



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

# Agenda

## Planning Committee

Date: **Wednesday 9 September 2020**

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Time: **6.00 pm**

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Place: **Virtual Meeting**

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For any further information please contact:

**Cayte Goodall**

Democratic Services Officer

0115 901 3961

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# Planning Committee

## Membership

**Chair**                      Councillor John Truscott

**Vice-Chair**                Councillor Paul Wilkinson

Councillor Michael Adams  
Councillor Peter Barnes  
Councillor Chris Barnfather  
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 5 August 2020** 5 - 22
- Planning Committee Protocol.**
3. **Declaration of Interests**
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## MINUTES PLANNING COMMITTEE

Wednesday 5 August 2020

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson      Councillor Ron McCrossen  
Councillor Michael Adams      Councillor Meredith Lawrence  
Councillor Peter Barnes      Councillor Marje Paling  
Councillor Chris Barnfather      Councillor John Parr  
Councillor David Ellis      Councillor Alex Scroggie  
Councillor Rachael Ellis      Councillor Henry Wheeler  
Councillor Andrew Ellwood

Absent: Councillor Rosa Keneally and Councillor Barbara Miller

Officers in Attendance: M Avery, N Bryan, A Dubberley, C Goodall and S Pregon

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

Apologies for absence were received from Councillors Keneally and Miller. Councillor McCrossen attended as substitute.

### 16      **TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 17 JUNE 2020.**

#### **RESOLVED:**

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

### 17      **DECLARATION OF INTERESTS**

None.

### 18      **APPLICATION NO. 2019/1079 - LAND ADJACENT TO PLEMONT, PRIVATE ROAD, WOODBOROUGH**

Full planning application for three detached residential properties to be accessed off Private Road.

Andrew Prestwich, the applicant, spoke in support of the application.

The Assistant Director of Planning and Regeneration introduced the report.

**RESOLVED:**

To 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, education, bus stop improvements, off site public open space enhancements; and subject to the conditions listed for the reasons set out in the report:

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:
  - Proposed Site Section A-A Drawing No: 31-00  
Date: 11.02.20
  - Location and Block Plan Drawing No: 02-00  
Date: 16.09.19
  - Proposed Site Plan Drawing No: P-08-00  
Date: 29.07.19
  - Proposed Floor Plans for Plot 1 Drawing No: P-11-00  
Date: 17.07.19
  - Proposed Floor Plans for Plot 2 Drawing No: P-11-00  
Date: 17.07.19
  - Proposed Floor Plans for Plot 3 Drawing No: P-11-00  
Date: 17.07.19
  - Proposed Loft Floor Plans and Roof for Plot 1 Drawing  
No: P-11-01 Date: 17.07.19
  - Proposed Loft Floor Plans and Roof for Plot 2 Drawing No: P-  
11-01 Date: 17.07.19
  - Proposed Elevations for Plot 1 Drawing No: P-21-00  
Date: 17.07.19
  - Proposed Elevations for Plot 2 Drawing No: P-21-00  
Date: 17.07.19
  - Proposed Elevations for Plot 3 Drawing No: P-21-00  
Date: 17.07.19
  - Proposed Street Elevation Drawing No: P-22-00  
Date: 29.07.19

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

3. Prior to above ground works commencing, samples of all external materials to be used in the construction of the dwellings hereby

approved shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall thereafter be constructed in accordance with the material as approved.

4. No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species.
5. The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species.
6. Prior to the commencement of above ground works, details of site specific ecological mitigation and enhancement, as identified in the Primary Ecological Appraisal, shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to the occupation of the dwellings hereby approved.
7. 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.
8. 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.

9. Prior to above ground works commencing, details of the means of foul drainage and surface water disposal shall be submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.
10. The windows in the first floor side elevations of the three dwellings 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 development is occupied and thereafter be retained for the lifetime of the development.

**19 APPLICATION NO. 2019/1186 - LAND AT THE END OF LINDEN GROVE, GEDLING**

Outline planning application for residential development for up to 120 dwellings and associated development (including public open space, engineering works, drainage, internal roads, paths and parking) with all matters reserved excluding access.

Helen Ashworth of Northern Trust, the applicant, spoke in support of the application.

The Principal Planning Officer informed Members of some minor amendments to the conditions within the report to reflect that the development could come forward in a phased manner. This would impact conditions 12, 13 and 20 with reference to 'phase by phase' inserted into conditions 12 and 13 and 'within the relevant phase' to condition 20.

At condition 3, the list of approved drawings should also be amended in respect of the Design and Access Statement in that it should read 'The submission of reserved matters shall also have regard to the design principles set out in the Design and Access Statement'.

In addition, condition 7 should have the phrase 'necessary to serve that dwelling' inserted to ensure that the drive to serve the particular dwelling is in situ rather than **all** drives.

In all other respects, the conditions were intended to remain as drafted.

**RESOLVED:**

To 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. Application for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission. Details of appearance, landscaping, layout and scale (hereinafter called the reserved matters) for the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
2. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
3. This permission shall be read in accordance with the application form and following list of approved drawings: 73712-CUR-00-XX-DR-TP-75001-P02 - vehicular access Location Plan. The submission of reserved matters shall also have regard to the design principles set out in the Design and Access Statement. The development shall thereafter be undertaken in accordance with these plans/details.
4. No dwelling hereby approved shall be occupied until a suitable access arrangement has been provided in accordance with the approved drawing entitled 'Access Arrangement', drawing no. 73712-CUR-00-XX-DR-TP-75001-P02.
5. No part of the development hereby permitted shall take place until a construction management plan, which shall include details with regard to wheel washing, has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be completed in accordance with the agreed details
6. No dwelling shall be occupied until the roads necessary to serve that dwelling have been constructed to base level.
7. No dwelling permitted to be erected at the reserved matters stage shall be occupied until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and

parking areas necessary to serve that dwelling shall then be maintained in such bound material for the life of the development.

8. Development shall proceed in accordance with the approved Travel Plan ref: 73712-CUR-00-XX-RP-TP-002 rev V04 (dated 14 May 2020).
9. No development shall take place until a phasing plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan.
10. 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 an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.
11. 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, thereafter, be undertaken in accordance with the approved CEMP.
12. Before development is commenced on site there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and in broad accordance with the drainage strategy contained in the flood risk assessment. The scheme shall subsequently be implemented on a phase by phase basis in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development.

13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented phase by phase in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development thereafter.
14. Prior to the commencement of development there shall be submitted to and approved in writing by the Local Planning Authority a contaminated land risk assessment that will include the following:

#### 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, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to receptors) should 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.

15. 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.
16. 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 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.

17. Development shall proceed in accordance with the approved noise report, completed by Hoare Lea (ref: Burton Road, Gedling REP-1011670-05-AM-20190916-Rev 01.docx) and the mitigation therein, notably with regard to window details and ventilation for any façade of a dwelling that fronts the railway line, Burton Road and Colwick Loop Road. Verification that the approved sound insulation has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.
18. Prior to the commencement of development, a badger survey of the site shall be submitted and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall thereafter be implemented in accordance with the approved report.
19. Prior to the commencement of development a report identifying ecological enhancements for the site shall be submitted to and approved in writing by the Local Planning Authority. The enhancements as approved shall be installed prior to completion of the development.
20. As part of the reserved matters application a Tree Protection Plan shall be submitted in support of the application identifying all trees and ecological features that are to be retained within the relevant phase along with the extent of fencing to protect them during construction.

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**APPLICATION NO. 2020/0103 - LAND NORTH OF PARK ROAD,  
CALVERTON**

Diversion of Calverton Footpath No. 39 for 90m (as per drawing ref CA-FD-01).

The Principal Planning Officer clarified that there was a minor error in the report in that the last sentence of paragraph 1.1, page 66 and the first sentence of paragraph 5.1, page 67 should be amended so that reference to Section 275(1A) referred to it being the power to divert a footpath where an application for planning permission has been made and, if the application were granted, it would be necessary to authorise the diversion in order to enable development to be carried out, rather than it being necessary to enable development to be carried out in accordance with a valid planning permission.

**RESOLVED:**

That Members authorise the Director of Organisational Development and Democratic Services to make an order under s257(1A) of the Town and Country Planning Act 1990 (as amended) to divert Calverton Footpath No. 39 for a distance of 90m as per drawing ref CA-FD-01, carry out the procedure under Schedule 14 of the Town and Country Planning Act 1990 for confirmation of the order and, following consultation and publication, to confirm the order if there are no outstanding objections to the order. However, if there are outstanding objections, the matter be referred to the Secretary of State for determination.

21

**APPLICATION NO. 2020/0237 - LAND SOUTH OF COLWICK LOOP ROAD**

Section 73 application for amendments to planning permission 2013/0500 (as amended by 2016/1177NMA) relating to alterations to the approved Sainsbury's store and service yard at land south of Colwick Loop Road.

A written representation from Bruno Moore of Sainsbury's Supermarkets Ltd (The Applicant) was read by Alec Dubberley, Service Manager – Democratic Services.

The Assistant Director of Planning and Regeneration introduced the report and advised Members that the travel plan and air quality obligations had been discharged and that full payments had been received by the County Council and the Borough Council. He therefore recommended that the recommendation was amended as follows:

To grant planning permission, subject to the conditions outlined in the report.

**RESOLVED:**

To Grant planning permission, subject to the conditions outlined in the report.

## Conditions

1. This permission shall be read in accordance with the application form and following list of approved drawings:
  - o Location Plan A-PL-001 Rev. C
  - o Existing site plan A-PL-003 Rev. B
  - o Proposed site plan A-PL-011 Rev. E
  - o Proposed foodstore plan A-PL-012 Rev. B
  - o Proposed foodstore roof plan A-PL-013 Rev. B
  - o Proposed elevations A-PL-014 Rev. B
  - o Existing & proposed site sections A-PL-015 Rev. B
  - o Proposed recycling centre details A-PL-016 Rev. B
  - o Proposed service yard plan A-PL-017 Rev. B
  - o Proposed petrol filling station plan A-PL-020 Rev. B
  - o Proposed petrol filling station elevations A-PL-021 Rev. B
  - o Masterplan GC.81800.001 Rev. B
  - o Tree constraints plan Sheet 1 of 2 GC.81800.201 Rev. A
  - o Tree constraints plan Sheet 2 of 2 GC.81800.202 Rev. A
  - o Detailed Planting Plan 1 of 2 GC.81800.301 Rev. E
  - o Detailed Planting Plan 2 of 2 GC.81800.301 Rev. E

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

2. Prior to the commencement of development of the retail elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a sample panel of materials to be used in the external elevations of the food store building, kiosk and carwash, shall be submitted to and approved in writing by the Borough Council. Once approved the development shall be completed in accordance with the approved materials.
3. The retail and employment elements shall be carried out in accordance with the measures set out under the Air Quality Mitigation Strategy dated 22nd July 2013. A verification report to demonstrate compliance with the Air Quality Mitigation Strategy shall be submitted to and approved in writing by the Borough Council before the respective elements are first brought into use.
4. The development hereby granted full planning permission shall be completed in accordance with the tree constraints and protection plans and notes drawing nos.GC.81800.201 rev A and GC.81800.202 rev A.
5. There shall be no vegetation clearance and demolition works during the main bird nesting period (March - August), unless otherwise prior agreed in writing with the Local Planning Authority.
6. Development shall proceed in accordance with remediation details as approved under discharge of condition application 2015/0484DOC.

Prior to occupation of the development hereby approved a verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the remediation works as approved have been successfully completed.

7. Prior to the occupation of the retail or employment elements details of bat and bird boxes to be incorporated within the approved relevant element shall be submitted to and approved in writing by the Borough Council. Once approved the bat and bird boxes shall be installed in accordance with the approved details prior to the relevant element being brought into use.

8. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) drainage plans for the disposal of surface water and foul sewage relating to the respective element shall be submitted to and approved in writing by the Borough Council. The drainage scheme shall be implemented in accordance with the approved details before the respective element is first brought into use.

9. The retail elements hereby approved shall not be brought into use until full details of the Local Employment Partnership, as outlined in Appendix 11 of the Planning and Retail Report submitted as part of this application, has been submitted to and approved in writing by the Local Planning Authority and evidence has been provided to demonstrate that the partnership has been established. In addition the details to be submitted shall also set out how the partnership shall be sustained throughout the life time of the development. The development shall thereafter operate in accordance with the approved Local Labour Agreement.

10. Prior to the occupation of the retail element details of the retail unit car park barrier, including a management plan for the car park barrier, shall be submitted to and approved in writing by the Borough Council. The management plan shall include details of the times and respective days that the gates will be opened and closed as well as details of who will be responsible for ensuring the gates are opened and closed at these times. Once approved the proposed car park barrier shall be installed prior to the retail unit first being brought into use and operated in accordance with these details at all times unless otherwise agreed in writing by the Borough Council.

11. Prior to the commencement of development of the retail and employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a Construction Management Plan for the respective element shall be submitted to and approved in writing by the Borough Council. The Construction Management Plan shall demonstrate that the works can be carried out without affecting or causing any obstruction to Carlton

Footpaths 22 and 23. The respective element shall be completed in accordance with the approved relevant Construction Management Plan.

12. The development shall not be occupied until the following works have been provided in accordance with details that have been first agreed with the Local Highway Authority: a) A new signalised junction has been provided on to the Colwick Loop Road. b) Highway improvements have been provided at Colwick Loop Road / Road No1 junction. c) Highway improvements have been provided at A612 / Burton Road / Shearing Hill junctions to the satisfaction of the Local Planning Authority.

13. The retail and employment elements shall not be brought into use until the access roads parking, turning and servicing areas relating to the respective element are surfaced in a hard bound material and delineated on site, to the satisfaction of the Local Planning Authority. The surfaced areas and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

14. The retail and employment elements shall not be brought into use until a scheme relating to the respective elements to regulate the discharge of surface water from the access roads, parking, turning and servicing areas to the public highway is submitted and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the respective element being brought into use.

15. The food store element hereby permitted shall not be brought into use until the cycle parking layout as indicated on drawing A-PL-011 Rev. E (Proposed site plan) has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

16. The retail elements shall not be occupied until the off-site traffic management works comprising of a weight restriction on Mile End Road have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

17. Details of measures to prevent the deposit of debris upon the adjacent public highway as a result of the construction of any part of the retail or employment elements shall be submitted to and approved in writing by the LPA prior to commencing work on the respective element. The approved measures shall be implemented in accordance with the agreed measures, and retained in situ until construction of the respective elements is available for use.

18. The retail or employment elements shall not be occupied until a Full Travel Plan for the respective element has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include



arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority

19. The retail and employment elements shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures: a) As a minimum, proposed floor levels will be set with a freeboard of 600mm above existing ground levels. b) Other than in those areas where levelled or graded access is required to or from a building or to provide vehicular access into and between the respective elements, external finished ground levels will be no less than 300mm below the proposed floor level of the nearest building. c) Where local flooding occurs surface water runoff is to be routed away from the buildings along the footways and roadways to the drainage system. The mitigation measures for each respective element shall be fully implemented prior to occupation of the respective element.

20. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a scheme to provide an evacuation plan for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with their emergency planner. The approved scheme for the respective element shall be fully implemented and subsequently maintained.

21. Prior to the commencement of development of the retail and employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a scheme to provide flood resilience design for the respective element shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Council's emergency planner. The scheme for each element shall be fully implemented and subsequently maintained.

22. Prior to the commencement of development of the retail or employment elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), a surface water drainage scheme for the respective element, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the local planning authority. The respective scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The respective scheme shall subsequently be implemented in accordance with the approved details before the respective element is brought into use. The scheme shall include: a) The utilisation of sustainable drainage techniques, including rainwater

harvesting for the supermarket and permeable paving within the retail element; b) Limitation of the runoff rate to a 20% betterment from the existing drainage conditions for the retail element (limiting discharge to 4.7l/s/ha (QBAR)); and a 10% betterment for the employment element (limiting discharge to 5.3l/s/ha (QBAR)); as detailed in a letter dated 16th September 2013 from Morgan Tucker. c) Water quality management incorporated within the design, with two forms of treatment prior to discharge from the site; d) Demonstration through hydraulic calculations that appropriate attenuation is to be provided to limit the rate of runoff from the site; e) Confirmation of responsibility and management of the drainage features on construction of the scheme.

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

24. Prior to the commencement of development of the petrol filling station (excluding already implemented highway works, any site clearance and remediation works as required by condition 6) a scheme to install petrol storage tanks shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tank(s), tank surround, associated pipework and monitoring/ leak detection system, along with: a) Proposed method of petrol storage; b) Justification for this method of storage; c) Groundwater levels for this specific part of the site; d) Site specific risk assessment outlining the volume, type of pollutants being stored and the hydrogeological situation. Where potential risks have been identified, the Local Planning Authority will require mitigation measures to be implemented to ensure that there is no release of hazardous substances into the Secondary Aquifer.

25. The schemes approved under conditions 19, 20, 21, 22 and 23 shall be fully implemented and subsequently maintained in that form.

26. Notwithstanding condition 1 above, prior to the commencement of development of the retail elements (excluding already implemented highway works, any site clearance and remediation works as required by condition 6), details of the following matters shall be submitted to and approved in writing by the Local Planning Authority. Once approved the matters shall be maintained in accordance with these details at all times unless otherwise agreed in writing by the Local Planning Authority. a) Electric charging points for customer vehicles. b) Sprinkler tanks, including their colour and appearance. c) The design, height and colour of the service yard enclosure and its gates. d) The appearance of the car wash (including materials and lighting). e) The appearance of the covered walkway across the walkway (including materials and lighting). f) The materials and design of trolley storage areas, both within the car

park and adjacent to the food store. g) The details of the height, materials and design of the bollards/barriers around the food store building. h) Plans for providing shelter to motorcycle parking. g) The size, location and appearance of the proposed new bus stops on the site. h) Boundary treatment of the perimeter of the site, and around the recycling area. i) The appearance of the plant to be sited on the roof, and if required any screening or acoustic enclosure.

27. Prior to occupation of the food store, petrol station or car wash, a scheme detailing all external lighting, including details of the height of any lighting columns, the design of lamp assembly, the spread of light beyond the site boundaries and the hours of illumination, shall be submitted for the approval of the Local Planning Authority, and the approved details to be implemented and maintained in that form.

28. Prior to commencement of above ground works, details of a Biodiversity Management Plan, to accord with the details outlined in the ecological appraisal dated July 2020, shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall thereafter be implemented.

29. Prior to commencement of above ground works, two additional invertebrate surveys shall be completed and the subsequent reports shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall be implemented.

30. Notwithstanding condition 1 above, prior to above grounds works commencing, additional landscape drawings shall be submitted to and approved in writing by the Local Planning Authority and they shall look to enhance the ecological benefits of the site. The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species.

## **22 APPLICATION NO. 2020/0227 - 172 LAMBLEY LANE, GEDLING**

Replace existing rooflights with 3no. dormer windows.

The Assistant Director of Planning and Regeneration introduced the report and advised Members that further to the publication of the report, the applicant had provided the following summarised comments:

- There would be little visibility of the site from the surrounding area as the hedges along the boundary are high. Trees have also been

planted along the rear and northern boundary which, once mature, will make the bungalow invisible in the landscape.

- It is considered that the dormer windows would improve the current roof lines and will blend into the existing tiles and would allow the occupiers to have a more practical use of the internal space.
- The bungalow has been extended by 55% but original bungalow was very small and the loft space is not as large as it looks due to the roof angle and low ridge height.
- The existing front dormer window on the property was relocated during construction due to a ridgeline change.
- The garage was constructed under permitted development.
- The Committee should approve the application, or allow further dialogue with the planning department as the concerns raised are unwarranted.

The Assistant Director of Planning and Regeneration recommended that permission was refused in accordance with the report, following the expiry of the statutory press notice and subject to no further material considerations being raised.

**RESOLVED:**

TO REFUSE planning permission for the following reason;

- 1 The proposed dormer windows would result in cumulative disproportionate additions to the building and would therefore represent inappropriate development, which is by definition, harmful to the Green Belt. The proposed development would cumulatively result in an increase in floorspace to the building of 74% which would be harmful to the openness of the Green Belt. The proposal would also be unduly prominent from the surrounding countryside through the cumulative increase in bulk and scale of the building. There are no very circumstances that would outweigh this harm. The development would therefore be contrary to Section 13 of the National Planning Policy Framework (2019) Policy 3 of Gedling Borough Council Aligned Core Strategy (2014) and Gedling Borough Council Local Planning Document Policy 13 (2018).

**23 TREE PRESERVATION ORDER 000130 - 383 MAPPERLEY PLAINS, ARNOLD, NOTTINGHAMSHIRE, NG3 5RU**

Protection of 7 no. Oak trees by a Tree Preservation Order (TPO)

**RESOLVED:**

To Confirm Tree Preservation Order 000130 without modification.

**24 TREE PRESERVATION ORDER 000131 - 1 BRODHURST CLOSE, WOODBOROUGH, NOTTINGHAMSHIRE**

Protection of 1 no. Cedar tree by a Tree Preservation Order (TPO)

**RESOLVED:**

To Confirm Tree Preservation Order 000131 without modification.

**25 TREE PRESERVATION ORDER 000132 - 147 - 153 CORONATION WALK, GEDLING, NOTTINGHAMSHIRE, NG4 4AR**

Protection of 3 x English Oak, 1 x Scots Pine and 1 x Common Ash by a Tree Preservation Order (TPO)

**RESOLVED:**

To Confirm Tree Preservation Order 000132 without modification.

**26 APPEAL DECISION - APPLICATION NUMBER: 2019/0175 - LAND ADJACENT TO 8, MYRTLE ROAD, CARLTON, NOTTINGHAM**

Proposed Detached Dwelling.

**RESOLVED:**

To note the information.

**27 APPEAL DECISION - APPLICATION NUMBER: 2019/0585PN - APPEAL A - BARN A, LING FARM, RICKET LANE, BLIDWORTH, MANSFIELD, NOTTINGHAMSHIRE, NG21 0NG**

Notification under Class Q, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion of existing agricultural barn A to 4no. residential houses and demolition of 2 barns.

**RESOLVED:**

To note the information.

**28 APPEAL DECISION - APPLICATION NUMBER: 2019/0583PN -  
APPEAL B - BARN D, LING FARM, RICKET LANE, BLIDWORTH,  
MANSFIELD, NOTTINGHAMSHIRE, NG21 0NG**

Notification under Class Q, Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for conversion of existing agricultural barn D to no. residential house.

**RESOLVED:**

To note the information.

**29 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**30 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.50 pm

Signed by Chair:  
Date:

## **PLANNING COMMITTEE PROTOCOL**

### **Introduction**

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

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

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

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

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

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

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

### **Lobbying**

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

### **Roles at Planning Committee**

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

### **Speaking at Planning Committee**

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



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

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

### **Determination of planning applications**

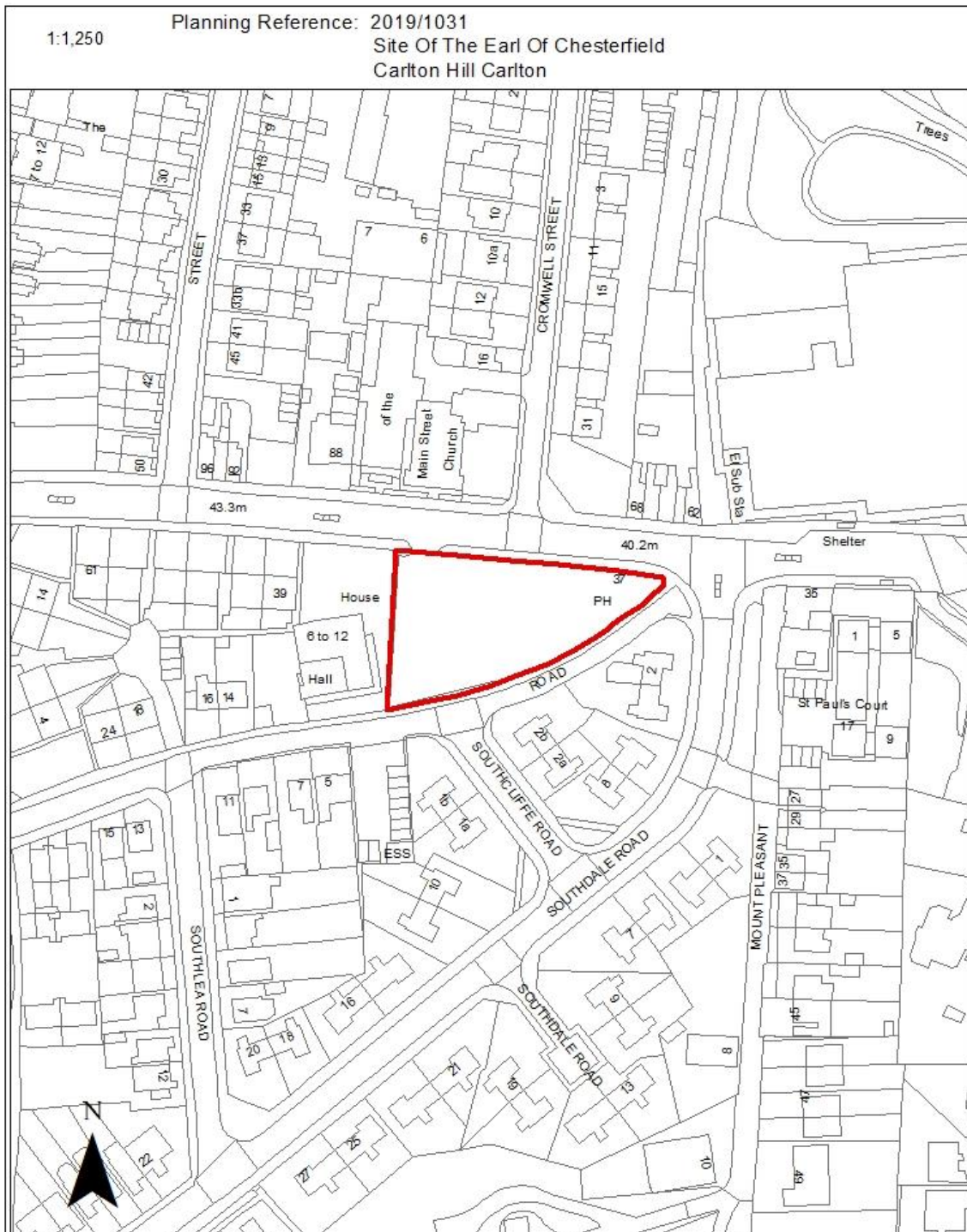
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the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

Oct 2015

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**Planning Report for 2019/1031**



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: 27/08/2020

## Report to Planning Committee

<b>Application Number:</b>	<b>2019/1031</b>
<b>Location:</b>	<b>Site of The Earl Of Chesterfield Carlton Hill Carlton</b>
<b>Proposal:</b>	<b>Erection of 23 sheltered accommodation flats with one office.</b>
<b>Applicant:</b>	<b>Nottingham Community Housing Association</b>
<b>Agent:</b>	<b>Pelham Architects</b>
<b>Case Officer:</b>	<b>Nigel Byran</b>

The application is referred to Planning Committee to comply with the Councils constitution as the development proposes more than 9 dwellings.

### 1.0 Site Description

- 1.1 The application site is currently vacant with The Earl of Chesterfield, a Public House, which was on the site having been demolished. The site is largely made up of hardstanding with an element of scrub on it and is closed off to the public by metal fencing. Located on the corner of Carlton Hill and Southcliffe Road, the site occupies a prominent position within the streetscape, particularly when heading west along Carlton Hill into Nottingham. There is a relatively gradual but quite significant change in levels heading through the site with the land rising when heading in a westerly direction (toward Nottingham).
- 1.2 In the immediate area there are a mixture of uses, although the predominant character of the area is residential properties. Properties on the opposite side of Southcliffe Road are bungalows with Carlton House, a block of flats, to the immediate western boundary. On the opposite side of Carlton Hill the uses are more varied and include a Church and shops, along with some residential properties too. The site is well located in terms of access to services being only a short walk from central Carlton, including the large Tesco, as well as having a bus stop outside the site.

### 2.0 Relevant Planning History

- 2.1 There have been a number of applications for alterations and adverts to the Public House when it was in situ. However, the most pertinent planning permission is 2016/0875 for the 'demolition of an existing pub building, replaced with a three storey mixed use building consisting of 3 x A1 (Shops)

or A5 (Hot Food Takeaway) retail units and 14 x 2-bed flats'. The application was considered at the Planning Committee of 19 April 2017 and the decision notice issued on the 5<sup>th</sup> June 2017, following completion of a Section 106 Legal agreement. The permission has lapsed but comprised a mixed use scheme that was relatively modern in design, was flat roofed and was spread over three-storeys that fronted Carlton Hill.

### **3.0 Proposed Development**

- 3.1 Amended plans have been received from when the application was submitted originally and the scheme is now proposed to be a mixture of three-storey in scale, facing Carlton Hill, and two-storey in scale, facing Southcliffe Road. A total of 13 parking spaces are to be provided with vehicular access from Carlton Hill. A bin storage area is proposed relatively close to the site entrance and two small 'courtyard' areas of amenity space are proposed, one when entering the building from the car park and another close to Southcliffe Road.
- 3.2 A mixture of materials are proposed to break up the built form and would include panelling on the prominent front/corner aspect facing Carlton Hill with a mixture of red brick and render, vertically aligned, to break up the horizontal nature of the building when heading along Carlton Hill. The building also utilises the change in levels to break up the ridge line of the building, with Juliet balconies facing Carlton Hill.
- 3.3 The two-storey aspect to the rear facing Southcliffe Drive would have more conventional elevation treatments and would be constructed from a mixture of red brick and render, but no panelling.
- 3.4 The application is submitted by Nottingham Community Housing Association and is for the erection of some 23 social rented sheltered housing one bed two person flats; an office will be provided on the ground floor too. Whilst under the control of Housing Association there will no permanent on-site staff and they will be occupied by vulnerable adults with some support needs.

### **4.0 Consultations**

- 4.1 A press notice was published, a site notice displayed and neighbour notification letters posted. As a result of consultation undertaken a total of 3 neighbour letters were received, all objecting to the application. A full re-consultation was also undertaken on amended plans showing wide ranging changes to the application. No further representations were received on the amended plans. A summary of the objections is drafted below;
- What does 'supported living' mean? The area is largely occupied by elderly people and it should be targeted at people of a similar age e.g. over 55's;
  - The scale of the built form is inappropriate;
  - Privacy of neighbouring properties will be compromised and overlooking will increase;

- There is nothing in the area for young people;
  - Any access to the site should come from Carlton Hill only;
  - It is hoped that the occupiers will not be people with substance abuse issues;
  - How will the building be managed by the Housing Association?
- 4.2 Environment Agency – note that the site falls within flood zone 1 and is not at risk of flooding.
- 4.3 Lead Local Flood Authority – raise no objection to the application.
- 4.4 Severn Trent – raise no objection to the application subject a condition and a number of informatives.
- 4.5 Highway Authority (Nottinghamshire County Council (NCC)) – note that following submission of the updated drawing 2321/P 102 F ‘Proposed Site Plan’, they are content with the access proposed. It is noted that the parking provision is 5 below what would be expected for open market flats but with it being sheltered accommodation the provision should be acceptable.
- 4.6 NHS (primary care) – they will not be seeking a contribution toward health care provision.
- 4.7 NCC Education – noting that the accommodation is for one bedroom flats they would not seek any education contributions.
- 4.8 Scientific Officer (Air Quality) – request conditions with regard to electric vehicles charging points and also the submission of a Construction Emission Management Plan.
- 4.9 Environmental Health (contamination) – noting the previous use and demolition that has been undertaken on the site, they would expect conditions to be added to ensure that possible contamination is explored and the site suitably remediated for its end use.
- 4.10 Strategic Housing (affordable) – support the creation of 23 additional social rented affordable housing units.
- 4.11 Parks and Street Care - note that the site does not meet the threshold of 0.4 of a hectare whereby a contribution for on-site provision of open spaces would be required.

## **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) and 15 (conserving and enhancing the natural environment) are particularly pertinent.

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
- Policy 1 – Climate change
- Policy 2 – The Spatial Strategy
- Policy 8 – Housing size, mix and Choice
- Policy 10 – Design and Enhancing Local Identity
- 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 4 – Surface Water Management - sets out the approach to surface water management.
- LPD7 – Contaminated land - sets out the approach to land that is potentially contaminated.
- LPD11 – 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.
- LPD32 – 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 35 – Safe, Accessible and Inclusive Development – planning permission will be granted for development that is permeable in form and inclusive to all members of the community
- LPD 36 – Affordable Housing – sets out the thresholds whereby affordable housing will be required on a scheme

- LPD37 – Housing type, size and tenure - states that planning permission will be granted for residential development that provides for an appropriate mix of housing.
- LPD40 – Housing development on unallocated sites – planning permission will be granted for development on such sites provided the character of the area and residential amenity is respected and adequate parking is provided.
- LPD 48 – Local Labour Agreements – sets out the threshold where a local labour agreement is required.
- LPD 57 – Parking Standards – sets out parking standards for developments
- 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.

## 6.5 Other Guidance

Parking Provision for 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 application site falls within the main urban area of the Borough and there are no policy restrictions on the site. It has good access to services, including local shops and the public transport network. Furthermore, there is an acknowledged shortfall of affordable housing within the Borough and all of the 23 units would be under the control of a Registered Social Landlord. Therefore the principle of development is supported by policies LPD36 and LPD40, although there would be a need to ensure that the development would, amongst other criteria, respect the character of the area, residential amenity and highway safety, explored later in this report.

### Impact on the character of the area

- 7.2 The character of the local area is mixed in terms of uses and scale of development in that there are bungalows, flats and commercial uses all adjacent to or opposite the application site. As a result the scale of buildings in the locality also vary. The proposed flats would be three-storey in scale facing Carlton Hill, where the built form on the opposite side of the road is of a similar scale. It is also noticeable that a development three-storey in scale has previously been approved on the site (ref: 2016/0875). One of the key elevations is considered to be the front aspect on the corner of Carlton Hill and Southcliffe Road in that it is a prominent corner in the streetscape. This elevation treatment would vary from the remainder of the building with a cementitious board panel system in grey and the building name, Earls Court,



on this prominent aspect. Stepping around the corner to Carlton Hill the elevation treatments will primarily be red brick and render vertically aligned with the recessed stairwell clad in the same panelling as the corner aspect. Whilst the building will be approximately 47m in length along Carlton Hill it will be broken up in terms of elevation treatment by the mixture of materials proposed, as well as by breaks in the ridge height of the building too. Therefore, whilst the building fronting Carlton Hill is relatively large it has been designed to respect the topography of the site, scale of the buildings in the area as well as provide elevation treatments that are considered to be sympathetic to the character of the area.

- 7.3 The entrance to the building would be from the car park to the western edge of the application site and lead into the two-storey part of the building. It is considered that this aspect of the site has been sensitively designed in terms of scale to act as a bridge between the bungalows on Southcliffe Road and the larger development on Carlton Hill. In the two-storey building the elevation treatments would be more conventional in terms of window layout and no Juliet balconies are proposed. Internal to the site are proposed to be two modest courtyard areas that will act as informal outside space.
- 7.4 Having regard to the above it is considered that the layout and elevation treatment of the site as amended would respect the character of the area in a prominent location. The scale of the built form has been designed sympathetically and, as result, it is considered that the application complies with policy 10 of the ACS and LPD40.

#### Impact on residential amenity

- 7.5 As noted above, the scale of the development is considered to react to the scale of built form that surrounds it. The three-storey element of the buildings would be adjacent to Carlton Hill, where buildings are typically taller, and the two-storey element would be adjacent to existing residential buildings that are more modest in scale. Along two sides of the development the site is bound by highway so there is a gap between the proposed building and properties on the opposite side of the road. To the west, where Carlton House is immediately adjacent to the application site, the car parking is proposed to be located and Carlton House is on higher land so there is adequate separation distances to ensure that there would be no significant overlooking or overbearing impact resulting from the development proposed. Having regard to the above, it is considered that the development has been sensitively designed so as to ensure that there would be no significant detrimental impact on residential amenity and the application is deemed to comply with policy LPD32.

#### Highway safety and parking

- 7.6 Vehicular access to the site would be from Carlton Hill toward the western edge of the site. No wider highway works are proposed beyond the dropped kerb and alterations to the pavement, including tactile paving, to create the vehicular access. Visibility along this stretch of Carlton Hill is good and the proposed access is not considered to be detrimental to highway safety and

the Highway Authority, Nottinghamshire County Council, raise no objection to the application subject to the imposition of conditions.

- 7.7 In respect of parking provision, a total of 13 car parking spaces are to be provided. Guidance within the Local Planning Document 'appendix D – requirement for parking provision in residential development identifies that a total of 18 spaces should be provided. However, it is recognised within the 'parking provision for residential development SPD' that there is the ability for the Local Planning Authority and Highway Authority to negotiate a departure to the guidance. If the highway authority does not object to the parking provision provided this would be acceptable, as is the case here. Furthermore, it is apparent that the site is within a short walking distances of services, including a large supermarket, and that there is a bus stop outside of the site. Taking all these factors into account it is considered that, whilst there is a shortfall in provision, this would be acceptable in this instance and is not likely to lead to a proliferation of on-street parking in the area. In addition, it is noted that no cycle parking has been identified but such provision is considered necessary and can be secured via a condition. As a result the application is deemed to comply with both policies LPD57 and LPD61, with the shortfall in on-site parking acceptable in this instance.

#### Affordable housing

- 7.8 Policy LPD36 identifies that there is a shortage of affordable housing within the Borough and the thresholds whereby affordable housing can be secured on open market developments, which is 20% in Carlton. However, the current application is submitted by a registered social landlord for social rented sheltered housing and the applicant proposes to submit a unilateral undertaking to secure 100% provision. While the policy requirement is to provide a mix of social rent and intermediate sale, the latter would not be appropriate within the context of the proposed sheltered housing development. Having regard to the nature of the development, it is considered that the proposed obligation meets with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010.
- 7.9 Concern has been expressed about the degree of support required by the occupants of the flats; however, the applicant has identified that there will be no on-site full time member of staff, rather an office will be available during the day for management of the building. Furthermore, there is nothing to indicate that the use of the building will be anything other a conventional C3 use (dwellinghouse) and it is not intended to be a hostel or other non-residential use. The applicants have not indicated that the occupiers will be age restricted e.g. over 55's, and such a restriction is not considered necessary. Having regard to the above it is considered that the application is supported by policy LPD36 (affordable housing), the Affordable Housing SPD and guidance within the NPPF, subject to the applicant provided the required planning obligation to secure the provision of affordable housing

#### Other matters

- 7.9 The application site falls within floodzone 1 and is not identified as a site at risk of flooding. It has been indicated on the submitted application forms that both foul and surface water will connect into the existing foul network. Allowing surface water to discharge into the foul network is typically only allowed when all other possible sources of disposal have been fully explored and, to this end, it is recommended that the condition highlighted by Severn Trent, along with an informative, be added to any decision notice.
- 7.10 Given the previous use of the site and fact that demolition of the building has already occurred there is the potential for some contamination. A condition is required to ensure that possible contamination is fully explored and the site is fit for the end user. Furthermore, details of an electric vehicle charging point is required to be approved.
- 7.11 On the submitted drawings a degree of planting is proposed, which would enhance the character of the area and help to green the environment. No planting schedule has been produced so final details of both hard and soft landscaping would need to be approved via condition.
- 7.12 Whilst the application is a major, for a development of 10 or more dwellings, no financial contributions are required for the application. The Education Authority have noted that as the scheme is for one bedroom flats the units will not be occupied by families and will not increase pressure for school places. The Primary Health Care Trust have indicated that they will not be seeking a contribution and with the site being less than 0.4 of a hectare no contribution toward public open space is required, with it noted that two courtyard areas are proposed within the site. However, there would be a need for a legal agreement with respect of the affordable housing and the application is deemed to comply with ACS policy 19.
- 7.13 The development comprises more than 10 residential units and therefore a Local Labour Agreement is required to meet with the requirements of LPD Policy 48. This obligation would need to be secured by way of a S106 Planning obligation which shall be completed prior to the determination of the planning application. It is considered that the obligation meets with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010.

## **8.0 Conclusion**

- 8.1 The principle of development is supported in that the site falls within the main urban of the Borough, has excellent access to services and is currently a vacant site. A large number of affordable dwellings would be provided to address an acknowledged shortfall of provision. The design, scale and layout of the built form is considered to respect the character of the area and it is not considered that residential amenity would be compromised through a dominating or overlooking impact. Furthermore, highway safety would not be compromised and parking provision would be acceptable in this instance.

8.2 The application is, therefore, deemed to comply with policies A, 1, 2, 8, 10 and 19 of the Aligned Core Strategy; policies 3,, 5,, 11, 32, 35, 36,, 39, 40, 48, 57 and 61 of Local Plan Document and guidance contained within the NPPF

**9.0 Recommendation: Grant Planning Permission: Subject to the owner enters into a Section 106 planning obligation with the Borough Council as Local Planning Authority to secure 100% affordable housing and a local labour agreement, and subject to the conditions listed for the reasons set out in the report.**

### **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:

2321/P 100A – location plan  
2321/P 102F – Proposed site plan  
2321/P 210C – Ground floor layout  
2321/P 211C – First floor layout  
2321/P 212B – Second floor layout  
2321/P 213C – Elevations

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

3. Prior to above ground works commencing, samples of the materials to be used on the external elevations of the building shall be submitted to and approved in writing by the Local Planning Authority . The development shall thereafter be constructed in accordance with the details as approved.

4. Prior to above ground works commencing, a scheme of landscaping showing the location, species and size of specimens to be planted 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 each development phase. 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.

5. 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 no. 2321/P 102 F. The parking, turning and servicing areas shall be maintained in such 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.

6. No part of the development hereby permitted shall be brought into use until all redundant dropped kerbs on Carlton Hill and Southcliffe Road have been reinstated as footway with full height kerbs.

7. Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:

#### 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, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should 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.

8. 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.

9. 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 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.

10. Prior to the occupation of the 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 one (1) Electric Vehicle Recharging Point. The Electric Vehicle Recharging Point shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Point 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.

11. 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.

12. 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.

13. Prior to above ground works commencing, details of a cycle storage rack shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to the flats being occupied and shall be retained as such thereafter.

### **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 A of the ACS and guidance within the NPPF.

4. To ensure that the character of the area is respected and planting is secured and to comply with policy ACS 10.

5. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and to comply with policies LPD57 and LPD61.

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

7. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

8. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

9. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

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.

12. To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and to comply with policies LPD3, LPD4 and LPD5.

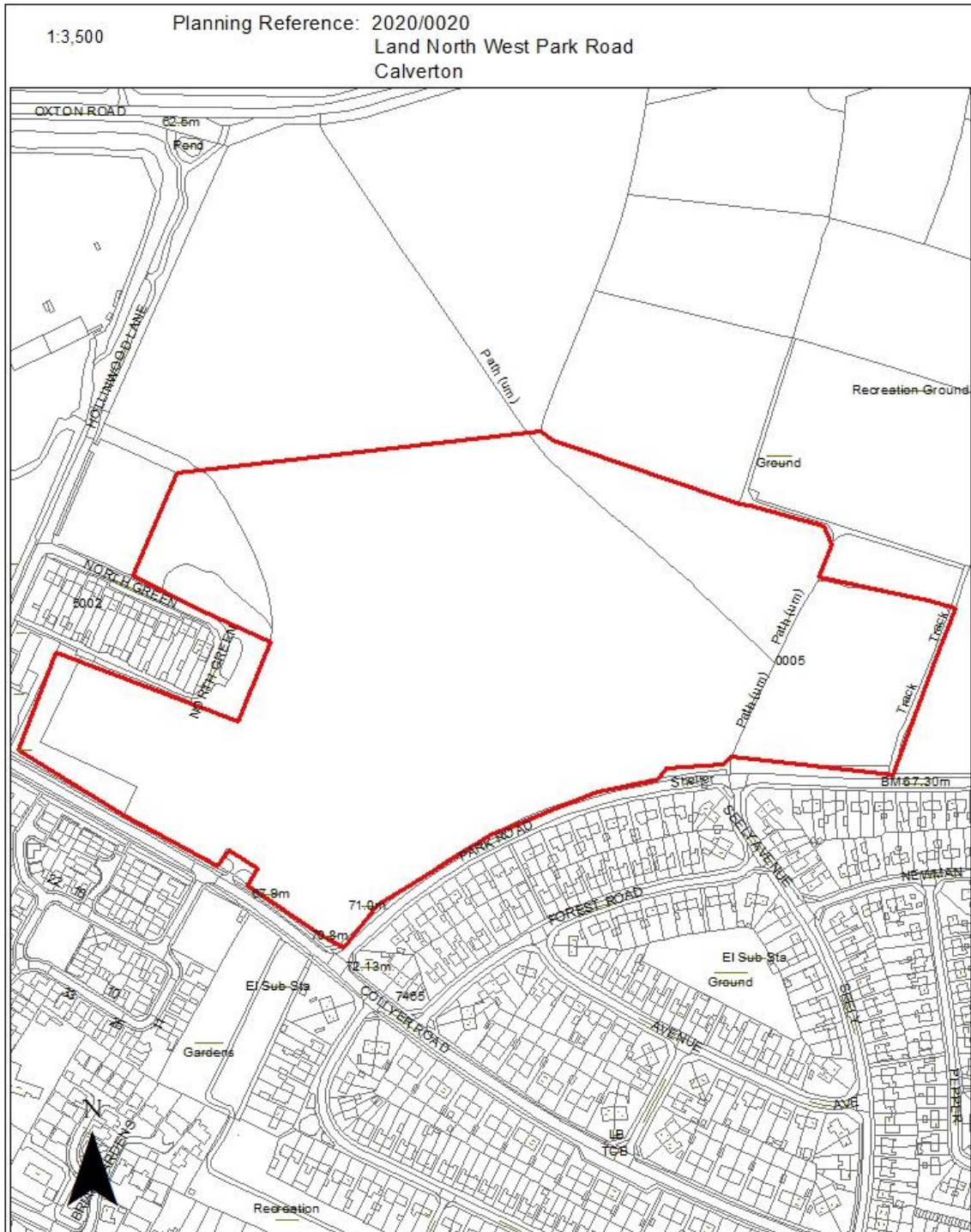
13. To provide sustainable transport options and to comply with policy LPD57

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**Planning Report for 2020/0020**



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: 28/05/2020

**Report to Planning Committee**

**Application Number: 2020/0020**

**Location: Land North West Park Road Calverton**

**Proposal: Application for the approval of reserved matters (layout, landscaping, scale and appearance) for the erection of 351 dwellings and associated infrastructure, pursuant to outline approval 20018/0607.**

**Applicant: Persimmon Homes Nottingham**

**Agent:**

**Case Officer: Nigel Byran**

**The application is referred to Planning Committee to comply with the Councils constitution as the development proposes more than 9 dwellings.**

**1.0 Site Description**

- 1.1 The site is located to the north of the main built up area of the settlement of Calverton and consists mainly of agricultural land utilised for arable purposes. There is however small woodland areas situated adjacent to the western site boundary and hedgerows along the southern and eastern boundaries.
- 1.2 There are significant differences in ground level across the site with the eastern part being higher than the land to the north and the west.
- 1.3 The northern boundary is shared with open land, the eastern boundary with Calverton Village Hall and the William Lee Memorial Park. The southern boundary with Park Road and Collyer Road and the west with Calverton Miners Welfare and existing dwellings on North Green.
- 1.4 The gross site area is 13.6 hectares. There are no protected trees on the site. A footpath crosses the site, which is proposed to be diverted, as outlined below.

**2.0 Relevant Planning History**

2016/0499EIA – Screening Opinion for housing development. Concluded that an Environmental Impact Assessment was not required.

2018/0607 - Outline planning application for up to 365 No. dwellings with all matters reserved except access, with access served from Park Road and Collyer Road.

2020/0103 - Diversion of footpath 39 for 90m – the application was considered at the 05 August Planning Committee meeting and an Order to divert the footpath has been made and is being consulted on, but it has not yet been confirmed.

2020/0156DOC - Approval of details reserved by condition 13 (archaeology) of outline planning permission 2018/0607 – approved on the 20 March 2020.

### **3.0 Proposed Development**

- 3.1 The application seeks reserved matters approval pursuant to outline permission 2018/0607. Matters under consideration for this reserved matters approval are, layout, scale, landscaping and appearance. The application is for the erection of 351 dwellings, 70 of which will be affordable, with a split of 49 social rent and 21 intermediate housing e.g. shared ownership; 3.39 hectares of open space will be provided along with a Local Equipped Area of Play (LEAP). The dwellings to be erected will be a mixture of two and two and a half-storeys in scale, ranging from two to four bed.
- 3.2 There are two vehicular access points proposed, one from Park Road and the other from Collyer Road, along with four small private drives from Park Road. The main access will be that from Park Road, which is proposed to be the primary road into the site at 6.75m wide with a footway on either side, which would extend to the boundary of the safe guarded land to the immediate north.

### **4.0 Consultations**

- 4.1 Nottinghamshire County Council Highways – Following receipt of amended plans confirming details of visibility splays and turning heads etc, they raise no objection to the application subject to the imposition of conditions.
- 4.2 Nottinghamshire County Council Rights of Way Officer – note that footway 39 will need to be re-aligned to accommodate the development proposed and, whilst raising no fundamental objection to the application there would be a need to apply to vary the Public Right Of Way (PROW) and such an application is under consideration by Gedling Borough Council (2020/0103). Footway 38 runs adjacent to the site but appears to be unaffected by it. Any decision notice would need informatives adding about the need to retain PROW's free from obstruction.
- 4.3 Nottinghamshire County Council Lead Local Flood Authority - Raise no objection to the application subject to a condition requiring the approval of a

detailed drainage strategy in accordance with the Flood Risk Assessment (FRA).

- 4.4 Gedling Borough Council Housing Strategy – The affordable housing requirement is 20% of proposed dwellings to be provided on-site of which 70% will be social/affordable rent and 30% intermediate sale i.e. shared ownership. Based on a development of 351 units this would equate to 70 units affordable housing units on site. Of these, 49 are for affordable/social rent and 21 are for intermediate sale with a preference that this be shared ownership.
- 4.5 Gedling Borough Council Parks and Street Care – note the provision outlined is acceptable and the requirement for details of the Local Equipped Area of Play (LEAP) is to be approved through the Section 106 Legal Agreement.
- 4.6 Gedling Borough Council Scientific Officer – note that conditions pertinent to air quality management and contamination are attached to the outline and, therefore, raise no objection to the reserved matters application.
- 4.7 Calverton Parish Council – are concerned that there are no bungalows proposed but are pleased to see that there are no 3 or 3½-storey dwellings.
- 4.8 Members of the Public

A press notice was published and a two site notices erected, furthermore, an additional round of consultation was undertaken on amended plans received during the course of the application. In total 4 letters of objection have been received, two on the original consultation and two on the re-consultation; a summary of the objections raised are summarised below:

- Calverton does not have the infrastructure to deal with the number of dwellings proposed to be erected, notably the doctors surgery is at capacity and the town centre/shopping area has inadequate parking;
- Speeding already occurs along Park Road, this will only get worse and parked cars will block traffic, which is a bus route;
- Existing roads are in need of resurfacing;
- The integrity and character of the village will be undermined with a number of hedgerows proposed to be removed, which will harm wildlife too;
- Land ownership issues have, to a degree, been resolved but rights of way, public and private, will be impacted;
- A Masterplan has not been submitted as required by the Calverton Neighbourhood Plan;
- The main spine road leads into the safeguarded land rather than the remainder of the allocated site and it is questionable whether the main spine road, which is likely to be a bus route, can access Oxton Road without going onto land not in the ownership of the applicant;
- A comprehensive form of development should be considered alongside the remaining allocated and safeguarded land to ensure the development is the best it can be.

## 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’.

## 6.0 Development Plan Policies

6.1 The following policies are relevant to the application:

### 6.2 National Planning Policy Framework 2019 (NPPF)

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). 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 (ACS) 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: Historic Environment – sets out the criteria for assessing applications affecting the historic environmental and heritage assets and their settings.

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

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

### 6.4 Local Planning Document (Part 2 Local Plan)

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

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

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

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

LPD 18 Protecting and Enhancing Biodiversity – sets out that proposals should be supported by an up to date ecological assessment. Any harmful impact should be avoided through design, layout and mitigation or compensation. Where possible, development proposals will be expected to take opportunities to incorporate biodiversity in and around the development and contribute to the establishment of green infrastructure.

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.

LPD30: Archaeology – sets out the measures to protect sites with archaeological potential.

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 Calverton but that a lower requirement may be justified provided there is sufficient evidence which takes account of all potential contributions from grant funding sources and a viability assessment has been undertaken by the Council which demonstrates this.

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

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

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

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

LPD 66: Housing Allocations– identifies the application site as housing allocation H16, for approximately 390 new dwellings.

## 6.5 Calverton Neighbourhood Plan (CNP)

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

Policy G1: Comprehensive Development – Sets out that proposals for residential development in the North Western Quadrant Urban Extension will only be permitted where it is accompanied by an overall masterplan illustrating a high quality residential environment; highway access links including to/from the existing village road network and the feasibility of links to/from the B6386 Oxtun Road; off-site highway improvements; footpath and cycle links into the village; open spaces and structural landscaping; retention of open frontages between development and North Green and Park Road; interrelationship between the new development and the Community Hall & Sports Pavilion and William Lee Memorial Park; Housing mix; ecological corridors and health impact assessment.

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

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

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

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

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

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

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

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

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

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

Policy BE5: Heritage Assets – sets out that development proposals should take account of their effect on Ancient Monument and their setting within Calverton and non-designated sites with potential archaeological interest.

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

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

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

## 6.6 Other

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

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

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

## 7.0 **Planning Considerations**

### Principle of the development



- 7.1 The site is allocated as a housing site, H16, under Policy LPD 66 of the Local Planning Document, which was adopted in July 2018. Policy LPD 66 identifies the site as providing approximately 390 dwellings and therefore the principle of residential development on this site is established, although it should be noted that it does not include all of the H16 land; elements to the west and north are not included within this application and are understood to be under different ownership. Furthermore, the proposal is a reserved matters application and, therefore, the site benefits from outline permission.
- 7.2 The Calverton Neighbourhood Plan (CNP) also identifies the wider area between Park Road and Oxton Road as being the location for the North East Quadrant Urban Extension Site. Policy G1 of the CNP is considered to be most pertinent to the determination of the application, which outlines 10 criteria that need to be considered, outlined in paragraph 6.5 of this report.
- 7.3 The layout accords with the indicative layout and masterplan that was submitted with the outline application. Information with regard to how the site will interact with future phases of the allocated land and safeguarded land is limited save for it being identified that the main access road will lead into safeguarded land, which is, in the longer term, likely to be utilised by a bus route, and, ultimately, link to Oxton Road, and there is the possibility for vehicular access to the remainder of the allocated land to the north. This first phase of development will provide a broad design ethos that later phases will need to follow and final agreement over the internal highway layout will be progressed through later phases of the development and need to comply with policy G1. The Design and Access Statement submitted in support of this application addresses policy G1 of the CNP.
- 7.4 Having regard to the above it is apparent that the site is allocated for residential development, benefits from outline planning permission (ref: 2018/0607) and, therefore, the principle of residential development is supported and deemed to comply with policies LPD66 and G1 of the CNP.

#### Layout, scale and appearance

- 7.5 The site area is 13.6 hectares and the number of dwellings to be erected, 351, would be below the 365 maximum referred to in the outline permission, which gives a density of 25.8 dwellings per hectare. Policy LPD 33 states that development in Calverton should be of a minimum density of 25 dwellings per hectare, so the proposed development would meet with this requirement and whilst toward the lower end of the threshold, this is considered to be appropriate given the edge of settlement location.
- 7.6 The layout has taken into account the Neighbourhood Plan in that it provides open space adjacent to existing properties on North Green. Furthermore, the broad principles of good design are considered to be followed in that the main areas of open space are overlooked, the development is largely outward facing and there are focal buildings at key nodes. A number of 'double fronted' properties are also proposed on corner plots to ensure that blank gables are not on prominent corners and frontages are, where possible, active and overlooked. The affordable housing has been spaced out in small groups

to allow their management without having large groupings, which is acceptable in both social and design terms.

- 7.7 With regard to scale, all of the dwellings will either be two-storey or two and a-half in scale; the larger properties are typically located at focal points within the site e.g. view termination. No bungalows are to be provided but there will be an acceptable mix of properties ranging from 2 to 4 bedrooms, with a mixture of tenures too. Furthermore, no specialist housing, bungalows or self-build units will be provided but it is still considered that the mix of dwellings would be appropriate for a wide range of socially diverse occupants and, on balance, the mix and tenure of properties is considered to be acceptable and comply with policy G5 of the CNP and LPD37.
- 7.8 A materials schedule has been provided and identifies a mixture of red and buff brick properties, with red brick predominate. The front elevation of some properties will have render focal point and tiles will largely be mixture of red and darker colours, with red predominate. The materials as identified are acceptable and will respect the character of the area having regard to materials utilised on existing properties on Park Road, although samples would need to be provided for final approval.
- 7.9 In respect of affordable housing provision, the requisite number of dwellings required by the outline permission have been provided, along with the requisite mix sought by Housing Strategy e.g. 49 affordable/social rent and 21 intermediate sale. The dwellings are also appropriately spread across the site. The application is, therefore, deemed to comply with LPD36.
- 7.10 A total of 20 housetypes are proposed with 51 2-bed, 158 3-bed and 142 4-bed properties. There will be a mixture of integral garages, detached garages as well as some frontage parking. The elevation treatments of the dwellings are typical of dwellings of this size and it is the key features of detailing around the windows and doors, some of which will have brick cills and others stone, which will create visual diversity within the buildings. As noted above, some will have render focal points and a number will have porches to break up the front aspect. Furthermore, some of the dwellings have been specifically designed and sited for their context e.g. double fronted dwellings. The external appearance of the dwellings will respect the character of the area and be reflective of others dwellings recently constructed in the area, including along Flatts Lane. As a result the overall layout, scale and appearance of the development is deemed to comply with policy ASC10 of the aligned core strategy, policy BE1 of the CNP and guidance within the NPPF.

### Landscaping

- 7.11 A detailed landscaping scheme and Arboricultural Method Statement (AMS) have been submitted in support of the application. None of the trees in the application site are subject of a tree preservation order and given that the site is largely arably farmed the main features of interest are to the site periphery, which are to be largely retained. Notably a large section of hedgerow is to be removed along the southern boundary of the application site fronting Park Road, to allow a 2m footway along this boundary; however, replacement

planting is proposed to try and replicate this green frontage. The vast majority of existing vegetation, save for holes to create access to the site and removal of some trees and hedges, notably toward the western edge of the site (identified as G11 in the AMS) is to be retained.

- 7.12 Within the main section of the site the landscaping details are largely domestic in form but with sporadic trees in frontages to break the built form and create its own green character. Furthermore, mature trees to the periphery of the site are to be retained which will create a degree of maturity to the landscaping scheme, whilst other aspects will take time to mature.
- 7.13 Overall, the landscaping scheme has, where possible, utilised existing vegetation and looked to replace features that need to be removed. Within the main residential areas additional planting is also proposed to break up the built form and the Public Open Space will be largely grassed with trees interspersed. Having regard to the above it is considered that the landscaping scheme is acceptable and complies with policy LPD18 and guidance within the NPPF.

#### Other considerations

- 7.14 For the avoidance of doubt, there are a number of other topics that were covered when the outline application was determined. Notably, a Section 106 Legal Agreement secured contributions toward affordable housing, health care, education, bus service and bus stop improvements, a local labour agreement and maintenance of the Public Open Space. This should mitigate infrastructure concerns relating to this development. Other matters covered by condition on the outline permission include archaeology, drainage, possible contamination and a Construction Method Statement. It should be noted that the Lead Flood Authority have requested an additional condition with regard to drainage but this is covered by condition 5 of the outline permission so an informative will, instead, be added to any decision notice.
- 7.15 With regard to residential amenity it is noted that the site is largely self-contained and the impact on properties on the opposite side of Park Road is likely to be minimal in that dwellings will have adequate separation distances over a relatively main road. Internally, the layout has been designed to ensure that any potential overlooking is kept to a minimum with rear gardens in the region of 10m in depth. Therefore, it is considered that the impact on the amenity is acceptable and complies with policy LPD32.
- 7.16 Each dwelling will have off street parking provision and conditions are proposed to be added to the decision notice to ensure that the identified provision is provided. The Highway Authority raise no objection to the level of provision provided, which is considered to be acceptable and policy compliant. With respect to public transport to serve the site, a contribution to do this has been secured through contributions in the Section 106 legal agreement attached to the outline permission. The final path of any bus route is likely to be determined should the remainder of the safeguarded land come forward for development, which is not yet currently known, although it is not considered that this application would preclude such provision.

7.17 There are public rights of way in the area, including one that is proposed to be diverted under application 2019/0103, but the development will not fundamentally alter the right of way or ability of members of the public to access adjacent land. The grant of this reserved matters would not override the public right of way over Calverton Footpath No. 39 and the footpath would need to be diverted under other legislation. The Council made a footpath diversion order (“Order”) on 6<sup>th</sup> August 2020 which is currently being consulted on. If members resolve to approve this reserved matters application and there are no objections to the Order the Council will confirm the Order and the footpath will be diverted in accordance with the terms of the Order.

## **8.0 Conclusion**

8.1 The principle of the development has been established following the grant of outline application 2018/0607 and fact that the site is allocated for residential development in the Local Planning Document. Access has already been approved with the internal access arrangements also now considered to be acceptable. The density of development is acceptable and the layout considered to respect the character of the area. The design of the dwellings is acceptable with a mixture of materials and scale of properties, with public open space overlooked and residential amenity respected. Having regard to the above it is considered that the application complies with policies A, 1, 2, 8, 10, 17 and 19 of the Aligned Core Strategy; policies 4, 7, 11, 18, 19, 21, 30, 32, 33, 35, 36, 37, 48, 57, 61 and 66 of the Local Planning Document; policies G1, G2, G5, ISF1, ISF2, ISF3, ISF4, BE1, BE2, BE3, BE4, NE3, NE4 and NE5 of the Calverton Neighbourhood Plan and guidance within the NPPF.

### **Recommendation: to grant reserved matters approval, subject to the imposition of conditions, as set out in the report:**

1. This permission shall be read in accordance with the application form and following list of approved drawings:

Affordable Housing Plan CA-PL-02 rev E  
Location Plan CA-PL-01 rev A  
Public Right of Way CA-PL-03 rev B  
Planning Layout CA-PL-05 rev D  
Charter Plan CA-PL-04 rev D  
LEAP Proposals 7403-L-22 rev A  
Planting Plan 7403-L-21 rev E  
Alnwick Brick Plans and Elevations 638-PL-01  
Hanbury Brick Plans and Elevations 761-PL-01  
Rufford Brick Plans and Elevations 870-PL-01  
Chatsworth Brick Plans and Elevations 918-PL-01  
Souter Brick Plans and Elevations 951-PL-01  
Souter Render Plans and Elevations 951-PL-02  
Sutton Brick Plans and Elevations 987-PL-01  
Sutton Render Brick Plans and Elevations 987-PL-02  
Hatfield Brick Plans and Elevations 969-PL-01  
Hatfield Render Plans and Elevations 969-PL-02

Hatfield Cr Brick Plans and Elevations 969-PL-03  
Hatfield Cr Render Plans and Elevations 969-PL-04  
Clayton Cr Brick Plans and Elevations 999-PL-01  
Clayton Cr Render Plans and Elevations 999-PL-02  
Roseberry Brick Plans and Elevations 1096-PL-01  
Roseberry Render Plans and Elevations 1096-PL-02  
Leicester Brick Plans and Elevations 1187-PL-01  
Leicester Render Plans and Elevations 1187-PL-02  
Lumley Brick Plans and Elevations 1120-PL-01  
Lumley Render Plans and Elevations 1120-PL-02  
Chedworth Brick Plans and Elevations 1222-PL-01  
Chedworth Render Plans and Elevations 1222-PL-02  
Chedworth (Bay F) Plans and Elevations 1222-PL-03  
Chedworth (Bay S) Plans and Elevations 1222-PL-04  
Winster Brick Plans and Elevations 1275-PL-01  
Winster Render Plans and Elevations 1275-PL-02  
Corfe Brick Plans and Elevations 1415-PL-01  
Corfe Render Plans and Elevations 1415-PL-02  
Corfe Bay Plans and Elevations 1415-PL-03  
Kendal Brick Plans and Elevations 1190-PL-01  
Kendal Render Plans and Elevations 1190-PL-02  
Standard Garages Single/Double Garage STDGD-02

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

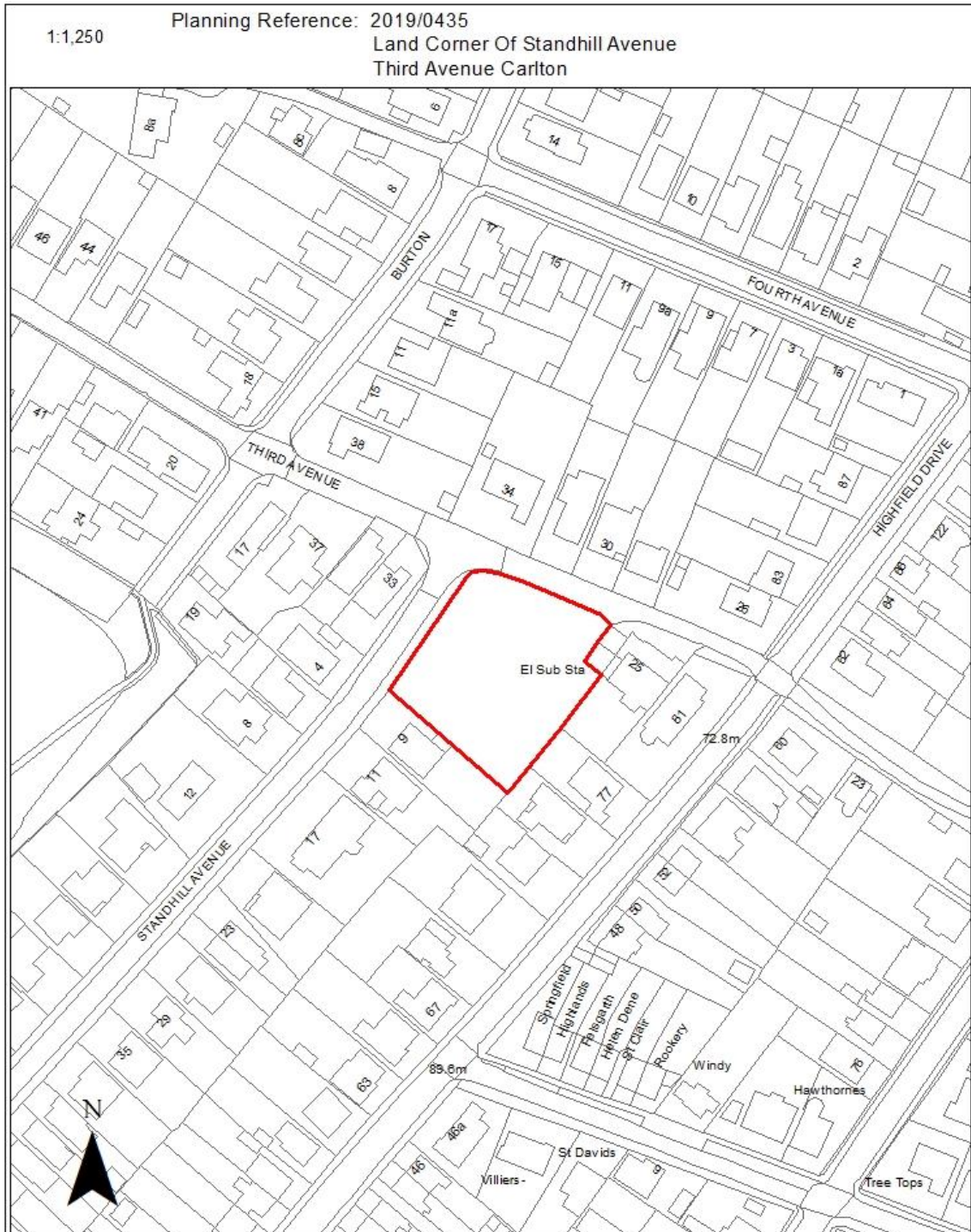
2. No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
3. No part of the development 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.
4. The landscaping 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 the development, 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.
5. No above ground works shall commence until samples of external facing and roofing materials 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.

## **Reasons**

1. For the avoidance of doubt.
2. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc) and to comply with policy LPD61.
3. To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with policy LPD61.
4. To ensure that the development assimilate within the green environment and to comply with guidance within the NPPF.
5. To ensure that the character of the area is respected and to comply with policy ACS10 of the Aligned Core Strategy.



**Planning Report for 2019/0435**



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Serving People. Improving Lives

Date: 27/08/2020

**Report to Planning Committee**

<b>Application Number:</b>	<b>2019/0435</b>
<b>Location:</b>	<b>Land corner of Standhill Avenue Third Avenue Carlton</b>
<b>Proposal:</b>	<b>Proposed Construction of 9 No. Dwellings.</b>
<b>Applicant:</b>	<b>Blue Brick Developments Ltd</b>
<b>Agent:</b>	<b>Swish Architecture Ltd</b>
<b>Case Officer:</b>	<b>Clair Turton</b>

**This application has been referred to Planning Committee by the Planning Delegation Panel given the wide ranging matters under consideration and scale of development proposed.**

**1.0 Site Description**

- 1.1 The site consists of a vacant parcel of land located within the built-up area of Carlton. The site is roughly rectangular in shape, measuring approx. 40 metres x 46 metres. The site slopes downwards from south-west to north-east (Third Avenue boundary). The site is located at the corner of Standhill Avenue and Third Avenue which is an un-adopted road.
- 1.2 Neighbouring properties are residential. Properties on Third Avenue are bungalows (albeit one appears to have a room in the roof). Properties on Standhill Avenue are a mix of single storey, one-and-a-half storey and two-storey dwellings.

**2.0 Relevant Planning History**

- 2.1 None relevant.

**3.0 Proposed Development**

- 3.1 Planning permission is sought for the erection of 9 no. dwellings. These are all 3-bedroom, 2-storey houses and are either detached or semi-detached.
- 3.2 A pair of semi-detached dwellings are proposed to the western corner of the site with 2 no. car parking spaces in front of each dwelling accessed from Standhill Avenue. A private driveway is also proposed from Standhill Avenue to access the remainder of the site. A pair of semi-detached dwellings are proposed to the west of the site. 5 no. dwellings are proposed to run parallel with Third Avenue with their rear elevations facing towards Third Avenue.



3.3 The scheme has been amended throughout the process of this planning application. Planning permission was originally sought for the erection of 7 no. dwellings and 6 no. flats. All dwellings are now 2-storey (some were originally proposed to be 3-storey).

#### **4.0 Consultations**

4.1 GBC Scientific Officer – raises no objection subject to conditions regarding contamination land, electric vehicle charging and a construction emission management plan.

4.2 GBC Parks and Street Care - no comment to make as the site is less than 0.4 hectares and therefore policy LPD21 is not engaged.

4.3 GBC Economic Development - The size of the development does not meet the thresholds for an Employment and Skills Strategy (relevant only to developments of 10 residential units or more).

4.4 GBC Arboricultural Officer – raises no objection as only a hawthorn hedge with mixed self-set trees exists along Third Avenue which are of poor condition and not worthy of retention or protection.

4.5 NCC Highway Authority – initial comments requested amendments and clarification regarding access arrangements, visibility splays and driveway gradients.

4.6 NCC Highway Authority 11/06/2020 – No objections to amended plans subject to conditions.

4.7 NCC Highway Authority 25/06/2020 – Provided further clarification that the immediate highway network could facilitate the level of traffic likely to be generated by the proposal and that the number of parking spaces proposed was satisfactory.

4.8 NCC Planning Policy - Confirm that as the application is now below the 10 dwelling threshold the County Council will no longer be seeking Section 106 contributions.

4.9 NCC Lead Local Flood Risk Authority - Provide general pointers for development

4.10 Notts Wildlife Trust - No objection but provide advice regarding measures to be put in place if vegetation is to be removed during bird breeding season.

4.11 The Environment Agency (Flood Risk) - State no formal comments to make

4.12 The Environment Agency (Environmental Permits) - Provide advice regarding environmental permits (in relation to Japanese Knotweed).

- 4.13 Neighbours – Over the course of the application a total of 30 letters of objection have been received from neighbouring occupiers. Concerns are;-

Design / Character

No. of properties proposed  
Overdevelopment of the site  
Style of properties proposed  
The area is mostly bungalows  
3-storey properties are out of character with the area  
Development is out of keeping with the surrounding area

Amenity

Loss of light  
Overshadowing  
Overlooking / loss of privacy  
Overbearing  
Loss of view  
Noise disturbance  
Light disturbance  
Pollution  
Increase of people in the area

Highways

Third Avenue is an unadopted road that the owners have to maintain  
Addison Road is a single track road without pavement  
Increase in traffic on a very narrow road with no passing area  
Increase in on-street parking  
How will construction vehicles access the site  
Damage to unadopted road by construction vehicles  
Access for emergency vehicles  
Can the surrounding roads be adopted  
What assurance will we have that the houses running along 3rd Avenue won't be allowed to take fences down and put pin a drive at the back of the property as well as at their front?

Other Issues

Disposal of Japanese Knotweed – this has been identified on the site and may have been inappropriately disposed of.  
Is this site really Brownfield Land? If it is Brownfield Land then the site should be assessed by an experienced environmental consultant before any development can take place.  
Can the development connect to the mains sewer  
The SHLAA states that this site has a net capacity for 4 no. small dwellings  
Discrepancies with application form  
Loss of green space and natural habitat  
When we bought our bungalow we were informed (which was subsequently legally confirmed) that there existed a Planning Restriction which limited the roofline of properties to the lower end of Standhill Avenue, to be of single storey or split-level proportions.  
Some residents do not have access to the internet to view the plans and the Council Offices are currently shut so the plans cannot be viewed in person there.

The plans state that existing trees facing Third Avenue will be retained. This is welcome as it addresses overlooking issues and maintains the environmentally rich hedgerow. To ensure that this actually happens it should be a requirement of planning permission being granted that these trees remain outside of new garden fencing. If they are inside the new owners could easily remove them.

Boundary encroaching onto land.

Devaluation of properties

A nearby resident was refused planning to extend into a second floor of her home it appears unreasonable that 2 story homes would be permitted.

The type of houses proposed may eventually lend itself to social housing, a concept not replicated anywhere within the immediate vicinity.

Flooding from run-off water

Third Avenue has no surface water mains grates

## **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 At the national level the National Planning Policy Framework (February 2019) is relevant. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF sees good design as a key element of sustainable development. The NPPF seeks to ensure a high standard of amenity for existing and future users of land and buildings.

National Planning Policy Framework:

Part 2 – Achieving sustainable development

Part 5 – Delivering a sufficient supply of homes

Part 11 – Making effective use of land

Part 12 – Achieving well-designed places

Paragraph 124 of the NPPF states that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Paragraph 127 of the NPPF states that *“Planning policies and decisions should ensure that developments ... create places ... with a high standard of amenity for existing and future users.”*

### 6.3 Gedling Borough Council Aligned Core Strategy 2014:

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 states that development will be assessed in terms of its “structure, texture and grain including street patterns, plot sizes, orientation and positioning of buildings and the layout of space”.

### 6.4 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18<sup>th</sup> July 2018. The relevant policies in the determination of this application are as follows:

LPD11 – Air Quality states “Planning permission will not be granted for development proposals that have the potential to adversely impact on air quality, unless measures to mitigate or offset their emissions and impacts have been incorporated.”

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

LPD 33 – Residential Density sets out that proposals for residential development will not be granted unless they are above a residential density of 30 dwellings per hectare.

LPD 35 – Safe, accessible and Inclusive Development provides detail on how development can create attractive, safe, inclusive and healthy environments

LPD 37 – Housing Type, Size and Tenure states “Planning permission will be granted for residential development that provides for an appropriate mix of housing, subject to housing need and demographic context within the local area.”

LPD 40 Housing Development on Unallocated Sites lists criteria for which housing development on unallocated sites will be assessed against.

LPD 57 Parking Standards sets out the requirements for parking.

LPD 61 – Highway Safety states “Planning permission will be granted for development proposals which do not have a detrimental effect on highway safety, patterns of movement and the access needs of all people.”

Appendix D – Requirement for Parking Provision in Residential and Non-Residential Development.

## **7.0 Principle of Development**

- 7.1 The site is located within the built-up area of Carlton where the principle of further residential development is considered acceptable by Policy LPD 40 (Housing Development on Unallocated Sites) which states that;-

*“Planning permission will be granted for residential development on unallocated sites that are not within the Green Belt provided [that certain criteria are met.]”*

The criteria referred to in Policy LPD 40 relate to design, loss of important features, residential amenity and parking. These issues are explored in detail throughout this report as well as an assessment of the proposal against other relevant planning policies.

## **8.0 Design / Visual Amenity**

- 8.1 I consider the design of the amended proposal to be acceptable and to not have an unacceptable impact on the character or visual amenity of the area.
- 8.2 Concerns were raised regarding the original scheme which proposed a total of 13 no. units at the site all of which were either 3-storey or two-and-a-half storey. The number of units proposed was considered to be an overdevelopment of the site and the height of the proposed buildings was considered to be out of keeping with the surrounding area. Properties on Third Avenue are bungalows (albeit one appears to have a room in the roof). Properties on Standhill Avenue are a mix of single storey, one-and-a-half storey and two-storey dwellings.
- 8.3 Following negotiations with the applicant, the scheme was reduced to 9 no. dwellings all of which are two-storey. The ridge heights of the proposed buildings have also been reduced. I consider these to be more in keeping with the character of the surrounding area.
- 8.4 A condition should be added to the grant of any planning permission removing permitted development rights for alterations to the roof of the dwelling. This way, any such works (including the insertion of windows) would require planning permission.
- 8.5 Concerns were also raised that the previous scheme was dominated by frontage car parking – all dwellings and apartments had car parking to the front with little room for soft landscaping. Following negotiations with the applicant, this part of the scheme has been amended with only two of the dwellings now accessed directly from Standhill Avenue and the remainder from a private driveway.
- 8.6 The design of the corner dwelling located to the north of the site has been amended so that it is a dual aspect dwelling, ensuing there are no blank elevations facing the street.

8.7 In order to ensure the finish of the proposal is acceptable, conditions should be added to cover the following;- materials, boundary treatment, hard landscaping and soft landscaping.

8.8 Whilst the proposal has been reduced from 13 units to 9 units, the scheme does still comply with Policy LPD 33 (Residential Density) which states that;-

*“Planning permission will not be granted for proposals for residential development of less than 30 dwellings per hectare.”*

The amended scheme has a residential density of 48.6 dwellings per hectare which is clearly not less than 30 dwellings per hectare and therefore policy compliant.

Policy LPD 33 also states that;-

*“Residential developments with higher densities will be supported provided that this reflects local characteristics and does not harm the character of the area.”*

For the reasons stated in Section 8 of this report, I consider that the proposal does reflect local characteristics and does not harm the character of the area.

8.9 I consider that the overall design and layout of the amended proposal complies with the relevant planning policies set out in Section 6 of this report. In particular, it complies with the objectives of the National Planning Policy Framework and the Aligned Core Strategy Policy 10 and Policies LPD 35 and 40.

## **9.0 Impact on Residential Amenity**

9.1 I consider that the amended proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties.

9.2 Concerns were raised regarding the previous scheme. In particular, it was considered that the proposed 3 and 2.5 storey dwellings that address Third Avenue, would lead to an overbearing impact upon the existing dwellings to the north of the site. The applicant was advised that the mass of the development as proposed should be reduced to a maximum of 2 stories in order to address both the impact upon the street scene and the impact upon residential amenity.

9.3 Amended plans were submitted addressing the above issue. As stated in the “design” section of this report above, a condition should be added to the grant of any planning permission removing permitted development rights for alterations to the roof of the dwelling. This way, any such works (including the insertion of windows) would require planning permission.

9.4 Further, the properties that run parallel to Third Avenue are now set back within their plots by the length of their rear gardens. This means that separation distances between these proposed properties and the existing properties on Third Avenue are in excess of 22 metres. This is considered to

be a sufficient separation distance between a 2-storey and single-storey dwelling so as to not cause unacceptable issues of massing / overshadowing or overbearing. This is taking into account the difference in levels at the site.

- 9.5 When revising the plans, the applicant was advised that they needed to be mindful of the relationship of the proposed dwellings towards the west of the plot (at the end of the private driveway) and the existing property, no. 77 Highfield Drive and its rear garden which back on to the site. The dwelling proposed is 1.3 metres to the shared boundary and approx. 11 metres to the dwelling itself. The applicant has designed this dwelling with a lowered roofline sloping away from no. 77 (it is 4.95 metres to the eaves and 8.065 metres to the ridge). Given the fact that no. 77 is on higher land than the site itself, I consider these measurements to be acceptable and do not consider that the proposal will cause unacceptable issues of massing / overshadowing or overbearing. This property has also been designed so that there are no first floor side windows facing no. 77. As such, there are no direct overlooking issues.
- 9.6 With regards to no. 9 Standhill Avenue (to the south west of the site), the adjacent proposed dwellings do not extend further forwards or rearwards of this existing property by a significant amount and as such do not cause unacceptable issues of massing / overshadowing or overbearing onto the main aspect windows to the front and rear of the site. The side windows at the existing property are predominantly screened by boundary treatment. The proposal is 4.7 metres away from the side elevation of no. 9. This is considered to be sufficient for two side elevations facing one another. This is taking into account the fact that the new dwellings are 2-storey whereas no. 9 is single storey and also the fact that no. 9 is on higher land.
- 9.7 I consider that separation distances between proposed dwellings are acceptable and that each dwelling is served by sufficient private amenity space.
- 9.8 All other existing neighbouring properties are considered to be a sufficient distance away so as to not be unacceptable affected by issues of massing / overshadowing, overbearing or overlooking.
- 9.9 I consider that the proposal complies with the relevant planning policies regarding amenity set out in Section 6 of this report. In particular, it complies with the objectives of the National Planning Policy Framework Policies LPD 32 and 40.

## **10.0 Highway Safety**

- 10.1 A pair of semi-detached dwellings are proposed to the western corner of the site with 2 no. car parking spaces in front of each dwelling accessed from Standhill Avenue. A private driveway is also proposed from Standhill Avenue to access the remainder of the site. 2 no. allocated parking spaces are proposed per dwelling.
- 10.2 Neighbours have raised concerns regarding both parking and access. However, the Highway Authority state that the amended plans address all of

their original concerns (see Consultations section of this report). The Highway Authority now have no objection to the proposal subject to conditions.

- 10.3 The Highway Authority has further clarified that the immediate highway network can facilitate the level of traffic likely to be generated by the proposal and that the number of parking spaces proposed is satisfactory.
- 10.4 I am satisfied that the Highway Authority has fully assessed access issues at the site and see no reason to disagree with their professional advice.
- 10.5 Policy LPD 57 (Parking Standards) permits development which meets the requirements for car parking provision as set out in Appendix D of the Local Planning Document, or otherwise agreed by the Local Planning Authority.
- 10.6 The amended plans show each new dwelling to have 2 no. allocated car parking spaces. This equates to a total of 18 no. car parking spaces.
- 10.7 Appendix D of the Local Planning Document states that for residential development of 6 or more dwellings in a built-up area, a 3-bedroom dwelling should have 2 no. allocated car parking spaces. On top of this there should also be 0.3 unallocated spaces per dwelling. As such the applicant was asked to explore whether an additional 3 no. off-site car parking spaces could be provided.
- 10.8 The applicant responded that this would not be possible and that they did not consider a further 3 no. car parking spaces would be necessary as the site is located in a sustainable location close to local services and public transport. They also considered that there was sufficient space to accommodate any additional car parking on the existing public highways.
- 10.9 Appendix D of the Local Plan does state that the unallocated requirement may be acceptable on-street and that there are circumstances that require a departure from the policy. As such, the Highway Authority were made aware of the situation and commented that they considered that in this case 2 spaces per dwelling is satisfactory without the need for further unallocated parking.
- 10.10 In summary, for the reasons stated above, I see no reason to disagree with the professional comments of the Highway Authority and consider that access and parking at the site are acceptable. I conclude that the proposed car parking provision is in accordance with LPD 57 and that the proposed access arrangements comply with LPD 61.

## **11.0 Other Issues**

- 11.1 Neighbours have raised concerns that there was previously Japanese Knotweed at the site and that this may not have been treated properly.
- 11.2 Japanese Knotweed is controlled by the Environment Agency who are the body responsible for granting an environmental permit to deal with this issue. This is a system separate to that of the planning system. The Environment Agency has raised no objection to the proposal but has provided advice



regarding Japanese Knotweed which has been forwarded to the applicant for information.

- 11.3 For additional clarity, an informative should be added to the grant of any planning permission notifying the applicant of their responsibility to deal with Japanese Knotweed.
- 11.4 I agree with the comments of the Scientific Officer regarding the inclusion of conditions covering contamination and air quality.
- 11.5 In line with the comments from Notts Wildlife Trust, an informative regarding measures to be put in place if vegetation is to be removed during bird breeding season should be added to the grant of any planning permission.
- 11.6 The applicant has confirmed that, to the best of their knowledge, the site location plan is drawn correctly and have made the statutory declarations when completing the planning application form.
- 11.7 Devaluation of properties and loss of view are not material planning considerations and therefore I cannot afford them significant weight.
- 11.8 With regards to Flood Risk, the whole of the site is located within Flood Zone 1. Neither the Environment Agency nor the Lead Local Flood Risk Authority has objected to the application.
- 11.9 A condition can be attached requiring ground and floor levels to be agreed.
- 11.10 A neighbour has raised concerns that when they bought their bungalow they were informed that there existed a Planning Restriction which limited the roofline of properties to the lower end of Standhill Avenue, to be of single storey or split-level proportions. I am unaware of such a restriction. Having carried out a planning history of the site itself I cannot see evidence of any such restriction. In any case, any grant of planning permission does not override any legal issues associated with the site.
- 11.11 A neighbour has commented that the existing trees facing Third Avenue should remain outside of new garden fencing so that new owners do not remove them. Precise details of soft landscaping should be agreed by way of a planning condition.
- 11.12 Neighbours have raised concerns that the consultation period was during the Covid-19 lockdown. Not all residents had access to the internet to view the plans and the Council offices were closed. With the applicant's permission, paper copies of plans were posted to residents who requested this. I am satisfied that the correct consultation procedure has been followed in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015

## 12.0 Conclusion

- 12.1 The proposed development is consistent with local and national planning policies. The design of the proposal is considered to be acceptable and does

not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site is acceptable. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF, Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 33, 35, 37, 40, 57 and 61 of the LPD.

### **13.0 Recommendation: GRANT PLANNING PERMISSION subject conditions:-**

#### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted documents;-

Application Forms, received 30th April 2019

Drawing no. 721 005 Rev J "House Plot Type 3 - Proposed Floor Plans & Elevations," received 10th July 2020

Drawing no. 721 007 Rev K "House Plot Type 5 - Proposed Floor Plans & Elevations," received 15th April 2020

Drawing no. 721 003 Rev J "House Plot Type 1 - Proposed Floor Plans & Elevations," received 2nd April 2020

Drawing no. 721 004 Rev J "House Plot Type 2 - Proposed Floor Plans & Elevations," received 2nd April 2020

Drawing no. 721 006 Rev J "House Plot Type 4 - Proposed Floor Plans & Elevations," received 2nd April 2020

Drawing no. 721 002 Rev J "Proposed Site Plan, Block & OS Plans," received 2nd April 2020

Drawing no. 721 001 Rev A "Existing Block & OS Plans," received 2nd April 2020

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

- 3 No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.
- 4 No building shall be occupied until a detailed scheme for the boundary treatment of the site, including position, design and materials, and to include all boundaries or divisions within the site, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the buildings are first occupied or such other

timetable as may first have been agreed in writing with the Local Planning Authority.

- 5 No development shall be commenced until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved prior to the first occupation of each dwelling. These details shall include:

a schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species. an implementation and phasing programme.

existing trees and hedgerows, which are to be retained pending approval of a detailed scheme, together with measures for protection during construction.

hard surfacing materials

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of:

Class B: Additions etc to the roof of a dwellinghouse

Class C: Other alterations to the roof of a dwellinghouse

or Schedule 2, Part 2 of the Order in respect of:

Class B: Means of access to a highway

- 7 No part of the development hereby permitted shall be brought into use until dropped vehicular footway crossings are available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 8 No part of the development hereby permitted shall be brought into use until the redundant site accesses that has been made redundant and are permanently closed and the access crossings are reinstated to full height kerbs and footway in accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.
- 9 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved plans. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.
- 10 No part of the development hereby permitted shall be brought into use until the private access road and drives/ parking areas are surfaced in a bound

material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

- 11 No part of the development hereby permitted shall be brought into use until the access road and driveways/ parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 12 No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and never exceeds 1:12 thereafter, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.
- 13 No part of the development hereby permitted shall be brought into use until the bin store has been constructed and positioned in accordance with drawing number 721 002 RevJ.
- 14 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.
- 15 Prior to occupation, each off street parking space shall incorporate a suitably rated electrical socket to allow 'Mode 2' charging of an electric vehicle using a standard 13A 3 pin socket and a 3m length cable. All EV charging points shall be clearly marked with their purpose and their purpose drawn to the attention of new residents in their new home welcome pack / travel planning advice.
- 16 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.
- 17 No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in

accordance with the approved details unless otherwise agreed in writing by the local planning authority.

## Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interests of visual amenity
- 4 In the interests of visual amenity
- 5 In the interests of visual amenity
- 6 To ensure that the local planning authority retains control over the specified classes of development normally permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any amending legislation) in the interests of visual amenity, residential amenity and highway safety.
- 7 In the interests of highway safety
- 8 In the interests of highway safety
- 9 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.
- 10 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 11 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 12 In the interests of Highway safety.
- 13 To enable the bins to be collected by the refuse team on collection day.
- 14 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 15 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration Chapter 9 of the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 16 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.

17 In the interests of residential and visual amenity

### **Reasons for Decision**

The proposed development is consistent with Gedling Borough planning policies. The design of the proposal is considered to be acceptable and does not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of overlooking or massing / overshadowing. Parking and access at the site is acceptable. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF, Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 33, 35, 37, 40, 57 and 61 of the LPD.

### **Notes to Applicant**

With regards to condition 15 - Optionally, a suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 13A 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows faster 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 (2019). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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

It is the land owner's responsibility to ensure that any Japanese Knotweed at the site is / has been dealt with correctly. For further advice regarding this issue, please contact The Environment Agency enquiries@environment-agency.gov.uk or 03708 506 506.

The grant of planning permission does not override any civil legal matters associated with the site or surrounding area.

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that

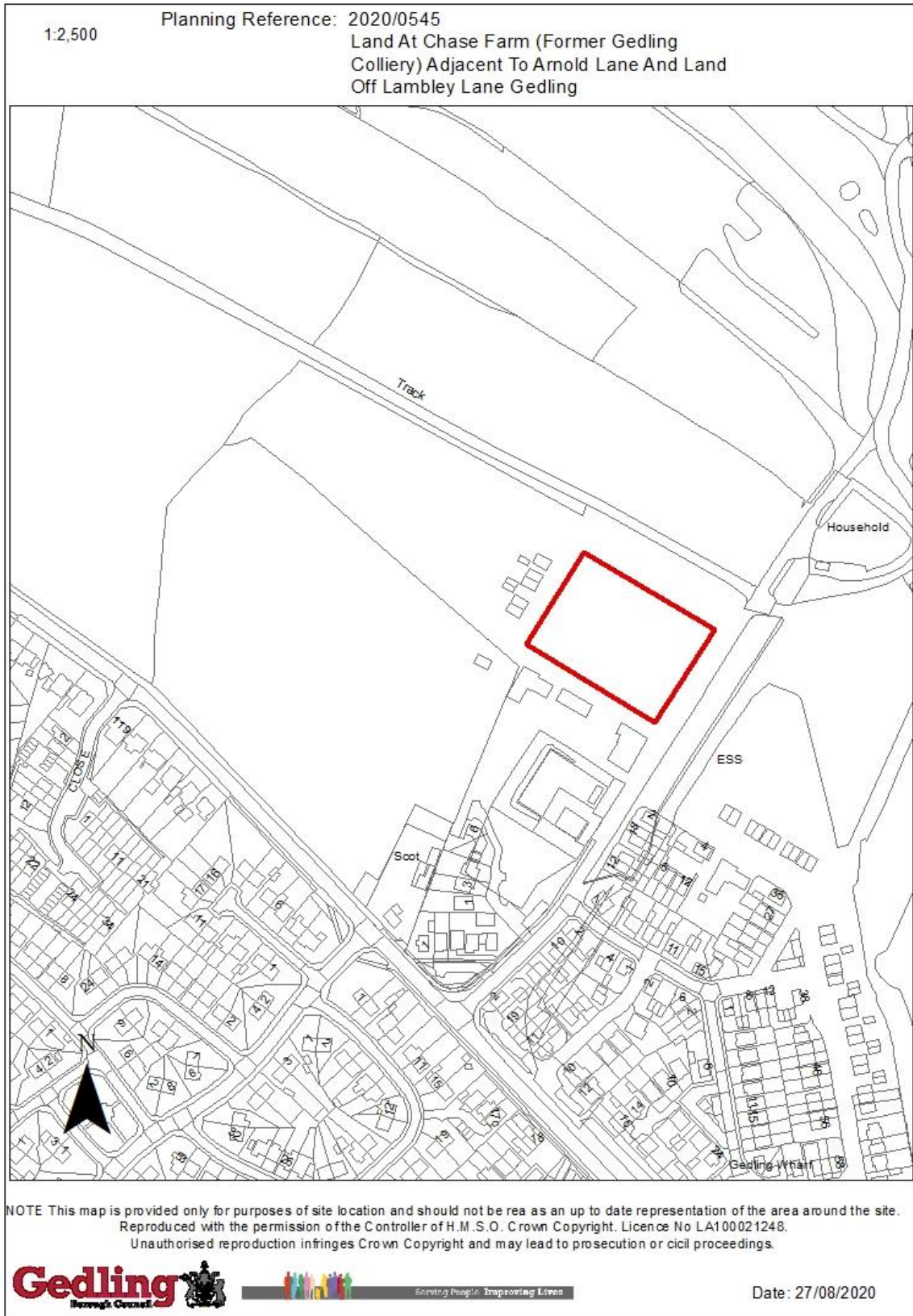
there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

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**Planning Report for 2020/0545**



**Report to Planning Committee**

<b>Application Number:</b>	<b>2020/0545</b>
<b>Location:</b>	<b>Land At Chase Farm (Former Gedling Colliery), Adjacent to Arnold Lane And Land Off Lambley Lane</b>
<b>Proposal:</b>	<b>Re-design of the landscaping for the Urban Square.</b>
<b>Applicant:</b>	<b>Keepmoat Homes</b>
<b>Agent:</b>	<b>Armstrong Burton Architects</b>
<b>Case Officer:</b>	<b>Nigel Bryan</b>

**This application has been referred to Planning Committee to accord with the Constitution as a deed of variation amending to an existing Section 106 Legal Agreement is required.**

**1.0 Site Description**

- 1.1 The application site relates to area of land within the large scale major residential development fronting Arnold Lane which falls within the previously approved 'Chase Farm' development (Planning Reference 2015/1376) currently under construction.
- 1.2 The site is currently vacant and largely flat land. At the time of the officer visit (30<sup>th</sup> June) dwellings to the south and west were under construction; however, none were occupied and the site was an active building site.

**2.0 Relevant Planning History**

- 2.1 On the 3<sup>rd</sup> March 2017 Conditional Permission was granted for the "Demolition of existing structures and phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school. Full planning permission for phase 1 to comprise the erection of 506 no. dwellings (2, 3, 4 and 5 bedroom houses and flats), vehicular access from Arnold Lane, internal roads and all associated infrastructure. Outline planning permission for subsequent phases, all matters reserved except for indicative access to the sites from phase 1, and future accesses from Gedling Access Road." *app ref: 2015/1376.*
- 2.2 In September 2017 a Non Material Amendment was granted for Plots 218 – 228 substituting brickwork and plots 38 – 47 window alterations. Ref: 2017/0927NMA

- 2.3 In September 2017 a Non Material Amendment was granted for changes to external elevations of plots 112, 114 and 156. Ref: 2017/0928NMA.
- 2.4 In January 2019 Full Planning Permission was granted to replace plots 01, 02, 03, 169, 170 and 171 with alternative house types (ref: 2017/1018).
- 2.5 In January 2019 Full Planning Permission was granted for the repositioning of plots 5, 6 & 7(rotation through 90 degrees). (ref: 2017/1076).
- 2.6 In January 2019 Full Planning Permission was granted for the re-elevation of 71 no. plots (ref: 2018/0392).
- 2.8 In January 2019 Full Planning permission was granted for the substitution of house types in respect to 30 plots (329 – 358) with amended house types and layouts, (ref: 2018/0684).
- 2.9 In August 2020 Full Planning Permission was granted for the substitution of the house type to plot 329, (reference 2019/0586).
- 2.10 In August 2020 Full Planning Permission was granted for a 3 plot re-plan of plots 229, 230 and (reference 2019/0304).
- 2.11 In December 2019 resolution to grant full planning permission was granted for replacement house types of 204 dwellings (ref: 2019/0759), subject to a deed of variation on the S106.
- 2.12 In August 2019 Full Planning Permission was granted for 'construction of an access junction off the Gedling Access Road' (ref: 2019/0500)
- 2.13 An application for the erection of 31 dwellings, a re-plan of a previously approved scheme, is currently under consideration by the Council (ref: 2020/0667)

### **3.0 Proposed Development**

- 3.1 The application is submitted as a standalone full application for alterations to the urban square. The urban square has been identified as a focal point for the site and is located to the north of housing currently under construction; south of the local centre, west of the school and other housing proposed to the east.
- 3.2 The primary changes to the urban square are that previously there appeared to be three distinct character areas and a greater degree of hardstanding; however, this has changed to have a central walkway with a focal point and more conventional green landscaping. Play equipment and a trim trail are proposed within the space, with similar equipment approved under the previous scheme too. The tree proposed to be to the centre of the site is small leaved lime with other lower level planting to the periphery of the site.

3.3 It should also be noted that following concerns raised by Parks and Street Care, below, amended plans have been submitted that provide more robust equipment for the site, the application is considered accordingly.

#### **4.0 Consultations**

4.1 Parks and street care – note that there is enough play equipment but make a number of observations on the suitability of the equipment, primarily with regard to future maintenance e.g. metal equipment is more durable than timber, conventional safety floors etc. However, it is noted that the space is to be maintained by a management company and not Gedling Borough Council.

4.2 At the officer site visit it was apparent that there no dwellings were occupied that overlook the application site so neighbour letters were sent out; however a site notice was erected in close proximity to the site entrance. As a result of consultation undertaken, no responses have been received from local residents.

#### **5.0 Relevant Planning Policy**

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

- LPD21 – provision of new open space
- LPD 64 – Housing allocations – Urban area and edge of Hucknall

5.2 With respect of the National Planning Policy Framework 2019 (NPPF) it is noted in paragraph 128 that ‘design quality should be considered throughout the evolution and assessment of individual proposals. Chapter 8 of the NPPF, ‘promoting healthy and safe communities’ identifies that access to high quality public open space is important for the health and well-being of communities.

#### **6.0 Planning Considerations**

6.1 The principle of the development has already been established through planning application 2015/1376. The Council granted full planning permission for the erection of 506 dwellings in phase 1 of the Chase Farm development. Furthermore, an urban square on the site already benefits from planning permission.

6.2 The size of the urban square is going to remain the same; however, the space is to be become more green in appearance with less hardstanding. Paths will cross the site in north-south and east-west direction with a central focal point based around a prominent tree. Hedging will be to the site periphery and features within the site will include a ‘trim trail’ for fitness and more conventional play equipment for children e.g. swings and roundabout. There will also be street furniture e.g. benches and bins, all of which are considered to create a diverse and usable space for occupiers.

- 6.3 Concern was expressed about the use of certain materials and their durability, particularly for the play equipment; however, following receipt of an amended plan, the majority of equipment is now proposed to be metal, which has addressed a number of concerns.
- 6.4 In terms of design and layout the alterations to the space are considered to be acceptable and will create a usable, functional and attractive space at the centre of the site, which will enhance the character of the area and is deemed to comply with aforementioned policies of the Local Planning Document and guidance within the NPPF.

#### Planning Obligations

- 6.5 The application site falls within the wider Chase Farm development which is subject to a Section 106 agreement. To ensure that the amended urban square design is linked to the original permission there would be a need to have a deed of variation with the current application.

#### 7.0 **Conclusion**

Having regard to the above it is noted that the principle of the development is supported by policies LPD21 and LPD64 with an urban square forming part of the approved masterplan and having planning permission. The alterations to the square would create a more greener space but the changes would still provide a focal point for the development that is of good design. Equipment would be provided and it is noted that some of the equipment on the previously approved scheme would have been timber too, so whilst there may be issues over long-term maintenance it is considered that urban square is still acceptable as proposed. As a result it is recommended that the application be granted permission, subject to pertinent conditions.

- 7.0 **Recommendation: Grant Full Planning Permission: Subject to the below conditions and the owner entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376; and subject to the conditions listed for the reasons set out in the report.**

#### **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: P100 - location plan 17144 rev B - play space layout - received 19 August The development shall thereafter be undertaken in accordance with these plans/details.
3. The landscaping scheme as approved shall be carried out in the first planting season following the implementation of the planning permission. 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.

### **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 ACS10.



**Planning Report for 2019/0475**



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: 27/08/2020

**Report to Planning Committee**

<b>Application Number:</b>	<b>2019/0475</b>
<b>Location:</b>	<b>31 Hazel Grove Mapperley</b>
<b>Proposal:</b>	<b>Single storey rear extension, new elevated hardstanding deck area and roof lantern above existing flat roof.</b>
<b>Applicant:</b>	<b>Mr And Mrs Solley</b>
<b>Agent:</b>	<b>Mr Ian Walton</b>
<b>Case Officer:</b>	<b>Alison Jackson</b>

**The applicant a member of staff and therefore in accordance with the Council's Constitution, this application has been referred to the Planning Committee.**

**1.0 Site Description**

- 1.1. The application site relates to 31, Hazel Grove, Mapperley, a two storey detached property which is set back from the road. There is a driveway to the frontage of the site.
- 1.2. The neighbouring properties are similar in design.
- 1.3. There is an existing single storey rear extension to the property and an existing elevated decked area with steps leading down to the rear garden area to the property. Land slopes slightly downwards away from the rear of the property to the rear boundary of the site, the rear boundary adjoining the Mapperley golf course.
- 1.4. There is well established hedging to the side boundaries of the site.

**2.0 Relevant Planning History**

- 2.1. Planning permission was granted in April 2004, reference 2004/0579, for the erection of a single storey rear extension to the property.
- 2.2. Planning permission was granted in May 2005, reference 2005/0190, for the erection of a two storey side extension to the property.



### **3.0 Proposed Development**

- 3.1. Planning permission is sought for the erection of a single storey rear extension, an elevated patio area and the insertion of a roof lantern within the flat roof to the existing rear extension.
- 3.2. The proposed single storey rear extension would project out from the rear elevation of the existing dwelling by approximately 2.6 metres and would extend across the rear elevation of the dwelling by approximately 4.7 metres. The extension would have an overall height of approximately 5.5 metres. The extension is proposed to be constructed in brick work to match the existing dwelling and grey roof tiles to match the existing dwelling.
- 3.3. Bi-fold patio doors are proposed to the rear elevation of the extension with roof lights to the roof slope of the extension.
- 3.4. The elevated patio area would project out from the rear elevation of the proposed single storey extension by approximately 5.6 metres, the floor level of the first section of the elevated patio area would be level with the ground floor of the proposed rear extension, steps would then lead down from this first section of the raised patio area, reducing the height of the remainder of the raised patio area by approximately 0.6 of a metre. A glass balustrade would be erected to the front and side elevations of the raised patio area. The established hedge to the side boundary of the site with no. 29, Hazel Grove is shown to be retained.
- 3.5. Steps are also proposed to be provided leading from the first section of the raised patio area down to the rear garden area.
- 3.6. Revised plans were submitted during the processing of the application to show amendments to the scheme, including amendments to the height of the elevated patio, changes to the screening to the elevated patio and clarification of the height of the existing boundary hedging to the north west side elevation of the site.

### **4.0 Consultations**

#### **4.1. Neighbour Consultation**

The occupiers of adjoining residential properties have been consulted by letter and a site notice has been posted – three letters of representation were received following the consultation undertaken in respect to the initially submitted plans, the contents of these are summarised below:

- The floor level of the elevated patios area is too high in relation to neighbouring properties resulting in a loss of privacy.
- The proposed steps would result in loss of privacy to neighbouring properties.

- If screening is provided this would form a substantial extension to the property, dominating the landscape, reducing light to neighbouring properties and resulting in an invasive impact.
- Loss of light to neighbouring properties given the extent of the structure.
- Impact on the welfare of neighbouring residents.
- Un-neighbouring form of development.
- Overbearing impact.

Following the receipt of the revised plans, neighbouring properties were re-notified and two letters of representation were received, the contents of these are summarised below;

- Loss of privacy to neighbouring properties.
- Neighbouring residents fences would need to be increased in height in order to retain privacy but this would probably need planning permission.
- Impact on the welfare of neighbouring residents

## **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 Greater Nottingham Aligned Core Strategy Part 1 Local Plan**

Policy 10: Design and Enhancing Local Identity – states that development should be designed to make a positive contribution to the public realm and sense of place.

### **6.3 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 32: Amenity – states that planning permission will be granted for proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers.

LPD 43: Extensions to Dwellings not in the Green Belt – states that planning permission will be granted for extensions and alterations to dwellings provided the appearance of the proposal is in keeping with the surrounding character

and results in no significant adverse impact on the amenity of neighbouring properties.

## **7.0 Planning Considerations**

### Visual Amenity

- 7.1 The proposed extension would be visually acceptable when viewed from neighbouring properties, given the design of the extension together with the materials to be used in the construction of the extension which would match those of the existing dwelling. It is also considered, given the above, that the extension would complement the character of the existing dwelling.
- 7.2 The proposed elevated patio area would also be visually acceptable when viewed from neighbouring properties, whilst I appreciate that the elevated patio area would be larger than the one which would be replaced and the access arrangements to the garden area would be different to how the garden area is currently accessed, I consider that the proposed works are acceptable in terms of their design and how the elevated patio sits in relation to the existing dwelling and proposed extension.
- 7.3 I note the comments made in respect to the screening to the elevated patio area and I am satisfied that the glazed screening proposed, given its height and design would be visually acceptable. I also note that the boundary hedging is proposed to be retained at the site which also provides screening and is visually acceptable, softening the appearance of the development proposed.
- 7.4 For the reasons set out above I therefore consider that the proposed development accords with the aims of the National Planning Policy Framework 2019, policy 10 of the Aligned Core Strategy 2014 and policy LPD43 of the Local Planning document 2018.
- Impact on neighbouring residential amenity
- 7.5 I note that concerns have been raised in respect to the potential overbearing impact of the development onto neighbouring properties. In my opinion the proposed extension, given its scale and relationship with neighbouring properties, would result in no undue overbearing or overshadowing impact onto neighbouring properties.
- 7.6 The bi-fold patio doors to the rear elevation of the extension, given that these would look onto the rear garden area to the application dwelling would result in no undue overlooking impact onto neighbouring properties. Given the location of the roof lights and their height above the floor level of the room they serve, I am satisfied that there would be no undue overlooking impact onto neighbouring properties from these proposed roof lights.
- 7.7 I note the comments of neighbouring residents in respect to the potential loss of privacy from the proposed elevated patio area, whilst the elevated patio

area is fairly elevated in nature with steps leading down to the rear garden area, I am satisfied given that part of the elevated patio area would be stepped down by approximately 0.6 of a metre from the first section of the decking area immediately adjacent to the proposed extension, together with the fact that the well-established hedge to the north west side boundary of the site would be retained, I am satisfied that the plans clearly show that there would be no undue overlooking impact from the elevated patio area onto the immediate neighbouring property no. 29, Hazel Grove or beyond.

- 7.8 In addition the elevated patio area is set in from the side boundary of the site with the immediate neighbouring property to the south east boundary of the application site, no. 33, Hazel Grove, I am satisfied given the distance of the elevated patio area from this side boundary of the site, together with the established hedge to this south eastern boundary, there will be no undue overlooking impact onto this neighbouring property or beyond.
- 7.9 I note that neighbouring residents have also raised concerns in respect to the proposed steps leading from the elevated patio area to the rear garden to the dwelling, in that the use of these steps would result in the loss of privacy to neighbouring dwellings. Whilst I appreciate that the steps are L-shaped and would bring these in closer proximity to the south eastern boundary of the site and the immediate neighbouring property, no. 33, Hazel Grove, I consider that the steps being a means of access only, together with the fact that the steps leading directly from the garden area, adjacent to the south eastern boundary of the site are at a lower level than the steps which access the main elevated patio area, there will be no undue overlooking impact onto neighbouring properties.
- 7.10 I note the comments in regard to the fact that some neighbouring residents may wish to increase the height of their boundary fencing in order to retain privacy, should any boundary treatments to the rear of the dwellings exceed two metres in height then planning permission would be required and these would be assessed on its own merits. However given the above, I consider that the boundary treatments currently in place are adequate to retain privacy to both neighbouring dwellings and to the application dwelling.
- 7.11 I do not consider that the proposed development would result in any undue impact on the amenity or welfare of neighbouring residents or result in an unneighbourly form of development, given the scale of the development, the relationship with neighbouring properties and the existing screening to the side boundaries of the application site.
- 7.12 For the reasons set out above I therefore consider that the proposed development accords with the aims of policies LPD32 and LPD43 of the Local Planning Document 2018.

## **8.0 Conclusion**

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

- The design of the extension and proposed elevated patio area are considered acceptable.
- The proposals result in no undue impact on neighbouring properties, in terms of any overlooking, overbearing or overshadowing impacts.

8.2 For the reasons set out above, the proposed development accords with the National Planning Policy Framework 2019, Policy 10 of the Aligned Core Strategy 2014 and Policies LPD 32 and 43 of the Local Planning Document 2018. It is therefore recommended that planning permission is granted subject to conditions.

**Recommendation: It is recommended that planning permission is granted subject to conditions:**

### **Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be undertaken in accordance with the details as set out within the application form received on the 15th May 2019, the site location plan received on the 15th May 2019, the revised block plan received on the 10th December 2019, drawing number 0117 Rev 02, the revised floor plan received on the 10th December 2019, drawing number 0117 Rev 03, and the revised elevations received on the 28th January 2020, drawing number 0117 Rev 03.

### **Reasons**

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

### **Reasons for Decision**

The principle of the proposed development is acceptable, no material harm would be caused to the character and appearance of the area and the living conditions of neighbouring property occupiers. The proposed development therefore accords with the objectives of the National Planning Policy Framework 2019, Policy 10 of the Aligned Core Strategy 2014 and Policies LPD 32 and LPD 43 of the Local Planning Document 2018.

### **Notes to Applicant**

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

of CIL are available on the Council's website at [www.gedling.gov.uk](http://www.gedling.gov.uk). The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less than 100 square metres

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

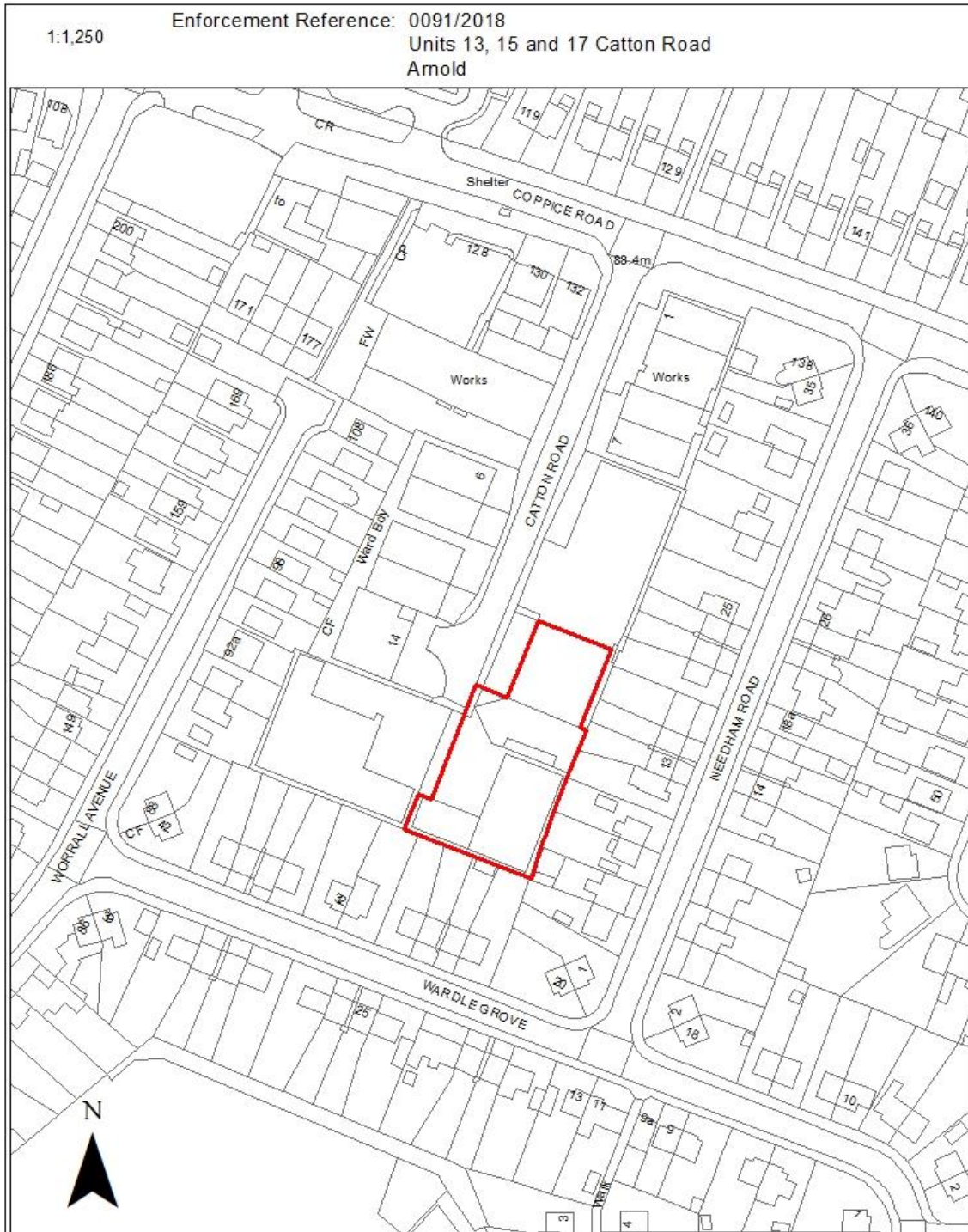
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal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

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

Date Recommended: 21st August 2020



**Planning Enforcement Report for 0091/2018**



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Date: 28/08/2020

## Report to Planning Committee

<b>Reference Number:</b>	<b>0091/2018</b>
<b>Location:</b>	<b>Units 13, 15 and 17 Catton Road Arnold</b>
<b>Breach of Planning Control:</b>	<b>Unauthorised change of use from B1 (business suitable in a residential area) to B2 (general industrial)</b>

### 1 Background

- 1.1 Units 13,15 and 17 Catton Road are located within the designated protected employment site at Catton Road. This is a well-established small industrial estate with fairly typical industrial/commercial uses present. According to the most recent Planning Policy Employment Site Survey this site has a very high level of business occupation. The industrial estate is embedded within a residential area.
- 1.2 The three units (13,15 and 17) are located in the south east corner of the industrial estate adjacent to residential properties. Two of the units adjoin each other and the third is separated from the other two by a service yard also used by the applicant. The business occupying these three units, manufactures shop fittings.
- 1.3 In May 2018, the Council received complaints about noise disturbance from the industrial units and on investigation it was found that an unauthorised change of use from the permitted light industrial/office use (Use Class B1) to a general industrial use (Use Class B2) had taken place at units 13,15 and 17 Catton Road, Arnold. It was alleged the change of use was causing significant noise disturbance to nearby residential properties. It was also alleged that a number of planning conditions attached to planning permissions 80/1941 and 83/0630 were not being complied with contributing to the disturbance caused by the activity at the site.
- 1.4 A site visit was carried out by officers on the 16<sup>th</sup> May 2018. At that time the weather was fine and the doors to the factory and the delivery areas were propped open. Noisy machinery was operating inside the building and a loud radio was playing. People were driving forklift trucks around the site with reversing bleeps sounding and were loading items on to a lorry trailer which was being used for storage in one of the yards/parking areas.



- 1.5 A detailed check of the relevant planning history showed that the existing planning permission (80/1941) for the site has a number of conditions which impose restrictions;
- Condition 2 states “The factory units shall be used for light industrial purposes only” (B1 of the Use Class Order)
  - Condition 3 states “No Machinery shall be operated on the premises between the hours of 8pm and 7.30am on weekdays or at any time on Sundays or Bank Holidays”
  - Condition 4 states “There shall be no storage on the open areas of the sites including the car park”
- 1.6 These conditions are also replicated in a subsequent planning permission reference 83/0630.
- 1.7 A Planning Contravention Notice was served on the 25<sup>th</sup> June 2018 to gather further information from the business owner about the operation of the business. A representative of the business responded stating the business was a general industrial use including the manufacturing of shopfittings for major retailers and that they had occupied part of the premises since 2013 and another part since 2016.
- 1.8 On the 22<sup>nd</sup> August 2018 a letter was sent by the council to the owner of the business to advise that a new planning application was required to change the use of No. 13 to a general industrial use (B2). It was also advised that if any part of No. 17 was also used for similar purposes (B2) or if the warehousing element exceeds 500 sq. metres this will also require permission.
- 1.9 Planning application 2018/0925 was submitted on the 19<sup>th</sup> September 2018 in relation to 13,15 and 17 Catton Road and the development was described as “Retrospective application material change of use from B1 to B2. This applies to 13, 15 & 17 Catton Road”.
- 1.10 Planning permission was refused on the 14<sup>th</sup> June 2019. An appeal to the Planning Inspectorate against the Council’s decision was lodged and dismissed on the 25<sup>th</sup> November 2019.

## **2 Planning History**

- 2.1 80/1941- Provide nursery units within existing factory – Approved 3<sup>rd</sup> December 1980
- 2.2 83/0630- Change of use from Warehouse to light industry – Approved 15<sup>th</sup> July 1983
- 2.3 2018/0925 - Retrospective application material change of use from B1 to B2. This applies to 13, 15 & 17 Catton Road – Refused 14<sup>th</sup> June 2019, appeal dismissed 25<sup>th</sup> November 2019.

### **3 Assessment**

- 3.1 Although the development has occurred without planning permission and is therefore unauthorised, local planning authorities are required to consider government guidance when deciding whether to take planning enforcement action. Government guidance is found in the National Planning Policy Framework (NPPF) (Paragraph 58) and states that although effective enforcement is important as a means of maintaining public confidence in the planning system, ultimately enforcement action is discretionary and local planning authorities should act proportionately in responding to breaches of planning control.
- 3.2 The main considerations when deciding whether to take enforcement action in this case are;
- i) The acceptability of the principle of the B2 use within this location
  - ii) The impact of this use upon nearby residential amenity

#### Planning policy considerations

- 3.3 The NPPF places weight on supporting and sustaining the local economy. ACS policy 4 states that existing employment sites should be managed to cater for the full range of employment uses by retaining strategic employment areas that are an important source of jobs. The Catton Road Industrial Estate is designated as an employment site to be retained for employment uses as shown on the LPD Policies Map 2018.
- 3.4 LPD Policy 44 recognises the need to be more flexible about the range of employment uses that can be accommodated on employment sites. LPD Policy 44 permits the expansion, conversion or redevelopment of land and premises for employment uses on existing employment sites including at Catton Road providing the employment use is within use class B1-B8 and sui generis uses of a similar nature or is an employment use that is compatible with the nature of the employment site. However, this is subject to certain criteria of which, LPD 44 (iii) is relevant;
- The proposal would not cause a significant adverse impact on the amenity of nearby residents and occupiers.
- 3.5 It is therefore considered under LDP Policy 44, the change of use that has occurred is acceptable in broad principle terms however, the acceptability conflicts with LPD 44 (iii).
- 3.6 In considering the noise and impact upon residential amenity of the change of use that has occurred Policy LPD 32 is also relevant. This policy advises that planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures. LPD 32 also advises that special consideration will be given to noise affecting residential areas generated outside of normal business hours and to the impact of the level of activity of business/commercial uses within predominantly residential areas.

- 3.7 Residents have produced a diary sheet which suggests the factory is operating outside of normal business hours and the hours permitted by condition 7 attached to the permission. Site visits have confirmed that noisy machinery is operating at the premises and that doors to the factory are often propped open. The owner agreed at a meeting on site in May 2018 that the business often operated all through the night and that as shopfitters there was an industrial manufacturing use in the buildings.
- 3.8 The appeal decision for planning application 2018/0925 made it clear, the noise assessment report submitted with the planning application indicates that a 'doors open' operation at the application site would result in a predicted noise level at the rear wall of the nearest dwellings on Needham Road of 7dB above the background noise level. BS4142:20141 advises that 'a difference of around +5dB is likely to be an indication of an adverse impact depending on the context'. It is therefore concluded that the level of activity taking place in very close proximity to private residential dwellings would be unacceptable and would result in significant undue harm to the amenity of occupiers. The use therefore conflicts with Policy LPD 32.
- 3.9 The noise assessment report indicated a predicted noise level at the rear of the Needham Road dwellings of 2dB above the background noise level if the business carried out its operations with all doors and windows closed. BS4142:2014 indicates that 'the lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact'. As part of the appeal the Council indicated that it would consider this acceptable, and so would require the business to operate with doors and windows closed at all times.
- 3.10 The appellant indicated that they would not be able to do this while also complying with its obligations towards its employees' health and safety. Furthermore the public protection team also advised that the hours of opening should be controlled by way of condition if the application were to be approved. Although it was considered that opening hours could be reasonably controlled via condition was not considered that the closing of doors and windows at all times would be easily controlled and enforceable and as such would not represent a reasonable condition.
- 3.11 The business owner stated, they had moved into the premises thinking there was a general industrial use without restrictions. The response on the PCN stated, "We employ staff who work days and nights (if needed) ...this is crucial to enable us to supply Blue Chip customers who depend on our services. We are required to work to timescales/deadlines set by our customers. We have been operating for many years and never had direct complaints from the community. We would like you to take this into consideration."
- 3.12 While it is acknowledged that this business has been operating from the site for some time and that in taking enforcement action there would be an impact on the business which may result in a loss of jobs, it appears the business cannot remedy the noise disturbance caused to nearby occupiers of residential properties and planning conditions could not be imposed to overcome the noise issues. The units occupied have planning permission for B1 use only and it is

noteworthy that no other units within the industrial estate operate under a B2 use. The use is contrary to LDP Policy 44 iii and LDP Policy 32.

### Time Limits

- 3.13 The statutory time limit for taking action for unauthorised changes of use and breaches of planning condition is ten years. In this case the evidence available to the Council strongly suggests the unauthorised use and breaches of the relevant conditions has not occurred for 10 years and so the Council is within the legislative time limit to commence enforcement proceedings such as issuing an enforcement notice requiring the use to cease.

### Human Rights

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

### Equalities

- 3.16 The Council's Planning Enforcement team operates in accordance with the Council's Planning Enforcement Policy and is largely dictated by legislation which reduces the risk of discrimination in this service. The Council is accountable to the public, including its stakeholders, for its decisions both to take enforcement action and not to utilise its enforcement powers. There is a legitimate expectation of the public and stakeholders that the Council will take action to address breaches of planning by such means as are appropriate in the individual circumstances and which are in accordance with the Council's policy and government legislation.
- 3.17 The Council strives for a consistent approach in targeting its enforcement action. This means that the Council will take a similar, but not the same, approach to compliance and enforcement decisions within and across sectors.

It will strive to treat people in a consistent way where circumstances are similar. Each case however will be evaluated on the basis of its own facts and circumstances but will ensure that decisions or actions taken in any particular case are consistent with the law and with the Councils published policies. It should be noted that decisions on specific enforcement actions may rely on professional judgment. The Council will usually only take formal enforcement action where regularisation and/or attempts to encourage compliance have failed as in this case.

### Crime and disorder

- 3.18 The Crime and Disorder Act 1998 places a duty on the Local Planning Authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on the integrity of the planning system and the setting of a precedent if action is not taken is therefore a material consideration in the authorisation of enforcement proceedings.
- 3.19 In light of all the facts it is now considered expedient to serve an enforcement notice to require the business to cease the use of the premises for a general industrial use (B2 use).

## **4 Conclusion**

- 4.1 A breach of planning control has been identified which is causing noise disturbance and is detrimental to the amenity of nearby occupiers of residential properties.
- 4.2 The breach conflicts with both national and local policies. The failure of the Council to act in these circumstances may set a precedent for other poor development and which is detrimental to the amenity of the area.
- 4.3 By serving an enforcement notice, it is acknowledged there will be difficulties caused to a business which employs a number of people from the local area but by giving the business 18 months to comply with the notice and assistance from the Council to find new premises it is hoped the company will be able to relocate to more suitable premises and there will be few job losses as a consequence.
- 4.3 In order to alleviate the disturbance caused to local residents it is considered the Council should now commence enforcement action without delay to require the B2 use to cease and compliance of the conditions attached to planning permission 83/0630 and 80/1941.

## **5 Recommendation**

- 5.1 **That the Assistant Director – Planning and Regeneration, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised use is ceased.**

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## **ACTION SHEET PLANNING DELEGATION PANEL - 31st July 2020**

2020/0363

Silverdale House, Blidworth Waye, Ravenshead  
Alterations and extension to Silverdale House

The application was **withdrawn** by the applicant/agent prior to the application being considered by the Delegation Panel.

2020/0500

27 Vernon Crescent, Ravenshead, NG15 9BN  
Loft conversion with front dormer

The proposed dormer would result in an incongruous and prominent feature that would be out of character with the area.

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

**Decision: That the application be refused permission.**

2020/0535

28 Mapperley Orchard, Arnold, NG5 8AG  
Retention of single storey garden room in the rear garden.

The proposed development would respect the character of the area and residential amenity.

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

**Decision: Grant Planning Permission subject to Conditions.**

### **Video Conference Call Meeting due to Covid-19.**

Cllr John Truscott  
Cllr Marje Palling  
Cllr David Ellis  
Cllr John Parr

Nigel Bryan – Principal Planning Officer

**31st July 2020**



## **ACTION SHEET PLANNING DELEGATION PANEL - 14th August 2020**

2020/0171

63 Catfoot Lane, Lambley, Nottinghamshire

Proposed retention of wall, pillars and gates to the frontage of the site together with the retention of engineering works to increase the land levels to the frontage of the site

The proposed development would have a detrimental impact on the openness of the Green Belt and not respect the character of the area.

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

**Decision: That the application be refused permission.**

2020/0359

1 Redland Avenue, Carlton, NG4 3EW

Erection of two storey rear extension with accommodation in roofspace, single storey rear extension, detached garage with toilet addition together with the installation of openings at first floor level within the east side elevation

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2020/0494

9 Florence Road, Mapperley, NG3 6LJ

Two-storey side/rear extension

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

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

**Decision: Grant Planning Permission subject to Conditions.**

2020/0567

Linby House, Linby Lane, Linby

Four New Detached Single Storey Dwellings For The Over 55s With Eight Associated Parking Spaces (Resubmission of 2019/0676)

The proposed development would have a detrimental impact on the character of the Conservation Area, openness of the Green Belt, harm protected trees, have a poor layout and result in poor amenity for the proposed occupiers.

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

**Decision: That the application be refused permission.**

2020/0582

53 Westdale Lane East Carlton NG4 3JN

Siting of single-story log cabin (ancillary accommodation)

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

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

**Decision: Grant Planning Permission subject to Conditions.**

**14th August 2020**

**Video Conference Call Meeting due to Covid-19.**

Cllr John Truscott

Cllr Marje Palling

Cllr David Ellis

Cllr John Parr

Cllr Paul Wilkinson

Kevin Cartwright – Principal Planning Officer

Nigel Bryan – Principal Planning Officer

## **ACTION SHEET PLANNING DELEGATION PANEL 21st August 2020**

2020/0273TPO

Newstead Abbey Park, Clumber Lodge Nottingham Road Ravenshead  
Works to trees as per application form

The proposed works to trees would not result in any significant harm to visual amenity and would maintain their health and integrity.

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

**Decision: Grant Consent subject to Conditions.**

2020/0370

Spring Farm Kennels Salterford Lane Calverton  
conversion of existing building to dwelling with extensions to front and side including a garage

Whilst the proposed extensions to the building would constitute inappropriate development, given the fall-back position in terms of the extant permission for a new dwelling on the site, there would be no significant impact on the openness of the Green Belt.

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

**Decision: Grant Planning Permission subject to Conditions.**

2020/0432

155 Main Road Ravenshead Nottinghamshire  
Increase existing access width by 4000mm, change of use of land and construction of concrete turning area to the rear of the dwelling.

The proposal is inappropriate development in the Green Belt that would be harmful to openness and result in harm to the character and appearance of the area and the residential amenity of the neighbouring occupiers.

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

**Decision: Refuse Planning Permission.**

2020/0461

12 Ploughman Avenue Woodborough NG14 6DE

Increase ridge height of dwelling and loft conversion with internal and external alterations

The proposed development would have detrimental impact on the character and appearance of the host property and result in harm to the character and appearance of the Conservation Area and an overbearing impact on the occupiers of the adjacent property.

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

**Decision: Refuse Planning Permission.**

2020/0593

71 Longdale Lane Ravenshead Nottinghamshire

Extension to existing garage.

The proposed development would have a detrimental impact of the character and appearance of the street scene.

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

**Decision: Refuse Planning Permission.**

2020/0606

24A Clipstone Avenue Woodthorpe NG3 5JZ

First floor extension over garage space. Alterations to front and rear fenestration detail including the formation of new entrance to front elevation.

The proposed development would not have a detrimental impact on the character and appearance of the host property, street scene or residential amenity of neighbouring occupiers.

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

**Decision: Grant Planning Permission with Conditions.**

**Video Conference Call Meeting due to Covid-19.**

Cllr John Truscott

Cllr Marje Palling

Cllr David Ellis

Cllr Paul Wilkinson

Cllr John Parr

Kevin Cartwright – Principal Planning Officer

Nigel Bryan - Principal Planning Officer

**21st August 2020**

## **ACTION SHEET PLANNING DELEGATION PANEL 28th August 2020**

2020/0478

6 Doveridge Avenue Carlton NG4 3GR

Retention of balcony to the rear elevation of the dwelling.

The proposed development would have no undue impact on the character and appearance of the host property or the residential amenity of neighbouring occupiers.

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

**Decision: Grant Planning Permission subject to Conditions.**

2020/0531

Land Adjacent 61 Kirkby Road Ravenshead

Change of use of a field from Agricultural use to Sui Generis for the purpose of dog walking. (retrospective)

The proposed development is considered to be appropriate for the Green Belt and would not impact openness. It would have no undue impact on the residential amenity of neighbouring occupiers or the character and appearance of the area.

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

**Decision: Grant Planning Permission subject to Conditions**

2020/0548

44 Perlethorpe Avenue Gedling NG4 4GG

Erection of bungalow

The proposed development would have an undue impact on the character and appearance of the area and the residential amenity of the neighbouring occupier.

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

**Decision: Refuse Planning Permission.**

2020/0585

9 Hills Road Woodthorpe NG5 4GX

Proposed rear ground floor extension with roof balcony above and the erection of external staircase to access roof balcony

The proposed development would have an undue impact on the residential amenity of neighbouring occupiers.

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

**Decision: Refuse Planning Permission.**

2020/0591  
43 Kighill Lane Ravenshead Nottinghamshire  
Extension to existing garage to form garden room.

The proposed development would be a disproportionate addition to the building and be inappropriate development in the Green Belt. No Very special circumstances have been demonstrated.

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

**Decision: Refuse Planning Permission.**

2020/0596  
1 Fairview Road Woodthorpe NG5 4GW  
Proposed detached dwelling with associated garden area, drive, parking and access.

The proposed development would have an undue impact on the character and appearance of the area.

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

**Decision: Refuse Planning Permission.**

2020/0599  
Ravenscourt Blidworth Way Ravenshead  
Loft conversion and dormer extension to rear; replace existing wall tiles with timber cladding; dormer to side roof; front porch extensions

The proposed development would result in a proportionate addition that would represent appropriate development in the Green Belt which would have no undue impact on openness.

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

**Decision: Grant Planning Permission subject to conditions.**

**Video Conference Call Meeting due to Covid-19.**

Cllr John Truscott  
Cllr Marje Palling  
Cllr David Ellis  
Cllr Paul Wilkinson  
Cllr John Parr  
Kevin Cartwright – Principal Planning Officer

**28th August 2020**

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## Report to Planning Committee

**Subject:** Future Planning Applications

**Date:** 27/08/2020

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.

<b>App No</b>	<b>Address</b>	<b>Proposal</b>	<b>Possible Date</b>
2019/0560	Land At Teal Close Netherfield	Reserved matters application for the erection of 277no. dwellings	21/10/20
2019/1180	34 Main Street Calverton	Proposed Demolition of existing dwelling & erection of 3 retail units at ground floor with 8 apartments over	21/10/20
2020/0258	Land North of Papplewick Lane Linby	Development of 18 no. houses	21/10/20
2020/0686	Recreation Ground Breck Hill Road Woodthorpe	Installation of a childrens climbing unit	21/10/20
2020/0827	Arnold Market	Two storey business enterprise building	21/10/20
2019/1080	Land At Broad Close Woodborough	Outline application for 11no. residential properties	21/10/20

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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