



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

Agenda

Planning Committee

Date: **Wednesday 15 January 2020**

Time: **6.00 pm**

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

For any further information please contact:

Cayte Goodall

Democratic Services Officer

0115 901 3961

Planning Committee

Membership

Chair Councillor John Truscott

Vice-Chair Councillor Paul Wilkinson

Councillor Michael Adams
Councillor Peter Barnes
Councillor Chris Barnfather
Councillor Pat Bosworth
Councillor David Ellis
Councillor Rachael Ellis
Councillor Andrew Ellwood
Councillor Mike Hope
Councillor Rosa Keneally
Councillor Meredith Lawrence
Councillor Barbara Miller
Councillor Marje Paling
Councillor John Parr
Councillor Alex Scroggie
Councillor Henry Wheeler

AGENDA

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1. **Apologies for Absence and Substitutions.**

2. **To approve, as a correct record, the minutes of the meeting held on 4 December 2019.** 7 - 23

- Planning Committee Protocol.**

3. **Declaration of Interests**

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MINUTES PLANNING COMMITTEE

Wednesday 4 December 2019

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Rosa Keneally
Councillor Peter Barnes Councillor Meredith Lawrence
Councillor Chris Barnfather Councillor Barbara Miller
Councillor David Ellis Councillor Marje Paling
Councillor Rachael Ellis Councillor John Parr
Councillor Andrew Ellwood Councillor Alex Scroggie
Councillor Mike Hope Councillor Henry Wheeler

Absent: Councillor Michael Adams

Officers in Attendance: C Goodall, K Cartwright, M Avery and F Whyley

68 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Adams.

69 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 NOVEMBER 2019.

RESOLVED:

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

70 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee in relation to item 7 on the agenda, as the property was in the ownership of Gedling Borough Council.

Councillor David Ellis declared a non-pecuniary interest in item 4 on the agenda as a member of the Nottinghamshire Police and Crime Panel.

Councillor Barnfather declared a pecuniary interest in item 5 on the agenda as Chair of Ravenshead Parish Council and stated that he would leave the meeting during consideration of the item.

APPLICATION NO. 2019/0648 - SHERWOOD LODGE SHERWOOD LODGE DRIVE ARNOLD

Development of 3 storey building to include training centre, control room, canteen, gym/multi-use facility, changing rooms and associated accommodation. Reconfiguration of existing car parking and creation of new parking and access routes and demolition of 4no. ancillary buildings.

Superintendent Paul Winter, on behalf of Nottinghamshire Police & Nottinghamshire Fire and Rescue, spoke in support of the application.

The Service Manager – Development Services introduced the report.

RESOLVED:

To Grant Planning Permission subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the Location Plan Drawing No. JHQ-YMD-01-ZZ-DR-A-0100-S1 Rev P2, Site Layout Drawing No. JHQ-HWA-ZZ-XX-DR-C-5003 Rev P05, Proposed Site Plan 1 of 2 Drawing No. JHQ-YMD-01-ZZ-DR-A-0103-S1 Rev P2, Proposed Site Plan 202 Drawing No. JHQ-YMD-00-ZZ-DR-A-0104-S1 Rev P2, New Build and Courtyard Drawing No. JHQ-YMD-00-ZZ-DR-A-0106-S1 Rev P1, New Build Ground Floor 1 of 2 Drawing No. JHQ-YMD-01-GF-DR-A-0200-S1 Rev P2, New Build Ground Floor 2 of 2 Drawing No. JHQ-YMD-01-GF-DR-A-0201-S1 Rev P2, New Build First Floor Drawing No. JHQ-YMD-01-01-DR-A-0202-S1 Rev P2, New Build Second Floor Drawing No. JHQ-YMD-01-02-DR-A-0203-S1 Rev P2, New Build Roof Layout 1 of 2 Drawing No. JHQ-YMD-01-03-DR-A-0204-S1 Rev P2, New Build Roof Layout 2 of 2 Drawing No. JHQ-YMD-01-03-DR-A-0205-S1-Rev P2, New Build Elevations 1 of 2 Drawing No. JHQ-YMD-01-ZZ-DR-A-0300-S1 Rev P2, New Build Elevations 2 of 2 Drawing No. JHQ-YMD-01-ZZ-DR-A-0301-01 , New Build Covered Walkway Drawing No. JHQ-YMD-01-ZZ-DR-A-0210-S1 Rev P2, External Lighting and CCTV Layout Drawing No. NTBS3133-GLE-02-ZZ-DR-E-5000 Rev P2, Bin Store Drawing No. JHQ-YMD-01-ZZ-DR-A-0211-S1 Rev P1, Compound and Fencing JHQ-HWA-ZZ-XX-DR-C-0012 Rev P01. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 No above ground construction works in relation to the new building shall commence until details of the proposed external

facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved details.

- 4 No development shall commence on site in connection with the development thereby approved (including demolition, with the exception of the removal of the temporary building Meadowview any tree works with the exception of those trees identified for removal in the submitted Arboricultural Survey and Impact Assessment dated June 2019, 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.

- 5 Prior to the new circulation road hereby approved being brought into use details of the surface water drainage for the road shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.
- 6 Prior to the first use of the building hereby permitted the Electric Vehicle Charging Points as indicated on the approved layout plan Drawing No. JHQ-HWA-ZZ-XX-DR-C-5003 RevP05 shall be installed and available for use. The EV charging points, or any

replacement units, shall be retained for the life of the development.

- 7 Prior to the first use of the building hereby permitted details of bat and bird boxes to be installed at appropriate locations within the site shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include location and type of bat and bird boxes. The development shall be undertaken in accordance with the approved details and shall be retained for the life of the development.
- 8 The development hereby permitted shall be undertaken in accordance with the Construction Ecological Management Plan dated June 2019.
- 9 Notwithstanding the submitted details prior to the occupation of the development hereby permitted a Habitat/Landscape Creation Scheme and Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
 1. Enhancement of the existing woodland through thinning and/or coppicing;
 2. Control of any invasive non-native shrubs;
 3. Planting of replacement native shrub and understorey species;
 4. Creation of rides and/or clearings;
 5. Creation of deadwood habitats
 6. Creation of refugia for amphibians and reptiles.

The development shall be undertaken in accordance with the approved details and retained as such for the life of the development.

- 10 Notwithstanding the submitted details prior to the new building hereby permitted being brought into use an external lighting strategy shall be submitted to and approved in writing by the local planning authority. Such details shall include:
 1. Mechanisms/means by which all permanent artificial lighting to be constructed on site shall be designed to negate or minimise light spill into the adjacent woodlands so far as is reasonably practicable.
 2. Specific measures to reduce impacts to nocturnal species. The approved details shall be retained for the life of the development.

- 11 Prior to the commencement of construction of the new building hereby approved details of a local labour agreement in relation to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The local labour agreement shall be implemented in accordance with the approved details thereafter.
- 12 The approved building shall not be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan (TP) to be approved and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority (LPA).
- 13 The Travel Plan Coordinator (TP) shall submit reports to and update the TRICS (Trip Rate Information Computer System) database in accordance with the Standard Assessment Methodology (SAM) or similar to be approved to the Local Planning Authority (LPA) in accordance with the TP monitoring periods to be agreed. The monitoring reports submitted to the LPA shall summarise the data collected over the monitoring period and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the LPA.
- 14 The Travel Plan Coordinator shall within 3 months of occupation produce or procure a full travel plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority.
- 15 No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.
- 16 Prior to the first use of the hereby approved building the scheme of mitigation at the A60 Mansfield Road/Burntstump Hill signalised junction as shown on the drawing entitled 'Proposed Improvement Works - A60 Mansfield Road-Burnstump Hill T-

junction (Option 1)' drawing no. ADC1718-DR-001, revision P4 shall be provided.

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 permission.
- 3 To ensure a satisfactory standard of external appearance.
- 4 To ensure that existing trees on the site are adequately protected.
- 5 To ensure that the drainage scheme is appropriate to meet the needs of the site and approved development.
- 6 To ensure that the development is constructed in an appropriately sustainable manner which takes into consideration air quality in the Borough.
- 7 In the interests of protecting ecological interests on the site.
- 8 In the interests of protecting ecological interests.
- 9 In the interests of enhancing ecological provision on the site.
- 10 In the interests of protecting ecological interests.
- 11 To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area.
- 12 To promote sustainable travel
- 13 To promote sustainable travel
- 14 To promote sustainable travel
- 15 In the interests of Highway safety.
- 16 To ensure that the impacts on the highway network are limited. In the interests of highway safety and the free flow of traffic on the highway.

Reasons for Decision

The application consists of inappropriate development within the Green Belt and the proposal would have an impact upon openness, very special circumstances have been provided that in the planning balance

outweigh the harm to the Green Belt by virtue of its inappropriateness, impact upon openness and the impact upon landscape and visual amenity. On balance I am of the opinion that the proposal is in accordance with the National Planning Policy Framework, Policy 3, 10, 12, and 17 of the Aligned Core Strategy 2014, policies LPD4, LPD14, LPD18, LPD19, LPD32, LPD 48, LPD57 and LPD61 of the Local Planning Document 2018.

Notes to Applicant

Notes to Applicant: In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council Highway Development Control (email: hdc.south@nottscc.gov.uk) for details. 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:- NCC Highways (Development Control, Floor 3), Nottinghamshire County Council, County Hall, Loughborough Road West Bridgford, Nottingham, NG2 7QP

Severn Trent Water advise that although our 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. There is a 6in water main in the application site. No build over is permitted. I have copied in our clean water asset protection team to make their comments.

Councillor Barnfather left the meeting.

**APPLICATION NO. 2017/1164 - LAND CORNWATER FIELDS,
LONGDALE LANE, RAVENSHEAD**

Reserved matters application relation to appearance, scale, layout and landscaping for the erection of 47 dwellings and associated works attached to outline planning application No. 2013/0836.

Philip Netherwood, a local resident, spoke against the application.

Mr Lane, the applicant, spoke in support of the application.

The Service Manager – Development Services introduced the report.

RESOLVED:**To Conditionally Approve Reserved Matters Consent Pursuant To
Outline Permission 2013/0836****Conditions**

- 1 This permission shall be read in accordance with the following plans:

20th November 2019

LLR-House Types and Garages Rev C.

18th November 2019

Open Space Scheme Rev B;

Landscape Management Plan C;

6th November 2019

Design and Access Statement D;

Open Space Scheme drawing no 1081 009 C;

Construction Traffic Management Plan Rev2;

100-00-LLR-Planning Layout P03;

ADC 1803 DR 600 P3 Earthworks Section;

ADC 1803 DR 601 P2 Earthworks Section;

ADC 1803 DR 602 P2 Earthworks Section;

ADC 1803 DR 603 P2 Earthworks Section;

ADC 1803 DR 610 P3 Finished Levels Sheet 1;

ADC 1803 DR 611 P3 Finished Levels Sheet 2;

ADC 1803 DR 800 P3 S38 Kerbing layout;

ADC 1803 DR 801 P3 S38 Construction Layout;

ADC 1803 DR 810 P41 S38 General Arrangement;

1081 008D landscape strategy;

1081 403A sketch section C west boundary;

1081 100B landscape hardworks - sheet layout;

1081 101B landscape hardworks - east;

1081 102B landscape hardworks -south;

1081 103B landscape hardworks - central;

1081 104B landscape hardworks - west;
1081 105B landscape hardworks - north;
1081 110B fencing strategy - sheet layout;
1081 111C fencing strategy - east;
1081 112C fencing strategy - south;
1081 113C fencing strategy - central;
1081 114C fencing strategy - west;
1081 115C fencing strategy - north;
1081 200B landscape softworks - sheet layout;
1081 201B tree retention and removals;
1081 202B landscape softworks - east;
1081 203B landscape softworks - south;
1081 204B landscape softworks - central;
1081 205B landscape softworks - west;
1081 206B landscape softworks - north;
1081 010 C Indicative Landscape Phasing;

Received 4th November 2019
Arboricultural Report Tree Survey;
Protection Plan drawing no TPP/3788/Y/300 Rev A;
Arboricultural Layout drawing no ARB/3778/Y/200 Rev B;

12th September 2019
Biodiversity Method Statement;
Planning Statement
400-00-LLR-Location Plan P021
ADC1803 DR 650 P21 Drainage Strategy
ADC1803 DR 651 P21 Drainage Strategy
ADC1803 DR 670 P1 Drainage Details
ADC 1803 DR 802 P1 S38 Site Clearance Layout
ADC 1803 DR 811 P21 S38 Horizontal Annotation
ADC 1803 DR 812 P1 S38 Vertical Sections
ADC 1803 DR 813 P1 S38 Highways Contours
ADC 1803 DR 815 P1 S38 Highway Details
ADC 1803 DR 1300 P21 S38 Street Lighting Layout
ADC 1803 DR 100 P2 S278 General Arrangement
ADC 1803 DR 105 P1 S278 Highway Contours
ADC 1803 DR 106 P1 S278 Existing Services Plan
ADC 1803 DR 110 P1 S278 Horizontal Annotation
ADC 1803 DR 115 P1 S278 Vertical Alignments
ADC 1803 DR 160 P2 S278 Highway Drainage
ADC 1803 DR 200 P2 S278 Site Clearance Layout
ADC 1803 DR 700 P2 S278 Construction Layout
ADC 1803 DR 730 P1 S278 Construction Details
ADC 1803 DR 1100 P2 S278 Kerbing Layout
1081 902A artists impression - the entrance
1081 301 typical bird box
1081 302 habitat features
1081 401 sketch section A south swale
1081 402 sketch section B central swale

1081 404 typical tree pit - 18-20cmg in SOFT
1081 501 fencing - hedge reinforcement
1081 502 timber post and four rail fencing
1081 503 typical interpretation
Highway Drainage ADC 1803 DR 860 P2

29th August 2019
ADC 1803 DR 620 P1 Isopachyte Contours Sheet 1
ADC 1803 DR 621 P1 Isopachyte Contours Sheet 2

The development shall thereafter be undertaken in accordance with those plans/details.

- 2 The approved landscaping as shown on Drawing Refs:
1081 200B landscape softworks - sheet layout;
1081 202B landscape softworks - east;
1081 203B landscape softworks - south;
1081 204B landscape softworks - central;
1081 205B landscape softworks - west;
1081 206B landscape softworks - north;
Landscape Management Plan C;
Open Space Scheme Rev B;
Open Space Scheme drawing no 1081 009 C;

shall be carried out in the first planting season following the first occupation of that particular phase of 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. The landscaping areas shall thereafter be maintained in accordance with the approved Open Space Scheme, and the Landscape Management Plan in perpetuity.

- 3 No above ground level works shall take place until samples of the elevation and roofing materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4 No above ground works shall take place until details of all walls (including retaining walls), fences, gates or other means of enclosure to be erected in or around the development have been submitted to, and approved in writing by, the Local Planning Authority. Prior to the first occupation of each dwelling within the

development, the walls (including retaining walls), fences, gates or other means of enclosure for that property shall be erected as approved and shall thereafter be permanently retained and maintained.

- 5 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.
- 6 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.
- 7 The development hereby permitted shall be carried out in accordance with the Arboricultural Report Tree Survey, Protection Plan drawing no TPP/3788/Y/300 Rev A and the Arboricultural Layout drawing no ARB/3778/Y/200 Rev B and all protection measures recommended shall be adhered to.

Reasons

- 1 To define the permission, for the avoidance of doubt.
- 2 In the interests of visual amenity.
- 3 In the interests of visual amenity.
- 4 In the interests of visual amenity.
- 5 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 6 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 7 To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired.

Reasons for Decision

In the opinion of the Borough Council the proposed development would be visually acceptable in the streetscene and in keeping with the

character with the area. The proposal would not result in a significant undue impact on the amenity of neighbouring properties. Furthermore the proposal will provide an appropriate layout from a highway safety perspective and appropriate level of parking is provided. Therefore the proposed development would be in accordance with the advice contained within the NPPF (2019), Policy A, 1, 2, 8, 10, 17 & 19 of the ACS (2014) LPD 4, LPD 11, LPD 18, LPD19, LPD21, LPD 32, LPD 33, LPD 35, LPD 37, LPD 57, LPD61 & LPD 67 of the Local Planning Document (2018).

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.

No part of the development hereby permitted shall be brought into use until the technical approval under S38 of the Highways Act (or equivalent) has been agreed with Nottinghamshire County Council for the construction of the roads and associated works within the site. 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:- NCC (Highways Development Control) (Floor 3) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of

the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.

Councillor Barnfather re-joined the meeting.

73

APPLICATION NO. 2019/0759 - LAND AT CHASE FARM (FORMER GEDLING COLLIERY), ADJACENT TO ARNOLD LANE AND LAND OFF LAMBLEY LANE

Alteration of house types (204no. dwellings).

RESOLVED:

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

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details within the Drawings submitted: Location Plan, Proposed Site Plan, Street Scenes, Materials Plan, House Type 630 (Plans & Elevations)House Type 651 (Floor Plans)House Type 651 (Elevations)House Type 651_752 (Floor Plans)House Type 651_752 (Elevations)House Type 764 (Plans & Elevations)House Type 764_891 (Floor Plans)House Type 764_891 (Elevations)House Type 849 (Floor Plans)House Type 849 (Elevations)House Type 857 (Floor Plans)House Type 857 (Elevations)House Type 867 (Floor Plans)House Type 867 (Elevations)House Type 954 (Floor Plans)House Type 954 (Elevations)House Type 955 (Plans & Elevations)House Type 1054 (Floor Plans)House Type 1054 (Elevations)House Type 1054_1272 (Floor Plans)House Type 1054_1272 (Elevations)House Type 1157 (Floor Plans)House Type 1157

(Elevations)House Type 1178 (Plans & Elevations)House Type 1216 (Plans & Elevations)House Type 1224 (Floor Plans)House Type 1224 (Elevations)House Type 1244 (Floor Plans)House Type 1244 (Elevations)House Type 1393 (Brick Version)House Type 1393 (Render Version)House Type 1650 (Brick Version)Garage Plans and Elevations - P240, 241 and 242.The development shall thereafter be undertaken in accordance with these plans/details.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To define the permission and for the avoidance of doubt.

Reasons for Decision

The proposed development accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy. It is therefore recommended that planning permission is granted.

74 APPLICATION NO. 2019/0289 - JUBILEE HOUSE, JUBILEE ROAD, DAYBROOK

4m high chimney for cremation unit.

RESOLVED:

That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to conditions

Conditions

- 1 This permission shall be read in accordance with the application form and Elevation Plan received 15th July 2019, Block Plan received 1st August 2019 and Site location Plan received 5th August 2019. The development shall thereafter be undertaken in accordance with these plans/details

Reasons

- 1 For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council the proposed development would be visually acceptable in the streetscene and in keeping with the character of the property and the area. The proposal would not result in a significant undue impact on the amenity of neighbouring properties. Therefore the proposed development would be in accordance with the advice contained within the NPPF (2019), Policy 10 of the ACS (2014) LPD 3, LPD 10 & LPD 32 of the Local Planning Document (2018).

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.

75 TREE PRESERVATION ORDER 000123 - GEDLING YOUTH CLUB CENTRE, 13 SHEARING HILL, GEDLING

Protection of a Yew Tree by a Tree Preservation Order (TPO)

RESOLVED:

To confirm Tree Preservation Order 000123 without modification.

76 TREE PRESERVATION ORDER 000124 - 12 LONGDALE LANE, RAVENSHEAD, NOTTINGHAMSHIRE NG15 9AD

Protection of trees within the curtilage of 12 Longdale Lane, Ravenshead, Nottinghamshire NG15 9AD

RESOLVED:

To confirm Tree Preservation Order 000124 without modification.

77 ENFORCEMENT REF: 0095/2019 - LAND AT 293 MANSFIELD ROAD, REDHILL

Material change of use of residential dwelling and garden (Use Class C3) to a mixed use of residential dwelling and garden (Use Class C3) and a car sales business (sui generis) and storage of vehicles in connection with that business (Use Class B8).

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 take proceedings through the courts including the application for an injunction if required to ensure;

- (a) the cessation of the unauthorised car sales business from any land where permission has not been granted for a car sales use**
- (b) the removal of all vehicles which are not incidental or ancillary to the domestic residential use of the dwelling or the lawful use associated with any other land on which the business is located.**

78 APPEAL DECISION - APPLICATION NO. 2018/0583TCA - 5 HALL MEWS, HALL LANE, PAPPLEWICK, NOTTINGHAMSHIRE NG15 8FW

Fell self-set Ash tree.

RESOLVED:

To note the information.

79 DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

80 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

81 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.50 pm

Signed by Chair:
Date:

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PLANNING COMMITTEE PROTOCOL

Introduction

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

Disclosable Pecuniary and Non- Pecuniary Interests

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

Pre-determination and Predisposition

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

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

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

Lobbying

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

Roles at Planning Committee

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

Speaking at Planning Committee

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

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

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

Determination of planning applications

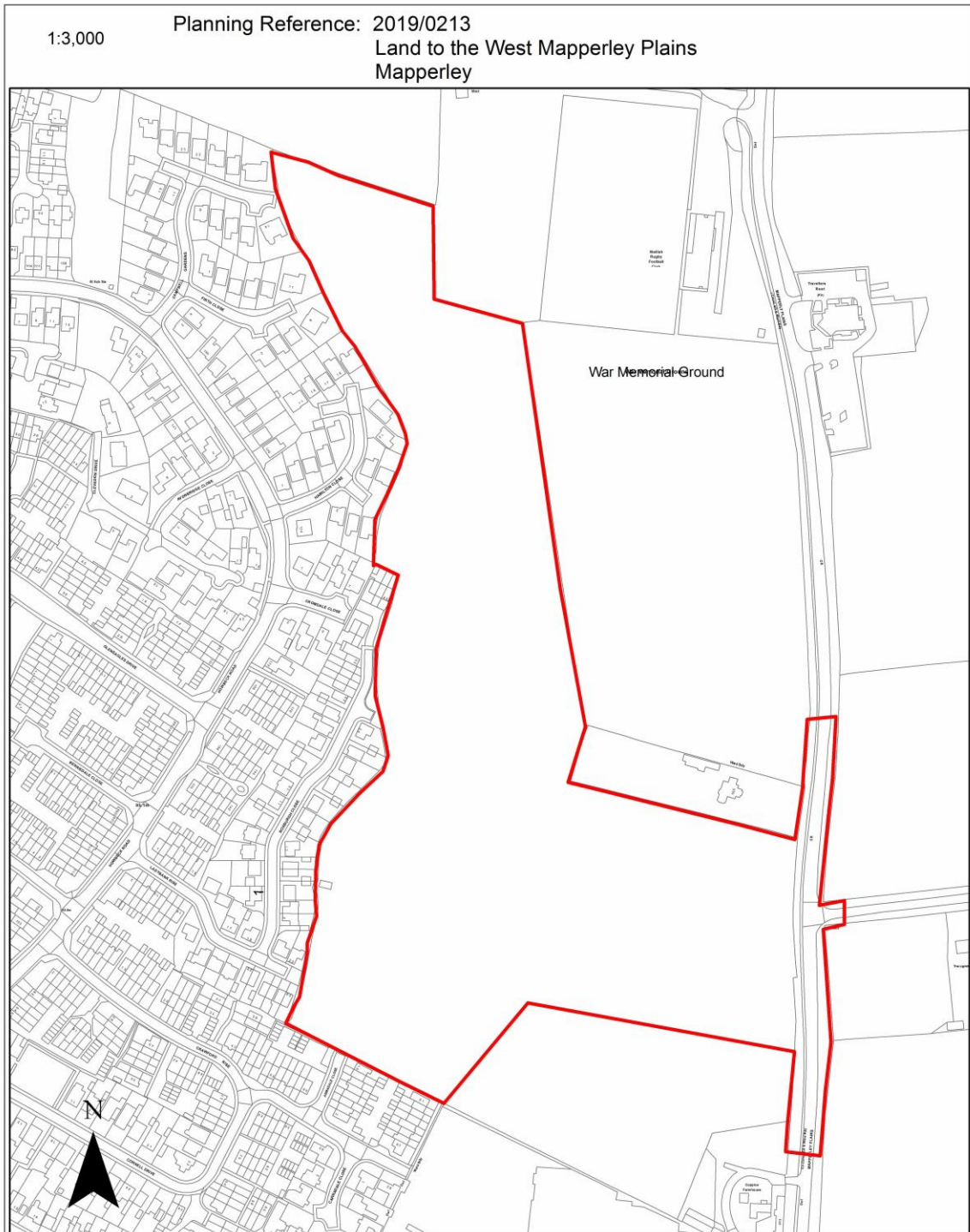
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the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

Oct 2015

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Planning Report for 2019/0213



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: 30/12/2019

Report to Planning Committee

Application Number: 2019/0213

Location: Land to the West Mapperley Plains Mapperley

Proposal: Erection of 164 dwellings including new vehicular and pedestrian access, garages, parking, roads, footpaths, infrastructure, drainage and attenuation/detention basins, landscaping and open space.

Applicant: Davidsons Homes

Agent:

Case Officer: Kevin Cartwright

1.0 Site Description

- 1.1 The site consists of an area of agricultural land of approximately 7.54 hectares in size. The site is roughly T shaped and covers an area of land to the west of Mapperley Plains and Catfoot Lane, to the south and west of Melish Rugby Club and to the east of Howbeck Road estate.
- 1.2 The site is allocated for residential development by Policy LPD 64 (H7) of the adopted Local Planning Document. To the south of the site is the remaining part of the residential allocation H7 residential allocation.

2.0 Relevant Planning History

- 2.1 The site has been released from the Green Belt and is an allocated housing site (H7) within the recently adopted (July 2018) Local Planning Document.
- 2.2 2018/0906EIA – Environmental Impact Assessment (EIA) Screening request confirmed that an EIA not required for residential development of the site.

3.0 Proposed Development

- 3.1 Full planning permission is sought for the construction of 164 dwellings and associated infrastructure including a new vehicular access off Mapperley Plains.
- 3.2 The access would comprise a new roundabout located directly opposite Catfoot Lane. Market Housing would be made up of 1no. one bed, 7no. two bed, 52no. three bed, 47no. four bed and 8no. five bed properties. Affordable Housing

would be made up of 10no. one bed, 24no. two bed and 15no. three bed properties. There would be an extensive mix of house types within the development.

- 3.3 The rear western edge of the site would accommodate the sustainable drainage solution for the development in the form of a series of drainage lagoons located within the open space.

4.0 Consultations

- 4.1 Nottinghamshire County Council (Highways) – No objection to the proposal, subject to the agreement of satisfactory technical details required as part of the Section 278 process. A contribution of £30,000 for a new pair of bus stops on Mapperley Plains is required.
- 4.2 Nottinghamshire County Council (Education) – The proposal would generate 34 primary school places. There is insufficient capacity to accommodate the pupils generated. As such the County Council is seeking a contribution of £647,632 (34 places x £19,048 per place) towards the provision of a new primary school. The proposal would generate 26 secondary school places. There is insufficient capacity to accommodate the pupils generated. As such the County Council is seeking a contribution of £461,578 (26 places x £17,753) to enhance educational facilities at Christ the King Academy.
- 4.3 NHS Clinical Commissioning Group – requests a financial contribution of £88,868 towards healthcare provision for 410 people.
- 4.4 Gedling Borough Council Housing Strategy -The affordable housing requirement is 30% of the proposed dwellings to be provided on site of which 70% will be affordable rent and 30% intermediate sale i.e. shared ownership.
- 4.5 Nottinghamshire County Council (Waste) – Development of this site is unlikely to bring the new housing development into conflict with landfilled areas.
- 4.6 Nottinghamshire County Council (Minerals) – No objection.
- 4.7 Environment Agency – No comments to make.
- 4.8 Nottinghamshire County Council (Arboricultural Officer) – The tree survey is adequate to assist with the proposed development design.
- 4.9 Natural England – No objection.
- 4.10 Nottinghamshire County Council (Local Lead Flood Authority) – No objection in principle subject to the compliance with the recommendations and proposals stated in the submitted Flood Risk Assessment dated 2019.
- 4.11 Gedling Borough Council (Scientific Officer – Contamination) – No objection subject to condition in relation to any unexpected contamination being found on the site.

- 4.12 Gedling Borough Council (Scientific Officer – Air Quality) – No objection subject to conditions in relation to a Construction Emission Management Plan and the provision of electric vehicle charging points for each property.
- 4.13 Gedling Borough Council (Open Space) – The open space provision has evolved in consultation with the PASC Service. Final comments in relation to the most recent amendment will be reported verbally at the meeting.
- 4.14 Nottinghamshire County Council (Public Rights of Way) – No objection to the proposal. The Design and Access Statement makes reference to the potential for establishing further pedestrian connections in the future subject to third party land being secured. The Rights of Way team welcome this proposal and hope to be consulted in the future if the opportunity to extend the network presents itself. A note to applicant is requested to ensure that there is no disturbance/blocking of the nearby footpath.
- 4.15 Nottinghamshire County Council (Strategic Transport) – The County Council does not have any strategic transport planning observations to make.
- 4.16 Gedling Borough Council (Economic Development) – The size of the development meets the thresholds for an Employment and Skills Strategy to be developed and implemented in accordance with the Construction Industry Training Board (CITB) and the National Skills Academy for Construction’s “Client-Based Approach” as required by Policy LPD 48.
- 4.17 Members of the public - a press notice was published, 4no. site notices displayed and neighbour notification letters posted. 7no. letters of objection have been received and these are summarised as follows:
- Concerns in relation to overlooking and loss of privacy for the residents on Roxburgh Close. Request for landscaping along the western boundary of Housing Allocation H7.
 - Affordable housing seems to be located in one area not spreads across the site.
 - There is no boundary treatment/landscaping along the common boundary with Ladybank Rise/Roxburgh Close. Potential issues in relation to loss of privacy and security.
 - Flooding in the area still does not seem to be addressed fully.
 - Concern if a future highway or footpath connection is made into Campbell Gardens which is a quiet cul-de-sac. Through road would remove this calm and stable environment.
 - Impact on local schools from the additional pupils.
 - We should be redeveloping brownfield sites ahead of Green Belt land.
 - Traffic generation and impact on the surrounding road network and junctions. Particularly Plains Road and Spring Lane. Contributions should be sought in relation to off-site highway improvements.

Following the submission of drawings to amend the site access from a signalised junction to a roundabout and changes to the layout including the reconfiguration of

properties at the front of the site and amendments to the proposed public open space, a further re-consultation has been undertaken.

1no. letter of objection has been received in relation to these amended plans. The concerns are summarised below:

- The affordable housing is located in one area. It would be better to have smaller pockets.
- The revised planting along the western boundary are not very tall or dense and would not provide much security or privacy.
- The proposed development would raise security concerns beyond that from an agricultural field.
- Flooding in this area still does not seem to have been addressed and will potentially increase in the future.

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 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 11 – The Historic Environment – sets out that proposals will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance.

Policy 16: Green Infrastructure, Parks and Open Space – supports the delivery of green infrastructure within a development.

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 10: Pollution - states that planning permission will not be granted for development that would result in unacceptable levels of pollution.

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 30: Archaeology – sets out how proposed developments should assess the potential for impact on archaeological remains.

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 30% affordable housing provision will be required in Arnold 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.

LPD62: Comprehensive Development – states that planning permission will not be granted for development which would prejudice the comprehensive development of any allocated site.

LPD 64: Housing Allocations – Howbeck Road/Mapperley Plains – identifies the application site as housing allocation H7, for approximately 205 new dwellings.

6.5 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.

Development Brief for the three sites north east of Arnold SPD (Supplementary Planning Document) 2019. Its key development principles include:

- Development in accordance with the proposed allocation (205 homes for entire site);
- Green Belt areas of the master plan will be used to provide a recreational area between sites H7 and H8;
- Suitable vehicular access will be provided to each site from the existing highway network supported with emergency vehicle access;
- Other opportunities for access should be fully exploited to enable direct access to bus stops, the new primary school and the countryside.

7.0 Planning Considerations

Principle of the development

- 7.1 The site is allocated as housing site H7 by Policy LPD 64 of the Local Planning Document which was adopted in July 2018. Policy LPD 64 identifies the site as providing approximately 205 dwellings. It is noted that that this site does not form the total of the allocation. It would deliver 164 dwellings with the remaining land to the south capable of delivering the balance (41) of the 205 dwellings.
- 7.2 It is noted that the proposed layout includes a road up to the southern boundary of the site. This would enable the remaining part of the allocation to be accessed through this development. This would ensure comprehensive development of this site and the wider allocation removing the requirements for any additional access points along Mapperley Plains in conformity with Policy LPD 62 of the Local Planning Document.
- 7.3 The approval of this full planning application for 164 dwellings would therefore be entirely in accordance with the development plan and with the objectives of the National Planning Policy Framework and Aligned Core Strategy and the adopted Development Brief, subject to the consideration of any other relevant planning considerations which are discussed below.

Impact on residential amenity

- 7.4 The proposed development has been designed to accommodate the substantial changes in ground levels towards the eastern boundary of the site. The topography of the area is such that there is a level difference between the existing homes located on the lower lying land to the west of the site. The most sensitive relationship is between the proposed development and the properties off Roxburgh Close as their back gardens adjoin the western boundary of the site. The properties on Roxburgh Close being approximately 5 metres lower than the adjoining land within the application site.
- 7.5 The open space and surface water management features for the site would run parallel with the western boundary of the site. This would provide a substantial buffer and a separation distance of over 30 metres between the existing properties and the nearest proposed dwellings. Whilst the new dwellings would be elevated in relation to existing properties it is considered that this separation distance is sufficient to ensure no significant overlooking/loss of privacy would occur.

- 7.6 The location of the informal open space and drainage lagoons adjacent to the existing properties to the west of the application site would provide landscaping and planting along the eastern boundary. This would soften the edge of the development and provide further screening and security along the western boundary of the site.
- 7.7 On the southern edge of the site the proposed dwellings adjacent to Armadale Close and Carradale Close are sited adjacent to the side elevations of the existing properties. This would ensure no significant overlooking loss of privacy or overshadowing.
- 7.8 No.505, Mapperley Plains is located to the north of the access into the site and is approximately 9 metres from the application site boundary. The nearest proposed dwelling would have a gable end facing 505, Mapperley Plains. This coupled with the separation distance would ensure that there would be no significant overlooking loss of privacy or overshadowing.
- 7.9 Taking the above matters into account it is considered that the proposed development would not result in any significant impact on the residential amenity of neighbouring occupiers. As such the proposed development is considered to accord with the relevant policies of the National Planning Policy Framework and Policy LPD 32 of the Local Planning Document.

Design and visual amenity

- 7.10 The proposed layout is driven by the roughly T shape of the application site and the need to achieve an acceptable and safe access to the site from Mapperley Plains.
- 7.11 As the site has limited frontage, access would be achieved by the formation of a 4 arm roundabout with the western arm providing access to the site. This primary route into the site would lead to a village green inspired open space located roughly centrally within the site. A north-south secondary road would serve the remaining part of the site with an open space and sustainable urban drainage along the western boundary.
- 7.12 The layout would result in good vehicular and pedestrian permeability within the site and includes provision for vehicle and pedestrian connectivity to the remainder of the allocation to the south and pedestrian connectivity to the surrounding area to the west via Roxburgh Drive.
- 7.13 There would be a mix of house types within the development including dual aspect dwellings in key corner locations. There would be a mix of materials throughout the development with render on key elevations to add interest. The dwellings are predominantly two storey with two and a half storey properties at key focal points within the development.
- 7.14 It is considered that the layout and house types are acceptable and would result in a development that would be well-designed, with active frontages that overlook the green corridor to the rear of the site and create landmark buildings at prominent corners and focal points within the development.

- 7.15 As such the proposed development is considered to accord with objectives of the National Planning Policy Framework, Aligned Core Strategy (ACS) Policy 10 and the Development Brief for the three sites to the north east of Arnold.

Drainage matters

- 7.16 The site is located within Flood Zone 1 and therefore the land is assessed as having a less than 1 in 1,000 annual probability of river flooding. As such the site is not considered to be at risk of flooding from river sources.
- 7.17 The rear part of the site parallel to the western boundary would provide informal open space and sustainable urban drainage in the form of a network of drainage lagoons. The location of the lagoons is dictated by the levels on the site with the land adjacent to the western boundary being the lowest. This would allow the drainage outflows to be suitably attenuated to achieve a Greenfield run-off rate before connecting to the existing sewer network.
- 7.18 A management company would manage the SuDS and provide appropriate maintenance including litter removal, inlet and outlet inspections and sediment removal as required.
- 7.19 The Lead Local Flood Authority has not objected to the proposed development. As such it is considered that the proposed scheme provides an acceptable means of drainage for the development and complies with policy LPD 4.

Footpath links

- 7.20 Footpath links have been provided to the boundary of the application in a number of locations to promote pedestrian permeability to the surrounding residential areas. This would allow future connection to Armadale Close, Roxburgh Close and the remainder of the housing allocation H7.
- 7.21 There would also be a footpath link to the land to the northern edge of the application site to provide the opportunity for connection to the future Green Belt Recreation Area which would be located between this site and housing allocation H8 (Killisick Lane) referred to in the north east Arnold SPD.

Highway safety/capacity

- 7.22 The access to the development would be in the form of a four arm roundabout. One arm forming the access into the site, one arm connecting to Catfoot Lane and the remaining two arms being the north south route of Mapperley Plains. The roundabout provides satisfactory access to the development and has the capacity for the remaining 41 units of the H7 allocation.
- 7.23 The layout provides appropriate access to the site, car parking for each unit and the ability for refuse and delivery vehicles to manoeuvre within the site.
- 7.24 The Highway Authority has confirmed that it has no objection to the proposed access arrangements or layout of the development subject to a number of conditions including provision of a roundabout and all driveways and parking

areas being hard surfaced prior to the occupation of any of the proposed dwellings.

- 7.25 The proposed layout includes appropriate car parking for each dwelling in accordance with the adopted Supplementary Planning Document for residential developments.

No. of Bedrooms	SPD Requirements	No. of spaces provided
1 Bed	2 spaces	Minimum of 2 spaces
2 Bed	2 spaces	Minimum of 2 spaces
3 Bed	2 spaces	Minimum of 2 spaces
4 Bed	3 spaces	Minimum of 3 spaces
5 Bed	4 spaces	Minimum of 4 spaces

- 7.26 In light of the above it is considered that the proposal would not 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, and the Parking Provision for residential developments Supplementary Planning Document.

Ecology

- 7.27 As the majority of the site has most recently been used as agricultural fields there is limited opportunity for the presence of protected species. There are however a number of hedgerows within the site which have the potential for ecology to be present. A hedgerow survey, ecological appraisal, badger survey and reptile presence/absence survey have been submitted with the planning application.
- 7.28 In relation to birds the recommendation is that any ground and vegetation clearance is not carried out in the bird nesting season and that bird boxes are provided within the development.
- 7.29 There are no trees within the site with significant bat roost potential. The linear nature of some of the field boundary hedgerows provides moderate potential for bat foraging habit. Bat boxes are proposed in appropriate locations with the layout.
- 7.30 There is no physical evidence of badgers on the site. There was also no evidence of tracks or latrines on site.
- 7.31 There was no evidence of reptile activity within the site, although the report does encourage the formation of a permanent reptile refugia within the open space/landscape area close to the northern and eastern boundary hedgerows. This can be secured by an appropriately worded condition.
- 7.32 Natural England has no objection to the proposed development. Therefore, subject to a condition securing the bat and bird boxes on appropriate dwellings within the development it is considered that the scheme is acceptable in relation to impact on protected species. As such the proposal is considered to accord with ACS Policy 10.

Air Quality

- 7.33 The site is located in a sustainable location with good access to public transport. An air quality report has been submitted with the planning application which concludes that the proposed development would not have any significant impact on existing air quality.
- 7.34 A Travel Plan has also been submitted with the planning application which seeks to build on the sustainable location of the site by promoting electric vehicle use by providing a charging point at each new dwelling. The layout also includes a footpath links to the west of the site on to Roxburgh Close and footpath provision to the boundary of the site for future connection to the remaining part of the housing allocation H7 and Armadale Close.
- 7.35 The improved pedestrian connectivity and provision of electric vehicle charging points and the development being undertaken in accordance with a Construction Emission Management Plan would ensure that the proposed development would not negatively impact on current air pollution levels in the area. As such the proposal is considered to accord with policy LPD 11 and the advice contained within Air Quality and Mitigation Guidance for Developers 2019.

Trees and Hedgerows

- 7.36 The layout has been designed to retain wherever possible trees within the site. However a number of trees and section of hedgerow along the frontage of the site would be removed to allow construction of the roundabout and facilitate access.
- 7.37 There are also a number of trees and hedgerows adjacent to the other boundaries of the site situated on third party land. The layout has been designed to avoid any built form in close proximity to these trees.
- 7.38 Further protection would be provided by the erection of protection fencing around the root protection areas preventing the storage of materials or excavations within these areas. As such the proposal is considered to accord with policy LPD 19 of the adopted Local Planning Document.

Heritage and archaeology

- 7.39 The site is not within a Conservation Area and is not adjacent to any listed buildings or Scheduled Ancient Monuments.
- 7.40 There are no above ground heritage assets in close proximity to the site with the closest listed buildings being over 1km away from the site. As such the development of the site would not have any impact on the setting of heritage assets. The proposed development is therefore considered to accord with policy 11 of the Aligned Core Strategy Part 1 Local Plan and policy LPD 30 of the adopted Local Planning Document.
- 7.41 An archaeological desk-based assessment was undertaken which concluded the need for a geophysical survey of the site to establish the likelihood of any

archaeological remains within the site. This has been undertaken. The outcome of the survey was that there is unlikely to be any archaeological remains on the site. As such it is considered that no further assessment in relation to below ground heritage assets is required and the proposal is in accordance with policy 11 of the Aligned Core Strategy Part 1 Local Plan and policy LPD 30 of the adopted Local Planning Document.

Contamination

- 7.42 The site has been assessed in relation to contamination. Both a desk top study and ground investigations have been undertaken. As would be expected with land that has been used for agriculture no contaminants were found to be present.
- 7.43 No objection has been raised from the Public Protection Service subject to the imposition of a condition requiring mitigation should any unexpected contamination be found.
- 7.44 It is therefore considered that subject to an appropriately worded contamination condition the proposed development would accord with Section 15 of the National Planning Policy Framework and policy LPD7 and LPD10 of the Local Planning Document.

Open Space

- 7.45 The proposed layout includes a substantial area of informal open space parallel to the western boundary of the site. This area would contain a footpath route which meanders around the drainage lagoons with distance marker posts that would encourage physical exercise and activity.
- 7.46 The Locally Equipped Area of Play (LEAP) would be located at the northern end of the open space and would include 5 pieces of play equipment.
- 7.47 The layout provides 27% of the site area as public open space excluding the drainage lagoons. This exceeds the 10% set out in the Supplementary Planning Guidance for Open Space Provision. The LEAP would be gated and is set an appropriate distance from the nearest residential property thus minimising the potential for noise and disturbance to nearby residents.
- 7.48 Taking into account the above matters the on-site open space provision is considered to accord with the objectives of the National Planning Policy Framework, Aligned Core Strategy, Policy LPD 21 and the Council's Open Space Provision SPD.

Planning Obligations

- 7.49 **NHS (Primary Care)** - Financial contribution of £88,868 towards enhancing capacity and/infrastructure at the local practices of Plains View Surgery and Highcroft Surgery.
- 7.50 **Transport and Travel Services** - Bus Stop Infrastructure - £30,000. This would be for the installation of two bus stops on Mapperley Plains near to the

new access. The improvements are necessary to achieve an acceptable standard to promote sustainable travel and make the development acceptable in planning terms. The improvements would be for bus stop facilities close to the site so are directly related to the development, and are fairly and reasonably related in scale and kind to the development of 164 dwellings.

- 7.51 **Education** – In terms of education, the adopted Development brief for three sites to the north east of Arnold SPD identifies a need for a new One Form of Entry School at the North East of Arnold to meet the potential pupil demand that is forecast to arise from the development sites across the wider Arnold education planning area which includes this application site.
- 7.52 Following detailed discussions with Nottinghamshire County Council (NCC) regarding the education requirement, it was confirmed that there is a need for contributions towards the construction of a new primary school which is required to meet anticipated pupil growth in the Arnold area resulting from future pupil projections and proposed housing development. NCC has confirmed that there is some short term capacity to accommodate children
- 7.53 NCC instructed Arc Partnership to undertake an assessment of all existing primary schools in Arnold to assess whether there was scope to create additional capacity to accommodate the demand from future housing growth. The overall results from this analysis have concluded that there is no realistic opportunity to expand further existing schools in Arnold. On the basis of current pupil forecasts, a new primary school will therefore be required in order to absorb the potential pupil yield from additional housing in the Arnold area.
- 7.54 In respect of this application and other applications within Arnold which would create further demand on school places, the County Council have confirmed that they will therefore continue to seek contributions to the costs of a new primary school and also to the expansion of secondary schooling. However the County Council have not at present secured a site for this school and they continue to explore a site for the primary school. They will not therefore request contributions to land costs in the absence of an agreed site at present.
- 7.55 Nottinghamshire County Council is using new cost per pupil rate derived from Department for Education guidance and contained in the County Councils Updated Planning Obligations Strategy. As such the County Council is seeking a contribution based on build costs of £647,632 towards the provision of a new primary school in the Arnold area.
- 7.56 The site is within the catchment of Christ the King Academy and would generate 26 secondary school places. There is insufficient capacity to accommodate the pupils generated. As such the County Council is seeking a contribution of £461,578 to enhance educational facilities at Christ the King Academy
- 7.57 The County Council will monitor school place projections and housing delivery to decide when specifically the new school is needed. In the short term NCC will work with the local schools, including looking at the pattern of out of catchment admissions, to accommodate demand for places.

- 7.58 **Public Open Space** – The open space provision of 27% of the site area exceeds the 10% requirement set out in Policy LPD 21. The LEAP including 5no. items of play equipment is in accordance with the guidance set out in the Supplementary Planning Document for Open Space Provision. The applicant intends to nominate a management company to manage all of the amenity space and drainage features on the site that are not within residential curtilages or adopted by the Highway Authority. This will need to be a requirement of the S106 agreement. No financial contribution towards maintenance is required..
- 7.59 **Affordable Housing** - 30% affordable housing requirement split 70% affordable rent and 30% shared ownership. Providing a total of 49 units.
- 7.60 **Local Labour Agreement** - to meet with the requirements of Policy LPD 48 of the Local Planning Document, as the number of dwellings, size of the site and number of jobs exceeds the thresholds stated.
- 7.61 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 meet with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010.

Other Matters

The following section addresses other matters raised through the consultation process which have not been specifically addressed above.

Affordable Housing

- 7.62 The submitted layout includes affordable housing units. These would be a mix of both affordable rent and shared ownership. The appearance of the properties would be tenure blind and they would not look dis-similar to the equivalent market dwellings.
- 7.63 It is accepted that the affordable units are located predominantly towards the southern end of the site. They would however be interspersed with market housing and would provide a mix of detached, semi-detached and terraced properties. Additionally, as there is a balance of 41 dwellings to be provided on the remainder of the allocation this would ensure that the remaining balance of affordable units would be distributed throughout the H7 site allocation as they would form part of a separate planning submission.
- 7.64 There would be 49 affordable units on the site which equates to 30%. The 49 units would be split 70% rented and 30% shared ownership. This number and mix complies the Gedling Borough Council Affordable Housing Supplementary Planning Document.

Landscaping

- 7.65 There would be adequate landscaping throughout the development at key focal points including the entrance to the site and along the western boundary. This would include significant planting adjacent to the existing neighbouring properties. This, when established, would ensure that there would be no

significant overlooking and associated loss of privacy in relation to the rear gardens of the properties that adjoin the site notwithstanding the higher level of the application site. The landscaped areas would be managed by a management company that would maintain the drainage lagoons.

Footpath connection to Campbell Gardens

- 7.66 Whilst the layout plan indicates a footpath running parallel to the western boundary of the site through the open space it is not intended to connect this to Campbell Gardens. The only footpath connection along the western boundary of the site would be to Roxburgh Close.

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 the proposed 164 dwellings would 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 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.

Recommendation: Grant Planning Permission: Subject to the owner(s) entering into planning obligations 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, education, bus stop improvements, health, public open space including management arrangements for the open spaces/drainage feature 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:
 - Location Plan
 - Planning Layout 1184-100 PLANNING LAYOUT P17
 - Open Space Plan 1184-101 POS PLAN P03

House Types:

- DH101M-4, DH200GI-4 (OP), DH301GE-4 (AS) DH301GE-4 (OP) DH413B-4 (AS) DH414GH-4 (AS) DH414GH-4 (OP) DH421B-4 (OP) SH16BR-4 (AS) SH16BR-4 (OP) SH34BRI-3 (AS) SH34BRI-3 (OP)

- DH328R-4 (AS), DH328R-4 (OP), DH421G-4 (OP) DH421GR-4 (AS)
DH501G-4 (AS) DH509V-4 (AS) DH509V-4 (OP) SB21V-3 (AS) SH35BG-3 (OP) DH342G-4 CARPORT (AS) DH532R-4 (AS), SG4-4 SINGLE GARAGE (AS)

House Types Received 6-3-2019

- HOUSE TYPE 402BR, HOUSE TYPE 201 L, HOUSE TYPE 201-202, HOUSE TYPE 201-202 - OP, HOUSE TYPE 302 GE, HOUSE TYPE 302 GI, HOUSE TYPE 302 GI-OP, HOUSE TYPE 302 OP, HOUSE TYPE 312 G, HOUSE TYPE 313 B OP, HOUSE TYPE 318B, HOUSE TYPE 318B - OP, HOUSE TYPE 320 R, HOUSE TYPE 320 R - OP, HOUSE TYPE 330V, HOUSE TYPE 330V - OP, HOUSE TYPE 342M, HOUSE TYPE 400B, HOUSE TYPE 400B OP, HOUSE TYPE 404G HOUSE TYPE 404G OP HOUSE TYPE 409G, HOUSE TYPE 409G OP, , HOUSE TYPE 412G, HOUSE TYPE 412G OP, HOUSE TYPE 414 GR OP, HOUSE TYPE 427B, HOUSE TYPE 427B OP , HOUSE TYPE 430B , HOUSE TYPE 430B OP, HOUSE TYPE 532V , HOUSE TYPE 552G , HOUSE TYPE SH14BR , HOUSE TYPE SH14BR OP, HOUSE TYPE SH24 BRE, HOUSE TYPE SH24 BRE OP, HOUSE TYPE SH24 BRG , HOUSE TYPE SH24 BRG OP, HOUSE TYPE SH24 BRI , HOUSE TYPE SH24 BRI OP, HOUSE TYPE SH33G , HOUSE TYPE SH33G OP , HOUSE TYPE SH34 BRE OP, HOUSE TYPE SH34BRE,
- LG1 SINGLE GARAGE , LG4 TWIN SINGLE GARAGE CAR PORT - BRICK ARCH - 3M, CAR PORT - BRICK ARCH - 6M DG23 TRIPLE GARAGE DG23 TRIPLE GARAGE OP DOUBLE GARAGE
- Floor Levels E132-00-90 D PRELIMINARY FFLS-A1 , E132-00-91 D PRELIMINARY FFLS-A1, E132-00-92 D PRELIMINARY FFLS-A1 , E132-00-93 D PRELIMINARY FFLS-A1, E132-00-94 D PRELIMINARY FFLS-A1 , E132-00-95 D PRELIMINARY FFLS-A1
- Road Adoption E132-200-01F ADOPTIONS PLAN-A1, E132-200-02F ADOPTIONS PLAN-A1
- Landscaping GL1057 910B , GL1057 911C , GL1057 912C , GL1057 913C, GL1057 914A
- Engineering Layout E132-00-11C E132-00-12C E132-00-13C

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

- 3 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

- 4 No development in respect of the erection of dwellings shall take place above damp proof course until details of the bat and bird boxes to be incorporated within the fabric of the buildings have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided in accordance with the approved details.
- 5 No development in respect of the erection of dwellings shall take place above damp proof course until details of Electric Vehicle charging points to be provided for 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. The charging points shall be provided prior to the occupation of the dwelling to which they serve.
- 6 All the trees and hedges shown to be retained and/or any trees whose canopies overhang the site shall be protected during the construction phase in accordance with the approved details as indicated on Landscape Protection Plan Drawing No. GL1057 914A. The fencing/protection shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus material have been removed from the site. Nothing shall be stored or placed within the protected areas.
- 7 Within a period of five years from the first occupation of the final dwelling of the development hereby permitted, any trees or plants provided as part of the soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved on the landscaping plan.
- 8 No development in respect of the erection of dwellings shall take place above damp proof course until details of the external facing and roofing materials of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority.
- 9 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. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 10 No dwellings hereby permitted shall be occupied until the access arrangements have been provided as shown on the drawing entitled 'Preliminary Engineering Layout Sheet 1 of 3', drawing no. E132-00-11, revision C.
- 11 No dwellings hereby permitted shall be occupied until any access drives and parking areas to that dwelling 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.

- 12 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
- 13 The development hereby permitted shall be undertaken in accordance with the approved Flood Risk Assessment Rev B received by the local planning authority on 3rd October 2019.
- 14 Prior to the completion of the 50th dwelling hereby permitted details of reptile refugia shall be submitted to and approved in writing by the local planning authority. Such details shall include:
(1) location of the refugia
(2) its design and construction
- The refuge shall be constructed on site in accordance with the approved details prior to the completion of the final dwelling.

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 permission.
- 3 To ensure the development is safe and suitable for use.
- 4 In the interest of enhancing ecological provision on the site.
- 5 To ensure that the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration LPD11 of the Local Plan.
- 6 To ensure that retained trees and hedgerows are protected.
- 7 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
- 8 To ensure a satisfactory form of development and the interest of visual amenity.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.
- 10 To ensure an adequate form of development in the interests of highway safety.

- 11 To reduce the possibility of deleterious material being deposited on the public highway.
- 12 To ensure surface water from the site is not deposited on the public highway causing dangers to road users
- 13 To ensure a satisfactory means of drainage for the site.
- 14 In the interests of promoting biodiversity 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 the proposed 164 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 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

Note to applicant in relation to the adjacent public right of way: The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path. There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. Structures cannot be constructed on the line of the right of way with the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed

The developer is encouraged to consider installing the EV charging facilities to incorporate mode 3 charging capability, as this will help future proof the development and improve its sustainability. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided to allow 'Mode 3' charging of an electric vehicle; Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. 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 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 an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring. In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council Highway Development Control (email: hdc.south@nottscc.gov.uk) for details. 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:- NCC (Highways Development Control) (Floor 3) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

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

The applicant is advised not to undertake any site clearance during the bird nesting season 1st March to 31st August inclusive in any given year.

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Planning Report for 2019/0770



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: 17/12/2019

Report to Planning Committee

Application Number: 2019/0770

Location: 86 Chapel Lane Ravenshead

Proposal: Demolition of existing dwelling at 84 & 86 Chapel Lane and construction of 6 new dwellings with garages.

Applicant: Mr Skillington

Agent: Vertical Edge Design

Case Officer: Cristina Dinescu

1.0 Site Description

- 1.1 The application site is comprised of 2no. detached bungalows and their associated garden areas. The property to the east, no. 86 Chapel Lane, is accessed from Chapel Lane and the property to the west, no. 84, Chapel Lane is accessed from both Chapel Lane and Birchwood Drive.
- 1.2 The application site measures 0.44ha. There are a mix of young and mature trees both within the site and on neighbouring land.
- 1.3 The surrounding area is characterised by detached properties of varying styles.

2.0 Relevant Planning History

- 2.1 78/0859 – Planning permission was granted for alteration to dwelling and additional garage space at no.86 Chapel Lane.

3.0 Proposed Development

- 3.1 Planning permission is sought to demolish the two bungalows and construct six detached dwellings.
- Plots 1 and 2 would be two-storey detached dwellings fronting Chapel Lane, with individual access points off Chapel Lane, set approximately in line with the existing property no.88 Chapel Lane to the south of the application site.
- Plots 3, 4 and 5 – would be set around the existing access driveway off Chapel Lane that runs along the southern boundary of no.82 Chapel Lane. The access driveway would be widened to 5.25m. The properties on plots 3 and 4 would be bungalows and the property on plot 5 would be one and a half storey.
- Plot 6 – would be a detached bungalow utilising the existing driveway off Birchwood Drive. The bungalow would be set to the east of the existing property at no.27 Birchwood Drive

3.2 Two hedgerows, one group of trees and 7no. individual trees are proposed to be removed as part of the development. The trees are identified as either Category C (low quality) or Category U (unworthy of retention) in the submitted tree report.

4.0 Consultations

4.1 Ravenshead Parish Council – Strongly objects to the proposed development on the following grounds:

- It is overdevelopment and infill which is not acceptable;
- These 6 detached properties would not have sufficient access for emergency/delivery vehicles;
- Concerns raised in relation to potentially 10-12 vehicles going onto Chapel Lane from the shared drive, therefore would request a splay onto Chapel Lane for the shared drive if the application is approved;
- The loss of trees and hedges on this site is disappointing and would ask for them to be replaced if the application is approved and referred to the Arboricultural Officer for consideration

4.2 The Highways Authority – No objections subject to conditions relating to provision of visibility splays and bin store, widening of access point on Chapel Lane, hard surfacing of driveways and provision to prevent unregulated discharge of surface water onto the public highway.

4.3 Severn Trent – No comments received.

4.4 Parks and Street Care – As per our Supplementary planning guidance, if there is no opportunity to provide play facilities on site we would require the developers to pay an off-site capital contribution for enhancing existing facilities within the community and a maintenance contribution for those facilities. The capital amount is £29123.60, the maintenance amount is £12223.20.

4.5 The Arboricultural Officer – Satisfied with the relevant tree protection and method statements for the proposed works. If planning permission is likely to be granted then a condition would be required to ensure that all tree protection methods described within the tree survey/ arboricultural method statement submitted are adhered to.

4.6 Public Protection – No objection subject to conditions regarding air quality and a construction emissions management plan.

4.7 Adjoining Neighbours have been notified and a Site Notice was posted. 6 letters of representation were received as a result. The concerns raised can be outlined as follows:

- Detrimental to streetscene;
- Highway safety due to increased traffic and construction vehicles;
- Impact on wildlife;

- A burden on the infrastructure of the village;
- It is infill development;
- Out of character and alien design;
- No consultations with local wildlife organisations;
- Tree removal, 100 years old birch trees might be removed;
- Issues with the overhanging branches of the tree at no. 84;
- Vegetation within the site causing damage to adjacent properties;
- The fence proposed on plot 5 should be extended along the entire side boundary;
- The access driveway does not comply with the 6C's design guide;
- Overlooking from plot 5;
- No tree report submitted;
- Noise from the use of the driveway;
- Overdevelopment;
- Detrimental to visual amenity;
- Overbearing;
- Overshadowing;
- Insufficient amenity areas for the proposed dwellings;
- Too much hardstanding;
- No sun path analysis provided;
- Proposal is contrary to policies LPD 40, LPD 35, LPD 57 and LPD 61 and therefore it should be refused.

4.8 Following submission of revised plans, adjoining neighbours have been notified by post. No further letters of representation were received as a result.

5.0 Relevant Planning Policy

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

5.2 The following policies/documents are relevant to this proposal:

- National Planning Policy Framework (2019): 5.Delivering a sufficient supply of homes; 11.Making effective use of land; 12.Achieving well-designed places;
- Gedling Borough Aligned Core Strategy: Policy 8 – Housing Size, Mix and Choice; Policy 10 – Design and Enhancing Local Identity;
- The Borough Council's Supplementary Planning Document 'Parking Provision for Residential Developments' (May 2012).

5.3 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 11 – Air Quality;
- LPD 21 – Provision of Open Space;

- LPD 32 – Amenity;
- LPD 33 – Residential Density;
- LPD 34 – Residential Gardens;
- LPD 40 – Housing Development on Unallocated Sites;
- LPD 57 – Parking Standards;
- LPD 61 – Highway Safety.

6.0 Planning Considerations

6.1 The main planning considerations in the determination of this application are the principle of the development, the scale and design of the proposed dwellings, the impact on the appearance of the site and the wider area, any undue impacts on the amenity of neighbouring properties, any highway safety implications, off-street parking provision, impact on trees and hedges, impact on protected species and developer contributions.

Principle of Development

6.2 The application site is situated within the established residential area of Ravenshead, bounded on all sides by dwellings and their associated curtilages. The site is within walking distance of Ravenshead Local Centre. It is therefore considered to be a sustainable location and the principle of residential development of the site is acceptable and accords with the objectives of the National Planning Policy Framework, the Aligned Core Strategy and the Local Planning Document.

Design and the Impact upon Visual Amenity

6.3 Policy LPD 34 advises that development involving the loss of residential gardens will not be permitted unless the development proposal would represent a more efficient use of land at a location where higher densities are appropriate and in all cases, any development of residential garden land should not result in harm to the character and appearance of an area.

6.4 Policy LPD 33 advises that a minimum density of 20 dwellings per hectare represents a reasonable density for the area of Ravenshead, provided the character of the area would not be harmed as a result. The proposed development would result in a density of 13.6 dwellings per hectare increasing from 4.5 dwellings per hectare. Whilst this is below the 20 dwelling per hectare density it is considered that this density would be in keeping with the character and appearance of the area and reflect the building to plot ratio that currently exists.

6.5 In relation to visual amenity, Chapel Lane, which is to the east, is characterised by detached dwellings of varying scales and designs – from bungalows to two-storey dwellings, no.82 being a two-storey dwelling and no.88 being a chalet bungalow, all set within sizeable plots. The dwellings proposed on plots 1 and 2 would be two-storey dwellings, set in-line with the frontages of the neighbouring properties that front Chapel Lane. Trees would be retained within the front gardens with minimum hard standing areas to serve as driveways and parking

areas. It is considered, given the character of the area, the design of the proposed dwellings on plots 1 and 2, separation distances and proposed tree retention, the proposed dwellings on plots 1 and 2 would be visually acceptable in the streetscene of Chapel Lane and surrounding context.

- 6.6 The dwellings proposed on plots 3, 4, 5 and 6, in terms of pattern of development and scale, would be seen as a continuation of built form in the context offered by the bungalows on Chermside Close and the 1.5 storey dwellings on Birchwood Drive. The dwelling on plot 6, whilst 1.5 storey, would be set to the south east of no.25 Birchwood Drive. In this location it would be read against no's 25 and 27 Birchwood Drive both of which are 1.5 storey properties. It is therefore considered, due to the scale, design and layout the proposed dwellings on plots 3, 4 and 5 would be visually acceptable in the streetscene and surrounding context.
- 6.7 By virtue of the design, scale and design, the proposed dwellings would be in keeping with the pattern of development in the area, and would be visually acceptable in the street scene and surrounding context, in accordance with the NPPF Section 12, Policy 10 of the Aligned Core Strategy and policies LPD 33, LPD 34 and LPD 40 of the Local Planning Document.

Impact upon Residential Amenity

- 6.8 The dwellings proposed on plots 1 and 2 would be two-storey dwellings set between the existing properties of the adjoining property at no.82 and 88 Chapel Lane. They would have a rear garden depth of 14m and 12m respectively with the dwelling on plot 3 being located adjacent to their rear boundaries.
- 6.9 It is considered that these separation distances are acceptable and would provide an acceptable level of amenity for the future occupiers particularly as the dwelling on plot 3 would be a bungalow.
- 6.10 The 14 metre separation distance between plot 1 and the rear garden of plot 3 would ensure that there would be no significant overlooking or loss of privacy. It is necessary however that the first floor windows in the side elevations (south elevation of plot 1 and north elevation of plot 2) to be conditioned to be obscurely glazed and top opening only in order to prevent an overlooking impact on the amenity of the neighbouring properties.
- 6.11 Plot 3 would be set to the north of the existing bungalow at no.4 Chermside Close and behind proposed plots 1 and 2. It would have a rear garden depth of some 11.2m. Its single storey design and location roughly within the centre of the site would ensure no significant impact on the amenity of neighbouring properties either existing or proposed and would ensure an acceptable level of amenity for the future occupiers.
- 6.12 Plot 4 would be set to the side of no.3 Chermside Close, set marginally forward from the building line by 3.5m, set in from the common boundary by some 1.75m. The single storey nature and location of the dwelling would ensure that there would be no undue harm on the amenity of neighbouring occupiers.

- 6.13 The proposed dwelling on plot 5 would be 1.5 storey, set to the south east of no.25 Birchwood drive, fronting the shared access driveway and the rear elevation facing the frontage of the proposed plot 6. The dwelling would be set at some 10.8m from the side elevation of no.25 Birchwood Drive. The dwelling would have 2 roof lights on the roof slope towards no.25 Birchwood Drive, however these roof lights would be high level.
- 6.14 It is therefore considered, given the scale of the proposed dwelling on plot 5, the relationship with the existing adjoining properties and the relationship with the dwellings proposed within the development, it would not result in an undue overlooking, overbearing or overshadowing impact on the amenity of any neighbouring occupier.
- 6.15 Plot 6 would be set to the rear of no.27 Birchwood Drive and would have a rear garden depth of some 14.5m. The single storey nature of the dwelling would ensure that there would be no undue overlooking, overbearing or overshadowing impact on the amenity of the neighbouring occupiers, including those within the proposed development.
- 6.16 It is considered, due to the proposed design of each dwelling, the site layout, site orientation, relationship of the dwellings proposed with neighbouring dwellings and other dwellings within the scheme, the proposed development would not result in a significant undue overlooking, overbearing and overshadowing impact on the amenity of any neighbouring property. The proposed development would therefore be in accordance with policies LPD 32 and LPD 40 of the Local Planning Document.

Highway Safety and Off-street Parking Provision

- 6.17 The scheme proposes 6 detached dwellings within the established residential area of Ravenshead. The Borough Council's SPD on residential parking provision requires new dwellings in rural areas to make provision for off-street parking spaces based on the number of bedrooms. The table below shows each plot, the number of bedrooms proposed, driveway and/or garage provision and capability to accommodate cars, and the requirement of the SPD.

			SPD requirement
Plot 1	5 bedrooms	Driveway capable to accommodate 3 cars	3
Plot 2	5 bedrooms	Driveway capable to accommodate 3 cars	3
Plot 3	2 bedrooms	Garage and driveway capable to accommodate 3 cars	1
Plot 4	3 bedrooms	Garage and driveway capable to accommodate 3 cars	2
Plot 5	4 bedrooms	Garage and driveway capable to accommodate 3 cars	3
Plot 6	3 bedrooms	Garage and driveway capable to accommodate 2 cars	2

- 6.18 The proposed dwellings would be access off Chapel Lane and Birchwood Drive. Plots 1, 2 and 6 would have individual access points. Plots 3, 4 and 5 would be accessed off Chapel Lane through a shared driveway that would be

widened to 5.25m and visibility splays provided in both directions. The shared driveway would have a turning point within the site for vehicles to exist the site in a forward gear. Given the comments received from the Highways Officer, I am satisfied there would be no highway safety issues arising from this proposal. It is considered, given the proposed number of bedrooms and proposed driveways and garage capacity, the proposed scheme would be in accordance with the requirements of the SPD on residential parking provision.

Trees, Vegetation and Biodiversity

- 6.19 The existing trees and hedges on site have been assessed by a tree specialist and an Arboricultural Report and Method Statement submitted in support of the application. This report and the site has also been assessed by the Arboricultural Officer who raises no objection.
- 6.20 The proposed scheme would require the removal of 7 trees, 1 group of trees and 2 hedges. They are all characterised as low quality or not worthy of retention.
- 6.21 Five trees located within the front garden of no.84 Chapel Lane would be retained, along with two hedges located on the northern boundary of the application site with no.82 Chapel Lane.
- 6.22 To ensure protection of the retained trees during the construction phase it is considered necessary to ensure that the development is undertaken in accordance with the submitted Arboricultural Method Statement. This would be secured through a condition.
- 6.23 In addition to protection of the retained trees the development proposes several new trees to be planted within some of the plots to compensate for the loss of the trees to be removed. Precise details of replacement planting would be secured by condition.
- 6.24 A Bat Survey has been undertaken including a bat emergence and re-entry survey and submitted in support of the proposed development. No bat roosts were identified during the survey and no bats were seen flying into or out of the buildings at any time during the 5 surveys. However, due to past evidence of bats using the loft space of no.84 Chapel Lane and the potential for the building to support roosting bats a Precautionary Method Statement has been submitted as an appendix to the survey describing how the demolition should be undertaken. It is recommended a condition is attached for the demolition to be undertaken in accordance with the Precautionary Method Statement.

Air Quality

- 6.25 A condition requiring the proposed dwellings to be equipped with an Electric Vehicle charging point is necessary to ensure that the proposed development would not have a detrimental impact on air quality in the area and in fact have the potential to have a positive impact on air quality. This is supported by Policy LPD 11.

However, given the small scale of the development it is considered it would not be necessary to require the development to be undertaken in accordance with a Construction Emission Management Plan as the extent and duration of the build is likely to be limited.

Developer Contributions

- 6.26 In order to comply with policy LPD 21 – Provision of New Open Space of the Local Planning Document, the following planning obligations for Open Space are required:

To meet with the requirements of the adopted Open Space Supplementary Planning Guidance as the site exceeds 0.4 hectares in area, an off-site capital contribution of £29123.60 plus the off-site revenue contribution which is £12223.20. Total amount payable by the developer would be £41346.80.

- 6.27 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 the above obligations meet with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010.

Other Matters

Planning application requirements

- 6.28 With regards to the provision of a sun path analysis, this is not a national validation requirement, however the site orientation and existing built form neighbouring the site have been taken into consideration in the assessment of overshadowing impact on the amenity areas of neighbouring properties.

Noise and disturbance during the construction phase

- 6.29 Whilst it is accepted that there would be a period of noise and disturbance during the construction phase as is often the case with development sites. However, as the site is of limited size, the build time is likely to be of limited duration. Any reported issues of noise and disturbance would be investigated under the relevant environmental protection legislation.

Surface water drainage

- 6.30 It is considered that the proportion of hard surfacing within the proposed development would not be unusual with appropriate soft landscaping between the hard surfaced areas. To ensure no significant increase in surface water run-off from the site a drainage condition is required.

Conclusion

- 7.0 In conclusion, by virtue of the size, scale, design and layout proposed, the construction of six detached dwellings on the site would result in an acceptable form of development, in keeping with the character and appearance of the streetscene and the wider area; in accordance with Sections 5, 11 and 12 of the National Planning Policy Framework, Policies 8 and 10 of the Aligned Core

Strategy and Policies LPD 11, LPD 21, LPD 32, LPD 33, LPD 34, LPD 40, LPD 57 and LPD 61 of the Local Planning Document. Accordingly it is recommended that planning permission be granted.

8.0 Recommendation: GRANT FULL PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority for the provision of a financial contribution to be expended on offsite Public Open Space; 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 application form received on 28th August 2019, Arboricultural Method Statement received on 3rd October 2019, and deposited plans, drawing no's VED587-03A received on 28th August 2019, VED587-10A, VED587-11A, VED587-12A, VED587-13A, VED587-14A and VED587-15A received on 3rd October 2019, VED587-04B and VED587-06B received on 18th October 2019 and VED587-02F received on 15th November 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 No above ground construction works shall commence until precise details of the proposed external facing and roofing materials to be used in the construction of the development have been submitted to, and approved in writing by the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 4 Before development hereby approved is first commenced full details of both soft and hard landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, and the frontages of properties such as driveways and footpaths to front doors, and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Local Planning Authority.
- 5 If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to Condition 4, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Local Planning Authority.

- 6 No development shall take place until the following information has been submitted to and approved in writing by the Local Planning Authority: a full site survey showing the datum used to calibrate the site levels, levels along all site boundaries levels across the site at regular intervals; full details of the proposed finished floor levels of all buildings and hard landscaped surfaces; and cross-sections of the. The development shall be carried out in accordance with the approved details.
- 7 From the date of first occupation each dwelling hereby permitted shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a safe overnight 'trickle' charge to an electric vehicle using a mode 2 charging cable. Charging points should be provided either within garage space or via outdoor, weatherproof sockets within 3m easy access of the off road parking areas. All EV charging points shall be clearly marked with their purpose.
- 8 The foundations to plot 1 and the driveways to serve plots 1, 2 and 6 hereby approved within the root protection area of trees T10, T11, T12, T13, T14 and T15 shall be constructed in accordance with the method of installation described in sections 2.5 and 2.6 of Arboricultural Method Statement and Tree Protection Plan received on 3rd October 2019.
- 9 Before development is commenced precise details for the installation and location of one general purpose bat box shall be submitted to and approved in writing by the Local Planning Authority. The bat box shall be positioned on one of the retained trees, in a south-east / south-west direction, at a height of 3-5 metres above ground level and with a clear flight path to and from the entrance. The bat box shall be installed in accordance with the approved details.
- 10 No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no. VED587-02F received on 15th November 2019 are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections.
- 11 No part of the development hereby permitted shall be brought into use until the bin store has been provided, as shown on drawing no. VED587-02F received on 15th November 2019.
- 12 No part of the development hereby permitted shall be brought into use until the site access on Chapel Lane and verge crossing have been widened and made available for use and constructed in accordance with the Highway Authority specification and drawing no. VED587-02F received on 15th November 2019.
- 13 No part of the development hereby permitted shall be brought into use until both access drives (to Chapel Lane and to Birchwood Drive) are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives shall then be maintained in such hard-bound material for the life of the development.

- 14 No part of the development hereby permitted shall be brought into use until both access drives (to Chapel Lane and to Birchwood Drive) are constructed with provision to prevent the unregulated discharge of surface water from the driveways to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 15 The demolition of the buildings at no.84 Chapel Lane shall only be undertaken in strict accordance with Appendix 4 - Precautionary Method Statement of Bat Emergence and Re-entry Surveys received on 5th November 2019.
- 16 The first floor windows in the north and south (side) elevations of the dwellings on plots 1 and 2 shall be glazed with obscure glass to a minimum privacy level of Pilkington 4 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room they serve. The windows shall be permanently retained as such for the life of the development.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development in accordance with the aims of policy LPD 40 of the Local Planning Document.
- 4 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 5 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 6 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy and policy LPD 32 of the Local Planning Document.
- 7 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD 11 of the Local Planning Document.
- 8 To ensure the trees are offered adequate protection.
- 9 To ensure bats recorded in the local area are offered adequate protection.
- 10 In the interest of Highway safety.

- 11 To allow the bins to be pulled to the highway on refuse collection day.
- 12 In the interest of Highway safety.
- 13 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
- 14 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 15 To prevent any harm to protected bats during demolition.
- 16 To avoid the possibility of overlooking, in accordance with the aims of policy LPD 32 of the Local Planning Document.

Reasons for Decision

The construction of six detached dwellings on the site, by virtue of the size, scale, design and layout proposed, would result in an acceptable form of development, in keeping with the character and appearance of the streetscene and the wider area; in accordance with Sections 5, 11 and 12 of the National Planning Policy Framework, Policies 8 and 10 of the Aligned Core Strategy and Policies LPD 11, LPD 21, LPD 32, LPD 33, LPD 34, LPD 40, LPD 57 and LPD 61 of the Local Planning Document. Accordingly it is recommended that planning permission be granted.

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. Negotiations have taken place during the consideration of the application to address adverse impacts identified by officers and/or address concerns raised by letters of representation submitted in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The applicant is advised that all planning permissions granted on or 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

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat,

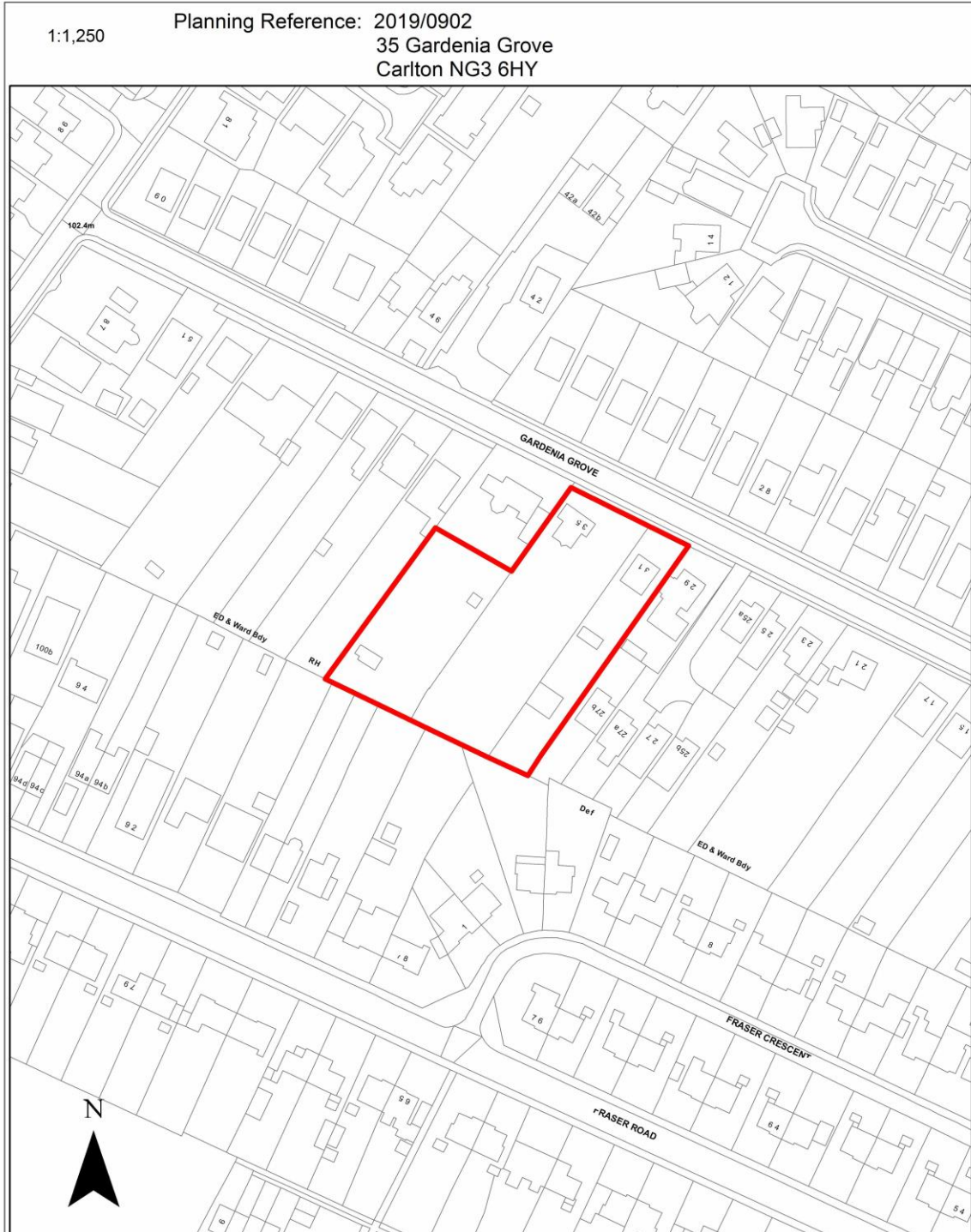
Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

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

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 Report for 2019/0902



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: 17/12/2019

Report to Planning Committee

Application Number:	2019/0902
Location:	35 Gardenia Grove Carlton NG3 6HY
Proposal:	Erection of 5 new dwellings and associated parking areas and garaging.
Applicant:	Mrs S Rowe
Agent:	Roger Harrison Architecture
Case Officer:	Nigel Bryan

Part of the application site is owned by an employee of Gedling Borough Council and, therefore, in accordance with the Councils constitution, this application has been referred to Planning Committee.

1.0 Site Description

- 1.1 This site is formed by the rear garden areas of 31, 35 and 37 Gardenia Grove. All three of the existing dwellings, which are to be retained, front onto the highway and have large rear gardens. The site is bound by residential properties on all sides with a mixture of boundary treatments including mature hedging and boarded fencing.
- 1.2 There is a change of levels through the application site with the land dropping off when heading in a south-westerly direction; properties on Gardenia Grove are significantly higher than the main part of the application site. In the immediate locality it is noticeable that a similar form of development to that proposed has been erected to the rear of 25 and 29 Gardenia Grove; a total of 4 dwellings have been constructed.

2.0 Relevant Planning History

- 2.1 2017/1009 - Erection of two storey and single storey extensions – Approved.
- 2.2 2018/0450 - Outline planning application with the matters of access, layout and scale for approval - erection of 4 new dwellings and associated parking areas and garaging on the land to the rear of Nos. 31-35 Gardenia Grove. Widening of the existing access / creation of a new entrance from Gardenia Grove for the new dwellings. – granted permission 07 November 2018.

2.3 At the adjacent site - 97/0174 - Erect 4 No. Domestic Dwellings – Approved.
(The permission relates to 25b, 27, 27a and 27b Gardenia Drive)

3.0 Proposed Development

3.1 The application seeks full planning permission to erect five new dwellings on the rear gardens of 31, 35 and 37 Gardenia Drive. Access would be to the side of 35 gardenia Drive, as was approved under the previous application (2018/0450).

3.2 The dwellings to be erected would be split level, with two storeys to the front and then three storeys to the rear, taking into account the change of levels across the site. In terms of design the properties are considered to be relatively contemporary having split dual pitch roofs; external materials will primarily be render with some timber cladding. Plots 2-5 would have a rear balcony.

3.3 It should be noted that amended plans have been submitted in support of the application, on which additional public consultation has been undertaken, and the application is considered accordingly.

4.0 Consultations

4.1 A site notice displayed and neighbour notification letters posted. 3 letters of objection have been received. A summary of the concerns raised is drafted below;

- The privacy of neighbouring properties will be compromised
- The dwelling nearest to their property is too close and will impact upon their amenity through a dominating and overlooking impact;
- During building works the noise will be excessive;
- Light will be lost to their rear garden as the dwellings would be set beyond their own rear aspect.
- What will happen to their boundary treatment?
- Properties down the slope will have increased surface water run-off affecting them due to increased hardstanding

4.2 NCC Highways – The highway authority raise no objection to the application, subject to conditions.

4.3 Severn Trent (ST) – Note that foul water will connect to the public foul sewer and surface water to the public surface sewer, both of which are acceptable to ST, subject to entering into a formal agreement with ST under the Water Industry Act 1991.

4.4 Scientific Officer – No objection, subject to conditions with regard to a Construction Environmental Management Plan (CEMP) and electric charging points being approved.

5.0 Assessment of Planning Considerations

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that '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'.

6.0 Development Plan Policies

- 6.1 The following policies are relevant to the application:

6.2 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). The chapters of the NPPF most pertinent to the determination of the application are, notably, but not exclusively, chapters 2 (achieving sustainable development); 5 (Delivering a sufficient supply of homes; 6 (Building a strong competitive economy); 9 (promoting sustainable transport); 11 (making effective use of land) and 12 (Achieving well-designed places).

- 6.3 The following policies of The Adopted Core Strategy (ACS) 2014 are pertinent to the determination of the application:

- 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 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.

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

- 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 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 34: Residential Gardens - states that development involving the loss of residential gardens will not be permitted unless the development would meet one of the criteria set out.
- 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 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 40: Housing Development on Unallocated Sites – sets out the criteria that new housing development should meet, including in relation to design, residential amenity and parking.
- 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.

6.6 Other Guidance

Parking Provision for Non Residential Developments – Appendix D of the adopted Local Planning Document Part 2 Local Plan sets out parking standards for residential uses.

7.0 Planning Considerations

Principle of the development

- 7.1 The site is located within an established urban area that is considered to be sustainably located close to amenities and facilities. In principle, it is considered that the use of the land for residential purposes is acceptable, subject to a detailed assessment of the material planning considerations, notably whether or not the development would respect the character of the area, residential amenity and highway safety. It is also apparent that part of the site benefits from an extant outline permission (2018/0450) for the erection of four dwellings.

Density and use of garden land

- 7.2 Policy LPD 34 states that development involving the loss of residential gardens will not be permitted unless the development would meet one of the criteria set out. It is considered that the proposal would represent a more

efficient use of land at a location where higher densities are appropriate. It is not considered that the proposal would harm the character or appearance of the area, given that a similar development has already taken place on land immediately adjacent to the site. Furthermore, there is an extant outline permission in place, albeit on part of the site, for a similar form of development.

- 7.3 The site area is 0.344 hectares and includes 31 and 35 Gardenia Grove. This would equate to 7 dwellings on the overall site, slightly below the density requirement identified in Policy LPD 33. However, given the constraints of this site arising from its topography, together with the necessity to accommodate new development in a manner that does not have an adverse impact upon the character of the area or amenities of any of the existing adjacent dwellings; it is considered that a lower density can be accepted as there is convincing evidence that it is required in this instance.

Visual impact

- 7.4 The scale of the dwellings are commensurate with those previously granted permission under reference 2018/0450, which were also split level. Whilst the dwellings would now be more contemporary in design having a dual pitch but split roof there is no overriding concern with the approach taken which would, in terms of elevation treatment, bring some visual diversity to the area. Furthermore, alterations have been made to the front elevations of plots 1-3 to reduce the size of the integral garages to improve the ground floor front elevation. Therefore, whilst relatively modern in terms of elevation treatment and materials, the scale and layout of the dwellings would respect the character of the area and the application is deemed to comply with policy 10 of the Aligned Core Strategy.

Impact upon residential amenity

- 7.5 The site comprises the rear gardens of Nos. 31, 35 and 37 Gardenia Grove. The dwellings would be sited along a similar building line to the adjacent development at 25B, 27, 27A and 27B Gardenia Grove. However, plot 1 would be set 2m further back than 27B. To address possible overlooking and overbearing concern the balcony to this unit has been omitted and there would be a gap of 1m to the plot boundary. Therefore, whilst the dwelling would be visible from the rear elevation of 27B Gardenia Grove, it is considered that any overlooking and overbearing impact would be minimal having regard to the changes made.
- 7.6 With regard to the impact on other existing residential units it is noted that the rear gardens for each unit would be in the region of 15m and the properties to the south, on Fraser Crescent and Fraser Road, also have gardens of a similar depth; as a result it is considered that the amenity these properties will be respected. Properties to the north are those on Gardenia Grove and there would also be a distance in the region of 30m between habitable room windows, which is considered to be acceptable.

- 7.7 There is also a need to take into account the amenity of proposed dwellings and, to this end, balconies proposed on the rear elevations of plots 2 – 5, will be screened along their outer edge.
- 7.8 Having regard to the above it is considered that the application would respect the amenity of existing and proposed dwellings through separation distances and the change of levels, as well any resultant impact likely to be similar to that previously approved under 2018/0450. As a result it is considered that the proposal complies with policy LPD32 of the Local Planning Document.

Highways matters

- 7.9 Access would be from the same access point as approved under 2018/0450, although the number of units would increase by 1. The drive would be private and due to the topography of the area it would be steep in nature. The highway authority are recommending that the first 5m adjacent to the highway is of a gradient not more than 1 in 10; hard paved and can achieve appropriate visibility, which can all be secured via condition. It is, therefore, considered that the vehicular access would be acceptable having regard to others in the locality and the extant permission in place.
- 7.10 With regard to parking provision there would be 3 four-bed houses and 2 three-bed houses. Parking provision for residential units is identified in the 'Parking Provision for Residential Developments SPD' and Appendix D of the Local Planning Document. Three parking spaces would be sought for the 4-bed dwellings and two for the smaller units. Each of the properties has one integral garage and a number of spaces are identified to the front of the dwellings, the combined total of which would meet the requisite number of spaces sought, 13. Taking into account the above, it is considered that the application complies LPD57 and LPD61.

Other issues

- 7.10 A drainage plan has been submitted in support of the application and indicates that a foul water drain runs through the site. Details of surface water discharge is also shown and Severn Trent are content with the information supplied, details of which are shown on a drawing and can be secured via a condition.
- 7.11 Concern has been raised about possible boundary treatments and future maintenance of them; however, future maintenance is something that is typically identified through the deeds of a property and is not a planning matter. Furthermore, with the site being set-back from public vantage points it is considered that individual boundary treatments is something that could be determined by individual occupiers, without the need for a planning condition.

8.0 Conclusion

- 8.1 The development is considered to be acceptable in principle having regard to its location within the urban area, adjacent development in situ and extant permission covering part of the site. The design of the dwellings and layout of the scheme is considered to be acceptable having regard to the built form that

surrounds it and following amendments made to the scheme. Furthermore, it is not considered that the proposal would have a detrimental impact on the residential amenity of neighbouring properties; nor would highway safety be compromised. The application, therefore, complies with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies A, 1, 8 and 10 and Local Planning Document Policies LPD 11, 32, 33, 34, 35, 37, 40, 57, and 61.

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

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings: RHA1817-0150 - site plan RHA1817-0151 rev A - site plan RHA1817-0152 rev A - house plan (type A) RHA1817-0153 - house plans (type B) RHA1817-0154 rev A - site entrance RHA1817-0155 rev A - front elevations RHA1817-0156 rev A - rear elevations RHA1817-0157 rev A - side elevations RHA1817-0158 - side elevation RHA1817-0161 - Drainage layout RHA1817-0162 rev A - house plans as proposed RHA1817-0163 - house plans (type B) RHA1817-0058 rev A - site sections

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

3. No above ground work shall commence until samples of the materials for the external appearance of the dwellings have been submitted to and approved in writing by the Local Planning Authority; development shall thereafter be carried out in accordance with the approved details.
4. No part of the site hereby permitted shall be brought into use until a dropped vehicular footway crossing/ has been widened and is available for use, together with a possible relocation of the gully. These works shall be constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
5. No part of the site hereby permitted shall be brought into use until the site access drive/parking or turning areas are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drive/ parking or turning areas shall then be maintained in such hard-bound material for the life of the development.
6. No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 10 for a distance of 5m from the rear of the highway boundary as shown on drawing number: RHA 1817-0154a
7. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no: RHA 1817-0154a are provided. The area

within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections.

8. The hedging on both sides of the access point shall be cleared completely and a 0.9m wall shall be erected on drawing no: ref: RHA 1817-0154a.

9. From the date of first occupation every property built on the site with one or more dedicated vehicle parking spaces and/or a garage shall be provided with access to a fully operation 3 pin socket on a dedicated 16A circuit, capable of providing a safe overnight 'trickle' charge to an electric vehicle using a mode 2 charging cable. Charging points should be provided either within garage space or via outdoor, weatherproof sockets within 3m easy access of the off road parking areas. All EV charging points shall be clearly marked with their purpose.

10. 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 produced by the Council 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.

11. Any first floor windows in the side elevation of the properties hereby approved shall be obscured glazed to level 4 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7m above the internal floor level of the room in which it is installed. This specification shall be complied with before the specific dwelling is occupied and thereafter be retained for the lifetime of the development.

Reasons

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

2. For the avoidance of doubt

3. To ensure that the character of the area is respected and to comply with policy 10 of the Aligned Core Strategy.

4. In the interests of highway safety and to comply with policy LPD61.

5. In the interests of highway safety and to comply with policies LPD57 and LPD61.

6. In the interests of highway safety and to comply with policy LPD61.

7. In the interests of highway safety and to comply with policy LPD61.

8. In the interests of highway safety and to comply with policy LPD61.

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 the National Planning Policy Framework and 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. To ensure the amenity of neighbouring properties is respected and to comply with policy LPD32.

Notes to Applicant

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. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles.

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 advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. If the applicant proposes to divert the sewer, the applicant will be required to make a formal application to the Company under Section 185 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

The flat roof aspect to the rear of plot 1 (adjacent to 27b Gardenia Drive) shall not be accessed as a balcony or other seating area and is something that would require planning permission in its own right.

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.

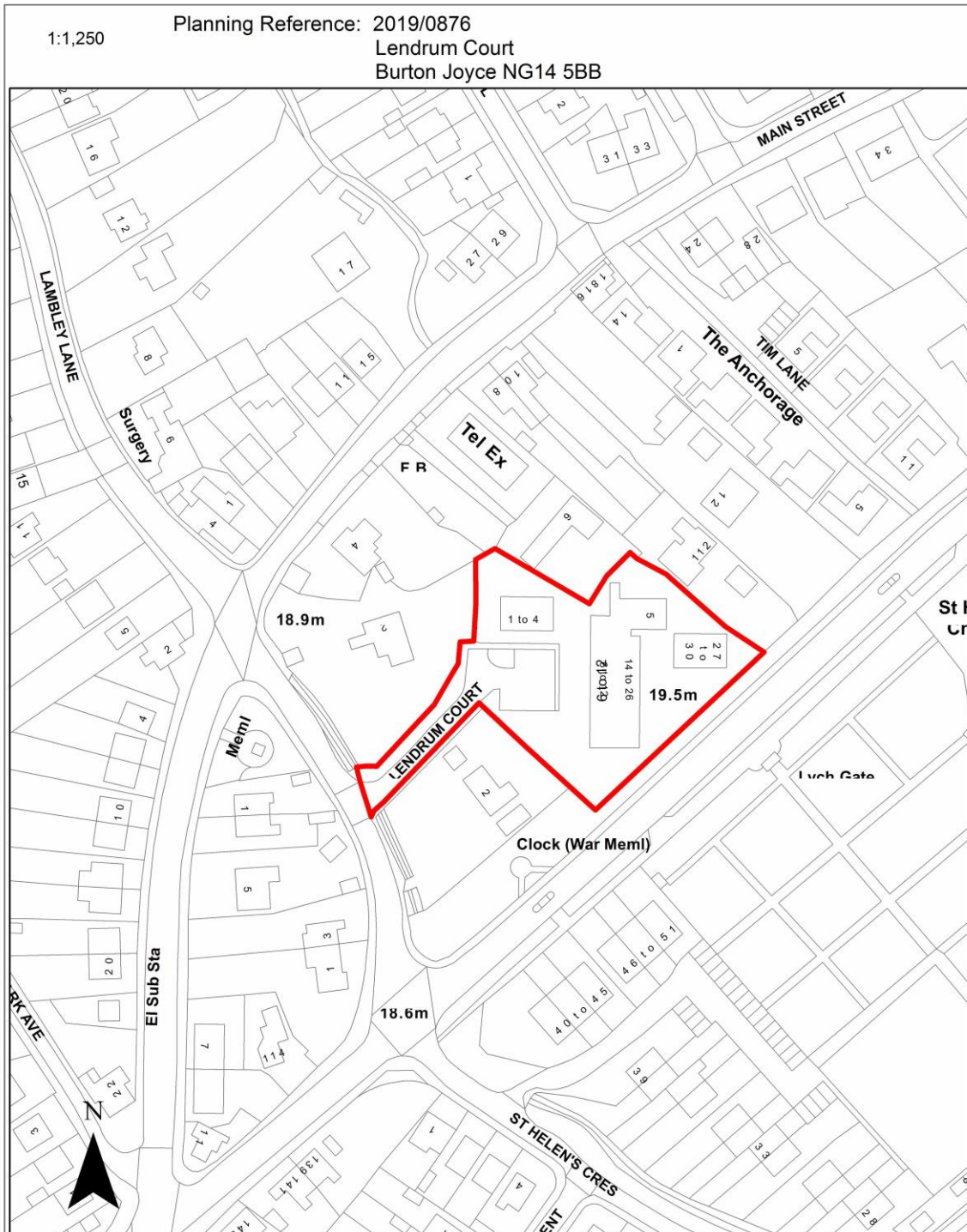
Where the Council's view is that CIL is payable, full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved 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 Councils website or from the Planning Portal: www.planningportal.gov.uk.

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Planning Report for 2019/0876



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: 17/12/2019

Report to Planning Committee

Application Number:	2019/0876
Location:	Lendrum Court Burton Joyce
Proposal:	New build development of 34 no. flats and 1 guest suite on the site of an existing sheltered housing complex, proposed for demolition, Lendrum Court, Burton Joyce.
Applicant:	Gedling Homes
Agent:	Halsall Lloyd Partnership
Case Officer:	Nigel Bryan

The application is referred to Planning Committee with the proposal for the erection of 10 or more dwellings, as required by the Councils constitution.

1.0 Site Description

- 1.1 Lendrum Court is a sheltered housing complex under the ownership and control of Gedling Homes. Existing buildings are mainly two-storey in scale, primarily constructed of red brick under a concrete tiled roof, with sections of timber cladding. There are three distinct blocks of development with the main building central to the site. Located to the periphery of the site are a number of mature trees, which make a significant contribution to the character of the area. Access to the site is from a relatively narrow access point from Lambley Lane with parking and bin stores to the front of the site. Boundary treatments to the site are predominantly boarded fencing, although in areas this is largely screened by existing vegetation. The buildings are currently vacant.
- 1.2 The site is bounded by Church Road (the A612) to the south; Lambley Lane to the west, with the access to Lendrum Court running over a small brook and residential properties to the north and east. Despite having a frontage to Church Road, the site is not particularly prominent from this street given the set-back of the buildings and existing vegetation. On the opposite side of Church Road is Lych Gate Cemetery and a short distance away the Church of St Helen, a grade 1 Listed building.
- 1.3 Parts of the application site is identified as a Local Green Space within the Local Planning Document.

2.1 The application site has no recent planning history.

3.0 Proposed Development

3.1 The application is for the demolition of the existing buildings on site and its replacement with a building comprising 34 flats and 1 guest suite. The building would accommodate affordable dwellings and be targeted for use by the over 55's, with the current building not considered fit for modern purposes.

3.2 In terms of scale, the building would increase from two-storey to predominately three-storey. There would be two distinct parts to the development with a prominent frontage onto Church Road and a rear aspect at right angles to the main aspect extending into the site, which would be visible when entering the site from Lambley Lane. Toward the centre of the building would be an arch to allow cars to access parking to the rear of the site, close to 112 Church Road. There would be a total of 19 car parking spaces, two of which would be for disabled drivers. The flats would be a mixture of one and two-bedroom properties, comprising 3 two-bed flats and 32 one-bed.

3.3 Materials for the proposed building would primarily be brick with Juliet balconies, large sections of glazing and some cladding too.

3.4 To the edge of the site existing trees would largely be retained with a turning head to the front of the building, along with space identified for bins and emergency vehicles.

4.0 Consultations

4.1 A press notice was published, a site notice displayed and neighbour notification letters posted. One letter of objection has been received. A summary of the objection is drafted below;

- Public consultation on the application has been inadequate and slow;
- The height and massing of the development is inappropriate in this location;
- Parking on site is due to increase by 100% and being close to 112 Church Road, there is the potential for the amenity of existing residents to be compromised.

4.2 Burton Joyce Parish Council – supported the application (5 votes to 1) with a request that the fencing to Church Road be softened with some planting.

4.3 Environment Agency – the site falls within flood zone 2 and the applicant is referred to their standing advice.

4.4 LLFA – raise no objection to the application.

- 4.5 Severn Trent – Raise no objection to the application subject to a condition requiring the submission and approval in writing of details relating to surface and foul water.
- 4.6 Highways – The highway authority have indicated that they have no objection in principle to the application subject to conditions securing the parking and turning areas identified along with the two pedestrian footways to the front of the site. They also note that turning for refuse vehicles within the site is adequate; however, with the access not intended to be adopted there would be a need to ensure that vehicles will enter the site, without which the bin collection point would need to be re-located to within 15m of Lambley Lane.
- 4.7 NHS (primary care) – note that given the increase in residential units would be just 7 over and above the existing provision, they would not be seeking a financial contribution.
- NHS (secondary care) – request a contribution of £13,608.00 toward the Nottingham University Hospitals NHS Trust.
- 4.8 Scientific Officer (Air Quality) – No objection subject to the provision of EV charging points and Construction Emissions Management Plan.
- 4.9 Waste Services – note that adequate turning is provided in the site for refuse vehicles to enter and leave the site in a forward gear. Refuse collection was made in this manner when the site previously operated and, therefore, the proposed bin collection point is acceptable.
- 4.10 Conservation and Heritage Officer – raises no objection to the removal of the existing 1970's structure. Feels that with the proposed structure being three-storey and close to Church Road it will have a degree of harm to the setting of the Church and would be at odds with the prevailing character of the area. However, the harm will be less than substantial and, as identified in paragraph 196 of the NPPF, this would need to be balanced against the public benefit of the proposal.

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 Development Plan Policies

- 6.1 The following policies are relevant to the application:

- 6.2 The National Planning Policy Framework (2019) sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a wide choice of high quality homes), 6 (building a strong and competitive economy), 9, (promoting sustainable transport) 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (conserving and enhancing the natural environment) and 16 (Conserving and enhancing the historic environment) are particularly pertinent.
- 6.3 The following policies of The Adopted Core Strategy (ACS) 2014 are pertinent to the determination of the application: relevant
- Policy 2 – The Spatial Strategy
 - Policy 10 – Design and Enhancing Local Identity
 - Policy 11 – The Historic Environment
 - Policy 19 - Developer Contributions
- 6.4 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. Policies relevant to the determination of this application are as follows:
- LPD 3 – Managing Flood Risk
 - LPD 4 – Surface Water Management
 - LPD 20 – Protection of Open Space
 - LPD 21 - Provision of New Open Space
 - LPD 26 – Heritage assets
 - LPD 31 – Locally Important Heritage Assets
 - LPD32 – Amenity
 - LPD 35 – Safe, Accessible and Inclusive Development
 - LPD 36 – Affordable Housing
 - LPD 39 – Specialist Accommodation
 - LPD 40 – Housing Development on Unallocated Sites
 - LPD 57 – Parking Standards
 - LPD 61 – Highway Safety.
- 6.5 Burton Joyce has a Neighbourhood Plan that was adopted in October 2018, it forms part of the development plan. Policies pertinent to the determination of this application are as follows;
- BJNP1 – Spatial Strategy
 - BJNP3 – Design Principles for Residential Development
 - BJNP4 – Mix of Housing Types
 - BJNP6 – Protecting Heritage Assets

6.6 Other Guidance

Parking Provision for Non Residential Developments – Appendix D of the adopted Local Planning Document Part 2 Local Plan sets out parking standards for residential uses. Furthermore, the Affordable Housing SPD is also relevant.

7.0 Planning Considerations

Principle of development

- 7.1 The site is within the built up area of Burton Joyce. There is an existing built form and use on the site, which the application is proposing to replace. As a result, there is no objection in principle to the development proposed; however, the key planning considerations are considered to be the impact on green space, highways, drainage, affordable housing, impact on heritage assets as well as whether or not the development would respect the character of the area and residential amenity.
- 7.2 Part of the application site is allocated as open space within the Local Plan and falls to be determined against policy LPD20. The policy indicates that permission will not be granted for development on such land, save for 5 exceptions. Point one indicates that, inter alia, the space ‘can no longer contribute as an open space (in its present form or as an alternative open space used) to meeting a local or wider need’. It is clear that the site does not serve as a public open space in that it is not open to the public so it does not meet a local or wider need. Furthermore, views of the open space from the public realm are restricted by existing boundary treatments and buildings. Therefore, whilst the building to be erected would have a slightly larger footprint than the existing any erosion of the open space would not be significant and have a discernible impact on the character of the area, with the overriding consideration being the land is not publicly accessible or widely visible. As a result it is considered that the proposal complies with policy LPD20.

Impact on the character of the area

- 7.3 North of Church Road is characterised by residential properties, which are typically two-storey in scale and of traditional red brick design. Numbers 2 and 4 Main Street are of particular antiquity and number 4 is a non-designated heritage asset. 1 Lendrum Court is a building that adds little to the character of the area, and is a ‘building of its time’, built in the 1960/70’s, but is not prominent within the streetscape. The replacement building would be 10.05m in height and taller than the majority of properties that surround it, save for 4 Main Street. However, the building has been designed so that the upper storey is within the mansard roof, which is flat thereafter, to keep the overall height of the building down, whilst achieving the additional level of accommodation sought. The main external material proposed for the building would be brick, which would assimilate with some of the more traditional built properties in the area; the mansard roof would be grey in colour. It is accepted that the building is larger in mass than that which it would replace

but the building to be erected is considered to be attractive in its own right featuring traditional elements e.g. brick, with more modern materials too e.g. the grey mansard roof. There will undoubtedly be a change to the character of the area in that the proposed building will be more prominent in the streetscape, particularly from Church Road; however, the existing building largely turns its back to this road and the proposed development will 'address' this highway, with two pedestrian links proposed from Church Road too. Furthermore, whilst the built form will be more prominent from Church Road it has been designed in a manner to break up its uniformity with a recessed glazed central feature to act as an entrance feature. Amended plans have also been submitted that alter the boundary treatment to Church Road, which was originally fencing and will now be landscaped, as requested by the Parish Council. Looking at the impact on Church Road it is considered that this elevation treatment will enhance the character of the area over and above the existing, which lacks a coherent presence.

- 7.4 Other elevation treatments will be similar to that outlined above in terms of scale and materials, although they will not be prominent from public vantage points given that the building is sited to the rear of existing residential properties. That said, the building would be an enhancement on the existing and is considered to respect the character of the area being of a high quality design and is in compliance with guidance contained in the National Planning Policy Framework and Aligned Core Strategy Policy 10.

Impact on heritage assets

- 7.5 There are a number of heritage assets in the locality, although the site is not within a Conservation Area; number 4 Main Street is a locally important heritage assets. Furthermore, on the opposite side of Main Road is the Church of St Helen, a grade 1 Listed building. Within the Burton Joyce Neighbourhood Plan policy 6 is relevant and identifies that the Whalebone Arch to St Helens Church is a 'candidate' to be included as a locally important heritage asset. The application site is visible from a number of the heritage assets, and vice versa, therefore, there is a need to consider the impact on the setting of these buildings as identified in the NPPF and policies LPD26 and LPD31.
- 7.6 The existing buildings on site are more modest in scale than that proposed to be erected and this increase in size will mean the replacement structure will be more prominent in the streetscape and also from the identified heritage assets. However, as noted above, it is considered that the design of the replacement building is of good architectural quality and will utilise a mixture of the materials, many of which are prevalent in the area and on the heritage assets e.g. brick. There would be an impact on the setting of the heritage asset from the increase in scale but any impact would be negligible taking into account the existing mature vegetation on site, quality of built form proposed and also the distances to the heritage assets, particularly those on the opposite side of Church Road. Therefore, any harm to setting of the heritage assets would either be negligible or at the lower end of less than substantial. Under such circumstances, as identified in paragraph 196 of the NPPF, this needs to be weighed against the wider public benefits, which in this case

would primarily be the increase in affordable housing and a construction of a well-designed building that is fit for purpose.

- 7.7 Weighing the above considerations in the round it is considered that the proposed development would have a negligible impact on the heritage assets in the locality and any possible harm would be to the lower end of less than substantial; a view shared by the Conservation Officer. Taking into account the public benefits, it is considered that application would be acceptable and comply with policies LPD26 and LPD31, the NPPF and Policy 6 of the Burton Joyce Neighbourhood Plan.

Impact on residential amenity

- 7.8 As identified in policy LPD32 (amenity) there is a need to take into account the amenity of proposed and existing occupiers from the development. The most pertinent criteria are considered to be the impact on overshadowing, overbearing and overlooking. In terms of scale, the mass of the building would increase in that an additional storey would be added. This has the potential to increase overlooking and overbearing impacts; however, a large percentage of the habitable room windows will be orientated toward Church Road or over the car parking area to the rear.
- 7.9 The aspect that runs at right angles to the main building and would be more prominent from Lambley Lane is closer to a number of residential properties, notably 2 Lambley Lane; 2, 4 and 6 Main Street and 112 Church Road. The building would, at its nearest point be 12m from the boundary with 2 Lambley Lane and some 24.8m from the actual dwelling, a distance which is considered acceptable to ensure that amenity would not be compromised. With regard to 2 Main Street the built form would be 18.3m from the dwelling at its nearest point but being on an angle to one another any views between habitable rooms would be oblique in nature and not detrimentally impact on amenity. Separation distances to 4 Main Street would be in the region of some 30m, a distance that is considered to be acceptable. The replacement building would be 7m from the boundary with 6 Main Street, a distance that is relatively modest; however, views between habitable room windows would be some 22m and the actual built form would be further away from the boundary than the existing building. There is a dormer window in the side of 112 Church Street that would look over the application site but this would have views over the car park and distances to habitable rooms would be acceptable or oblique in nature. Having regard to the above factors it is noted that in some respects the built form would be closer to existing properties, whilst in other areas it would be further away. Having an additional floor there is the potential for increased overlooking and overbearing impacts; however, it is considered that the building has been designed and sited in a way so as to minimise possible overlooking and overbearing impacts, with there being good tree cover in the area too. As a result, it is not considered that the proposal would have an undue overlooking or overbearing impact on the amenity of neighbouring properties.
- 7.10 Concern has been raised about possible noise from the car park close to 112 Church Road. However, car engines being started is common place on all forms of residential development and vehicle speeds in the car park will be

extremely low. Therefore, it is not considered that any noise generated would be harmful to the amenity of the adjacent property. As a result the application is deemed to comply with policy LPD32 both in the respect of overlooking and overbearing impacts, as well as noise.

Highways

- 7.11 Vehicular access would utilise the existing access point from Lambley Lane, which is relatively narrow but adequate to allow two vehicles to pass one another at the access. A turning head is proposed within the site which would allow larger vehicles, including refuse vehicles, to turn within the site. Utilising an existing access point, there is no overriding concern about vehicular access to the site. As a result the main vehicular access for the site is acceptable and the Highway Authority has raised no objection to the application.
- 7.12 With regard to parking provision a bike store is proposed and 19 car parking spaces, two of which would be disabled. An area for emergency vehicles has also been identified. Whilst the development is for 34 flats they would be under the control of Gedling Homes, as affordable dwellings, and are targeted for occupation by over 55's, which, as explored later in this report, is to be secured through a legal agreement. Therefore, the dwellings would be conventional dwelling houses (C3) but targeted at a specific age group with small areas of communal living and a guest suite and off site warden assistance. Typically such provision would require one space per dwelling and one visitor space per four dwellings e.g. 43 spaces. The provision provided would fall below the total identified in the parking provision SPD; however, the Highway Authority have not objected to the provision provided and it would be an increase above that provided to the existing site. Furthermore, whilst the flats would be conventional dwellings they would be under the control of a Registered Social Landlord and be for a target age group. It is also apparent that a bus route passes in close proximity to the application site and the Highway authority have sought a financial contribution of £3,000 toward enhancing public transport provision through works to the nearby bus stop. Taking into account the above factors it is considered that whilst there would be an element of conflict with parking guidance, there would be an increase on the provision currently provided as well as a means to ensure that the end users are controlled. The site is, in the round considered to be sustainable with good access to public transport, which will be enhanced through a financial contribution. Weighing the above factors in the round, and subject to conditions, it is considered that, on balance, the application complies with guidance contained in the National Planning Policy Framework, Aligned Core Strategy Policy 10, LPD 57 and LPD61 and Appendix D of the LPD.

Landscaping

- 7.13 There are a number of mature trees to the periphery of the application site and a tree survey has been submitted in support of the application, along with a drawing showing how the trees will be protected with fencing during

development. Observations have been received from the Tree Officer who raises no objection to the application as submitted in this regard.

- 7.14 No detailed landscaping scheme has been submitted over and above the submitted tree survey; however, the ground floor plan indicates areas not proposed to be built on will be lawned, which would be acceptable. However, a landscaping condition is considered necessary to ensure that an appropriate boundary treatment is secured along the Church Road frontage. Having regard to the above the scheme is considered to be acceptable in terms of landscaping impacts and the proposal complies with the objectives of the National Planning Policy Framework and Aligned Core Strategy Policy 10.

Planning obligations

- 7.15 The application proposes more than 14 dwellings and falls to be determined by policy LPD36, requiring 30% affordable housing. However, in this instance the existing units and proposed are **all** to be affordable and under the control of a Registered Social Landlord (RSL). To ensure that the units remain as affordable dwellings the applicant has agreed to enter into a legal agreement, a Unilateral Undertaking (UU), which would also restrict occupation to over 55's. All the units would be offered as 'affordable rent' e.g. rented at upto 80% of the equivalent open market rent. As a result the application is deemed to comply with policy LPD36 and guidance within the Affordable Housing SPD. It should also be noted that policy NP4 of the Burton Joyce Neighbourhood Plan indicates support for a suitable housing mix, which indicates a demonstrable need for smaller dwellings.
- 7.16 It should be noted that the NHS Primary Care Trust, who deal with local, provision e.g. GP's, have not requested a financial contribution. However, the secondary care trust e.g. hospitals, have sought a contribution of £13,608.00 toward such provision. However, taking into account that the net increase in units would be just 7 it is not considered that the request is justified and would not meet the requirement of the CIL Regulations e.g. necessary, directly related and reasonable in scale. Furthermore, contributions are typically awarded to the Primary Care Trust, which is more local focused in nature, than the more overarching secondary provision. As a result, a financial contribution is not considered to be reasonable.
- 7.17 As noted earlier in this report, a financial contribution of £3,000 is sought toward public transport enhancements through making one of the two nearest bus stops more accessible with raised boarding kerbs. The contribution is to be secured in the aforementioned UU and the contribution is deemed to comply paragraph 56 of the NPPF, policy 19 of the ACS and the CIL Regulations.

Flood Risk

- 7.18 The application site falls within Flood Zone 2 and the Environment Agency refer to their Standing advice. Given that the application is for the redevelopment of an existing site, no sequential test to look for preferable sites is required. However, with the site falling within flood zone 2 a site

specific Flood Risk Assessment (FRA) has been submitted and identifies mitigation that would be required and includes ground levels not being lower than the existing; FFL's should be not less than 300mm above the average ground level and not less than 19.03 AOD; guidance on surface water drainage details and Flood Warning and Evacuation Plan. Having regard to the mitigation in the FRA, along with the suggested condition by Severn Trent, where final details of surface and foul water can be secured via condition, the application is deemed to comply with policies LPD3 and LPD4 of the Local Planning Document and guidance within the NPPF.

Other matters

- 7.19 An emergence bat survey has been undertaken by a suitably qualified ecologist and identified that the building has no bats in it. Furthermore, the site is not one where other protected species e.g. badgers, newts, etc, are likely to be found. The proposal complies with guidance identified in chapter 15 of the NPPF.

8.0 Conclusion

- 8.1 The principle of development is supported in that the replacement building would result in an enhancement of affordable housing provision on an existing site. The design of the replacement building is considered to be an enhancement on the existing structure and would not have a detrimental impact on the amenity of neighbouring properties through an overlooking or overbearing impact. Furthermore, taking into account highway matters, including parking, ecological matters, flooding and impacts on heritage assets. The application is, therefore, deemed to comply with policies 2, 10, 11 and 19 of the Aligned Core Strategy; policies 3, 4, 20, 21, 26, 31, 32, 35, 36, 39, 40, 57 and 61 of Local Plan Document and policies P1, P3, P4 and P6 of the Burton Joyce Neighbourhood Planning and guidance contained within the NPPF.

Recommendation: That the Borough Council GRANTS PLANNING PERMISSION, subject to the completion of a satisfactory Legal Agreement (Unilateral Undertaking) to secure 100% of the dwellings as affordable (affordable rent), restrict occupation to over 55's, and a financial contribution toward improved public transport infrastructure as detailed in paragraphs 7.15 and 7.17 of the report, and subject to the following conditions:

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

N1429 001 (location plan)
N1429 106C (tree constraint plan)
N1429 110G (proposed groundfloor plan)

N1429 111E (first floor plan)
N1429 112D (second floor plan)
N1429 113K (proposed site and roof plan)
N1429 120F (proposed elevations -Church Road)
N1429 121B (courtyard elevations)
N1429 122B (courtyard elevations)
N1429 123B (proposed elevations - Lambley Lane)
N1429 126B (proposed elevations - Church Road)
N1429 127A (courtyard elevations)
N1429 128A (proposed elevations - Lambley Lane)
LCBJ-BSP-ZZ-XX-DR-C-0001 P01 - Swept path analysis

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

3. Prior to above ground works commencing, details of materials to be used for the external appearance of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

4. Prior to the commencement of development, the trees identified to be protected, as detailed on drawing N1429 106C and within the Tree Survey and Arboriculturist Impact Assessment, shall be protected by fencing for the duration of the construction phase.

5. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

6. Development shall proceed in accordance with the recommendations of the Flood Risk Assessment and Drainage Strategy of BSP Consulting dated May 2019.

7. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 110_G. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

8. No part of the development hereby permitted shall be brought into use until the 2 footpaths fronting the site to Church Street, as identified on drawing N1429 110G, are constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

9. Prior to above ground work commencing a scheme showing details of both hard and soft landscape works shall be submitted to and approved in writing by, the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each

development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.

10. 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 produced by the Council 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.

11. Prior to the occupation of either building(s) hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of two (2) Electric Vehicle Recharging Points. The Electric Vehicle Recharging Points shall be in a prominent position on the site. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development.

Reasons

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.
3. To ensure that the character of the area is respected and to comply with policy 10 of the Aligned Core Strategies.
4. To ensure that the existing mature landscape is retained and to comply with policy LPD20 of the Local Planning Document.
5. To ensure the site is adequately drained and to comply with policies LPD3 and LPD4.
6. To ensure the site is adequately drained and to comply with policies LPD3 and LPD4.
7. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.
8. To ensure that the site is appropriately accessed and built to an acceptable standard and to comply with policy LPD61.
9. In the interests of highway/pedestrian safety.
10. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes

into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.

11. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.

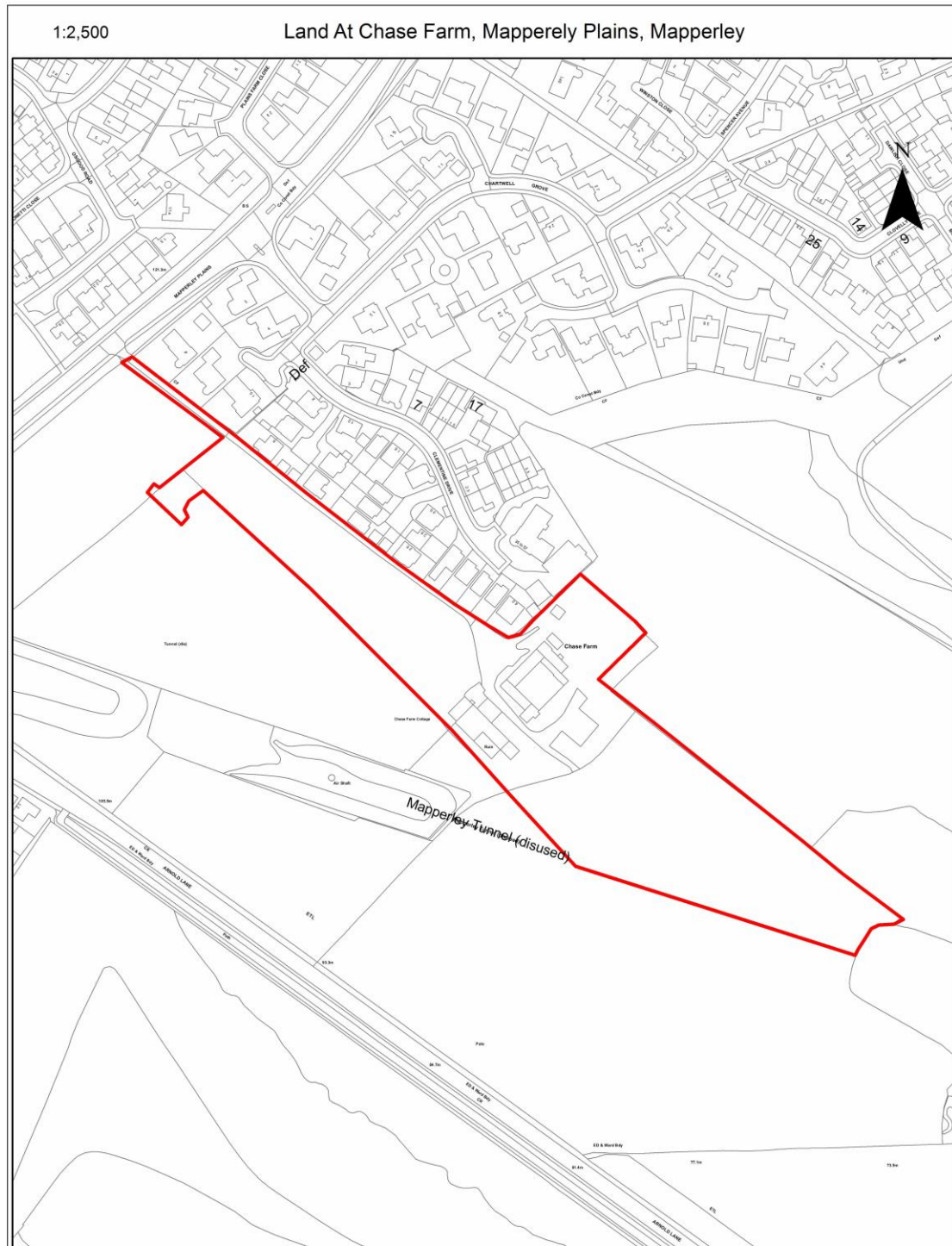
Notes to Applicant

The development makes it necessary to construct the 2no footpaths and reinstate the redundant path on/ over the verge of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

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. Where the Council's view is that CIL is payable, 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

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. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. 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).

Gedling
Borough Council
Planning Report for 2019/0764



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

Application Number: 2019/0764

Location: Land At Chase Farm Mapperley Plains Mapperley

Proposal: Outline planning permission all matters reserved except access for residential development.

Applicant: Nottingham City Council

Agent: Planning and Design Group (UK) Ltd

Case Officer: Kevin Cartwright

1.0 Site Description

- 1.1 The site consists of an area of overgrown land that slopes steeply from north to south and is currently accessed by a single track off Mapperley Plains Road. To the north-east of the application site are the existing residential properties off Clementine Drive which is a modern housing estate of mixed architectural styles. The site would be accessed from the proposed Gedling Access Road (GAR).
- 1.2 The overall site area is approximately 2.42 hectares.

2.0 Relevant Planning History

- 2.1 Whilst there is no site history specific to the application site of relevance is the proposed GAR.
- 2.2 2014/0915 – The Gedling Access Road was granted under planning reference 2014/0915 for the construction of a 3.8km road linking the A612 Burton Road and B684 Mapperley Plains Road (GAR). The construction of which was intended to be carried out in two phases:
- 2.3 Phase 1 - The construction of a new 5 arm roundabout onto the A6211 Arnold Lane. The development was expected to commence in early 2015 and facilitate development of an initial stage of residential development on the former Gedling Colliery/Chase Farm site and would provide a by-pass route to ease traffic congestion through Gedling Village.
- 2.4 Phase 2 - Completion of the GAR between the B684 Mapperley Plains Road to the north-west and the A612 Burton Road enabling the complete redevelopment of the Gedling Colliery/Chase Farm site, which was due to be finished by 31st December 2019.

- 2.5 The full condition, number 1, which stipulated the time frames for the development to be complete is drafted below: “The Gedling Access Road hereby approved shall be constructed in two phases. Phase 1 shall cover the construction of the five arm roundabout off Arnold Lane, which shall be completed by 31st December 2015. Phase 2 shall cover the construction of the rest of the Gedling Access Road, which shall be completed by 31st December 2019.”
- 2.6 In February, 2015, planning permission was granted under application no: 2015/0110 for a variation of condition 2 attached to planning permission no: 2014/0915 to amend the details of the approved plans to allow limited vegetation clearance to allow gas main re-alignment and preparation for an interim roundabout, prior to the bird nesting period, which would otherwise constitute a commencement of development and require a wide range of pre-commencement conditions to be discharged.
- 2.7 Furthermore, given concerns over the original time lines for the completion of the GAR application 2015/01033 was submitted to vary condition 1 of the original permission. The application was granted permission on the 3rd June 2016 and condition 1 is reproduced below: “*The Gedling Access Road hereby approved is made up of two phases. Phase 1 is the construction of a five arm roundabout off Arnold Lane. Phase 2 covers the construction of the rest Gedling Access Road. Whichever phase is commenced first, both phases shall be completed by 31st December 2019*”.
- 2.8 A non-material amendment application has been granted (ref: 2019/0488NMA) to remove the requirement for the road to be complete by the 31st December 2019.
- 2.9 Application 2017/1535DOC has been granted for the approval of details pursuant to conditions 10, 16, 17, 18 and 19 with formal written consent offered that due to drainage works undertaken the permission has been lawfully implemented.
- 2.10 Application 2019/0903DOC for the ‘approval of details reserved by conditions 10 (surface water drainage) and condition 14 (Dust Management Plan) of planning permission 2015/1033 - Gedling access road’ is currently pending a decision and is likely to be made under delegated powers.
- 2.11 Application 2019/0904DOC for the approval of details reserved by conditions 4 and 5 (management of traffic and pedestrian movements), condition 6 (public transport strategy), condition 7 (temporary lighting), condition 11 (highway design code), condition 12 (arboricultural impact assessment, condition 13 (landscaping), condition 15 (noise assessment), condition 21 (recording and method statement of the garden wall at Gedling House and condition 22 (footpath diversion) of planning permission 2015/1033 was granted on 12th November 2019.
- 2.12 2019/0500 – Construction of an access junction off the Gedling Access Road which would serve this development was granted planning permission on 2nd August 2019.

3.0 Proposed Development

- 3.1 The application seeks outline planning permission for residential development 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 off the proposed Gedling Access Road via the approved access junction spur that is the subject of planning permission 2019/0500.
- 3.3 An indicative plan has been submitted with the application that demonstrates how the site could be developed for 27 dwellings and 19 apartments.

4.0 Consultations

- 4.1 Natural England – No comments to make.
- 4.2 Nottinghamshire County Council (Arboricultural Officer) – There are no trees on the site that are suitable for retention.
- 4.3 Gedling Borough Council (Scientific Officer - Contamination) – Having reviewed the submitted report further investigation works are required. It is requested that phased contamination conditions are attached to any planning consent.
- 4.4 Gedling Borough Council (Scientific Officer – Air Quality) - The proposed development site borders onto the proposed Gedling Access Road (GAR) at a point where the road rises up toward Plains Road. Air pollution issues can be exacerbated where vehicles are under increased load rising up inclined routes and queuing at junctions, as will be the case at this point of the GAR. To ensure that we do not get create an area where exceedances of the air quality objectives are created, by virtue of the introduction of receptors close to the GAR, I would recommend that an air quality assessment is carried out. It is therefore requested that a condition requiring the submission of an Air Quality Assessment is attached to any planning consent.
- 4.5 Severn Trent – Request a surface and foul drainage condition is attached to any grant of planning permission.
- 4.6 Nottinghamshire County Council (Minerals and Waste) – No objection.
- 4.7 Nottinghamshire County Council (Strategic Highways) - The County Council does not have any objections on strategic transport grounds to the formation of an access junction with GAR as this has been allowed for in the design development of GAR. There will however need to be planning conditions;
 - 1. That restricts the development so that none of the dwellings can be occupied unless and until the GAR has been completed and is open to traffic
 - 2. Which stipulates that no direct vehicle access will be taken at any time between the application site and the B684 Mapperley Plains Road (in the interests of highway safety).

- 4.8 Nottinghamshire County Council (Highway Authority) – No objection subject to a number of conditions including details in relation to design of the access road, surface water drainage, driveways constructed of bound materials, no direct vehicular access of Mapperley Plains Road and bus stop improvements at Chartwell Grove.
- 4.9 Nottinghamshire County Council (Local Lead Flood Authority) – Insufficient surface water drainage information has been provided.
- 4.10 Environment Agency - The previous use of the proposed development site as a farm presents medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary B aquifer.
The application's 'Geo-technical and Geo-environmental Desk Study' (ref 19-0048/J1795/D1/1) demonstrates that it will be possible to manage the risks posed to controlled waters by this development.
We agree with the conclusions presented in section 5.1.1 of the report; the site is unlikely to present a risk to controlled waters beneath the site.

It is requested that the conditions in relation to contamination and silt pollution are included on any planning permission granted for the site.

- 4.11 Gedling Borough Council (Affordable Housing) – Provision of affordable housing of 20% which would be split 70% social affordable rent and 30% intermediate sale as per the Affordable Housing Supplementary Planning Document.
- 4.12 Gedling Borough Council (Open Space) – Off site capital contribution of £160,179.80 plus the off-site revenue contribution which is £67,227.60. Total amount payable by the developer would be £227,407.40.
- 4.13 NHS (Primary Care) – A contribution of £4,926.25 towards a new surgery to accommodate the additional patients created by the proposed development.
- 4.14 Nottinghamshire County Council (Education) – A Primary School contribution of £158,060 to provide additional school provision within 2 miles of the development and a Secondary School contribution of £151,585 to provide additional provision at Carlton Academy.
- 4.15 Members of the Public – a press notice was published, three site notices displayed and neighbour notification letters posted. 1no. letter of objection have been received and this is summarised as follows:

The plan outlines changing the track to a shared footway/cycleway. We have a legal right of way over this track.

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 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. Section 1 (Achieving Sustainable Development), Sections 5 (Delivering a sufficient supply of homes), Section 8 (Promoting healthy and safe communities), Section 9 (Promoting sustainable transport), 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 18: Infrastructure – sets out the approach to ensure new development is supported by the required infrastructure and the appropriate stage.

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 18: Protecting and Enhancing Biodiversity – encourages measures to deliver biodiversity enhancements to be included into developments.

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 Arnold.

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 40 – Housing Development on Unallocated sites

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 – A minimum of 7,250 homes will be provided during the plan period 2011-2028) of which 4,890 homes would be distributed in or adjoining the main built up area of Arnold and Carlton.

6.5 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 Development

- 7.1 Whilst the site is not allocated for housing LPD Policy 40 states that housing development will be permitted on unallocated sites outside of the Green Belt provided that the development is of a high standard of design, would not result in the loss of features that make a contribution to the appearance of the area, would not result in adverse impact on the amenity nearby residents and appropriate parking provision is made. Policy LPD 63 states that a minimum of 7,250 homes will be provided over the plan period (2011-2028) and this includes a windfall allowance of 240 homes.
- 7.2 The site is located within the main urban area adjacent to existing residential properties. Development of the site for residential purposes would be seen as a logical extension to the existing built form. The principle of development in this location is supported subject to the above criteria being satisfied. These matters are considered below. As such the proposal is considered to accord with policies LPD 40 and LPD 63.

Impact upon visual and residential amenity

- 7.3 The site has significant variations in ground levels, which will in part dictate how development could take place. However the indicative layout plan submitted demonstrates that residential development could be accommodated on the site in keeping with the adjacent residential development on Clementine Drive.
- 7.4 Matters relating to visual and residential amenity would be assessed in detail at reserved matters stage however it is considered that the number of dwellings shown on the submitted indicative plan could be accommodated in a manner that would not cause undue harm to either visual or residential amenity, subject to a satisfactory scale and layout of dwellings being proposed.

- 7.5 It is therefore considered that the proposed development could, in principle, be achieved in a manner that would accord with the relevant policies of the National Planning Policy Framework and Local Development Plan in terms of the impact upon visual and residential amenity.

Drainage matters

- 7.6 Whilst it is noted that the Lead Local Authority has raised concerns in relation to the application on the basis of insufficient information, it should be noted that this is an outline planning application which seeks only to establish the principle of residential development on the site.
- 7.7 The submitted drainage information states that the soils are unlikely to be suitable for traditional soakaways. Accepting that the disposal of surface water runoff from the site via infiltration is unlikely to be viable due to the presence of clay soils with impeded drainage, it is considered that the alternative of conveying the surface water to the lowest point on the site and attenuating on site before release at a restricted rate to the network is an acceptable solution. It should be noted that no objection is raised by Severn Trent Water or the Environment Agency subject to conditions.
- 7.8 Both surface and foul drainage matters can be addressed by appropriately worded conditions. It is considered that this is a reasonable way to proceed given that the plans submitted with respect to the layout are indicative only and could be subject to change in order to address any issues that are raised before or during the considerations of the reserved matters.

Air quality

- 7.9 The development access would be located off the Gedling Access Road (GAR). Public Protection has requested the submission of an air quality assessment providing any appropriate mitigation measures prior to the application being determined.
- 7.10 As this is an outline application with only access being determined, it is considered that the publication of an Air Quality Assessment is not possible at this current time as it will rely on the GAR being operational for a period of time and air quality would need to be assessed in the wider area. It should however be noted that conditions are proposed to mitigate the impact of this development on air quality. In this instance the mitigation measures required by the Air Quality and Emissions Mitigation Guidance for Developers 2019 are the provision of Electric Vehicle charging points and the submission of a Construction Emission Management Plan.

Ecological considerations

- 7.11 The site is for the most part open grassland with scattered trees and shrubs. There is an area of disturbed land resulting from the demolition of the Chase Farm buildings.

- 7.12 The submitted Ecological Report confirms that there are no bat roosts within the site and that no further special measures or surveys are required in relation to bats.
- 7.13 It does however suggest the incorporation of bat boxes into the development and the control of external lighting. Both these matters can be controlled by an appropriately worded conditions.
- 7.14 In relation to birds it is suggested that any site clearance if undertaken during the period October to February inclusive to avoid the nesting season. An advisory note to applicant would be attached to any grant of planning permission.
- 7.15 No other protected species were found to be present on the site.
- 7.14 The Ecological Report also identifies the presence of rhododendron and cotoneaster both of which are potential Schedule 9 species which are non-native invasive species. It is noted that this is not a material planning consideration and the managing such species is the responsibility of the owner/occupier of the site. While there is no statutory requirement to control/eradicate this invasive plant, nor is it necessary to report its presence (it is not listed in the Weeds Act 1959), it is advisable to take action to control its spread. Soil and waste containing invasive species is considered to have the potential to cause ecological harm. This is deemed "Controlled Waste or "Directive Waste" (Waste Management Licensing Regulations 1994). It is an offence under the Environment Protection Act 1990 to deposit, treat, keep or dispose of controlled waste without a licence. Accordingly the Applicant will require an appropriate licence if invasive species are to be removed from the site. It is considered appropriate to attach a note to the consent, making the Applicant aware of their duties in this regard.

Highway matters

- 7.20 The site would be accessed from a new junction formed off the GAR. This junction has been recently granted planning permission (2019/0500).
- 7.21 The County Council as Highways Authority have not raised any objection in relation to the proposal subject to a number of conditions including that the development is not occupied until the GAR is constructed and open to traffic.
- 7.22 In addition the Highway Authority has requested improvements to the bus stop at Chartwell Grove and that there should be no vehicle access to the site from Mapperley Plains Road. The access restriction may be controlled through a planning condition and the bus stop improvements via a financial contribution secured by a planning obligation.

Planning Obligations

- 7.23 In order to comply with the relevant planning policies, the following planning obligations would need to be met:

- 7.24 Affordable Housing - to meet with the requirements of the adopted Affordable Housing Supplementary Planning Document and Policy LPD 36 of the Local Planning Document – 20% of the dwellings should be affordable dwellings with a 70% social rented/ 30% intermediate housing split.
- 7.25 Education - A Primary School contribution of £158,060 to provide additional school provision within 2 miles of the development and a Secondary School contribution of £151,585 to provide additional provision at Carlton Academy are required to comply with the Nottinghamshire County Council Planning Obligations Strategy.
- 7.26 Open Space - To meet with the requirements of the adopted Open Space Supplementary Planning Guidance and Policy LPD21 of the Local Planning Document as the site exceeds 0.4 hectares in area, an off-site capital contribution of £160,179.80 plus the off-site revenue contribution which is £67,227.60. Total amount payable by the developer would be £227,407.40.
- 7.27 Primary Care – A contribution of £4,926.25 towards a new surgery to accommodate the additional 115 patients created by the proposed development. This would be used to enhance the capacity/infrastructure within the local practices. The affected practices would be Plains View Surgery, West Oak Surgery, Unity Surgery and Highcroft Surgery.
- 7.28 Highway Authority – A contribution of £6,100 to install real time bus stop pole and displays to the bus stop at Chartwell Grove.
- 7.28 A Local Labour Agreement is required to meet with the requirements of Policy LPD 48 of the Local Planning Document, as the number of dwellings, size of the site and number of jobs exceeds the thresholds stated.
- 7.29 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 meet with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010. These contributions are based on the site delivering 46 dwellings as demonstrated on the submitted indicative layout plan. Should a lower quantum of development be approved at the reserved matters stage, the contributions would be proportionate to the quantum of development proposed.

Other Matters

- 7.30 The comments of the neighbouring land owner in relation to a right of access over the existing track is noted. This matter is a private legal matter between the parties involved. The applicants have however confirmed that any right of way would not be prejudiced. There is no intention for the track to be used for vehicular traffic. It is the intention to connect the proposed development to the existing track with a 3m footway/cycle way only. This would provide pedestrian and cycle connectivity to the surrounding network. Any existing rights of way would remain.

8.0 Conclusion

- 8.1 The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. 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.

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, education, primary care, bus stop improvement and a local labour agreement; and subject to the conditions listed for the reasons set out in the report:

Conditions

- 1 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.
- 2 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.
- 3 This permission shall be read in accordance with the Site Location Plan and Indicative Site Layout (with regards to access only). The 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 dwellings 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. If a pumped solution is being proposed for this development, a sewer modelling assessment may be required to determine what impact the generated flows from this site will have on the network and to determine the maximum pump rate that could be accommodated within the existing network without worsening the existing sewer performance in rainfall events. 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 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.
- 9 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.

- 10 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 external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 11 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.
- 12 No dwelling shall be occupied until such time as the Gedling Access Road has been completed and is open to traffic.
- 13 No direct vehicle access shall be taken at any time between the application site and the B684 Mapperley Plains Road.
- 14 Prior to the first occupation of the dwellings hereby approved the highway works (access junction to the GAR) as shown on the plan entitled 'Site Access Arrangements', drawing no. CFGN-BSP-ZZ-XX-DR-D-001, revision P2 shall be provided.
- 15 No dwelling hereby approved shall be occupied until any access driveway or parking area directly relating to that dwelling has been surfaced in a bound material (not loose gravel). The surfaced driveway or parking area shall then be maintained in such bound material for the life of the development.
- 16 No part of the development hereby permitted shall be brought into use until all 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
- 17 No development hereby permitted shall commence until details of wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities thereby approved shall be maintained in working order for the duration of the construction works at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 18 The maximum number of residential units to be constructed on site shall be 46.

Reasons

- 1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 2 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.
- 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 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 Planning Document.
- 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 Planning Document.
- 8 In the interest of sustainable travel
- 9 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 Councils Local Planning Document.
- 10 In the interests of protecting ecological interests
- 11 In the interests of enhancing ecological provision on the site.
- 12 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development
- 13 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 14 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 15 To ensure appropriate access and parking arrangements are available.
- 16 To ensure appropriate access and parking arrangements are available.
- 17 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 18 To define the permission and for the avoidance of doubt

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. 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

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 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:- NCC (Highways Development Control) (Floor 3) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

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. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. They may obtain copies of our current guidance notes and application forms for diversions from either our website (www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.

The applicant is advised that any site clearance works are undertaken outside of the bird breeding season - October to February inclusive.

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 applicant attention is drawn to the following advice in relation to the control of non-native plant species. <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

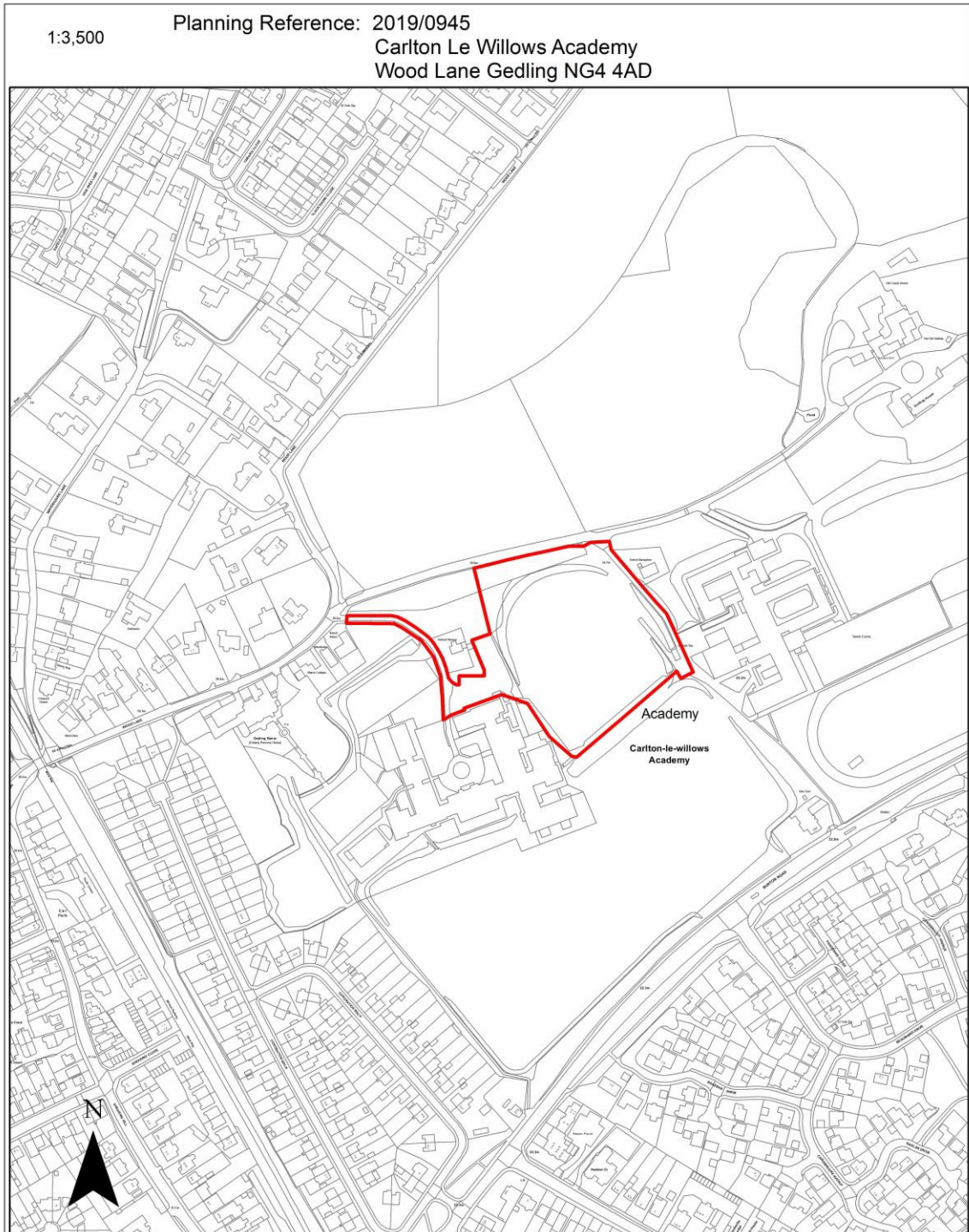
The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. 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).

In relation to the lighting condition above the submission of a bat-sensitive lighting scheme, should be developed in accordance with the Bat Conservation Trust publication "Artificial Lighting and Wildlife - Interim Guidance: recommendations to help minimise the impact of artificial lighting" dated June 2014.

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Planning Report for 2019/0945



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Date: 30/12/2019

Report to Planning Committee

Application Number: 2019/0945

Location: Carlton Le Willows Academy, Wood Lane

Proposal: Section 73 application to vary condition 2 (approved drawings) of permission 2018/0836 (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 Academy

Agent: LK2 Architects Ltd

Case Officer: Paula Daley

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 2019/0821 - Single Storey Enhanced Provision Unit to meet the Special Educational Needs of current students approved 11.11.2019
- 2.2 2019/0563DOC – Condition discharge. Submission of Details in relation to Condition 5 - Bat Boxes of Planning Permission 2018/0836 approved.
- 2.3 2018/0836 - Installation of 3G artificial grass pitch, fencing, hardstanding, flood light system, together with the erection of 1No. single storey pavilion and 1No. storage container approved at Planning Committee in March 2019.
- 2.4 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.
- 2.5 2012/0598 – Enlarge the existing canteen facilities and construct a small infill extension for toilet facilities. Conditional consent granted 19.07.2012.
- 2.6 2008/0748 – New sixth Form building & relocation of the workshop facility. Unconditional consent granted 19.12.2008.
- 2.7 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.
- 2.8 2007/0002 – Extension of music class room & addition of drama studio & ancillary facilities. Conditional consent granted 30.01.2007.
- 2.9 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 In March 2019, an 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 was approved by the Planning Committee. Development has commenced on site.
- 3.3 The approved proposal had 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 was proposed and the plans identify that the pavilion may be constructed in two phases depending upon final funding provisions. Phase 1 includes a two-team changing facility, 1 officials changing room, clubroom, kitchen, office, toilets, plant room and store. Phase two includes 2 additional team changing rooms, 1 officials changing room, external store and pitch accessed corridor.
- 3.7 This Section 73 application seeks to a variation to the phase 1, two-teamed changing room. The amendments proposed include:
- Removal of the previously proposed front portal entrance which is proposed to be replaced with render panel, with opening windows and glazed entrance main doors.
 - UPVC windows and rainwater goods instead of aluminium.
 - Reduction in the building by approximately 800mm.
- 3.7 The buildings will incorporate a mono pitched roof and will be constructed in an lbstock 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.
- 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 Adjoining neighbours have been notified and a Site Notice has been posted. No letters of representation have been received.
- 4.2 Burton Joyce Parish Council no comments received to date

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 Development Plan Policies

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

6.2 National Planning Policy Framework 2019

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

- 7.1 The principle of the development has already been established through planning application 2018/0836. The Council accepted that very special circumstances exist that outweigh the harm to the Green Belt and granted full planning permission for the installation of a 3G artificial grass pitch, fencing, hardstanding, flood light system, together with the erection of 1No. single storey pavilion and 1No. storage container. The pre commencement condition regarding the installation of bat boxes has been discharged and development has commenced on site. This Section 73 application seeks to amend condition 2 of the consent which relates to the drawings approved by the 2018/0836 consent. The amendments proposed by this application relate to very minor amendments to the proposed changing rooms only and no other amendments are proposed.

- 7.2 Application 2018/0836 approved a new pavilion which is proposed to be constructed in two phases depending upon final funding provisions. Phase 1 includes a two-team changing facility, 1 officials changing room, clubroom, kitchen, office, toilets, plant room and store. Phase two includes 2 additional team changing rooms, 1 officials changing room, external store and pitch accessed corridor.
- 7.3 This Section 73 application proposes to amend Phase 1, two team changing room only and the amendments proposed include:
- Removal of the previously proposed front portal entrance which is proposed to be replaced with render panel, with opening windows and glazed entrance main doors.
 - UPVC windows and rainwater goods instead of aluminium)
 - Reduction in the building by approximately 800mm.
- 7.4 The main consideration therefore in the determination of this application is whether the proposed amendments have a material detrimental impact upon the openness of the green belt and visual amenity. It is considered that the amendments proposed are very minor and would lead to a slight reduction in the footprint of the building. The proposed amendments therefore would not have any further impact upon the openness of the green belt and the proposal is acceptable in this regards.
- 7.5 The amendments proposed are also in keeping with the character of the building as previously proposed and it is not considered that the proposal would have a detrimental impact upon the character of the area.
- 7.6 The proposed amendments have no further impact upon highway safety, parking and ecology than the scheme previously approved and it is considered that the proposed application therefore is acceptable.

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.

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, Proposed Site Location Plan drawing no 928.002-A-10-01 Rev A03, Site Plan drawing no 928.002-A-10-02 Rev A07, Ground Floor Layout 2 Changing Rooms drawing no 928.002-A-20-02 Rev A00 received 10th October 2019;

Design & Access Statement, Typical Section drawing no 928.002-A-22-02 Rev A00, Block Plan drawing no 928.002-A-10-03 Rev A06, Proposed Site Plan drawing no 01 Rev 02, Proposed AGP Layout Drawing no 02 Rev 03, Proposed Elevations Drawing no 03 Rev 02, Proposed Floodlighting Drawing no 04 Rev 02 received 4th November 2019; Proposed elevations 4 changing rooms drawing no 928.002-A-21-02 Rev A01, Proposed elevations-2 changing rooms drawing no 928.002-A-21-01 Rev A01, 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 December 2019; Ground Floor Layout - 4 Changing Rooms drawing no 928.002-A-20-01 Rev A00, received 18th December 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 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 shall be implemented in accordance with the details approved by application 2019/0563DOC 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.

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 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.

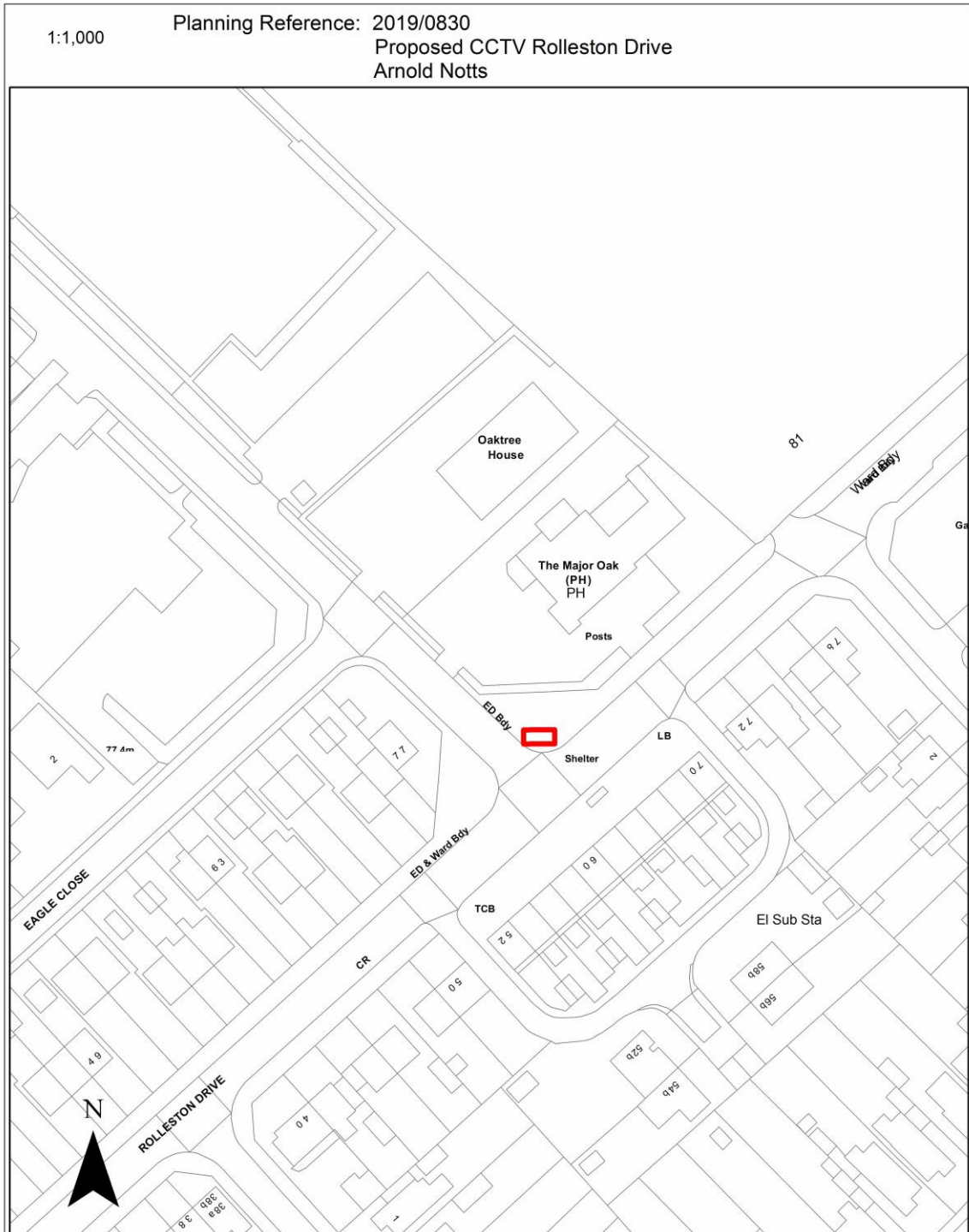
The Applicants attention is drawn to your obligations to ensure the protection of bats under The Conservation of Habitats and Species Regulations 2010 (as amended). It

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.

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Planning Report for 2019/0830



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Date: 17/12/2019

Report to Planning Committee

Application Number: 2019/0830
Location: Proposed CCTV Rolleston Drive Arnold
Proposal: CCTV Camera on 10m pole.
Applicant: Gedling Borough Council
Case Officer: Nigel Bryan

The applicant is 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 comprises land adjacent to part of the footway to the front of The Major Oak Public House on the corner of Rolleston Drive and Brookfield Road. There is a modest change of levels in the area with the footway approximately 1m above the adjacent Public House car park. In the immediate area there is a parade of shops on the opposite side of Rolleston Drive, with residential units above.
- 1.2 Within the locality there are a number of streetlights and telegraph poles along with a pole and light on top in the Public House car park, all vertical features in the streetscape. There is also a degree of other street furniture in the area, including bus stops, bins etc, primarily on the opposite side of the road to the front of the retail units on Rolleston Drive.

2.0 Relevant Planning History

- 2.1 None.

3.0 Proposed Development

- 3.1 The application seeks full planning permission for the erection of a 10m high metal pole with a camera on top. The pole would be sited on land adjacent to the front boundary of the Public House where the footway is particularly wide.
- 3.3 The purpose of the cameras is to assist in the prevention and detection of crime in the area, particularly around the parade of shops opposite.

4.0 Consultations

- 4.1 A Site Notice was posted and neighbour consultations undertaken. One letter has been received and advises that provided the camera is not to be used for restricting parking in the area, and it will be used for the detection of crime, they raise no objection to the application.

5.0 Development Plan Policies

- 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). The Greater Nottingham Aligned Core Strategy Part 1 Local Plan and the Local Planning Documents (part 2 Local plan) is also pertinent.

- 5.3 The following policies are relevant to the application:

5.4 National Planning Policy Framework 2019

Sets out the national objectives for delivering sustainable development. Section 8, paragraph 91 (promoting healthy and safe communities) makes specific reference to the need to ensure that crime, and the fear of crime, does not undermine community cohesion. Section 12, paragraph 127 (Achieving well-designed places) also makes reference to how crime, and the fear of crime, can undermine the quality of life.

5.5 Greater Nottingham Aligned Core Strategy (ACS) Part 1 Local Plan

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

5.6 Local Planning Document (Part 2 Local Plan)

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.

6.0 Assessment of Planning Considerations

6.1 The key issues in the determination of this application are the impact of the proposal on the immediate surroundings in terms of the design and appearance of the proposal, the impact of the proposal on the residential amenity of nearby properties, and the support provided towards crime prevention in the area.

7.0 **Principle of development**

7.1 The principle of the development is supported in that there is a need to ensure that crime, and the fear of crime is, where possible, reduced. There are a number of shops in the locality and the area is a hub for local residents to meet e.g. the Public House, access services, as well as being important in terms of catching buses to other parts of the Borough and City. As a result, it is considered that the erection of the pole and CCTV camera will reduce the fear of crime and help the detection of crime too. The proposal is, therefore, deemed to comply with guidance within the NPPF (sections 8 and 12).

8.0 **Design**

8.1 The proposed CCTV column would be located within the highway to the front boundary of The Major Oak Public House. There are a number of other similar poles in the area including telegraph poles and street lights; whilst the proposed pole would be slightly taller at 10m the pole would not appear an incongruous feature in the streetscape and is appropriate in the context of where it would be sited.

8.2 It is considered that the pole and camera would not have any material adverse impact on the character of the area by reason of its scale, bulk, form, layout or materials such that it would comply with the requirements of Policy 10 of the ACS and LPD32.

9.0 **Residential amenity**

9.1 The CCTV is to be used to monitor the area to the front of the shops as a deterrent and to record possible crimes in the area. There are residential properties in the area, including above the retail units; however, the purpose of the camera is not to impinge on the privacy of occupiers but to observe the public realm. As a result the camera would not impact upon residential amenity.

9.2 Given the above, the proposal is considered to accord with all relevant aims of policy LPD32 and is acceptable.

10.0 **Crime prevention**

10.1 Paragraph 91 of the NPPF advises that planning decisions should aim to ensure that developments, inter-alia, 'are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion'. Policy 10 of the Core Strategy also supports the 'incorporation of features to reduce opportunities for crime and the fear of crime, disorder and anti-social behaviour, and promotion of safer living

environments'. It is considered that the operation of a CCTV camera at this location would be acceptable due to its purpose to reduce crime and the fear of crime. It is therefore considered that the proposal complies with the advice of the NPPF and Core Strategy Policy 10.

11.0 **Conclusion**

- 11.1 In conclusion, it is considered that the proposal represents an acceptable form of development which seeks to reduce crime, the detection of crime and the fear of crime.
- 11.2 It is considered that the proposed development would comply with the relevant planning policies that are set out above with regards to design, amenity and crime prevention. On this basis, it is recommend that planning permission is granted subject to the conditions identified below.

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

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

Location plan Pole elevation (TC.10.400.01)
Dome camera detail
Antenna Reasons

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

Reasons

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. For the avoidance of doubt

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Report for Planning Committee



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Date: 02/01/2020

Report to Planning Committee

Application Number: 2001/1763

Location: College Road, Mapperley, NG36FD

Proposal: Variation of Section 106 Agreement with the Borough Council for Affordable Housing.

1.Purpose of the Report

- 1.1 The purpose of this report is to consider a request made by a registered provider of affordable housing to modify the Section 106 Agreements associated with planning permission 2001/1763 to permit the sale of 12 College Road Mapperley, to their tenants. The sale of the property is currently precluded by a Section 106 Agreement and may only be used for letting purposes only.
- 1.2 Places for People, the registered provider which owns and administers the affordable housing unit, has asked the Council to consider varying the Section 106 Agreement to allow the sale of the property under the Voluntary Right to Buy scheme to help the tenant of the property realise their home ownership aspirations and to meet the Government's objective of providing tenants of registered providers the opportunity to purchase their homes with a discount.

2.Background

- 2.1 The Government is proposing to extend the Right to Buy legislation to the tenants of Housing Associations (HAs) and has invited HAs in the East Midlands to participate in a Voluntary Right to Buy (VRTB) Pilot which went live in July 2018 and will run until March 2020.
- 2.2 The National Housing Federation (NHF), working with the Ministry of Housing, Communities and Local Government (MHCLG) has produced guidance on the VRTB pilot. This is further to an earlier pilot in January 2016 involving five specific HA's. The pilot will test two new aspects of the draft Right to Buy scheme. These are the 'one for one' replacement model and the portable discounts aspects of the scheme. In essence every unit sold has to be replaced, but the replacement units do not have to be of the same size, tenure or even in the same location, so this could see properties being sold in the borough, and their replacement built elsewhere. The portable element means that eligible tenants can use this aspect of the legislation to buy a property in another area, hence negating the need for a local connection. These two factors pose a considerable concern, as affordable housing is limited in the borough, and we are experiencing significant need from

our residents, who are having to wait for long periods of time to be offered suitable accommodation.

- 2.3 The pilot is voluntary and therefore the legal obligations of the scheme cannot be supported by the RTB legislation, and therefore the ability to enforce obligations such as right of first refusal, tenant repayment of discount – onward sale or subletting need to be included in the contract for sale produced by the HA.
- 2.4 A report was submitted to the Portfolio Holder for Growth and Regeneration on the 7th August 2018 which provided an update on the launch of the Voluntary Right to Buy Scheme in the East Midlands. The report outlined that the Council's social rent properties secured via Section 106 Agreements could be reduced at a time of significant need. As of November 2019 there were 614 applicants on the housing register, of which 63 are in band 1 urgent need (homeless), and 214 in band 2, (at risk of becoming homeless), meaning that 45% of applicants on the register need rehousing as a matter of urgency.
- 2.5 It was resolved that the strategic approach of the Council is not to support the sale of HA properties, unless the HA has demonstrated to the Council that there are exceptional circumstances which justify disposal of the affordable homes. An alternative option to give approval for the potential disposal of properties in the Borough as part of the East Midlands Voluntary Pilot Right to Buy was discounted due to the significant need for affordable housing in the Borough and concerns that affordable housing properties may be sold to residents from outside of the borough with the overall effect being the loss of affordable housing in the Borough.

3. Assessment of Planning Considerations

- 3.1 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'.
- 3.2 The relevant planning policies are contained in the National Planning Policy Framework (NPPF), Greater Nottingham (Broxtowe, Gedling and Nottingham City) Aligned Core Strategies Part 1 Local Plan, Local Planning Document Part 2 Local Plan and the Council's Affordable Housing Supplementary Planning Document.

4. Relevant Planning Policies

National Planning Policy Framework 2019

Sets out the national objectives for delivering sustainable development. Sections 5 (Delivering a sufficient supply of homes) is particularly relevant.

Greater Nottingham Aligned Core Strategy Part 1 Local Plan

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

Local Planning Document (Part 2 Local Plan)

LPD 36: Affordable Housing – sets out that affordable housing provision will be required in accordance with the Council’s Affordable Housing SPD

Other Guidance

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

Other Material Considerations

Portfolio Holder for Growth and Regeneration decision of the 7th August 2018.

5. Planning Considerations

5.1 Paragraph 62 of the National Planning Policy Framework (2019) advises that planning policies should specify the type of affordable housing required, and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.

5.2 The Council’s Development Plan policy for securing affordable housing is LPD 36 – Affordable Housing. This policy requires affordable housing to be provided on sites of 15 dwellings or more. No. 12 College Road is part of a modern residential development approved in 2002 and comprising more than 15 properties. The policy therefore applies and the requirement in the Mapperley area is 30%. Further guidance is provided in the Affordable Housing Supplementary Planning Document and the guidance states that the Council will identify what affordable housing is appropriate at the time of negotiating agreements. The policy is drafted in favour of shared ownership and social/affordable rent.

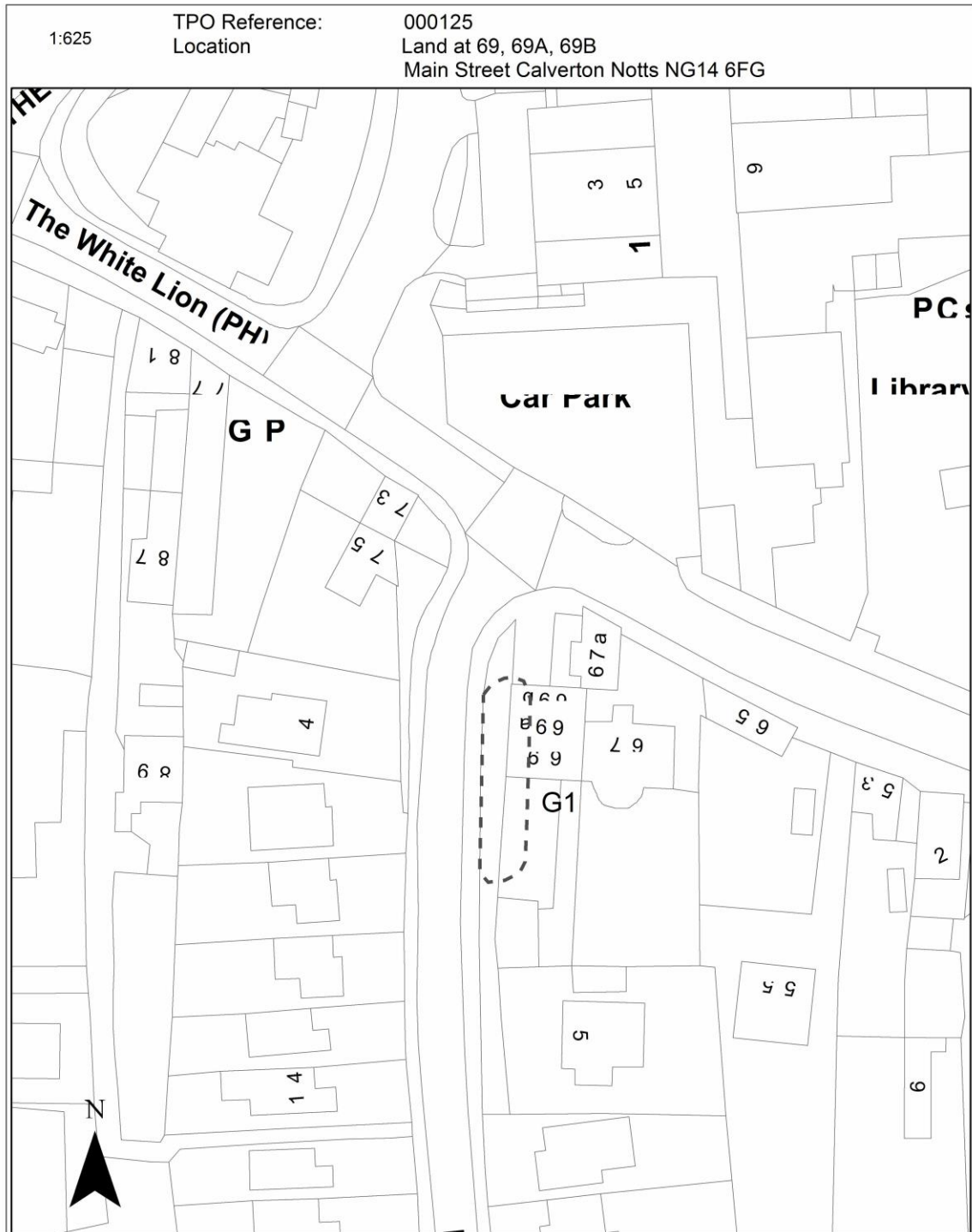
5.3 The need to ensure that units remain “affordable” is stipulated in the Aligned Core Strategy and the Local Planning Document. Para 3.89 of the ACS and 11.2.1 of the LPD states *“Government guidance indicates that new affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision”*.

5.4 There is no planning policy support for allowing the variation to the Section 106 Agreement and no exceptional circumstances have been advanced by the HA. The variation of the agreement would therefore be at variance with the decision made by the Portfolio Holder for Growth and Regeneration on the 7th August 2018.

Recommendation: Refuse Variation of Section 106 Agreement



Report to Planning Committee



NOTE This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
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Date: 03/01/2020

Report to Planning Committee

Location: 69 Main Street, Calverton, Nottinghamshire, NG14 6FG

Proposal: Protection of 3 no. Birch trees by a Tree Preservation Order (TPO)

Case Officer: Lewis Widdowson

1.0 Purpose

1.1. To request authorisation to confirm Tree Preservation Order No. 000125 at 69 Main Street, Calverton, Nottinghamshire, NG14 6FG.

2.0 Background

2.1. On the 13th August 2019 the Chief Executive authorised a TPO in respect of 3 no. Silver Birch trees at 69 Main Street, Calverton, following consultation with the Chairman of the Planning Committee.

2.2. The TPO was duly made on the 13th August 2019. Under the Town and Country Planning Tree Regulations 2012 the Council served a copy of the notice on the owners and occupiers of the land affected by the TPO. In addition, a site notice was displayed close to the site informing local residents of the TPO. Interested parties had until the 10th September 2019 to submit any representations.

2.3. One letter of objection was submitted objecting to the TPO. The main comments are summarised below:

- The provisional Order was not made in accordance with the Gedling Constitution,
- Lack of evidence that a TEMPO assessment had been carried out by Forestry Officer,
- Can only make TPO if “expedient in the interest of amenity”,
- T1 and T2 are not readily visible from major public roads,
- No amenity value due to lack of visibility of trees,
- Carried out independent TEMPO which does not meet the required score for protection,
- Council did not publish copy of its TEMPO assessment,
- Not appropriate as a Group TPO,
- Trees causing structural damage and subsidence to property. Property could be at risk of collapsing,
- Property forms part of the councils designated Conservation Area.

- Amenity Value (if any) outweighed by difficulty of retaining T1 and T2 and ensuring long term stability of property,
 - Confirmation of TPO infringes upon Human Rights to peaceful enjoyment of possessions, and respect for one's private and family life, home and correspondence, and
 - Trees not at risk as future development unlikely due to size of plot.
- 2.4. Consideration has been given to each of the points raised above and I shall address each of the comments individually.
- 2.5. I am satisfied that the TPO was made in accordance with the Gedling Constitution. The Gedling Constitution gives authority to the "Director after consultation with the Chairman or Vice-Chairman of the Planning Committee" "Authority to approve the making of a Tree Preservation Order under Sections 197 – 201 of the Town and Country Planning Act 1990". As outlined above, the Chair of the Planning Committee was consulted on the 12th August 2019 and raised no objections to the TPO. The Chief Executive (Director for Planning and Economic Growth) authorised the TPO on the 13th August 2019.
- 2.6. The Forestry Officer carried out a full TEMPO assessment on the 2nd August 2019. Three Silver Birch trees situated on land at the side of 69 Main Street were assessed giving consideration to amenity, retention span, relative public visibility, other factors and expediency. A score of 22/25 was considered to be appropriate. Where a TEMPO score of 15+ is attached to any trees it is considered that a TPO is definitely merited. A copy of the TEMPO assessment carried out by the Forestry Officer has been provided to the applicant.
- 2.7. Given the above assessment, I am satisfied that it was both expedient and in the interest of public amenity to make a TPO in respect of the three Silver Birch trees. The trees under the protection of this TPO are of the same species and occupy a prominent position with all three trees collectively contributing to the amenity of the locality. As such a Group Order was deemed appropriate in this instance.
- 2.8. The objection states that two of the Silver Birch trees are not readily visible from the public realm. This is not accepted as the trees are situated on a prominent corner, adjacent to Main Street and opposite the Calverton Local Centre.

- 2.9. As the objection has correctly identified, the PPG explains that “authorities need to exercise judgment when deciding whether it is within their powers to make an Order”. The guidance goes on to state that “Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public” (Paragraph: 007 Reference ID: 36-007-20140306). The trees are set forward of the building line with clear uninterrupted views of the trees from both Renals Way and Main Street. Taking the above into consideration, I remain satisfied that the protection of these trees would ensure a degree of public benefit both at present and in the future.
- 2.10. In light of the above, and given their height, form, maturity and structure, it is considered the trees provide a significant amount of visual amenity to the locality.
- 2.11. The objection states that an independent TEMPO assessment has been carried out. It goes on to state that T2 was attributed a score of 6 and that a score of 16 should be obtained to justify protection by way of a TPO. A TEMPO assessment is a subjective tool used to guide decision making in respect of TPOs. Scores may therefore vary when undertaken by different arborists. I am however content that the group of trees warrant protection by a TPO.
- 2.12. The objection states that the trees are causing damage and subsidence to the adjacent property however no evidence has been provided to demonstrate that any damage may be specifically attributed to the 3 No. Birch trees. Notwithstanding the above I remain of the opinion that the TPO should be confirmed given the benefit to the public realm. The confirmation of the TPO would not restrict all future works to the trees but would merely ensure that permission would first need to be obtained from the Local Planning Authority. The applicant would be free to submit an application applying for permission to undertake works to the trees if any evidence was advanced in the future.
- 2.13. The objection also points out that the adjacent building is situated within the Calverton Conservation Area. Whilst this is correct, it is not just the built form which contributes to the value of the conservation area with vegetation and green space also enhancing the character of the area. The Calverton Conservation Area Character Appraisal (2007) identifies all Tree Preservation Orders which were made at that time, but also states that “The omission of any particular tree, feature or space, should not, however, be taken to imply that it has no value to the character of the Conservation Area”. Given the visual amenity the trees provide, I consider the trees to be as important to the character of the conservation area as the surrounding built form.
- 2.14. The objector goes on to state that the confirmation of this TPO would be an infringement upon their human rights, however, no justification has been provided. I do not consider that the protection of the Silver Birch trees would

have an adverse impact upon the objector's human rights. Furthermore, as previously stated, the confirmation of this TPO would not preclude any future works being undertaken with regards to the tree, merely that permission must be sought first.

- 2.15. Finally the objection claims that the trees are not at risk of being felled to make way for future development as the site is too narrow. I do not accept that the width of the land would prevent all forms of development.

3.0 Proposed Action

- 3.1. In accordance with the Council's Constitution, all new Tree Preservation Orders shall be considered by Committee.
- 3.2. Taking the above into consideration I am satisfied that the 3 No. Silver Birch trees forming this TPO provide a significant level of visual amenity and public benefit to the locality. Having addressed the points raised following consultation I do not see any reason to not confirm the TPO and therefore recommend the TPO be confirmed without modification. Authority is therefore sought from the Planning Committee to confirm the above order without amendments

4.0 Recommendation: Confirm Tree Preservation Order 000125 without modification.

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Report to Planning Committee

Application Number: 2019/0508

Location: 79, Main Road, Gedling.

Proposal: Erection of a two storey rear extension and loft conversion including new roofs and dormer windows to the front and rear. Proposed decking area to the rear of the property.

Case Officer: Alison Jackson.

Planning permission was refused by the Borough Council on the 23rd August 2019 on the following grounds:

- 1 The proposed increase in ridge height of the dwelling in order to provide habitable accommodation at first floor level, given the scale and bulk of the proposed roof together with the scale and design of the proposed dormers, would result in an incongruous feature within the streetscene and would be out of keeping with the host dwelling and the character of the area in general. The proposal is therefore contrary to the National Planning Policy Framework 2019, policy 10 of the Aligned Core Strategy 2014 and policies LPD32 and LPD43 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 result in a significant increase in the bulk and massing of the property both in terms of its depth and height. The introduction of the gable pitched roof form, with the increased height and dormers to the front and rear, would appear unduly prominent within the streetscene. The proposed development would be out of proportion and at odds with the scale of the immediate neighbouring properties, and as a result, given its prominent position, would cause harm to the appearance of the immediate streetscene. The proposal therefore conflicts with the aims of the National Planning Policy Framework 2019, policy 10 of the Gedling Borough Aligned Core Strategy (September 2014) and policy LPD43 of the Local Planning Document 2018, in so far as these policies aim to ensure that development positively contributes to the character of the area through, amongst other things, good design and appropriate height and built form.

Recommendation: To note the information.

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Report to Planning Committee

Application Number/s: 2018/0727, 2018/1186 & 2018/1166

Location: 22 Kighill Lane, Ravenshead, Notts, NG15 9HN

Proposal: Erection of 6 dwellings

Case Officer: Graham Wraight

Three applications were submitted on the site for the erection of 6 dwellings, all three applications were refused permission. The first application, 2018/0727, was refused for three reasons; a lack of information with regard to viability; impact on the amenity of neighbouring properties and being out of character with the area. The second and third applications, 2018/1186 and 2018/1166, were, following changes to the layout and additional information on viability, refused permission for one reason only, being out of character with the area.

The appeals were considered together at an informal hearing held on the 5 November, as outlined in more detail below, the first appeal was dismissed whilst the later two appeals were allowed.

Appeal 1 (2018/0727) – the Inspector agreed with the Council on all three reasons for refusal in that the dwellings proposed to be erected were too large and prominent within the streetscene so as to be detrimental to the character of the area. The resultant impact on the amenity of neighbouring properties would also have been harmful. Furthermore, insufficient information had been submitted to determine whether or not the appeal was viable without requisite contributions. **The appeal was dismissed.**

Appeals 2 and 3 (2018/1186 and 2018/1166) – changes were made to the applications through reducing the size of units proposed to be erected as well as information submitted with regard to viability for the applications. Both the Council and Inspector agreed the impacts on viability and residential amenity were now acceptable.

With regard to the character of the area, Officers considered that the layout of the development would be inappropriate given the character of the area, lack of tandem and backland development and that a more comprehensive form of development for the larger allocated site would be more appropriate. However, the Inspector felt that given the site was allocated and a lack of co-operation between landowners, some form of tandem and backland development would be acceptable, as well as respect the character of the area. **The appeals were allowed**, subject to conditions.

Recommendation: To note the information.



Report to Planning Committee

Application Number: 2019/0410 – Appeal Ref: APP/N3020/W/19/3234379

Location: 147 Rolleston Drive, Arnold, Nottinghamshire, NG5 7JG

Proposal: Build a new 2 bedroom, 2 storey detached house in the front garden.

Case Officer: Cristina Dinescu

Planning permission was refused by the Borough Council on the 3rd July 2019 on the following grounds:

1. The proposed development of a two-storey detached dwelling to the side of no.147 Rolleston Drive would result in a cramped form of development which fails to reflect the character of the application site and the wider area, failing to take the opportunity to improve the character of the area. As such by virtue of the design, scale and separation distances, the proposal would be not be in keeping with the street scene and surrounding context, contrary to the NPPF Section 12 and Policy 10 of the Aligned Core Strategy and policies LPD34 and LPD40 of the Local Planning Document

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

This appeal has been Dismissed. The Inspector concluded that the sloping topography and size of the appeal site combined with the size, massing, scale and location of the proposed dwelling means that it would represent a cramped form of development with limited separation distance from no.147 Rolleston Drive. The proposed dwelling would not be in keeping with the established built-form and would accordingly harm the character and appearance of the local area. The proposed development would conflict with Policy 10 of the Greater Nottingham Aligned Core Strategy and policies 34 and 40 of the Local Planning Document which aim to promote good design and enhance local character. It would also conflict with paragraph 130 of the National Planning Policy Framework which requires good design.

Recommendation: To note the information.

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Report to Planning Committee

Application Number: 2019/0428 – Appeal Ref: APP/N3020/W/19/3235534

Location: 117 Moor Road, Papplewick, NG15 8EN

Proposal: Erect small front extension to existing semi-detached house.

Case Officer: Deirbhile Blair

Planning permission was refused by the Borough Council on the 18th June 2019 on the following grounds:

1. It is the view of the Borough Council that the proposed development would have a detrimental effect on the openness of the Green Belt. It is not considered that any supporting evidence has been submitted to demonstrate that there are material considerations which amount to the very special circumstances which would outweigh the harm to the open character of the Green Belt or that there are other clear and demonstrable benefits from the proposal to justify an increase in floorspace larger than 50% of the dwelling as originally constructed.

Based on the cumulative additional floor area created as a result of this development and that previously approved (Planning Ref: 2018/0834), it is considered that the proposal fails to accord with Policy LPD13 of the Local Planning Document, Policy 3 of the Gedling Borough Aligned Core Strategy and the National Planning Policy Framework Section 13 and is inappropriate development within the Green Belt which would by definition impact on openness of the Green Belt.

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

This appeal has been Allowed. The Inspector concluded that the appeal proposal would be inappropriate development in the Green Belt and would cause limited harm to the openness of the Green Belt. However, there are clear benefits the extension would have on the pair of semi-detached dwellings no's 115 and 117 and the streetscene – the extension would visually balance the pair of semi-detached dwellings in terms of their form and design, and these factors carry significant weight and clearly outweigh the harm by reason of inappropriateness and the effect on the openness of the Green Belt, and amount to very special circumstances necessary to justify the proposal.

Recommendation: To note the information.



Report to Planning Committee

Application Number: 2019/0391 – Appeal Ref: APP/N3020/W/19/3235898

Location: 107 Mansfield Road, Papplewick, NG15 8FJ

Proposal: Double garage with first floor, replacing incomplete balcony with Juliette balcony.

Case Officer: Deirbhile Blair

Planning permission was refused by the Borough Council on the 31st May 2019 on the following grounds:

1. The garage is in inappropriate development in the Green Belt contrary to the five purposes of including land within Green Belt. Additionally it has a detrimental impact on the openness of the Green Belt by introducing significant built form to the rear of the existing properties. In accordance with paragraph 143 and in the absence of very special circumstances the proposed development would be contrary to the five purposes of Green Belt and contrary to paragraphs 133, 134, 143 and 145 of the NPPF and Policy LPD15 of the Local Planning Document and Objective B of the Papplewick Neighbourhood Plan which seeks to Protect Green Belt from inappropriate development and ensure that the countryside is protected.

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

This appeal has been Allowed. The Inspector concluded that the proposal constitutes inappropriate development which the Framework establishes should not be approved except in very special circumstances. However, the circumstances which preceded the appeal relate to a permission granted in 2013 for a detached garage of a similar footprint and design to the existing garage. Whilst the existing garage is 1.0m higher than the approved garage, in visual terms has a greater impact on the openness of the Green Belt than the previous development although to a limited extent. Therefore, the proposal conflicts with Policy LPD 15 of the Local Planning Document and Objective B of the Papplewick Neighbourhood Plan. The Framework is clear that the development plan is the starting point for decision taking and if there is conflict with an up to date development plan, permission should usually not be granted unless material considerations indicate otherwise. Such material considerations exist in favour of the proposal. The existence of the 2013 planning permission showing a development of similar size, slightly higher, and in a

position close to the building, carry very substantial weight in favour of the development and, in the balance, clearly outweigh the Green Belt harm.

Recommendation: To note the information.

ACTION SHEET PLANNING DELEGATION PANEL - 13th December 2019

2019/0683

148 Moore Road, Mapperley, Nottinghamshire

Installation of grey composite fence panels to front of dwelling.

Application withdrawn from the agenda.

2019/0695

1 The Mount, Bestwood, Nottinghamshire

Construct a detached bungalow

The proposed development would result in a development that would be out of character with the area, over developed, as well as have poor amenity for existing and proposed occupiers.

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

Decision: To refuse the application.

2019/0779

Park House, Mile End Road, Colwick

Change of use of land to site and operate a catering van.

Application withdrawn from the agenda.

2019/0843

10A Woodthorpe Avenue, Woodthorpe, NG5 4FD

Raising of existing ridge by 1.8m; External cladding alterations (walls, windows and roof).

Two-storey side extension to replace garage, lean-to and associated external works.

The proposed development would respect the character of the area and not have a detrimental impact on residential amenity.

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

Decision: Grant permission subject to conditions.

2019/0907

5 Douglas Crescent, Carlton, Nottinghamshire

Up to 10 solar panels mounted on a freestanding aluminium and wooden adjustable stand

The proposed development would respect the character of the area and residential amenity, as well as increase renewable energy and be sustainable in the round.

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

Decision: Grant permission subject to conditions.

2019/0968

37 Gedling Road, Carlton, NG4 3FD

Outdoor garden playroom to rear of children nursery (retrospective).

The proposed development would respect the character of the area and residential amenity, nor have a detrimental impact on highway safety.

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

Decision: Grant permission subject to conditions.

2019/0989

Dorket Head Farm, 431 Calverton Road, Arnold

Installation of Biomass Boiler

The proposal would be inappropriate development in the Green Belt; however, very special circumstances have been demonstrated. Furthermore, the proposal would respect the character of the area and residential amenity.

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

Decision: Grant permission subject to conditions.

Nigel Bryan, Principal Planning Officer
Kevin Cartwright, Principal Planning Officer
13th December 2019

ACTION SHEET PLANNING DELEGATION PANEL 20th December 2019

2016/0828

36 Steedman Avenue Mapperley NG3 6DL

Division of property and erection of new house at 36 Steedman Avenue.

The design and appearance of the proposed development would have an adverse impact upon the character and appearance of the area.

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

Decision: Refuse Permission

2019/0955

84 Sandford Road Mapperley NG3 6AG

Removal of fence & hedgerow at front of property facing highway and replaced with fence and kickboard 1.8m tall (retrospective).

The proposed development has an adverse impact upon the character and appearance of the area.

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

Decision: Refuse Permission

2019/0969

The Old Stables Wood Lane Gedling

Erection of garden room/summer house

The proposed development is inappropriate development within the Green Belt and is harmful to the setting of the listed Gedling House.

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

Decision: Refuse Permission

2019/1001

145 Woodthorpe Drive Woodthorpe Nottinghamshire

Application to vary condition 6 or planning permission 2018/1078 to increase the number of children in the care of the day nursery at any one time from 90 to 110.

The proposed development would not have an undue impact upon highway safety.

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

Decision: Grant Planning Permission with Conditions

Mike Avery
Service Manager – Development Services
20th December 2019



Report to Planning Committee

Subject: Future Planning Applications

Date: 3/01/2020

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>
2019/0152	Land North of Teal Close Netherfield	Reserved matters application for the erection of 367no. dwellings	12/02/2020
2019/0560	Land At Teal Close Netherfield	Reserved matters application for the erection of 264no. dwellings	12/02/2020
2019/0696	Land At Chase Farm Gedling	Section 73 application to vary Condition 2 - Phasing Plan of planning permission 2015/1376	12/02/2020

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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