



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

Agenda

Planning Committee

Date: **Wednesday 12 May 2021**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Cayte Goodall

Democratic Services Officer

0115 901 3961

Planning Committee

Membership

Chair Councillor John Truscott

Vice-Chair Councillor Paul Wilkinson

Councillor Michael Adams
Councillor Peter Barnes
Councillor Chris Barnfather
Councillor 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

WEBCASTING NOTICE

As a result of legislation passed to enable remote meetings to take place during the COVID-19 emergency, this local authority meeting is being held remotely using conferencing software. This approach allows participants to not physically gather in a meeting room. In order to keep meetings open to the public, the live stream will be shown at www.gedling.gov.uk and on the Council's YouTube channel.

Please note: this meeting will be audio and video recorded for live and subsequent broadcast via the Council's website (www.gedling.gov.uk) - at the start of the meeting the Chair will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

For more information about how your personal data is collected and used please view our privacy notice <https://www.gedling.gov.uk/elections-privacy/>

AGENDA

Page

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

2. **To approve, as a correct record, the minutes of the meeting held on 31 March 2021.** 7 - 29

Planning Committee Protocol.

3. **Declaration of Interests**

4. **Application No. 2019/0613 - Land Off Teal Close, Netherfield, Nottinghamshire** 35 - 45

5. **Application No. 2020/1292 - Land Off Teal Close, Netherfield, Nottinghamshire** 47 - 77

6. **Application No. 2020/1255 - Land At Chase Farm (former Gedling Colliery), Adjacent to Arnold Lane and Land off Lambley Lane, Gedling** 79 - 89

7. **Application No. 2020/1054 - Land At Rolleston Drive, Arnold** 91 - 114

8. **Application No. 2020/0050 - 41 Clovelly Drive, Mapperley, NG3 5NJ** 115 - 119

9. **Application No. 2021/0038 - 30 Lodge Farm Lane, Redhill** 121 - 126

10. **Application No. 2021/0151 - Arnot Hill House, Arnot Hill Park, Arnold** 127 - 132

11. **Tree Preservation Order 000139 - St Marks Church, School Walk, Bestwood, Nottinghamshire** 133 - 141

12. **Tree Preservation Order 000140 - 383 Mapperley Plains, Arnold, Nottinghamshire, NG3 5RU** 143 - 149
13. **Future Planning Applications** 151
14. **Planning Delegation Panel Action Sheets** 153 - 170
15. **Any other items which the Chair considers urgent.**

This page is intentionally left blank

MINUTES PLANNING COMMITTEE

Wednesday 31 March 2021

Councillor John Truscott (Chair)

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

Absent: Councillor Michael Adams and Councillor
 Barbara Miller

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

110 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Adams and Miller.
Councillor Smith attended as substitute.

111 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 24 FEBRUARY 2021.

RESOLVED:

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

Under this item Councillor Barnfather addressed the committee to raise
concerns in respect of the Planning Committee Protocol as the Chair of
Linby Parish Council, had been not been given permission to speak on
item 4 on the agenda. Councillor Barnfather expressed concern that the
speaker should have been permitted to address committee in order to
represent the local community's views. The Chair noted Councillor
Barnfather's comments and confirmed that in his view the decision was
in accordance with the Council's Planning Committee Protocol.

112 DECLARATION OF INTERESTS

Councillor Barnfather declared a non-pecuniary interest in item 4 on the agenda as a member of Nottinghamshire County Council (the applicant). Councillor Barnfather added that as he was not part of the County Council's decision making process he would not be withdrawing from the meeting.

**113 APPLICATION NO. 2020/0050 - LAND AT TOP WIGHAY FARM,
WIGHAY ROAD, LINBY**

Outline planning application for mixed-use development comprising; 805 homes, land for employment purposes (up to 49,500m² of B1/B8 uses), a Local Centre comprising A1-A5, B1(a) and D1 uses (up to 2,800m²), a 1.5 form entry Primary School and associated infrastructure, open space and landscaping (EIA Development).

Andy Evans – Programme Director at Nottinghamshire County Council, the applicant, spoke in support of the application.

The Principal Planning Officer outlined the report and gave the following updates:

A late objection had been submitted by the Woodland Trust, as they believed that a number of trees within the application site would not be appropriately protected in that root protection areas were not identified and more trees on site should be retained. As layout was not currently under consideration, these more detailed matters would be considered when reserved matters applications were submitted. Condition 23 of the outline permission also required each phase of development to be accompanied by an Arboricultural Assessment. As a result, the objection was not considered to have an overbearing impact on the outline application.

Furthermore, in respect of the width of the safeguarded route for the Nottingham Express Transit, it had been confirmed that the width of the route actually needed to be 12.5m and not 14m. As a result, condition 10 would need to be amended to reflect this change.

The recommendation in section 9 of the report also needed to be updated in that it was not possible for the County Council to be a signatory of the Section 106 Legal Agreement, to receive monies required towards Education and Highway, as they were also the landowner and it was not possible for the County Council, if required, to enforce a legal agreement against themselves. As a result, all contributions would need to be made to Gedling Borough Council and the recommendation updated to reflect this.

As a result he recommended that the application be granted permission, subject to conditions as outlined on pages 44-51 of the committee report, with condition 10 updated to secure a safeguarded route 12.5m wide, not 14m, for the Nottingham Express Transit and the recommendation to exclude the County Council as a signatory to the legal agreement, as outlined on page 43.

RESOLVED:

To Grant Planning Permission: Subject to the owner(s) entering into planning obligations with the Borough Council as Local Planning Authority; for the provision of, or financial contributions towards, affordable housing, education, highway 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. Approval of the details of layout, scale, landscaping and appearance (hereinafter called "the reserved matters") for each phase of development shall be obtained from the Local Planning Authority before the commencement of development of that particular phase.
2. Application(s) for approval of reserved matters shall be made to the Local Planning Authority no later than 5 years from the date of this permission, and the development thereby authorised shall be begun no later than 7 years from the date of this permission or 2 years from the date of the approval of the final reserved matter approval, whichever is the later.
3. This permission shall be read in accordance with the application form and following list of approved drawings:

Illustrative Masterplan: P19-0346_007 Revision K (submitted 21st July 2020)

Parameter Plan: P19-0346_005 Revision D (submitted 21st July 2020)

Transport Assessment: TWF-BWB-GEN-XX-RP-TR-003-TA-S1-P2

o Including signalised junction drawing: TWF-BWB-GEN-XX-DR-TR-101_S2-P3

TA Addendum: TWF-GEN-XX-RP-TR-005-TAA-S1-P1 (submitted 12th June 2020)

o Including highway improvements to Wighay Road: TWF-BWB-GEN-XX-DR-TR-105-S2-P3.

Travel Plan: TWF-BWB-GEN-XX-RP-TR-004-FTP-S1-P4
(submitted 12th June 2020)

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

4. No reserved matters application shall be submitted until such time as a phasing plan has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
5. The development shall comprise no more than 805 dwellings; no more than 49,500m² of buildings used for employment purposes and a local centre not more than 2800m².
6. No above ground works shall commence on site until such time as the highway improvements to Wighay Road, as shown on drawing TWF-BWB-GEN-XX-DR-TR-105-S2-P3 have been completed.
7. No above ground works shall commence on the employment aspect of the development until such time as the highway improvements to Annesley Road, as shown on drawing TWF-BWB-GEN-XX-DR-TR-101_S2-P3 have been completed.
8. No dwelling granted permission under subsequent reserved matters applications shall be occupied until the drive and parking area to serve that dwelling is surfaced in a bound material (not loose gravel). The surfaced drive and parking area shall then be maintained in such bound material for the life of the development.
9. No dwelling granted permission under subsequent reserved matters applications shall be occupied until the drive and parking area to serve that dwelling is constructed with provision to prevent the unregulated discharge of surface water from the driveway and parking area 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.

10. The safeguarded route of the Nottingham Express Transit line shall be identified on any reserved matters application that it affects and shall be not less than 12.5m wide.
11. Development shall proceed in accordance with the approved Framework Travel Plan (rev P4 dated 26/05/2020).
12. Prior to the occupation of any business (excluding businesses employing less than 20 employees who shall submit a Travel Plan Statement) the owner and the occupier of each business unit shall appoint and thereafter continue to employ or engage a travel plan coordinator and within 3 months of occupation the owner and occupier shall commission a detailed travel plan that sets out the final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel consistent with the Travel Plan Framework and in conjunction with the site-wide travel plan coordinator to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future site-wide travel plan initiatives including implementation dates.
13. No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
14. No development within a phase shall commence until drainage plans for the disposal of foul sewage within that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details prior to occupation of that phase of development.
15. No phase of development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. Your attention is brought to the informative below outlining detailed requirements of the surface water drainage scheme. The scheme shall subsequently be implemented strictly in accordance

with the approved details before occupation of that phase of development and shall be retained for the life of the development.

16. Prior to commencement of any phase of development a Construction Environment 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. Furthermore, impacts on wildlife would also need to be considered. All works on site shall be undertaken in accordance with the approved CEMP.
17. No development shall commence in the areas identified on drawing archaeological plan, until such time as an Archaeological Watching Brief has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out by a qualified archaeologist or archaeological body.

Within 3 months of completion of the excavation works, a summary report shall be submitted to the Local Planning Authority and the results of the 'Watching Brief' shall also be made available for inclusion in the archive of information of Nottinghamshire County Council's 'Sites and Monuments Record'.
18. Prior to the commencement of development a Noise Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall identify how the impacts on the natural environment through noise that would be generated during the construction phase of development is mitigated. The Noise Mitigation Plan as approved shall be implemented. - Natural England
19. No development shall be commenced until a Landscape and Ecological Management Plan, including long term objectives, management responsibilities and maintenance schedule for all landscape areas, other than privately owned, domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be carried out in accordance with the approved details.

20. Prior to the commencement of development in any phase a statement identifying means by which Electric Vehicle charging points are to be supplied on site shall be submitted and approved in writing by the Local Planning Authority. The details as approved shall be installed prior to the occupation of any units that benefit from permission within that particular phase of development.
21. 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.
22. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
23. Prior to the commencement of development in any phase approved under condition 4, there shall be submitted to and approved in writing the submission of an Arboricultural Assessment that will identify any trees to be retained and mitigation measures therein. The details as approved shall be implemented prior to the commencement of development.
24. Each reserved matters application that is adjacent to either Annesley Road or Top Wighay Road shall be accompanied by a site specific noise report that should be completed by a suitably qualified individual/firm. Any mitigation that may be approved shall be implemented prior to the occupation of the particular unit.
25. The ecological mitigation measures identified in table 7.2 of the Environmental Statement shall be complied with. Each reserved matters application shall be submitted with a statement detailing

how development within that particular phase of development complies with the mitigation identified therein.

26. Prior to the commencement of development, additional surveys in respect of potential otter on the site shall be undertaken by a suitably qualified ecologist. The report shall be submitted to and approved in writing by the Local Planning Authority and any mitigation identified therein shall be implemented.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
3. For the avoidance of doubt,
4. To ensure that the development comes forward in a comprehensive way and to comply with policy 2 of the Aligned Core Strategy and The Top Wighay Farm Development Brief SPD.
5. To ensure the parameters of the planning permission are known and any variances can be suitably assessed and to comply with the Top Wighay Farm Development Brief SPD.
6. In the interest of highway safety and to comply with policy LPD61.
7. In the interest of highway safety and to comply with policy LPD61.
8. To ensure adequate parking provision is provided on site and to comply with policy LPD57.
9. To ensure adequate parking provision is provided on site and suitably drained and to comply with policies LPD57 and LPD4.

10. To ensure the site is developed in a sustainable way and to comply with guidance within the Top Wighay Development Brief SPD and guidance within the NPPF.
11. To ensure that alternative modes of transport to the private motor vehicle are encouraged and to comply with guidance within the NPPF.
12. To ensure that alternative modes of transport to the private motor vehicle are encouraged and to comply with guidance within the NPPF.
13. To ensure adequate highway safety and to comply with policy LP61.
14. To ensure foul water is suitably disposed of and to comply with policy LPD4.
15. To ensure surface water is suitably disposed of and to comply with policy LPD4.
16. To ensure that possible pollution and disturbance from the development during construction is mitigated against and to comply with policies, LPD10, LPD11 and LPD18.
17. To ensure possible impacts on archaeological features of interest are mitigated against and suitably assessed and to comply with policy LPD30.
18. To ensure that the impacts on ecology, notably breeding night jar and sky lark, are mitigated against and to comply with policy LPD18 and LPD19.
19. To ensure that public open space and ecological features of interest are suitably managed and maintained and to comply with policy LPD18.
20. To comply with policy LPD11 and paragraph 110 of the NPPF.

21. To ensure possible contamination, if found, is mitigated against and to comply with policy LPD7.
22. To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.
23. To ensure that protected species are respected and to comply with policy LPD18.
24. To ensure that the amenity of proposed occupiers is respected and to comply with policy LPD32.
25. To ensure that protected species are respected and to enhance ecology and comply with LPD18.
26. To ensure that protected species are respected and to enhance ecology and comply with LPD18.

Notes to Applicant

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank.

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

EV charging facilities should, where possible, incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability and allow 'Smart' charging. All electrical circuits/installations shall comply with the electrical requirements of relevant British Standards as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation.

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

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

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

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

All correspondence with the Highway Authority should be addressed to:-
NCC Highways (Development Control, Floor 3)
Nottinghamshire County Council, County Hall
Loughborough Road, West Bridgford
Nottingham, NG2 7QP

Please note that development shall proceed in accordance with the masterplan, as outlined in condition 3; however, should there be a variance in the approved plan that would alter the use of land currently identified as the Local Centre, there would be a need for any subsequent reserved matters application to be accompanied by an updated Contaminated Land Survey to ensure that the land is fit for what may be the identified end user.

Please note that in respect of compliance with regard to the condition which identifies mitigation in respect of table 7.2 in respect to ecology, the Council would expect an up to date survey if those originally submitted are out of date. Furthermore, additional information would need to be supplied in respect of badgers, which are known to be in close proximity to the site, to the extent that they would impact on development within it.

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

114 APPLICATION NO. 2020/0953 - CARLTON LE WILLOWS ACADEMY, WOOD LANE, GEDLING

Two storey teaching block comprising 20 classrooms and associated accommodation, assembly hall, dining hall with kitchen; new access to Burton Road and highway improvements; creation of car park; replacement football pitch and alterations to existing building to create lift access and canteen pod.

Noel Lake, a local resident, spoke against the application.

Craig Weaver, Headteacher - Carlton le Willows Academy, spoke in support of the application.

The Head of Development and Place introduced the report.

RESOLVED:

To Grant Planning Permission: Subject to conditions listed and for the reasons set out in the report, and subject to the application not being 'called-in' by the Secretary of State, following referral to the National Planning Casework Unit, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

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:
 - CLW/100/01/A Carlton le Willows Existing Site Plan
 - CLW/100/02/D Carlton le Willows Proposed Site Plan
 - CLW/100/03/B Link Ground Floor Plan & South Elevation
 - CLW/100/04/B Link First Floor Plan & North Elevation
 - CLW/100/05/B Link Roof Plan & East and West Elevations
 - CLW/100/06/G Link Building Site Layout Plan
 - CLW/100/07/B Landscaping External Works Plan
 - CLW/100/08/- Accessible Lift and Catering Pod Existing
 - CLW/100/09/- Accessible Lift and Catering Pod Proposed
 - CLW/100/10/B Proposed and Existing Streetscape
 - CLW/100/11/A Proposed Playing Field Replacement
 - CLW/100/12/- Proposed Refuse Area

H/MW/003 REV B - access arrangements
2020-138-DR01 T3 – Drainage plan
2020-138-DR10 T5 - External levels layout
2020-138-50-T1 – RPA/Drop off zone sections
2020-138-51-T1 – RPA/Drop off zone sections

Design and Access Statement
Carlton le Willows Heritage Impact Statement

Carlton le Willows Sporting Facilities
Arboricultural Method Statement (rev A) and associated drawings

The development shall thereafter be undertaken in accordance with these plans/details.
3. The development hereby permitted shall not be brought into use until footway and pedestrian/cycle crossing facilities together with bus stop improvements and access arrangements to the school on Burton Road as shown on drawing reference H/MW/003 REV B has been provided.
4. The development hereby permitted shall proceed in accordance with the agreed Travel Plan dated January 2021 and Appendix 1 dated 11th Feb 2021.
5. No development shall commence on any part of the application site, including any on site infrastructure, unless or until a

Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority.

The statement shall provide for the:

- a) Proposed routing of construction traffic, including proposed site access arrangements and access points for construction traffic
- b) Parking of vehicles for site operatives and visitors
- c) Loading and unloading of materials and plant
- d) Storage of materials and plant and materials for use during construction
- e) Erection and maintenance of hoarding/ fencing where appropriate
- f) Wheel washing facilities
- g) Measures to control the emission of noise, vibration, dust and dirt during construction
- h) Details of recycling/disposing of waste resulting from the construction works
- i) Details of method to treat and remove suspended solids from surface water run-off during construction

6. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing and drop off pick up areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.

7. 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.

8. Prior to the first use of the hereby approved building, the 6 electric vehicle charging points as shown on drawing CLW/100/06/G shall be installed, fully operational and be retained as such thereafter.

9. Prior to the commencement of development the fencing around trees to be retained, as shown on drawing G86.20b 01 A, and as detailed in the Arboricultural Method Statement, shall be in situ. The fencing shall remain in situ whilst the building operations are underway.
10. Prior to the commencement of construction of the new building hereby approved details of a local labour agreement in relation to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The local labour agreement shall be implemented in accordance with the approved details thereafter.
11. Not later than one year from first occupation of the classroom building, the proposed playing field shown on drawing CLW/100/11/A shall be in situ.

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. In the interests of highway safety and to comply with policy LPD61.
4. To ensure alternative modes of transport to the private motor vehicle are encouraged to comply with guidance contained in the NPPF.
5. To ensure any possible pollution is minimised and in the interest of highway safety and to comply with policies LPD57 and LPD11.
6. In the interests of highway safety and parking provision and to comply with policies LPD57 and LPD61.
7. To ensure that possible contamination is fully explored and to comply with policy LPD7.
8. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
9. To ensure trees are protected and to comply with policy LPD18.

10. To comply with policy LPD48.
11. To ensure the loss of play pitches is mitigated and to comply with policy LPD20.

Notes to Applicant

One of the conditions requires works to be undertaken in the public highway, which is land subject to the provisions of the Highways Act 1980 (as amended) and over which you have no control. In order for these works to proceed, you are required to enter into an appropriate agreement with Nottinghamshire County Council. Please contact hdc.south@nottsc.gov.uk

The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles.

All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with the Highway Design Guide Highway design guide | Nottinghamshire County Council in conjunction with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. Please contact Highways Development Control hdc.south@nottsc.gov.uk

No hedge or tree that is to be removed as part of the development hereby permitted shall be lopped, topped, felled or otherwise removed during the bird nesting period (beginning of March to end of August inclusive), unless the works are reviewed by a suitably qualified ecologist.

115

APPLICATION NO. 2020/0954 - THE PHOENIX, SHELFORD ROAD, GEDLING

Demolition of the existing buildings on the site (former pub and outbuilding); construction of a three-storey apartment block containing 26 self-contained flats, a secure cycle and bin store and ancillary landscaping; the stopping up of the two existing vehicular accesses, the creation of a new vehicular access to Wollaton Avenue and creation of a 21 space car park.

A written representation from Joanne Iles, a local resident against the application, was read by Cayte Goodall, Democratic Services Officer.

Alan Forsyth, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

RESOLVED:

To Grant Planning Permission: Subject to the owner entering into planning obligations secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council as the Local Highway and Education Authority to provide for a review of viability of the development to secure contributions towards affordable housing, primary healthcare and primary education if the development becomes more viable and to secure 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:

2025-PL-001 - Location plan
2025-PL-110 - Site/Ground floor plan
2025-PL-111 - First and second floor plans
2025-PL-210 - Elevations
2025-PL-211 - Site sections and street elevations
2025-PL-050 - access design

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 in the external elevation treatment of the building shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be used in the construction of the building.

4. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.

5. No part of the development hereby permitted shall be brought into use until the two existing site accesses (1no on Shelford Road and 1no on Wollaton Avenue) that has been made redundant and are permanently closed and the access crossings are reinstated as footway in

accordance with details to be first submitted to, and approved in writing by, the Local Planning Authority.

6. No part of the development hereby permitted shall be brought into use until the site access road is surfaced in a hard-bound material. The surfaced access drive shall then be maintained in such hard-bound material for the life of the development.

7. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 2025-PL_050. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

8. No part of the development hereby permitted shall be brought into use until the access driveway / parking / turning area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

9. No part of the development hereby permitted shall be brought into use until the cycle parking layout as indicated on drawing 2025-PL-110 has been provided.

10. 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 2025-PL-050.

11. 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.

12. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance 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

13. Prior to the occupation of 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 at least two (2) Electric Vehicle Recharging Points. The Electric Vehicle Recharging Points shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development. 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 residents.

14. No development shall commence until details of the means of foul drainage and surface water disposal 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.

15. Prior to the commencement of development, a scheme of landscaping showing the location, species and size of specimens to be planted and those to be retained 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.

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.
4. In the interests of highway safety and to comply with policy LPD61.
5. In the interests of highway safety and to comply with policy LPD61.
6. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc) and to comply with policy LPD61.

7. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area and to comply with policy.
8. 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.
9. To ensure the cycle parking areas are available for use and to encourage alternative modes of transport to the private motor technical and to comply with guidance contained in the NPPF.
10. To enable the bins to be collected by the refuse team on collection day and reduce the likelihood of vehicles blocking the public highway and to comply with policy LPD61.
11. To ensure that possible contamination is explored and to comply with policy LPD7.
12. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
13. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework, ACS 1 and policy LPD11 of the Councils Local Plan.
14. To ensure the site is suitably drained and to comply with policy LPD4.
15. To ensure the character of the area is respected and to comply with policy ASC10.

Notes to Applicant

The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation.

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

that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

The development makes it necessary to construct and reinstate the vehicular crossings over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>.

Please note that removal of any trees on site should not occur during the bird nesting season, March to August inclusive.

116 ENFORCEMENT REF: 0046/2020 - LAND TO THE WEST OF 175 MANSFIELD ROAD, PAPPLEWICK

Change of use of land from an equine or agricultural use to a use involving the repair and storage of motor vehicles and unauthorised development.

RESOLVED:

That the Head of Development and Place, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Head of Governance and Customer Services take proceedings through the courts if required to ensure the stable building is constructed in accordance with the approved plans including the fenestration and door details, the removal of unauthorised buildings and structures, lighting columns and CCTV columns, statues and other domestic items and paraphernalia, cessation of the unauthorised use and the removal of the front boundary wall, pillars and gates or alternatively the reduction in height of the wall, pillars and gates to 1m.

117 TREE PRESERVATION ORDER 000135 - HAWTHORNE NURSING HOME, SCHOOL WALK, BESTWOOD, NOTTINGHAMSHIRE, NG6 8UU

Protection of 4 groups of trees by a Tree Preservation Order (TPO)

RESOLVED:

To Confirm Tree Preservation Order - 000135 'Hawthorne Nursing Home' without modification.

118 TREE PRESERVATION ORDER 000136 - HAWTHORNE PRIMARY SCHOOL, SCHOOL WALK, BESTWOOD, NOTTINGHAMSHIRE, NG6 8UU

Protection of 2 individual trees and a group of trees by a Tree Preservation Order (TPO)

RESOLVED:

To Confirm Tree Preservation Order - 000136 'Hawthorne Primary School' without modification.

119 APPEAL DECISION - LAND EAST OF 16 KIGHILL LANE, RAVENSHEAD, NG15 9HN

Erection of up to 8 dwellings with (private) accesses and garaging.

RESOLVED:

To note the information.

120 APPEAL DECISION - 6 GEDLING ROAD, ARNOLD, NG5 6NW

Construct new bungalow.

RESOLVED:

To note the information.

121 GEDLING BOROUGH FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2020

RESOLVED:

To note the Five Year Housing Land Supply Assessment 2020.

122 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

123 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

124 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 8.05 pm

Signed by Chair:
Date:

This page is intentionally left blank

PLANNING COMMITTEE PROTOCOL

Introduction

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

Disclosable Pecuniary and Non- Pecuniary Interests

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

Pre-determination and Predisposition

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

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

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

Lobbying

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

Roles at Planning Committee

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

Speaking at Planning Committee

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

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

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

Determination of planning applications

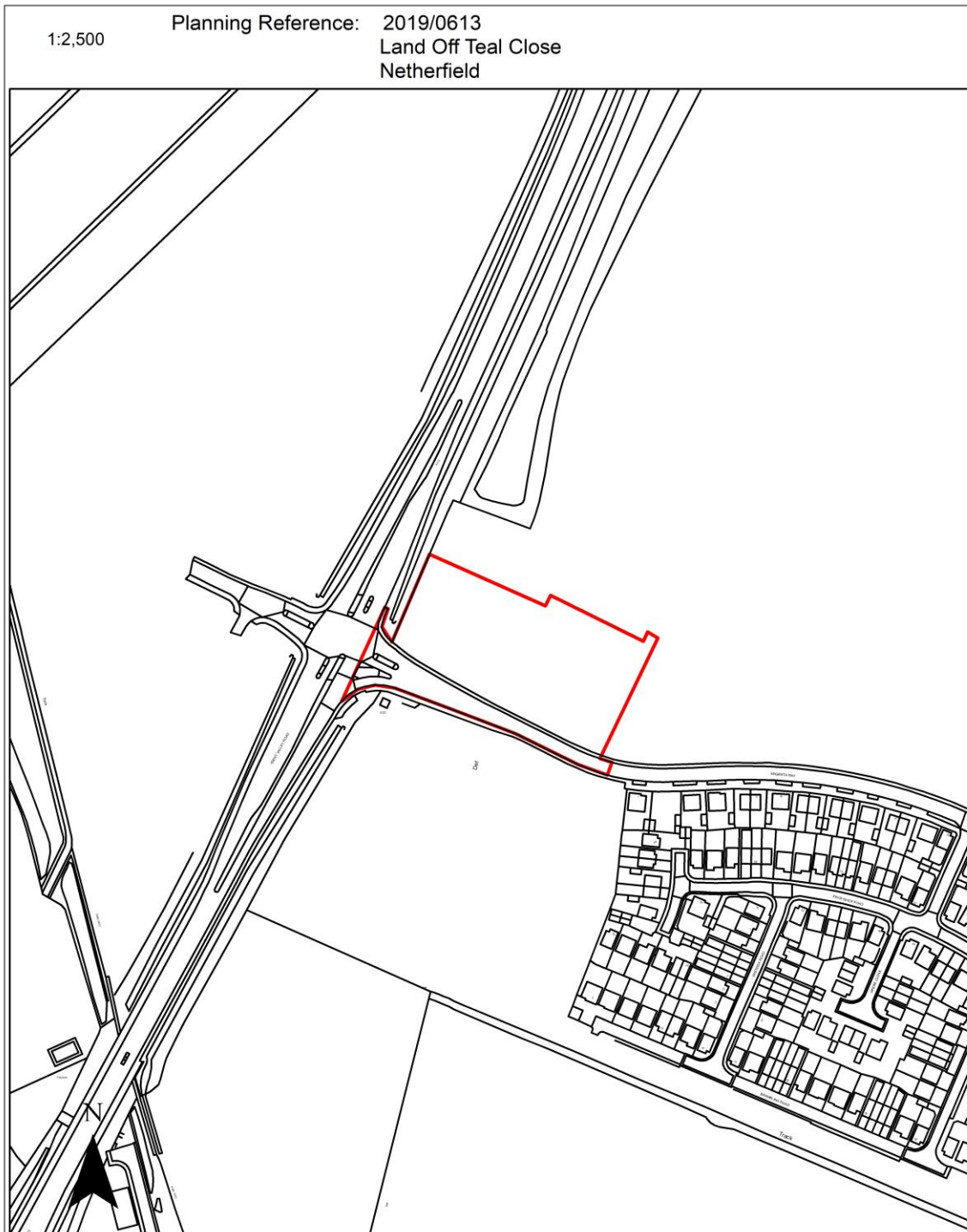
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the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

Oct 2015

This page is intentionally left blank



Planning Report for 2019/0613



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



Serving People Improving Lives

Date: 27/04/2021

Report to Planning Committee

Application Number:	2019/0613
Location:	Land Off Teal Close Netherfield Nottinghamshire
Proposal:	Approval of reserved matters in relation to access, appearance, landscaping, layout and scale of the Local Centre comprising of Public House, Commercial/Retail Terrace and Children's Day Nursery pursuant to outline planning permission 2017/0999.
Applicant:	AC Lloyd Holdings Limited
Agent:	Pegasus Group Limited
Case Officer:	Kevin Cartwright

This application has been referred to the Planning Committee as it related to planning application 2020/1292.

1.0 Site Description

- 1.1 The site forms part of the Teal Close development site which has outline planning permission reference 2013/0546 for residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures.
- 1.2 To the north of the site is the application for the Aldi foodstore (Planning Ref: 2020/1292) which is considered elsewhere within this agenda.
- .

2.0 Relevant Planning History

2013/0546 - Outline planning application comprising residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures is approved and subject to a S106 agreement.

2017/0999 - Variation of Conditions 32, 33 & 35 and removal of Condition 34

attached to outline planning application No. 2013/0546 comprising residential development (up to 830 units), employment uses (use classes B1, B2, B8) a community hub (use classes A1-A5 and D1) primary school, hotel (use class C1), care home (use class C2) playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures. Approved 28th February 2018.

2017/0800 - Reserved Matters Application for the erection of 199 dwellings (C3), including 2017/0800 10 affordable units, and the associated infrastructure including landscaping, community uses/changing rooms (D2), playing pitches, a NEAP and public open space and an ecological park. Approved 2nd March 2018.

2018/0951 - Variation of conditions 32 (highway works), 33 (highway works) & 35 (footway/cycleway works) on outline planning permission reference 2017/0999 – Pending consideration.

2018/1189NMA - Non Material Amendment - amendment to the wording of Condition 10 (flood risk measures) on outline planning permission reference 2017/0999. – Approved.

2019/0060NMA - Non Material Amendment to reserved matters approval 2017/0800 - mid-terraced Yarm house type replaced with Bickleigh house type and end terrace Bickleigh house type replaced with Yarm house type, changes to feature plots and amendments to road layouts – Approved.

2019/0208NMA - Non Material Amendment - amendment to the wording of Condition 10 (flood risk measures) on outline planning permission reference 2017/0999 – Pending consideration.

2019/0131 - Reserved matters application for the erection of a 1-form entry primary school with a 26 place nursery with associated external play areas, car parking and associated landscaping and infrastructure pursuant to outline planning permission 2017/0999 – Approved 8th April 2020.

2019/0374 - Variation of Conditions 2 (approved plans), 7 (parameters plan written statement), 10 (flood risk), 28 (highway works), 30 (highway works), 31 (highway works), 32 (highway works), 33 (highway works) and 35 (footway/cycleway) on planning permission reference 2017/0999 – Pending consideration.

2019/0529 - Formation of access and enabling works including drainage and earthworks in relation to the local centre and employment uses – Granted Permission 18th September 2019.

2019/0614 - Approval of reserved matters in relation to appearance, landscaping, layout and scale of the trade park and unit 1 of the employment area pursuant to outline planning permission 2017/0999 – Granted Planning Permission 8th November 2019.

2019/0615 - Approval of reserved matters in relation to appearance, landscaping, layout and scale for the development of the employment area (6no. employment units) pursuant to outline planning permission 2017/0999 – Pending consideration.

2019/1191 – Three Storey Sixty Six Bedroom Residential Care Home for Older People (Use Class C2) with associated access, parking and landscaping. Granted Planning Permission 11th March 2020.

2019/0152 - Reserved matters application for the erection of 353no. dwellings (C3), including 18 affordable units, and the associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999. (Phase 2) – Approved 22nd June 2020.

2019/0560 - Reserved matters application for the erection of 277no. dwellings (C3), including 13 affordable units, and the associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999. (Phase 3) – Pending consideration.

2020/1292 - Erection of a retail store (Class E) with associated car parking, landscaping and other infrastructure – considered elsewhere within this agenda.

3.0 Proposed Development

- 3.1 The proposal is for the construction of Public House, Commercial/Retail Terrace and a Children's Day Nursery served off a single access road from Magenta way which also serves the proposed Aldi foodstore (Planning Ref: 2020/1292) which would be located roughly centrally within the site. It is a reserved matters application pursuant to outline planning permission 2013/0546 as varied by permission 2017/0999.
- 3.2 The public house would be located to the west of the site adjacent to the Colwick Loop Road and Magenta Way junction. The nursery would be to the eastern edge of the site with the retail terrace behind.
- 3.3 The public house would be constructed of facing brickwork and render as would the nursery. The retail terrace would be constructed of grey cladding and glazing.
- 3.4 The public house and the nursery would have a ridge height of 9 metres and the retail terrace would have a ridge height of 5.8 metres.
- 3.5 The public house would have a gross internal floor area of 752.5 m², the day nursery 505 m² and the retail terrace a total of 371.6m².
- 3.6 There would be areas of car parking laid out for each building to the east and west of the access road.

4.0 Consultations

- 4.1 Nottinghamshire County Council Local Lead Flood Authority – No objection.
- 4.2 Gedling Borough Council Scientific Officer (Noise) – No objection.
- 4.3 Nottinghamshire County Council Highway Authority – No objection. There is also a Traffic Regulation Order being made on Magenta Way to control parking in the vicinity of the access/school.
- 4.4 Environment Agency – The submitted plan shows the finished floor levels adhere to conditions 9 and 10 of Planning Permission 2017/0999. Therefore the Environment Agency has no objection.
- 4.5 Gedling Borough Council Parks and Street Care – No comments.
- 4.6 Gedling Borough Council Scientific Officer (Air Quality and Contamination) – No objection subject to the provision of Electric Vehicle charging points and a Construction Environment Management Plan.
- 4.8 Members of the Public

A press notice was published, two site notices were displayed and neighbour notification letters were posted. No letters of objection have been received.

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 National Planning Policy Framework (NPPF) (2019)

Section 2 – Achieving sustainable development - Para 11 – presumption in favour of sustainable development

Section 4 – Decision-making - Paragraph 47 of the NPPF states that planning law requires applications for planning permission be determined in accordance with the Development Plan, unless materials considerations indicate otherwise.

Section 6 – Building a Strong, competitive economy - Paragraph 80 states planning decisions should help create conditions in which businesses can invest, expand and adapt.

Section 8 – Promoting healthy and safe communities Paragraph 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places. Paragraph 130 states that permission should be refused for development of poor design.

Section 14 – Meeting the challenge of climate change, flooding and coastal change - Paragraph 163 - states a site specific flood risk assessment is required. The applicant has submitted a flood risk assessment.

Section 15 – Conserving and enhancing the natural environment - Paragraph 170. Planning policies and decisions should contribute to and enhance the natural and local environment.

6.2 Gedling Borough Aligned Core Strategy (ACS) (2014)

Policy A – Presumption in Favour of Sustainable Development

Policy 1 – Climate Change - Parts 1, 2 and 3 set out sustainability criteria. Part 6 deals with flood risk.

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

6.3 Gedling Borough Local Planning Document (LPD) (2018)

LPD 3 – Managing Flood Risk

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

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

LPD 10 – Pollution – sets out the criteria that a development will need to meet with respect of pollution

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

LPD 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 57 – Parking Standards - sets out the parking requirements for non-residential small shops and supermarkets below 3,000 m2. Appendix D Parking Provision – Non-Residential Development.

LPD 61 – Highway Safety – 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.

7.0 Planning Considerations

Principle of Development

- 7.1 The principle of development on this site has been approved under application 2013/0546 and the subsequent Section 73 application 2017/0999. Accordingly, the matters for consideration as part of this current application relate to appearance, layout, scale and landscaping of the proposed public house, nursery and retail terrace.

Access

- 7.2 Access to the site would be via a single point located roughly centrally within the site. The access would extend northwards through the car parking areas to serve the proposed food store which is the subject of Planning Ref: 2020/1292.
- 7.3 The access arrangements have been assessed by the Highway Authority who have raised no objection. As such the proposal is considered to accord with LPD 61 and Section 9 of the NPPF.

Appearance

- 7.4 The public house and nursery would have a simple palette of materials of facing brickwork and render which would be complementary to the school and community building approved opposite the site. The retail/commercial terrace utilising grey cladding with glazed frontage would be similar in appearance to the adjacent foodstore that is the subject of planning application 2020/1292 and would ensure a degree of continuity in materials.
- 7.5 Both the public house and nursery have a somewhat dual frontage, two storey design to ensure they offer a strong presence towards both Magenta Way and the new access road. While the lower, single storey design of the retail terrace would be read as a logical addition/extension to the food store and commercial units to the north.

- 7.6 It is considered that the proposal consists of a high quality design and is fully in compliance with the National Planning Policy Framework and ACS Policy 10.

Layout

- 7.7 The public house and nursery buildings would be constructed adjacent to Magenta Way which would predominantly screen the car parking areas to the north of these buildings when viewing the site from Magenta Way.
- 7.8 The retail terrace would be positioned along the eastern boundary of the site aligned with the proposed foodstore (2020/1292) with the servicing area located adjacent to the southern elevation away from the adjacent residential properties and the care home currently under construction.
- 7.9 The public house, nursery and retail terrace would each have parking provision allocated to them which accords with our non-residential parking standards as set out in Appendix D of the LPD. There would be 56 spaces for the public house and an area for servicing, 16 spaces for the retail terrace and 12 spaces for the nursery.
- 7.10 It is considered that the proposal consists of a high quality design and is in compliance with the NPPF, ACS Policy 10, LPD57 and LPD61 and Appendix D of the LPD.

Scale

- 7.11 Both the public house and nursery would be two storey with a ridge height of 9 metres at the highest point. The single storey mono-pitch roof design of the retail terrace would have a ridge height of 5.8 metres at the highest point.
- 7.12 This accords with the heights set out in the parameters plan approved by planning permission 2017/099 which specifies that the local centre buildings should not be no more than two storey and not exceed 9 metres in height.
- 7.13 The nearest existing residential properties would be located to the north-east (Planning Permission 2019/0152) a significant distance away from the two storey public house and nursery. As such there would be no significant impact on the amenity of neighbouring occupiers from the development from loss of light or through overbearing.
- 7.14 It is considered that the proposal is in compliance with ACS Policy 10 and LPD32

Landscaping

- 7.15 Whilst accepting that there is limited opportunity for landscaping as a large proportion of the site would be hard surfaced to provide appropriate parking, turning and servicing provision, the southern edge of the site adjacent to Magenta Way would be softened with a hedge and tree planting adjacent to the back edge of the footway. In the absence of details of species and size, it

is considered appropriate to secure specific details of this planting by way of a planning condition at this important gateway to the development.

- 7.16 The proposal therefore complies with the objectives of the NPPF and ACS Policy 10.

Other Matters – Air Quality

- 7.17 The application site falls within the wider Teal Close development site which has an approval for residential development, a school, local centre and commercial uses. The outline permission secured a contribution towards air quality monitoring. It is considered that any issues regarding this quantum of development has already been captured by the outline consent and it would be unreasonable to request further information in this regards. It is considered unreasonable for the development to require the provision of EV charging points within the car park as this is a reserved matters application in relation to appearance, landscaping, layout and scale only.
- 7.18 Noting the request from our Scientific Officer for a condition in relation to the submission of a Construction Emissions Management Plan (CEMP), condition 24 of outline planning permission 2017/0999 requires, prior to the commencement of each phase, the submission and approval of a CEMP. As this application is a reserved matters approval pursuant to this outline it is not necessary to duplicate this condition.

8.0 Conclusion

- 8.1 The principle of the local centre in this location is established by outline planning permission 2017/099.

The scale, layout, appearance, access and landscaping details would be appropriate in the context of the surrounding area and would not have an adverse impact upon visual amenity or residential amenity. The proposal is therefore considered to meet with the objectives of the NPPF, ACS Policy A Policy 1, and Policy 10, Local Planning Documents Policies LPD 3, LPD, 4, LPD 7, LPD 10, LPD 11, LPD 32, LPD 57, LPD 61 and Appendix D of the adopted Local Planning Document.

Recommendation: Grant Planning permission subject to Conditions

Conditions

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

Location Plan – Dwg No 18-036 SGP CC ZZ DR A 0904
Site Layout Plan Dwg No 18-036 SGP CC ZZ DR A 0905
Pub Elevations Dwg No 18-036 SGP C1 ZZ DR A 0975
Pub Floor-Roof Plans Dwg No 18-036 SGP C1 ZZ DR A 0935
Nursery Elevations Dwg No. 18-036 SGP C3 ZZ DR A 0977
Nursery Floor-Roof Plans Dwg No.18-036 SGP C3 ZZ DR A 0937
Retail Elevations Dwg No. 18-036 C2 ZZ DR A 0936
Retail Floor-Roof Plans Dwg No. 18-036 SGP C2 ZZ DR A 0936
Landscape Details Dwg No. P18-1022_01C

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

- 2 Notwithstanding condition 1 above precise details of the proposed hedge and tree planting within the site shall be submitted to and approved in writing by the local planning authority.

The approved landscaping shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Local Planning Authority.

- 3 No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.
- 4 The cycle stores as shown on Dwg No 18-036 SGP CC ZZ DR A 0905 shall be constructed and available for use prior to unit(s) that they serve are brought into use. The cycle stores shall be retained for the life of the development.

Reasons

- 1 For the avoidance of doubt and to define the permission
- 2 To ensure a satisfactory form of development and appropriate landscaping of the site.
- 3 In the interests of highway safety and to ensure a satisfactory form of development.

4 To encourage sustainable travel.

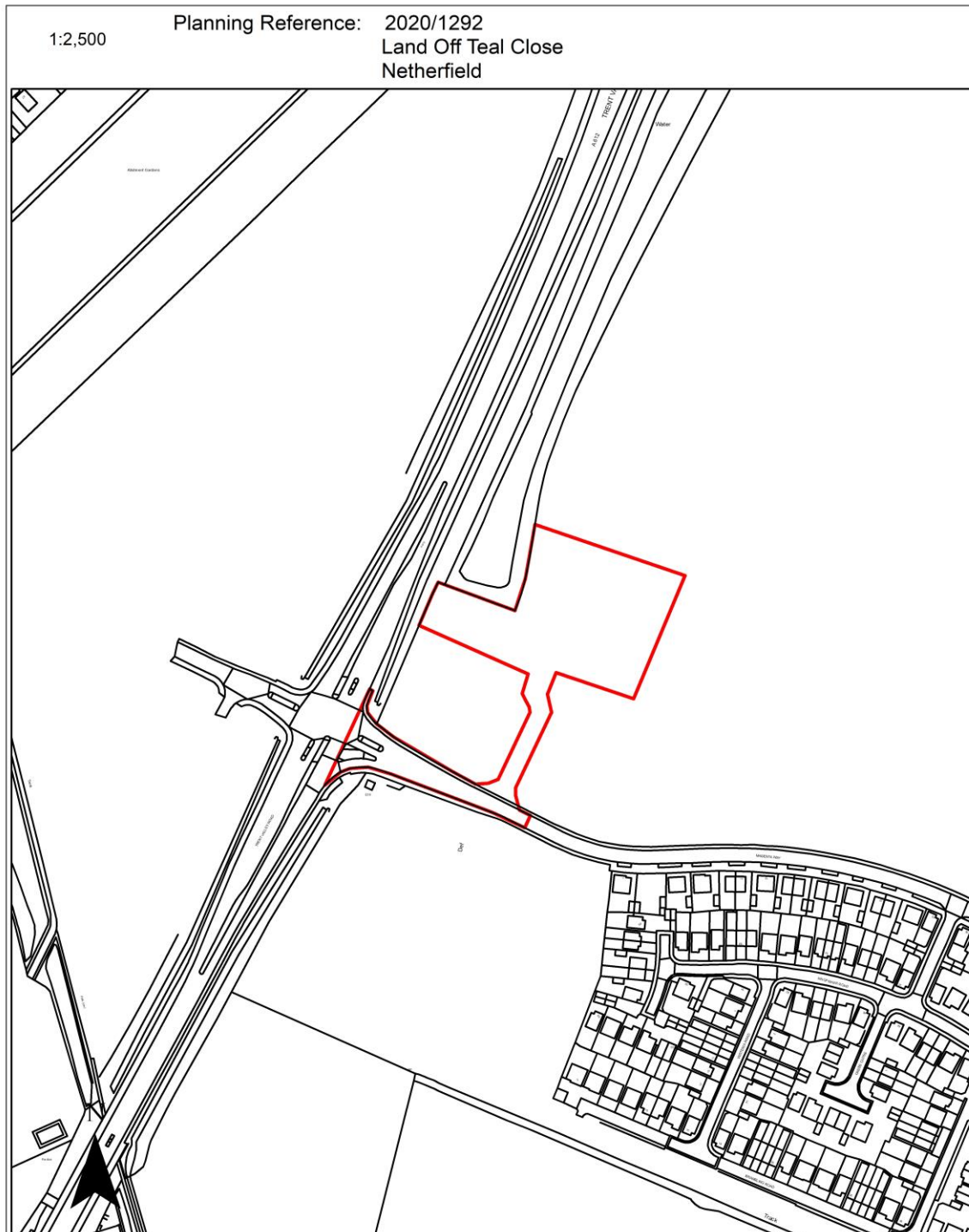
Note to applicant:

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.

This page is intentionally left blank



Planning Report for 2020/1292



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



Serving People Improving Lives

Date: 27/04/2021

Report to Planning Committee

Application Number:	2020/1292
Location:	Land Off Teal Close Netherfield Nottinghamshire
Proposal:	Erection of a retail store (Class E) with associated car parking, landscaping and other infrastructure
Applicant:	AC Lloyd Holdings Limited and Aldi Stores Limited
Agent:	Pegasus Group Limited
Case Officer:	Kevin Cartwright

This application has been referred to the Planning Committee by the Planning Delegation Panel as it is Departure from the Development Plan and to allow the retail impact of the development to be considered.

1.0 Site Description

- 1.1 The site forms part of the is the Teal Close development site which has outline planning permission reference 2013/0546 for residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures.
- 1.2 It is approximately 0.7 hectares and is located within the area designated for the local centre as part of the urban extension. It is located directly to the east of the A612 and access is achieved into the site via Magenta Way from the A612 via the signal controlled junction provided as part of the wider development. Access into the site is via the proposed local centre development (Planning Ref: 2019/0613 which appears elsewhere within this agenda).
- 1.3 Further to the south of the site is a residential development (Phase 1) that is underway (Planning Ref: 2019/0613) and reserved matters approval for the school has been granted (Planning Ref: 2019/0131). To the north is the employment and trade counter development that has reserved matters approval. (Planning Ref: 2019/0614).
- 1.4 To the east is Phase 2 of the residential development that was granted reserved matters approval on 22nd June 2020 and the residential care home (Planning Ref: 2019/1191) is under construction.

2.0 Relevant Planning History

2013/0546 - Outline planning application comprising residential development (up to 830 units), employment uses (Use Classes B1/B2/B8), a community hub (Use Classes A1-A5 and D1), primary school, hotel (Use Class C1), care home (Use Class C2), playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures approved and is subject to a S106 agreement. Approved 30th June 2014.

2017/0999 - Variation of Conditions 32, 33 & 35 and removal of Condition 34 attached to outline planning application No. 2013/0546 comprising residential development (up to 830 units), employment uses (use classes B1, B2, B8) a community hub (use classes A1-A5 and D1) primary school, hotel (use class C1), care home (use class C2) playing pitches and changing facilities, public open space, allotments, structural landscaping, access arrangements and an ecology park, and demolition of existing structures. Approved 28th February 2018.

2017/0800 - Reserved Matters Application for the erection of 199 dwellings (C3), including 2017/0800 10 affordable units, and the associated infrastructure including landscaping, community uses/changing rooms (D2), playing pitches, a NEAP and public open space and an ecological park. Approved 2nd March 2018. 2018/0951 - Variation of conditions 32 (highway works), 33 (highway works) & 35 (footway/cycleway works) on outline planning permission reference 2017/0999 – Pending consideration.

2018/1189NMA - Non Material Amendment - amendment to the wording of Condition 10 (flood risk measures) on outline planning permission reference 2017/0999. – Approved

2019/0060NMA - Non Material Amendment to reserved matters approval 2017/0800 - mid-terraced Yarm house type replaced with Bickleigh house type and end terrace Bickleigh house type replaced with Yarm house type, changes to feature plots and amendments to road layouts – Approved

2019/0208NMA - Non Material Amendment - amendment to the wording of Condition 10 (flood risk measures) on outline planning permission reference 2017/0999 – Pending

2019/0131 - Reserved matters application for the erection of a 1-form entry primary school with a 26 place nursery with associated external play areas, car parking and associated landscaping and infrastructure pursuant to outline planning permission 2017/0999 – Approved 8th April 2020.

2019/0374 - Variation of Conditions 2 (approved plans), 7 (parameters plan written statement), 10 (flood risk), 28 (highway works), 30 (highway works), 31 (highway works), 32 (highway works), 33 (highway works) and 35

(footway/cycleway) on planning permission reference 2017/0999. Pending consideration.

2019/0529 - Formation of access and enabling works including drainage and earthworks in relation to the local centre and employment uses – Granted Permission 18th September 2019.

2019/0613 - Approval of reserved matters in relation to access, appearance, landscaping, layout and scale of the Local Centre comprising of Public House, Commercial/Retail Terrace and Children's Day Nursery pursuant to outline planning permission 2017/0999- considered elsewhere within this agenda.

2019/0614 - Approval of reserved matters in relation to appearance, landscaping, layout and scale of the trade park and unit 1 of the employment area pursuant to outline planning permission 2017/0999 – Granted Planning Permission 8th November 2019.

2019/0615 - Approval of reserved matters in relation to appearance, landscaping, layout and scale for the development of the employment area (6no. employment units) pursuant to outline planning permission 2017/0999 – Pending.

2019/1191 – Three Storey Sixty Six Bedroom Residential Care Home for Older People (Use Class C2) with associated access, parking and landscaping. Granted Planning Permission 11th March 2020.

2019/0152 - Reserved matters application for the erection of 353no. dwellings (C3), including 18 affordable units, and the associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999. (Phase 2) – Approved 22nd June 2020.

2019/0560 - Reserved matters application for the erection of 277no. dwellings (C3), including 13 affordable units, and the associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999. (Phase 3) – Pending.

3.0 Proposed Development

- 3.1 The proposal is for the construction of a Class E retail store with a gross internal floor area of 1818m² and an external area of 1894m² and associated access, parking and infrastructure.
- 3.2 It would have a mono-pitch roof design with a height of approximately 8 metres at the front of the store sloping to 5 metres to the rear. The building would have extensive areas of glazing and a modern palette of materials that include anthracite grey cladding and roof panels, powder coated aluminium shopfront and fascias.

- 3.3 Access to the site would be through the Local Centre reserved matters application Planning Ref: 2019/0613 then onto Magenta Way and the A612 via the signalled controlled junction.
- 3.4 Car parking comprises of 104 spaces, of which 7 would be disabled bays, 7 parent and child bays and 4 bays would have electric charging points.
- 3.5 The service yard would be adjacent to the plant/refrigeration units that would be located in the north-eastern corner of the building.
- 3.6 There would be areas of landscaping on the western and northern boundaries and an acoustic fence along the eastern boundary adjacent to the external plant/refrigeration units.
- 3.7 The planning application is accompanied by a comprehensive package of supporting documents:
- Flood Risk Assessment and Drainage Strategy
 - Air Quality Assessment
 - Transport Assessment
 - Travel Plan
 - Ecology Statement
 - Retail Impact Assessment
 - Noise Report
 - Design and Access Statement
 - Planning Statement
 - Site Investigation Report

4.0 Consultations

- 4.1 Nottinghamshire County Council Local Lead Flood Authority – No objection to the proposal.
- 4.2 Gedling Borough Council Scientific Officer - recommends conditions in relation to land contamination remediation and verification, provision of Electric Vehicle charging points and a Construction Emission Management Plan.
- 4.3 Environment Agency - The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the finished floor levels are set no lower than 20.66 metres above Ordnance Datum.
- 4.4 Nottinghamshire County Council Highway Authority – no objections subject to conditions in relation to parking, turning and servicing areas and a travel plan coordinator is appointed to promote sustainable patterns of travel.
- 4.5 Gedling Borough Council Environmental Protection Officer – No objection subject to conditions in relation to the mitigation measures outlined in the submitted noise report and details of the specification of the acoustic fence.

4.6 Burton Joyce Parish Council – responded no comment.

4.7 Members of the Public

A press notice was published, two site notices were displayed and neighbour notification letters were posted. 26 letters of objection have been received. A summary of the main concerns are listed below:

- Increased traffic
- Access is in a dangerous location adjacent to school
- Difficult for pedestrian movement off the estate
- Danger to children leaving and attending school
- Alternative access point would be safer away from the school
- Will be a new version of Victoria Retail Park (from a traffic perspective)
- There is an abundance of food stores in the area
- Will increase mixing of Heavy Good Vehicles with residents vehicles
- Access should be straight off Colwick Loop Road
- Object to the access not the retail store
- Access should be via Stoke Lane
- Access not feasible
- Already problems with double parked cars and work vans on the access road
- Will result in parking chaos at school pick up and drop off
- Traffic would be dangerous to residents and families
- New access off Stoke Lane or the main road is needed
- Road is not wide enough for the traffic
- Too much traffic
- Move the access away from the school. Too much traffic from a school, pub, nursing home, Aldi and housing.

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 National Planning Policy Framework NPPF 2019

Section 2 – Achieving sustainable development - Para 11 – presumption in favour of sustainable development

Section 4 – Decision-making - Paragraph 47 of the NPPF states that planning law requires applications for planning permission be determined in accordance with the Development Plan, unless materials considerations indicate otherwise.

Section 6 – Building a Strong, competitive economy - Paragraph 80 states planning decisions should help create conditions in which businesses can invest, expand and adapt.

Section 7 – Ensuring the vitality of town centres - The proposal is for a new main town centre use and should be subject to the sequential test. It is noted that the applicant has submitted a sequential test assessment.

Section 8 – Promoting healthy and safe communities. Paragraph 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places. Paragraph 130 states that permission should be refused for development of poor design.

Section 14 – Meeting the challenge of climate change, flooding and coastal change - Paragraph 163 - states a site specific flood risk assessment is required. The applicant has submitted a flood risk assessment.

Section 15 – Conserving and enhancing the natural environment - Paragraph 170. Planning policies and decisions should contribute to and enhance the natural and local environment.

6.2 Gedling Borough Aligned Core Strategy (ACS) (2014)

Policy A – Presumption in Favour of Sustainable Development

Policy 1: Climate Change - Parts 1, 2 and 3 set out sustainability criteria. Part 6 deals with flood risk.

Policy 6: Role of Town and Local Centres - Seeks to focus main town centre uses within the town and local centres and requires application of the sequential test and retail impact test for proposals outside town centres.

Policy 10: Design and Enhancing Local Identity - General design criteria

Policy 12: Local Services and Healthy Lifestyles – Part 1) New, extended or improved community facilities will be supported where they meet a local need. In particular, where there is an evidenced need, new or improved community facilities should be provided to support major new residential development (especially in Sustainable Urban Extensions).

Part 2) criteria b) requires facilities to be in locations accessible by a range of sustainable transport modes suitable to the scale and function of the facility. Appendix A – Strategic Site Schedules and Plans – Identifies Teal Close as a sustainable urban extension including a Local Centre up to 2,800m² of A1-A5 and D1.

6.3 Gedling Borough Local Planning Document (LPD) (2018)

LPD 3 – Managing Flood Risk

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

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

LPD 10 – Pollution – sets out the criteria that a development will need to meet with respect of pollution

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

LPD 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 48 – Local Labour Agreements - The Borough Council will seek to negotiate planning obligations to secure local labour agreements for developments of 10 or more dwellings, on 0.5 hectares of land or development that will create more than 15 jobs.

LPD 52 – Retail Impact Assessment. A retail impact assessment is required as the proposed development exceeds the 500 sq. m threshold.

LPD 57 – Parking Standards – Sets out the parking requirements for non-residential small shops and supermarkets below 3,000 m².

LPD 61 – Highway Safety – 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. Within the LPD Appendix D sets out the requirement for Parking Provision for Non-Residential Development small shops and supermarkets below 3,000m².

7.0 Planning Considerations

The main issues for consideration in relation to the proposal are the principle of the development, retail impact and sequential approach, highway matters, residential amenity, design and appearance, air quality and flooding.

Principle of Development

- 7.1 The Teal Close urban extension is identified in the ACS within Appendix A – Strategic Site Schedules and Plans and specifies that the Local Centre should be up to 2,800 m2.
- 7.2 This criteria was translated into the conditions of planning permission 2013/0546 (as varied by 2017/0999).
- 7.3 The pertinent conditions of Planning Permission 2017/0999 are 4, 5 and 6 which restrict the total amount of floor area for local centre uses to a maximum of 2,800m2 of which no more than 2,499m2 shall be A1 'shop' uses or D2 'Assembly and Leisure uses'. With a further restriction that the total amount of A1 'shop' floor space shall not exceed 1,500m2 and no individual shop unit shall exceed 750 m2 (measured internally).
- 7.4 As such the principle of a local centre is established in this location albeit subject to the above restrictions.
- 7.5 This scheme is for the construction of a Class E retail store with a gross internal floor area of 1818m2 which when coupled with the reserved matters application for the remainder of the local centre (Planning Ref: 2019/0613) which is considered elsewhere on this agenda, for four retail units, a day nursery and a public house with a gross internal floor area of 1,629m2, would give the combined total floor area of this application and the local centre $1,629\text{m}^2 + 1,818\text{m}^2 = 3,447\text{m}^2$.
- 7.6 As such approval of the application would exceed the local centre floor area threshold of 2,800m2 set out in Appendix A of the ACS and is a departure from the ACS.
- 7.7 The matter that falls for consideration is whether or not a departure from the development plan is justified having regard to retail impacts of the increased floor area and other material considerations.

Retail Impact Assessment and Sequential Approach

- 7.8 By way of background the assessment of retail development includes two parts. A sequential assessment which seeks to ensure that opportunities within established centres are taken and a retail impact assessment which seeks to ensure that new main town centre uses do not lead to a significant adverse impact on vitality and viability on nearby centres.
- 7.9 This application is accompanied by a Retail Impact Assessment and sequential assessment and due to the technical nature of this information specialist advice was sought. An independent specialist was instructed by the Council to consider the retail planning effects of the proposal. A copy of the specialist advice is appended to this report.

Sequential Approach

- 7.10 The NPPF provides guidance in relation to the sequential approach and states at para 86:

“Local planning authorities should apply the sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered”.

- 7.11 The applicant identified three alternative sites, which was agreed by the Council as being appropriate: Netherfield Local Centre, Netherfield former Kendon Packaging and Gedling Colliery Site.

- 7.12 The conclusion of the assessment of these sites is summarised below:

Site 1 – Netherfield Local Centre the site is unavailable as it has been developed as a new medical centre and would in any event have been constrained due to its limited size.

Site 2 – Netherfield, Former Kendon Packaging

We note that the site is available albeit its configuration is sub-optimal. More importantly, it is impeded by access and proximity to housing uses which would fetter the required servicing hours. The site is therefore unsuitable.

Site 3 – Gedling Colliery Site

The proposed local centre is limited and the Aldi store cannot straightforwardly be accommodated both in terms of its own footprint but the associated requirements for parking and servicing. The site is therefore unsuitable.

- 7.13 The specialist advice obtained by the Council accepts that there is no clear evidence that there are genuinely available existing units or development sites either within or on the edge of the identified centres which would meet the reasonable requirements of the proposed development, and goes on to state:

“Given that we agree that the applicant has identified a need and that (as we understand it) there are no more centrally located sites to accommodate it, then we would concur that the requirements of the sequential approach have been met.”

I have no reason to come to a different conclusion.

Retail Impact Assessment

- 7.14 The NPPF provides clear guidance when assessing applications for retail development. Para 89 states:

When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a

proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal and;
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

Para 90 states:

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.

- 7.15 A retail impact assessment for schemes providing main town centre uses is necessary where the floorspace of the proposal exceeds the proportionate, locally set floorspace threshold. In this instance Policy LPD 52 sets a threshold of 500m² and the scheme is therefore caught by consequence of the scale of the proposed foodstore.
- 7.16 The retail impact assessment has been considered in relation to the requirements of the NPPF Para 89 (a) and (b) above.
- 7.17 It has been considered with reference to how existing shopping patterns would be affected by this scheme and any commitment schemes (i.e. those with planning permission but not yet constructed). This approach allows the assessment of whether or not the proposal on its own or by accumulation with other schemes would result in impacts on identified centres that would materially prejudice their vitality and viability.
- 7.18 The conclusions of our specialist advice are that there would be no significant adverse impact on identified local centres. It is accepted that there would be some trading impacts on centres but these are likely to be limited in scale as the proposal is likely to draw the majority of its trade from larger stores that perform the function of a main food destination.
- 7.19 There would also be economic benefits from the proposed development from employment generation which weigh in favour of the development.

The specialist advice concludes in relation to the consideration of the retail effects:

- The requirements of the sequential approach have been met
- That there is no clear evidence that the development would result in adverse impact that would reach the relevant threshold and impede the on-going vitality and viability of centres
- That there is no likelihood that the development will impede planned investment in centre subject to the following planning condition:

The total amount of net retail sales floorspace in the foodstore hereby approved shall be limited to a maximum of 1,315 square metres, of which no more than 20% should be devoted to the sale or display of comparison goods.”

Taking into account the above specialist advice and the guidance within the NPPF it is considered that a departure from the development plan is acceptable as there would not be any significant adverse impact on the matters set out in the NPPF Para 89 (a) and (b).

Highway Matters

- 7.20 Access to this site and that of the wider Teal Close development is established by the grant of outline planning permission 2017/0999. This would be from Magenta Way via the new signalised junction with the Colwick Loop Road.
- 7.21 The outline planning application and associated transport assessment modelled the trip generation and highway impact of the whole development, including a food store, albeit smaller than now proposed. It also included a 150 bed hotel. This is now not proposed on the site. A revised transport statement has been submitted with this scheme which has been considered by the Highway Authority.
- 7.22 There would be 104 parking spaces including disabled, family spaces, 4no. designated EV charging bays and cycle storage adjacent to the store entrance. The layout and format of the parking has been assessed by the Highway Authority who has raised no objection subject to the arrangements being available for the life of the development. This would be secured through an appropriately worded condition.
- 7.23 The Parking arrangements are considered to comply with LPD 57 and would promote sustainable patterns of travel by the inclusion of EV charging bays and cycle storage.
- 7.24 Whilst noting the concerns of the members of the public in relation to the access and its proximity to the junction and new school to the south it is considered that the access is acceptable. Magenta Way is a new access road designed to serve the development. Each proposal has not been assessed in isolation. During the consideration of the adjacent school application full consideration of the local centre (including a retail store) was considered.
- 7.25 The NPPF is very clear in relation to advice when considering highway matters. At para 109 it states:
- “Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 7.26 The Highway Authority has confirmed that the proposal is acceptable and has raised no objection subject to conditions to promote sustainable travel in the

form of appointing Travel Plan coordinator and ensuring the parking, turning and servicing areas are available and retained for the life of the development. As such it is considered that there is no justification to refuse planning permission on highway grounds.

- 7.27 In relation to the above matters it is considered that the scheme would be acceptable from a highway perspective and complies with policies LPD 57, LPD 61 and the relevant guidance contained within the NPPF.

Residential Amenity

- 7.28 The application site is a significant distance away from the nearest residential property as approved by reserved matters application 2019/0152 to the east. The nearest property being approximately 29 metres away with the boundary fence of the associated rear garden area being approximately 15 metres away.
- 7.29 The store would be orientated with the front elevation facing west towards the parking area with minimal openings in the east elevation.
- 7.30 Taking the above matters into account this separation is of sufficient distance to ensure no significant overshadowing/overlooking would occur.
- 7.31 In terms of noise attenuation it is proposed to construct a 4m acoustic fence to the rear of the plant service area. This would ensure that there would be no significant impact on the residential amenity of neighbour occupiers.
- 7.32 The car parking area would be located to the west of the site in front of the proposed store. The store itself providing a screen to the residential properties to the east. Delivery activity, particularly at night can cause disturbance. The applicant has suggest mitigation measures in relation to deliveries which include no movement of goods pallets or roll cages on open areas in the service yard, no audible reversing alarms, refrigeration units should be switched off when vehicles enter the yard and no more than 1 delivery vehicle at any one time. This is confirmed by the comments of the Environmental Health Officer.
- 7.33 It is considered that these matters can be secured through an appropriately worded condition requiring the submission of a delivery management plan and specifications of the acoustic fence. Taking the above matters into account the proposal would not result in any significant noise disturbance and is considered to accord with LPD 32.

Design and Appearance

- 7.34 The proposed store would be constructed of predominantly grey cladding and glazing giving a modern appearance. The design of the building is functional and would in keeping with the commercial units to the north and local centre to the south.

- 7.35 Whilst a large proportion of the site would be given over to parking and turning as is required by a retail food store it would be softened by landscaping along the western and northern boundaries and would be read as a part of the wider local centre. As such the proposal is considered to comply with Policy 10 of the ACS.

Air Quality

- 7.36 An air quality assessment has been submitted in support of the application. This considers air quality matters arising during the construction phase including construction activities on the site and construction vehicle movements to and from the site.
- 7.37 Additionally, a travel plan has been submitted which promotes and encourages sustainable travel options. It should also be noted that the proposal includes four electric charging points.
- 7.38 These elements have been assessed by our Scientific Officer who has raised no objection to the scheme subject to a number of conditions in relation to Electric Vehicle charging points and a Construction Emission Management.
- 7.39 Taking into account the above matters it is considered that the scheme would comply with policy LPD 11 and with Policy 1 of the ACS.

Flood Risk and drainage

- 7.40 The site is located within Flood Zones 2 and 3. The submitted flood risk assessment correctly identifies the food store as a less vulnerable use and as per guidance prescribes a minimum floor level of 20.66m above ordnance datum. This would ensure that the proposal would not be at risk from flooding.
- 7.41 This has been confirmed by the comments of the Environment Agency and will be secured by an appropriately worded condition.
- 7.42 Drainage for the site would feed into the approved drainage strategy for the wider Teal Close development. Specifically the drainage swale and piped network to the east of the site.
- 7.43 As such the proposed development is not considered to be at risk from flooding and would not result in increased flood risk elsewhere. The proposal is considered to accord with LPD 4.

Other Matters

- 7.44 The proposed development would create more than 15 jobs. As such the Borough Council will seek to negotiate a Local Labour Agreement. This will ensure that local people benefit from the proposed development either through:

Enabling local people to access on-site training, development and employment opportunities in the construction of the development; or

enabling local people to access the jobs created by the end use of the development, working with the provider and local partners to try and ensure local recruitment and retention of staff.

- 7.45 This can be secured through an appropriately worded condition. As such the proposal is considered to accord with policy LPD48.
- 7.46 The comments of the public in relation to there being an abundance of foodstores in the area are noted. The proposal has been assessed from a sequential perspective and retail impact.

8.0 Conclusion

- 8.1 The principle of a food store within a local centre in this location is established by Appendix A Strategic Site Schedules and Plans of the Aligned Core Strategy and by outline planning permission 2017/099 which is in accordance with the ACS.

With this larger store the total floor area of the local centre would exceed 2,800m² as set out in the ACS. As such the proposed development is a departure from the development plan.

Taking into account the guidance within the NPPF it is considered that the departure from the development plan is acceptable as there would not be any significant adverse impact on the matters set out in the NPPF Para 89 (a) and (b).

The proposal has been assessed and considered to be acceptable in planning terms in relation to retail impact and sequential approach, highway matters, residential amenity, design and appearance, air quality and flooding and is considered to accord with policies A, 1, 6, 10, 12 and Appendix A Strategic Site Schedules and Plans of the Aligned Core Strategy and policies LPD3, LPD4 LPD7, LPD10, LPD11, LPD32, LPD48, LPD52, LPD57 and LPD61 and Appendix D - Requirement for Parking Provision in Residential and Non-Residential Development of the adopted Local Planning Document.

Recommendation: Grant Planning permission subject to Conditions

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the following plans:

Location Plan Dwg No. 18036 SGP C4 XX DR A 131001 Rev B
Site Plan Dwg No. 18036 SGP C4 XX DR A 131000 Rev C
Drainage Plan Dwg No. TEAL-BSP-ZZ-XX-DR-C-219 P07
Floor Plan Dwg No. 18036 SGP C4 XX DR A 131100

Elevation Plan Dwg No. 18036 SGP C4 XX DR A 131102 Rev A
Roof Plan Dwg No. 18036 SGP C4 RL DR A 131101
Landscaping Plan Dwg No. 18036 SGP C4 XX DR A 131003 Rev B
Hard Landscaping Plan 18036 SGP C4 XX DR A 131002 Rev C

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

- 3 The total amount of net retail sales floorspace in the foodstore hereby approved shall be limited to a maximum of 1,315 square metres, of which no more than 20% should be devoted to the sale or display of comparison goods.
- 4 The development hereby approved shall be undertaken in accordance with the submitted surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy.
- 5 'The development shall be undertaken in accordance with the recommendations and findings of the Remediation Strategy produced by BSP Consulted reference 18-0062 dated January 2020, in so far as they relate to the application site'
- 6 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.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with good practice and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

- 7 Prior to the occupation of the building hereby permitted, the **four** (4) Electric Vehicle Recharging Points; with appropriate cable and infrastructure provision to allow this to increase to **six** (6) points in total in future years shall be installed on site.

The Electric Vehicle Recharging Points shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of

the development and shall be thereafter maintained in the location as approved for the lifetime of the development.

- 8 Prior to commencement of the development a Construction Emission Management Plan (CEMP) based on the findings of the Air Quality Assessment (Redmore Environmental ref. 4054r1 dated December 2020) shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 9 The development shall not be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a travel plan coordinator who shall be responsible for the implementation delivery monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan (TP) to be approved and whose details shall be provided and continue to be provided thereafter to the Local Planning Authority (LPA)
- 10 The Travel Plan Coordinator shall submit reports to and update the TRICS database in accordance with the Standard Assessment Methodology (SAM) or similar to be approved and to the (Local Planning Authority) LPA in accordance with the TP monitoring periods to be agreed. The monitoring reports submitted to the LPA shall summarise the data collected over the monitoring period that shall have categorised trip types into new trips, pass-by-trips, diverted trips, and transferred trips, and propose revised initiatives and measures where travel plan targets are not being met including implementation dates to be approved in writing by the Local Planning Authority.
- 11 The Travel Plan (TP) Coordinator shall within 3 months of occupation produce or procure a full travel plan that sets out final targets with respect the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel to be approved by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives including implementation dates to the satisfaction of the Local Planning Authority.
- 12 No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.
- 13 The development shall be carried out in accordance with the submitted flood risk assessment (BSP Consulting, 18 December 2020, ref 18-0062) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 20.66 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

14. Prior to the occupation of the building hereby permitted the boundary treatments as shown on Drawing No. 18036 SGP C4 XX DR A 131003 Rev B shall be constructed and remain in situ for the life of the development.

15. Prior to the occupation of the building hereby permitted a delivery management plan shall be submitted to and approved in writing by the local planning authority.

The development shall operate in accordance with the approved details.

16. Prior to the occupation of the building hereby permitted a specific details/specification of the acoustic fence adjacent to the plant shall be submitted to and approved in writing by the local planning authority.

The development shall operate in accordance with the approved details.

17. Prior to the building hereby permitted being first brought into use the access from Magenta Way through the local centre as shown on Dwg No. 18036 SGP C4 XX DR A 131000 Rev C shall be constructed on site.

18. Prior to the commencement of construction of the new building hereby approved details of a local labour agreement in relation to the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

The local labour agreement shall be implemented in accordance with the approved details thereafter.

Reasons

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act (as amended)
2. For the avoidance of doubt and to define the permission
3. To protect the vitality and viability of neighbouring centres.
4. To ensure a satisfactory means of draining the site.
5. To ensure possible contamination if found is mitigated and to comply with policy LPD 7.
6. To ensure possible contamination if found is mitigated and to comply with policy LPD 7

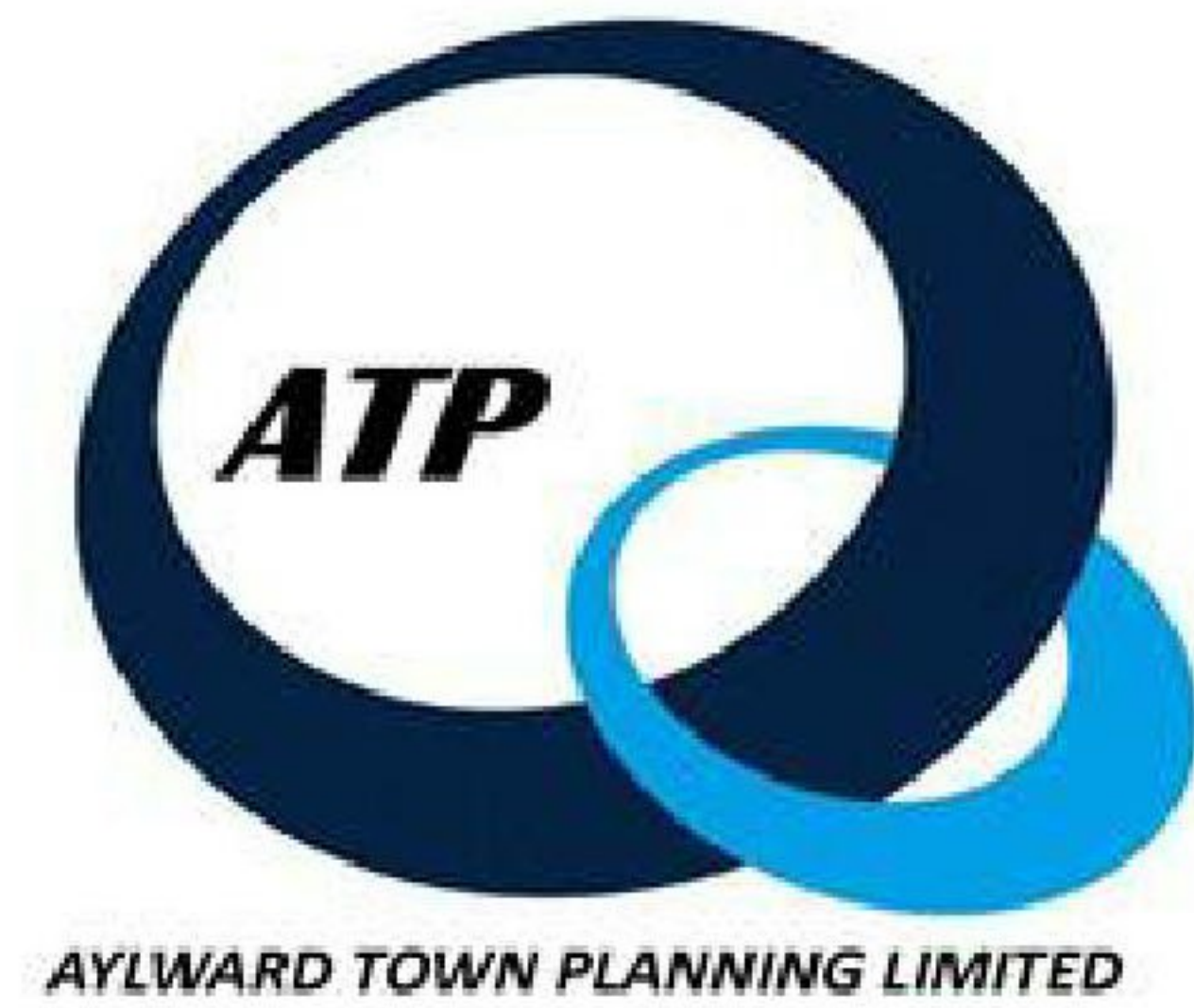
- 7 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan
- 8 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan
- 9 To promote sustainable travel
- 10 To promote sustainable travel
- 11 To promote sustainable travel
- 12 To promote sustainable travel
- 13 To reduce the risk of flooding to the proposed development and future occupants
- 14 To protect the amenity of neighbouring occupiers.
- 15 To protect the amenity of neighbouring occupiers.
- 16 To protect the amenity of neighbouring occupiers.
- 17 To ensure a satisfactory access to the site.
- 18 To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area.

Notes to Applicant

Informative: The applicant is encouraged to consider upgrading the EV charging facilities to incorporate additional Mode 3 Smart charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

The 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.

This page is intentionally left blank



Date: 03 April 2021

Kevin Cartwright
Principal Planning Officer
Development Services
Gedling Borough Council
Civic Centre,
Arnot Hill Park,
Arnold,
Nottingham
NG5 6LU

Dear Kevin

2020/1292. Planning Application for Commercial Uses at land at Teal Close, Netherfield.

We write with regard to the above planning application and with particular reference to our instruction to advise Gedling BC (hereafter referred to as 'the Council') on the merits of the proposals of A C Lloyd Holdings in terms of its compliance with retail and town centre policy as set out by the statutory development plan and the NPPF.

This is written in response to the applicant's most recent submissions dated 31st March 2021 which comprised a detailed letter. This ATP letter should be read in tandem with our earlier letter dated 23rd March 2021, responding to the applicant's original submission and the letter dated 31/03/21.

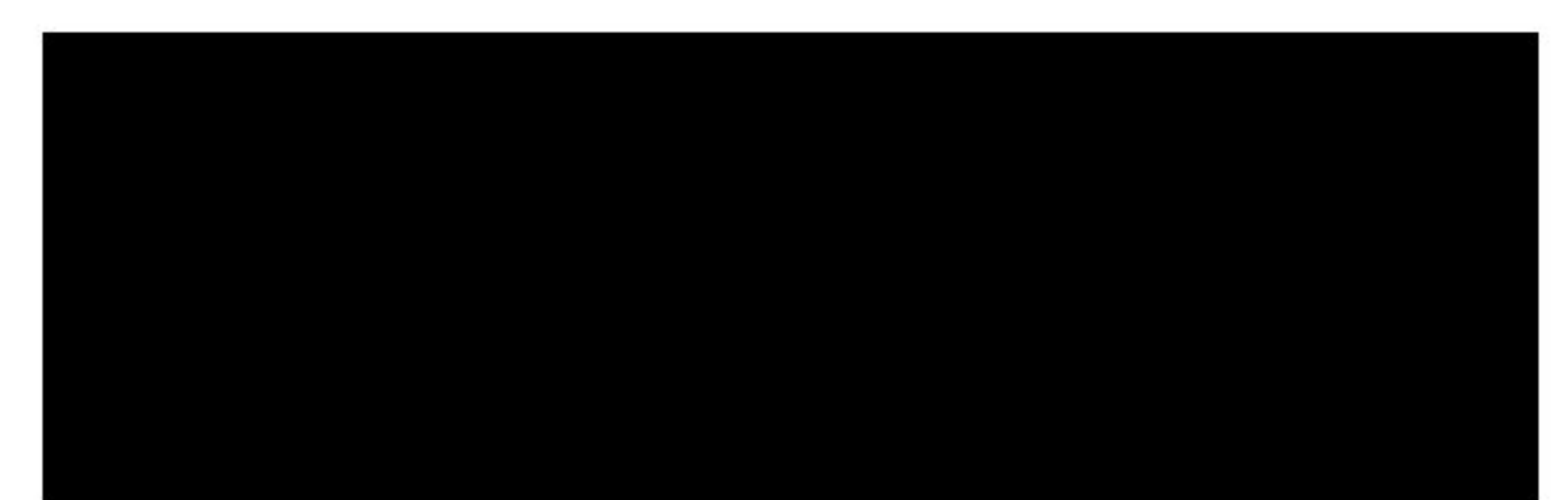
This responds to our earlier requests for a more comprehensive analysis of the retail planning implications of the proposals both in the scope of the work but also consideration of the potential requirement for planning controls. Through our review of this subsequent material, we would now agree that the applicant has provided an appropriate response to impact assessment and suitable consideration of the sequential approach to site selection. Given that the scheme is not in conflict with main town centre uses planning policy, we note the scheme's contribution to economic development objectives and conclude that there is no reasonable basis to sustain an objection on these grounds.

The Proposals

The proposal comprises an application for an Aldi foodstore to serve as part of an extended local centre. There is a separate application (reserved matters 2019/0613) for mixed use commercial use in 6 units. This comprises:

- Public house;
- Day nursery; and
- 4 no. flexible use units (in a single terrace) which could provide retail or other main town centre uses.

We raised a concern insofar that the original submission material for the application did not expressly seek to justify the potential end uses of these four units in terms of retailing. However, the applicant has now provided



sensitivity analysis which responds to this point, adding that there is an initial preference for any subsequent consent to preserve the opportunity for flexibility.

Context

The subject site is out-of-centre forming part of a broader Sustainable Urban Extension allocation from the 2014 Joint Core Strategy. Whilst the Core Strategy envisages the delivery of a local centre in the Plan period as part of a wider scheme, it is not identified in the hierarchy of centres. As such, development management proposals must consider NPPF requirements in the context of being “out-of-centre” albeit having regard to other Development Plan policies.

There is an outline approval for a comprehensive development from 2013 which includes a local centre. The outline approval includes conditional controls which limit provision as follows:

- Maximum 2800m² floorspace for the local centre (uses falling within A1-A5, B1 and D1 of the 1987 UCO);
- Maximum 2499m² floorspace for retail or D2 uses (from the 1987 Use Classes Order); and
- Maximum 1500m² floorspace for retail uses of which the maximum size of any foodstore being 750m².

Proposal

Application for an Aldi foodstore (1894m² GEA, 1315m² net sales) with associated parking and other works. We understand that DM process has established that the boundary of the proposed “extended” local centre will align with the employment areas to the north.

Our previous letter extracted plans from the application’s submitted Design and Access Statement and indicated the strategic location and the proposed site layout. We understand this remains unchanged. This letter is principally concerned with the policy implications of the Aldi store and the four flexible use units.

ATP’s Role and Advice

The applicant has submitted an application to the Council and given the technical nature of the application Gedling BC have decided to seek specialist advice as a bespoke commission. ATP is therefore acting for the local planning authority to provide appropriate planning advice, but it has also been agreed (as part of the Council’s positive approach to development management) that ATP would liaise with the applicant and seek to identify an approach which would allow meaningful robust planning conclusions to be reached.

ATP’s role is to consider the retail planning effects of the proposal for the Aldi store which therefore encompasses impact and sequential considerations. The site is outside a defined town centre and the proposal will result in additional floorspace above the threshold set by Local Plan policy LDP52.

We are pleased to confirm that there has been positive engagement by the applicant’s agent which has resulted in the provision of a more comprehensive analysis of the retail planning implications of the proposals, particularly

in the scope of the potential impact through sensitivity testing to ensure that the submission has tested the potential for future harm under specific scenarios.

Through our review of this subsequent material, we note that the majority of the various matters we have previously raised have been addressed to an extent where the planning merits of the proposal (in terms of policy pertaining to main town centre uses) can be properly adjudged.

In terms of the points of clarifications sought by our Note of 23/03/21, the only substantive matter which has not been specifically addressed was one of clarification (in terms of the argument pertaining to population growth and resultant need) so we explore this directly. We had previously set out that the applicant's consideration of the sequential approach was effective and adequate, but nevertheless note that they have provided some supplementary clarification which is helpful.

ATP is not instructed to assess the reserved matters for the local centre application that includes 4 small units. We have requested that the applicant should provide sensitivity impact analysis that has regard to the potential turnover and sources of trade. This has been undertaken and we are satisfied that this has been completed effectively by the applicant and allows ATP to confirm its viewpoint in terms of the magnitude and materiality of effects upon defined centres. We trust that the local planning authority will impose planning controls as they feel appropriate and necessary in the context of the retail uses proposed through the reserved matters application.

Sequential Analysis

The applicant has identified that the purpose of development is to provide an effective shopping offer to meet food shopping needs for the new population planned in the Sustainable Urban Extension as well as the existing local area. This foodstore (with associated parking and servicing) has minimum requirements outlined below:

- Single-floor development
- Capability for HGV servicing to meet hours requirements
- Ideal floorspace aligned to the submission but then showing flexibility by applying 15% parameters
- Identifying (as an alternate metric) a minimum site area (0.65 hectares);
- Location in or edge of a defined centre;
- Locally identified need and 5 minute drivetime accordingly; and
- Surface level customer parking.

Given that the store will serve the existing local area, the applicant has identified a five-minute drivetime catchment and considered the opportunity to identify sites in or edge of the four defined centres which comprise:

- Burton Joyce
- Carlton Square
- Netherfield
- Gedling Village

We did set out a concern that a five minute drivetime catchment may underplay the shopping offer that can be provided by an ALDI store and that the proposed Gedling Colliery centre would fall within a functional catchment. However, we note that (despite the above) the applicant has already had consideration of Gedling Colliery.

The scheme can be considered as a solus foodstore or as an anchor to a local centre. Whilst the centre is not identified in the hierarchy of centres, it is clearly a Plan-led development and it envisages the ability to meet local shopping and service needs. In terms of site area, it would clearly be more challenging to find a competitor site to accommodate the extended local centre than a solus foodstore. The applicant has had proper regard to disaggregation and flexibility of format where it has considered alternative sites on the premise that:

- They could accommodate the ALDI foodstore as a solus development; and
- That the size of the plot for the ALDI foodstore could feasibly be fluid (within parameters) thus providing flexibility of format.

We have confirmed through our Interim Note that we are satisfied that the applicant has effectively set out the purpose of development and the parameters of search. The applicant has demonstrated consideration of disaggregation and reasonable application of flexibility in respect of the sequential approach.

The applicant identified three sites for detailed review and the Council has agreed that this is appropriate for this catchment and do not propose any additional sites. ATP confirms that this represents an appropriate consideration of alternative sites that could provide the potential to be sequentially preferable. We now provide a brief summary of each of the three sites below (please refer to our Interim Note for more detailed analysis).

Site 1 – Netherfield Local Centre

We agree that the site is unavailable and would in any event have been constrained.

Site 2 – Netherfield, Former Kendon Packaging

We note that the site is available albeit its configuration is sub-optimal. More importantly, it is impeded by access and proximity to housing uses which would fetter the required servicing hours. We agree that the site is unsuitable.

Site 3 – Gedling Colliery Site

The proposed local centre is limited and the ALDI store cannot straightforwardly be accommodated both in terms of its own footprint but the associated requirements for parking and servicing. We agree that the site is unsuitable.

Sequential Summary

ATP accepts that there is no clear evidence that there are genuinely available existing units or development sites either within or edge of the identified centres which would meet the reasonable requirements of the proposed development. Given that we agree that the applicant has identified a need and that (as we understand it) there are no more centrally located sites to accommodate it, then we would concur that the requirements of the sequential approach have been met.

Impact Analysis

Impact assessment for schemes providing main town centre uses is necessary in the context of schemes providing floorspace in excess of a locally adopted threshold or the NPPF figure of 2500m², whichever is the lower. In this instance, the Council has adopted a lower threshold of 500m² and the scheme is therefore caught by consequence of the scale of the proposed foodstore, setting aside the smaller format units in the local centre.

Establish existing shopping patterns using appropriate evidence

Following discussions with the applicant, it was agreed that the use of the Greater Nottingham Retail Study could provide an acceptable starting position for local shopping patterns, subject to this being supplemented by the potential effects of commitment uses and any changes to available expenditure by consequence of robust base data and benchmark guidance. ATP are satisfied that the applicant has provided robust and up-to-date evidence which demonstrates the nature of established shopping patterns in the local area.

Set out the nature of the proposal and its potential turnover

There is an outline consent which would have provided for a local needs foodstore of up to 750m² as part of a wider retail offer up to 1500m². Clearly this development will be larger in isolation (1894m² GEA) as well as in tandem with the four flexible use units (total potential retail floorspace of 2266m²).

In the context of the ALDI store, the applicant has set out that the 1894m² store will achieve a net sales area of 1315m². In the context of the net sales area, they model it on the basis of 80% of it being devoted for the sale and display of convenience goods (the remainder as comparison goods). They then utilise sales densities data from Global Data on a goods basis which are then factored to a design year.

We highlighted in our Interim Note that the projected sales densities from Global Data vary from those advised by Retail Rankings and requested a clarification. Pegasus have provided a cogent response and we agree that there is no substantive basis to require the utilization of Retail Rankings densities and therefore the application of Global Data projections are concluded to be acceptable. The design year turnover of £12.6m (£10.2m convenience goods) is reasonable.

In the context of the smaller flexible use units, we note that the applicant has set out that it is unlikely that they would all be used for retailing (more likely used across the broader range of uses permitted by the outline consent) but has nevertheless modelled them all for retail use to demonstrate an effective worst-case effect in terms of retail impact. The applicant has modelled turnovers through application of an 80% net to gross ratio and a base year sales density of £5500 per square metre per annum. This base sales density of £5500 per sq m is then factored on a goods basis using turnover efficiencies to the design year.

We confirm that the £5500 base figure is consistent with the Greater Nottingham Retail Study for local facilities and is acceptable. For completeness, the use of the higher density for “top four” retailers would not be applicable because the format available in these four units would not align to the trading models of those operators.

The design year turnover of these 4 smaller units is modelled at circa £1.6m and this has been modelled 50/50 in terms of use by food and non-food retailers respectively. This is considered to be a reasonable approach for this sensitivity analysis.

We therefore confirm that we are satisfied that the revised material now provides credible information to set out the nature of the proposal and its potential turnover, including reference to the smaller units promoted through the reserved matters application for sensitivity purposes.

Assess likely patterns of trade diversion based on sound judgment

Consumers will typically gravitate to the store that provides the best balance of being convenient and more generally meeting their requirements. Whilst we therefore agree with the concept of “like competes with like” it has to be in the context of convenience hence the notion of a primary catchment.

In the context of discounter stores such as Aldi and LIDL, customer perceptions of the offer they provide has changed in recent years both as a function of their scale (typically larger than older stores so can therefore support a greater depth of range of goods) but also their marketing profile. Whilst they would have historically been considered as a secondary food offer they are now recognised to provide a strong food offer more than capable of meeting main food shopping needs. As such, we would consistently anticipate that new discounter stores will largely compete with other similar discounters and other main food facilities. The likelihood of trade overlap with smaller local stores will typically be limited, unless there is a localized scenario where the main food offers are distant and even the smaller local stores are meeting some of that requirement.

In this context, there are a number of established larger foodstores in the locality and we agree that these existing larger stores will represent the majority of the sources of trade for the proposed store. In the context of the solus trade diversion effects for the proposed Aldi store, we did raise concerns in regard to the status of the approved Sainsbury store at Colwick Loop. In summary, we sought further justification to reinforce why it would be appropriate to assume that the new Aldi store could draw trade from an as yet incomplete Sainsbury store.

The applicant has provided additional evidence in this respect, and in the light of this we agree that (on the balance of probabilities) that the planned Sainsbury store will open before the Aldi and will reach mature trading by the design year of 2024. It is therefore reasonable to anticipate that trade will have been drawn to the Sainsbury upon its opening and that the new ALDI would be well placed to secure some of that trade at the design year. With that residual point established, we conclude that the applicant’s projections of trade diversions to the proposed ALDI are reasonable and represent a sound proxy for impact analysis.

Ascertain the current health and resilience of defined centres to change

Health checks were supplied with the submitted application, these were underpinned by site visits undertaken in October 2020 and related back to historic health checks undertaken by the Council and within the Greater Nottingham Retail Study.

All four centres that have been assessed are deemed as local centres in the shopping hierarchy, albeit that Netherfield is larger than the other three and has a stronger retail offer.

These health checks respond directly to the framework set out in the NPPG which is helpful. The healthchecks submitted argue that the centres provide reasonable vitality and viability reflective of their scale and function. In terms of vacancy levels, these typically fall below national average levels (the exception being Carlton Square but by function of its small scale this is not necessarily a conclusive determinant of its vitality).

The applicant's health checks consider the key indicators of vitality and suggest that the identified centres are performing reasonably well and there are no obvious signs of vulnerability or decline. Through our review of the submitted material and cross-reference to historic studies, we would agree that there is no substantive evidence of decline or poor performance. As such, we have no evidence to suggest that these centres are particularly vulnerable to change where smaller-scale trade diversionary effects could result in significant adverse impacts. This provides a degree of reassurance in the context of the potential for the development to result in impact that could impede a presumption in favour of economic development.

Commitments and Cumulative Impact Analysis

The NPPG clarifies that planning applications should have regard to existing shopping patterns and the potential for these to be adjusted by commitment schemes as well as the proposed development. This approach provides a better prospect of giving the decision-maker a credible basis to adjudge whether the development (in solus or by accumulation) would result in impacts upon identified centres that would materially prejudice their vitality and viability, to the extent where it would impede their ability to meet that functional requirement to serve the local catchment as part of the hierarchy of centres.

Take account of commitment schemes and their trade diversion patterns

The applicant's original submissions modelled the three key retail commitments in the locality as identified below. The three key commitments are identified below and all bar the last store are now open for trading. These are modelled as commitments as they were not open at the point where the household survey was undertaken:

- Aldi East Point Retail Park
- M & S Food Hall, Victoria Retail Park; and
- Sainsbury, Colwick Loop Rd

Further to dialogue, the applicant has also modelled the trading effects of the proposed local centre units (as a sensitivity) on the basis that they would all be used for retailing. We concur that this is unlikely, but it provides reassurance that the assessment provides a robust and cautious analysis.

In regard to the sales densities used for the commitment schemes, they reflect the Global Data approach used for the proposed store and we confirm that the densities used are reasonable and acceptable.

We did raise some concerns in terms of the proposed use of the Sainsbury store given that it assumed 40% of the sales area would be devoted to comparison goods sales which appears high in the current retail environment. We would agree that the 60/40 figure aligns with the modelling for the original consent and thank the applicant for the material provided in the context of a more recent Sainsbury scheme. Whilst we maintain our view that 40% is on the high side, we note that the applicant has now modelled the use of a 65/35 split for sensitivity purposes and confirm that this is acceptable and provides a reasonable and cautious proxy.

The three key commitment schemes all represent main food facilities all of which will draw the vast majority of their trade from stores that can meet that main food function. None of the stores within the centres in the catchment are shown to perform that function by reference to the household survey. By that proxy, any trade diversion from these centres through these foodstore commitments is likely to be very limited.

The applicant has predominantly had regard to the material submitted by other applicants (which is a standard and reasonable approach) and it is clear that very limited trade is identified across these three schemes. The highest percentile impact from commitment schemes is identified as Carlton Hill, but we would treat this with significant caution. The base turnover levels (albeit drawn from survey data) appears far too low and our judgment is that these base turnover levels are likely to be considerably higher and therefore any percentile impact would reduce on a commensurate basis.

We find that the applicant's approach to assessing trade diversion from these commitment schemes is reasonable and that they are applied to the base shopping patterns consistently. As above, whilst in the case of Carlton Hill the percentile impact would appear somewhat high we would treat this with caution because the survey derived base turnover appears to be suppressed. This is simply a product of the household survey, where turnover levels for the smaller stores can be very vulnerable to the small sample size of respondents to these surveys.

Undertake a cumulative assessment and adjudge whether impact levels reach significant adverse

In similar vein to the commitment schemes, the proposal represents a main food facility which will draw the vast majority of trade from larger stores that can function as a main food destination. None of the stores within the centres in the catchment are shown to perform that function by reference to the household survey. By that proxy, any trade diversion from these centres will be very limited in scale and effect.

Other than Netherfield, the household survey evidence would suggest that none of these centres have a design year turnover exceeding £2.10m (considerably less for Gedling Village). By consequence of this very low base figure, any judgments in terms of trade diversion will have a more substantive effect. Our judgment is that these turnover levels are so low as to be unrealistic- analysis of percentile impact should be had with caution.

In the case of Burton Joyce, the cumulative impact is 7.6% of which 2.4% is a solus impact. In the context of Carlton Hill, the cumulative impact is 14.3% but the solus impact is zero.

As we have inferred above, whilst we note percentile changes to pre-impact turnover for Burton Joyce and Carlton Hill, we must point out that the base shopping patterns may well have underplayed the extent of existing turnover and therefore any trade diversion effects need to be considered in that vein. For Carlton Hill, all of the assessed impact is resultant from commitment schemes which are already planning approved. In the context of Burton Joyce, we feel that the potential for trade impact upon the Co-Op is likely to be limited and therefore treat the applicant's analysis as cautious and robust.

In our judgment there is unlikely to be any diversionary trade impact on any other defined centre (outside the catchment) which would approach or reach the relevant threshold where the presumption in favour of economic development would be impeded.

In our judgment, the impacts upon identified centres do not reach the threshold of significant adverse and therefore the NPPF presumption for refusal (if there were significant adverse impact) should not apply.

Mitigations

Whilst we agree that there will be a degree of impact upon identified centres by reference to the proposed development, we have set out that these are unlikely to reach a threshold where the presumption in favour of sustainable economic development is impeded. This is based upon our understanding of the relevant policy framework and the applicant's modelling of the trade diversion effects of the scheme in solus and on a cumulative basis, as required by national policy. Given the caveat above, it is appropriate to impose a planning control upon the use of the store to align with what the applicant has modelled in their submission and supplementary material. We recommend this in our Summary.

We would also note that the store will form part of a local centre that is intended to serve a new Sustainable Urban Extension aligned to the Local Plan. Whilst the Local Plan has (somewhat regrettably) failed to identify the Plan-led local centre within its hierarchy, it is plain that there was a long-standing intention to provide local needs facilities for the new resident population all as part of the allocation.

We can see that the base population projections (which underpins the available expenditure) for the applicant's retail work does not assume the new resident population, if it had done so it would clearly provide additional spend that would generate a quantitative and qualitative need for new facilities.

The applicant has noted that if the Plan-led quantum of new homes was delivered by the 2024 design year, this would support a reasonable proportion of the convenience turnover of the Aldi and small format stores. We agree with that concept but we query the assumption that all of the Plan-led homes would be occupied by 2024. However, the applicant has not sought to refer to the latent demand which would be created from the workforce on the adjacent employment zone by way of secondary shopping trips or indeed lunchtime spend. We therefore conclude that there is a likelihood that there will be a considerable quantum of "new spend" directed to the store which will reduce reliance on trade to be diverted from existing stores, such as those located in identified centres.

Planning Balance Considerations

In the event that there is adverse impact but it falls below the threshold of significant adverse, the NPPF instructs that a planning balancing exercise be undertaken to adjudge whether the development can be acceptable in planning terms. Clearly there will be some trading impacts on centres, but these are likely to be limited in scale and effect. There is no compelling evidence to suggest material impediment to delivering planned investment.

The NPPF makes clear that significant weight should be afforded to economic development and the proposed development will create employment. The site is currently vacant so (even having regard for any ramifications from trade diversion from existing shops in centres) there will be net uplift. Whilst there will be adverse impact, it will not reach the threshold of significant adverse and the potential job creation weighs in favour of the proposal.

Summary

Whilst we do not agree with all components of the applicant's submission, we are now comfortable with the proposal strictly subject to the imposition of a planning control for the use of the ALDI store aligned to the scheme modelled by the applicant and assessed accordingly. We propose the following condition for your consideration:

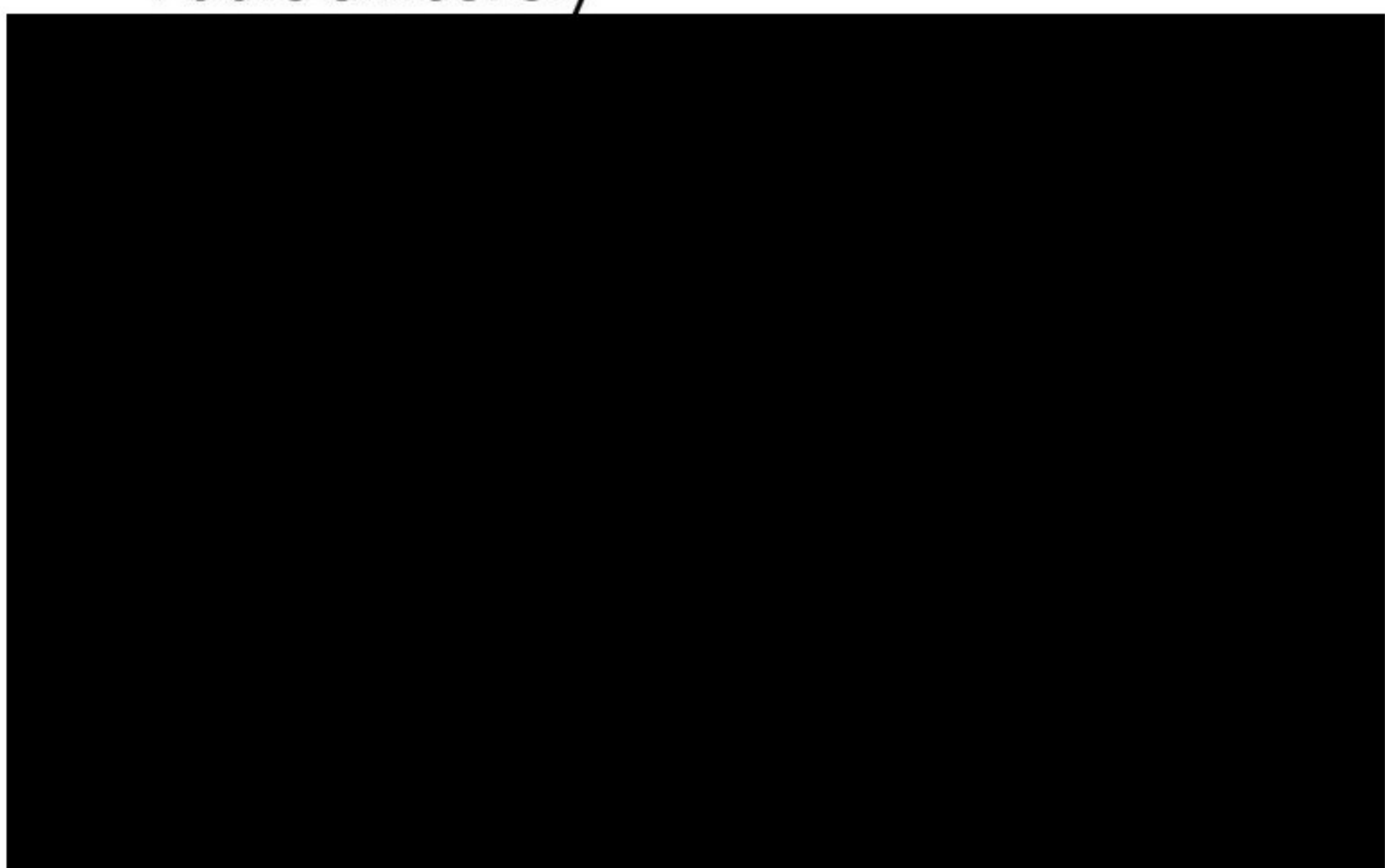
"The total amount of net retail sales floorspace in the foodstore hereby approved shall be limited to a maximum of 1,315 square metres, of which no more than 20% should be devoted to the sale or display of comparison goods."

We have assessed the cumulative effects of the ALDI store and the local centre units but the above condition would not be applicable to the 2019/0613 scheme and nor do we propose any conditions upon that consent as that is outwith our remit. Our formal advice to the Council is as follows:

- Our judgment is that the requirements of the sequential approach have been met;
- That there is no clear evidence that the development would result in adverse impact that would reach the relevant threshold and impede the ongoing vitality and viability of centres;
- That there is no likelihood that the development will impede planned investment in centres; and
- That subject to the above proposed condition the potential for future adverse harm is limited.

We trust that the above is of assistance to the Council, the applicant and its agent. We would be pleased to provide further clarification of the matters set out above should this be so required.

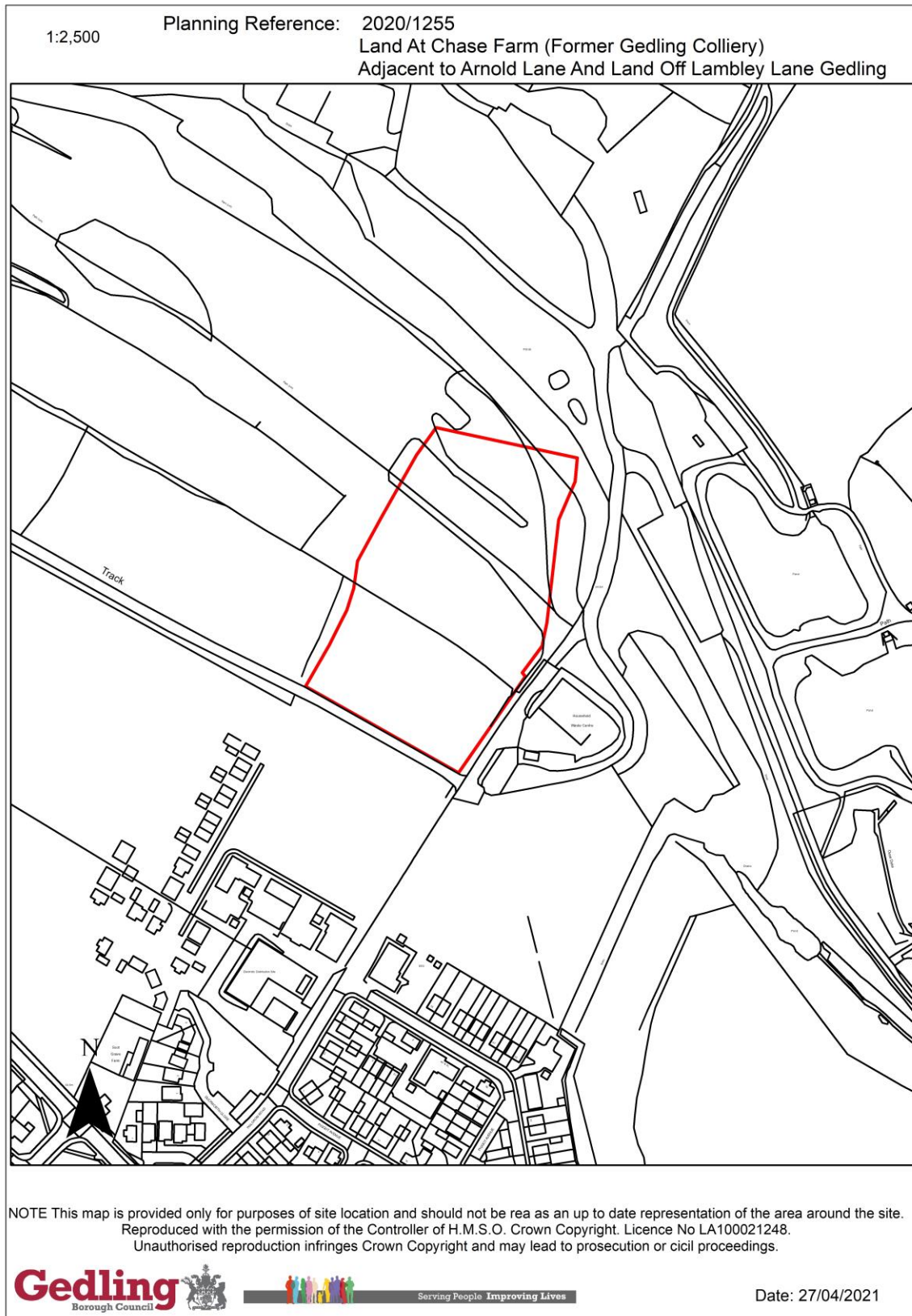
Yours sincerely



This page is intentionally left blank



Planning Report for 2020/1255



Report to Planning Committee

Application Number: 2020/1255

Location: Land At Chase Farm (former Gedling Colliery),
Adjacent to Arnold Lane And Land off Lambley Lane
Gedling

Proposal: Hybrid application seeking permission for a balancing
Lagoon (Full Application) and Outline permission for
the Local shops, access and associated parking.

Applicant: A.C. Holdings Limited and Aldi Stores Limited.

Agent: Pegasus Planning Group

Case Officer: Nigel Bryan

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

1.0 Site Description

- 1.1 The application site relates to an 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 the site was not accessible to the public in that building work was underway on an adjacent parcel of land.

2.0 Relevant Planning History

- 2.1 On the 3rd 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 December 2018 planning permission was granted for the ‘Re-design of the balancing pond’ (ref: 2018/0813)
- 2.5 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).
- 2.6 In January 2019 Full Planning Permission was granted for the repositioning of plots 5, 6 & 7(rotation through 90 degrees). (ref: 2017/1076).
- 2.7 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 231 (reference 2019/0304).
- 2.11 In August 2020 Full planning permission was granted for replacement houseypes of 204 dwellings (ref: 2019/0759).
- 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 In June 2020 a resolution to grant permission to (2019/0696) ‘remove condition 2 of planning permission 2015/1376 to remove the construction cap of 315 dwellings and to allow building within Phase 1B prior to the completion of the Gedling Access Road’ was agreed. The decision notice was issued on the 20th August 2020.
- 2.14 In September 2020 a resolution to grant planning permission for the ‘re-design of the landscaping for the Urban Square’ was approved (2020/0545), subject to a deed of variation to the S106.
- 2.15 In October 2020 a resolution to grant planning permission for the erection of 31 dwellings (2020/0667) was approved subject to a deed of variation to the S106. The approval is a re-plan of a similar scheme for the erection of 29 dwellings approved under reference 2018/0684.

3.0 Proposed Development

- 3.1 The application is submitted as a hybrid application in that full planning permission is sought for the creation of a balancing lagoon with outline permission sought for the local centre, which is intended to include shops, a nursery, access and parking.
- 3.2 For the avoidance of doubt, on the original masterplan for Chase Farm the local centre was proposed to be adjacent to the urban square and school with the balancing lagoon to the north, adjacent to the Public Open Space. However, the current application is to switch the location of the local centre and balancing lagoon so that the lagoon is central to the site with the local centre adjacent to the public open space and next phase of residential development.
- 3.3 Furthermore, amended plans have been submitted that have altered the indicative layout of the local centre to demonstrate how it could be designed so that it faces on to the balancing lagoon. Additional drawings have also been submitted that include greater detail for the layout and periphery of the lagoon, which includes an informal footway around the lagoon and benches.

4.0 Consultations

- 4.1 Highway Authority – seek clarification on the boundary treatment proposed to the lagoon, in the interest of highway safety. Raise no objection to the indicative layout but the road would need to be subject of a S38 agreement with the Highway Authority and adequate parking and turning provided within the site.
- 4.2 Environment Agency – raise no objection but request a condition in respect of contamination given the previous use of the site.
- 4.3 Environmental Health – note that there have been numerous investigations with regard to possible contamination on the site; however, this largely focused on the residential aspects of the scheme. As a result a condition would be required in respect of this particular phase of development. Furthermore, conditions would be required in respect of EV charging points and the need to approve a Construction Emission Management Plan.
- 4.4 The Lead Flood Authority does not object to the application.
- 4.5 Parks and Street Care make no observations on the application.
- 4.6 A site notice was displayed near to the application site. As a result of consultation undertaken, no responses have been received from local residents.

5.0 Relevant Planning Policy

- 5.1 With respect of the National Planning Policy Framework 2019 (NPPF) the following chapters are considered to be most pertinent to the determination of the application;

- 2 – achieving sustainable development;
- 4 – decision making;
- 5 – Delivering a sufficient supply of homes;

6 – building a strong, competitive economy and
12 - achieving well-designed places.

- 5.2 The Aligned Core Strategy (part 1 Local Plan) (ACS) was adopted in September 2014, the following policies are considered most pertinent to the determination of the application;

A: Presumption in favour of sustainable development;
1: Climate change;
2: The Spatial Strategy;
10: Design and Enhancing Local Identity.

- 5.3 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:

- LPD4 – Surface Water Management
- LPD7 – Contaminated Land
- LPD11 – Air Quality
- LPD18 – Protecting and Enhancing Biodiversity
- LPD32 – Amenity
- LPD61 – Highway Safety
- LPD64 – Housing allocations – Urban Area and edge of Hucknall

6.0 Planning Considerations

- 6.1 The main planning consideration in respect of the current application is what impact switching the local centre and balancing lagoon would have on the immediate character of the area and wider chase farm development as a whole. As well as a need to consider impacts on highway safety, drainage and possible contamination.

Principle of development and impact on the character of the area

- 6.2 Following the grant of planning application 2015/1376 it is clear that the principle of development of a balancing lagoon and local centre is supported on this site allocated for development under policy LPD64. From the layout as originally proposed under the masterplan it would no doubt have been deliberate to have the urban square, school and local centre as a focal point for the site, with the balancing lagoon to the north. Re-locating the lagoon to the centre of the site may, to some degree, impact the permeability and usability of the site in that the three key uses would not now be immediately adjacent to one another. However, it is understood that due to contamination issues which may exist on the site there is a desire to switch the lagoon and local centre. As initially proposed, the balancing lagoon was considered to be a barrier between the important three key sites. However, following the submission of updated details in terms of how the balancing lagoon will function, the scheme as amended is considered to have improved markedly. A footway is proposed around the lagoon periphery, as well as benches, so that the feature will be more accessible and a focal point to the site. Furthermore, such Sustainable Urban Drainage (SUD) features can, if

appropriately designed, have ecological advantages. It is indicated that there will be landscaping to the lagoon periphery, although final details of species will need to be approved through the submission of a detailed landscaping scheme, which can be secured via condition. Therefore, as updated, it is considered that, on balance, the switching of the balancing lagoon and local centre would be acceptable in that the lagoon would, in its own right, become a green, permeable and central feature of the site that would respect the character of the area. The application is, therefore, deemed to comply with policies ACS10, which requires development to respect the character of the area, and LPD18, which requires development to protect and enhance biodiversity, and guidance within the NPPF.

Other considerations

- 6.3 There is no overriding concern in respect of highway implications in that the highway network will be the same as identified on the approved masterplan. The layout of the local centre is not under consideration as part of this application, although following alterations to the indicative layout, so the local centre now faces the lagoon, it is considered to be acceptable. No boundary treatments have been identified around the lagoon; it is recommended that a condition can be added to the decision notice to ensure that something appropriate to the Highway Authority can be secured. Adequate parking provision is something that would need to be approved through the reserved matters process but the scheme as submitted is not considered to be detrimental to highway safety and is deemed to comply with policy LPD61.
- 6.4 Given the previous use of the site and previous contamination work that has been undertaken there is not considered to be any overriding concern in respect of contamination. However, this is a standalone planning application and to ensure that the contamination remediation for this particular phase of development is acceptable the Environmental Health Officer has requested a condition to ensure that additional exploratory works are undertaken. Furthermore, a condition would be required to ensure that appropriate electric vehicle charging points are secured on the site. Subject to such a condition being added the application is deemed to comply with policies LPD7, which requires development to ensure land is not contaminated and fit for the end user, nor lead to contaminated water, and LPD11, which requires development to consider possible adverse impacts on air quality.
- 6.5 Consultation has been undertaken with the Environment Agency and Lead Flood Authority and no objections have been received from these bodies in respect of the ability of the balancing lagoon to adequately drain the area, which in terms of functionality is the same as approved 2018/0813. As a result the application is deemed to comply with policy LPD4, which requires development to appropriately manage surface water, including through the use of Sustainable Drainage Systems.
- 6.6 It is not considered that the application as proposed would have a detrimental impact on residential amenity and any possible impacts on residential units that may be adjacent to the Local Centre in phase 2. Any potential impacts from possible noise would be considered on its own merits when the various phases of development come forward but there is no reason to consider that

the proposed retail use could not sit alongside residential units. As a result the application is deemed to comply with policy LPD32.

Planning Obligations

- 6.7 The application site falls within the wider Chase Farm development which is subject to a Section 106 agreement which secured planning obligations towards affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities. There are triggers within the agreement that relate to the provision of and maintenance of public open space including the balancing lagoon and therefore a variation to the original Section 106 agreement is required to ensure that the obligations secured via that Section 106 agreement bind this permission, if approved.

7.0 Conclusion

Having regard to the above it is noted that the principle of the development is supported by policy LPD64. Re-siting the balancing lagoon and local centre would not be detrimental to the character of the area; nor is it considered that there would be any negative impacts on highway safety, ecology, contamination or amenity. As a result the application is deemed to comply with policies LPD4, LPD7, LPD18, LPD32, LPD61 and LPD 64 of the Local Planning Document; policies A, 1, 2, 8 and 10 of the Aligned Core Strategy and guidance within the NPPF.

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

Conditions

1. Development of the balancing lagoon shall commence no later than 3 years from the date of this permission and shall proceed in accordance with the details as approved under condition 2 and in accordance with details as may be approved under conditions 3, 5, 6, 7, 9 and 10.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

17057E - P100 rev - - Location plan

17057E - P101 rev A – Existing site masterplan

17057E - P103 rev B - Proposed site plan

17057E - P105 rev A - Site Sections

Deign and Access Statement (Updated received on 30 March)

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

3. Prior to above ground works commencing on the balancing lagoon, details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be completed no later than the first planting season once the earthworks for the lagoon have been substantially complete. 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. Details of any hard surfacing materials would also need to be identified.
4. Application(s) for approval of all reserved matters for the local centre shall be made to the Local Planning Authority no later than 3 years from the date of this permission, and the development thereby authorised for the Local Centre shall be begun no later than 2 years from the date of this permission or 2 years from the date of the approval of the final reserved matter, whichever is the later.
5. 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.

6. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a

Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
8. Prior to the occupation of either building(s) hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of three (3) Electric Vehicle Recharging Points; with appropriate cable and infrastructure provision to allow this to increase to five (5) points in total in future years.

The Electric Vehicle Recharging Points shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development.

9. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance 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.
10. Prior to the commencement of development, details of any boundary treatment to be erected around the lagoon shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be in situ, and retained as such thereafter, prior to the lagoon holding water.

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 ecology enhanced and to comply with policy ACS10 and LPD18.

4. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
5. 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.
6. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
7. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
8. To ensure 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.
9. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
10. In the interests of highway safety and respecting the character of the area and to comply with policies LPD61 and ACS10.

Notes to Applicant

The applicant is encouraged to consider upgrading the EV charging facilities to incorporate additional Mode 3 Smart charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

For the avoidance of doubt, whilst the layout of the shops is indicative, the Council would encourage a layout that follows the broad parameters identified on the site layout with a frontage on to the balancing lagoon.

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

The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to apply for relief from CIL. Further details about CIL are available on the Council's

website or from the Planning Portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

This page is intentionally left blank



Planning Report for 2020/1054



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



Serving People Improving Lives

Date: 27/04/2021

Report to Planning Committee

Application Number:	2020/1054
Location:	Land At Rolleston Drive Arnold
Proposal:	Proposed residential development and associated development including means of access and parking, drainage attenuation, landscaping and amenity space.
Applicant:	Ilke Homes Limited.
Agent:	Planning and Design Group (UK) Limited
Case Officer:	Bev Pearson

The application is referred to Planning Committee to accord with the Constitution as more than 9 dwellings are proposed.

1.0 Site Description

- 1.1 The application site comprises 3.63 hectares of brownfield land formerly the Nottinghamshire County Council Depot including vehicle workshops, offices, storage and a training centre which has been cleared of all buildings and is currently vacant. It is located to the south east of Arnold Town Centre and is accessed from Rolleston Drive. The land slopes down from Rolleston Drive towards the northern boundary
- 1.2 A number of trees remain on the site, some of which to the south western corner are protected by TPO 000111 Rolleston Drive.
- 1.3 To the south east of the site on the opposite side of Rolleston Drive are a number of commercial properties. To the south west it is adjoined by a public house and further commercial units whilst to the north east and north west there are two storey residential properties on Bentwell Avenue, Brook Gardens and Brook Avenue. A stream runs along the north western boundary.
- 1.4 The site is currently bounded by palisade fencing.
- 1.5 The application site is allocated as housing site H1 Rolleston Drive for the delivery of circa 140 homes in Local Planning Document (Part 2 Local Plan) Policy 64 (Housing Allocations – Urban Area edge of Hucknall) and Gedling Borough Council has also produced a Rolleston Drive Development Guidance (August 2019) to guide the overall development.

2.0 Relevant Planning History

- 2.1 There have been a number of applications received and approved for development on the site in relation to the Nottinghamshire County Council depot/workshops/offices. The site is now cleared and there is no relevant planning history

3.0 Proposed Development

- 3.1 Planning permission is sought for the erection of 131 affordable two and three storey dwellings of modular construction comprising 45no. two bedroom, 73no. three bedroom and 13no. four bedroom properties of the following house types:-

Cardinham – a two bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Holt T1, T2 – a two bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Holt T3 - a two bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 7m;

Dalby T1 and T2 – a three bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Dalby T3 – a three bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Weston – a three bedroom two storey dwelling which would have maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 5.6m and a ridge height of 8.7m;

Rockingham – a four bedroom three storey dwelling with maximum dimensions of circa 5m width and 9.5m depth with an eaves height of 8.5mm and a ridge height of 11m;

- 3.2 The two bedroom properties would be provided with 2 no. off street parking spaces, the three bedroom properties would be provided with 2 no. off street parking spaces and the four bedroom properties would be provided with 3 no. off street parking spaces. 43 visitor spaces would also be provided.
- 3.3 The dwellings are modular in construction and are constructed off site.
- 3.4 The application is accompanied by the following documents:-
Flood Risk Assessment; Noise Impact Assessment; Planning Statement, Design and Access Statement; Sustainability Statement; Air Quality Assessment; revised Arboricultural Assessment and Tree Schedule; revised Construction Emissions Management Plan; revised Part 1 and 2 Geo

Environmental Assessment; revised Travel Plan and revised Travel Assessment.

4.0 Consultations

- 4.1 Neighbouring properties were consulted and a series of site notices was placed around the site on 11th November 2020. Following this consultation 3 representations were received summarised as follows:-
- ☐ Surface water runoff and exacerbation of existing flooding and drainage issues;
 - ☐ Loss of trees and impact on health
 - ☐ It is requested that existing metal fencing is continued along the shared boundary with properties on Bentwell Avenue prior to works commencing to safeguard security.
- 4.2 Following re-consultation with neighbouring properties in February 2021 a further representation was received which reiterated previous concerns with regards to flooding.
- 4.3 Nottinghamshire County Council Highways Authority – note that the streetscene is dominated by parking but is in accordance with the parking supplementary planning document (SPD). Following detailed discussions with the agent particularly regarding the layout of the development in terms of road and footway widths, speed reduction measures, surfacing, parking and visibility splays and the submission of a revised site layout plan layout plan (rev PL03 Rev G) and revised junction visibility splay plan (drg no. 003 P02) the Highway Authority raise no objections subject to conditions in relation to the surfacing of the driveways and the discharge of surface water run-off, the closing off of redundant vehicular access points and the implementation of the TRO to extend the double yellow lines at the access prior to occupation of any dwelling. A contribution of £5,000 is also requested to be secured by the S106 towards requests to remove indiscriminate parking within 3 years of the site being occupied. The Travel Plan and details provided by the submitted CEMP are acceptable.
- 4.4 Nottinghamshire County Council Transport and Travel – Planning Obligations are requested in respect of bus stop improvements at GE0383, GE0384 and GE0393 and GE0394. A contribution of £25,000 is requested to deliver these improvements. Sustainable travel measures as set out in the Travel Plan deposited with the application should be secured by condition.
- 4.5 Nottinghamshire County Council Lead Local Flood Authority – raise no objections subject to a condition requiring the submission and approval of a detailed surface water drainage scheme based on the principles within the Flood Risk Assessment prior to the commencement of any development.
- 4.6 Severn Trent – no comments received
- 4.7 Gedling Borough Council Housing Strategy and Development Officer – support the proposal as it would contribute significantly to meeting housing need in the Borough and is close to the Town Centre. The development meets the National

Technical Housing Space Standards. The proposed layout and types of properties are acceptable.

- 4.8 Gedling Borough Council Scientific Officer (Contamination) – confirms that the Construction Emissions Management is acceptable. Additional information has been submitted in respect of contamination. As the submitted contamination report concludes that more site investigation is required and a Remediation Strategy is needed a condition should be attached relating to the submission of a remediation method statement which should include verification of any remediation.
- 4.9 Gedling Borough Council Scientific Officer (Air Quality) – confirms that content and conclusions of the submitted Air Quality Assessment are satisfactory. It is requested that a final package of mitigation measures including the control of dust emissions during construction, the provision of EV charging be secured by condition.
- 4.10 Environment Agency – note that the revised Geo-environmental Assessment recommends that additional targeted site investigation is carried out, followed by the production of a site-specific remediation strategy. It is considered that this could be secured by condition requiring the submission of and approval of a remediation strategy prior to each phase of the development being commenced together with the submission of verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation.
- 4.11 Gedling Borough Council Environmental Health (Noise) – it is recommended that the glazing and ventilation strategy outlined in the noise report submitted as part of the application is secured by condition in order to minimise the noise impact on residents.
- 4.12 Gedling Borough Council Waste Management – No objections.
- 4.13 Arboricultural Consultant – Following the submission of a revised Tree Schedule and Arboriculture Assessment it is considered that the principle of the planting proposals to offset the loss of protected trees is acceptable. Concern is raised with the proximity of some tree planting close to the adopted highway and the potential future impact this would have in terms of root damage. Concern is also raised with regards to the proposed species of these trees and long term viability. A condition is therefore recommended requiring the submission of a full and precise planting specification to ensure satisfactory planting methodology and appropriate species.
- 4.14 Nottinghamshire County Council (Education) – the development would yield an additional 28 primary and 21 secondary aged pupils. In terms of primary aged pupils the development would not lead to a deficit in provision and therefore no contribution is required. With regards to secondary aged pupils there is projected to be insufficient places and therefore a contribution of £501,375 (21places x £23,875) to provide secondary provision within the Arnold planning area.

- 4.15 Gedling Borough Council Parks and Street Care – It is noted that a significant part of the open space would comprise SUDS balancing ponds/drainage elements – there is no details of any play element. It is therefore assumed that this would be an offsite contribution. Subsequent comments note that over provision of amenity open space is proposed and is therefore policy compliant with an off-site contribution in lieu of any on-site equipped play space. The offsite playground/play space contribution would equate to £133,431.36 for provision together with a 10 Year maintenance sum of £60,679.20 to enhance and maintain local facilities at Killisick Recreation Ground, Church Lane Recreation Ground, Arno Vale Recreation Ground and Thackery's Lane Recreation Ground.
- 4.16 NHS Nottingham and Nottinghamshire CCG – based on the number of dwellings proposed a contribution of £70,985.62 is sought to enhance the capacity/infrastructure at local practice as namely Highcroft Surgery, Stenhouse Medical Centre and Daybrook Medical Centre.
- 4.17 Economic Development – recommend that a condition be added in respect of a Local Labour Agreement

5.0 Assessment of Planning Consideration

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

6.0 Development Plan Policies

- 6.1 The following national and local policies are relevant to the application.
- 6.2 National Planning Policy Framework (NPPF) (July 2019) 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. 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 relevant to the consideration of this application
- 6.3 The Gedling Borough Council Aligned Core Strategy (ACS) (September 2014) is part of the development plan for the area. The following policies are relevant in considering this application:
- ☐ Policy A: Presumption in Favour of Sustainable Development – provides that a positive approach will be taken when considering development proposals
 - ☐ Policy 1 Climate Change – states that all development proposals will be expected to mitigate against and adapt to climate change to contribute comply with national and local target on reduced carbon emissions and energy use

unless it can be demonstrated that compliance with the policy is not viable or feasible.

- ☐ 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 16 – Green Infrastructure, Parks and Open Space sets out the strategic approach to the delivery, protection and enhancement of Green Infrastructure
- ☐ Policy 18: Infrastructure – sets out that new development must be supported by required infrastructure at the appropriate stage and that contributions will be sought which give rise to the need for new infrastructure.
- ☐ Policy 19: Developer Contributions – set out the criteria for requiring planning obligations.

6.4 The Gedling Borough Local Planning Document (LPD) (July 2018) is part of the development plan for the area. The following policies are relevant in considering this application:

- ☐ LPD 3: Managing Flood Risk – identifies the thresholds whereby particular developments may be considered acceptable in a particular flood zone and mitigation that may be required in terms of a site specific flood information e.g. a flood risk assessment
- ☐ LPD 4: Surface Water Management - sets out the approach to surface water management.
- ☐ LPD 5: Managing water quality – identifies that planning permission will be granted for development that does not have an adverse effect on water quality through pollution of surface water.
- ☐ LPD 6: Aquifer protection – identifies that development will be granted for proposals that do not cause contamination of ground water aquifers.
- ☐ 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 21: Provision of New Open Space – sets out that new developments on sites of 0.4 ha and above should provide a minimum of 10% open space. This could be provided on site, a financial contribution on or off site or a financial contribution to enhance facilities nearby.
- 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 – requires that as the proposal is above the threshold of 15 dwellings contributions towards affordable housing would be required. The requirement is 20%. (See also Affordable Housing SPD).
- 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 threshold where a local labour agreement is 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 62: Comprehensive Development – sets out the provisions for the delivery of a comprehensive development and the [provision of supporting infrastructure in a timely manner.
- LPD 64: Housing Allocations – Urban Area and edge of Hucknall – sets out sites allocated for housing development. Of relevance is site H1- Rolleston Drive which expects the delivery of circa 140 homes (including circa 18 affordable units)

6.5 Supplementary Planning Documents and Guidance

- Gedling Borough Council's Supplementary Planning Document 'Parking Provision for Residential Development' 2012 sets the local parking standards for the Borough.
- Gedling Borough Council's Supplementary Planning Document 'Affordable Housing' (2009)

- Open Space Provision for New Housing Development Supplementary Planning Guidance (2001)
- Rolleston Drive Development Guidance (August 2019)
- Development brief for the three sites to the north east of Arnold (January 2019)

7.0 Planning Considerations

The main issues for consideration in relation to the proposal are the principle of the development, the impact upon the character of the area, housing mix and density, amenity, landscaping, flooding, contamination, affordable housing provision and viability.

The Principle of development

- 7.1 It is considered that the principle of residential development has been established on this site in its allocation for up to 140 dwellings (H1- Rolleston Drive) in Policy 64 of the LPD. The application site falls within the urban area of Arnold with good access to services and facilities and the public transport network.
- 7.2 The principle of residential development would therefore be entirely in accordance with the development plan and the objectives of the NPPF and is acceptable subject to the following material planning considerations:-

The impact on the character and appearance of the area

- 7.3 The character of the surrounding area is mixed, comprising commercial units, residential properties and a public house adjacent to the site of varying scales, designs and appearances.
- 7.4 The proposed development compromises a small number of detached properties with predominantly semi-detached and terraced dwellings within the site. These are largely two storey in height although there are some three storey dwellings scattered within the site along the western boundary and along a central cul de sac.
- 7.5 The dwellings are outward facing to create an active frontage with prominent corner plots having double fronted units to ensure that blank gables are not on prominent corners or frontages wherever possible and which provide a visual focal point.
- 7.6 A total of 5 different house types are proposed (3 of which have 3 variations in terms of materials and ridge heights) comprising 45 two bedroom, 73 three bedroom and 13 four bedroom properties.
- 7.7 An External Materials schedule has been provided with the application which identifies a mix of render and/or red brick with red and grey interlocking roof tiles and metrolite slate roofing materials. These are considered to be

acceptable given the diversity of external materials in the surrounding area. However should permission be granted, it is considered reasonable to secure samples of these materials by condition for final approval. It is considered that the mix of materials and ridge heights of the buildings would add some visual diversity to the site and the wider area. Furthermore the proposal would bring back into a viable use a currently unattractive cleared brown field site which has been vacant for some time to the benefit of the visual amenity of the immediate streetscene and the wider area.

- 7.8 The primary access to the development would be from Rolleston Drive which leads to internal roads and private shared drives which connect back to this main access road. Each dwelling would be served by either 2 or 3 parking spaces with 43 no. visitor spaces being provided. It is noted that this results in a very parking dominated streetscene. However a landscaped area is proposed to the frontage of the site and areas of landscaping are proposed within some of the plots to soften this impact. There is also a large area of open space provided to the rear of the site
- 7.9 The dwellings would predominately overlook parking areas either from their frontage or rear elevations. Dwellings to the rear of the site would front and provide surveillance of the public open space area.
- 7.10 The main area of Public Open Space comprises 4,457 sq.m of land to the north west of the site. There is also 325 sq.m provided to the front south western corner of the site.
- 7.11 The proposal is therefore considered to comply with Section 12 of the NPPF, Policy 10 of the ACS and Policy 35 of the LPD.

Housing Mix and Density

- 7.12 There is an acceptable mix of two, three and four bedroom properties which would be appropriate given the nature and context of the development.
- 7.13 The density of the development would equate to 36 dwellings per hectare. This would slightly exceed the requirement of Policy LPD 33 but would sit within the threshold of up to 50 dwellings per hectare outlined in the Rolleston Drive Guidance Document.
- 7.14 Taking this into account it is considered the proposal therefore accords with Policy 10 of the ACS, Policies 33, 35, 37 and 64 of the LPD and guidance within the NPPF.

Amenity and Noise

- 7.15 Given separation distances between facing elevations and relationships between the proposed dwellings and nearest adjoining residential properties it is not considered that the proposal would result in any significant overlooking, overshadowing or overbearing impact. The internal layout of properties has been designed so as to ensure that the separation distances between properties is adequate and overlooking is kept to a minimum.

- 7.15 Most dwellings have garden depths of circa 10m although some properties have reduced depths to a minimum of 6 or 7m. However this is not considered to be so minimal to result in a significant detrimental impact on the amenities of the occupiers of these properties particularly as there is accessible public open space within the site.
- 7.16 A Noise Impact Assessment has been deposited with the application. It is noted that the highest noise levels are along Rolleston Drove (16LAeq16hr daytime and 52 LAeq16hr nighttime) which fall into the medium risk category. The Impact Assessment recommends sound insulation be incorporated within the building fabric and glazing which would mitigate such noise. The Impact Assessment has been reviewed by Environmental Health officers and is found to be satisfactory. Noise mitigation measures outlined in the Noise Impact Assessment should be secured by condition.
- 7.17 Taking the above into account it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with policy 32, of the LPD.

The highway implications of the development including car parking

- 7.18 As noted above the vehicular access to the site would be from Rolleston Drive. Following the submission of the latest revised site layout plan (PL03 Rev G) and discussions with the Highway Authority, the Highway Authority are satisfied that previously raised issues noted in the consultations section of this report have now been resolved. No objections are now raised by the Highway authority subject to the requested conditions and informatives which are considered reasonable.
- 7.19 The latest Visibility Splay (drg. 003 P02) plans show a visibility splay of 2.4m x 47m and an increase in the length of the double yellow lines at the existing access junction on Rolleston Drive in line with Highway Authority advice to ensure that on street parking is moved further away from the access point and adequate splays can be achieved to the betterment to the existing access. The increase in the double yellow lines would require a Traffic Regulation Order to be approved by the Nottinghamshire County Council which would need to be implemented prior to the occupation of any dwelling constructed on site.
- 7.20 Each of the proposed dwellings are served by at least 2 no. parking spaces totalling 243 spaces and there are 43 visitor spaces provided. This accords with the Borough Council's Parking Provision for Residential Development SPD and LPD57.
- 7.21 A revised Travel Plan has been deposited in support of the application. This document proposes a series of measures and initiatives which seek to improve and encourage sustainable travel at the site and has been reviewed by the County Council and found to be acceptable. These measures include such matters as the appointment of a travel plan coordinator, production of welcome packs for occupiers of the new homes and undertaking initial travel surveys at first occupation and can be secured by condition.

- 7.22 It is noted that the site is in a sustainable location served by a regular bus route and close to local shops and open space. Given the above it is considered that the proposal would raise no highway safety or parking issues in this particular instance.
- 7.23 As such the proposal is therefore considered accords with Highways Standing Advice, Section 9 of the NPPF and Policies LPD 4, LPD 57 and LPD 61 of the LPD .

Landscaping and Impact on trees

- 7.24 It is noted that the level of off street parking provision results in a very parking dominated streetscene. However there is a large area of landscaped public open space to the north western boundary of the site, a further area of open space to the south-western corner and areas of landscaping situated throughout the site. Furthermore plots will benefit from some frontage grass. Such impact has to be placed in the planning balance and it is considered that it would not result in such a detrimental effect on the visual amenity of the site or the enjoyment of future occupiers of their properties to be fatal to the application and would not outweigh the public benefit in terms of the provision of a significant proportion of affordable housing within the Borough. Indicative details of landscaping to the open space and to individual plots have been submitted with the application but further details are required and this matter may be controlled by way of a planning condition.
- 7.25 With regards to trees, 8 no. existing trees in the south western corner of the site are protected by TPO 000111. 6no. of these are proposed to be removed. Replacement trees are proposed to this area which can be secured by condition to mitigate the loss. A condition can be attached which would ensure that the planting specification is acceptable and appropriate species and maturity would be provided. Of the other trees across the whole site circa 18 are proposed to be removed, mainly category U (Trees which are unsuitable for retention given their condition and lifespan) and C (low quality trees with limited lifespan) and 6 retained. A revised Arborecultural Assessment and Tree Schedule has been submitted following initial comments received from the Council's Arborecultural consultant. This provides a number of recommendations with regards to construction methods in relation to works close to trees and protection measures for trees to be retained on site together with mitigation planting. The replacement planting to mitigate the loss of trees would contribute to the visual amenity of the streetscene within the development and along Rolleston Drive and the wider setting. In order to ensure that appropriate replacement tree planting is provided, particularly in areas close to the public highway, it is considered reasonable to attach a condition requiring precise planting details as requested by the Arborecultural consultant. The comments received regarding loss of trees and impact on health are noted. The proposed replacement planting together with the proposed landscaping is considered to mitigate of this loss.
- 7.26 It is therefore considered that on balance the proposal accords with Sections 9 and 12 of the NPPF Policies 10 and 16 of the ACS and Policy 18 of the LPD.

Flooding and Drainage

- 7.27 A Drainage Strategy has been deposited with the application.
- 7.28 Comments received from local residents with regards to surface water runoff and flooding are noted.
- 7.29 The site falls within Flood Zone 1 so is not at risk of flooding. A Preliminary Drainage and Levels Strategy has been deposited with the application which identifies a surface water attenuation basin within the public open space and a control manhole within the public open space to provide betterment from existing brownfield run off together with French drains along the boundary with the rear gardens of properties on Bentwell Avenue.
- 7.30 The Lead Local Flood Authority has raised no objections to the proposals submitted subject to the requested conditions in relation to the submission of a detailed surface water drainage scheme based on the principles within the submitted Flood Risk Assessment in terms of limiting discharge rates, provision of water attenuation storage, provision of detailed design in support of any surface water drainage scheme including attenuation systems and outfall arrangements and for all exceedance to be contained within the site.
- 7.31 Notwithstanding the concerns raised by the public representations, having regard to the above it is considered that the site is at low risk of flooding and accords with the drainage strategy and incorporates measures which should ensure that the site and adjacent land will not be at risk of flooding. The application is, therefore, deemed to comply with policies LPD3, LPD4, LPD5 and LPD6.

Contamination and Air Quality

- 7.32 Given the history of the site and its previous uses a Geoenvironmental Assessment has been submitted with the application. This concludes that additional site investigations are required particularly with regards to controlled waters together with a remediation strategy. Both the Environment Agency and the Councils Scientific officer have requested that this be secured by condition.
- 7.33 With regard to Air Quality the submitted Construction Emission Management plan is considered acceptable in principle and can be secured by condition. A condition is required in respect of achieving Electric Vehicle Charging points on site. This would increase the sustainability of the site and have benefits in terms of climate change and air pollution and is deemed to comply with policy LPD11, ACS 1 and the Air quality and Emissions mitigation guidance.

Affordable Housing

- 7.34 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 Arnold. This proposal is for 131 (100%) affordable dwellings which significantly exceeds the aforementioned policy requirement set out in Policy LPD 36 and the 18 affordable units noted in the site allocation policy LPD64.

- 7.35 The tenure mix would comprise 46 no. shared ownership and 85no. affordable rented properties to be provided by a registered provider of affordable homes. This broadly meets the 70/30 housing tenure mix noted in the Affordable Housing SPD, but as detailed above, exceeds the policy requirement. The development meets the National Technical Housing Space Standards.
- 7.36 The Council's Strategic Housing team have reviewed and support the proposal as it would contribute significantly to meeting housing need in the Borough and is close to the Town Centre. The proposal is therefore considered to accord with Policies LPD36 and LPD64 of the LPD.

Viability of Development and Developer Contributions

- 7.37 The relevant planning policies which need to be considered in relation to planning obligations are set out in paragraphs 54 and 56 of the NPPF, and Policies 18 and 19 of the ACS.

- 7.38 The planning obligations required for policy compliance with the Development Plan are set out below:

□ **Education - £501,375 (21 places x £23,875) to provide secondary provision within the Arnold planning area.**

In terms of primary education, the adopted Development brief for three sites to the north east of Arnold SPD identifies a need for a new One Form of Entry School at the North East of Arnold to meet the potential pupil demand that is forecast to arise from the development sites across the wider Arnold education planning area which includes this application site. However, in relation to the proposed development, the County Council has confirmed that the development would not lead to a deficit in provision and therefore no contribution is required.

□ **Public Open Space to meet** with the requirements of the adopted Open Space Supplementary Planning Guidance and Policy LPD 21 of the Local Planning Document, as the site exceeds 0.4 hectare in area. The development would be expected to deliver a minimum of 10% open space which would equate to 3,663sq.m. It would actually deliver 4,457 sq.m which would exceed this policy requirement. A management company is proposed for the maintenance of the on-site open space which will be secured through the S106. The Open Space Supplementary Planning Guidance sets out that Local Areas of Play (LAP) should also be provided on developments of 10 dwellings or more. In this instance there would be no on site LAP Provision. The Parks and Street Care Team have therefore confirmed that an off-site contribution would be required towards the enhancement and maintenance of existing local facilities at Killisick Recreation Ground, Church Lane Recreation Ground, Arno Vale Recreation Ground and Thackery's Lane Recreation Ground. This would be:-

- Play area £133,431.36
- 10 year ongoing maintenance £60,679.20

□ **Health - £70, 985.62** to enhance the capacity/infrastructure at local practice as namely Highcroft Surgery, Stenhouse Medical Centre and Daybrook Medical Centre

- **Transport - £25,000 towards** bus stop improvements at GE0383, GE0384 and GE0393 and GE0394. These bus stops are located in close proximity to the development and would reasonably be used by the occupants of the proposed dwellings.
 - **Local Labour Agreement** - LPD Policy 48 requires the Local Planning Authority to seek to negotiate a local labour agreement as the proposal comprises more than 10 dwellings.
 - These obligations would need to be secured by way of planning obligations to the Borough and County Councils, either by way of a section 106 agreement to unilateral undertaking. It is considered that all of the above obligations meet with the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010 (as amended). The Highways Authority has sought £5,000 to be expended on dealing with indiscriminate parking within 3 years of the site being occupied and £7500 for Travel Plan monitoring. This request is not however considered to comply with the above regulations in terms of it being fairly and reasonably related in scale and kind to the development and is not, therefore, sought.
- 7.39 Paragraph 57 of the NPPF explains that: 'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.' In line with the requirements of the Viability Guidance Note of the NPPG and paragraph 57 of the revised NPPF the weight to be given to a viability assessment is a matter for the decision maker.
- 7.40 The applicant initially sought to challenge the level of developer contributions by way of the provision of 100% affordable housing on the basis that the level of other policy compliant contributions would render the development economically unviable and 2 scenarios have been put forward
- Scenario 1 – Policy compliant 30% affordable units with all other developer contributions of assuming a 20% developer profit which produces a negative land value of £830,688 which is considered unviable when compared to benchmark land value of £1,281,000.
 - Scenario 2 – 100% affordable housing scheme with no policy compliant S.106 contributions. Assuming a developer's profit of 12.5% on cost, this produces a positive residual land value of £1,137,753 and is therefore considered viable, when compared to a benchmark land value of £1,281,000.

An independent viability assessment has been commissioned to determine whether the policy based contributions are viable and, if not, the level of contributions that can be delivered whilst maintaining economic viability. The independent assessor has assessed the two scenarios as outlined below and has concluded:

- Scenario 1: 30% affordable housing plus S106 contributions totalling £632,360. This shows a residual land value of £1,719,843. As this is above the benchmark land value of £1.28million this scenario is considered to be viable with the full planning policies applied
- Scenario 2: based on a 100% affordable housing scenario plus S106 contributions totalling £632,360. This shows a residual land value of £3,162,693. As this is significantly above the benchmark land value of £1.28million this scenario is considered to be viable with the full planning policies applied.

The independent assessment concludes the scheme is viable for in terms of the delivery of all planning obligations and financial contributions for both scenarios. The applicant has confirmed in writing that all of the above policy compliant obligations will be made and is therefore no longer seeking to reduce the level of contributions.

It is noted that the latest Open Space contribution figure is greater than originally assessed in the viability assessments. Although this would result in a combined contribution figure of £791,471.18 which would reduce the level of viability the applicant has confirmed that the full policy compliant contributions will be made.

Other Matters

- 7.41 Ecology – An ecological appraisal has been submitted with the application which concludes that the cleared site is of low ecological value, two trees to be felled would have a low potential to support roosting bats and therefore should be soft felled and trees and scrub on site provide nesting opportunities for birds and therefore removal should be undertaken outside of bird breeding season. No other protected or notable species were found. The recommendations of the ecology survey together with ecological enhancements in terms of bat and bird nesting boxes will be secured by condition.
- 7.42 Waste – the application has been accompanied by a swept path analysis plan for refuse vehicles which has been confirmed as acceptable by the Highway Authority and the Councils Waste Services officer.
- 7.43 CIL - The site is located in a zero rated CIL residential charge zone and therefore no CIL is payable on this development.
- 7.44 Boundary Treatments - It is noted that plot boundary treatments have been provided. However a local resident has expressed concern with regards to the lack of detail in relation to proposed boundary treatments to the actual site boundaries and requests a metal fence be erected. Such details will be secured by condition to ensure that appropriate boundary treatments are secured

8.0 Conclusion

- 8.1 The proposal would make a significant contribution towards affordable housing need in the Borough. The development is on balance visually acceptable, results in no undue impact on the neighbouring properties or the area in general. There are no highway safety or parking issues arising as part of the proposal. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with Sections 5, 6, 9, 11, 12, 14 and 15 of the NPPF , Policies A, 1, 2, 8, 10, 16, 18 and 19 of the ACS and Policies 3, 4, 5, 6, 7, 11, 18, 21, 32, 33, 35, 36, 37, 48, 57, 61, 62 and 64 the Local Planning Document Part 2 Local Plan.

9.0 Recommendation: That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to the owner entering into a Section 106 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 education, public open space and its future maintenance, health, bus stop infrastructure, and a Local Labour Agreement and subject to the following conditions:

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 following plans:-deposited on the 20th October 2020:-
 - Housing Schedule;
 - Topographical Survey 1 of 3;
 - Topographical Survey 2 of 3;
 - Topographical Survey 3 of 3;
 - Tree Survey Plan drg. no. 9476-T-01;
 - Preliminary Drainage and Levels plan drg. no. PJS-15-001 Rev C;
 - Swept Path Analysis Fire Engines drg. no. PJS20-15-005;
 - Existing Plan drg. no PL02;
 - Proposed Boundaries Plan drg. no. PL04;
 - Proposed Master Plan drg. no. PL05;
 - Proposed Heights Plan drg. no. PL06;
 - Proposed Parking Plan drg. no PL07;
 - Proposed Site Sections drg. no PL11;Proposed Street Elevations drg. no PL12;
 - Cardinham Plans and Elevations drg. no. PL20;
 - Dalby T1 Plans and Elevations drg. no. PL21;
 - Dalby T2 Plans and Elevations drg. no. PL22;
 - Dalby T3 Plans and Elevations drg. no. PL23;
 - Holt T1 Plans and Elevations drg. no PL24;
 - Holt T2 Plans and Elevations drg. no PL25;
 - Holt T3 Plans and Elevations drg. no PL26;
 - Rockingham Plans and Elevations drg. no. PL27;
 - Weston Plans and Elevations drg. no. PL28;
 - Temporary Access Road drg. no. SCH500 deposited on the 18th February 2021;

Swept Path Analysis plots 67-69 drg no. PJS20-15-007 deposited on the 8th March 2021;
 On Plot Landscape Proposals drg no L-02 Rev C;
 Public Open Space Landscape Proposals drg. no. L-01 Rev F deposited on the 20th April 2021;
 Revised site layout plan drg. no PL03 Rev G deposited on the 15th April 2021;
 Revised Junction Visibility Splays drg. no. 0003 rev P02 deposited on the 15th April 2021;
 Revised Refuse Vehicle Swept Path Analysis drg. no. 0001 rev P03 deposited on the 20th April 2021;
 Standard Car Swept Path Analysis drg. no 0003 rev PO1 deposited on the 20th April 2021;
 Standard Car Swept Path Analysis drg. no 0004 rev PO1 deposited on the 20th April 2021; and
 the following supporting documents:-
 Deposited 20th October 2020:Flood Risk Assessment produced by PJS Consulting Engineers;Noise Impact Assessment produced by Hodkinson dated September 2020; Supporting Planning Document ;Sustainability Statement produced by Ilke Homes; and Air Quality Statement Rev A produced by Ilke Homes deposited on the 5th November 2020; and Revised application form and deposited on the 5th January 2021; and Revised Tree Schedule deposited on the 18th February 2021; and Revised Construction Environmental Management Plan produced by Hodkinson deposited on the 26th February 2021; Revised Geoenvironmental Assessment Parts 1 and 2 produced by Geotechnical engineers deposited on the 26th February 2021 PJS; and Revised Arboricultural Assessment produced by fpcr dated March 2021 deposited on the 26th March 2021; and Revised Travel Plan dated 20th April 2021 and Transport Assessment dated 20th April 2021 produced by Hexa Consulting deposited on the 20th April 2021; and Updated Design and Access Statement deposited 23rd April 2021; and Tenure Split details deposited on the 24th April 2021. The development hereby permitted shall be undertaken in accordance with the submitted documents

- 3 Prior to above ground works commencing, samples of the materials to be used in the external elevation treatment of the building shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be used in the construction of the dwellings.
- 4 No above ground construction works shall commence until a full planting specification has been submitted to and approved in writing by the Local Planning Authority in relation to proposed tree planting for both the open space and individual plots which immediately abut the public highway footway. This shall include the following details
 - o species
 - o size of stock
 - o whether root balled or bare root
 - o the size and depth of planting pit
 - o type of irrigation system to be used
 - o type of support system to be used
 - o type, size and nature of root barrier/deflector to be used
 - o type and nature of surface mulch covering planting area
 - o type of stem guard to be used to avoid casual damage by grass cutting

- o watering regime
- o replacement planting clause to ensure trees survive the first 5 years after planting
- o initial time of planting i.e. between September and December
- o timing of support removal i.e. after first 3 years.

The development thereafter shall be carried out in accordance with the approved details. If within a period of five years beginning with the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

- 5 Prior to above ground works commencing details of proposed boundary treatments to the boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be implemented prior to the first occupation of dwelling(s) hereby approved and shall be retained for the lifetime of the development..
- 6 The boundary treatments to each plot shall be undertaken in accordance with the details shown on the Proposed Boundaries Plan (drg. PLo4) deposited on the 20th October 2020 hereby approved. The boundary treatments shall be erected in accordance with the approved details prior to the first occupation of the plot to which the boundary treatment relates and shall be retained for the lifetime of the application.
- 7 Prior to above ground works commencing details of the proposed hard surfacing of the access roads, car parking areas, and the frontages of properties such as driveways and footpaths to front doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 8 Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be constructed with provision to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.
- 9 Occupation of the proposed dwellings shall not take place until the redundant vehicular access points as shown for indicative purposes on drawing 0001 revision P03 have been permanently closed and reinstated to footway (with the exception of the temporary access expressed as "redundant access to be reinstated to footway following construction" which will be in use up to the occupation of the final dwelling.)
- 10 No dwelling hereby approved shall be occupied until an application for a Traffic Regulation Order has been implemented to remove on-street parking as shown for indicative purposes on drawing 0003 revision P02.

- 11 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy., has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
- o Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area or as close to greenfield rates as practicable.
 - o Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
 - o Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
 - o For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
 - o Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
 - o Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term
- 12 The measures proposed in the Travel Plan produced by Hexa Consulting and deposited on the 20th April 2021 hereby approved shall be fully implemented in accordance with the approved details.
- 13 All works on site shall be undertaken in accordance with the approved Construction Environmental Management Plan produced by Hodkinson deposited on the 26th February 2021 unless otherwise agreed in writing by the Local Planning Authority.
- 14 The development shall be carried out in complete accordance with the mitigation measures contained within Section 7.4 of the Air Quality Assessment produced by econ associates deposited on the 5th November 2020.
- 15 Trees to be retained on site shall be protected in complete accordance with details contained within Section 7 (Tree Protection Measures) and Tree Retention Plan drg. no. 9476-T-02 C contained within the Arboricultural Assessment dated March 2021 and deposited on the 26th March 2021.
- 16 The development shall be undertaken in complete accordance with the recommendations and mitigation measures at stated at section 4 of the Ecology Appraisal produced by fpr dated 26th June 2020 deposited on the 20th October 2020.
- 17 In accordance with the Recommendations and Conclusions of the Geoenvironmental Assessment Parts 1 and 2 produced by PJS Geotechnical

Engineers Rev A deposited on the 26th February 2020¹ prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority: 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.

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.

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.

- 18 No development in respect of the erection of dwellings shall take place above damp proof course until details of Electric Vehicle charging points to be provided for each dwelling, to include their location and specification shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be undertaken in accordance with the approved details. The charging points shall be provided prior to the occupation of the dwelling to which they serve.
- 19 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 20 The development shall be undertaken in complete accordance with the recommendations and mitigation measures as stated within the Noise Impact Assessment produced by Hodkinson dated September 2020.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory form of development and the interest of visual amenity.
- 4 To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
- 5 To ensure a satisfactory form of development and the interest of visual amenity.
- 6 To ensure a satisfactory form of development and the interest of visual amenity.
- 7 To ensure a satisfactory form of development and the interest of visual amenity.
- 8 In the interest of highway safety.
- 9 In the interest of highway safety.
- 10 In the interest of highway safety.
- 11 To ensure that the development developments has sufficient surface water management, is not at increased risk of flooding and does not increase flood risk off-site.
- 12 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 13 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policyLPD11 of the Councils Local Plan.
- 14 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policyLPD11 of the Councils Local Plan
- 15 To ensure that retained trees are protected.
- 16 In the interests of biodiversity on the site.
- 17 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.

- 18 In the interest of sustainable travel.
- 19 In the interests of protecting ecological interests and amenity.
- 20 To ensure a satisfactory form of development.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

Notes to Applicant

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.

Reference in any condition contained in this permission/refusal of permission to any Statute, Statutory Instrument, Order, Regulation, Design Guide or other document shall be taken to include any amendment, replacement consolidation or variation that shall from time to time be in force and any reference to any body or organisation (public or private) shall be taken to include any successor-body or organisation exercising relevant functions in place of or alongside the body named.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks for which there is a fee.a) The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.uk

The deposit of mud or other items on the public highway, and/or the discharge of water onto the public highway are offences under Sections 149 and 151, Highways Act 1980. The applicant, any contractors, and the owner / occupier of the land must therefore ensure that nothing is deposited on the highway, nor that any soil or refuse etc is washed onto the highway, from the site. Failure to prevent this may force the Highway Authority to take both practical and legal action (which may include prosecution) against the applicant / contractors / the owner or occupier of the land. [Where the development site may be accessed by a significant number of vehicles or may be particularly susceptible to material 'tracking' off site onto the highway, details of wheel-washing facilities must be provided to and approved by the Highway Authority.]

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

The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

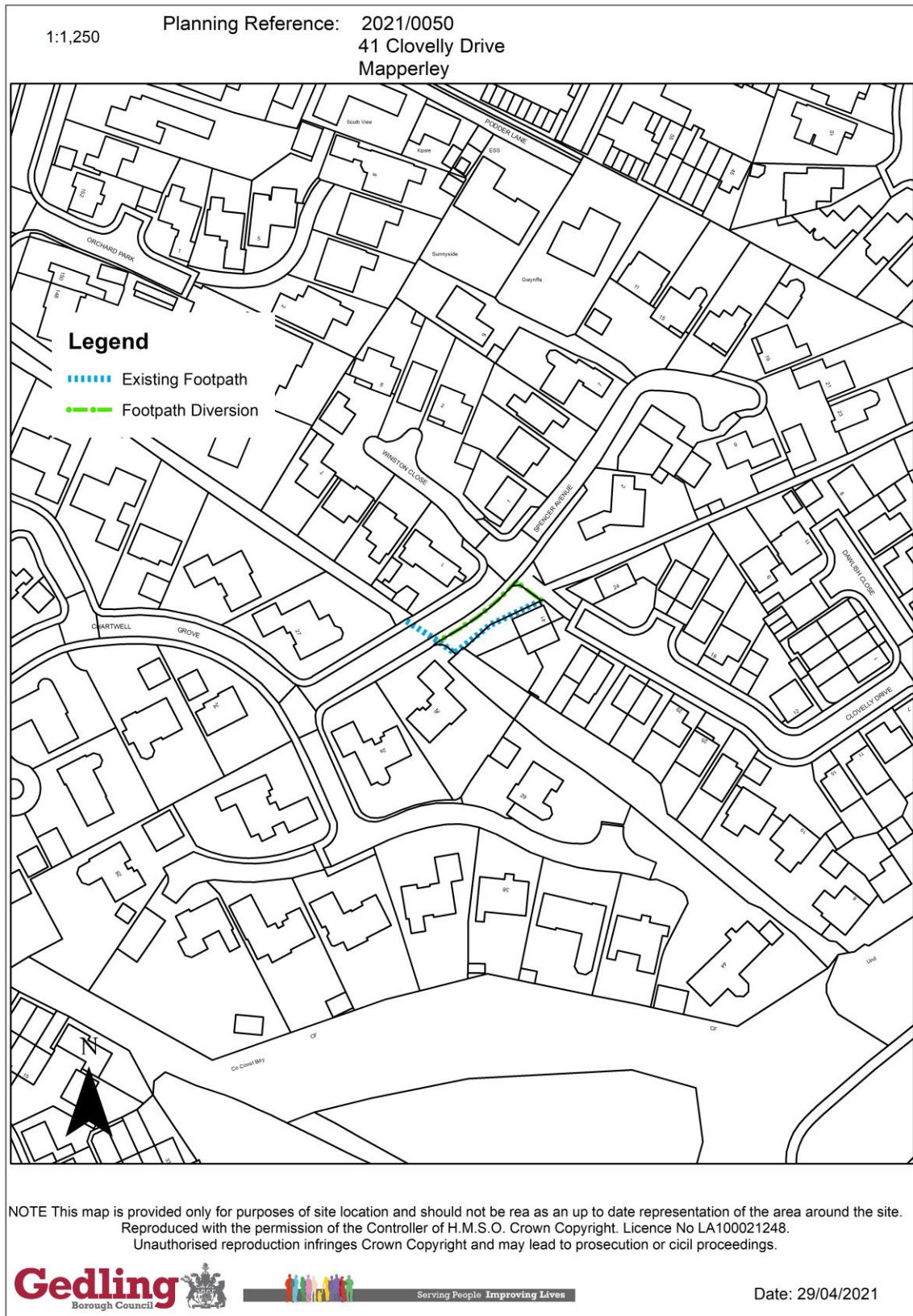
The applicant is advised not to undertake any site clearance during the bird nesting season 1st March to 31st August inclusive in any given year.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). 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 works referred to in condition 10 requires a Traffic Regulation Order which is governed by legislation separate to the planning process. The TRO can be made on behalf of the developer by Via East Midlands for which there is a fee. The developer should contact as a matter of priority the Improvements Team on 0300 500 8080 for details.



Planning Report for 2021/0050



Report to Planning Committee

Application Number: 2021/0050
Location: 41 Clovelly Drive Mapperley NG3 5NJ
Proposal: Footpath Diversion
Applicant: Miss Emma Rogerson
Agent:
Case Officer: Claire Turton

1.0 Purpose of report

- 1.1 The application is before Planning Committee to seek authorisation to make an order to divert Arnold Footpath No. 1 in Mapperley. Part of the footpath currently runs across a parcel of land adjacent to no. 41 Clovelly Drive. It is proposed to divert this section on to the adjacent pavement. The application is made pursuant to Section 257(1A) of the Town and Country Planning Act 1990, which allows for a footpath to be diverted where an application for planning permission has been made which, if approved, would require the footpath to be diverted to enable the development to be carried out (see the relevant planning history part of this report below).

2.0 Site description

- 2.1 The application site is a parcel of vacant grassland located to the side of no. 41 Clovelly Drive. There is a part retrospective planning application currently pending consideration by the Local Planning Authority for the change of use of this parcel of land to garden land associated with 41 Clovelly Drive and to enclose the land with a garden wall. Surrounding properties are modern residential properties. The larger footpath runs through this modern housing estate from the B684 (Mapperley Plains) to Spring Lane.

3.0 Relevant planning history

- 3.1 **2020/1160** Planning permission was refused in February 2021 for:-

“Retrospective change of use of land to garden land and erection of fence.”

The reason for refusal related to the visual impact of the fence on the surrounding area. The full reason for refusal is detailed below:-

“The development is considered to be out of keeping with the surrounding area and has an unacceptable impact on the visual amenity of the area. The

character of Spencer Avenue, particularly to the north-east of the site, is residential development with relatively open and "green" frontages. The part of Spencer Avenue to the south-west of the site does have examples of taller boundary treatment located up to the back edge of the pavement. However, these are considered to be well designed low level walls with planting to the rear or walls with tall brick pillars and fencing infills. By contrast, this development consists of fencing 17 metres in length x 7 metres / 3.7 metres in width, located almost up to the back edge of the pavement. Its location on the corner of the footpath exasperates its prominence within the streetscene. As such, the proposal is contrary to Part 12 of the NPPF and Policy 10 of the ACS."

- 3.2 **2021/0225** This is a re-submission of 2020/1160 for "*Part retrospective change of use of land to garden land and erection of wall with fence panelling.*" This application is pending consideration. The change of use of the land to garden land is retrospective but the garden wall proposed is not yet currently in place. The garden wall proposed (as part of application 2021/0225) is to replace the unauthorised garden fence (as part of application 2020/1160).

4.0 Consultation Responses

- 4.1 **NCC Rights of Way Officer**:- No objection.

- 4.2 **Neighbours** – One letter of objection and one letter of support have been received from neighbouring occupiers.

Objection:-

The reason for this application is due to someone stealing public land
This area has been a footpath for many years
There are no issues with the current footpath

Support

The old footpath has previously been amended to prevent vehicles using it.
The site has been used for young people gathering and causing a disruption

5.0 Proposal

- 5.1 Arnold Footpath 1 crosses the application site for planning application reference 2021/0225. If that planning permission is grant, in order to facilitate the change of use of the site into garden land as well as enclosing the site with a garden wall, a small section of Arnold Footpath 1 would need to be diverted on to the adjacent pavement.

6.0 Planning considerations

- 6.1 Section 257(1A) of the Town and Country Planning Act 1990 states that a competent authority may by Order authorise the stopping up or diversion of any footpath if they are satisfied that an application for planning permission in respect of development has been made and, if the application were granted, it

would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out. The procedure for doing so is set out in Schedule 14 of the Town and Country Planning Act 1990.

- 6.2 S7.15 of the rights of way circular (01/09) advises that in the making of an order for the diversion of a Public Right of Way to enable development:-

“The local planning authority should not question the merits of planning permission when considering whether to make or confirm an order, but nor should they make an order purely on the grounds that planning permission has been granted. That planning permission has been granted does not mean that the public right of way will therefore automatically be diverted or stopped up. Having granted planning permission for a development affecting a right of way however, an authority must have good reasons to justify a decision either not to make or not to confirm an order. The disadvantages or loss likely to arise as a result of the stopping up or diversion of the way to members of the public generally or to persons whose properties adjoin or are near the existing highway should be weighed against the advantages of the proposed order”.

- 6.3 Paragraph 7.8 of the circular explores what the determining authority should consider when determining an application:-

“In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic”.

- 6.4 In this instance, alteration to Arnold Footpath 1 as proposed would have no discernible impact on the permeability of the footpath as a whole, which will have the same access points at the B684 (Mapperley Plains) and Spring Lane. Part of the path will now run along a section of pavement on [Spencer Avenue]. However, this is not dissimilar to other parts of the public footpath, further towards Spring Lane where pavements are used to connect different parts of the footpath. The vast majority of the remainder of the path will pass through the housing estates between the rear and side boundaries of residential properties. It is therefore not considered there would be a detrimental impact on the enjoyment of people using the path. Furthermore, the highway along which it would run is not a main road but one that is used by a small number of residents to access their properties. Taking into account the above it is recommended that the order be made and that it complies with relevant guidance within circular 01/09.

- 6.5 Procedurally, in accordance with Section 257(1A) of the Town and Country Planning Act 1990, if Members are minded to approve the Order the Council would make the Order and then undertake relevant statutory consultation with interested parties, erect a site notice at each end of the footpath and advertise the Order in a local newspaper. If after a consultation period of 28 days has passed, and there have been no objection to the application the Order, the Order could be confirmed under Section 259 of the Town and Country Planning Act 1990 if planning application 2021/0255 has been granted. However, there were an unresolved objection to the making of the

Order, it would then need to be referred to the Secretary of State for determination.

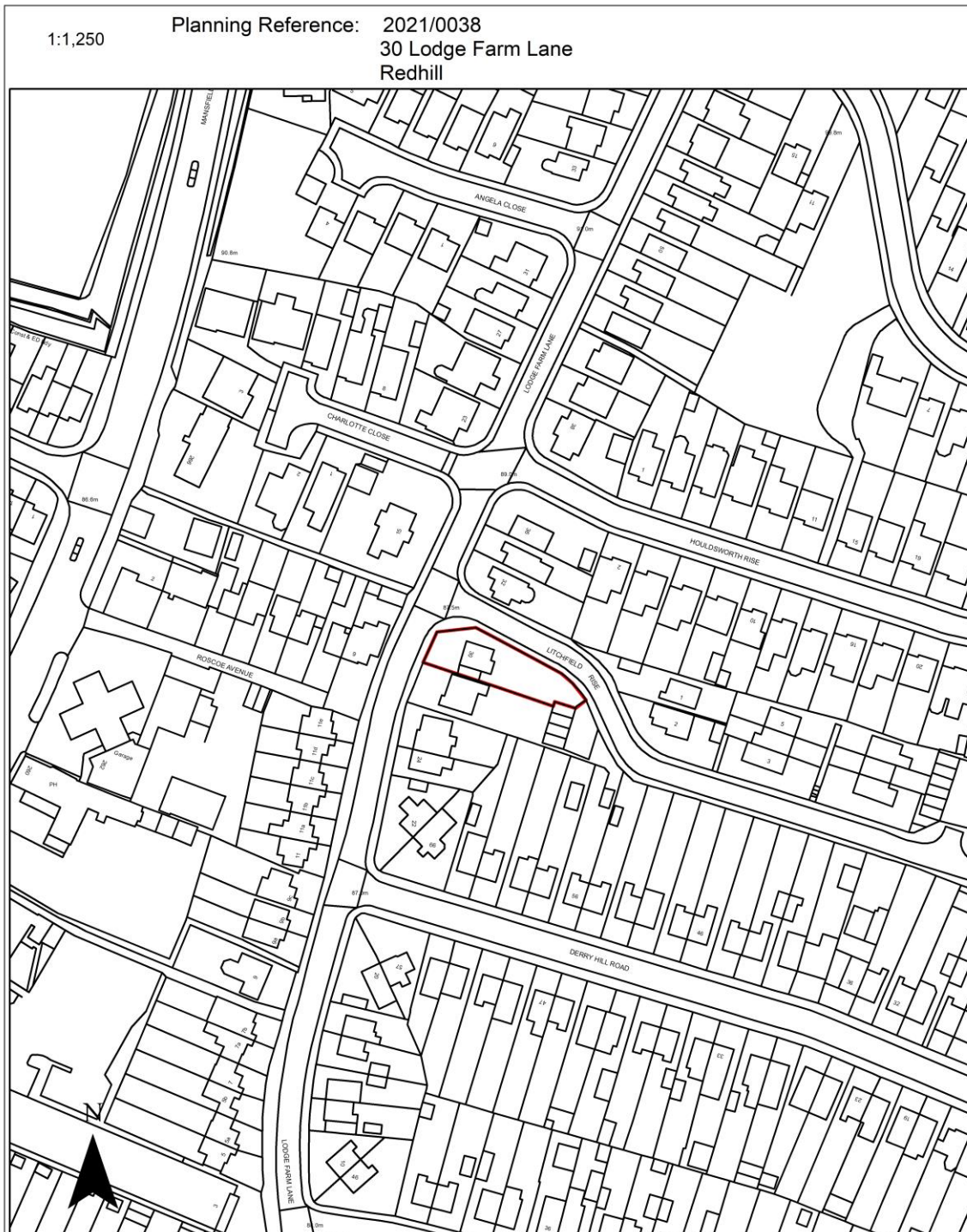
6.6 In this instance, it is requested that if planning application 2021/0255 is granted and there are no objections made to the Order that the Order can be confirmed without additional reference back to the Planning Committee.

7.0 Recommendation: That Members authorise the Head of Governance and Customer Services to make an order to divert Arnold Footpath No. 1 as set out in the submitted plans and, if planning application 2021/0255 is granted and the Order is unopposed following the requisite 28 day consultation period, that the Order be confirmed thereafter.

This page is intentionally left blank



Planning Report for 2021/0038



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



Serving People Improving Lives

Date: 27/04/2021

Report to Planning Committee

Application Number:	2021/0038
Location:	30 Lodge Farm Lane Redhill
Proposal:	Single storey rear extension, single storey side extension, front canopy, new windows and stone cladding on the front elevation.
Applicant:	B Payne
Agent:	JSBC
Case Officer:	Cristina Dinescu

This application has been referred to the Planning Committee as the applicant is a relative of an elected member of Gedling Borough Council.

1.0 Site Description

- 1.1 The application site, no. 30 Lodge Farm Lane, is a two-storey detached dwelling located on a corner plot within the built up area of Redhill. The site is adjoined to the south by another two-storey dwelling at no. 28 Lodge Farm Lane and to the east the site is adjoined by a block of garages accessed off Litchfield Rise, located to the north. A hedge forms the northern boundary with Litchfield Rise.

2.0 Relevant Planning History

- 2.1 No relevant planning history.

3.0 Proposed Development

- 3.1 The proposal seeks planning permission for a single storey side extension adjacent to Litchfield Rise, along with a canopy that would extend across the whole width of the dwelling, a single storey rear extension, new windows and stone and timber cladding on the front elevation.
- 3.2 The side extension would be rendered and would have flat roof; it would measure 2.9m in width, 8.19m in depth and 3.0m in height from ground level. The render proposed would be off white.

- 3.3 The proposed canopy to the front elevation would be rendered, would continue the flat roof type of the proposed side extension and would measure 3.0m in height from ground level, 0.58m in depth and it would extend across the whole width of the host dwelling.
- 3.4 The proposed rear extension would be rendered and would have flat roof; it would measure 3.12m in depth, 6.1m in width and 3.0m in height from ground level. The render proposed would be off white.
- 3.5 The proposed alterations to the front elevation would consist of introducing stone cladding on the southern half of the front elevation, windows at first floor reduced in size and floor to ceiling height windows at ground floor along with timber cladding.

4.0 Consultations

- 4.1 Adjoining neighbours have been notified by letter. No letters of representation were received as a result.

5.0 Relevant Planning Policy

- 5.1 The following policies/documents are relevant to this proposal:
- National Planning Policy Framework (2019): 12.Achieving well-designed places;
 - Gedling Borough Aligned Core Strategy: Policy 10 – Design and Enhancing Local Identity.
- 5.2 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;
 - LPD 43 – Extensions to Dwellings not in the Green Belt.

6.0 Planning Considerations

- 6.1 The main considerations in determining this application are the visual impact of the proposed extensions and the impact on the amenity of adjoining properties. As the site is located within the built up area of Redhill there are no objections in principle to residential extensions.

Impact on the character and appearance of the area

- 6.2 The dwellings within the immediate area are all two-storey detached dwellings of a similar vernacular design, some of them having side, front and/or rear extensions which are limited in scale and of a subservient appearance. The

proposal comprises a single storey side extension, a canopy to the front, a single storey rear extension and alterations to the front elevation consisting of stone cladding at first floor, timber cladding at ground floor and floor to ceiling style contemporary window units.

- 6.3 Due to the location on a corner plot the proposed development would be visible from both Lodge Farm Lane and Litchfield Rise. The proposed side extension would extend the property to the side by 2.9m and would measure 3.0m in height. As a result, part of the existing hedge would have to be removed and replaced with a different boundary treatment, however, precise details of the replacement boundary treatment would be secured via condition. The proposed canopy to the front would extend across the whole width of the host dwelling and would measure 0.58m in depth. The proposed rear extension would extend the property by 3.12m in depth and would measure 3.0m in height. All proposed extensions would be off white rendered and would have flat roof. It is considered, given the single storey nature of the proposed extensions, subservient appearance and location, the proposed development would be visually acceptable in the street scene and in keeping with the character of the host dwelling and the wider area.
- 6.4 The proposed alterations to the front elevation, although would be introducing new materials – stone and timber cladding, as well as changing the size of the windows, would be visually acceptable in the street scene as the overall vernacular design of the dwelling would be retained.
- 6.5 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, street scene and surrounding context in accordance with the NPPF Section 12 and Policy 10 of the Aligned Core Strategy.

Impact on the neighbours' residential amenities

- 6.6 The proposed single storey extensions would be set to the north (side, towards Litchfield Rise), east (rear) and west (front) of the dwelling.
- 6.7 The extension proposed to the north would not affect the residential amenities of any adjoining properties as Litchfield Rise adjoins the application site to the north.
- 6.8 Due to the minimal depth of 0.58m and the relationship with the adjoining property to the south – no.28 Lodge Farm Lane, which is set further forward from the building line, the proposed front canopy would not result in a significant undue overbearing and overshadowing impact on the residential amenities of the occupiers of no.28.

6.9 The distance from the proposed rear extension to the neighbouring property to the south (no.28 Lodge Farm Lane) would be approximately 2.5m and the proposed extension would extend the side elevation to no.28 by 2.3m. It is considered, given the single storey nature, separation distance and relationship with the adjoining property at no.28, the proposed rear extension would not result in a significant undue impact on the residential amenities of the occupiers of no.28.

6.10 The proposed development would be in accordance with policy LDP 32 of the Local Planning Document.

Conclusion

6.11 Taking the above into account, it is considered that the proposal is appropriate within its context and is in accordance with the NPPF (Section 12), Policy 10 of the Aligned Core Strategy and policies LPD 32 and LPD 43 of the Local Planning Document. There are no material considerations that indicate otherwise although conditions have been attached.

7.0 Recommendation: Grant Planning Permission subject to conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form and deposited plans, drawing no's LODG-02 rev A, LODG-08 rev A, LODG-06 rev A and LODG-09 rev A, received on 1st April 2021. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 The development hereby permitted shall not be brought into use until precise details of the boundary treatment on the northern boundary have been submitted to and approved by the Local Planning Authority. The boundary treatment shall be implemented in accordance with the approved details and shall be retained for the lifetime of the development.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy.

Reasons for Decision

It is considered, given the single storey nature, design, location and relationship with adjoining properties, the proposed development would be visually acceptable in the street scene and in keeping with the character of the host dwelling and the wider area and would result in no significant undue impact on neighbouring residential amenity or the locality in general. The development therefore complies with the National Planning Policy Framework, Policy 10 of the Gedling Borough Aligned Core Strategy (2014), and policies LPD 32 and LPD 43 of the Local Planning Document.

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.gedling.gov.uk. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less 100 square metres

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



Planning Report for 2021/0151



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



Serving People Improving Lives

Date: 27/04/2021

Report to Planning Committee

Application Number: 2021/0151
Location: Arnot Hill House Arnot Hill Park Arnold
Proposal: Fire alarm upgrade.
Applicant: Gedling Borough Council
Agent:
Case Officer: Cristina Dinescu

This application has been referred to the Planning Committee as Arnot Hill House is owned by Gedling Borough Council.

1.0 Site Description

- 1.1 The application site relates to Arnot Hill House, a grade II Listed building set upon the brow of a hill overlooking the manmade lake below, set within mature Parkland amid numerous mature trees and open stretches of grassland through which a number of hard surfaced footpaths provide pedestrian walkways.

2.0 Planning History

- 2.1 Recent planning history, relating to listed building consent for internal/external alterations, comprises:
- 2012/1075 Listed Building Consent granted for works to first floor including removal of stud partition and addition of new stud partition to amend office layout.
 - 2013/0728 Listed Building Consent granted for alterations and improvements to the first floor, including works to windows and internal layout, floor finishes, doors and electrical services.
 - 2015/0750 Listed Building Consent granted for a joint security system.
 - 2016/0612 Listed Building Consent granted for internal alterations in conjunction with change of use of Room 3 to marriage ceremonies (Permission for change of use to marriage ceremonies granted under ref.no.2016/0611).

- 2020/1015 Listed Building Consent granted for installation of a 16” diameter cast aluminium plaque on southern elevation of Arnot Hill House.

3.0 Proposed Development

- 3.1 The proposal seeks Listed Building Consent for works associated with the installation and upgrade of the fire alarm system involving the protection of a gas meter to the void underneath the main internal staircase and a new timber stair case to improve access to the cellar together with fire protection to the ceiling of the cellar. The works are required as the protection of the office building is of high importance.

4.0 Consultations

- 4.1 Conservation and Heritage Officer – The works are acceptable subject to a further detail of the proposed door to be inserted. This may be a condition attached to the permission.
- 4.2 Neighbouring properties have been notified through a Site and Press Notice. No letters of representation have been received as a result.

5.0 Relevant Planning Policy

- 5.1 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
- 5.2 The following policies/documents are relevant to this proposal:
- National Planning Policy Framework (2019): 16. Conserving and enhancing the historic environment;
 - Gedling Borough Aligned Core Strategy: Policy 11 – The Historic Environment.
- 5.3 The Local Planning Authority adopted the Local Planning Document (LPD) on the 18th July 2018. The relevant policies to the determination of this application are as follows:
- LPD 26 – Heritage Assets;
 - LPD 27 – Listed Buildings.

6.0 Planning Considerations

- 6.1 The main consideration in determining this application is the impact of the proposed works on the special architectural and historic interest of the grade II listed building.
- 6.2 Significance is described in the NPPF as being the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset’s physical presence, but also from its setting. The building is a grade II listed building for its special interest.

- 6.3 Paragraph 193 of the NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.4 Paragraph 194 of the NPPF advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- 6.5 Paragraph 196 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.6 The proposed works involve the installation and upgrade of the fire alarm system, protection of a gas meter to the void underneath the main internal staircase and a new timber stair case to improve access to the cellar together with fire protection to the ceiling of the cellar. The works proposed are justified as the protection of the office building is of high importance. The works proposed are the minimum required to achieve the desired protection.
- 6.7 The proposal is to close off the area under the stairs by appropriate partition to protect the gas meter and this would have minimal impact upon historic fabric and is reversible. Also, the cupboard protecting the electric meter and associated working would be removed and replaced with a fire resistant cupboard wall. Access in to the cellar is required and a timber stair would help achieve this. The works proposed to protect the cellar from fire would be acceptable.
- 6.8 For the main rooms, the cables to fire alarms would be in white covered conduits straight to each alarm. It is accepted that there would be some visual harm to the ceiling and room appearance, however given the office use and the need to protect the building, the public benefits outweigh the less than substantial harm caused.
- 6.9 The works proposed would also involve the replacement of the door to room 13 with a design based on that to room 12. Precise details of the door to be replaced would be required and this would be secured via condition.
- 6.10 The minor harm caused by the proposed works, in particular to the main room ceilings by conduits to the alarms, would be outweighed by the public benefits of installing an up to date fire alarm system to protect the grade II Listed building and ensuring its continued use.

6.11 As such, the proposal would comply with the NPPF Section 16 and policies LPD 26 and LPD 27 of the Local Planning Document.

Recommendation: GRANT Listed Building Consent subject to conditions:

Conditions

- 1 The works authorised by this consent shall be carried out within 3 years from the date of this consent.
- 2 This consent shall be read in accordance with the application form, Installation Instructions, Installation Method Statement and deposited plans, drawing no's/titles G20/AHH/FA02 and 'Gas Meter Cupboard Location', received on 12th February 2021, and drawing no. G20/AHH/FA004A received on 18th February 2021. The works shall thereafter be undertaken in accordance with these details.
- 3 Precise details of the replacement door to room 13 shall be submitted to and approved by the Local Planning Authority before the replacement door is installed. The door shall be installed in accordance with the approved details and shall be retained thereafter.

Reasons

- 1 In order to ensure that the works are commenced in a timely manner, as set out in Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 2 For the avoidance of doubt.
- 3 In order to preserve the special architectural and historic interest of the listed building.

Reasons for Decision

In the opinion of the Local Planning Authority the proposed works involved in upgrade of the fire alarm system are acceptable and the minor harm caused by the proposed works would be outweighed by the public benefits of installing an up to date fire alarm system to protect the grade II Listed building and ensuring its continued use. The proposal would comply with the NPPF Section 16 and policies LPD 26 and LPD 27 of the Local Planning Document.

Notes to Applicant

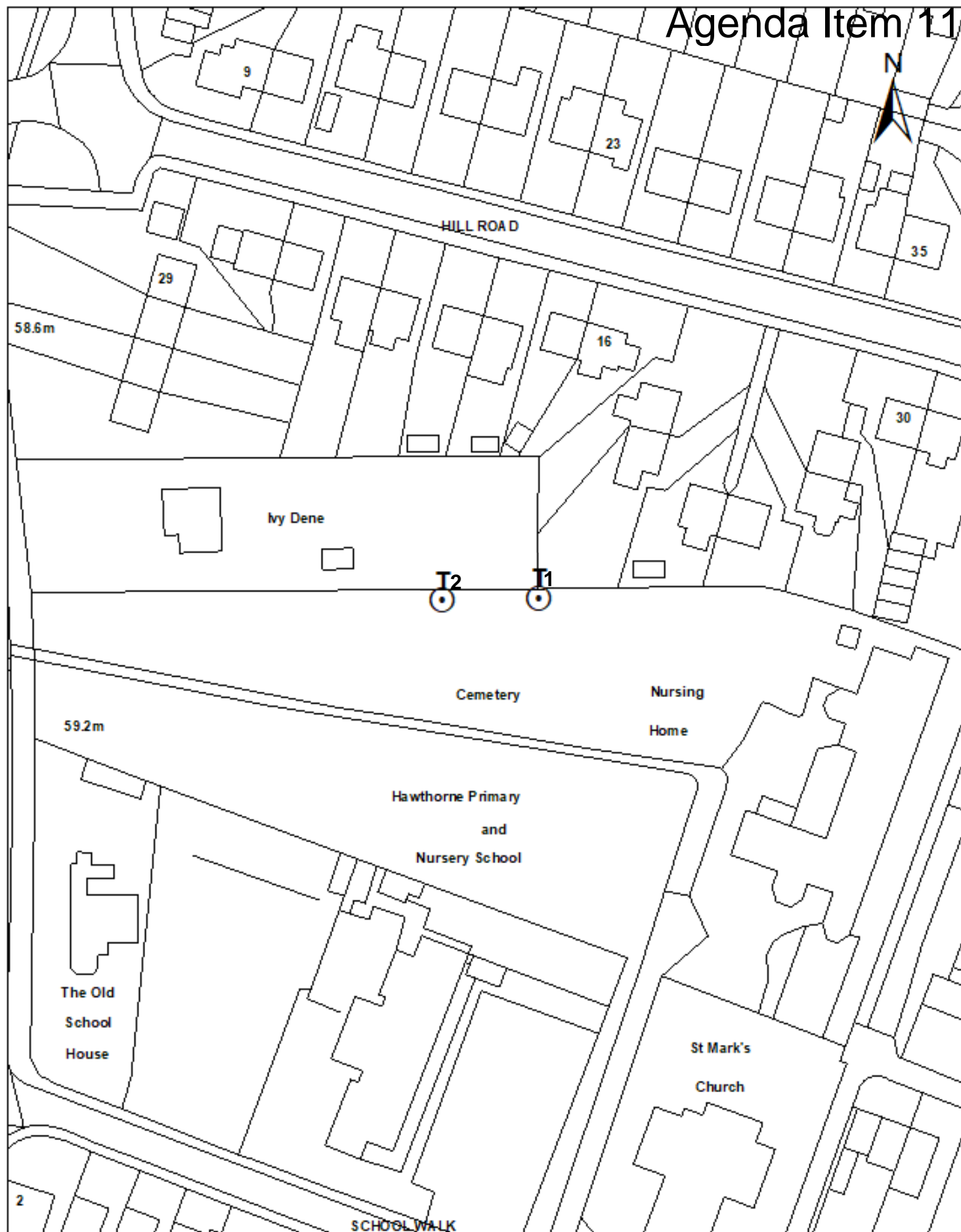
Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

Date Recommended: 22nd April 2021

Authorised by

Service Manager – Development Services / Principal Planning Officer

Date



This page is intentionally left blank

Report to the Planning Committee

Location: St Marks Church, School Walk, Bestwood, Nottinghamshire
Proposal: Protection of 2 no. Sycamore trees by a Tree Preservation Order (TPO)
Case Officer: Lewis Widdowson

1.0 Purpose

- 1.1. To request authorisation to confirm Tree Preservation Order (TPO) No. 000139 'St Marks Church Cemetery, Bestwood' without modifications.

2.0 Background

- 2.1. Gedling Borough Council made an emergency provisional TPO, protecting 2 no. Sycamore trees at St Marks Church, School Walk, Bestwood, Nottinghamshire on the 18th November 2020.
- 2.2. Under the Town and Country Planning Tree Regulations 2012 the Council served a copy of the notice on the owners and occupiers of the land directly affected by the TPO. Interested parties had until the 16th December 2020 to submit any representations to the Council which would then be taking into consideration when deciding whether to confirm the TPO.
- 2.3. In total one representation was submitted following the consultation. The main comments raised are summarised below:
- Sycamore trees are considered weed species by Natural England.
 - T1 is overgrown and overhangs no. 20 Hill Road, Bestwood and given its proximity to the dwelling is considered extremely dangerous.
 - Gutters and drains of no. 20 Hill Road, Bestwood are blocked with leaves and seeds from T1 and the tree is considered dangerous given its very close proximity to the dwelling.

- T1 should be heavily pruned and if the TPO is confirmed the objector would like the council to indemnify the property against any future damage caused by the tree.

2.3. The above comments were referred back to the Councils Forestry Officer who stated the following:

- I am unable to find evidence of Natural England referring to Sycamore trees as weeds. A tree that actively spread seeds and dominates poor soils are correctly referred to as pioneer species as in those that go first and endure when others fail. Notwithstanding its classification as a pioneer species or otherwise, it is considered that the tree provides a great deal of visual amenity and as such should be highly valued for protection.
- In this situation clearly the trees have been deliberately planted in a straight line to form part of a boundary, approx. 20 meters away from the nearest dwelling. Therefore neither of the above is considered an accurate descriptive reflection of the trees of concern.
- A confirmed TPO does not preclude any works from being carried out on the trees it effects. Applicants must however, first obtain permission from the Local Planning Authority before undertaking any works deemed required. As such the objector could, should they wish, submit an application to carry out works to overcome any specific concerns they may have.

2.4. In accordance with the Council's Constitution, all new Tree Preservation Orders and any Tree Preservation Order which received an objection, must be considered by Planning Committee.

3.0. Proposed Action

3.1. Taking the above comments and objections into consideration, I am satisfied that the trees protected by the Provisional TPO 000139 remain worthy of protection and as such I recommend that the Order is confirmed without modification and to notify interested parties of the Councils decision.

4.0 Recommendation: Confirm Tree Preservation Order - 000139 'St Marks Church Cemetery, Bestwood' without modification.

This page is intentionally left blank

TREE PRESERVATION ORDER

Town and Country Planning Act 1990

The Tree Preservation Order St Marks Church Cemetery, Bestwood No – 000139

The Gedling Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as The Tree Preservation Order St Marks Church Cemetery, Bestwood No. 000139.

Interpretation

2. (1) In this Order “the authority” means the Gedling Borough Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall —

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy;
or,
- (b) cause or permit the cutting down, topping, lopping, uprooting,
wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting trees), this Order takes effect as from the time when the tree is planted.

Dated this EIGHTEENTH day of NOVEMBER 2020

Signed on behalf of the Gedling Borough Council

A handwritten signature in dark ink, appearing to read "M. Aron".

Assistant Director – Planning and Regeneration
Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Sycamore	To the north of the Cemetery adjacent to the boundary with Ivy Dene.
T2	Sycamore	To the north of the Cemetery adjacent to the boundary with Ivy Dene.

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Groups of trees

(within a broken black line on the map)

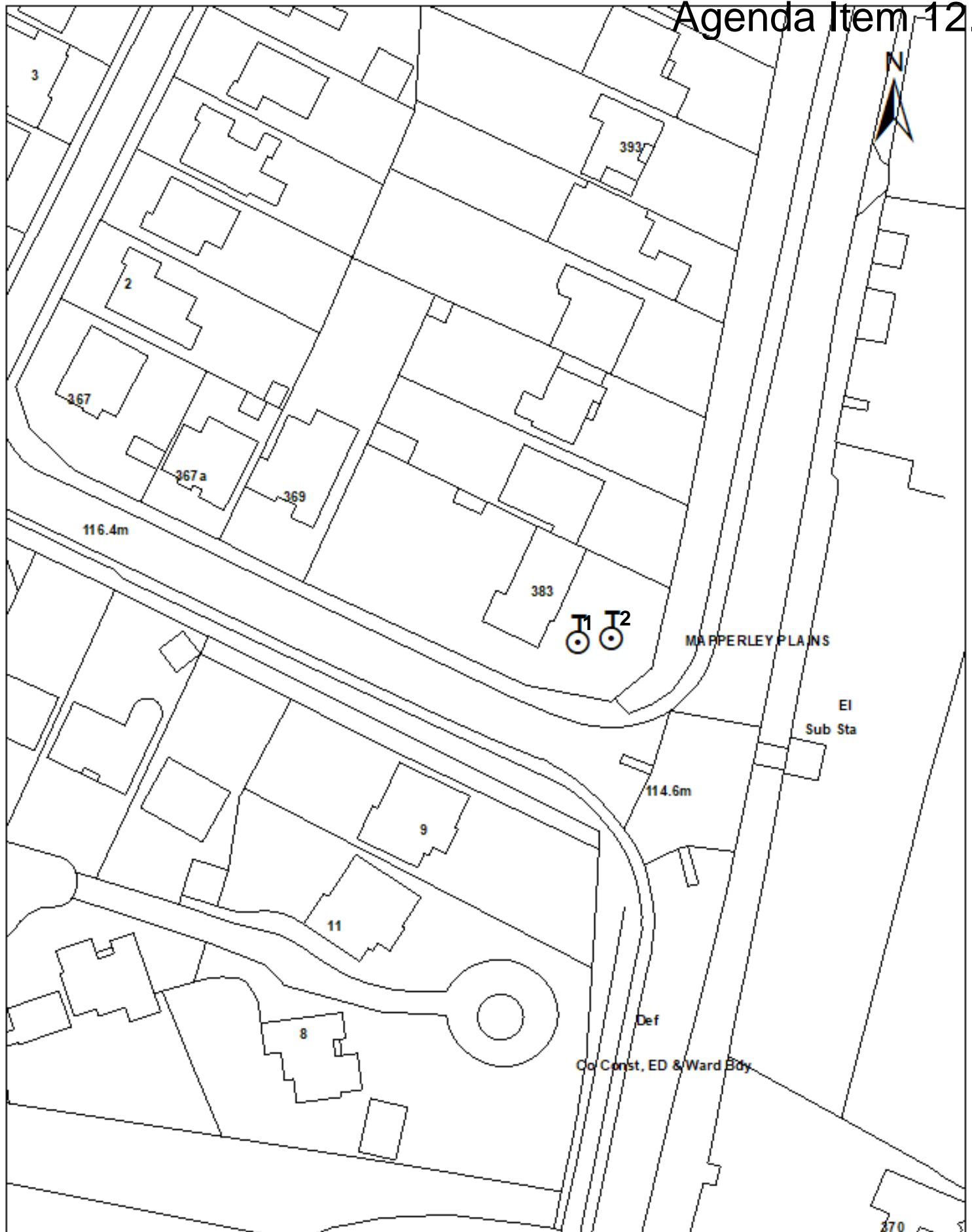
<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

This page is intentionally left blank



This page is intentionally left blank

Report to the Planning Committee

Location: 383 Mapperley Plains, Arnold, Nottinghamshire, NG3 5RU

Proposal: Protection of 2 no. Oak trees by a Tree Preservation Order (TPO)

Case Officer: Lewis Widdowson

1.0 Purpose

- 1.1. To request authorisation to confirm Tree Preservation Order (TPO) No. 000140 '383 Mapperley Plains, Arnold'.

2.0 Background

- 2.1. A TEMPO (Tree Evaluation Method for Preservation Orders) Assessment was carried out on the 14th October 2020. The trees were given a score of 13/25 and as such a TPO was recommended.
- 2.2. Gedling Borough Council made an emergency provisional TPO, protecting 2 no. Oak trees at 383 Mapperley Plains, Arnold, Nottinghamshire, NG3 5RU, on the 3rd December 2020.
- 2.3. Under the Town and Country Planning Tree Regulations 2012 the Council served a copy of the notice on the owners and occupiers of the land directly affected by the TPO. Interested parties had until the 31st December 2020 to submit any representations to the Council which would then be taking into consideration when deciding whether to confirm the TPO. No representations were received by the Council during the consultation period.
- 2.4. In accordance with the Council's Constitution, all new Tree Preservation Orders must be considered by Planning Committee.

3.0. Proposed Action

3.1. Taking the above into consideration, authorisation is sought from Planning Committee to confirm TPO 000140 '383 Mapperley Plains, Arnold' without modification and to notify interested parties of the Councils decision.

4.0 **Recommendation: Confirm Tree Preservation Order - 000140 '383 Mapperley Plains, Arnold' without modification.**

TREE PRESERVATION ORDER

Town and Country Planning Act 1990

The Tree Preservation Order 383 Mapperley Plains, No – 000140

The Gedling Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as The Tree Preservation Order 383 Mapperley Plains No. 000140.

Interpretation

2. (1) In this Order “the authority” means the Gedling Borough Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall —

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy;
or,

(b) cause or permit the cutting down, topping, lopping, uprooting,
wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting trees), this Order takes effect as from the time when the tree is planted.

Dated this 3rd day of DECEMBER 2020

Signed on behalf of the Gedling Borough Council

A handwritten signature in dark ink, appearing to read "M. Aron".

Assistant Director – Planning and Regeneration
Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Quercus Robur (Oak Tree)	Located in the middle of the front garden of 383 Mapperley Plains.
T2	Quercus Robur (Oak Tree)	Located in the middle of the front garden of 383 Mapperley Plains.

Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
	None	

Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

This page is intentionally left blank



Report to Planning Committee

Subject: Future Planning Applications

Date: 30/04/2021

The following planning applications or details have been submitted and are receiving consideration. They may be reported to a future meeting of the Planning Committee and are available for inspection online at: <http://pawam.gedling.gov.uk:81/online-applications/>

Alternatively, hard copies may be viewed at Gedling1Stop or by prior arrangement with Development Management.

<u>App No</u>	<u>Address</u>	<u>Proposal</u>	<u>Possible Date</u>
2019/0560	Land At Teal Close Netherfield	Reserved matters application for the erection of 277no. dwellings	23/06/2021
2019/1180	34 Main Street Calverton	Proposed Demolition of existing dwelling & erection of 3 retail units at ground floor with 8 apartments over	23/06/2021
2021/0301	Hillside Farm, Orchard Close, Burton Joyce	Erection of 14 dwellings	23/06/2021
2020/1174	Timmermans Roses, Lowdham Lane, Woodborough	Demolition of commercial buildings and the erection of 15 No artisan outlets and play barn with associated catering and toilet facilities, car park, landscaping, revised access and drainage infrastructure	23/06/2021
2019/1080	Land At Broad Close Woodborough	Outline application for 11no. residential properties	Unknown

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.

This page is intentionally left blank

ACTION SHEET PLANNING DELEGATION PANEL 26th March 2021

2019/0790

10 Bank Hill Woodborough NG14 6EF

Demolition of existing dwelling and construction of replacement dwelling

The proposed development constitutes appropriate development in this Green Belt location, would not cause harm to the character or appearance of the Conservation Area or views in and out of the village. It would be of an appropriate design, would not have an undue impact upon the residential amenities of the occupiers of adjacent dwellings or cause harm to protected trees and the surrounding highway network.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0549

Woodland Next To Lay By Mansfield Road Arnold

Change of use to natural burial ground and modifications to the access.

The formation of an access to an acceptable specification to meet the local highway authority requirements to serve the development would impact the openness of the Green Belt. The very special circumstances of social, economic and environmental benefits in this instance do not outweigh the harm.

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

Decision: Refuse Planning Permission.

2020/0552

Woodland Next To Lay By Mansfield Road Arnold

Proposed change of use to 20 pitch campsite, alteration to the existing access, siting of a mobile WC block and a communal Tipi between May and September until 2023.

The formation of an access to an acceptable specification to meet the local highway authority requirements to serve the development and associated infrastructure would impact the openness of the Green Belt. The very special circumstances of social, economic and environmental benefits in this instance do not outweigh the harm.

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

Decision: Refuse Planning Permission.

2020/0911

Clock Tower Building Park Road Bestwood

Insulate and board the ceiling to the cellar using a fire retardant insulation.

The proposed development would have no harm on the character and appearance of the heritage asset.

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

Decision: Grant Listed Building Consent.

2020/1201

2 Birchwood Drive Ravenshead Nottinghamshire

Extensions and alterations to existing bungalow.

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0019

57 Cromwell Crescent Lambley NG4 4PJ

Construction of single storey side extension

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0024

25-27 Calverton Road Arnold

Two storey rear extension with internal alterations and shed demolition with new shed erection

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0101

22 Crow Park Drive Burton Joyce NG14 5AS

Erection of detached garage

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

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 Paul Wilkinson

Cllr Marje Palling

Cllr David Ellis

Cllr John Parr

Cllr Meredith Lawrence

Kevin Cartwright – Principal Planning Officer

26th March 2021

This page is intentionally left blank

ACTION SHEET PLANNING DELEGATION PANEL - 9th April 2021

2020/0634

69 Redhill Road, Redhill, Nottinghamshire

Alterations to shop frontage, change of use of one retail unit to residential and creation of 2 additional residential units.

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

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

Decision: Grant permission subject to conditions.

2020/0645

Woodland Next To Lay By Mansfield Road Arnold

Shed for forestry work and ground maintenance, storage of machinery and equipment and welfare facilities for workers

The proposed development would be inappropriate development within the Green Belt with no very special circumstances put forward to justify the application.

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

Decision: That the application be refused permission.

2020/1052

Lord Byron House, Newstead Abbey Park, Station Avenue

Replacement dwelling and associated works, including demolition of existing buildings

The proposed development would result in a replacement dwelling that would be disproportionately large compared to the original property and be detrimental to the open character of the Green Belt.

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

Decision: That the application be refused permission.

2020/1261

13 Arno Vale Road, Woodthorpe NG5 4JH

Single storey rear and side extension.

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 permission subject to conditions.

2021/0036

17 Hazel Grove, Mapperley, NG3 6DQ

Raised decking to property rear and fencing along rear boundary (part retrospective)

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 permission subject to conditions.

2021/0067

11 Holyoake Road, Mapperley, Nottinghamshire

Erection of a 1 bedroom bungalow

The proposed development would result in a cramped form of development 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.

2021/0074

133 - 137 Breck Hill Road, Woodthorpe, Nottinghamshire

Variation of condition 4 (approved plans) of planning permission 2020/0294 - Two dwellings and proposed rear extension (ground and first floor) at No 133

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

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

Decision: Grant permission subject to conditions.

2021/0088
104 Kent Road, Mapperley, Nottinghamshire
Single storey rear extension

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 permission subject to conditions.

2021/0113
6 Nottingham Road Burton Joyce Nottinghamshire
Single and two storey rear extension

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 permission subject to conditions.

2021/0157
31 Elmhurst Avenue Mapperley NG3 6GF
Dormers to rear; first and second floor extension above garage

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 permission subject to conditions.

9th April 2021

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Paul Wilkinson
Cllr Marje Palling
Cllr Meredith Lawrence
Cllr David Ellis
Cllr John Parr

Kevin Cartwright – Principal Planning Officer
Nigel Bryan – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL 16th April 2021

2020/1175

33 Fox Covert Colwick NG4 2DD

Change of use from C3 Residential to Mixed Use C3 & Sui Generis (provision of beauty treatment services in part of dwelling)

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

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

Decision: Grant Planning Permission with Conditions.

2020/1245

20 Main Street Papplewick NG15 8FD

Construction of a single/two storey rear/side extension with new first floor windows to the side elevation

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

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

Decision: Grant Planning Permission with Conditions.

2021/0094

50 First Avenue Carlton NG4 1PA

Extend roof and form loft conversion, convert undercroft storage to habitable rooms and form bay window to rear elevation.

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0167

59 Haddon Road Ravenshead Nottinghamshire

2 storey extension to the rear of house.

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0204
11 Shaftesbury Avenue Burton Joyce Nottinghamshire
Erection of outbuilding to front of property

The proposed development would be an incongruous feature in the street scene to the detriment of visual amenity.

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

Decision: Refuse Planning Permission.

Video Conference Call Meeting due to Covid-19

Cllr John Truscott
Cllr Paul Wilkinson
Cllr Marje Palling
Cllr David Ellis
Cllr John Parr
Cllr Meredith Lawrence

Kevin Cartwright – Principal Planning Officer

16th April 2021

ACTION SHEET PLANNING DELEGATION PANEL 23rd April 2021

2018/0833
94 Phoenix Avenue Gedling NG4 4DT
Erection of dwelling

The proposed development would have no undue impact on the character and appearance of the area, highway safety/capacity or the amenity of neighbouring occupiers.

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

Decision: Grant Planning Permission subject to Conditions.

2020/0785
Land Adjacent 384 Gedling Road Arnold
Erection of garage.

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0025
10 Carnarvon Drive Burton Joyce NG14 5ER
Erection of two storey side extension and front porch

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0159
155 Main Road Ravenshead NG15 9GS
Proposed storage barn (for the existing business)

The proposal would be inappropriate development in the Green Belt which would have an undue impact on the openness. The very special circumstances advanced would not outweigh this impact.

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

Decision: Refuse Planning Permission.

2021/0177
782 Mansfield Road Daybrook NG5 3GG
2 No roundels
1 No wordmark (fascia lettering)
1 No pole sign

The proposed advertisement would have no undue impact on visual amenity or public/highway safety.

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

Decision: Grant Advertisement Consent subject to Conditions.

2021/0208
105 Digby Avenue Gedling NG3 6DT
Two-storey rear extension, raised decking area and basement

The proposed development would have an undue impact on the character and appearance of the host property and the amenity of neighbouring occupiers.

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

Decision: Refuse Planning Permission.

2021/0261
10 The Dumbles Lambley NG4 4QD
Removal of conservatory and erect replacement orangery to rear elevation

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

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

Decision: Grant Planning Permission subject to Conditions.

2021/0307

9A Regina Crescent Ravenshead Nottinghamshire

Single storey detached garden room

The proposed development would have no undue impact on the character and appearance of the area, the adjacent trees or the amenity of neighbouring occupiers.

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 Paul Wilkinson

Cllr Marje Palling

Cllr David Ellis

Cllr John Parr

Cllr Meredith Lawrence

Kevin Cartwright – Principal Planning Officer

Nigel Bryan - Principal Planning Officer

23rd April 2021

This page is intentionally left blank

ACTION SHEET PLANNING DELEGATION PANEL - 30th April 2021

2019/0613

Land Off Teal Close, Netherfield

Approval of reserved matters in relation to access, appearance, landscaping, layout and scale of the Local Centre comprising of Public House, Commercial/Retail Terrace and Childrens Day Nursery pursuant to outline planning permission 2017/0999.

Decision: That the application be referred to the 12 May Planning Committee.

2020/0914

34 Sunninghill Rise, Arnold, NG5 8ES

Raised decking in the rear garden

The proposed development would have a detrimental impact on the residential amenity of neighbouring properties.

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

Decision: That the application be refused permission.

2020/1222

14 Lea Road, Ravenshead, NG15 9EG

Single Storey Extensions to Front & Rear of Garage with change of use of the garage to an embroidery/sewing business (use class E)

The proposed extension would respect the character of the area and residential amenity with the use being of an intensity to ensure that the amenity of neighbouring properties would not be detrimentally impacted.

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

Decision: Grant permission subject to conditions.

2020/1265

96 Plains Road, Mapperley, NG3 5RH

Erection of single storey and two storey extensions to side and rear

The proposed development would respect the character of the area and host dwelling, without having a detrimental impact on highway safety or residential amenity.

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

Decision: Grant permission subject to conditions.

2020/1266
96 Plains Road, Mapperley, NG3 5RH
Erection of dwelling and detached garage

The proposed dwelling would respect the character of the area and not have a detrimental impact on the wider character of the area or highway safety.

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

Decision: Grant permission subject to conditions.

2020/1292
Land Off Teal Close Netherfield
Erection of a retail store (Class E) with associated car parking, landscaping and other infrastructure

Decision: That the application be referred to the 12 May Planning Committee.

2020/1319
778 Mansfield Road, Woodthorpe, Nottinghamshire
Change of Use of Letting Agency (Class E) to Hot Food Takeaway (Sui Generis) and works to external shopfront

The proposed change of use would be appropriate in the location and bring into use a currently vacant shop. Possible impacts from odour could also be suitably controlled.

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

Decision: Grant permission subject to conditions.

2021/0041

Manna Farm Old Rufford Road Calverton

Variation of Condition 2 (plans) and condition 9 (landscaping) of planning permission 2019/0158 for the erection of a new accommodation block and staff apartments

The proposed development would respect the character of the area and residential amenity and having regard to changes proposed beyond those that were granted planning permission, with very special circumstances having been demonstrated.

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

Decision: Grant permission subject to conditions.

2021/0147

238 Carlton Hill, Carlton, Nottinghamshire

Demolition of existing shop and erection of dwelling

The proposed dwelling would respect the character of the area and not have a detrimental impact on the wider character of the area or highway safety.

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

Decision: Grant permission subject to conditions.

2021/0224

Hill Side, Private Road, Woodborough

Two storey side extension.

The proposed development would result in a disproportionate addition to the size of the original building contrary to Green Belt policy.

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

Decision: That the application be refused permission.

2021/0226

47A Riverside, Stoke Lane Stoke Bardolph

Single storey rear extension

The proposed development would result in a disproportionate addition to the size of the original building contrary to Green Belt policy.

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

Decision: That the application be refused permission.

30th April 2021

Video Conference Call Meeting due to Covid-19.

Cllr John Truscott
Cllr Paul Wilkinson
Cllr Marje Palling
Cllr Meredith Lawrence
Cllr David Ellis
Cllr John Parr

Nigel Bryan – Principal Planning Officer