Areas

LPD 30 – Archaeology – sets out the approach with regard to development that affects archaeological interests, including Scheduled Monuments.

LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 33: Residential Density – states that planning permission will not be granted for proposals of less than 30 dwellings per hectare unless there is convincing evidence of a need for a different figure.

LPD 35: Safe, Accessible and Inclusive Development – sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.

LPD 36: Affordable Housing – sets out the affordable housing requirements on sites of 15 and more dwellings.

LPD 37: Housing Type, Size and Tenure – states that planning permission will be granted for residential development that provides for an appropriate mix of housing.

LPD 42: Self Build and Custom Homes – states that planning permission will be granted for self-build and custom homes subject to a number of criteria being met and that on large sites an appropriate percentage of such homes will be sought.

LPD 48: Local Labour Agreements – sets out the thresholds where a Local Labour Agreement will be required.

LPD 57: Parking Standards – sets out the requirements for parking.

LPD 61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

LPD 63: Housing Distribution – sets out that Calverton will be required to provide 820 new homes in the plan period.

LPD 66: Housing Allocations – allocates the Dark Lane site as a housing allocation for 70 homes.

6.5 Calverton Neighbourhood Plan

The Calverton Neighbourhood Plan was adopted by Gedling Borough Council on 31 January 2018. As such the Calverton Neighbourhood Plan forms part of the Development Plan for Gedling Borough.

Policy G2: Developer Contributions – sets out that developer contributions will be sought towards education provision (nursery, primary, secondary, 16-18), primary GP healthcare provision and village centre environmental improvements

Policy G5: Housing Mix – states that development should include a mix of dwelling sizes, that planning permission will be granted for developments which provide bungalow and other types of accommodation for elderly and disabled people, that proposals for major development that do not include a mix of dwelling sizes and tenures and accommodation suitable for elderly and disabled people will be refused, that on all major development schemes, planning permission will be granted for the provision of plots for self-build subject to other policies in the development plan and that affordable housing should be designed and delivered to be indistinguishable from market housing and should be distributed throughout the development as a whole.

Policy ISF1: Sustainable Transport – states that opportunities for the use of sustainable modes of transport must be maximised.

Policy ISF2: Car Parking – states that any new development outside of the Village Centre will only be permitted where it has sufficient parking provision.

Policy ISF3 – Highway Impact – sets out the criteria for assessing highway impact.

Policy ISF4: Infrastructure Provision – states that residential developments will be required to provide the necessary infrastructure, such as education provision, healthcare provision, open space and drainage provision.

Policy BE1: Design & Landscaping – states that all development on the edge of Calverton must provide soft landscaping on the approach into the village and sets out criteria to achieve this.

Policy BE2: Local Distinctiveness and Aesthetics – states that development should be designed to a high quality that reinforces local distinctiveness including that buildings on the fringes of major developments should have variations in height, style and position.

Policy BE3: Public Realm – sets out the approach to the public realm and to landscaping.

Policy BE4: Parking Provision – sets out that adequate parking must be provided.

Policy BE5: Heritage Assets – sets out the approach to development that affects designated heritage assets including Conservation Areas and Ancient Monuments.

Policy NE2: Open Space – states that the eastern part of the planning application site is protected open space.

Policy NE3: Flooding- sets out the approach to preventing flooding and to ensure that adequate drainage is provided.

Policy NE4: Green Infrastructure –sets out the approach to green infrastructure and ecological considerations.

Policy NE5: Biodiversity – sets out the approach to biodiversity.

6.6 Other

Parking Provision for Residential Developments –Supplementary Planning Document (2012) – sets out the car parking requirements for new residential development.

Open Space Provision - Supplementary Planning Guidance (2001) – sets out the open space requirements for new residential development.

Affordable Housing Supplementary Planning Document (2009) – sets out the affordable housing requirements for new residential development.

Dark Lane Development Brief (2008)

Calverton Conservation Area Appraisal (2007)

7.0 **Planning Considerations**

Principle of the development

- 7.1 The site is identified as housing commitment (H14) by Policy LPD 66 of the Local Planning Document which was adopted in July 2018. Policy LPD 66

identifies the site as providing approximately 70 dwellings. Furthermore, it is noted that planning permission has previously been granted on the site for residential development, and that works to construct the access road from Main Street have been completed. The approval of this full planning application for residential development would therefore be entirely in accordance with the development plan and with the objectives of the National Planning Policy Framework and Aligned Core Strategy.

Layout

- 7.2 Objections have been received on the grounds that the layout of proposed development is not in conformity with national and local planning policies, including those set out in the Calverton Neighbourhood Plan. It has also been contended that the proposed layout is inferior to that approved under reserved matters reference 2012/1503 in general terms and in terms of its compliance with these relevant policies.
- 7.3 It is however considered the layout now presented is no less appropriate in layout terms than its predecessor and that it would not conflict with the objectives of national or local planning policies. In particular, both schemes present dwellings located tightly together, creating an urban feel within the respective streetscenes. Whilst it is accepted that the dwellings closest to the southern boundary on the previous scheme would enjoy greater degrees of separation from one another than on the now proposed scheme, it is considered that this would have a limited impact in terms of creating a rural feel.
- 7.4 Whilst it is noted that the view of the development from the south will present a continuous row of two storey dwellings, it is not considered that this would justify a refusal of planning permission, given that the views in question would be of a housing development of an acceptable design located on a site that has been allocated for residential development in the adopted Local Planning Document. It is accepted that this represents a minor variance from the wording of Policy BE2 of the Calverton Neighbourhood plan but notwithstanding this it is considered that the proposed development meets with the general objectives of this policy to with respect to local distinctiveness and aesthetics.
- 7.5 The layout of the proposed development is therefore considered to accord with the objectives of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy, Policies 19 and 35 of the Local Planning Document and Policies BE1, BE3, NE2 and NE4 of the Calverton Neighbourhood Plan. The proposal would also meet with the general objectives of Policy BE2 of the Calverton Neighbourhood Plan, notwithstanding the minor variance to the wording of the policy.

Density

- 7.6 The site area is 2.25 hectares which gives a density of 25.3 dwellings per hectare. Policy LPD 33 states that development in Calverton should be of a minimum density of 25 dwellings per hectare, so the proposed development would meet with this requirement.

Design

- 7.7 The proposed dwellings would be brick built with tile roofs and would incorporate brick detailing around windows and at eaves level. The dwellings would also contain design features such as gables and porches. It is considered that the proposed design is acceptable and would meet with the objectives of National Planning Policy Framework, Policy 10 of the Aligned Core Strategy, Policy 35 of the Local Planning Document and Policies BE2 and BE3 of the Calverton Neighbourhood Plan.

Impact upon adjacent occupiers

- 7.8 The nearest existing dwellings to the proposed development are St Clement's Lodge to the west and dwellings on Smithy View to the north. However the separation distances between the proposed dwellings (facing elevation to elevation) and the existing dwellings would be approximately 25m and 26m respectively which are considered to be adequate to protect residential amenity, even on consideration that the land to the north is at a lower ground level than that on the site.
- 7.9 It is therefore not considered that the proposed development would have an undue impact upon residential amenity and the proposal would be in accordance with the objectives of the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policy LPD 32 of the Local Planning Document.

Impact upon designated heritage assets

- 7.10 The Calverton Conservation Area Appraisal (February 2007) states at 5.38 that:

'It is inevitable that the proposed development at Dark Lane will have an impact on the setting of the Conservation Area and efforts will need to be made to mitigate this as much as possible, chiefly where the access onto Main Street is concerned, the landscaping in and around the site, and in terms of the scale of, style of, and materials used for, the new houses.'

- 7.11 Map 5 of the Appraisal identifies the view from the garage on Main Street looking south (along the path of the now constructed access road to the site) as a Key View and Vista.
- 7.12 With regard to the Conservation Area, the planning balance applied during consideration of the previous planning application is noted. In terms of the current application, only the access road from Main Street falls within the Calverton Conservation Area and this part of the proposal is already approved and constructed. Although adjacent to the Conservation Area, it is considered that the proposed dwellings would not affect the setting of this designated area nor cause any harm to it. Furthermore, the Agent has advised that it is intended to construct the dwellings using traditional cottage coloured bricks, classic pantile roof tiles and to use timber framed windows with Georgian bars. It is considered that this would further help to integrate the proposed

new dwellings into the surrounding environment. Landscaping can be secured by way of a planning condition. In terms of the impact on this Key View and Vista, it is not considered that the proposed scheme would have a materially different impact when compared to the previously approved scheme.

- 7.13 The impact upon the Fox Wood Scheduled Monument has been raised in representations as a concern and again interested parties have drawn comparison to the previously approved scheme. Whilst it is accepted that the previous scheme did include four bungalows close to the southern site boundary, the remainder of the site consisted of two storey dwellings. Accordingly, views taken from the within the vast majority of the previously approved development toward Fox Wood would have been obscured by built development. Requiring that bungalows be placed adjacent to the southern boundary would have only a very limited impact on views taken towards Fox Wood by members of the general public. With regard to views taken from Main Street, in both the previous and proposed scheme the nearest houses to Main Street would be two storey and therefore it is not considered that there would be any significant difference in terms of the impact on views towards Fox Wood.
- 7.14 Furthermore, it is noted that Fox Wood is some distance from the application site (approximately 450 metres) and is elevated at a higher ground level, meaning that there would be no harm to its setting. Historic England have been consulted and have advised that they do not wish to make any comments on the current proposal, instead directing the Council to the advice provided by its own Conservation Officer. The Conservation Officer does not raise any specific objection to the current proposal in terms of the impact upon Fox Wood, referring only to the potential siting of bungalows adjacent to the southern boundary which is a matter that has been addressed in paragraph 7.13 above.
- 7.15 It is therefore considered that the proposal accords with the objectives of the National Planning Policy Framework, Policy 11 of the Aligned Core Strategy, Policies LPD 26 and 28 of the Local Planning Document and Policy BE5 of the Calverton Neighbourhood Plan.

Ecological Considerations

- 7.16 An ecological appraisal has been submitted in support of the proposal and this concludes that the development would not have an adverse impact upon protected species or other ecological interests providing that matters relating to landscaping, tree protection, lighting, vegetation removal and measures to ensure that animals do not become trapped during construction works are addressed. These matters can be addressed by way of a planning condition which requires that development be undertaken in accordance with the recommendations of the ecological appraisal.
- 7.17 It is therefore considered that the proposal meets with the objectives of the National Planning Policy Framework, Local Planning Document Policy 26 and Calverton Neighbourhood Plan Policy NE5.
Sherwood Forest Special Protection Area

- 7.18 Paragraph 3.17.3 in the Council's Aligned Core Strategy (ACS) (2014) states 'Whilst this is not a formal designation, it does mean that these areas are under consideration by the Joint Nature Conservation Committee, and may be declared a proposed Special Protection Area in due course. The Aligned Core Strategies and Infrastructure Delivery Plan therefore take a precautionary approach and treat the prospective Special Protection Area as a confirmed European Site. The infrastructure Delivery Plan sets out requirements for a range of mitigation measures as recommended in the Habitats Regulation Assessment Screening Record. A decision on the extent of any possible Special Protection Area is not known'.
- 7.19 Natural England's current position in respect of the Sherwood Forest Region is set out in an advice note to Local Planning Authorities (March 2014) regarding the consideration of the likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest Region. While no conclusion has been reached about the possible future classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interests, Natural England advise those affected Local Planning Authorities (LPAs) to be mindful of the Secretary of State's decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats was given significant weight.
- 7.20 In light of this decision the Advice Note recommends a precautionary approach should be adopted by LPAs which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This will help to ensure that any future need to comply with the provisions of the 2010 Regulations is met with a robust set of measures already in place. However unlike the Council's ACS, Natural England's Standing Advice Note does not recommend that the Sherwood Forest Region should be treated as a confirmed European site.
- 7.21 Having regard to evidence submitted to the inquiry in 2010, the site is not located within a core ornithological interest for breeding nightjar and woodlark area but is situated within an indicative 5km buffer zone. An ecology report has however been prepared by the applicant and this does not find any evidence of nightjar or woodlark on the planning application site. The precise extents of any buffer zones are not known and therefore it is considered that the proposal would have a minimal variance with Paragraph 3.17.3 of the Council's ACS and the benefits of the scheme would outweigh any harm identified.
- 7.22 In terms of the legal background, a potential Special Protection Area (pSPA) does not qualify for protection under the Habitats Regulations until it has been actually designated as a SPA. Furthermore, the site does not qualify for protection under the NPPF as paragraph 176 refers to pSPAs and footnote 59 explicitly states that pSPAs are sites on which the Government has initiated public consultation on the case for designation. This has not occurred and therefore the Sherwood Forest Region does not qualify for special protection

and a risk based approach is not necessary to comply with the Habitat Regulations or the NPPF.

- 7.23 It should also be noted that this site is an allocated housing site within the recently adopted (July 2018) Local Planning Document, with Policy LPD 66 identifying it as a housing commitment due to the fact that works have commenced on site (with regard to the access road). The Local Planning Document has been through a Public Inquiry, has been found to be sound and has subsequently been adopted by Gedling Borough Council, meaning that housing development on this site is in full conformity with the Local Planning Document. Against this background and given the fact that no evidence of Woodlark or Nightjar have been found on the site, it is considered that it can be reasonably concluded that the site would not have any adverse effects on the breeding populations of Nightjar and Woodlark in the Sherwood Forest Area and that the development would meet with the objectives of Policy 17 of the Aligned Core Strategy.

Highway Matters

- 7.24 The development would be accessed via a road from Main Street which has been installed and hard surfaced having been approved under reference 2005/0910. The Highway Authority have not raised an objection to the proposal, subject to conditions relating to construction details of the remaining parts of road being provided, that drives and parking areas are hard surfaced and that driveways, that wheel washing facilities be provided during construction and that parking areas are adequately drained. It is considered reasonable to impose planning conditions relating to these matters.
- 7.25 The proposal includes at least three parking spaces for all of the four and five bedroom dwellings, which accounts for 43 of the 57 proposed units. This meets with the requirements of the Parking Provision SPD. The remaining units would have the required number of allocated parking spaces but there would be a shortfall in unallocated spaces of 6.1 spaces. However, this shortfall is considered to be minor in relation to the scale of the development and could be accommodated on street, which is a scenario that the SPD allows for.
- 7.26 In light of the previous approval and the fact that there is no objection from the Highway Authority, it is not considered that the proposal would be harmful to highway safety or the surrounding highway network in general, and therefore the proposal would accord with the objectives of the National Planning Policy Framework, Local Planning Document Policies LPD 57 and 61, the Parking Provision SPD and Calverton Neighbourhood Plan Policies ISF3 and BE4.

Impact upon trees and hedgerows

- 7.27 A Hedgerow Regulations Assessment has been submitted which assessed the three hedgerows present on the site. H1 runs along the eastern boundary, H2 runs along the middle of the site and H3 runs along the western boundary. All three hedgerows run from north to south.

- 7.28 H1 is classified as 'Important' under the Hedgerow Regulations (1997) whereas Hedgerows H2 and H3 are not. It is noted that H3 has low species diversity, being dominated by hawthorn and a very sparse ground flora. Hedgerow H2 appears older and has greater diversity but is still relatively species poor and does not have sufficient additional features to classify as 'Important'. H2 is also gappy and in poor condition due to lack of management, particularly at the southern end where a number of immature English elm trees within the hedgerow have died off.
- 7.29 As H1 is located within the landscape buffer zone to the eastern boundary it is not considered that the development would pose a threat to its retention. H2 would need to be removed to facilitate the development however this is considered to be reasonable considering the findings of the assessment. It would appear that there is potential to retain H3 as this would run along the rear gardens of the proposed new dwellings.
- 7.30 An Arboricultural Assessment has also been submitted and has been considered by the Forestry Officer. The Forestry Officer is satisfied that BS category 1 and 2 trees are to be retained and therefore has raised no objection subject to the imposition of a planning condition relating to tree protection measures. It is also therefore considered that the proposal would not cause harm to the group of trees running along Dark Lane to the east of the site which are covered by a Tree Preservation Order.
- 7.31 It is therefore considered that the proposal accords with the objectives of the National Planning Policy Framework, Policy LPD 19 of the Local Planning Document and Policy NE4 of the Calverton Neighbourhood Plan.

Planning obligations

- 7.32 The development proposed would require that the following planning obligations be met:
- 20% on-site affordable housing (70% must be social rented and 30% intermediate housing) in accordance with LPD Policy 36 and the adopted Affordable Housing Supplementary Planning Document 2009.
 - 73,823.16 towards off-site public open space provision together with £30,845.20 for 10 years maintenance.
 - £228,576 for 12 primary school places, to be used to extend the local school (St Wilfrid's C of E Primary School) and £159,777 for 9 secondary school places to mitigate the impact of the development.
 - £35,595 for health facilities as requested by the NHS. The NHS advises that patients are likely to register with The Calverton Practice.
 - £15,000 towards bus stop improvements as requested by Nottinghamshire County Council. The contribution would improve the standard of bus stop infrastructure in the vicinity of the development and could be used for, but not limited to; Real Time Bus Stop Poles & Displays including Associated Electrical Connections, Extended Hardstands/Footways, Polycarbonate or Wooden Bus Shelters, Solar or Mains Lighting, Raised Boarding Kerbs and Enforceable Bus Stop Clearways. The improvements are at the nearest bus stops which are situated close to the site, so are directly related to the

development, and are fairly and reasonably related in scale and kind to the development

- Local Labour Agreement to meet with the requirements of LPD Policy 48
- Maintenance of open space and drainage feature on site not within the residential curtilages or adopted by the Highway Authority.

7.33 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.

Affordable housing location

7.34 The layout plan submitted proposes that the affordable housing provision is clustered together in the area of the site closest to Main Street. Policy G5 of the Calverton Neighbourhood Plan states that affordable housing should be distributed through the development as a whole, in this instance it is considered that there is merit in having the affordable housing provision closest to the amenities and public transport facilities available in Calverton. The minor variance is therefore considered to be acceptable. Furthermore, this is a relatively small development and the potential to distribute the Affordable Housing is limited. The affordable housing mix would be three 3 bed dwellings, 3 two bed dwellings and 5 one bed dwellings, which is considered to be an appropriate mix.

Other matters

7.35 With regard to self-build and custom homes, it is noted that paragraph 11.8.3 of the Local Planning Document states that a Supplementary Planning Document is proposed and that this will provide developers with details on how to deliver self-build and custom plots. However, in the absence of this SPD, there is no definition available as to what constitutes a large site or whether there is a demand for such homes on this site. Therefore it is not considered reasonable to impose a requirement for self-build or custom homes.

7.36 It is noted that the Lead Local Flood Authority have objected on the grounds that there is insufficient information relation to surface water drainage to allow them to make comments. However, given that there has been a previous planning permission on the site for residential development, that the site is allocated in the Local Planning Document for housing, and that there is space on the site to include sustainable drainage features (such as a swale) in the same location as was approved under reserved matters reference 2012/1503, it is considered that surface water drainage can be reasonably be addressed by way of a planning condition as technical solutions are available to deal with drainage issues.

7.37 The planning obligations required would include contributions towards education and healthcare provision, and in addition the development would be liable to pay the Community Infrastructure Levy. It is considered therefore that the development would contribute to the provision of facilities in Calverton.

- 7.38 It is noted that Gedling Borough Council adopted a development brief with regard to this site in July 2008. However due to the passage of time since this was adopted and fact that a new planning policy framework is in place at both a national and local level, this development brief can be given limited weight in the decision making process. Notwithstanding this, the proposal under consideration would generally accord with the objectives of the development brief.
- 7.39 It is not considered that the proposed development would have an adverse impact upon the footpaths adjacent to the site, in particular as the access road which intersects part of the footpath has already been constructed. Whilst part of northern boundary with the footpath is likely to be formed with solid boundary treatments, the rest of the northern boundary and the entire eastern boundary could be treated with softer boundary structures and landscaping, thus maintaining a rural feel. Matters relating to archaeology can be addressed by way of a planning condition, as was the case with respect to the previous planning permission. It is noted that the plans submitted show a reference to possible future development on adjacent land, but this land is not within the application site and any proposals to develop it would need to be subject of a separate planning application. The future maintenance of open space and drainage features would be controlled within the S106 planning obligation.
- 7.40 In order to meet with the objectives of LPD 11 it is considered reasonable to require that an electric vehicle charging point is incorporated into each dwelling. This can be secured by way of a planning condition. There is no requirement that new dwellings incorporate solar panels. It is not considered that a planning condition or legal obligation to secure a Travel Plan is reasonable given the scale of the proposed development.

8.0 Conclusion

- 8.1 The proposed development would take place on a site that is identified as a housing commitment with the Local Planning Document and would be of an acceptable layout, design, density, would not have an undue impact upon residential amenity, designated heritage assets, ecological considerations, existing landscape features or highway safety. The development would therefore accord with the general objectives of the national and local planning policies set out above.

Recommendation: Grant Full Planning Permission: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, bus stop improvements, maintenance of open space areas and drainage features and a local labour agreement; 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 following plans:
 - o 001_B
 - o 201_E
 - o 202_E
 - o 203_E
 - o 204_E
 - o 205_E
 - o 206_D
 - o 207_D
 - o 208_D
 - o 209_D
 - o 210_D
 - o 211_D
 - o 212_E
 - o 213_E
 - o 214_E
 - o DLCPD01 REV D

The development shall thereafter be undertaken in accordance with these plans.

- 3 The development shall be constructed using the external materials set out in the Rebuttal Statement received on 9th August 2018.
- 4 Prior to the first occupation of the dwellings hereby approved there shall be submitted to and approved by the Local Planning Authority a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted. The approved landscape plan shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area 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, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place.
- 5 No dwelling shall be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries or divisions within the site, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the dwellings are first occupied and retained as such in perpetuity.
- 6 Prior to any above ground work construction works taking place, plans showing existing and proposed ground levels of the site and details of the

finished floor levels of every dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

- 7 The development shall be undertaken in accordance with the recommendations set out in Section 7.0 of the submitted Preliminary Ecological Appraisal (Report No: RT-MME-127579-02) dated April 2018.
- 8 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance.. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain 'dark' areas and corridors as set out within the Preliminary Ecological Appraisal. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 9 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 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 Local Planning Authority 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.

- 10 Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) is 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. 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.

- 11 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 good practice 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.
- 12 All retained trees and hedgerows on the site, as defined by the Arboricultural Survey (RT-MME-127579-01 April 2018) and the Hedgerow Regulations Assessment (RT-MME-127579-03 April 2018), shall be protected for the duration of site preparation and construction works in accordance with the recommendations set out in both reports.
- 13 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, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall thereafter be implemented in accordance with the approved details.
- 14 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.
- 15 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.
- 16 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.
- 17 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each dwelling, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.

- 18 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 19 a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:
- i) The programme and methodology of site investigation and recording
 - ii) The programme for post investigation assessment
 - iii) Provision to be made for analysis of the site investigation and recording
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - v) Provision to be made for the archive deposition of the analysis and records of the site investigation
 - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a).
- c) The new dwellings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made for analysis, publication and dissemination of results has been secured.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the terms of this permission.
- 3 In the interests of visual amenity.
- 4 In the interests of visual amenity.
- 5 In the interest of visual amenity.
- 6 In the interests of visual and residential amenity.
- 7 In the interests of protecting ecological interests.
- 8 In the interests of protecting ecological interests.

- 9 In the interests of residential amenity.
- 10 To ensure that land contamination matters are fully addressed.
- 11 To ensure that land contamination matters are fully addressed.
- 12 To ensure that retained trees and hedges are adequately protected.
- 13 To ensure the development is constructed to adoptable standards.
- 14 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 15 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 16 In the interests of Highway safety
- 17 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
- 18 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
- 19 To safeguard any potential archaeological remains.

Reasons for Decision

The proposed development would take place on a site that is identified as a housing commitment with the Local Planning Document and would be of an acceptable layout, design, density, would not have an undue impact upon residential amenity, designated heritage assets, ecological considerations, existing landscape features or highway safety. The development would therefore accord with the general objectives of the relevant national and local planning policies

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.

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. All correspondence with the Highway Authority should be addressed to:- TBH - NCC (Highways Development Control) (Floor 9) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

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. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application.

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to

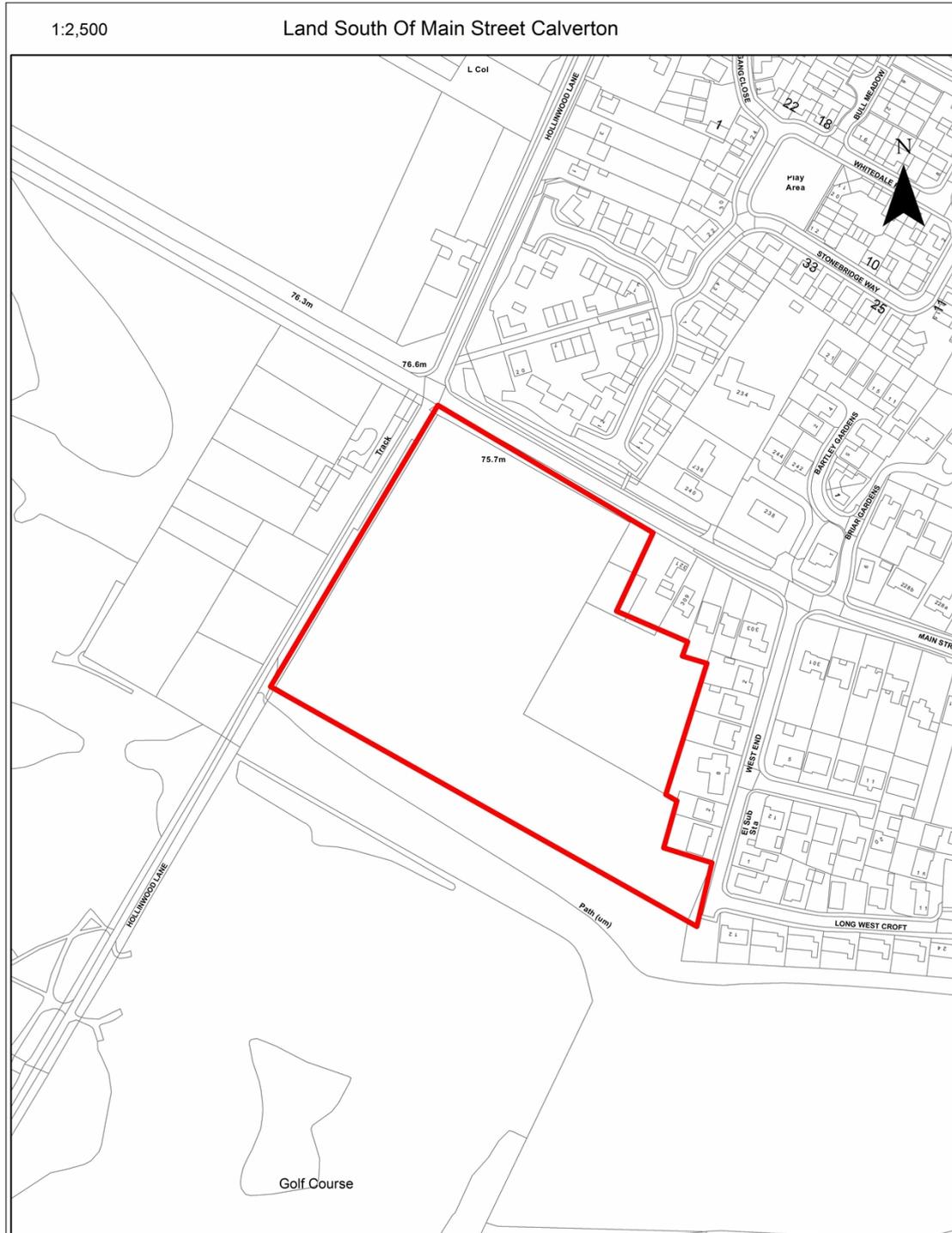
discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

With respect to Condition 18, Severn Trent Water advise that a hydraulic modelling study may be required to determine if the proposed flows from the development can be accommodated in the existing system, and if not to identify what improvements may be required. If surface is drained sustainably, this will only apply to the foul drainage. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow for these works to be completed before any additional flows are connected. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered.

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Planning Report for 2018/0360



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright. Licence No LA100021248. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Date: 05/03/2019

Report to Planning Committee

Application Number: 2018/0360

Location: Land South Of Main Street Calverton

Proposal: Outline planning application for up to 79 No. dwellings with all matters reserved except access.

Applicant: Langridge Homes Ltd

Agent: Geoffrey Prince Associates Limited

Case Officer: Graham Wraight

1.0 Site Description

1.1 The site consists of an area of vacant grassland and a small woodland copse located to the west end of the village of Calverton. The northern site boundary is shared with Main Street and several existing dwellings, the eastern site boundary is shared with residential properties on West End and Long West Croft, the southern boundary shared with open land on which a public footpath runs and the western boundary is shared with Hollinwood Lane.

1.2 There is no significant differences in ground level across the site however it is noted that the site level is higher than that of the existing properties on Main Street, West End and Long West Croft.

1.3 There are three Oak trees on the boundaries of the site that are protected by a Tree Preservation Order, one located along the boundary with Main Street and two located along the boundary with Hollinwood Lane.

1.4 The site area is 3.07 hectares.

2.0 Relevant Planning History

2.1 None

3.0 Proposed Development

3.1 The application seeks outline planning permission for the erection of up to 79 new dwellings with the matter of access for consideration now and the matters of layout, appearance, scale and landscaping reserved for later consideration.

3.2 Access would be taken directly from two points on Main Street. An indicative plan has been provided to demonstrate how access to the site could be provided and how the proposed dwellings could be laid out on the site.

4.0 Consultations

4.1 Environment Agency – There are no environmental constraints associated with the application site which fall within the remit of the Environment Agency. The Lead Local Flood Authority, in this instance, Nottinghamshire County Council, should be consulted on the proposals for their requirements regarding the disposal of surface water arising from the development.

4.2 Nottinghamshire County Council – Lead Local Flood Authority – No objections in principle however it would be unacceptable for a development to increase the risk of flooding to surrounding properties, details of ownership and maintenance of SUDS and surface water assets should be provided and the applicant must also acknowledge the risks associated with pursuing the application further without having detailed infiltration results for the site.

4.3 Historic England – On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

4.4 Gedling Borough Council Conservation Officer – recommends that the developer employ a suitable qualified archaeologist to undertake an archaeological watching brief and support the recommendation to undertake an approved scheme (In liaison with the NCC archaeologist) of trial trenching in the proposed affected parts of the site. Also recommends that any findings are appropriately recorded and shared with the Nottinghamshire County Council Archaeologist/HER and that advice is taken from the County Archaeologist as relevant in order to mitigate any potential harm to heritage assets within the site.

4.5 Gedling Borough Council Economic Development – a Local Labour Agreement would be required.

4.7 Gedling Borough Council Parks and Street Care – requests a commuted sum of £184,557.90 towards off-site public open space provision together with £77,113 for 10 years maintenance. This is based on the whole of the provision being provided off site however there is an indication on the site access statement that some play provision can be provided on site and so this figure may be lower depending upon the final site layout.

4.8 Gedling Borough Council Strategic Housing – 20% affordable housing is required on this site. Based on a development of 79 units this equates to 16 affordable dwellings, of which 11 should be affordable rented and 5 of which for intermediate sale.

4.9 Gedling Borough Council Scientific Officer – no objection, request conditions relating to land contamination, electric vehicle charging points, a construction management plan and a travel plan.

- 4.10 Forestry Officer – no objection subject to the submission of an Agricultural Method Statement.
- 4.11 NHS Clinical Commissioning Group – requests a financial contribution of £42,606 towards healthcare provision for 198 people.
- 4.12 Nottinghamshire County Council Highways – no objection subject to conditions relating to highway design matters.
- 4.13 Nottinghamshire County Council Planning Policy – A bus service contribution of £50,000 is requested to provide improvements to the local bus services to serve the site. A contribution towards Bus Stop Improvements/Installations is requested to the value of £10,000. This will be used towards improvements to bus stops to promote sustainable travel or the installation of new bus stops within the vicinity of the site.

4.14 Nottinghamshire County Council Education –

The development would yield 15 primary school places. As a result, the County Council would seek a contribution, based on build cost, of £285,720 (15 places x £19,048). This will be used to extend the local school (St Wilfrid's C of E Primary School).

The development would yield 11 secondary school places. As a result, the County Council would seek a contribution of £195,283 (11 x £17,753) to mitigate the impact of this development.

- 4.15 Nottinghamshire County Council Archaeologist – no comments received as this is now a chargeable service.
- 4.16 Severn Trent Water – no objection.
- 4.17 Calverton Parish Council

- Site area should be clarified
- Open space area should be clarified
- No. of affordable units should be clarified
- Archaeological assessment does not cover the site
- Site remains in Green Belt
- Proposal is contrary to CNP
- Site is wholly unsuitable for residential development
- Access does not comply with CNP
- Plan does not meet required parking standards
- Dominated by frontage parking
- Transport Assessment should consider cumulative impact of all allocated sites
- No Heads of Terms
- Delivery schedule should be submitted, outline application is inappropriate (p5)
- Object to quantum of development
- Not able to accommodate 79 dwellings
- Historic field pattern should be retained
- Illustrative layout does not meet Calverton Neighbourhood Plan

- Density does not reduce towards the site edge
- Overbearing impact
- Link to West End
- FRA is not correct
- Highway Authority does not adopt SUDs
- Unacceptable impact upon living conditions of existing dwellings due to overbearing and loss of privacy
- Development must be integrated into the landscape and development on the southern site, in particular in the south-west corner, must be limited in density, scale and height to avoid development being unduly prominent
- Landscape planting will be required
- Unacceptable impact on landscape character of the village edge
- No linkages proposed
- Bus stop improvements should be secured
- Footpath to the south should be dedicated and linked to site
- POS should be delivered early on
- A link should be provide to Long West Croft
- Contributions should be secured towards education and healthcare provision and towards public realm village centre environmental improvements
- Intrusive archaeological survey is required
- Ecology report is deficient as it fails to consider CNP requirement for the retention of trees and hedgerows and wildlife corridors together with biodiversity enhancement
- Reptile and GCN surveys required

Following the submission of new plans which amended the red line site area to include land required for highway visibility and the submission of additional ecology, highway, drainage and archaeology reports, Calverton Parish Council have advised that their original comments, which are summarised above, have not been addressed and still stand. The Parish Council has also stated that the main planning considerations are still:

- Housing numbers and mix
- Housing delivery
- Flooding and drainage
- Living conditions of existing occupiers
- Landscape character and character and appearance of the settlement edge
- Accessibility, linkages and public transport
- Open space
- Infrastructure provision
- Heritage assets including archaeology
- Biodiversity, trees and hedgerows

4.18 Calverton Preservation & History Society 22/06/18

Objects on the following grounds:

- Site is still in Green Belt
- Contrary to neighbourhood plan
- Wildlife studies made in wintertime
- Archaeology assessment recommends on-site investigation

4.19 Members of the Public

4.20 A press notice was published, three site notices were displayed and neighbour notification letters were posted 7 objections have been received and these are summarised as follows:

- This part of Calverton is being disproportionately targeted for excessive development
- Dark Lane development has not even been started
- Infrastructure of the village is not sufficient to support a new development
- Lack of public transport, distance to shops and surgery
- Water pressure is very low and drains overloaded
- Insufficient parking for village amenities
- Increase in traffic
- Concerns about drainage and flooding
- Stability of land due to building disturbances
- Light pollution
- Noise pollution
- Risk of vehicles overshooting roads
- Only one access proposed
- Loss of wildlife and hedges
- Density and property types not in keeping
- Number of single storey properties should be increased
- Not needed
- Invasion of privacy
- Adverse effect on property value
- What position is taken regarding the preservation of the Green Belt?
- Has consideration been given to adding the 79 dwellings to the site north of Park Road?
- Unaware that development was coming forward
- Land is not flat
- Wildlife survey carried out in winter
- Access would be dangerous
- Report needs to be carried out into historical interest
- Development would only benefit the developer
- Development may not be finished
- Development would not meet community needs
- Loss of light
- Mental stress and anxiety during construction work
- Road congestion
- Other plots in Calverton are also being developed
- Why not look at other villages
- Calverton has reached its limit
- Calverton has taken on its fair share of housing
- Brownfield sites should be used instead
- Insufficient evidence that brownfield sites have been assessed
- Access to Hollinwood Lane must not be impeded and no access will be permitted onto it
- Access points would be dangerous

- Removal of large sections of hedgerow
- Loss of wildlife
- Site is in the Green Belt and development is inappropriate
- Archaeological assessment should be carried out
- Damage to the environment
- Trees and hedgerows should not be removed
- Contrary to Calverton Neighbourhood Plan

4.21 Following the submission of new plans which amended the red line site area to include land required for highway visibility and the submission of additional ecology, highway, drainage and archaeology reports, a new period of consultation was undertaken which included the publication of a press notice, the display of three site notices and the posting of neighbour notification letters. One objection was received and is summarised as follows:

- The location of the playground on the site is unacceptable and will prove to be a great nuisance to all the surrounding bungalows predominantly occupied by older people.
- Loss of property value
- No assessment relating to the presence of badgers.

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 material considerations indicate otherwise'.

5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2018 (NPPF) and the additional guidance 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 2019

Sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a sufficient supply of homes), 11 (Making effective use of land) and 12 (Achieving well-designed places) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

Policy A: Presumption in Favour of Sustainable Development – a positive approach will be taken when considering development proposals

Policy 1: Climate Change – all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.

Policy 2: The Spatial Strategy – states that sustainable development will be achieved through a strategy of urban concentration with regeneration.

Policy 8: Housing Size, Mix and Choice – sets out the objectives for delivering new housing.

Policy 10: Design and Enhancing Local Identity – sets out the criteria that development will need to meet with respect to design considerations.

Policy 17: Biodiversity – sets out the approach to ecological interests.

Policy 19: Developer Contributions – set out the criteria for requiring planning obligations.

6.4 Local Planning Document (Part 2 Local Plan)

The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:

LPD 4: Surface Water Management – sets out the approach to surface water management.

LPD 7: Contaminated Land – sets out the approach to land that is potentially contaminated.

LPD 11: Air Quality – states that planning permission will not be granted for development that has the potential to adversely impact upon air quality unless measures to mitigate or offset have been incorporated.

LPD 19: Landscape Character and Visual Impact – states that planning permission will be granted where new development does not result in a significant adverse visual impact or a significant adverse impact on the character of the landscape.

LPD 21: Provision of New Open Space – sets out that there will be a requirement for public open space on sites of 0.4 hectares in area and above, which could be on-site or off-site.

LPD 32: Amenity – planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 33: Residential Density – states that planning permission will not be granted for proposals of less than 30 dwellings per hectare unless there is convincing evidence of a need for a different figure.

LPD 35: Safe, Accessible and Inclusive Development – sets out a number of design criteria that development should meet, including in relation to the massing, scale and proportion of development.

LPD 36: Affordable Housing – sets out that a 20% affordable housing provision will be required in Carlton but that a lower requirement may be justified provided there is sufficient evidence which takes account of all potential contributions from grant funding sources and a viability assessment has been undertaken by the Council which demonstrates this.

LPD 37: Housing Type, Size and Tenure – states that planning permission will be granted for residential development that provides for an appropriate mix of housing.

LPD 48: Local Labour Agreements – sets out the thresholds where a Local Labour Agreement will be required.

LPD 57: Parking Standards – sets out the requirements for parking.

LPD 61: Highway Safety – states that planning permission will be granted for developments that do not have a detrimental impact upon highway safety, movement and access needs.

LPD 66: Housing Allocations– identifies the majority of the application site as housing allocation H15, for approximately 75 new dwellings.

6.5 Calverton Neighbourhood Plan

The Calverton Neighbourhood Plan was adopted by Gedling Borough Council on 31 January 2018. As such the Calverton Neighbourhood Plan forms part of the Development Plan for Gedling Borough.

Policy G2: Developer Contributions – sets out that developer contributions will be sought towards education provision (nursery, primary, secondary, 16-18), primary GP healthcare provision and village centre environmental improvements

Policy G5: Housing Mix – states that development should include a mix of dwelling sizes, that planning permission will be granted for developments which provide bungalow and other types of accommodation for elderly and disabled people, that proposals for major development that do not include a mix of dwelling sizes and tenures and accommodation suitable for elderly and disabled people will be refused, that on all major development schemes, planning permission will be granted for the provision of plots for self-build subject to other policies in the development plan and that affordable housing should be designed and delivered to be indistinguishable from market housing and should be distributed throughout the development as a whole.

Policy ISF1: Sustainable Transport – states that opportunities for the use of sustainable modes of transport must be maximised.

Policy ISF2: Car Parking – states that any new development outside of the Village Centre will only be permitted where it has sufficient parking provision.

Policy ISF3 – Highway Impact – sets out the criteria for assessing highway impact.

Policy ISF4: Infrastructure Provision – states that residential developments will be required to provide the necessary infrastructure, such as education provision, healthcare provision, open space and drainage provision.

Policy BE1: Design & Landscaping – states that all development on the edge of Calverton must provide soft landscaping on the approach into the village and sets out criteria to achieve this.

Policy BE2: Local Distinctiveness and Aesthetics – states that development should be designed to a high quality that reinforces local distinctiveness including that buildings on the fringes of major developments should have variations in height, style and position.

Policy BE3: Public Realm – sets out the approach to the public realm and to landscaping.

Policy BE4: Parking Provision – sets out that adequate parking must be provided.

Policy NE3: Flooding- sets out the approach to preventing flooding and to ensure that adequate drainage is provided.

Policy NE4: Green Infrastructure –sets out the approach to green infrastructure and ecological considerations.

Policy NE5: Biodiversity – sets out the approach to biodiversity.

6.6 Other

Parking Provision for Residential Developments – Supplementary Planning Document 2012– sets out the car parking requirements for new residential development.

Open Space Provision SPG (2001) – sets out the open space requirements for new residential development.

Affordable Housing SPD (2009) – sets out the affordable housing requirements for new residential development.

7.0 **Planning Considerations**

Principle of the development

- 7.1 The site is allocated as housing site H15 by Policy LPD 66 of the Local Planning Document which was adopted in July 2018. Policy LPD 66 identifies the site as providing approximately 75 dwellings. The outline planning application submitted proposes up to 79 dwellings and includes a small area of land (in the north-east corner) which, whilst not within the H15 allocation, is not within the Green Belt or subject to any other designation in the adopted local plan. The approval of this outline planning application is considered to be

entirely in accordance with the development plan and with the objectives of the National Planning Policy Framework and Aligned Core Strategy.

Density

- 7.2 The site area is 3.07 hectares which gives a density of 25.7 dwellings per hectare. Policy LPD 33 states that development in Calverton should be of a minimum density of 25 dwellings per hectare, so the proposed development would meet with this requirement.

Impact upon visual amenity

- 7.3 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

- 7.4 It is noted that representations received have raised concerns that the development shown on the indicative plan submitted would have an adverse impact upon residential amenity. It is noted that there are level differences between the site and existing properties.
- 7.5 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. The impact upon residential amenity would be assessed in detail at reserved matters stage however it is considered that the number of dwellings proposed by this outline application could be accommodated in a manner that would not cause undue harm to residential amenity.
- 7.6 It is therefore considered that the proposed development of this site could, in principle, be achieved in a manner that would accord with the relevant policies of the Local Development Plan and the Calverton Neighbourhood Plan in terms of the impact upon residential amenity.

Impact upon designated heritage assets and archaeological interest

- 7.7 It is not considered that the proposed development would have any impact upon designated heritage assets and there is no objection from the Conservation Officer on that ground.
- 7.8 An updated archaeological assessment has been provided which now covers the site. This concludes that further investigation such as trial trenching may be necessary. It is considered however that further archaeological work can be secured by way of a planning condition.

Ecological considerations

- 7.9 An ecological appraisal has been submitted in support of the proposal and this concludes that the development would not have an adverse impact upon protected species or other ecological interests. Mitigation measures include replanting new hedging, bat friendly lighting, bat and bird boxes and measures to safeguard and provide enhancements for hedgehogs. These matters can be addressed by way of planning conditions relating to lighting and bat and bird boxes, and a condition which requires that development be undertaken in accordance with the recommendations of the ecological appraisal. Landscaping is a reserved matter and therefore proposed planting would be considered at that stage.
- 7.10 The Ecology Report confirms that the site has no badger sett and no signs of use by badgers were seen on or near the site on any of the site visits. There are no records of badgers on the site or in the immediate area.
- 7.11 It is therefore considered that the proposal meets with the objectives of the National Planning Policy Framework, Local Planning Document Policy 26 and Calverton Neighbourhood Plan Policy NE5.
Sherwood Forest Special Protection Area
- 7.12 Paragraph 3.17.3 in the Council's Aligned Core Strategy (ACS) (2014) states 'Whilst this is not a formal designation, it does mean that these areas are under consideration by the Joint Nature Conservation Committee, and may be declared a proposed Special Protection Area in due course. The Aligned Core Strategies and Infrastructure Delivery Plan therefore take a precautionary approach and treat the prospective Special Protection Area as a confirmed European Site. The infrastructure Delivery Plan sets out requirements for a range of mitigation measures as recommended in the Habitats Regulation Assessment Screening Record. A decision on the extent of any possible Special Protection Area is not known'.
- 7.13 Natural England's current position in respect of the Sherwood Forest Region is set out in an advice note to Local Planning Authorities (March 2014) regarding the consideration of the likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest Region. While no conclusion has been reached about the possible future classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interests, Natural England advise those affected Local Planning Authorities (LPAs) to be mindful of the Secretary of State's decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats was given significant weight.
- 7.14 In light of this decision the Advice Note recommends a precautionary approach should be adopted by LPAs which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This will help to ensure that any future need to comply with the provisions of the 2010 Regulations is met with a robust set of measures already in place. However

unlike the Council's ACS, Natural England's Standing Advice Note does not recommend that the Sherwood Forest Region should be treated as a confirmed European site.

- 7.15 Having regard to evidence submitted to the inquiry in 2010, the site is not located within a core ornithological interest for breeding nightjar and woodlark area but is situated within an indicative 5km buffer zone. An ecology report has however been prepared by the applicant and this does not find any evidence of nightjar or woodlark on the planning application site. The precise extents of any buffer zones are not known and therefore it is considered that the proposal would have a minimal variance with Paragraph 3.17.3 of the Council's ACS and the benefits of the scheme would outweigh any harm identified.
- 7.16 In terms of the legal background, a potential Special Protection Area (pSPA) does not qualify for protection under the Habitats Regulations until it has been actually designated as a SPA. Furthermore, the site does not qualify for protection under the NPPF as paragraph 176 refers to pSPAs and footnote 59 explicitly states that pSPAs are sites on which the Government has initiated public consultation on the case for designation. This has not occurred and therefore the Sherwood Forest Region does not qualify for special protection and a risk based approach is not necessary to comply with the Habitat Regulations or the NPPF.
- 7.17 It should also be noted that this site is an allocated housing site within the recently adopted (July 2018) Local Planning Document, with Policy LPD 66 identifying it as a housing allocation. The Local Planning Document has been through a Public Inquiry, has been found to be sound and has subsequently been adopted by Gedling Borough Council, meaning that housing development on this site is in full conformity with the Local Planning Document. Against this background and given the fact that no evidence of Woodlark or Nightjar have been found on the site, it is considered that it can be reasonably concluded that the site would not have any adverse effects on the breeding populations of Nightjar and Woodlark in the Sherwood Forest Area and that the development would meet with the objectives of Policy 17 of the Aligned Core Strategy.

Highway matters

- 7.18 The development would be accessed via a road from Main Street at two points; a main access point serving the vast majority of the dwellings, and a secondary access point which is shown on the indicative plan to serve two dwellings.
- 7.19 The Highway Authority have not raised an objection to the proposal, subject to a number of conditions relating to detailed highway matters. It is considered reasonable to impose conditions relating to the specification of the highway works, a pedestrian crossing on Main Street and a construction method statement for works. It is not considered reasonable or necessary to impose conditions relating to a Travel Plan, given the scale of the development, or to require that vegetation which is overhanging Main Street be cut back, as the Highway Authority has its own powers to secure this.

The internal layout of the site and parking provision would be considered at reserved matters stage.

- 7.20 In light of the fact that there is no objection from the Highway Authority, it is not considered that the proposal would be harmful to highway safety or the surrounding highway network in general, and therefore the proposal would accord with the objectives of the National Planning Policy Framework, Local Planning Document Policy LPD 61 and Calverton Neighbourhood Plan Policy ISF3.

Impact upon trees and hedgerows

- 7.21 The centre of the site is generally devoid of vegetation, although there is existing hedgerow (H1) and group of trees (G1) that would be removed to allow the development to take place. A Tree Survey has been submitted and categorises both H1 and G1 within category C, which is defined as those that have been assessed as being of a low quality and value and whose loss should not necessarily be considered as a constraint to development. The Tree Officer does not object to the removal of H1 or G1 and it is considered that compensatory planting could be achieved.
- 7.22 Elsewhere, part of hedgerow H4 would need to be removed to allow for the access to the site, but it is considered that hedgerows H2 and H3 would not be affected by the development of this site nor would the trees that are subject to Tree Preservation Order. It is however recommended to impose a planning condition requiring that an Arboricultural Method Statement to ensure that the trees and hedges in question are adequately protected.

Planning obligations

- 7.23 The development proposed would require that the following planning obligations be met:
- Affordable Housing, to meet with the requirements of the adopted Affordable Housing Supplementary Planning Document and Policy LPD 36 of the Local Planning Document – based on a development of 79 units this equates to 16 affordable dwellings, of which 11 should be affordable rented and 5 of which for intermediate sale.
 - A commuted sum of £184,557.90 towards off-site public open space provision together with £77,113 for 10 years maintenance. This is based on the whole of the provision being provided off site however there is an indication on the site access statement that some play provision can be provided on site and so this figure may be lower depending upon the final site layout.
 - £285,720 for the provision of primary school place, to be used to extend the local school (St Wilfrid's C of E Primary School) and £195,283 (11 x £17,753) for the provision of secondary school places to mitigate the impact of the development.
 - £42,606 for health facilities as requested by the NHS
 - £50,000 to provide improvements to the local bus services to serve the site. Nottinghamshire County Council estimates that the development will generate approximately 15 additional two-way trips per day (30 trips). An indicative Public Transport contribution of £50,000 would provide service enhancements

to serve the development for at least two years, subject to review based on usage and revenue.

- £15,000 towards bus stop improvements as requested by Nottinghamshire County Council. The contribution would improve the standard of bus stop infrastructure in the vicinity of the development and could be used for, but not limited to; Real Time Bus Stop Poles & Displays including Associated Electrical Connections, Extended Hardstands/Footways, Polycarbonate or Wooden Bus Shelters, Solar Lighting, Raised Boarding Kerbs, Lowered Access Kerbs and Enforceable Bus Stop Clearways. The improvements would be at the nearest bus stops which are situated close to the site or for the installation of new bus stops fronting the site, so are directly related to the development, and are fairly and reasonably related in scale and kind to the development (79 dwellings).
- Local Labour Agreement to meet with the requirements of LPD Policy 48
- Maintenance of open space and drainage feature on site not within the residential curtilages or adopted by the Highway Authority.

7.24 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.

Other matters

7.25 The indicative layout shows only accesses onto Main Street however this is considered reasonable to serve a development of this scale and it is not considered necessary to require any secondary accessed, either vehicular or pedestrian be provided. The site is allocated for housing and the status of other allocated sites in terms of the progress of construction is not a relevant material planning consideration. Likewise, loss of property value is not a material planning consideration.

7.26 The proposal requires the provision of or contributions towards affordable housing, public open space, education, healthcare and transport which would contribute to the infrastructure of the village. Water pressure and drain capacity is a matter for the relevant utility provider but is noted that Severn Trent Water have raised no objection to the proposal.

7.27 It is not considered that a residential development would give rise to an unacceptable level of noise or light disturbance or anti-social behaviour. Matters relating to drainage and flooding can be addressed by way of a planning condition as a drainage solution cannot be finalised until a detailed layout is known. It is noted that the Lead Local Flood Authority do not object to the principle of residential development on this site, nor does Severn Trent Water.

7.28 Damage to property during construction is a private matter between the parties involved. Speculation that construction work may not be finished is not a reason to refuse to grant planning permission, nor is the possibility that mental stress and anxiety could occur during the construction period. It is

however recommended that a condition be imposed requiring details of a noise and dust management plan.

- 7.29 With regard to self-build and custom homes, it is noted that paragraph 11.8.3 of the Local Planning Document states that a Supplementary Planning Document is proposed and that this will provide developers with details on how to deliver self-build and custom plots. However, in the absence of this SPD, there is no definition available as to what constitutes a large site or whether there is a demand for such homes on this site. Therefore it is not considered reasonable to impose a requirement for self-build or custom homes.

8.0 Conclusion

- 8.1 The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 79 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety, archaeological interests and ecological interests or would cause drainage concerns. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents and Calverton Neighbourhood Plan.

Recommendation: 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, bus service improvements, bus stop improvements, maintenance of open space areas and drainage features 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, 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 drawing number 002_C (with regard to the site area) and drawing numbers 17-0636-001 Revision A and GA_101_J (with regard to the two access points onto Main Street only). Development shall thereafter be undertaken in accordance with these plans.

- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 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 development shall commence on site in connection with the development hereby approved (including, 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 on and adjacent to the site.
- c) Details of any construction works required within the root protection area of trees, hedges or shrubs on and 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.

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

9 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each dwelling, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.

10 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 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 Local Planning Authority 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.

- 11 The development shall be undertaken in accordance with the recommendations set out in Section 6 of the submitted Report of Ecology & Protected Species Surveys (Report No: 2019/01/532) dated January 2019.
- 12 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance.. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain 'dark' areas and corridors. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 13 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided prior to the first occupation of the development hereby approved.
- 14 a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:
 - i) The programme and methodology of site investigation and recording
 - ii) The programme for post investigation assessment
 - iii) Provision to be made for analysis of the site investigation and recording
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - v) Provision to be made for the archive deposition of the analysis and records of the site investigation
 - vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a).

c) The new dwellings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made for analysis, publication and dissemination of results has been secured.
- 15 Prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, visibility

splays and drainage, precise details of the proposed works shall be submitted to and approved in writing by the Local Planning Authority. All details submitted to the Local Planning Authority for approval shall comply with the Nottinghamshire County Council's current Highway Design and Parking Guides and all works shall thereafter be implemented in accordance with the approved details.

- 16 Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
- 17 No part of the development hereby permitted shall be brought into use until the pedestrian crossing as shown for indicative purposes only on drawing 17-0636-001 Revision A has been provided.
- 18 Occupation of the proposed dwellings shall not take place until their access driveway is fronted by a suitably constructed vehicular crossing.
- 19 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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 ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.

- 5 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
- 6 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 7 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 8 To ensure that existing trees and hedges are adequately protected.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
- 10 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 11 In the interests of protecting ecological interests.
- 12 In the interests of protecting ecological interests.
- 13 In the interests of enhancing ecological provision on the site
- 14 To safeguard any potential archaeological remains.
- 15 In the interest of highway safety.
- 16 In the interest of highway safety.
- 17 In the interest of highway safety.
- 18 To ensure that drivers can cross the footway in a safe and controlled manner.
- 19 In the interest of highway safety.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 79 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety, archaeological interests and ecological interests or would cause drainage concerns. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned

Core Strategy, Local Planning Document and Supplementary Planning Documents and Calverton Neighbourhood Plan.

Notes to Applicant

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. 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.

Correspondence with the Highway Authority should be addressed to:
hdc.south@nottscc.gov.uk

The pedestrian crossing on Main Street will be constructed within the extents of the public highway. These works shall be provided to the satisfaction of the Highway Authority. You are therefore required to contact licences@viaem.co.uk to obtain the necessary licence prior to works taking place.

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

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 Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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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Report to Planning Committee

Application Number: 2018/0836

Location: Carlton Le Willows Academy, Wood Lane

Proposal: Installation of 3G artificial grass pitch, fencing, hardstanding, flood light system, together with the erection of 1No. single storey pavilion and 1No. storage container.

Applicant: Carlton Le Willows FF

Agent: LK2 Architects Ltd

Case Officer: Paula Davey

1.0 Site Description

- 1.1 The site consists of the Carlton Le Willows Secondary School which is situated within the Green Belt. The site is accessed via Wood Lane with pedestrian only access off Burton Road. The school complex incorporates two main school buildings with associated playing fields. The site is identified as Protected Open Space under Policy LPD20 of the Adopted Local Planning Document.
- 1.2 The boundaries of the wider school site are delineated by a 2m high green security fence. The school site is bounded by Burton Road to the south east of the site with residential properties beyond. To the west and north west are residential properties. To the north are woodlands and open fields. To the north-east of the school is Gedling House which is a grade II listed building.
- 1.3 The redline application site area that is subject to this application, consists of the main school access road, existing car park and a disused cricket pitch. The site is screened to the south and west by 2m high green security fencing with a line of trees and an internal footpath linking the two school sites along the southern boundary. Practice cricket nets are located to the south western corner of the site which will be retained. To the north of the site includes existing vegetation, hedgerows and a number of mature trees which are set approximately 1m higher than the main cricket pitch. To the east is an internal access road which is gated and links onto the private drive serving the school, Gedling House and the Day Nursery.

2.0 Relevant Planning History

- 2.1 2015/1219 – Extension to existing sports hall to provide table tennis facility. Conditional consent approved on 16th December 2015, with a condition restricting the use by non-school clubs or groups between 4pm-10pm Monday to Friday during school term time or not earlier than 1 hour after the official school day ends if later than 3pm. At any other time the development shall only be available for use until 10pm. The reason for the condition was to reduce the impact upon the highway network on Wood Lane.
- 2.2 2012/0598 – Enlarge the existing canteen facilities and construct a small infill extension for toilet facilities. Conditional consent granted 19.07.2012.
- 2.3 2008/0748 – New sixth Form building & relocation of the workshop facility. Unconditional consent granted 19.12.2008.
- 2.4 2007/0532 – Provision of container based workshop for the delivery of construction training course for 14 - 16 year pupils of Carlton le Willows School. Unconditional consent granted 17.07.2007.
- 2.5 2007/0002 – Extension of music class room & addition of drama studio & ancillary facilities. Conditional consent granted 30.01.2007.
- 2.6 2004/0345 – Extension of existing school with a two storey building to create two ground floor science laboratories & first floor resource centre. Conditional consent granted 21.06.2004.

3.0 Proposed Development

- 3.1 The application proposes the construction of a new 3G artificial grass football pitch, fencing, hardstanding, floodlighting together with the erection of a pavilion that incorporates changing facilities and 1 storage container. The original application submission proposed the installation of a 106m x 70m pitch on land to the south of the hereby proposed pitch, adjacent to Burton Road. During the determination of the application, concerns were raised with regards to the location of the pitch in terms of its impact upon the openness of the Green Belt, being prominently located adjacent to Burton Road, the potential increase in parking on Burton Road and the impact upon residential amenity due to its close proximity to residential properties.
- 3.2 The Applicants have taken into consideration the concerns raised and amended plans have been submitted to relocate the proposed pitch on land to the north of the originally proposed site. The amended site area consists of a disused cricket pitch which is located on land between the two main school buildings sites. The new site was originally the schools preferred location for the new pitch, however following the completion of ecological surveys, it was confirmed that the trees immediately adjacent to the site had a potential bat roost and therefore the football pitch was moved onto land to the south. The pitch has been reduced in size in order to ensure the protection of the adjacent trees and potential bat roosting habitats. Updated survey information has also been submitted and mitigation proposed with regards to the bats to address this issue.

- 3.3 The proposal has been designed to provide a grant funded Football Association approved facility and the proposed 3G football pitch will measure 91m x 61m in total and will incorporate marking lines in order to accommodate a 11v11 under 15/16 years pitch, 2no 7v7 pitches and 4no training areas.
- 3.4 Adjacent to the football pitch will be small areas of hard standing that will be formed in porous asphalt to be utilised for goal storage and spectator areas. Retaining wall structures will be present as the northern and southern perimeters of the site to take account of the adjacent levels. The pitch and areas of hardstanding will be bound by a 4.5m high ball stop fence. Internal and adjacent to the pitch, a section of 1.2m and 2m high ball stop fencing is also proposed to segregate the pitch playing area from the adjoining spectator area.
- 3.5 In addition, the application proposes a flood lighting system which includes 14, 15m high flood lights.
- 3.6 A new pavilion is proposed which measures 30.4m x 13.7m with a ridge height of 4.4m. The plans identify that the pavilion may be constructed in two phases depending upon final funding provisions. Phase 1 extends to 282m² and will include a two-team changing facility, 1 officials changing room, clubroom, kitchen, office, toilets, plant room and store. Phase two extends to 103m² includes 2 additional team changing rooms, 1 officials changing room, external store and pitch accessed corridor.
- 3.7 The buildings will incorporate a mono pitched roof and will be constructed in an Istock capitol brown multistock brick, a grey fibre cement wood effect weather boarding and white render panels. The roof will be formed in goosewing grey composite profiled roof cladding with white PPC aluminium fascias, soffits and black rainwater goods.
- 3.8 Adjacent to the pavilion is a storage container measuring 6 x 2.4 x 2.5 that will be green coated. The existing crickets net, although unused will remain in situ. The facility is proposed to be utilised by the school during school hours and will be available for community use in the evenings, weekends and through the school holidays. The hours proposed are 0900-2200 Monday to Sunday. The site will be accessed via the main existing school access which leads onto the existing car park. The secondary access to the east of the pitch will be utilised by maintenance vehicles only.

4.0 Consultations

4.1 The following comments relate to the originally submitted location:

- 4.2 Adjoining neighbours have been notified and a Site Notice has been posted. 14 letters of representation have been received as a result. In summary issues raised relate to:
- Highway impact upon Wood Lane. Wood Lane is substandard and is at capacity.
 - Increase to vehicular movements on Wood Lane causing pollution, noise and congestion.

- Extra traffic and parking impacting on emergency vehicle access.
- A Traffic Impact Assessment should have been undertaken.
- Increase in traffic and noise along Burton Road.
- Impact on parking on Burton Road and Beaumaris Drive.
- Object to use of single track access to north.
- Parking from school causes problems on Wood Lane. Is there sufficient parking for this proposal?
- Noise concerns on adjacent residential properties
- Noise Impact Assessment should have been submitted.
- Impact of lighting on residential amenity
- Clarification on hours of operation
- Impact upon ecology and no wildlife survey undertaken
- Inappropriate uses within the Green Belt and no very special circumstances provided
- Impact of the buildings on openness of the Green Belt
- Light pollution in the Green Belt
- Use changing from education to commercial use
- Negative community impact by year round utilisation of facility
- Sufficient facility in the local area
- Anti-social behaviour and security impacts
- Impact upon house prices
- Site notice not placed in obvious location
- Questions why residents weren't told about the application
- Access in the description but not in the application details
- Should a new application be submitted if site area increased? Object to supporting information not being amended.
- No details of foul sewerage.
- Lack of detail of soakaways or increased runoff.
- Alternative site should be considered

4.3 Chair of Wood Lane Maintenance and Safety Association: These comment presents residents of the private part of Wood Lane (no 23 and above). Concerns relate to safety of students coming to and from the academy. The Association is not opposed to additional sports pitches, particularly as the academy will lose part of its playing fields to the Gedling Access Road, proposal is made without concern for pedestrian and vehicle safety on Wood Lane. This should be refused until the academy relocates its entrance to Burton Road. Repeated applications approved on Wood Lane despite concern for student safety including new sixth form block. Monitoring of traffic has not been undertaken. Objections on safety grounds to table tennis block, housing opposite 11 Wood Lane. Further application will increase traffic during construction, and during evenings and weekends. Uses intensified since the school originally opened including increase in size of school, day nursery, Gedling House. Wood Lane cannot cope with further increase and poses a safety issue. Wood Lane, narrow, one pavement, cars parked leading to single lane, existing safety issues.

4.4 Penmaris Residents Association: Development opposite and site plans not clear. Noise is a concern. Pitch available all year, day an evening with no limitation on opening times. The floodlighting will affect some residents with

light shining into rooms. Walk in entrance off Burton Road and therefore Burton Road will become the main entrance causing traffic and parking problems.

- 4.5 Burton Joyce Parish Council: Objects on the grounds of loss of privacy and increased water run-off due to loss of permeable ground. Object to the location of the proposed pitch and changing facilities which has been sited on a highly visible, mature and open landscape. A more suitable location is at the back of the site which would have less impact in terms of access, noise and light pollution.
- 4.6 GBC Tree Officer: No trees are affected although grasscrete proposed beneath the trees. This is acceptable subject to conditions.
- 4.7 GBC Public Protection: Detail of lighting required and therefore condition required. I can confirm that I have no comments in relation to land contamination or air quality.
- 4.8 GBC Conservation Officer: To the north east of the school is Gedling House, a grade II Listed building. Visual impact upon Gedling House is low and proposed development will not physically impact upon the listed house. No objection to the pavilion and fencing. Lighting columns should be justified, be lower ideally and light directed towards the sports pitch. No objections in principle from a conservation perspective.
- 4.9 Nottinghamshire County Council Highways: No highway concerns
- 4.10 Nottinghamshire County Council Flood Risk: No comments. Guidance for all developments regarding drainage.
- 4.11 Sport England: Questions raised and clarification needed to assess the impact. Interim objection raised.
- 4.12 **The following comments relate to the amended plans and revised site location:**
- 4.13 Adjoining neighbours have been notified and a Site Notice has been posted. The consultation period for neighbour consultation expires on 19th March 2019. Any additional comments will therefore be reported verbally at the meeting. 1 letters of representation have been received as a result. In summary issues raised relate to:
1. Highway impact
 2. Noise and floodlighting
 3. Elderly living opposite the site
 4. Parking
- 4.14 GBC Public Protection: I can confirm that I have no comments in relation to land contamination or air quality. No comments regarding the floodlights as no impact upon residents.
- 4.15 Sport England: No objections subject to conditions. Previous concerns addressed through relocation. Application assessed against NPPF and Sport

England Playing Fields Policy and Guidance. The application relates to a new outdoor sports facility on an existing playing field. Therefore the proposal was assessed against Exception 5 which relates to the proposed development being of a sufficient benefit to the development of sports to outweigh the loss of a playing field. Football Foundation on behalf of FA supports the revised proposal. Consider that the proposal:

- Meets an identified local or strategic needs as identified by the Play Pitch Strategy
- Fully secures sport related benefits for the local community
- Helps meet identified sports development priorities
- Complies with relevant Sport England and NGB design guidance
- Improves the delivery of sport and physical education on school sites; and
- Is accessible by alternative transport modes to the car

In addition it does not:

- Result in the academy being unable to meet its own minimum requirements for play pitches
- Displace other existing uses without equivalent replacement
- Reduced the capacity or flexibility of playing field for a range of sports and natural grass playing pitches.

Condition required to secure a community use agreement in conjunction with Sports England.

4.16 Natural England: No comments. Refer to Standing Advice.

4.17 Nottinghamshire County Highways: No objections subject to a condition

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 material considerations indicate otherwise'.

5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2018 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Development Plan Policies

6.1 The following planning policies are relevant in the consideration of this application.

6.2 National Planning Policy Framework 2018

Part 8 – Promoting healthy and safe communities
Part 12 – Achieving well-design places
Part 13 – Protecting Green Belt land

6.3 Aligned Core Strategy

Policy 3 – Green Belt
Policy 10 – Design and Enhancing Local Identity
Policy 12 – Local Services and Healthy Lifestyles
Policy 13 – Culture, Tourism and Sport
Policy 16 – Green Infrastructure, Parks and Open Space
Policy 17 – Biodiversity

6.4 Local Planning Document 2018

LPD Policy 19 – Landscape Character and Visual Impact
LPD Policy 20 – Protection of Open Spaces
LPD Policy 32 – Amenity
LPD Policy 35 – Safe, Accessible and Inclusive Development
LPD Policy 57 – Parking Standards
LPD Policy 61 – Highway Safety

7.0 Planning Considerations

Green Belt

- 7.1 The site is located within the green belt and accordingly the relevant national and local planning Green Belt policies apply.
- 7.2 Paragraph 145 of the NPPF states that the construction of new buildings is inappropriate development within the green belt. Exceptions to this are the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 7.3 Whilst the proposed development is for outdoor sport and recreation and therefore falls within the list of exceptions, the proposal needs to preserve the openness of the Green Belt in order to be considered an appropriate form of development.
- 7.4 Significant concerns were raised with regards to the originally located pitch site and the impact that this position would have had upon the openness of the green belt. The pitch was proposed on open land adjacent to Burton Road and projecting forward of the main built development within the site. This site presently retains an open nature and development within this location would have had a significant undue impact upon the openness of the Green Belt and would have led to unacceptable encroachment.
- 7.5 The pitch has therefore been relocated to the north of this site which consists of a disused cricket pitch that is situated between the two main school buildings. It is therefore considered that the new site location is considered to

be a significant improvement and a more appropriate location for the form of development proposed. Carlton le Willows is located on the edge of the main urban area of Gedling and is not typical rural or countryside in character. The proposal would be positioned adjacent the main built up area of the school and is largely enclosed by existing trees and vegetation therefore visually enclosing the site.

- 7.6 In terms of the proposals impact upon openness, it is considered that whilst the 3G pitch does preserve the openness of the Green Belt, the pavilion, container, fencing, hardstanding and lighting masts would not preserve openness and accordingly would therefore consist of inappropriate development within the Green Belt. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.7 In terms of this planning application it is considered that on balance, very special circumstances do exist that justify the approval of this application. The facility provides a purpose built footballing facility that is of national/regional importance with the capacity to develop football talent in the school and the wider community. Sports England support the proposal and The Gedling Borough Council Play Pitch Strategy 2016 identifies a shortage of 3G playing pitches and therefore the proposal will assist in meeting this identified need. Furthermore, Sport England has confirmed that Nottinghamshire Football Association mapping also demonstrate a lack of 3G capacity in this area.
- 7.8 The Gedling Borough Council Play Pitch Strategy also identifies a number of strategy recommendations and it is considered that the proposal assists in meeting these identified priorities which include:
- Recommendation b – Secure tenure and access to sites for high quality, development minded clubs through a range of solutions and partnership agreements.
 - Recommendation c – Maximise community use of education sites where there is a need to do so
 - Recommendation d – Improve quality
 - Recommendation g - Rectify quantitative shortfalls in the current pitch stock
 - Recommendation h - Identify opportunities to add to the overall pitch stock to accommodate both current and future demand
- 7.9 This application will make a positive contribution towards the improvement of sporting facilities for football match play and training for Carlton le Willows School and for the benefit of the wider local community. Due to the artificial surfacing and the flood lighting proposed, the pitch will be available for use in the evenings and weekends and during the winter weather conditions. The pitches will be utilised by the school during the school day and during the

evenings and weekends, other local clubs and community groups will be able to utilise the pitches and proposed facilities. Furthermore, it is noted that the Gedling Access Road leads to the loss of a playing field previously used for football use and therefore this application offsets this loss.

- 7.10 In addition to the above, the NPPF also promotes healthy and safe communities and paragraph 91 stating that planning decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of sports facilities. Paragraph 92 states that in order to provide the social, recreational and cultural facilities and services the community needs, decisions should plan positively for the provision and use of shared spaces, community facilities such as sports venues to enhance the sustainability of communities and residential environments. This is substantiated by Policy 12 of the Adopted Core Strategy which identifies that extended or improved community facilities will be supported where they meet a local need. Paragraph 94 of the NPPF states Local Planning Authorities should therefore give great weight to the need to create, expand or alter schools through the decisions on applications. It is considered that the proposed development meets the above policy requirement which adds to the very special circumstances.
- 7.11 On balance it is considered that whilst the pavilion, container, fencing, hardstanding and lighting masts will impact upon the openness of the Green Belt, the site is the most appropriate location for meeting this identified need within the school site and is largely visually enclosed. Great weight should be given to the need to provide improved school facilities and facilities for use by the wider local community that meets an identified need and promotes the health and well-being agenda. I am satisfied that the very special circumstances exists that would outweigh the identified harm to the Green Belt at this location and the proposed development would be in compliance with paragraph 143 of the NPPF.

Protection of open space

- 7.12 The site is identified as a Protected Open Space within the Local Planning Document Part 2 Proposals Map and accordingly policy LPD20 applies which states that planning permission will not be granted for development on such land. An exception to this is where the development would enhance or improve the recreational or sporting potential or quality of the site. It is considered that the proposed application will lead to a significant enhancement of sporting potential on the site and therefore complies with LPD20. Whilst it is noted that the application will result in the loss of an unused cricket pitch, the scheme would provide a purpose built multi-functional facility that would facilitate a greater and wider level of use throughout the day and year providing access to opportunities for sports and recreation and assist in improving health and wellbeing. Furthermore, the layout has been designed to accommodate the retention of the cricket nets. The proposal is fully supported by Sports England and it is considered that the proposal is in compliance with Policy LPD 20.

Community Value

- 7.13 The 3G football pitch proposed would be used by the Academy students during the school day and for other local community organisations in the evening and at weekends. The application would provide significantly local community benefits and support the health and well-being agenda as supported by the NPPF. The proposal fulfils a local need for 3G pitches as confirmed by Gedlings Play Pitch Strategy 2016 and the FA's mapping system which identifies a lack of provision within this area. The proposal is full supported by Policy LPD20 and Core Strategy Policy 12 as highlighted above providing improvement to sporting facilities within the Borough and makes an important contribution of health and well-being within communities.
- 7.14 The proposal is supported by Sport England subject to the imposition of a planning condition which requires the preparation of a community use agreement which will be prepared in consultation with Sport England prior to development commencing. This agreement will ensure that the wider community benefits are provided as stated, with sufficient opportunities to utilise the facility. This will include details of pricing, hours of use, access by non-educational establishments and management responsibilities and therefore is supported. This is required in order to ensure that the development complies with Sport England Playing Fields Policy and Guidance March 2018, in relation to developments that would lead to the loss of a playing field. In this application, this relates to the loss of a cricket pitch although it is noted that the cricket pitch is currently disused. Exception 5 of the Sport England Guidance allows Sports England to support the current application so long as the proposal would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field. The imposition of this condition ensures that the community benefit is secured complies with the above guidance. It is therefore considered that such a condition meets the requirements of the CIL Regulations.

Visual Amenity

- 7.15 In terms of the visual impact of the proposal, an assessment of the impact upon the openness of the Green Belt is provided above.
- 7.16 In terms of the pavilion, fencing, portacabin and surfacing, I am satisfied that the proposals would be in keeping with the existing school buildings in terms of design and scale. The pavilion is positioned to be located adjacent to the main school building and be directly adjacent to the main access and parking area. The building would not be highly visible from outside of the site and accordingly would not have a detrimental impact upon the character of the area. The application proposes the installation of 14, 15m lighting masts and 4.5m high fencing. The masts will be screened by the existing trees and it is not considered that such features are uncommon in a playing field environment. The height of the mast would be prominent although on balance these enable the wider use of the site for recreation and sporting purposes and therefore are considered acceptable. In this regards I am satisfied that the proposed development is in accordance with Policy 10 of the Core Strategy and Policy LPD19, LPD32 and LPD35.

Conservation

- 7.17 To the north-east of the school is Gedling House which is a grade II listed building. The Conservation Officer raised no objections to the originally located pitch and although the pitch has been moved to the north, similar principles apply. Gedling House is well screened by a bank of mature trees and existing developments within the grounds have significantly impacted upon and changed the setting of Gedling House. The application site is located between the existing school buildings on the site and is screened and surrounded by mature trees. It is considered that the visual impact of the development will be low. It is considered that the proposal would not impact upon the setting of this heritage asset. Although the Conservation Officer refers to the height of the lighting columns, as set out above, these are required by FA and accordingly the public benefit of the proposal outweighs any perceived harm. In this regards I am satisfied that the proposed development is in accordance with Policy 11 of the Core Strategy and Policy LPD26 and LPD27.

Residential Amenity

- 7.18 Concerns were raised with regards to the originally located application site due to the close proximity of the pitch to adjacent properties and the impact upon noise and disturbance and the impact of the lighting columns. The pitch was therefore relocated in order to protect the amenity of adjacent residents.
- 7.19 The pitch is now located adjacent to the existing school complex and away from residential properties and is largely enclosed by an existing tree belt.
- 7.20 Notwithstanding the above, mitigation measures are proposed to reduce any impact upon residential amenity including the installation of time clocks to the flood lighting ensuring that they are not operational after hours of 0900-2200. Furthermore the proposed fencing will be insulated using neoprene rubber washers to aid the reducing of noise from rattle and vibrations of ball impact. A lighting impact assessment is submitted which demonstrates that the lighting spill will largely be contained within the site. The pitches will be operational between the hours of 0900-2200 Monday to Sunday.
- 7.21 The impact upon neighbouring properties has been given careful consideration. Whilst it is noted that the use of the site will be intensified in the evenings and on weekends, I am satisfied that given the location of the proposed development in relation to the adjacent properties, the application proposals will not have a detrimental impact in terms of overlooking, over shadowing or over bearing impact. In this regards I am satisfied that the proposed development is in accordance with Policy LPD32.

Highways & Parking

- 7.22 The application proposes the use of the existing main school access off Wood Lane and the existing car parking areas that serves the school. The original description included reference to a new access but no new access is proposed and this has been removed from the description.

- 7.23 A number of objectors have raised issues with regards to the highway impact upon Wood Lane, Burton Lane and a number of the adjacent roads. The originally located pitch was located to the south adjacent to Burton Road. Due to a pedestrian access being presented on the southern boundary, concern was raised with a potential for vehicles to park on Burton Road. The newly positioned pitch resolves these issues and locates the pitch next to the existing access and parking area serving the school.
- 7.24 The application proposes that the pitches will be utilised by the school during school hours and therefore there will be no impact upon the local highway network during the school hours. The facility will be available for use by local football organisation and the community in the evenings and weekends when the school is not in use. The school has existing parking facilities within close proximity of the proposed pitch which will be sufficient to accommodate the use during evenings and weekends. Nottinghamshire County Council Highways Department have not objected to the application and it is considered that the proposed uses would not have a detrimental impact upon highway safety and an appropriate access and sufficient parking is available in order to accommodate the proposal. Therefore the application proposal complies with policies LPD 57 and LPD61 and is acceptable in this regard.
- 7.25 However, the previous application for table tennis centre under application 2015/1219 imposed a condition that the development approved shall only be available for non-school clubs outside of the main school hours notably between 4pm-10pm Monday to Friday during school term time, or not earlier than 1 hour after the official school day ends if after 3pm and until 10pm at all other times. It is considered appropriate that a similar condition be imposed on the application for the football pitches in order to ensure that there is no increase in traffic and parking during the main school hours.
- 7.26 Policy 12 of the Adopted Core Strategy states that community facilities should be located within town centres wherever appropriate or in locations accessible by a range of sustainable modes of transport and where possible to located alongside or shared with other local community facilities. It is considered that although the site is located within the Green Belt, the site is directly adjoining the main urban area and is accessible by sustainable modes of transport.
- 7.27 Comments to the application have included a request for a Transport Impact Assessment. The proposal does not meet the threshold requirement and therefore this is not necessary. Furthermore objections were raised to the use of the single track off the driveway to the north of the application site. It is noted that this access is for use by maintenance vehicles only.

Ecology

- 7.28 It is noted that the proposed pitch is located adjacent to a row of trees. Previous ecological assessments concluded that within the tree belt to the north of the site, one mature horse chestnut tree had moderate bat roosting potential and the tree line was deemed suitable for foraging and commuting bats along all aspects of the site boundary. Two emergence surveys were undertaken and a bat was observed entering the tree although it was not

possible to discern the exact roost feature. Due to the ambiguity of the location of a potential roost, an Aerial Tree Roost Survey was undertaken of T15 and this concluded that this tree included 1 feature with a high potential for roosting bats although there was no physical evidence of bat was found during the survey. T12 was also assessed and this concluded that the tree had 2 features that have a high potential for roosting bats. Again there was no evidence of bat occupation in the feature.

- 7.29 The pitch has been sited to ensure that these trees can be retained. Although the trees are to be retained, it is noted that illumination of a roost entrance can result in the abandonment of the roost or bats becoming entombed, resulting in death. Disturbances would constitute an offence under Schedule 5 of the Wildlife and Countryside Act 1981. Flood Lighting is proposed as part of this application and therefore it is important to assess the impact of the proposed lighting on these potential roosting features and upon the foraging and commuting pathways.
- 7.30 The Applicant has commissioned a further assessment by BJ Collins dated March 2019 to assess the impact of the new proposed pitch location and inform the status of the potential bat roosts. The assessment included an aerial survey to reassess the roost potential and evidence of roosting. The survey did not record any evidence of bat roosting. Two features were considered to have high roosting potential, with only one of these being viable and this would found to be empty and no evidence of bats. The conclusion is therefore that the trees have potential for bat roost feature but no evidence to suggest that these are an established roost. The report concludes that there is no evidence that the lighting will impact upon an 'established roost' and therefore no requirement for a European Protected Species Derogation Licence for the lighting infrastructure.
- 7.31 Although there is no evidence of an established roost that would be impacted by the floodlighting, there are a range of potential roosting features in T15 which could potentially be impacted upon as a result of the floodlight. The impact upon these roost features are proposed to be mitigated by new roost provision, outside of the influence of the new facility, but within the same woodland block. In this regards it is recommended that 4 groups of bat boxes, with 3 boxes per group, are provided as mitigation.
- 7.32 Consideration of bat foraging and commuting across the site is also required particularly with regards to the impact of the lighting proposal. The previous surveys concluded that the site was a site of foraging and commuting for bats. The 2019 Report concludes that the lighting will impact on foraging and commuting of bats on the northern side of the tree line. However flood lighting mitigation measures are proposed to reduce the impact and the lighting specification is outlined in the Floodlighting Performance Report. Although some light spill will still occur, the 2019 report concludes that subject to the lighting being provided in accordance with the Floodlighting Performance Report, the impact will be negligible to the commuting and foraging of bats and there will be no significant impact upon the favourable conservation status of bats in the local area.

7.33 Natural England's Standing Advice for protected species states that it may not be possible to avoid affecting a protected species on a proposal site, but the harm caused must be reduced as much as possible. The Standing Advice identifies compensation must:

- make sure that no more habitat is lost than is replaced, which means there's no net loss
- provide for like-for-like habitat replacements, which are located next to or near existing species population (check distances in the relevant species standing advice) and in a safe position to provide a long-term home
- provide for a better alternative habitat in terms of quality or area, compared to what will be lost
- include proposals to make sure habitats are still connected to allow normal species movement.

It is considered that the applications proposals mitigation measures comply with the above requirements and is acceptable in this regard.

7.34 The application has been assessed in accordance with Natural England's Protected Species Decision Checklist that forms part of the Standing Advice and it is concluded that planning permission maybe granted subject to appropriate conditions. Therefore, subject to a condition securing the provision of the 4 bat boxes and for the lighting to be provided and maintained in accordance with the Floodlighting Performance Report, it is considered that the negligible impact of the proposal upon commuting and foraging of bats would not justify a refusal of the application.

Flooding & Drainage

7.35 Issues have been raised with regards to drainage. The application details confirm that the surface water will be disposed of via a positive drainage system will provide a soakaway system that will connect into the existing soakaway system. The pitch is permeable and a positive drainage pipe system shall be installed beneath the pitch area. Foul sewerage will be served by the existing mains. It is considered that issues regarding drainage will be addressed under Building Regulations Applications

Others issues

7.36 Objections have been raised with regards to the impact of the application upon house prices within the local area. It is not considered that this is a material planning consideration.

7.37 Comments have also been raised with regards to the consultation process and the appropriateness of the site notice. It is noted that during the application a wide number of residential properties immediately surrounding the school site have been consulted which is over and above the statutory requirement for consultation. Furthermore, site notices have been placed near the site entrance at Wood Lane and also upon Burton Road. A press notice

has also been published. The application has therefore been advertised in full accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

8.0 Conclusion

- 8.1 Having regard to the above considerations, on balance I am of the opinion that the proposal is in accordance with the National Planning Policy Framework, Policy 3, 10, 12, 13, 16 of the Aligned Core Strategy 2014, policies LPD19, LPD20, LPD32, LPD35, LPD57 and LPD61 of the Local Planning Document 2018. Accordingly, I recommend that planning permission be granted.

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 application form, Ground Floor Layout 2 Changing Rooms drawing no 928.002-A-20-02 Rev A00, Ground Floor Layout - 4 Changing Rooms drawing no 928.002-A-20-01 Rev A00, Proposed elevations 4 changing rooms drawing no 928.002-A-21-02 Rev A00, Proposed elevations 2/4 changing rooms-Phasing drawing no 928.002-A-21-03 Rev A00, Proposed elevations-2 changing rooms drawing no 928.002-A-21-01 Rev A00, Typical Section drawing no 928.002-A-22-02 Rev A00 received 21st August 2018; Roof Plan - 2 Changing Rooms drawing no 928.002-A-20-12 Rev A00, Roof Plan - 4 Changing Rooms drawing no 928.002-A-20-13 Rev A00 received 12th September 2018; Design & Access Statement received 15th February 2019; Proposed Site Location Plan drawing no 928.002-A-10-01 Rev A03, Site Plan drawing no 928.002-A-10-02 Rev A07, Proposed Floodlighting Drawing no 04 Rev 02, Proposed AGP Layout Drawing no 02 Rev 03, Block Plan drawing no 928.002-A-10-03 Rev A06, Proposed Site Plan drawing no 01 Rev 02 received 27th February 2019. Proposed Elevations Drawing no 03 Rev 02 received 6th March 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 The development hereby approved shall only be available for use by non-school clubs or groups between the hours of 16:00-22:00, Monday to Friday during school term time, or not earlier than 1 hour after the official school day ends if later than 3pm. At any other time the development shall only be available for use between the hours of 0900 and 2200.
- 4 The development hereby approved shall not be bought into use until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the development hereby approved and include details of pricing policy, hours of use, access by non-[educational establishment] users [non-members], management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

- 5 Before development is commenced, there shall be submitted to and approved in writing by the Local Planning Authority, details of the location and specification of the bat boxes specified as a mitigation measures within the Follow-up Aerial Tree Survey - Bats, March 2019. The mitigation measure shall be implemented in accordance with the approved details and shall be retained for the lifetime of the development.
- 6 The flood light system hereby approved shall be implemented in accordance with the Floodlighting Performance Report received on 11/03/2019 and shall be retained for the lifetime of the development.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To reduce the impact upon the highway network on Wood Lane and in the interest of residential amenity.
- 4 To secure well managed and safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.
- 5 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
- 6 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

Reasons for Decision

In the opinion of the Borough Council, the proposed development will result in no undue impact on the amenity of adjacent properties and any undue detriment to the visual amenity of the locality. Very special circumstance justify any harm to the openness or character of the Green Belt. The proposal is also considered to have no adverse effects in terms of highway safety. The proposal accords with; Policy 3 (Green Belt), Policy 10 (Design and Enhancing Local Identity) and Policy 12 (Local Services and Healthy Lifestyles) of the Aligned Core Strategy 2014; LPD19, LPD20, LPD32, LPD35, LPD57 & LPD61 and Part 8 (Promoting healthy communities), Part 12 (Achieving well-designed places and Part 13 (Protecting Green Belt land) of the National Planning Policy Framework.

Notes to Applicant

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

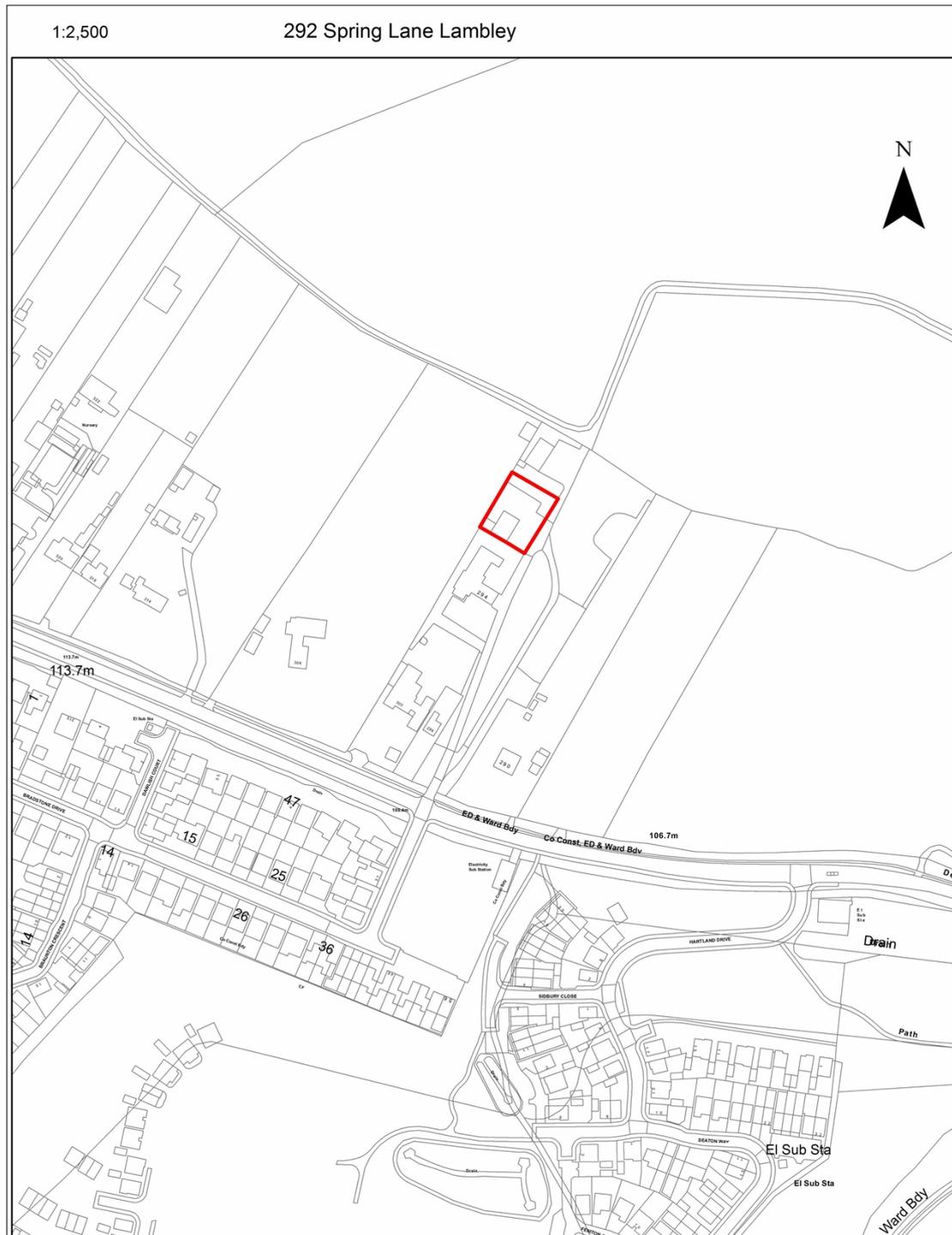
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal 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 not payable on the development hereby approved.

The Applicants attention is drawn to your obligations to ensure the protection of bats under The Conservation of Habitats and Species Regulations 2010 (as amended). It is therefore recommended to resurvey the trees prior to the flooding lights first coming into use to ensure that no bats are roosting within the trees.



Planning Report for 2019/0003



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site. Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright. Licence No LA100021248. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



Serving People Improving Lives

Date: 05/03/2019

Report to Planning Committee

Application Number:	2019/0003
Location:	292 Spring Lane Lambley NG4 4PE
Proposal:	Change of use from Office (B1) to Residential (C3) and side extension of less than 50% of the existing floor area.
Applicant:	Mr Roland Spencer
Agent:	Mr John Crich
Case Officer:	Lewis Widdowson

The applicant is an Honorary Alderman of Gedling Borough Council and therefore, in accordance with the Council's Constitution, this application has been referred to Planning Committee.

1.0 Site Description

- 1.1. The application site relates to an existing office building located at 292 Spring Lane, Lambley. The site is set back from Spring Lane approx. 128 metres, and is accessed via a shared drive.
- 1.2. The existing building measures approx. 108 square metres and is constructed from facing stonework and concrete roof tiles with an area of hardstanding to the front of the building.
- 1.3. The application site is located within the Nottinghamshire Green Belt as defined by the Local Planning Document (2018) policy maps with open fields to the north and east and residential dwellings to the south and west.

2.0 Relevant Planning History

- 2.1. On the 15th February 2007 conditional permission was granted for the "Conversion from general store to offices". App Ref: 2006/1132.
- 2.2. Subsequently a Prior Notification application was submitted on the 14th March 2017 to "Convert existing building without increasing footprint area or volume into a domestic dwelling". It was determined on the 16th June 2017 that Prior Approval was not required and the works were thereby approved. App Ref: 2017/0343PN.

3.0 Proposed Development

- 3.1. This application seeks planning permission to change the use of the existing office (B1 use) to a residential dwelling (C3 use).
- 3.2. The proposed development also includes the erection of a single storey side extension beyond the northern elevation. The extension would measure approx. 6 metres in width and approx. 8.9 metres in depth. It would be constructed with a dual pitch roof with a front gable. The eaves height would match the existing building whilst the maximum ridge height would measure approx. 4.8 metres. The extension will be constructed using render on the external elevations and concrete interlocking roof tiles to match the existing building.
- 3.3. The development includes alterations to the external elevations of the building including changes to the existing fenestration.

4.0 Consultations

- 4.1. The statutory consultation period ends on the 20th March 2019. Any additional comments received will be reported verbally.
- 4.2. Letters were sent to immediate neighbouring occupiers, a site notice posted near the site and an advert placed in the local newspaper. To date, no representations have been received.
- 4.3. Nottinghamshire County Council (Highway's Authority) – No objection.
- 4.4. Gedling Borough Council (Public Protection) – No objections. Advises a number of conditions should be attached to any forthcoming permission relating to the installation of EV charging sockets and the submission of a Construction Emission Management Plan.

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 material considerations indicate otherwise'.
- 5.2. The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2019 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Relevant Planning Policies

- 6.1. National Planning Policy Framework (NPPF) 2019:

Section 2 'Achieving Sustainable Development',
Section 4 'Decision-making',
Section 5 'Delivering a sufficient supply of homes',

Section 12 'Achieving well-designed places', and
Section 13 'Protecting Green Belt land'.

- 6.2. Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014 –
- 6.3. Policy A: Presumption in Favour of Sustainable Development: “A positive approach will be taken when considering development proposals reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework.”
- 6.4. Policy 3: The Green Belt “The principle of the Nottingham Derby Green Belt will be retained”.
- 6.5. Policy 8: Housing Size, Mix and Choice “Residential development should maintain, provide and contribute to a mix of housing tenures, types and sizes in order to create sustainable, inclusive and mixed communities”.
- 6.6. Policy 10: Design and Enhancing Local Identity “All new development should be designed to make a positive contribution to the public realm and sense of place; create an attractive, safe, inclusive and healthy environment, reinforce valued local characteristics; be adaptable to meeting the changing needs of occupiers and the effects of climate change and reflect the need to reduce the dominance of motor vehicles. Development will be assessed in terms of its treatment of a number of specified elements”.
- 6.7. Local Planning Document (LPD) 2018
- Policy LPD 11 – Air Quality
Policy LPD 12 – Reuse of buildings within the Green Belt,
Policy LPD 13 – Extensions to buildings within the Green Belt,
Policy LPD 32 – Amenity,
Policy LPD 57 – Parking Standards, and
Policy LPD 61 - Highway Safety.
- 6.8. The relevant planning policies that need to be considered in relation to highway matters are set out in the Parking Provision for Residential Development SPD. This document outlines that a dwelling with three or more bedrooms, within a rural area, should provide a minimum of three off street parking spaces.

7.0 Principle of the development

- 7.1. The NPPF attaches great importance to the Green Belt (paragraph 133). When determining planning applications, substantial weight should be given to any harm to the Green Belt and 'inappropriate development' should be approved only in 'very special circumstances'. Not all development, however, is inappropriate. The NPPF sets out at paragraph 145 specific types of development, such as the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 7.2. Paragraph 146 goes on to state that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness

and do not conflict with the purpose of including land within it. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.

- 7.3. The proposal is for the re-use of an existing building. Policy LPD 12 states that permission will be granted for the re-use of buildings provided the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it and, the buildings are of permanent and substantial construction, are structurally sound and capable of re-use without major alterations, adaptations or reconstruction.
- 7.4. Given that the proposal also includes the erection of a single storey side extension Policy LPD 13 is also relevant. This policy states, inter alia, that within the Green Belt planning permission will be granted for extensions or alterations to buildings provided the proposals do not result in the floorspace of the building being over 50% larger than when originally constructed. The floorspace of the original building measured approx. 121.6 square metres. The proposed extension has an additional floorspace of approx. 53.4 square metres. In total the new dwelling would have a Gross External Floor Area of approx. 175 square metres, representing an increase of approx. 44%.
- 7.5. It is considered that the building is suitable for conversion without major alterations and that the scale of the development is limited within its context. In addition the development is not considered to have a detrimental impact on the openness of the Green Belt or the reasons for including land within it, does not adversely affect valuable views and would be in keeping with the surrounding character. I am therefore satisfied that the proposed development complies with policies LPD 12 and LPD 13.
- 7.6. In order to ensure that any future development on the site does not impact on the openness of the Green Belt I would recommend, should permission be granted, that permitted development rights are removed from the application site. Extensions, outbuildings and other structures all have the potential in impact on the openness of the Green Belt and as such I would consider it reasonable in this instance to control these types of development, given that approval of this application would permit a floorspace extension of approximately 44%.
- 7.7. The proposed development is in full conformity with policies LPD 12 and LPD 13 therefore and is therefore acceptable in principle, subject to a detailed assessment of all material considerations including the impact upon the character and appearance of the area, residential amenity and highway matters.

8.0 Design and the impact upon visual amenity

- 8.1. The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (Paragraph 124). Planning decisions should ensure that developments will function well and

add to the overall quality of the area; are visually attractive as a result of good architecture, layout and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, and establish or maintain a strong sense of place (Paragraph 127).

- 8.2. It is considered that the proposed development would result in a detached single storey residential dwelling which is in keeping with the scale and design of the neighbouring properties to the south. I also consider that the materials proposed are acceptable given that there are a number of properties within the immediate vicinity which have been constructed with render. I therefore do not have any concerns relating to the use of this material in this location.
- 8.3. Taking the above into consideration, it is my opinion that the development would accord with Part 12 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy.

9.0 Impact upon residential amenity

- 9.1. Policy 32 of the Local Planning Document outlines that planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.
- 9.2. Impact upon residential amenity of the surrounding properties has been carefully considered. I am satisfied, given the scale of the proposal and its relationship with neighbouring dwellings, that there would be undue overbearing, overshadowing or overlooking impact created by the development.
- 9.3. The proposed single storey extension which is included as part of this application is located on the northern side elevation furthest away from the surrounding residential properties. In addition I note that the shared boundary which runs along the rear of the property to the west is delineated by a hedgerow approx. 2.5 metres high.
- 9.4. It is therefore considered that the proposal meets with the objectives of Policy LPD 32 of the Local Planning Document.

10.0 Highways matters

- 10.1. I am satisfied that the proposed development can provide sufficient off street parking, by way of the existing hard surfaced area to the front of the building. I am therefore satisfied that the development would meet the requirements of the Parking Provision for Residential Development SPD which requires three spaces in this location. In light of the above and in accordance with the Highway Authority's comments, I do not have any concerns relating to highway safety.

11.0 Other matters

- 11.1. In order to meet with the objectives of LPD 11 it is considered reasonable to require that an electric vehicle charging point is incorporated into the dwelling.

Should permission be granted I would recommend that a EV charging point is secured by way of a planning condition.

- 11.2. Given that the proposal relates only to the change of use and extension to form one dwelling, I do not consider it reasonably necessary to request a Construction Emission Management Plan be submitted in this instance.

12.0 Conclusion

- 12.1. The proposal has been assessed against Green Belt policy set out within national and local planning policies. It is considered that the proposal represents the re-use of an existing building and would not cause harm to the openness of the Green Belt. The development is considered to be of a high standard of design and would not impact on the amenity of neighbouring properties or the surrounding highway network.
- 12.2. The proposal therefore meets with the objectives of the National Planning Policy Framework, Policies A, 3, 8 and 10 of the Aligned Core Strategy, and Policies LPD 11, 12, 13, 32, 57 and 61 of the Local Planning Document.

13.0 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. This permission shall be read in accordance with the details within the Application Form, the OS Location Plan and following Drawings 1898-01 "Site Plan", 1898-02 "Existing Floor Plan", 1898-03 "Existing Elevations", 1898-04 "Proposed Floor Plan" and 1898-05 "Proposed Elevations" submitted on the 3rd January 2019 and the email dated 15th February 2019 received from the applicant / agent confirming the description of works. The development shall thereafter be undertaken in accordance with these details.
3. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Local Planning Authority.
4. Prior to commencement of any external works, details of the Electric Vehicle charging point to be provided at the hereby approved dwelling, to include the location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in

accordance with the approved details prior to the first occupation of the development.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to define the terms of this permission.
3. To ensure any future development does not impact on the openness of the Green Belt or the reasons for including land within it, in accordance with the aims of the National Planning Policy Framework (2019) Policy 3 of the Aligned Core Strategy (2014) and Policies 12 and 13 of the Local Planning Document (2018).
4. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Council's Local Plan.

Reasons for Decision

In the opinion of the Borough Council the proposed development would not cause harm to the openness of the Green Belt, is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highway Safety. The development therefore accords with the objectives of the National Planning Policy Framework, Policies A, 3, 8 and 10 of the Aligned Core Strategy, and Policies LPD 11, 12, 13, 32, 57 and 61 of the Local Planning Document.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). 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 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.

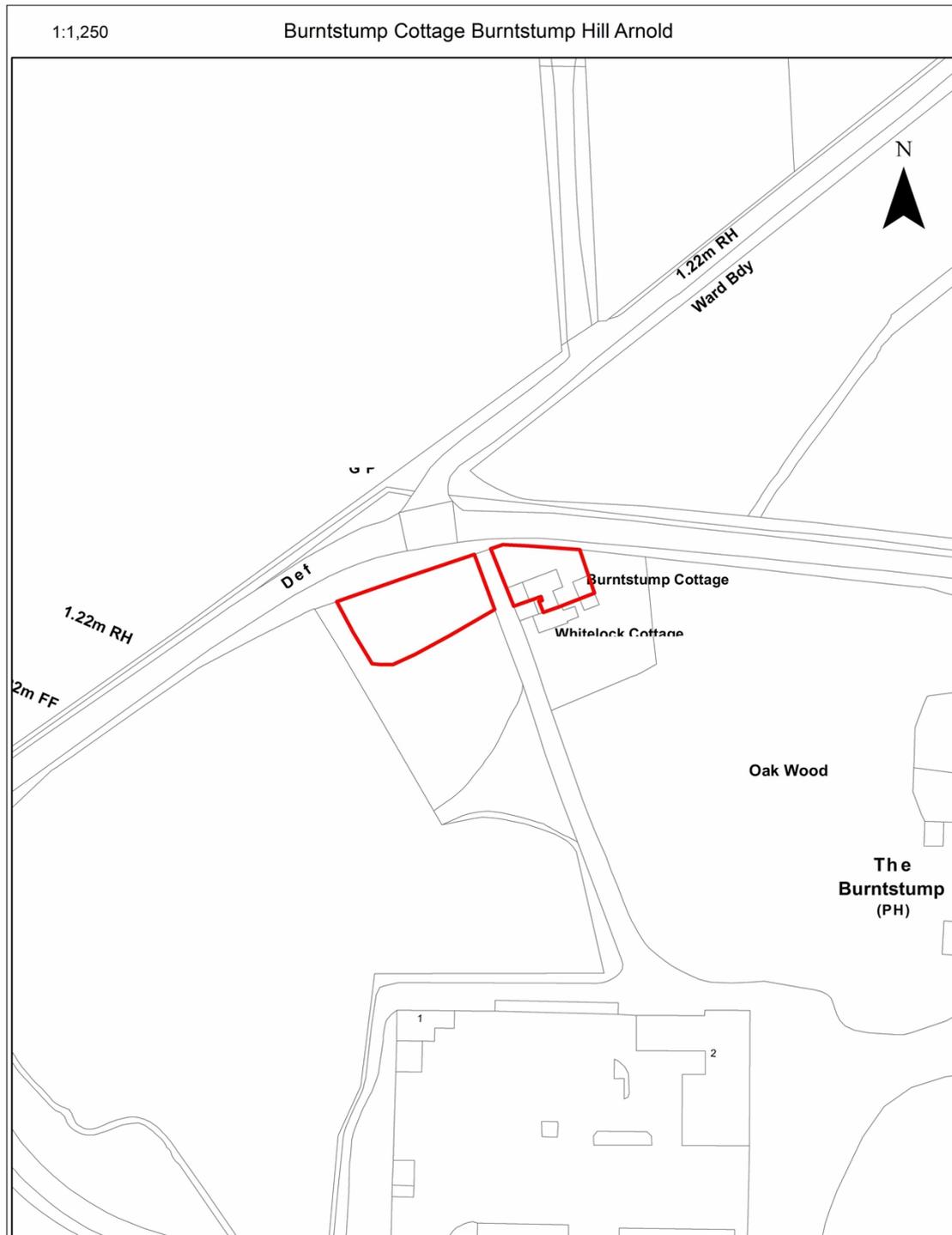
The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE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

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Planning Report for 2019/0034



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Date: 05/03/2019

Report to Planning Committee

Application Number: 2019/0034

Location: Burntstump Cottage Burntstump Hill Arnold NG5 8PQ

Proposal: Demolition of existing single storey rear extension, erection of two storey rear extension and conversion of existing garage to en-suite.

Applicant: Mr Lyle Shaw

Agent: Mr James Cunnington

Case Officer: Deirbhile Blair

1.0 Site Description

- 1.1. Burntstump Cottage is a two storey semi-detached property located on the south side of Burntstump Hill and adjacent to Ash Lane. Whitelock Cottage is a similar design property and is located directly to the south of the application site. This property has been extended with a two storey extension to the rear of a similar design to that proposed on the application site.
- 1.2. Off street parking is provided to the west of the application site and also to the east. There is a detached garage located to the east of the application site which serves the host property.
- 1.3. The Park Hospital, Police Headquarters, Burntstump Park and The Burnstump public house are located to the south of the application site.
- 1.4. The application site is located within the Nottinghamshire Green Belt and the Papplewick Wooded Estatelands as set out in the Greater Nottinghamshire Landscape Character assessment.

2.0 Relevant Planning History

- 2.1. No relevant planning history

3.0 Proposed Development

- 3.1. Planning permission is sought for a two storey rear extension and conversion of the existing garage to a bedroom and en-suite. The existing rear single storey extension would be demolished.

- 3.2. A revised plan was submitted on the 3rd February 2019 illustrating the following amendments to the scheme:
- Amendment to the positioning of the ground floor bathroom rooflight; and
 - The inclusion of a rear access door for maintenance.
- 3.3. The proposed two storey rear extension would measure 4.2m in length, 5.8m in width, 4.2m at the eaves (0.3m lower than the existing eaves height) and 5.9m to the ridge height (1m lower than the existing ridge).
- 3.4. The garage conversion would consist of an en-suite and would be connected to the main dwelling via the proposed two storey extension.
- 3.5. The materials proposed would match the existing property including red brick to match the existing including both colour and bonding and rosemary clay plain roof tiles.

4.0 Consultations

- 4.1. Adjoining neighbours have been notified and a Site Notice has been posted. No letters of representation have been received as a result.
- 4.2. Papplewick Parish Council – No objection
- 4.3. Highways Authority – Further information was required to demonstrate that 3no. off street car parking spaces can be provided. A Block Plan was received on the 4th February 2019 illustrating the required off street parking. The Highways Authority now has no concerns with the application.
- 4.4. Forestry Officer – No objection

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 material considerations indicate otherwise'.
- 5.2. The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2018 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG)

6.0 Development Plan Policies

- 6.1. National Planning Policy Framework 2019 (NPPF):

Part 12 – Achieving well-designed places
Part 13 – Protecting Green Belt land

6.2. Aligned Core Strategy 2014 (ACS):

Policy 3 – The Green Belt

Policy 10 – Design and Enhancing Local Identity

6.3. Local Planning Document 2018 (LPD):

LPD 13 – Extensions of Buildings within the Green Belt

LPD 19 – Landscape Character and Visual Impact

LPD 32 – Amenity

LPD 35 – Safe, Accessible and Inclusive Development

LPD 57 – Parking Standards

LPD 61 – Highway Safety

6.4. Greater Nottinghamshire Landscape Character Assessment

Policy SPZ 3 – Papplewick Wooded Estatelands

6.5. Papplewick Neighbourhood Plan

Policy 2 – The Natural Environment

Policy 3 – Setting of Papplewick

Policy 7 – Local Distinctiveness of Papplewick

7.0 Planning Considerations

7.1 The Principle of Development

7.2 The NPPF attaches great importance to the Green Belt (paragraph 133). When determining planning applications, substantial weight should be given to any harm to the Green Belt and ‘inappropriate development’ should be approved only in ‘very special circumstances’. Not all development, however, is inappropriate. The NPPF sets out at paragraph 145 specific types of development, such as the replacement of buildings and limited infill, and extensions which are not inappropriate provided they meet a number of conditions.

7.3 In relation to extensions policy LPD 13 states that planning permission will be granted for extensions or alterations to buildings provided that the proposals do not result in the floorspace of the building being over 50% larger than when originally constructed.

7.4 In this instance the original dwelling has a floor area of 68m² and the existing garage, which is within 5 metres of the original dwellings, has a floor area of 12m². Giving a total existing gross floor area of 80m². The proposed two storey rear extension would have a floor area of 26m². I note that the property has not been extended in the past. The proposed extension would have a cumulative floor area of 26m² which would equate to a 32.5% increase in floorspace of the original dwelling. Given that the proposed extension falls beneath the figure of 50% it is considered to comply with the first element of this policy.

- 7.5 All proposals must also be in keeping with the surrounding character in terms of height, bulk, form and general design, conserve any historic significance of the building, not adversely affect valuable views into or out of settlements and not have a detrimental impact on the openness of the Green Belt or the reasons for including land within it.
- 7.6 The proposed extension would be to the rear of the property. As such it would not be readily visible from the street scene. Additionally it would be in scale and character in keeping with the existing dwelling. It would have a ridge height subordinate to the host property approximately 1 metre below the ridge of the main dwelling. This would result in an acceptable amount of massing. The materials proposed are appropriate for the area and would suitably match the existing dwelling.
- 7.7 With regards to the conversion of the existing garage, I note there are minor alterations proposed to the external façade where a window would replace the existing garage door. No other alterations are proposed. These minor changes are considered to be acceptable and would comply with Policy LPD 13.
- 7.8 The proposed development is therefore acceptable in principle, subject to a detailed assessment of all material planning considerations including the impact upon the character and appearance of the area, residential amenity and highway matters.

8.0 Impact on the Character and appearance of the area

- 8.1 The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (Paragraph 124). Planning decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, and establish or maintain a strong sense of place (Paragraph 127).
- 8.2 The proposed extension would be of modest proportions, subordinate to the host property and be constructed of matching materials. The site is heavily screened by trees and shrubs with only glimpses of the property from the road directly in front of the site.
- 8.3 The insertion of a window in place of a garage door in the existing garage is a minor change and would not have any undue impact on the character and appearance of the host property or streetscene.
- 8.4 As such there would be no undue impact on the character and appearance of the immediate area or the wider Papplewick Wooded Estatelands and the proposal is considered to accord with LPD Policy 19 – Landscape Character and Visual Impact and Policy SPZ 3 of the Greater Nottinghamshire

Landscape Character Assessment.

9.0 Residential Amenity

- 9.1 Impact upon residential amenity of the surrounding properties has been carefully considered. There would be no undue impact on the property located to the east of the application site due to the extensive planting which provides significant screening on the eastern boundary.
- 9.2 Whitelock Cottage is located directly to the south of the application site. There are no habitable windows facing the application site, nor are there any windows proposed on the southern elevation facing Whitelock Cottage. Accordingly, there would be no undue impact in terms of overlooking.
- 9.3 Whitelock Cottage has a similar style two storey rear extension to that proposed. The proposed two storey extension would be set approx. 1m lower than the existing ridge height which would ensure a subservient appearance. Taking the above matters into account there would be no undue impact in terms of overshadowing or overbearing on the occupiers of Whitelock Cottage.
- 9.4 With regards to the conversion of the existing garage, there are minor alterations proposed to the external façade where a window would replace the existing garage door. No other alterations are proposed, therefore I am satisfied that this would have no undue impact in terms of overlooking, overbearing or overshadowing as a result of this conversion.
- 9.5 As such the proposed development would accord with policy LPD32 – Amenity.

10.0 Highway Matters

- 10.1 The proposed development would result in the existing garage being converted to living accommodation. This would increase the number of bedrooms to 4.
- 10.2 In respect to parking, regard should be had to the Borough Councils Supplementary Planning Document “Parking Provision for Residential Developments” (May 2012). Paragraph 4.7 of the SPD refers to extensions that result in an increase in the number of bedrooms should take account of the parking requirement. Table 4.1 refers to parking provision according to the number of bedrooms – for 4 bedrooms the requirement is 3 allocated parking spaces in a rural area.
- 10.3 Whilst the conversion of the garage would result in the loss of a parking space, I note from my site visit that x2 car parking spaces would remain in front of the converted garage. The applicant has also demonstrated further space for parking and turning on the land immediately to west of the site on block plan received on the 4th February 2019. This land is served by an established vehicular access and is within the ownership of the applicant.

- 10.4 The Highway Authority has not raised an objection to this parking arrangement. Accordingly it is considered that the proposed development is acceptable from a highway safety perspective.
- 10.5 As such the proposed development accords with Policy LPD 35 – Safe, Accessible and Inclusive Development, LPD 57 – Parking Standards and Policy 61- Highway Safety.

11.0 Conclusion

- 11.1 The proposal would be of a scale, layout and appearance that would be appropriate in the context of the host property and the surrounding area and would not have an adverse impact upon visual amenity or residential amenity. The proposal therefore accords with Policy 3, Policy 10 of the Aligned Core Strategy 2014, Policy LPD13, LPD19, LPD32, LPD35, LPD 57 and LPD 61 of the Local Planning Document 2018, Policies 2, 3 & 7 of the Papplewick Neighbourhood Plan as well as the Policies contained within the National Planning Policy Framework (2019) and Policy SPZ 3 of the Greater Nottinghamshire Landscape Character Assessment.

Recommendation: GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the application form & site location plan, ref: PDL-08-100 Rev 2 received on 22nd January 2019, revised plan submitted on the 4th February 2019, ref: PDL-22-004 Rev 2 and revised block plan received on the 12th February 2019, ref: PDL-22-005 Rev 1. The development shall thereafter be undertaken in accordance with these plans/details.
3. The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling house.

Reasons

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

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, and is considered to be appropriate development within the Green Belt. It is also considered that the proposed development will result in no undue impact on the amenity of adjacent properties or on highway safety. The proposal therefore accords with Policy 3, Policy 10 of the Aligned Core Strategy 2014, Policy LPD13, LPD19, LPD32, LPD35, LPD 57 and LPD 61 of the Local Planning Document 2018, Policies 2, 3 & 7 of the Papplewick Neighbourhood Plan as well as the Policies contained within the National Planning Policy Framework (2019) and Policy SPZ 3 of the Greater Nottinghamshire Landscape Character Assessment.

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 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.

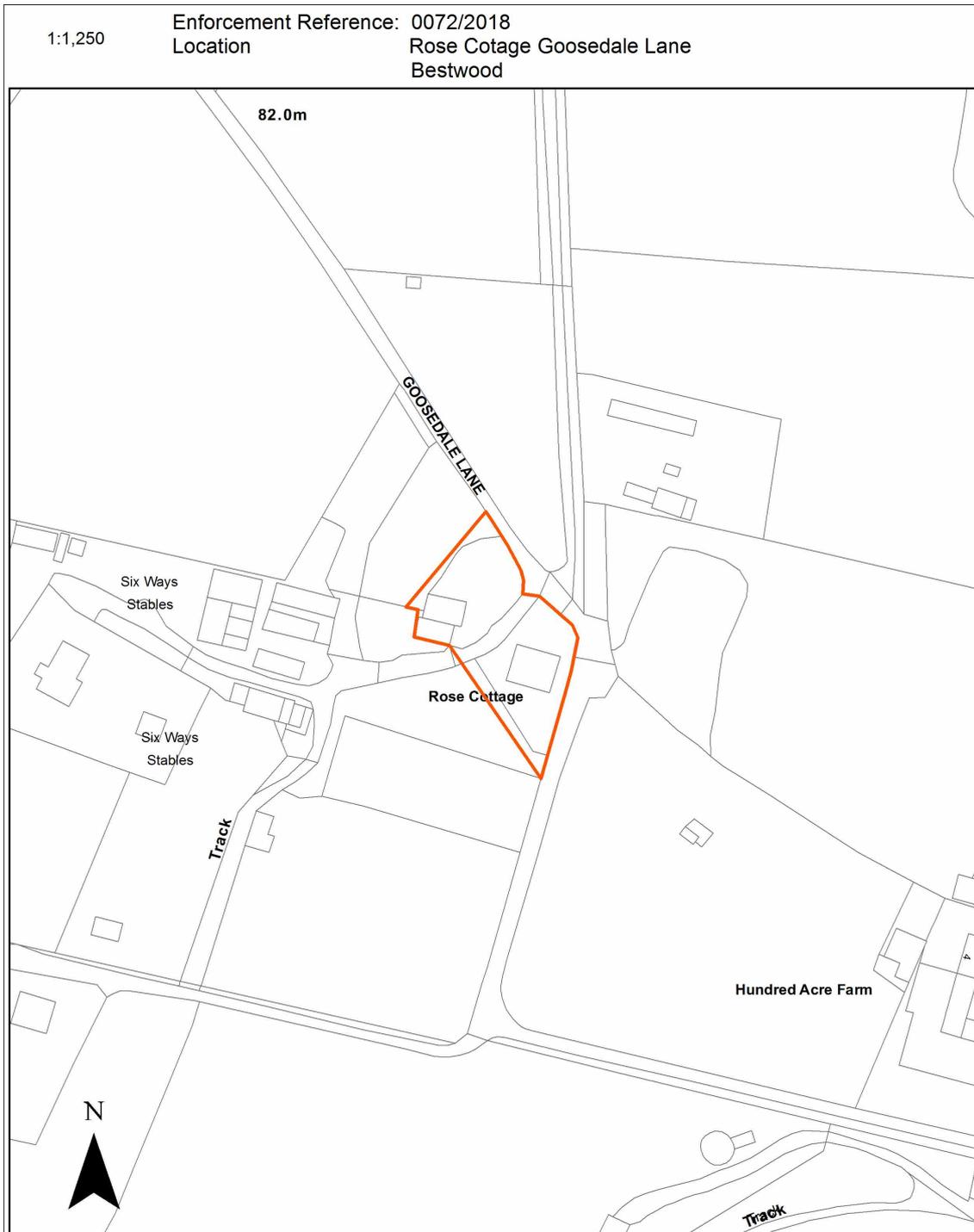
The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance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

The 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 at www.gedling.gov.uk. 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 gross internal area of new build is less 100 square metres.

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.



Planning Enforcement Report for 0072/2018



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Date: 22/01/2019

Report to Planning Committee

Reference Number: 00072/2018

Location: Land at Rose Cottage Goosedale Lane, Bestwood

Breach of Planning Control: Unauthorised storage container, material change of use of agricultural land to garden and untidy land.

1 Background

- 1.1 Rose Cottage is a detached dwelling in a rural location off Goosedale Lane, Bestwood Village. The garden surrounds the dwelling on all four sides and extends to the north west with a domestic garage and open sided car port and frontage leading directly onto Goosedale Lane. Beyond the defined garden area further to the west, is a parcel of open Green Belt agricultural land. There is no boundary separation between the garden and the agricultural land.
- 1.2 The land immediately to the west and south is a metre higher and rises up to a number of single storey out buildings located to the west of Rose Cottage and which relate to the adjacent property known as Sixways Stables.
- 1.3 At the beginning of April 2018, it was brought to the Council's attention that a large blue container had been positioned at Rose Cottage, Goosedale Lane, Bestwood on the agricultural land outside of the garden area of the property to the north west of the garage and car port.
- 1.4 The owners of the land stated the container was required for storage purposes until the extension to the garage which had been granted on appeal was completed. They gave a verbal undertaking that the container would be removed by the end of June 2018.
- 1.5 Permitted development rights given in Schedule 2 Class E of the GPDO were removed in March 2017 when planning permission was granted to retain the existing open sided car port (reference 2017/0091), preventing the erection of any further outbuildings on the land at Rose Cottage. However, the General Permitted Development Order 2015 allows for temporary buildings to be on a site if they are required temporarily in connection with and for the duration of operations being carried out on the land (GPDO PART 4 Class A)

subject to the condition that once the development is completed the temporary structure is removed. This right was not removed.

- 1.6 In this case, the development was completed but the container was not removed. The owners stated they required the container temporarily for a further three months. They were instructed to remove the container or alternatively to submit a planning application for a temporary permission to retain the container for the additional three months.
- 1.7 In October 2018 the owners of the land submitted a planning application to retain the storage container permanently (Reference 2018/1046) and on 9th January 2019 permission was refused.
- 1.8 Officers visited the site on Monday 11th February 2019 and saw extension to the garage had been completed and despite the refusal for planning permission, the storage container remained on the land.
- 1.9 At the time of the visit, it was noted the container was on land which is considered to be Green Belt agricultural land. It was also noted that there were building materials, including bricks, roofing tiles, glass tiles, wood, a cement mixer, sheets of plastic, rubble and other items spread across the garden area and on the adjacent agricultural land making the site detrimental to the amenity of the area.
- 1.10 The owner stated the roofing tiles were old tiles replaced from the roof of the dwelling but stated other materials and items had been brought from other sites where their partner had been employed.

2 Planning History

Reference	Proposal	Decision	Date
2018/1046	Retrospective planning permission for existing 20ft storage container.	Refused	10.01.2019
2018/0522NMA	NMA relating to application 2017/0092. Extension to rear of garage for workshop.	Acceptable	06.07.2018
2017/0092	Retention of extension to the rear of the garage/workshop	Allowed on appeal	
2017/0091	Retention of a car port	Granted	17.03.2017
2016/0595	Construction of new car port and extension to rear of existing garage.	Refused	05.07.2016
0042/2013	Enforcement action	Breach of Condition Notice served	18/06/2013
2012/0027	Replacement garage	Granted	16.03.2016
2012/1237NMA	A Non-Material Amendment for changes to garage		
2003/2328	Single storey side extension forming utility/workshop. WC & ensuite within roof space, 2 No. front dormer windows.	Granted	12.12.2003
2003/0911	Two storey side extension single storey rear extension and 2 front dormer windows.	Granted	19.06.2003

3 Assessment

- 3.1 Rose Cottage is a residential property with a garden to the rear, side and front of the property. It is positioned in a very rural area in the Nottinghamshire Green Belt just off a farm track which is used by a number of local residents living in similar rural housing and farms.
- 3.2 Containers are sometimes considered to be chattels by the courts but whether full or empty, would normally be judged as operational development and tantamount to a permanent building.
- 3.3 In this case the container measures 2.4m in width, 6m in length and 2.4m in height. Even if the container is judged to be a chattel, placing it on land

outside the garden curtilage would amount to a material change of use of the land as the container is being used to store personal and domestic items and it is not incidental to agriculture.

- 3.4 Although the development has occurred without planning permission and is therefore unauthorised, local planning authorities are required to consider government guidance when deciding whether to take planning enforcement action.
- 3.5 Government guidance is found in the National Planning Policy Framework (NPPF) (Paragraph 58) and states that although effective enforcement is important as a means of maintaining public confidence in the planning system, ultimately enforcement action is discretionary and local planning authorities should act proportionately in responding to breaches of planning control.
- 3.6 The main considerations when deciding whether to take enforcement action in this case are;
 - i) The principle of development within the Green Belt and impact on the openness;
 - ii) Whether the Local Planning Authority is within the statutory time limit for taking action.

Planning policy considerations

- 3.7 In my opinion, the change of use of the agricultural land to a domestic use with storage of building materials and other items and the positioning of a storage container in this location, irrespective of its size and form, is harmful to the openness of the Green Belt.
- 3.8 Whilst there is no specific definition of openness in the NPPF, this is a concept which relates to the absence of built form. Openness is therefore epitomised by the lack of buildings/structures. Any construction/structure harms openness quite irrespective of its impact in terms of obtrusiveness or its aesthetic attractions.
- 3.9 Given the cumulative nature of the development on site including the extension to the garage and the car port, the storage container even if it were to be relocated within the garden area of the property and open storage of building materials and other items does in my opinion, harm the openness of the Green Belt and does not safeguard the countryside from encroachment and is therefore in conflict with the purposes of including land within the Green Belt and should be regarded as inappropriate development.

- 3.10 In addition the piles of building materials, wood pallets, gas bottles, plastic crates, metal poles, cement mixer, rubble and other items spread across the land is very prominent to any visitors or nearby residents passing the site along the farm track and is detrimental to the visual amenity of anyone passing the area and to the character of the countryside.
- 3.11 No very special circumstances have been given by the owners of the site and it is considered the change of use of the land, the positioning of the storage container on the land and the storage of building materials and other items on the land is in conflict with the NPPF.
- 3.12 The storage container and the untidy condition of the land is also in conflict with Local Plan Policy LPD 19 which does not permit any development which results in a significant adverse impact on visual amenity or significant impact on the character of the landscape. It is also contrary to Policy LPD 32 which does not permit development where there is a significant impact on the visual amenity of nearby residents or occupiers.

Time Limits

- 3.13 The statutory time limit for taking action for built development is four years and the time limit for taking action for a material change of use of the land is ten years. In this case the evidence available to the Council strongly suggests the container was brought to the site in April 2018 and although initially it could have been argued the container was on the land lawfully by virtue of the General Permitted Development Order, that permission expired when the garage extension was completed sometime in the summer and the container should have been removed at that time. There are no time limits in which the Council can issue a s215 notice requiring the land to be tidied. The Council is within time to commence enforcement proceedings such as issuing an enforcement notice requiring the container to be removed and the unauthorised use to cease and for issuing a s215 notice requiring the land to be tidied.

Human Rights

- 3.15 Under the Human Rights Act, it is necessary for the Authority to have regard to the rights of the owner and occupier of a site under Article 1 of the First Protocol to peaceful enjoyment of possessions and the protection of property and under Article 8 of the convention to respect for his private and family life, his home and his correspondence except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

- 3.16 In considering whether to take any enforcement action, the Council has to consider the proportionality of its actions. In other words whether the proposed action would be proportionate to the objective being pursued – here the enforcement of planning control in support of National and Local Planning Policies. It is recognised that issuing an enforcement notice and a s215 tidy up notice, or pursuing formal proceedings in the Magistrates Court if the notices are not complied with, will result in interference with the recipients' rights. However, it is considered that issuing the notices in the first instance would be a proportionate response to rectifying the breach of planning control taking place and depending on compliance with the notice it might well be justified to take court action.

Equalities

- 3.17 The Council's Planning Enforcement team operates in accordance with the Council's Planning Enforcement Policy and is largely dictated by legislation which reduces the risk of discrimination in this service. The Council is accountable to the public, including its stakeholders, for its decisions both to take enforcement action and not to utilise its enforcement powers. There is a legitimate expectation of the public and stakeholders that the Council will take action to address breaches of planning by such means as are appropriate in the individual circumstances and which are in accordance with the Council's policy and government legislation.
- 3.18 The Council strives for a consistent approach in targeting its enforcement action. This means that the Council will take a similar, but not the same, approach to compliance and enforcement decisions within and across sectors. It will strive to treat people in a consistent way where circumstances are similar. Each case however will be evaluated on the basis of its own facts and circumstances but will ensure that decisions or actions taken in any particular case are consistent with the law and with the Council's published policies. It should be noted that decisions on specific enforcement actions may rely on professional judgment. The Council will usually only take formal enforcement action where attempts to encourage compliance have failed as in this case.

Crime and disorder

- 3.19 The Crime and Disorder Act 1998 places a duty on the Local Planning Authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on the integrity of the planning system and the setting of a precedent if action is not taken is therefore a material consideration in the authorisation of enforcement proceedings.
- 3.20 In light of all the facts it is now considered expedient to serve an enforcement notice to require the removal of the container and cease the use of the agricultural land as garden and a s215 notice requiring the land to be tidied.

4 Conclusion

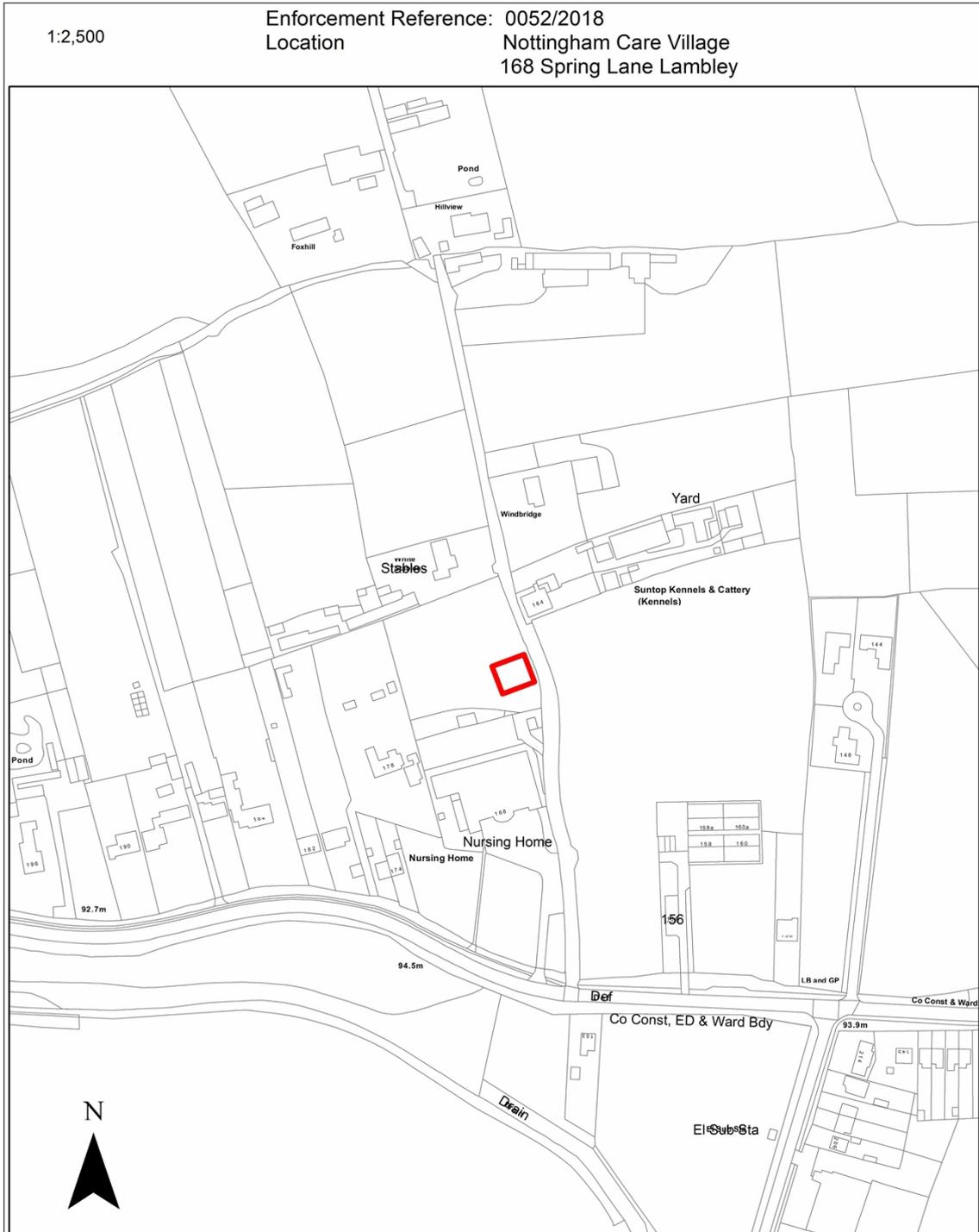
- 4.1 The retention of the storage container would result in inappropriate development and would result in encroachment into the open countryside. No very special circumstances have been provided which would outweigh the harm to the open character of the Green Belt.
- 4.2 The change of use of the agricultural land to garden land is also inappropriate development in the Green Belt and detrimental to the character of the countryside. Again, no very special circumstances have been provided. If allowed may result in additional domestic paraphernalia being deposited on the land.
- 4.3 The building materials and other items stored in the open on the land is detrimental to the visual appearance of the area and the openness of the Green Belt.
- 4.4 A breach of planning control has been identified which is detrimental to the character of the area and amenities of nearby occupiers of other residential properties.
- 4.5 The breach conflicts with both national and local policies. The failure of the Council to act in these circumstances may set a precedent for other poor development and which is detrimental to the character and amenity of the area.
- 4.6 The Council should now commence enforcement action without delay by issuing a planning enforcement notice requiring the removal of the structures

5 Recommendation

- 5.1 That the Service Manager, Development Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised storage container is removed and the land is tidied and returned to its lawful use.**



Planning Enforcement Report for 0052/2018



Serving People Improving Lives

Date: 14/03/2019

Report to Planning Committee

Reference Number: 00052/2018

Location: Nottingham Care Village 168 Spring Lane Lambley

Breach of Planning Control: Unauthorised construction of a car park.

1 Background

- 1.1 A retrospective planning application (reference 2017/1270) for the retention of an area of hardstanding used as a car park at the rear of Nottingham Care Village was refused permission by the Council on the 26th March 2018 after it was considered the car park would encroach into the Green Belt and would have an adverse effect on the openness of the Green Belt.
- 1.2 An appeal was submitted by the applicant and on the 25th February 2019 the appeal was dismissed by the Planning Inspectorate.

2 Site Description

- 2.1 The application site, 168 Spring Lane, relates to a two-storey nursing home situated within the designated Green Belt of Nottingham. The property is accessed off Spring Lane, via a vehicular access to the site from the north of the highway. There is a private driveway leading to an area of hard standing at the front of the site for service users.
- 2.2 The closest neighbouring properties are located to the northeast and west of the site; 164 Spring Lane a detached bungalow accessed via an un-adopted lane to the east of the site and to the west, 174 Spring Lane a semi-detached dwelling set forward from the Nursing Home and 178 Spring Lane, a bungalow set back from the Nursing Home.
- 2.3 The boundaries of the site are clearly defined by mature hedgerows and trees.

3 Planning History

- 3.1 There is no other relevant planning history for the site.

4 Assessment

- 4.1 The car park has been constructed on an area of land that was previously undeveloped open land. The car parking area is located approx. 2m away

from the northeast boundary of the site and measures approx. 17 metres by 18 metres, covering an area of approx. 316m².

- 4.2 The car parking area has been constructed from MOT type 1 hard-core. There is a 0.65m high 1 bar timber fence around the surrounding edge, an entrance gate and two outdoor lights on wooden posts which measure approx. 2.5m in height.
- 4.3 The car parking area is accessed off the un-adopted lane which runs along the eastern boundary of the site and is separate from the original parking area to the front of site.
- 4.4 Although the development has occurred without planning permission and is therefore unauthorised, local planning authorities are required to consider government guidance when deciding whether to take planning enforcement action.
- 4.5 Government guidance is found in the National Planning Policy Framework (NPPF) (Paragraph 58) and states that although effective enforcement is important as a means of maintaining public confidence in the planning system, ultimately enforcement action is discretionary and local planning authorities should act proportionately in responding to breaches of planning control.
- 4.6 The main considerations when deciding whether to take enforcement action in this case are;
 - i) The principle of development within the Green Belt and impact on the openness;
 - ii) Whether the Local Planning Authority is within the statutory time limit for taking action.
- 4.7 Chapter 13 of the NPPF (Protecting the Green Belt) advises “the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.
- 4.8 The principle of the development within the Green Belt and the impact of the car park on the openness of the Green Belt has already been considered at appeal by the Planning Inspector. The Inspector stated in his decision letter, “...The hard surfaced car park is still visible from a number of vantage points along the track. It has an urbanising and encroaching effect, particularly when viewed against the backdrop of (and in the context of) neighbouring undeveloped land”. The Inspector goes on to say “...multiple cars were

parked upon the site [at the time of his visit] so as to exacerbate the negative effects of the proposal and the loss of openness...”

- 4.9 The car park is also in conflict with Local Plan Policy LPD 19 which does not permit any development which results in a significant adverse impact on visual amenity or significant impact on the character of the landscape.

Time Limits

- 4.10 The statutory time limit for taking action for built development or engineering works is four years. In this case the evidence available to the Council strongly suggests the car park has been constructed within the last four years and the Council is within time to commence enforcement proceedings such as issuing an enforcement notice requiring the car park to be removed and the land to be reinstated to its previous undeveloped state.

Human Rights

- 4.16 Under the Human Rights Act, it is necessary for the Authority to have regard to the rights of the owner and occupier of a site under Article 1 of the First Protocol to peaceful enjoyment of possessions and the protection of property and under Article 8 of the convention to respect for his private and family life, his home and his correspondence except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
- 4.17 In considering whether to take any enforcement action, the Council has to consider the proportionality of its actions. In other words whether the proposed action would be proportionate to the objective being pursued – here the enforcement of planning control in support of National and Local Planning Policies. It is recognised that issuing an enforcement notice, or pursuing formal proceedings in the Magistrates Court if the notice is not complied with, will result in interference with the recipients’ rights. However, it is considered that issuing a notice in the first instance would be a proportionate response to rectifying the breach of planning control taking place and depending on compliance with the notice it might well be justified to take court action.

Equalities

- 4.18 The Council’s Planning Enforcement team operates in accordance with the Council’s Planning Enforcement Policy and is largely dictated by legislation which reduces the risk of discrimination in this service. The Council is accountable to the public, including its stakeholders, for its decisions both to take enforcement action and not to utilise its enforcement powers. There is a legitimate expectation of the public and stakeholders that the Council will take action to address breaches of planning by such means as are appropriate in the individual circumstances and which are in accordance with the Council’s policy and government legislation.

- 4.19 The Council strives for a consistent approach in targeting its enforcement action. This means that the Council will take a similar, but not the same, approach to compliance and enforcement decisions within and across sectors. It will strive to treat people in a consistent way where circumstances are similar. Each case however will be evaluated on the basis of its own facts and circumstances but will ensure that decisions or actions taken in any particular case are consistent with the law and with the Councils published policies. It should be noted that decisions on specific enforcement actions may rely on professional judgment. The Council will usually only take formal enforcement action where attempts to encourage compliance have failed as in this case.

Crime and disorder

- 4.20 The Crime and Disorder Act 1998 places a duty on the Local Planning Authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on the integrity of the planning system and the setting of a precedent if action is not taken is therefore a material consideration in the authorisation of enforcement proceedings.
- 4.21 In light of all the facts it is now considered expedient to serve an enforcement notice to require the removal of the car park and the instatement of the land to its previous undeveloped state.

5 Conclusion

- 5.1 A breach of planning control has been identified which is detrimental to the openness of the Green Belt and the character of the area.
- 2 The breach conflicts with both national and local policies. The failure of the Council to act in these circumstances may set a precedent for other poor development and which is detrimental to the openness of the Green Belt and the character of the area.
- 5.3 The Council should now commence enforcement action without delay by issuing a planning enforcement notice requiring the removal of the car park and the reinstatement of the land.

6 Recommendation

- 6.1 That the Service Manager, Development Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the car park is removed and the land to be reinstated to its previous undeveloped state.**

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Report to Planning Committee

Application Number: 2018/0366 – Appeal Ref: APP/N3020/W/18/3211134
Location: 218 Kenrick Road Mapperley

Proposal: The proposed demolition of the existing dwelling on the site and the erection of three dwellings on the site.

Case Officer: Alison Jackson.

Planning permission was refused by the Borough Council on the 16th August 2018 on the following grounds:

- 1 The proposed development would, by reason of its scale, massing and the bulk of the dwellings, result in a cramped and overintensive form of development of the site. Furthermore given the height, design and appearance of the dwellings, the dwellings would result in a dominant and incongruous feature within the streetscene which would cause harm to the visual amenity of the streetscene and the surrounding character of the area in general. The proposal would therefore fail to meet with the objectives of the National Planning Policy Framework 2018, Policy 10 of the Gedling Borough Council Aligned Core Strategy and Policies LPD 34 and LPD 40 of the Local Planning Document (2018).
- 2 The proposed dwelling to plot 1 by reason of its size, bulk, scale and orientation with the dwelling to plot 2 would result in an overbearing and overshadowing impact to the dwelling to plot 2 to the detriment of their residential amenity. The proposal would therefore fail to meet with the objectives of the National Planning Policy Framework 2018, Policy 10 of the Gedling Borough Council Aligned Core Strategy and Policies LPD 32 and LPD 40 of the Local Planning Document (2018).

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

This appeal has been dismissed. The Inspector concluded that the proposed development would cause harm to the character and appearance of the area in conflict with Policy 10 of the Gedling Borough Aligned Core Strategy (September 2014) and policies LPD34 and LPD40 of the Local Planning Document 2018 in so far as these policies require that proposals are of a high standard of design and do not adversely affect the area by reason of their scale, bulk, form, layout or materials.

The Inspector however did not consider that the proposal would cause harm to the living conditions of the future occupiers of plot 2, with particular regard to outlook and

light in accordance with policy 10 of the Gedling Borough Aligned Core Strategy (September 2014) and policies LPD32 and LPD40 of the Local Planning Document 2018 in so far as these policies require that development proposals should not result in a significant adverse impact on the amenity of nearby residents or occupiers.

Recommendation: To note the information.

ACTION SHEET PLANNING DELEGATION PANEL 8th February 2019

2018/0996

Jericho Farm Green Lane Lambley

Change of use of agricultural field and barn to equestrian livery use and installation of a menage.

The proposed development would meet the objectives of national and local Green Belt policies.

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

Decision to be issued following completion of paperwork.

2018/1051

9 Avondale Road Carlton NG4 1AE

The erection of a two storey side extension, two storey front extension, a single storey rear extension, insertion of dormer windows and new windows into side elevations and the increase in ridge height of the dwelling (resubmission of 2018/0428) and the erection of a patio area to the rear together with boundary fencing.

The proposed development would not have an undue impact upon 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.

2018/1105

2 Sherbrook Avenue Daybrook NG5 6AN

Two-storey rear extension.

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

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

Decision to be issued following completion of paperwork.

2018/1166

22 Kighill Lane Ravenshead NG15 9HN

Outline planning application for the construction of 6 No. custom build residential units with the matters of access, layout and scale for determination

Application withdrawn from the agenda.

2018/1169
51 Woodchurch Road Bestwood NG5 8NJ
Two x two storey side extensions

The proposed development would not have an undue impact upon 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.

2018/1177
7 Denbury Road Ravenshead NG15 9FQ
Single storey and double storey front extension and double storey rear extension.

Withdrawn from the agenda.

2018/1186
22 Kighill Lane Ravenshead NG15 9HN
Construction of 6 Residential Units With Associated Garages & New Private Drive
(resubmission of 2018/0727)

Withdrawn from the agenda.

Mike Avery
Service Manager – Development Services
8th February 2019

ACTION SHEET PLANNING DELEGATION PANEL 15th February 2019

2017/1068
82 Shelt Hill Woodborough NG14 6DG
Retention of hay barn

The development has no undue impact upon visual amenity.

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

Decision to be issued following completion of paperwork.

2017/1149
Arnold Town Football Club Oxtou Road Arnold
Removal of condition 20 attached to existing planning decision. Application 2003/1260.

The removal of the condition would not have an adverse impact upon residential amenity.

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

Decision to be issued following completion of paperwork.

2018/0421
5 Brusty Place Burton Joyce NG14 5BY
Two storey front/side extension, single storey side and rear extensions and raised terrace to rear (revised submission of 2017/0848)

The proposed development would have no 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.

2018/0941
31 Hickling Road Mapperley NG3 6GW
Single and Double Storey Rear Extension

The proposed development would have no undue impact upon residential amenity.

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

Decision to be issued following completion of paperwork.

2018/1115
33A Lambley Lane Burton Joyce NG14 5BG
Erection of one dwelling and detached outbuilding (resubmission of 2018/0345)

The proposed development would have no 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.

2018/1163
151 Main Street Woodborough Nottinghamshire
Single & two storey extension, loft conversion and alterations.

The proposed development would have no undue impact upon visual 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.

2019/0025
65 Melbury Road Woodthorpe Nottinghamshire
Change of use to A4. change property into a micro pub.

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

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

Decision to be issued following completion of paperwork.

2019/0016
24 Farm Road Arnold NG5 7JY
Rear single storey extension to existing bungalow, removal of side carport and alteration/re-build of existing garage.

The proposed development would have no undue impact upon residential amenity.

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

Decision to be issued following completion of paperwork.

Graham Wraight 15th February 2019

ACTION SHEET PLANNING DELEGATION PANEL 1st March 2019

2018/0815

24 Maidens Dale Arnold NG5 8LQ

Proposed outbuilding in the rear garden to be used as gym, office, workshop and storage of materials.

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

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

Decision to be issued following completion of paperwork.

2018/1078

145 Woodthorpe Drive Woodthorpe NG3 5JL

First floor rear extension and increase in numbers to 90 children.

The proposed development would have no undue impact upon residential amenity or highway safety.

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

Decision to be issued following completion of paperwork.

2018/1118

128 Moore Road Mapperley Nottinghamshire

Demolish existing house and garage and erection of new dwelling and garage.

The proposed development would have no 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.

2018/1174

29 Silverwood Avenue Ravenshead Nottinghamshire

2 storey extension to the side + rear elevations.

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

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

Decision to be issued following completion of paperwork.

2018/1190

31 Weaverthorpe Road Woodthorpe NG5 4ND

Erection of Single Storey Front Extension, Two storey side extension and Single Storey rear extension.

Withdrawn from the agenda.

2019/0026

208 Spring Lane Lambley Nottinghamshire

Three storey front extension, demolition of existing rear conservatory and associated landscaping including rear decking area (resubmission of 2018/0649)

The proposed development would have no undue impact upon visual amenity.

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

Decision to be issued following completion of paperwork.

2019/0012

7 Station Road Carlton NG4 3AT

Single bedroom residential unit on land within the grounds of 7 Station Road

The proposed development would not constitute an acceptable form of residential development and would not be of an acceptable visual appearance.

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

Decision to be issued following completion of paperwork.

20019/00032

32 Waterhouse Lane, Gedling

Erect first floor rear extension, single storey rear and side extension and two storey side extension with canopy and raised patio area

Withdrawn from the agenda.

2019/0015

50 Kent Road Mapperley NG3 6BE

Single storey extension to front/side and external alterations to dwelling.

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

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

Decision to be issued following completion of paperwork.

2019/0059TPO

6 Shelt Hill Woodborough Nottinghamshire

Works to 1 No. Yew Tree. Reduction of all lateral branches no more than 3 metres in length and the height to be reduced back to previous points, no more than 2 metres

The proposed development would have no undue impact upon the tree.

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

Decision to be issued following completion of paperwork.

Graham Wraight 1st March 2019

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ACTION SHEET PLANNING DELEGATION PANEL 8th March 2019

2018/0531

Free Church Chesterfield Drive Burton Joyce
2 No. dwellings and associated works.

The proposed development would have no undue impact on street scene or residential amenity.

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

Decision to be issued following completion of paperwork.

2018/1154

361 Foxhill Road West Carlton NG4 1PZ
Two storey rear extension

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

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

Decision to be issued following completion of paperwork.

2018/1190

31 Weaverthorpe Road Woodthorpe NG5 4ND
Erection of Single Storey Front Extension, Two storey side extension and Single Storey rear extension.

The proposed development would have no undue impact on the street scene or residential amenity.

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

Decision to be issued following completion of paperwork.

2019/0037

22 Crow Park Drive Burton Joyce NG14 5AS
Two storey and single storey rear extensions, single storey front extension and internal and external alterations

The proposed development would have an adverse impact on the host property, street scene and residential amenity.

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

Decision to be issued following completion of paperwork.

2019/0058
107 Mansfield Road Papplewick NG15 8FJ
Retention of a detached double garage with first floor.

The proposed development is inappropriate development in the Green Belt and would have an adverse impact on residential amenity.

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

Decision to be issued following completion of paperwork.

2019/0084
Former G And M Electrics West View Road Carlton
Retention of the existing building, the erection of a first floor extension and a single storey rear extension to form a residential dwelling.

Withdrawn from agenda.

2019/0149NMA
Plot 2 21 Ethel Avenue Mapperley
Non Material Amendment relating to application 2014/0856 - change the south east patio doors to a window (same width, height 1.1m) and reposition the single entrance door on the south east elevation to a window approx 2.3 metre away

The proposed development is non-material and would have no undue impact upon residential amenity or the street scene.

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

Decision to be issued following completion of paperwork.

**Kevin Cartwright
Principal Planning Officer**

8th March 2019

ACTION SHEET PLANNING DELEGATION PANEL 15th March 2019

2018/1160

7 Doveridge Road Carlton NG4 3GQ

Demolish existing bungalow & construct 2no. detached four bedroom dormer bungalows.

The proposed development would have no undue impact up residential amenity or highway safety.

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

Decision to be issued following completion of paperwork.

2018/1177

7 Denbury Road Ravenshead NG15 9FQ

Single storey front extension and double storey rear extension.

Application withdrawn from the agenda.

2019/0002

28 Victoria Road Netherfield NG4 2BF

Change of use of first floor to form 5 No. flats (C3 use) including first floor side extension, loft conversion and external alterations.

The proposed development would have no undue impact upon highway safety.

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

Decision to be issued following completion of paperwork.

2019/0032

32 Waterhouse Lane Gedling NG4 4BP

Erect first floor rear extension, single storey rear and side extension and two storey side extension with canopy and raised patio area

The proposed development would have no undue impact upon the amenity of neighbouring occupiers or the character and appearance of the host property/wider street scene.

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

Decision to be issued following completion of paperwork.

2019/0051
12 Main Street Linby NG15 8AE
Listed Building Consent Application - two storey side extension

The proposed works/development would not harm the listed building.

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

Decision to be issued following completion of paperwork.

2019/0052
12 Main Street Linby NG15 8AE
Two storey side extension

The proposed development would have no undue impact on the amenity of neighbour occupiers, street scene or setting of the conservation area.

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

Decision to be issued following completion of paperwork.

2019/0163
408 Carlton Hill Carlton Nottinghamshire
Proposed two storey out building incidental to use of dwelling for leisure

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

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

Decision to be issued following completion of paperwork.

Graham Wraight and Kevin Cartwright 15th March 2019



Report to Planning Committee

Subject: Future Planning Applications

Date: 15/03/2019

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.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2018/1143	Land On Flatts Lane Calverton	Demolition of existing buildings and the erection of up to 84 no. dwellings	17/04/2019
2018/0817	North Green Calverton	20 Dwellings	17/04/2019
2019/0010	34 Main Street Calverton	Demolition of existing dwelling and erection of 10 dwellings	17/04/2019

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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