

Agenda

Planning Committee

Date: **Wednesday 27 July 2022**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Democratic Services

committees@gedling.gov.uk

0115 901 3844

Planning Committee

Membership

Chair Councillor John Truscott

Vice-Chair Councillor Paul Wilkinson

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

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AGENDA

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MINUTES PLANNING COMMITTEE

Wednesday 22 June 2022

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Meredith Lawrence
 Councillor Michael Adams Councillor Ron McCrossen
 Councillor Peter Barnes Councillor Barbara Miller
 Councillor David Ellis Councillor Marje Paling
 Councillor Rachael Ellis Councillor John Parr
 Councillor Andrew Ellwood Councillor Sam Smith
 Councillor Mike Hope Councillor Henry Wheeler
 Councillor Rosa Keneally

Absent: Councillor Chris Barnfather

Officers in M Avery, N Bryan, K Cartwright, E McGinlay and S Pregon
Attendance:

109 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Barnfather.
Councillor Sam Smith attended as substitute.

110 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 30 MARCH 2022.

RESOLVED:

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

111 DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all
members of the committee in item 5 on the agenda, as the Council
currently held a lease of land included within the application site.

112 APPLICATION NO. 2022/0200 - LAND AT LAMBLEY LANE, GEDLING

Erection of 24 dwellings with associated access and landscaping.

The Principal Planning Officer introduced the report.

RESOLVED:

To GRANT PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, education contributions, payment in lieu of public open space, bus stop improvements, management company details and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

Conditions

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

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

P22-0949 - P100 (Site Plan) Rev E

P22-0949 - P101 (Location Plan)

P22-0949 - P102 (Materials Plan)

P22-0949 - P104 (Car Park Strategy Plan)

P22-0949 - P105 (Storey Height Plan)

P22-0949 - P106 (Site Sections)

P22-0949 - P107 (Street Scenes)

P22-0949 - P120 (Abbey House Type)

P22-0949 - P121 (Bamburgh House Type)

P22-0949 - P122 (Belmont House Type)

P22-0949 - P123 (Burton House Type Floor Plans)

P22-0949 - P124 (Burton House Type Elevations)

P22-0949 - P125 (Clifton House Type)

P22-0949 - P126 (Rothway House Type)

P22-0949 - P127 (Staveley House Type)

P22-0949 - P128 (Windsor House Type)

P22-0949 - P129 (Belmont House Type - Plot 949 Only)

18Core 9050 rev 1 – single garage

P22-0949 - DAS.doc

Revised Tree Report

FPCR 6674 AA Rev B

Additional Balancing Lagoon Drawings

Lagoon Sections KM Harworth 01

Lagoon Layout KM Harworth 02

Swept Path Analysis

20560 - 508 - Swept Path Analysis

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

3. Prior to above ground works commencing details of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
4. Notwithstanding details previously submitted and prior to above ground works commencing, a scheme of landscaping and boundary treatments, showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
5. No part of the development hereby permitted shall be brought into use until the access arrangement from its junction with Lambley Lane connects to the south eastern site boundary and is provided in accordance with layout plan P100 rev E.
6. No part of the development hereby approved shall commence until a details surface water drainage scheme based on the

principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy R-FRA-20560-01-C, January 2020, JPP Consulting Ltd, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details approved prior to the competition of the development.

7. From the date of first occupation every property built on the site with one or more dedicated vehicle parking spaces and/ or a garage shall be provided with access to an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle.
All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.
8. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall, thereafter, be undertaken in accordance with the approved CEMP.
9. Prior to the commencement of development, the following shall be complied with:

Site Characterisation

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

Submission of Remediation Scheme

Where required, 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.

10. 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.
11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with 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.
12. Notwithstanding details submitted, prior to above ground works commencing details of boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The details as submitted shall be in situ prior to each unit being occupied.
13. Prior to above ground works commencing, a drawing showing the location and design of bat boxes to be installed on site shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be installed prior to the pertinent units being occupied and shall be thereafter be retained in perpetuity.

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 ASC10.

4. To ensure that the character of the area is respected and to comply with policy LPD19.
5. To ensure that a safe and direct access is available to the highway network and to comply with policy LPD61.
6. To ensure that the site is adequately drained and to comply with policy LPD4.
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.
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.
9. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7.
10. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7.
11. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 183 of the National Planning Policy Framework and policy LPD7.
12. To ensure that the character of the area is respected and to comply with policy LPD19.
13. To ensure that impacts on wildlife are duly considered and to comply with policy LPD18.

Notes to Applicant

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

The applicant should note that notwithstanding any planning permission 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 'Highway design guide | Nottinghamshire County Council'.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payments 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 regarding 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 and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council in writing and appropriate agreements are entered into before any highway work commences on site.

Please contact the Highway Authority for details
hdc.south@nottsccl.gov.uk.

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

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

The 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 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 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).

In respect of details to be approved for surface water drainage, the scheme to be submitted shall:

Demonstrate that the development will use SUDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.

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 rate for the developable area

Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA.

Provide detailed design (plans, network details and calculations) in support of and 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 duration inclusive of the 1 in 1 year, 1 in 2 year, 1 in 3 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.

As part of the landscape and boundary treatment detail the Council would expect to see a green boundary treatment along the western edge of the site where existing trees are to be removed. Furthermore, there would be a need to ensure that trees that fall on or close to the boundary of the application site are not detrimentally impacted, as identified in the Arboricultural Assessment.

Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.

**APPLICATION NO. 2019/0560 - LAND OFF TEAL CLOSE,
NETHERFIELD**

Reserved Matters Application for the erection of 255no. dwellings (C3), including 13 affordable units and associated infrastructure including landscaping and public open space pursuant to outline planning permission 2017/0999 (Phase 3).

Grace Clarkson, Land & Planning Manager of Persimmon (Nottingham) spoke in support of the application.

The Principal Planning Officer introduced the report and informed the committee that additional details had been provided in relation to the garages which confirmed that the garages now accord with the adopted SPD in relation to footprints.

He added that the garage openings were marginally below that set out in the SPD but overall the scheme was considered to accord with the SPD as there would be the ability to park a vehicle on the highway outside of each property.

He added that a revised layout plan had been received which showed bin collection points adjacent to the adopted highway serving the private drives to ensure that future residents would not have an unacceptable bin carry distance.

He concluded that as such it was necessary to update the approved plan condition, Condition 1, to include the additional garage plans and the layout plan that now included bin collection areas, and recommended that the application be approved subject to incorporating those revisions to Condition 1.

RESOLVED:

To Grant Approval of Reserved Matters subject to the following conditions:

Conditions

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

Ph3 Planning Layout Drawing No. TGDP/TCGN/PH3-PL1 rev A
Charter Plan (materials and boundary treatments) RG3/CP/01
Sheet 1 of 2 rev A

Charter Plan (materials and boundary treatments) RG3/CP/02
Sheet 2 of 2 rev A

Details of Soft landscaping 9039-L-01 Rev F Sheet 1
Details of Soft landscaping 9039-L-02 Rev F Sheet 2
Details of Soft landscaping 9039-L-03 Rev F Sheet 3
Details of Soft landscaping 9039-L-04 Rev F Sheet 4
Details of Soft landscaping 9039-L-05 Rev F Sheet 5
Details of Soft landscaping 9039-L-06 Rev F Sheet 6
Details of Soft landscaping 9039-L-07 Rev F Sheet 7
Details of Soft landscaping 9039-L-08 Rev F Sheet 8
Details of Soft landscaping 9039-L-09 Rev F Sheet 9

Affordable Housing TGDP/TCGN/PH3-PL1 – Affordable Housing
Location

Pumping Station Details Dwg No. PR10422-001
Pumping Station Details Dwg No. PR10422-002
Pumping Station Details Dwg No. PR10422-003
Pumping Station Details Dwg No. PR10422-004
Pumping Station Details Dwg No. PR10422-005
Pumping Station Details Dwg No. PR10422-006
Pumping Station Details Dwg No. PR10422-007
Pumping Station Details Dwg No. PR10422-008
Pumping Station Details Dwg No. PR10422-009
Pumping Station Details Dwg No. PR10422-0010

Housetypes

Clayton Corner – CAA-WD16
Bickleigh – ST-WD10
Hatfield – HT-WD16
Yarm – YM-WD10
Piccadily – PY-WD10
Moseley –MS-WD10
Hanbury – HB-WD
The Alnwick AN-WD10
Oxford OX-WD10
Regent –RT-WD10
Bond -BD –WD10
Fenchurch FH-WD10
Edlingham (Village) EL-WD16
Harley HY-WD10 – RevQ
Corfe CF-WD16
Mayfair MY-WD10 Rev J
Strand ST – WD10 Rev L
Winster WS-WD16
Chedworth CD-WD16
Knightsbridge KB-WD10 Rev G
Kendall Village KL-WD10 Rev H
Downing DG-WD10 Rev J
Leicester LR-WD16
Roseberry RS-WD16

Whitehall WH-WD10 Rev G

Single garage – plans and elevations

Double and paired garages – plans and elevations

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

- 2 No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 3 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

Reasons

- 1 To define the permission and for the avoidance of doubt.
- 2 To reduce the possibility of deleterious material being deposited on the public highway.
- 3 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

Notes 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).

APPLICATION NO. 2022/0194 - 23 HOULDSWORTH RISE, REDHILL

Construct first floor side extension.

RESOLVED:

To 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 The development hereby permitted shall be completed in accordance with the Site Location Plan, Block Plan and drawings numbered 2022/015/3/REV A and 2022/015/2/REV A; received by the Local Planning Authority on 21 February and 10 May 2022.
- 3 The external facing and roofing materials used in the development hereby permitted shall be in accordance with the details provided in the application form.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interests of visual amenity and the character and appearance of the area, in accordance with Policy LPD 43 of the Gedling Part 2 Local Plan (2018).

Reasons for Decision

The proposed development is consistent with Gedling Borough planning policies, and the design and dimensions are not considered to have potentially detrimental effects on surrounding amenity with no undue overlooking, overbearing or overshadowing impact. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12), Policy 10 of the GBACS (2014), and the Local Planning Document (2018) Policies LPD 32, 43, 57 and 61.

Notes to Applicant

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 amendments

were requested and made that resulted in an acceptable form of development.

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

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

**115 APPEAL DECISION REF: APP/N3020/W/21/3285625 - 37- 41
KIGHILL LANE, RAVENSHEAD**

Councillor Sam Smith joined the meeting.

RESOLVED:

To note the information.

**116 APPEAL DECISION REF: APP/N3020/W/21/3288049 - 517
MANSFIELD ROAD, REDHILL**

RESOLVED:

To note the information.

**117 APPEAL DECISION REF: APP/N3020/W/21/3288397- LAND AT THE
CORNER OF CROSS STREET, ARNOLD**

The Principal Planning Officer introduced the report.

RESOLVED:

To note the information.

118 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

119 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

120 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting finished at 6.30 pm

Signed by Chair:
Date:

PLANNING COMMITTEE PROTOCOL

Introduction

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

Disclosable Pecuniary and Non- Pecuniary Interests

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

Pre-determination and Predisposition

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

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

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

Lobbying

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

Roles at Planning Committee

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

Speaking at Planning Committee

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

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

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

Determination of planning applications

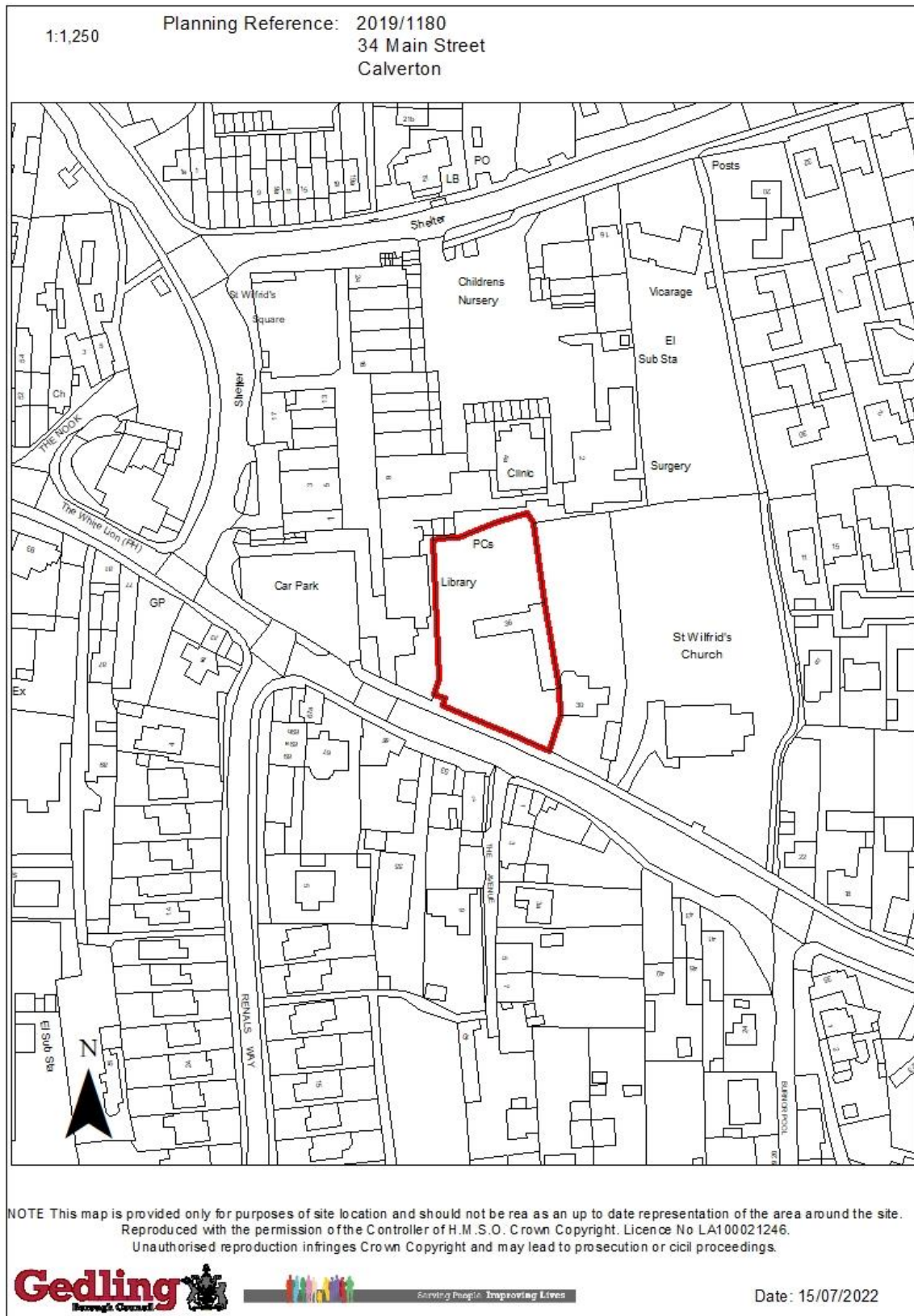
19. Councillors will then debate the motion and may ask for clarification from officers. However, if there are issues which require factual clarification, normally these should be directed to the case Officer before the Committee meeting, not at the meeting itself. After Councillors have debated the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

Oct 2015

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Planning Report for 2019/1180



Report to Planning Committee

Application Number:	2019/1180
Location:	34 Main Street Calverton NG14 6FQ
Proposal:	Proposed demolition of existing dwelling and erection of 3 retail units at ground floor with 8 apartments over.
Applicant:	Miss Shread
Agent:	Guy St John Taylor Associates Architects Ltd
Case Officer:	Kevin Cartwright

The application is referred to Planning Committee by the Planning Delegation Panel due to the complexity of the policy considerations.

1.0 Site Description

- 1.1 The application site is located in the centre of Calverton. It is located to the north of Main Street. To the east of the site is St Wilfrids Church (Grade II* Listed Building), Calverton Library is located to the west with the shopping centre to the north-east. To the south of the site on the opposite side of Main Street is Corner Cottage (Grade II Listed Building).
- 1.2 The site is currently occupied by a single dwelling with a roughly L shaped footprint located adjacent to the eastern boundary of the site.
- 1.3 The southern half of the site is located within the Calverton Conservation Area with the conservation area boundary running along the rear wall of the dwelling.
- 1.4 The site is somewhat overgrown with a number of trees/vegetation on the site.
- 1.5 The application site area is approximately 0.16 hectares.

2.0 Relevant Planning History

- 2.1 2019/0010 – Proposed demolition of existing dwelling and erection of 10-dwellings consisting of 4 maisonettes and 6 apartments with retail units at ground floor was withdrawn by the applicant on 18th December 2019.

3.0 Proposed Development

- 3.1 The application seeks planning permission for the demolition of the existing dwelling and outbuildings and the redevelopment of the site with 3no retail units at ground floor level and 8no. apartments above the retail units.
- 3.2 The built form would be in two discrete blocks. Block A, a two storey development of 2no. retail units at ground floor with 2no. flats above located on the southern boundary of the site fronting Main Street.
- 3.3 Block B a three storey development of 1no. retail unit at ground floor and 6no. flats, 3no. at first floor and 3no. at second floor would be located adjacent to the northern boundary of the site facing northwards towards St Wilfrid's Square.
- 3.4 The remainder of the site between the block would be car parking and turning with a total of 13 car parking spaces proposed.
- 3.5 The site would be accessed via a 5.25m driveway from Main Street running roughly parallel to the eastern boundary of the site.
- 3.6 The new internal floorspace proposed for the retail units would be approximately 306 square metres. Unit 1 would have a floor area of 56m², Unit 2 would have a floor area of 70m² and Unit 3 would have a floor area of 180m².
- 3.7 The floor space of the flats would be:
- Flat 1 54m²
 - Flat 2 65m²
 - Flat 3 50m²
 - Flat 4 75m²
 - Flat 5 65m²
 - Flat 6 50m²
 - Flat 7 75m²
 - Flat 8 65m²
- 3.8 There would be a total of 13 car parking spaces. These would be unallocated.

4.0 **Consultations**

- 4.1 Historic England – The demolition of 34 Main Street would result in the loss of an historic building which contributes to the townscape and this, along with the degradation of the verdant nature of the site, would seriously erode the character of this part of the conservation area and the setting of the highly graded church.

The harm is identified as less than substantial harm.

Historic England has concerns regarding the application on heritage grounds as outlined above. We advise you seek further guidance from your in-house conservation officer in relation to the issues raised.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194,195, 197, 200, 202, 203 and 207 of the NPPF 2021.

- 4.2 Gedling Borough Council Conservation Officer- Historic England in their letter of 10th February 2020 set out their concerns. In particular in respect of demolition: The proposed demolition of the building would result in the loss of an historic building that contributes to townscape and along with the degradation of the verdant nature of the site, would, in our view, seriously erode the character of this part of the conservation area and the setting of the highly graded church.'

I remain in agreement with this position. Also, as stated above a clear and convincing case has not been submitted given the lack of clear evidence deliberate neglect has not occurred and options explored.

I have previously made known conservation objections in respect of the proposed two storey mixed use building to the front of the site and its harmful impact to the existing character of the conservation area. I had not specifically commented on the proposed three storey buildings to the rear of the site or in detail. The agents are right in that the part of the site to the north end is outside the conservation area as a matter of fact. Section 72(1) of the planning (listed Buildings and conservation areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. While this part of the site is outside the conservation area boundary it lies adjacent to it and therefore within the setting of the conservation area where relevant policies apply. Any impact upon the setting of the conservation area must be taken in to account and as part of the assessment the significance of the conservation area and the impact upon its significance.

The proposed three storey building will result in a building that is out of accord with the character and appearance of buildings and views within the conservation area whose character is determined by a predominance of two storey traditional gabled form buildings of red brick and clay tiled roofs. As such the proposed three storey block by virtue of its size, form and massing will harm the setting of the conservation area. The applicant should have regard to this setting to a greater degree than to the shopping centre to the north which detracts from the conservation area for similar reasons. I am in agreement with the views of Historic England in this respect and the harmful impact upon the setting of the grade II* listed church as set out by Historic England.

Given the allocation of the site for a mixed use development in the 2018 Local Planning Document any decision should take account of the implications to the historic environment. The case for demolition should be fully evidenced to prove neglect was not deliberate or the state of the buildings are not to be taken in to account in deliberations. The impact of the proposed development would result in less than substantial harm to the character and appearance of the conservation area and setting of the grade II* listed church at the higher end of the scale. It will be important to explore all options that may better preserve the character and appearance of the conservation area, its setting

and setting of the grade II* listed church. This should be taken in to account in the planning balance.

- 4.3 Nottinghamshire County Council Local Lead Flood Authority – No comments.
- 4.4 Nottinghamshire County Council Strategic Policy – No comments
- 4.5 Natural England – No Comments.
- 4.6 Nottinghamshire County Council Highways – No objection. The Highways Authority are satisfied that there is sufficient parking to serve the retail units which will require 4no. spaces and 1no. space for each apartment. Request a number of conditions in relation to access widening, hard surfacing, parking and turning and bin store provision.
- 4.7 Trent Valley Internal Drainage Board – No objection subject to surface water run-off rates to receiving watercourses must not be increased.
- 4.8 Severn Trent Water – No objection subject to conditions in relation to surface and foul drainage.
- 4.9 Gedling Borough Council Economic Development - We welcome the redevelopment of this site adjacent to the existing Calverton centre. Calverton is a growing settlement and the centre is well used and served; these units would add to this. It is appreciated that this is a difficult site to develop and the applicant has made efforts to make the two blocks attractive to occupants. Those to the north need careful consideration to ensure that this is attractive and visible from the main arcade to the west. The public toilets would benefit from some works which would make this entrance better. Consideration should also be given to the parking area between the two blocks and how this will be used. It is noted that the servicing of the large northern unit will be from the rear car park. The two smaller units will be serviced from the frontage with no rear access; this will require careful management to ensure a hazard is not created. Overall, Economic Growth welcome this application and support it.
- 4.10 Gedling Borough Council Scientific Officer – No object subject to conditions in relation to the provision of Electric Vehicle charging points and a Construction Emission Management plan.
- 4.11 Parks and Street Care – No comments.
- 4.12 Tree Officer - The submitted tree survey is out of date and it would be recommended that an up to date tree survey is provided and a new tree protection plan showing retained trees, proposed development and tree protection methods such as ground protection and fencing in accordance with BS 5837:2012.
- 4.13 Empty Homes Officer - The property at 34 Main Street has been empty for a good number of years. Over the years it has been a major concern for residents in the area due to the anti-social behaviour that the property has been attracting. The owner has secured the main building but despite this the local children have continued to break into the grounds and occupy the

outbuilding. This behaviour has put a strain on the council (Neighbourhood Wardens) in that they have had to carry out extra patrols in the area, the local Neighbourhood Beat Team for Nottinghamshire Police have also been called to the property a number of times to deal with the anti-social behaviour. The property continues to be a burden to the residents of Calverton and would be best brought back into use as soon as practicably possible.

- 4.14 Members of the Public - The application has been advertised in accordance with the adopted Statement of Community Involvement. 86 letters of representation have been received. A summary of the main concerns are listed below:

Relating to Heritage

- Chipping away at the conservation area must be stopped
- It is one of the last cottages of its type and in good condition
- Not in-keeping with the conservation area
- Should preserve older buildings
- This is the gateway to the conservation area
- Will affect/compete with the church
- Too modern for a conservation area
- The outbuildings have partially collapsed but not the house
- Harm to the setting of the Grade 2* listed church
- Demolition has not been justified – building is in a reasonable state of repair according to the submitted bat survey report
- Will impact views of the conservation area and listed church
- Would detract from the special ambience of the cemetery
- Impact on listed buildings
- The proposal is not a neutral change to heritage assets
- Case of public benefit has not been adequately demonstrated to outweigh the harm to heritage assets
- Contradictory views in relation to the state of the cottage
- Impact on views to and from heritage assets
- Will affect the setting of the church
- Will bring the incursion of the shopping centre closer to the church
- The site is integral to the continuity of the conservation area
- The siting of Block A would undermine the distinctive open character of the conservation area along this point of Main Street
- Whilst the cottage is not listed it is a significant local building
- Intentional neglect of the property to support its demolition
- No evidence has been provided to demonstrate how the proposal would preserve or enhance the setting of heritage assets
- Important views must be protected
- Will set a precedent for people to buy properties in a conservation area and let them fall into disrepair
- Gedling Borough Council should follow the advice of Historic England
- The deteriorated state of a heritage assets should not be taken into account in any decision (para 196 NPPF)
- One of the last remaining examples of this type of agricultural cottage
- Any modernisation of the building that has taken place is superficial and does not undermine its heritage value

- The verdant open nature of the site make a positive contribution to the conservation area and the setting of the church
- Proposal does not preserve or enhance the setting of heritage assets

Relating to Highways/Traffic Issues

- Not enough parking
- Access to my property is already hazardous due to the number of vehicles parked outside the church
- Another access will make this road even more dangerous
- Two storey building fronting Main Street will make an unacceptable tunnel effect and visibility issues for motorists and pedestrians
- Parking and unloading is insufficient and no space for storage of waste bins
- There has been a fatal road accident in the area
- How will the development work with the pedestrian crossing
- Parking is inadequate
- Where do the staff park
- Will cause traffic problems
- There should be 16 parking spaces for 8 apartments
- Already complex road/traffic arrangements in this location will be made worse by the proposal
- More shops will add to the existing traffic chaos
- Main Street is used by many children walking to schools additional traffic will bring additional dangers
- Will result in on street parking
- Main Street is already congested
- The neighbouring shopping area car park has no capacity
- Already a hazard leaving my property. This will make it worse
- No dedicated loading and unloading within the site
- Retail frontage is too close to Main Street it will encourage parking outside
- People exiting the shop will force others into the roadway
- The site is surrounded by a complex road layout
- It would impact on disabled persons' access to the surgery
- Parking is already an issue
- Is public parking allowed? If so how will it be controlled?
- Delivery vehicles would be expected to negotiate the car park

Relating to Drainage/Flooding

- Will increase flooding risk
- Further drainage information is required

Relating to Amenity

- Three storey building will block natural light to the library
- Multi-storey flats will overlook our garden
- Vehicle movements will cause disturbance

- Noise from the commercial units
- Overlooking/loss of privacy
- Loss of light and overbearing
- Loss of light to the medical practice
- Over-looking from shops and flats
- Noise and disturbance from the commercial and residential units
- Vehicle movements running in close proximity to the boundary of the site and associated noise and disturbance

Relating to Visual Amenity

- Would not be in-keeping with the surroundings
- Adverse impact on the streetscene
- Multi-storey development is out of character with the area
- Will completely urbanise a beautiful part of the village
- The shopping centre is an eyesore this will add to it
- Woodborough and Oxtun are more attractive as they have retained their original buildings
- Development is too tall
- Loss of garden land would result in harm to the character and appearance of the area
- Even when overgrown the garden is an appealing landscape buffer
- Insufficient information to visualise the development
- St Wilfrid's Square is an eye sore. This adds to it.
- Should be more in keeping with the two storey brick and pantile and white painted buildings in the area
- Too intensive development for the site
- Policy LPD50 requires high standard of design
- The site is not conducive to the development proposed

Relating to Impact on Trees

- Trees should not be felled
- Loss of trees
- Tree Survey is out of date

Relating to Ecology

- Impact on wildlife
- Bats in the trees
- 2019 bat survey indicated the presence of a roost in the building – further survey work is required
- Further bat survey work is required
- Bat survey should be undertaken before the decision is issued

Relating to Other Issues

- The property has been the subject of previous applications without the consideration of refurbishment – there may be interested parties willing to undertake a sympathetic refurbishment
- More shops in close proximity to the square is not needed at this time
- Remaining properties should be protected at all costs
- Building is capable of repair
- More shops are not needed-there are vacancies in St Wilfrid's Square
- What will happen to the bus stop?
- Demolition is for economic reasons only
- There is insufficient infrastructure to support this development
- The cottages would make fantastic homes and should be renovated
- There is already planning permission for shops – we don't need any more
- Loss of garden land
- What evidence of the need for housing?
- What evidence is there of anti-social behaviour?
- Garden has been deliberately neglected
- Planning policy does not permit the development of gardens that harm an area's character and appearance LPD 34
- Doesn't comply with LPD 50 – Development within Town and Local Centres
- The demand for retail units is not evidence based
- The retail units would threaten the viability of the nearby shopping centre
- Where are the homes for the elderly or single people?
- Precinct is made up of charity shops and take-aways. We don't need anymore
- Empty units will result in anti-social behaviour and look run-down
- If planning permission is granted it should prevent them being changed to fast food outlets
- There has been interest in purchasing the property as a home
- Demolition is not the only viable option
- There are other alternatives to demolition – e.g. veterinary surgery with live in staff
- Calverton Neighbourhood Plan requires developer contributions to mitigate impact on the surrounding highway network CNP ISF3
- The village is being destroyed by the large number of residential properties being constructed
- No evidence of how the development would be energy efficient
- Should be redeveloped as a park
- Council should force the owners to renovate the property

4.14 Following the submission of a supporting tree survey and protected species survey a re-consultation exercise was undertaken and a further 11 comments have been received. A summary of their content is listed below:

Relating to Heritage

- Building is in reasonable state of repair
- Impact on conservation area

Relating to Highways/Traffic Issues

- Highway safety
- Parking
- Recent motorcycle accident on Main Street as a result of parked cars
- Would make the road network more complex – there has been a fatality
- Should be reducing traffic not increasing

Relating to Drainage/Flooding

- Loss of the garden will result in increased issues of flooding

Relating to Amenity

- Noise and disturbance
- Noise from vehicle movements
- Overlooking loss of privacy
- Overshadowing

Relating to Visual Amenity

- Loss of a visual asset
- Out of character with the area
- Not in keeping with the surroundings
- Loss of green space

Relating to Impact on Trees

- Agree that not all trees and shrubs on the site are healthy/brilliant specimens and need attention but not all need to be removed
- Trees which form our border will be destroyed as part of the development
- Loss of trees will reduce our security
- Loss of trees would impact local biodiversity and the setting of heritage assets
- Loss of large garden, orchard and small holding
- Survey is out of date

Relating to Ecology

- There is a high level of bat activity in the area

Relating to Other Matters

- All previous comments remain
- Loss of 1/3 acre of green garden area
- Less invasive options should be considered such as splitting the cottage into a semidetached property
- Loss of bust stop

- Supporting information is biased
- Already have too many retail units

- 4.15 RT Hon Mark Spencer MP – there is not enough parking for both residents and visitors to the shops. Cars increasingly park on both sides of Main Street which is causing problems.

The parking will just be taken up by residents thereby limiting the amount of people that can and will use them to visit the shops.

Infrastructure is needed to be put in place before this application/build is to go ahead Where is the bus shelter to be relocated? Will the bus be able to pull over safely making it safe for vehicles passing by? The bus stop cannot move towards the zebra crossing and towards the church would bring it in conflict with funeral/wedding vehicles which will need to park in that area when there is an occasion happening.

I am very concerned about this development and hope the Planning Department will look at this application with great care.

- 4.16 Calverton Parish Council - The demolition of 34 Main Street, Calverton should not go ahead. This is a property within the Conservation Area of historic interest being part of a long gone village community of stocking frame knitters within a rural farming village

This property is key to the aesthetics of the village due to its prominent location and should be retained and returned to a residence or converted into three smaller starter properties with parking and gardens.

There is evidence bats roost in both the house and outbuildings and would therefore request that this report is carried out before a planning decision is decided.

This is the gateway to the Conservation Area on Main Street and needs to be retained as a cottage to demonstrate our long lost past heritage.

34 Main Street needs to be retained and it is extremely disappointing to see how it has been left to “rot” enabling the stronger argument for demolition.

The proposed development is still too tall, overbearing and far too modern in its design. Historically the Church should be the highest building in the village seen from most parts of the village.

The new development will dominate this area and cast a shadow over the Conservation Area; it should be in keeping with properties in the immediate vicinity, which are mainly painted white, brick and pantile and 2 storeys high, this development does not blend in.

Anti-social behaviour will increase dramatically when the new complex is built. This is an ideal meeting place for local youngsters as it is hidden from Main

Street. Currently youths/children congregate in the Square and on the bench near the library but they are visible and if the Authorities need to intervene this is done so effectively. Once they are out of sight it will be down to the residents to report any issues, assuming they are on site when this happens.

Will deliveries for the retail units be carried out whilst parked on Main Street as there doesn't appear to be any access to a rear delivery bay? If so, has this been agreed by NCC Highways, especially due to the new pedestrian crossing on Main Street which will make visibility difficult. If there is no loading bay, have double yellow lines been agreed with NCC Highways?

Where will employees park for the retail units, the current St Wilfrid's Square car park has a 2 hour limit and there doesn't appear to be any on-site parking for the retail units. Creame Hairdressers have no parking so their customers and staff park on Main Street outside the Church, this makes it very difficult for funerals/wedding etc parking.

With the garden being replaced by hard surfaces, what impact will surface water have on Main Street and St Wilfrid's Square? Has a flood risk assessment/report been completed? This is not attached in the planning documentation and should be.

The retail unit's frontage is too close to Main Street itself and will encourage people to stop outside the shops whilst they "pop in". There appears to be no shop frontage so anyone coming out of a shop could bump into other people causing them to step into the road to make way.

There is already parking congestion on Main Street opposite the square as people find it easier to park on Main Street/Renals Way and walk across. Have the developers also taken into account the new zebra crossing, which is next to this location?

Currently St Wilfrids Square has 2 large charity shops, which have been available to rent for several years, what evidence is there that additional retail units are needed?

Following the submission of a supporting tree survey and protected species survey a re-consultation exercise was undertaken and a further comments from the Parish Council have been received. A summary of their content is listed below:

Confirming that their previous comments still remain and can be summarised as:

- demolition not justified,
- loss of residential garden,
- harm to heritage assets,
- further bat survey work is required before the application is determined,
- flooding,
- highway safety and parking,
- retail demand and viability. Proposal is not justified.

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 **Relevant Planning Policy**

6.1 **National Planning Policy Framework (2021) (NPPF)**

- Part 7 – Ensuring the vitality of town centres
- Part 11 – Making effective use of land
- Part 12 – Achieving well-designed places
- Part 16 – Conserving and Enhancing the Historic Environment

Aligned Core Strategy 2014 (ACS)

- Policy 2 – The Spatial Strategy
- Policy 6 – Role of Town and Local Centres
- Policy 10 – Design and Enhancing Local Identity
- Policy 11 – The Historic Environment

Local Planning Document 2018 (LPD)

- LPD 4 – Surface Water Management
- LPD 11 – Air Quality
- LPD 26 – Heritage Assets
- LPD 27 – Listed Buildings
- LPD 28 – Conservation Areas
- LPD 32 – Amenity
- LPD 33 – Residential Density
- LPD 34 – Residential Gardens
- LPD 35 – Safe, Accessible and Inclusive Development
- LPD 49 – Retail Hierarchy and Town Centre Boundaries
- LPD 50 – Development within Town and Local Centres
- LPD 51 – Upper Floors
- LPD 57 – Parking Standards
- LPD 61 – Highway Safety

Calverton Neighbourhood Plan (2017)

The Calverton Neighbourhood plan was approved by referendum on 30th November 2017 and its policies form part of the development plan.

- Policy G2 (Developer Contributions) – supports the provision of developer contributions to support education, primary GP healthcare, and village centre environmental improvements
- Policy G3 (Village Centre) – proposals for new retail units should contribute to the village centres public realm where viable. Proposals that deliver new car parking within the village centre will be supported.
- Policy G4 (Economic Growth) – Supports proposals for economic development and the regeneration and intensification of previously developed land.
- Policy G5 (Housing Mix) - Developments should include a mix of dwelling sizes including 1 or 2 bedroom starter homes, larger 3 or 4 bedroom family housing, executive housing and affordable housing.
- Policy ISF1 (Sustainable Transport) – Proposals must demonstrate how opportunities for sustainable transport modes are maximised including maximising the potential for walking and cycling to the village centre.
- Policy ISF2 (Car Parking) – Supports the provision of parking in the village centre that has appropriate regard to the Conservation Area and other heritage assets by virtue of its scale, layout and design. Any new development in the village centre will only be supported where it has sufficient parking provision or where parking can be accommodated in existing car parks.
- Policy ISF3 (Highway Impact) – Developer contributions will be sought to mitigate negative impacts on the highway network. Developments that include alterations to the existing highway should provide sustainable measures to accommodate traffic, improve the safety and attractiveness of the street scene, and integrate appropriate traffic calming measures.
- ISF4 (Infrastructure Provision) – New residential development will only be supported where it provides appropriate community facilities and improvements to schools, GPs, dentists, commensurate with the impacts of the proposal. Residential development will only be supported where it provides necessary improvements to the water and sewerage network.
- BE1 (Design and Landscaping) – criteria d, e and f are relevant.
- BE2 (Local Distinctiveness and Aesthetics) – Development should reinforce local distinctiveness. Policy includes several design considerations.
- BE3 (Public Realm) – Proposals should demonstrate that they contribute to high quality streets, pavements and public realm.
- BE4 (Parking Provision) – Proposals should provide for the expected needs of residents and visitors
- BE5 (Heritage Assets) – sets out a detailed approach to determining heritage aspects of planning applications, including a requirement for applications to be accompanied by heritage assessment addressing the policy.
- NE3 (Flooding) – sets out that proposals will not be permitted where any additional surface water flood risk will result in the village centre.

Parking Provision for Residential and Non-Residential Developments SPD – (2022)

Air Quality and Emissions Mitigation (2019)

Low carbon planning guidance for Gedling Borough (May 2021)

7.0 Planning Considerations

Principle of the Development

- 7.1 The NPPF sets out that planning policy should be positive and promote town centres. At para 86 the NPPF states that:

Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;

- 7.2 The site is defined as a local centre by ACS Policy 6 and LPD 49. This in turn triggers Policy LPD 50 which sets out which forms of development are appropriate within such Local Centres. It states that planning permission will be granted for development subject to a number of criteria that include:

- Not result in an over-saturation or an unacceptable grouping of non-A1 uses,
- the proposal is of a high standard of design and does not adversely affect the Local Centre by reason of its scale, bulk form, layout or materials,
- it would not result in the loss of buildings or other features including open space, which make an important contribution to the appearance of the Local Centre,
- it would not cause a significant adverse impact on the amenity of nearby residents and occupiers and appropriate provision of parking is made.

- 7.3 Policy LPD 51 – Upper Floors states that planning permission will be granted for the change of use of upper floors in Local Centres for any purpose provided:

- it would not cause unacceptable conflict with the need for rear servicing,
- it would not cause a significant adverse impact on the amenity of nearby residents or occupiers, and
- appropriate parking provision is made.

- 7.4 Calverton Neighbourhood Plan Policy G3 mirrors the above policies stating that proposals in the “Village Centre” that create new or enlarged retail units or involve other new development will be expected to contribute to the improvement of the Village Centre’s public realm where viable. Proposals which are able to deliver new car parking within or adjacent to the Village

Centre will be looked on favourably, providing that are compliant with all other policies within the development plan.

- 7.5 Taking the above into account it is considered that the proposal is acceptable in principle in this location subject to compliance with the various criteria of the above policies. Compliance with these criteria will be discussed elsewhere in this report.

Impact on Heritage Assets

- 7.6 The site lies partly within the Calverton Conservation Area and within the setting of the Grade II* listed Church of St Wilfrid. The conservation area largely consists of vernacular buildings which are typically two-storey, red brick construction with clay pantile roofs. No.34 Main Street is such a building and it is described by Historic England as:

“..a good example of a small scale, historic vernacular building.”

- 7.7 The application site has an open and verdant appearance which complements the open nature of the church and church yard. There are views of 34 Main Street and its associated garden area from within the church yard. There are also views of the application site from Main Street which include the site and the Church. The Church is also visible from the shopping area across the site.
- 7.8 The proposed development would result in the demolition of 34 Main Street that occupies the site. The building is of traditional form and along with its garden area is considered to make a positive contribution to the special architectural and historic interest of the Calverton conservation area.
- 7.9 The submitted structural report highlights a number of defects in the buildings structure, and notes much internal alterations are modern 20th Century. The building dates from the late 19th Century. The report does not conclude that the buildings are beyond repair.
- 7.10 This does not however mean that the loss of such a building would result in unacceptable harm to heritage assets. As such there are a number of strands to the assessment of the impact and the loss of the building must be balanced against the proposal as a whole.
- 7.11 I concur with the comments of both our in-house conservation officer and Historic England that there would be less than substantial harm to heritage assets as a result of the loss of the existing building and the proposal. For clarity the heritage assets that I consider to be affected are the setting of the Church and the conservation area.
- 7.12 The proposal would result in the construction of a three storey element to the rear of the site it is considered that this would be viewed in the context of St Wilfrid's Square which has buildings of a similar height and mass. St Wilfrid's Square is inward looking and is a somewhat unattractive when viewed from Main Street.
- 7.13 Historic England states:

“In contrast, the area to the north and west which falls outside the conservation area is dominated by a relatively modern shopping centre, incorporating a library, and a housing estate beyond. The shopping centre is designed as inward looking and its rear elevations are particularly prominent in the streetscene. Most of the shopping centre is three-storey. The shopping centre forms an unfortunate neighbour which degrades the setting of the conservation area.”

- 7.14 As such it is considered that the proposal would not be read as an incongruous development as it has to be viewed against the context of the existing local centre. It is however accepted that the additional built form would result in less than substantial harm to the setting of the grade II* listed church and conservation area.
- 7.15 As the proposal affects the setting of listed buildings and the conservation area the statutory requirement to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the 1990 Act) and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72, of the 1990 Act) must be taken into account by your authority when determining this application.
- 7.16 Sections 66 & 72 of the 1990 Act require decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possesses as well as the desirability of preserving or enhancing the character or appearance of conservation areas. Any adverse effect on a heritage asset, even if slight or minor, would not preserve the asset or its setting.

The abovementioned legislation requires that considerable importance and weight must be attached by the decision maker to the desirability of preserving the setting of heritage assets when balancing harm against public benefits.

Paragraph 197 of the NPPF, in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.17 Paragraph 202 of the NPPF states:

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. As the site is allocated as a Local Centre

alternative uses are somewhat curtailed by LPD 50. It is also considered that redevelopment of the site whilst retaining the existing building would be difficult due to its location and footprint within the site.

- 7.18 The setting of a heritage asset is regarded as “the surroundings in which a heritage asset is experienced” Setting is more than just a visual connection it can include associative or historical links.
- 7.19 The significance of the setting of the church derives from its open and verdant setting to the north and west which includes the church yard. The trees and historic buildings to the west and their associated grounds provide the setting to the church. There are views to and from the site and the church yard and views from the local centre through the site to the church. The church being the most significant listed building in the conservation area.
- 7.20 The significance of the conservation area at this point derives from and relates to the setting of the church in that it has an open and verdant appearance.
- 7.21 The significance of the 34 Main Street derives from its traditional form and associated garden which adds to the character and appearance of the conservation area. The structural report identifies that the two cottages (which now form 34 Main Street) are not Framework knitters cottages due to the age and materials used to the interior and window apertures and the age of the property is thought be constructed around late 19th Century as it appears on the 1880 Ordnance Survey Plan.
- 7.22 It is accepted that the three storey building would introduce additional built form which would be visible. Views from the shopping centre across the site are less significant than of the main church front on Main Road. Nonetheless it is accepted that this harm would be worsened by the development as additional built form would be introduced adjacent to the existing built form at St Wilfrid’s Square adjacent.
- 7.23 The two-storey building fronting Main Street would result in more enclosure along Main Street than currently exists. The proposed units would however be of a similar height to that of neighbouring buildings. It is accepted that the street scene is dominated by properties gable on to Main Street. There are however examples of properties fronting Main Street including properties opposite. As such it is considered that this would result in less than substantial harm to the key views along Main Street identified in the Calverton Conservation Area Character Appraisal.
- 7.24 It is accepted that the proposal would result in loss of the currently undeveloped garden area. This by default would result in the loss of the open and landscaped feel of this part of Main Street. However, the site, whilst containing a number of trees, is not well maintained and is overgrown.
- 7.25 The car parking area whilst visible from Main Street would, to some extent, be screened by the proposed two storey building Block A.

- 7.26 As such it is not disputed that the proposal would result in less than substantial harm to heritage assets. However, as per NPPF para 202 this harm should be weighed against the public benefits of the proposal.
- 7.27 The scheme would deliver an appropriate extension to the local centre and the associated economic benefits this would bring including increased retail offer and associated job creation. The development would also result in the construction of 8no. new homes. It is considered that this outweighs the less than substantial harm identified. As such the proposal is considered to accord with objectives of the NPPF, ACS Policy 11, LPD 26, LPD27, LPD28 and Calverton Neighbourhood Plan BE5.

Highway Safety and Parking

- 7.28 The proposal would be accessed by a 5.25m wide road which would then open out into a parking and servicing area between the two blocks. A total of 13 car parking spaces would be provided. Guidance in relation to parking provision is contained with the document Parking Provision for Residential and Non-Residential Developments SPD – (2022) and the Nottinghamshire County Council Commercial Parking (Part 4.2).
- 7.29 The commercial parking requirement for the scheme is a minimum of 4 spaces per unit. This is met with the provision of 13 spaces. However there would be no provision for the residential element of the scheme. Para 4.13 of the adopted Car Parking SPD states:
- “The expectation is that parking standards will be met, however if the development is served by one or more regular public transport, this may be a material consideration justifying a reduced parking provision requirement, especially if a site is located within; or close to a central area”.
- 7.30 There is a bus stop currently located directly outside the site, (accepting that it would more than likely require relocating should planning permission be granted). The site is also located immediately adjacent to St Wilfred’s Square and would be regarded as an extension to the village centre. As such it must be regarded as being in a central area which permits a relaxation of the parking standards.
- 7.31 Whilst noting the concern raised by local residents, Parish Council and local MP in relation to parking, I also note that the Highway Authority has assessed the scheme and raised no objection. As such it is considered that a refusal of planning permission on the basis of inadequate parking provision would not be reasonable.
- 7.32 Whilst noting the comments from the public in relation to a road traffic accident and a fatality it is not considered that this proposal would pose any significant risk to road safety beyond that which already exists. This is confirmed by the comments of the Highway Authority and no objection being raised on this basis. As such the proposal is considered to accord with LPD Policy 57 and 61, Calverton Neighbourhood Plan Policies ISF 1, ISF2, ISF3

and BE4 and Parking Provision for Residential and Non-Residential Developments SPD.

Impact on Amenity of Neighbouring Occupiers

- 7.33 The proposal would result in the demolition of the existing dwelling and the construction of two mixed use blocks of retailing at ground floor and residential flats above.
- 7.34 Block A would front Main Street and be separated from 30, Main Street by the proposed 5.25m access. Block B would be located to the north along the rear boundary of the site approximately 23 metres from the rear elevation of the neighbouring property. It is accepted that the Block B would result in built form adjacent to the rear most part of the neighbouring garden. This is part of the garden cannot however be afforded the same protection as for example the intimate rear patio area directly behind a property. As such it is considered that this relationship is acceptable and would not result in an unacceptable overshadowing or overbearing relationship.
- 7.35 In relation to overlooking and loss of privacy, windows would be located predominantly in the front and rear elevations either inward facing within the site or outward facing to Main Street to the south and St Wilfrid's Square to the north. This would minimise the potential for overlooking and loss of privacy in relation to 30. Main Street.
- 7.36 Whilst there are a number of side facing windows located in the eastern elevation of Block B these either serve bathrooms or are secondary to kitchen/lounge accommodation. As such they could be obscurely glazed. This would be achieved by an appropriately worded condition. It is considered that the 23 metre separation distance between the windows to the southern facing elevation of Block B and 30 Main Street is acceptable to ensure no significant overlooking and loss of privacy.
- 7.37 In relation to the commercial uses to the north and west of the site, notwithstanding the three storey nature of Block B to the rear of the site there is again adequate separation to ensure no significant overshadowing or overbearing would occur.
- 7.38 The relationship between Block A which would occupy the frontage of the site adjacent to Main Street and properties to the south is not untypical of other relationships elsewhere in the village. Main Street would offer adequate separation to ensure no overlooking, loss of privacy, overshadowing or overbearing relationship would occur.
- 7.39 The eastward side facing shop window at ground floor would face the front garden, parking area of 30 Main Street as such there would be no significant impact in relation to overlooking/loss of privacy.
- 7.40 The proposal would also result in the construction of an access driveway adjacent to the common boundary with 30 Main Street. There would be a landscaped margin immediately adjacent to the common boundary which would ensure that the access would be set off the boundary. Whilst it is

accepted that this would result in comings and goings and vehicle movements to and from the site adjacent to the boundary of the site. It is considered that this would be unlikely to result in significant harm to the amenity of neighbouring occupiers to justify a refusal of planning permission on this basis.

- 7.41 Taking into account the above matters it is considered that the proposal would not result in an unacceptable impact on the amenity of neighbouring occupiers. As such the proposal is considered to accord with ACS Policy 10, LPD 32, LPD 50 and LPD 51.

Design and Visual Amenity

- 7.42 Mixed use developments provide the opportunity to provide an active and vibrant place and in this instance would provide a logical extension to the local centre. The two discrete blocks would address the two contrasting elements of the site.
- 7.43 The three storey block, Block B would relate well to the higher density and massing of the existing local centre to the north whilst Block A with a more traditional two storey design would reflect the looser urban grain of the historic part of the settlement that front Main Street and the wider conservation area.
- 7.44 Traditional materials including facing brickwork, clay pantiles and painted timber window frames would reflect existing materials on adjacent buildings.
- 7.45 It is accepted that the proposal would result in an increase in built form on the site beyond that which currently exists. The existing domestic buildings and associated garden would be replaced with a mixed use development. However it is considered that this is to some extent a given in that the site is allocated within the LPD as a local centre. It is considered that the proposal would be an acceptable form of development that would reflect the form, character and design of its surroundings whilst delivering an appropriate extension to the local centre. As such the proposal is considered to accord with the objectives of the NPPF, ACS Policy 10, LPD35, LPD 50 and Calverton Neighbourhood Plan Policies BE1, and BE2.

Protected Species

- 7.46 The application is accompanied by a protected species survey. Whilst it is accepted that the survey is dated, and that ecological data is by its very nature transient, it is considered that its conclusions are likely to remain relevant.
- 7.47 The assessment concludes that the site has poor connectivity to the wider environment and any designated or protected sites although the adjacent church yard to the east provides the opportunity for a linear foraging feature for bats.
- 7.48 As the existing buildings on site have not been occupied recently and elements of the buildings are in poor condition there is the potential for bat

access points. As such it is considered further bat survey work is required prior to any development comprised within the application.

- 7.49 In relation to other protected species the submitted report identified no evidence of badger activity, no ponds on or within 500m of the site and therefore the presence of great crested newts is unlikely, and no habitats and refugia suitable for reptiles was established. No bird nests were identified on site.
- 7.50 Nonetheless, noting the survey work was undertaken in 2019 further up to date assessments should be undertaken prior to the commencement of any development comprised within the application.

Trees

- 7.51 The site contains a number of trees and is currently overgrown. A tree survey has been submitted in support of the application. Whilst accepting that the survey is somewhat dated it does allow the impact of the scheme on the trees on the site to be assessed.
- 7.52 The Council's arboriculturalist has visited the site and has recommended that a further updated tree survey is undertaken.
- 7.53 It is noted that the trees within the site would be lost as a result of the development. With the exception of one beech tree of 'moderate quality' the remainder are characterised as trees of low quality.
There are also trees beyond the boundary of the site that may be affected by the proposal. Specifically that Block A would be within the canopy spread and therefore the root protection area of the adjacent trees T7 and T8 that are located within the library grounds. The trees are characterised as 'high quality'.
- 7.54 As such it is considered necessary to require the submission of an updated tree survey/tree protection plan and specific details of foundation construction for any development that falls within identified root protection areas.
- 7.55 There would be limited capacity within the site for replacement planting as the site would be predominantly hard surfaced. However there is scope for replacement landscaping along the common boundary with 30 Main Street. This planting/landscaping can be secured by an appropriately worded condition.

Other Matters

A number of other issues have been raised by members of the public and these are addressed below:

Loss of garden land

- 7.56 It is noted that Policy LPD 34 states that development of garden land will only be permitted if certain criteria are met. However as the site is allocated as a local centre in the LPD it is considered that this policy is not engaged.

Flooding

- 7.57 Whilst it is accepted that the proposal would result in an increase in hard surfacing on the site which may result in increased surface water run-off it is noted that there is no objection from the Local Lead Flood Authority or Severn Trent in relation to surface water and flooding. A suitably worded condition would ensure that surface water run-off is attenuated to an appropriate level to ensure no increase in flooding results from the development. As such the proposal is considered to accord with policy LPD 4 – Surface Water Management and Calverton Neighbourhood Plan NE3. The site is not identified as an area at risk of flooding. Taking the above into account and the nature of the proposal there is no requirement for a flood risk assessment to accompany the application.

Bus Shelter

- 7.58 There is a bus shelter located roughly centrally along the site frontage with Main Street. Should planning permission be granted it is likely that this would need to be re-positioned. This would be a matter between the applicant and the highway authority/service provider. A note to applicant would be attached to any grant of planning permission alerting the applicant to this matter.

Request for Developer Contributions

- 7.59 It is noted that reference has been made to Calverton Neighbourhood Plan Policy ISF3 – Highway Impact. This policy states:

Where new development negatively impacts on the highway network, contributions will be sought from the developer to mitigate this effect. Contributions will be used to minimise and mitigate these impacts associated with the development.

- 7.60 In this instance the Highway Authority has not raised any concerns in relation to the proposal. As such it is considered that there would be no negative impacts on the highway network that require mitigation. The development would however be CIL liable and the Parish Council could determine how the Parish portion is expended.

Other Parties interested in the site

- 7.61 It is noted that there may be other parties interested in converting the building and other alternatives uses for the existing building. However that it not the proposal before the Council. The application must be determined as submitted.

Demolition is for economic reasons only

- 7.62 The loss of the building and the impact this would have from both a heritage and visual amenity perspective is discussed elsewhere in the report.

Retail units would threaten the viability of the local centre

- 7.63 As the site is allocated in the LPD as a local centre and therefore would be an extension to St Wilfred's Square it is not considered that the proposal would threaten the existing centre in fact it is more likely to support the centre as it would provide the opportunity for a wider shopping offer.

Restriction should be placed on fast food outlets

- 7.64 The proposal is for a mixed used development of 3no. retail units at ground floor with 8no. residential units above. The use of the ground floor units as a hot food takeaway for the sale of hot food to be consumed off the premises would require planning permission.

Insufficient information has been submitted

- 7.65 The submitted details comply with the national information requirements as such it is considered sufficient to enable the proposal to be assessed.

Deliberate neglect

- 7.66 Paragraph 196 of the NPPF states that the deteriorated state of the heritage asset should not be taken into account in any decision if there is evidence of such deliberate neglect. The Council has no evidence that there has been deliberate neglect of either the building or the garden. The applicants acquired the site in 2017. The building had been vacant for a significant period prior to this and was in a poor state of repair. As such it is considered that this paragraph is not engaged and it would not set a precedent as every planning application is judged on its own merits.

The Council should force the owners to renovate the property

- 7.67 The Council must consider and determine the planning applications that are put before them. There are no specific powers or requirements to consider alternative schemes.

Impact on access to the Surgery

- 7.68 The site is in private ownership and not accessible to members of the public. As such the surgery does not currently rely on this site for access and the redevelopment of the site would not impact this situation.

Woodborough and Oxtun have retained their original buildings

- 7.69 The loss of the building is considered within the main body of the report.

Energy Efficiency

- 7.70 There are no specific planning requirements for the development to include any specific energy efficiency construction techniques. This is however controlled by the relevant Building Regulations. The Council's Low carbon planning guidance relates to major planning applications. This application is

not a major planning application. A condition requiring EV charging points is considered necessary in accordance with LPD 11.

Increased number of residential properties in the village

- 7.74 Calverton is a sustainable settlement and is identified in the LPD as a key settlement for growth. As such it is considered that further residential development would not place undue demands on existing infrastructure and services.

Deliveries

- 7.75 The proposal has been assessed by the Highway Authority. This includes how the site would operate. No objection has been raised by the Highway Authority.

Anti-social behaviour

- 7.75 The comments in relation to antisocial behaviour once the development is complete are noted. However it is considered that the scheme would be unlikely to result in any significant increase in antisocial behaviour particularly as there would be natural surveillance from the residential accommodation above the retail elements. Additionally, it should be noted that the removal of the existing property would remove the opportunity for anti-social behaviour and vandalism.

8.0 **Conclusion**

Planning Balance

- 8.1 Planning law requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site is defined in the local plan as a local centre by policy LPD 49 and LPD 50 permits appropriate development within such local centres.
- 8.2 It is recognised that schemes may have some adverse landscape/visual and heritage impacts that in many cases are considered to conflict with development plan policies or parts of the NPPF. It is therefore necessary to carry out a balancing exercise to determine whether there are material considerations that outweigh any identified conflicts with policy.
- 8.3 In applying the NPPF tests on harm to heritage assets, the statutory duty to ensure that considerable importance and weight is given to the avoidance of harm to the setting of identified heritage assets must be taken into account. It should also be noted that by virtue of the site being identified as an expansion to the local centre it is inevitable that additional built form would be introduced to the site in closer proximity to the conservation area and the setting of the listed church. In this case it is considered that the public benefits outweigh the less than substantial harm to the setting of the heritage assets.
- 8.4 In this case significant weight can be given to the environmental, social and economic benefits of the proposal including:

- highly sustainable location
- high quality design that respects the context
- deliverable local housing
- expansion of the local centre and associated job creation
- removal of opportunity for antisocial behaviour
- removal of a derelict site that is overgrown and has an adverse impact upon amenity of the area

These benefits outlined above are considered to outweigh the identified less than substantial harm to heritage assets.

- 8.5 Taking into account the above matters the development is considered to be a sustainable form of development which is appropriate for its context and location and in accordance with NPPF Part 7 – Ensuring the vitality of town centres, Part 11 – Making effective use of land, Part 12 – Achieving well-designed places, Part 16 – Conserving and Enhancing the Historic Environment, ACS Policy 2 – The Spatial Strategy, Policy 6 – Role of Town and Local Centres, Policy 10 – Design and Enhancing Local Identity, Policy 11 – The Historic Environment, LPD Policy LPD 4 – Surface Water Management, LPD 11 – Air Quality, LPD 26 – Heritage Assets, LPD 27 – Listed Buildings, LPD 28 – Conservation Areas, LPD 32 – Amenity, LPD 33 – Residential Density, LPD 34 – Residential Gardens, LPD 35 – Safe, Accessible and Inclusive Development, LPD 49 – Retail Hierarchy and Town Centre Boundaries, LPD 50 – Development within Town and Local Centres, LPD 51 – Upper Floors, LPD 57 – Parking Standards, LPD 61 – Highway Safety, Calverton Neighbourhood Plan Policies G3, G4, G5, ISF1, ISF2, ISF3, BE1, BE2, BE4, BE5, NE3 and Parking Provision for Residential and Non-Residential Developments SPD 2022. Whilst noting the comments received, there are no material considerations that indicate a decision should be taken otherwise.

- 9.0 **Recommendation:** Grant Planning Permission subject to 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:

OS Site Location Plan Dwg No. OS
 Existing Site Plan Dwg No. X01
 Existing Building Plans and Elevations Dwg No. X02
 Proposed Site Plan – Visibility Splay – Dwg No. P01 Rev A
 Proposed Floor Plans – Dwg No. P02
 Proposed Elevations – Dwg No. P04 Rev B

The development shall thereafter be undertaken in accordance with these

plans/details.

3. Prior to above ground works commencing details of materials to be used in the external appearance of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.
4. Notwithstanding details previously submitted and prior to above ground works commencing, a scheme of landscaping and boundary treatments, showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
5. Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall, thereafter, be undertaken in accordance with the approved CEMP.
6. Prior to above ground works commencing details of boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The details as submitted shall be in situ prior to any unit/dwelling being occupied.
7. No part of the development hereby permitted shall be brought into use until the access has been widened in accordance with drawing number 812.1165.3, and the dropped vehicular footway crossing has been widened to suit the above and is available for use and constructed in accordance with the Highway Authority specification.
8. No part of the development hereby permitted shall be brought into use until the access driveway has been hard surfaced in a bound material and 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 LPA. The provision to prevent the unregulated discharge of surface water to the public highway and hard surfacing 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 parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 812.1165.3. 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.

10. No part of the development hereby permitted shall be brought into use until details of a bin storage area have been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.
11. No development shall be commenced until details of the means of surface and foul drainage have been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.
12. 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 **two** (2) Electric Vehicle Recharging Points; (one point for Block A and one point for Block B) 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.
13. No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on and adjacent to the land, identify those to be retained, identify root protection zones and set out measures for their protection throughout the course of development. The development shall be undertaken in accordance with the approved details.
14. Details of the foundation construction for any parts of the development that would fall within the identified root protection zones of any retained/adjacent trees shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.
15. Block B hereby permitted shall not be occupied until the windows in the eastern side elevation have been fitted with obscured glazing to Pilkington level 4 or equivalent, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened.
16. Notwithstanding the submitted details prior to the commencement of any development on site a further protective species survey of the site shall be undertaken. Should any protective species be found to be present then precise details of mitigation measures 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.

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 and to define the permission.
3. To ensure that the character of the area is respected and to comply with policy ASC10.
4. To ensure that the character of the area is respected and to comply with policy ASC10.
5. 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.
6. To ensure that the character of the area is respected.
7. In the interests of highway safety.
8. To ensure surface water from the site is not deposited on the public highway causing dangers to road users, and to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
9. 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.
10. To ensure a satisfactory means of refuse collection.
11. To ensure that the site is adequately drained and to comply with LDP4.
12. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
13. In the interests of visual amenity.
14. To ensure a satisfactory form of development and to protect retained/adjacent trees.
15. To protect the amenity of neighbouring occupiers.
16. To safeguard protected species.

Notes to Applicant

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 discussions took place with the applicant to make amendments to the application to ensure a positive outcome could be achieved.

The applicant is advised that it is likely that the existing bus stop on Main Street would require re-location. You are advised to contact the Highway Authority to discuss this matter prior to the implementation of this permission.

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

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

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).

When considering carrying out any work to trees or otherwise it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

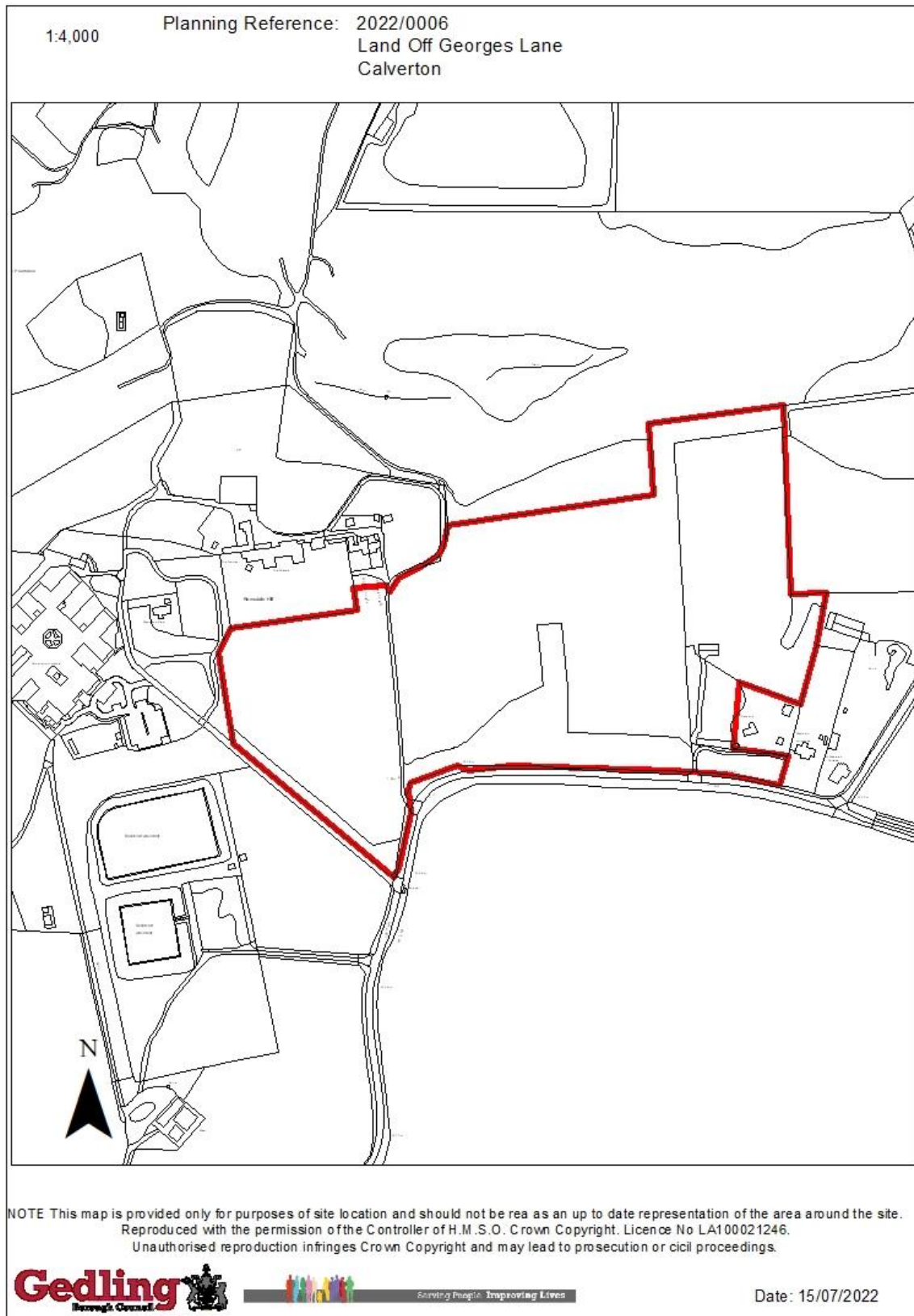
The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website.

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

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Planning Report for 2022/0006



Report to Planning Committee

Application Number: 2022/0006

Location: Land Off Georges Lane Calverton

Proposal: Change of use of agricultural land to a mixed traditional, natural and woodland burial ground, erection of facilities building and associated car park, landscaping and new access arrangements onto Georges Lane.

Applicant: A W Lymn

Agent: Alasdair Thorne

Case Officer: Peter Langton

The application is referred to Planning Committee by the Planning Delegation Panel due to the complexity of the policy considerations.

1.0 Site Description

- 1.1 The application site is located to the north of George's Lane, between the settlements of Arnold and Calverton. It consists of agricultural land and woodland which has a substantial change in ground levels, with the land generally rising from George's Lane up towards the north.
- 1.2 The site is accessed from George's Lane via an unadopted hard bound road which leads towards residential dwellings located to the east of the site. To the west is Calverton Hill Hospital and part of the site to the north also shares a boundary with Ramsdale Park Golf Centre.
- 1.3 The site is located within the Green Belt and Ramsdale Hill to the north is designated as a Scheduled Ancient Monument. A public bridleway runs through the site and a public footpath also passes across the site to the north-east corner.
- 1.4 The site area is circa 10.95 hectares.

2.0 Relevant Planning History

- 2.1 2013/1010 - Change of use of agricultural field to create natural burial ground with associated car park – Withdrawn.
- 2.2 2018/0228 – planning permission granted for change of use of agricultural land to a mixed traditional, natural and woodland burial ground, erection of facilities

building and associated car parking, landscaping and new access arrangements onto Georges Lane.

3.0 Proposed Development

3.1 The application seeks planning permission to establish a burial ground and comprises of the following elements:

- ☐ The change of use of the land to a burial ground consisting of areas for traditional burials, woodland burials and natural burials
- ☐ New access onto George's Lane
- ☐ The construction of a car parking area to accommodate 18 spaces
- ☐ The erection of a single storey facilities building with a footprint of approximately 61m².
- ☐ Internal access roads to the traditional and natural burial areas
- ☐ Tree and shrub planting
- ☐ A footpath link to the existing bus stop adjacent to the site

4.0 Consultations

4.1 Nottinghamshire County Council Highways – no objection subject to conditions relating to the new site access being provided, diversion of public footpath, and visibility splays being provided.

4.2 Nottinghamshire County Council Rights of Way – no objection.

4.3 Gedling Borough Council Scientific Officer – no objection subject to conditions for electric vehicle charging points and Construction and Emissions Management Plan.

4.4 Gedling Borough Council Conservation Officer – no objection. Notes that findings of archaeological investigations are deposited with Nottinghamshire County Council Historic Environment Records (HER) and Archaeology service.

4.5 Lead Local Flood Authority – no objection subject to condition requiring submission of surface water drainage scheme.

4.6 Nottinghamshire Wildlife Trust – no objection subject to conditions requiring Construction and Environment Management Plan and provision of bat boxes.

4.7 Environment Agency – no objection subject to condition in respect of distance of burials from water source.

4.8 Gedling Borough Council Tree Officer – no objection subject to condition for trees to be protected in accordance with the submitted tree survey.

4.9 Parks and Street Care – No objection raised. Notes that there is now a shortage of local burial space provision to service the needs of people living in the Arnold area of the Borough. Though technically Carlton Cemetery has 20 years plus of burial space, and Calverton Village also has adequate burial space. The question remains, whether residents are prepared to travel from Arnold to use the Carlton Cemetery facility or will they rather go to one locally. It is known that PASC Services has in the past expressed concerns about the need for additional cemetery land for local provision now that Redhill Cemetery is full to all but ashes internments and re-openers in multiple occupation pre purchased graves. Would wish for the site and facilities

building to be accessible by all. The woodland areas should be retained where possible to preserve the character and amenity of the landscape.

4.10 Calverton Parish Council – object on the following grounds:

- ☐ Concerns about access to and from the site.
- ☐ Concern regarding crossing the road to access re-located bus stop.
- ☐ Footpath exits onto the road in a dangerous area due to visibility.
- ☐ Concerns regarding necessity and height of screening towards the golf course.
- ☐ Suggested that an independent bat, owl and wild bird survey be completed.
- ☐ Historic applications were rejected.

4.10 On receipt of the planning application a press notice was published, a site notice displayed and neighbour notification letters posted.

Two representations objecting to the proposal were received and these are summarised as follows:

- ☐ Development should not cross the lane that travels north to Ramsdale Hill.
- ☐ Access is inappropriate close to the sharp bend and additional traffic that would be created.
- ☐ There will not be an adequate water supply.

One further comment was received questioning the junction details where the internal vehicular track crosses the residential access lane, and also noting the water pressure in the area is poor.

5.0 Assessment of Planning Considerations

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

5.2 The most relevant national planning policy guidance in the determination of this application is contained within the National Planning Policy Framework 2021 (NPPF) and the additional guidance provided in the National Planning Practice Guidance (NPPG).

6.0 Development Plan Policies

6.1 The following policies are relevant to the application:

6.2 National Planning Policy Framework 2021 – sets out the national objectives for delivering sustainable development. Sections 13 (Protecting Green Belt land), 15 (Conserving and enhancing the natural environment) and 16 (Conserving and enhancing the historic environment) are particularly relevant.

6.3 Greater Nottingham Aligned Core Strategy Part 1 Local Plan

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

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

Policy 3: Green Belt – sets out the policy with respect to the Green Belt.

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

Policy 11: The Historic Environment – sets out the criteria for safeguarding heritage interests.

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

6.4 Local Planning Document (Part 2 Local Plan)

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

LPD 6: Aquifer Protection – states that planning permission will be granted where proposals would not be liable to cause contamination of the ground water in aquifers.

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

LPD 26: Heritage Assets – sets out the criteria that development which may affect a designated heritage asset will need to meet.

LPD 30: Archaeology – sets out requirements for development proposals which could impact Schedules Monuments or their settings.

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 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.

‘Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document’ (2022)

6.5 Calverton Neighbourhood Plan

The eastern part of the site is located within the Calverton Parish area and therefore the Calverton Neighbourhood Plan is relevant:

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

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

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

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

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

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

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

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

7.0 Planning Considerations

Principle of the development

7.1 The site is located within the Green Belt. Paragraph 138 of the National Planning Policy Framework states that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.2 Paragraph 149 of the National Planning Policy Framework states that

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

7.3 Paragraph 150 of the National Planning Policy Framework states that

Certain other forms of development are also not inappropriate in the Green Belt providing they preserve its openness and do not conflict with the purposes of including land within it.

Included within the list set out in paragraph 150 is:

Material changes in the use of land (such as changes of use for outdoor space or recreation, or for cemeteries and burial grounds)

- 7.4 In order to establish whether the proposed development is not inappropriate, it must be considered whether it would preserve the openness of the Green Belt and whether it would conflict with the 5 purposes set out in paragraph 138.
- 7.5 There is no local planning policy that is directly relevant to the consideration as to whether this proposal is appropriate or inappropriate development within the Green Belt.

Impact upon the openness of the Green Belt

- 7.6 The quantum of built development proposed is restricted to the erection of a facilities building, a car parking area, access roads and a reconfigured access onto Georges Lane. A pedestrian pavement would also be provided along part of Georges Lane to a re-located bus stop. In addition, it is envisaged that burial plots would be marked out by gravestones, in the form of a traditional cemetery.

Facilities building, benches and water supply

- 7.7 The facilities building would be single storey and have a small footprint of approximately 61m² thus ensuring it would be of a limited size and scale. Wooden benches and water supply taps are to be located throughout the site, although these would be of a scale that would not be considered to result in an unacceptable loss of openness of the Green Belt. The original plans included timber shelters throughout the site, however, these have been removed from the scheme after concerns were raised by the Council about the impact of these structures on the openness of the Green Belt.
- 7.8 The proposed facilities building, benches and water supply taps are considered to represent appropriate facilities for a burial ground given they directly relate to the proposed use and are largely incidental. The development proposed is considered to be of a limited nature in terms of its overall size and scale. The facilities building is the largest of the proposed built development and will be located to the south east of the site in close proximity to the car parking area and on the part of the site that is closest to existing development in the form of the adjacent residential dwellings. As such it is considered that the proposed development would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

Access

- 7.9 The proposed access currently serves a small group of residential dwellings off Georges Lane. The existing access is via a single track lane with small brick walls to each side and a steel railing fence. The access bends sharply round to the east, with the proposed road to the parking area continuing north at this point.
- 7.10 The proposed works will widen the access from Georges Lane to enable two cars to pass. The new access will result in some increase in hard surfacing and road markings. However, given the existence of an established access at this point, which is partially hard surfaced and leads to a number of existing dwellings, it is considered that the works to widen the access will not be so significant as to result in an unacceptable loss of openness to the Green Belt.

- 7.11 The access road for the development is proposed to be tarmacked to the point at which the road bends to the east to the residential dwellings, as is currently the case. The proposed access for the burial ground continues straight and it was originally proposed for the parking area for the burial ground to be tarmacked. Whilst no reference was made on the original plans with respect to the material for the internal road network, it appeared that a tarmacked road was proposed. It was considered that the use of tarmac for hard surfacing throughout the development would result in an appearance that would not be in keeping with the rural surroundings and as such would not preserve the openness of the Green Belt. During discussions with the agent for the application it was agreed that resin bonded gravel of a lighter colour that is more typical of paths used in countryside locations would be more suitable for the parking area and the internal road network. Whilst final details of these materials are recommended to be conditioned, an amended plan has been submitted to better reflect the appearance of the internal road network.
- 7.12 Given the proposed access from Georges Lane utilises an existing, established access it is considered that the proposed amendments will preserve openness for the Green Belt. The amendments to the scheme to ensure that the internal roads and the parking area will use resin bonded gravel of a light colour that will be in keeping with the rural character of the site are considered sufficient to ensure that this aspect of the scheme will also not result in an unacceptable loss of openness for the Green Belt.
- 7.13 Taking into account the reasonably limited scale of built form proposed as part of this application, it is considered that the development would preserve the openness of the Green Belt in this location in both a visual and a spatial sense. In this respect therefore, the development can be considered to be appropriate development within the Green Belt.

Impact upon the purposes of the Green Belt

- 7.14 The proposal would not result in the unrestricted sprawl of large built-up areas or cause neighbouring towns to merge into one another. It is not considered that the proposal would have any impact on the objective to recycle derelict and other urban land; nor would the setting or special character of an historic town be impacted. It is therefore considered that the only assessment that needs to be made with respect to Paragraph 138 of the National Planning Policy Framework is whether the proposal would represent an encroachment into the countryside.
- 7.15 Whilst the proposal would result in the change of use of land which currently forms open land within the Green Belt, the amount of built form would be limited. It is accepted that the presence of gravestones would change the character of the land visually but they would not be significant in terms of their height or general scale. Furthermore, the 2021 National Planning Policy Framework advises at paragraph 150 that cemeteries and burial grounds are not inappropriate with the Green Belt and it is considered that there would be expectation that such uses would require the provision of gravestones. Therefore it is not considered that the proposal would compromise the objectives of the National Planning Policy Framework with respect to

encroachment into the Green Belt and the development is therefore appropriate within the Green Belt.

Need for the development and very special circumstances

- 7.16 As the proposed development is considered to be appropriate development within the Green Belt when assessed against the National Planning Policy Framework 2021, it is not necessary for the applicant to demonstrate that very special circumstances exist in order for the proposal to be supported.

Impact upon visual amenity and landscape character

- 7.17 The application has been accompanied by a Landscape Visual Impact Assessment which considers that the landscape effect as a result of the proposal are considered to be negligible for the broader character areas. It notes that landscape effects are anticipated to be highest for the character of the site itself and its immediate landscape context, although this is mostly associated with the construction period. Once established, the new boundary hedgerows and internal tree planting will connect with the existing mature landscape features and integrate the cemetery in with its surrounding rural context. The assessment concludes that the loss of the open fields to the proposed cemetery is anticipated to have a minor adverse effect overall.
- 7.18 Views to the site are screened from the immediate east and west by blocks of mature woodland. It is also proposed to plant native trees and shrubs to the northern boundary, which would provide further screening in addition to that which is naturally afforded by the fact that the land to the north is much higher than to the south. Whilst visual effects will be highest for sensitive receptors within or adjacent to the eastern section of the site it is considered that these effects will be reduced to moderate/minor adverse at year 15 with the establishment of proposed hedgerow and tree planting.
- 7.19 The car park and facilities block would be located to the south on an area of the site which is at a lower level and they would be sited immediately adjacent to an area of existing woodland. Whilst the proposed development would include access tracks within the site, these will be surfaced in a material that is appropriate and sympathetic to the surroundings and this matter will be controlled by way of a planning condition. The presence of gravestones would have a visual impact upon the landscape, however it is not considered that this impact would be significant or intrusive.
- 7.20 In conclusion, it is assessed that the site's landscape character has the ability to absorb change through the introduction of a development that is rural in character. The proposed development of the site into a mixed burial cemetery including traditional and natural burial areas, a wooden facilities building, parking areas, native hedgerow and tree planting with sustainable drainage feature will be appropriate within the rural context of the site. It is therefore not considered that the proposal would have a detrimental impact upon visual amenity and it would therefore accord with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policy 10, Local Planning Document Policy 19 and Calverton Neighbourhood Plan Policies BE1 and NE4.

Impact upon residential amenity

- 7.21 The proposed development would lead to an intensification of the use of the land as compared to the current situation. The position of the car park is adjacent to a residential dwelling, although given the limited size of the car park and the nature of the use this is not considered to result in an unacceptable loss of amenity for the residents of the neighbouring property.
- 7.22 The proposed facilities building will be set away from the east boundary of the site. Given the relatively limited size and scale of the facilities building development it is considered that it will not result in an unacceptable loss of amenity for the residents of the neighbouring property.
- 7.23 Despite the intensification of the use of the site, taking into account the nature of the use, and the landscaping that will largely screen the site from the neighbouring properties to the east, it is considered that it will not result in an unacceptable loss of amenity for the residents of the neighbouring properties.
- 7.24 There is considered to be sufficient separation to the neighbouring properties to the north and west to ensure that the proposal will not result in an unacceptable loss of amenity for these properties.
- 7.25 Overall it is considered that the proposal would not have a detrimental impact upon residential amenity and it would therefore accord with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policy 10 and Local Planning Document Policy LPD 32.

Highway matters

- 7.26 The proposed access point onto George's Lane is an existing access to the residential dwellings to the east of the site. The proposal will widen the access point to allow two vehicles to pass, with the footpath running alongside the access to be diverted to make space for the widening. The Highway Authority raises no objection subject to conditions relating to the diversion of the footpath, the new site access being provided, and visibility splays being provided. The relocation of the bus stop should also be conditioned for completion prior to the first use of the site.
- 7.27 The improved access point is wide enough to allow cars to pass one another as they enter the site and drive towards the proposed car parking area. It is noted that concern has been raised by the occupiers of neighbouring properties about access to and from the site, however it is considered that the proposed access arrangements would ensure that there is no harm to highway safety as a result of the development.
- 7.28 Annex D to the Local Planning Document and the 'Parking Provision for Residential and Non-Residential Developments Supplementary Planning Document' (2022) does not specify a parking requirement for burial grounds and therefore the Transport Statement submitted sets out a proposed requirement to serve the needs of the development. It is noted that the Highway Authority do not raise an objection to the proposal and therefore do not consider that any harm to the surrounding highway network would arise. On this basis,

there is no evidence to suggest that 18 spaces would not be adequate to provide for the parking needs of the development. Furthermore grasscrete overflow parking is proposed to provide an additional 12 parking bays if required.

- 7.29 It is therefore considered that the proposal meets with the objectives of the National Planning Policy Framework, Local Planning Document Policies 57 and 61 and Calverton Neighbourhood Plan Policy ISF2 and ISF3.

Heritage considerations

- 7.30 The Landscape Masterplan shows that no development would take place on the land to the north west of the site adjacent to the scheduled ancient monument, Ramsdale Hill. On the basis that no development takes place on this area the Council's Conservation Officer has raised no objection to the proposal. The Landscape Masterplan identifies the area of archaeological interest adjacent to the Scheduled Ancient Monument will not be developed on. A condition to ensure this land is not developed and that no burials take place on this land is considered reasonable. Historic England were consulted but have not commented on the proposal. In relation to the previous application (2018/0228), Historic England advised that they have no comments to make and the Council should refer to their own specialist conservation and heritage advisors.
- 7.31 The Conservation Officer has suggested that the findings of any archaeological investigations are deposited with Nottinghamshire County Council HER and Archaeology service, and this is recommended to be conditioned.
- 7.32 Overall it is considered that the proposal meets with the objectives of the National Planning Policy Framework, Aligned Core Strategy 11, Local Planning Document Policy 26 and Calverton Neighbourhood Plan Policy BE5.

Ecological considerations

- 7.33 A bat and reptile report and ecological appraisal has been submitted with the application and the Nottinghamshire Wildlife Trust (NWT) has been consulted. The NWT confirm that the surveys have been undertaken and produced following best practice.
- 7.34 The findings of the bat survey suggest that Barbastelle bats recorded during the 2021 survey season were likely to have been commuting rather than foraging and there are unlikely to be roosting bats on the site. Notwithstanding this, the habitats on the site are clearly important for foraging and commuting bats, as well as likely tree roosting bats, and therefore the installation of bat boxes within the woodland parcels will be beneficial to local bat populations. It is recommended that such a scheme is conditioned.
- 7.35 The NWT has assessed that great crested newts are likely to be absent from the site and as such no formal mitigation is required.
- 7.36 Other matters raised in the Ecology Appraisal relating to breeding birds, hedgehogs, nearby badger sets, and invasive species raise no objection from

NWT subject to the development being carried out in accordance with the recommendations within the Ecology Appraisal. It is also recommended that a Construction and Environment Management Plan is provided prior to works being carried out and this will be subject to a condition.

- 7.37 The Council's Tree Officer has assessed that the proposed works will have a low impact upon trees on site. It is noted that some trees require removing for the proposed car park in groups G4 and G2. Whilst no objections are raised to this in principle it is recommended that conditions are imposed for the trees to be removed to be identified, and for all retained trees to be protected in accordance with the submitted tree survey.
- 7.38 With regard to the possible Sherwood potential Special Protection Area, I note that the proposed development will be a combined green / traditional and woodland burial ground and no new residential houses or other significant facilities that will increase either population or impose significant additional recreational pressure in the application site. Therefore the potential for any impact on the local Nightjar and Woodlark populations is considered to be negligible and no further assessment with respect to the potential that Sherwood Forest could be designated as a proposed Special Protection Area (pSPA) or Special Protection Area (SPA) for Nightjar or Woodlark is considered to be necessary.
- 7.39 Paragraph 3.17.3 in the Council's Aligned Core Strategy (2014) states 'Whilst this is not a formal designation, it does mean that these areas are under consideration by the Joint Nature Conservation Committee, and may be declared a proposed Special Protection Area in due course. The Aligned Core Strategies and Infrastructure Delivery Plan therefore take a precautionary approach and treat the prospective Special Protection Area as a confirmed European Site. The infrastructure Delivery Plan sets out requirements for a range of mitigation measures as recommended in the Habitats Regulation Assessment Screening Record. A decision on the extent of any possible Special Protection Area is not known'.
- 7.40 Natural England's current position in respect of the Sherwood Forest Region is set out in an advice note to Local Planning Authorities (March 2014) regarding the consideration of the likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest Region. While no conclusion has been reached about the possible future classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interests, Natural England advise those affected Local Planning Authorities (LPAs) to be mindful of the Secretary of State's decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats were given significant weight. Having regard to evidence submitted to the inquiry in 2010, the site is not located within a core ornithological interest for breeding nightjar and woodlark area but is situated within an indicative 5km buffer zone.
- 7.41 In light of this decision the Advice Note recommends a precautionary approach should be adopted by LPAs which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as

possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This will help to ensure that any future need to comply with the provisions of The Conservation of Habitats and Species Regulations 2010 is met with a robust set of measures already in place. However unlike the Council's ACS, Natural England's Standing Advice Note does not recommend that the Sherwood Forest Region should be treated as a confirmed European site.

- 7.42 In terms of the legal background, a potential Special Protection Area (pSPA) does not qualify for protection under the above 2010 Regulations until it has been actually designated as a Special Protection Area. Furthermore, the site does not qualify for protection under paragraph 181 of the NPPF which refers to pSPAs as footnote 64 explicitly states that pSPAs are sites on which the Government has initiated public consultation on the scientific case for designation. This has not occurred and therefore the Sherwood Forest Region does not qualify for special protection and a risk based approach is not necessary to comply with the Habitat Regulations or the NPPF.
- 7.43 It is therefore considered that the proposal meets with the objectives of the National Planning Policy Framework, Local Planning Document Policy 26 and Calverton Neighbourhood Plan Policy NE5. Whilst it is noted that a departure is taken from the Aligned Core Strategy Policy 17 in that the prospective Special Protection Area is not being treated as confirmed European Site, the reason for this is set out above.

Other matters

- 7.44 The Environment Agency raise no objection subject to a condition to ensure that ground water is not contaminated. It is therefore recommended that a planning condition addressing this is imposed on the permission. A Flood Risk Assessment has been submitted and the Lead Local Flood Authority has raised no objection with respect to surface water considerations.
- 7.45 Reference has been made to the location of water supply pipes under the site and concern that these may be damaged or become difficult to maintain. This however is private matter between the parties involved and is not a material planning consideration, nor is how the development itself will obtain a water supply or any impacts relating to existing water supplies. However, the agent for the application has advised that the site does have access to a water supply. Furthermore, the Environment Agency has not objected and no comments have been received from Severn Trent Water.

8.0 Conclusion

- 8.1 The proposed development would represent appropriate development in the Green Belt and would not cause harm to openness or to the purposes of including land within the Green Belt. It is not considered that there would be any undue impact upon visual amenity or landscape character, residential amenity, highway safety, designated heritage assets, ecological considerations or ground water. The proposal therefore accords with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies A, 1, 3, 10, and 11, Local Planning Document Policies 6, 19, 26, 30, 32, 57 and 61 and

Calverton Neighbourhood Plan Policies ISF1, ISF2, ISF3, BE1, BE5, NE3, NE4 and NE5. Whilst it is noted that a departure is taken from the Aligned Core Strategy Policy 17 in that the prospective Special Protection Area is not being treated as a confirmed European Site, the reason for this is set out in the report.

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 The development hereby permitted shall be completed in accordance with the following drawings and documents:

Site Location Plan (9175-L-101 rev A)
Landscape Masterplan (9175-L-104 rev E)
Cemetery shelter plan (PL-01 rev A)
Access Arrangement Plan (TA01 rev F)
Ecological Appraisal (December 2021)
Tree Survey (P2349/1121/02)
- 3 No development or burials shall take place in the area identified as "Area of archaeological interest" identified on the drawing number 9175-L-104 rev E.
- 4 The proposed development hereby permitted shall not be brought into use until the site access arrangement as shown on drawing number TA01 revision F has been provided. The site access shall then be maintained in accordance with the approved details for the lifetime of the development.
- 5 The proposed development hereby permitted shall not be brought into use until Calverton Footpath 22 has been diverted in accordance with the details as shown on drawing number TA01 revision F.
- 6 The proposed development hereby permitted shall not be brought into use until the visibility splays of 2.4m x 103m and 2.4m x 56m as shown on drawing TA01 revision F have been provided.
- 7 The proposed development hereby permitted shall not be brought into use until the site access arrangement as shown on drawing TA01 revision F has been constructed with provision to prevent the discharge of surface water from the access to the public highway. The provision to prevent the discharge of surface water to the public highway shall then be retained for the lifetime of the development.
- 8 The proposed development hereby permitted shall not be brought into use until the bus stop has been stopped up and relocated in accordance with the details set out on drawing number TA01 Rev F.
- 9 The proposed development hereby permitted shall not be brought into use until details have been submitted to and approved in writing by the Local Planning

Authority as to the position and specification within the development of one (1) Electric Vehicle Recharging Point. The Electric Vehicle Recharging Point shall be in a prominent position on the site and shall be for the exclusive use of zero emission vehicles. The Electric Vehicle Recharging 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 staff and visitors.

- 10 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.
- 11 During the course of the development any findings of archaeological investigations shall be deposited with Nottinghamshire County Council HER and Archaeology service.
- 12 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 ADC2729-RP-A, December 2021, ADC Infrastructure., has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:
 - Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
 - 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.
 - Provision of surface water run-off attenuation storage in accordance with 'ScienceReport SCO30219 Rainfall Management for Developments' and the approved FRA
 - 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.
 - For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
 - Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.

- 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

13 All burials in the cemetery shall be:

- a minimum of 250 m from a potable groundwater supply source;
- a minimum of 30 m from a water course or spring;
- a minimum of 10 m distance from field drains;

no burial into standing water and the base of the grave must be above the local water table

14 No development shall be carried out until a Construction and Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the CEMP as approved.

15 Prior to the commencement of development a scheme for the provision of bat boxes throughout the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details as approved.

16 Prior to the erection of any external lighting 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, to be provided on the approved buildings or elsewhere within the site. Any security lighting to be installed, shall be designed, located and installed so as not to cause disturbance to ecological interests on and adjacent to the site. The external lighting shall be provided in accordance with the approved details and shall be retained as such for the lifetime of the development.

17 The internal access roads and parking areas within the site shall not be installed until precise details of their widths and the proposed materials to be used in their construction have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained as such in perpetuity.

18 Prior to the commencement of development details of the trees to be removed within the areas identified as G4 and G2 on the Tree Survey (Reference: P2349/1121/0) shall be submitted to and approved in writing by the Local Planning Authority. Trees to be retained within groups G4 and G2 shall be protected in accordance with details as outlined in paragraph 4.2 of the approved Tree Survey.

19 Prior to above ground works commencing, a scheme of landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season from the use commencing. 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 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interest or preserving the designated heritage asset in accordance with LPD 26 of the Gedling Part 2 Local Plan (2018) and Policy 11 of the Aligned Core Strategy (2014).
- 4 In the interest of highway safety.
- 5 In the interest of highway safety.
- 6 In the interest of highway safety.
- 7 In the interest of highway safety.
- 8 In the interest of highway safety.
- 9 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 10 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 11 To ensure records of important archaeological features identified during the course of building work are retained in accordance with LPD 30 of the Gedling Part 2 Local Plan (2018).
- 12 A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 13 To protect the quality of controlled waters in the local area.
- 14 In the interest of protecting the natural environment in accordance with the aims of LPD 17 of the Gedling Part 2 Local Plan (2018).

- 15 In the interest of protecting the natural environment in accordance with the aims of LPD 17 of the Gedling Part 2 Local Plan (2018).
- 16 To protect ecological interests on and adjacent to the site and in the interests of visual amenity and landscape character.
- 17 In the interests of visual amenity and landscape character.
- 18 In the interests of protecting the natural environment in accordance with LPD 17 of the Gedling Part 2 Local Plan (2018).
- 19 To ensure that the character of the area is respected and to comply with policy LPD19

Reasons for Decision

The proposed development would represent appropriate development in the Green Belt and would not cause harm to openness or to the purposes of including land within the Green Belt. It is not considered that there would be an undue impact upon visual amenity or landscape character, residential amenity, highway safety, designated heritage assets, ecological considerations or ground water. The proposal therefore accords with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies A, 1, 3, 10, and 11, Local Planning Document Policies 6, 19, 26, 32, 57 and 61 and Calverton Neighbourhood Plan Policies ISF1, ISF2, ISF3, BE1, BE5, NE3, NE4 and NE5. Whilst it is noted that a departure is taken from the Aligned Core Strategy Policy 17 in that the perspective Special Protection Area is not being treated as a confirmed European site, the reason for this is set out in detail in the officer report to Planning Committee.

Notes to Applicant

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 discussions took place with the applicant to make amendments to the application to ensure a positive outcome could be achieved.

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

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

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact hdc.south@nottsc.gov.uk for details.

The proposed development appears to require the diversion of a public right of way/highway. The grant of planning permission for this development does not authorise the obstruction or the diversion of this public right of way/highway and an unlawful obstruction to the right of way/highway is a criminal offence and may result in the obstructing development being required to be removed.

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).

There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed. Where the right of way runs across the site, there are currently open fields on either side with no adjacent boundary. This open aspect should be retained as far as is practicable as part of any development, with good practice design principles applied to either ensure that the route does not become enclosed and/or is incorporated it as part of a greenspace corridor. See NCC development guide. The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuring that it is cut back so as not to interfere with right of way. Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. licences@viaem.co.uk If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottsc.gov.uk If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit> and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if on a bridleway, motorised vehicles if on a

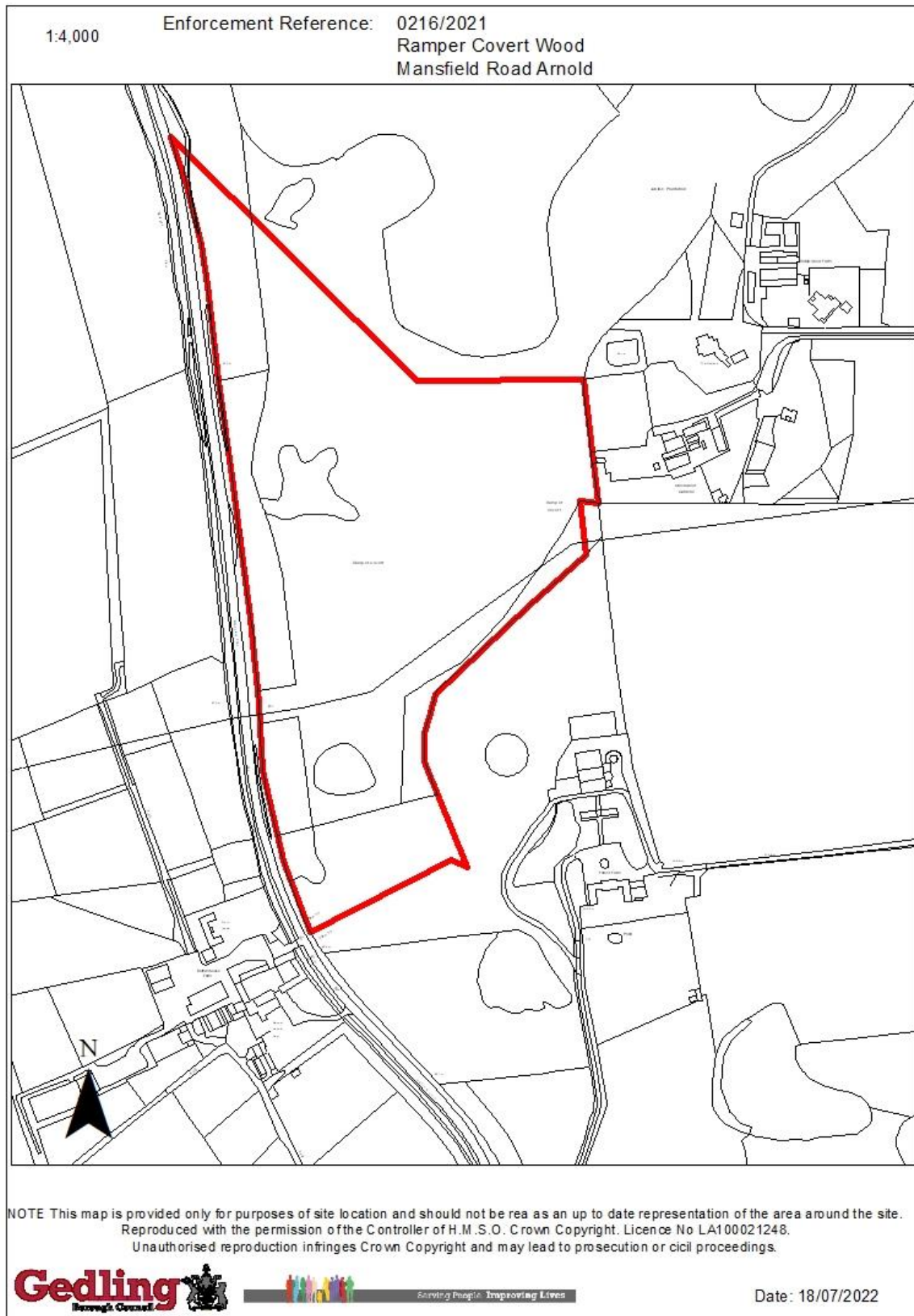
byway open to all traffic. There should be no disturbance to the surface of the footpath without prior authorisation from the Rights of Way team. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed. Where the right of way runs across the site, there are currently open fields on either side with no adjacent boundary. This open aspect should be retained as far as is practicable as part of any development, with good practice design principles applied to either ensure that the route does not become enclosed and/or is incorporated it as part of a greenspace corridor. See NCC development guide. If the design of any proposed development requires the legally recorded route of the RoW to be diverted because it cannot be accommodated on the legal line within the scheme, then this should be addressed under the relevant provisions within the Town and Country Planning Act 1990 for the diverting/stopping up of public rights of way affected by development. An application way under this act should be made to the Planning authority and is a separate application to the planning permission. For path which required a TCPA diversion Under Section 12 of the Growth and Infrastructure Act 2013, it is now possible for the planning authority to carry out preliminary consultations, draft and make the Order under the appropriate Regulations (Town & Country Planning Public Path Orders Regulations 1993) if an application has been made under Part 3, and before planning permission has been granted, if on granting it, it is necessary to alter a public path. The order can be confirmed if planning permission is then granted. This can avoid the previous delays caused by developers having to wait for planning permission to be granted before applying for a diversion. The existing boundary hedge/tree line directly bordering the development/boundary/ etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way. If common land is affected or adjacent to: Provisional investigations suggest the application site may subject to, or be in close proximity to land which is registered as Common Land or Town/Village Green. Works on Common Land and Town/Village Greens may be subject to procedures as set out in The Commons Registration Act 1965 and The Commons Act 2006. For further information you are advised to contact the Countryside Access Team, Nottinghamshire County Council Loughborough Road, West Bridgford, Nottingham NG2 7QP or Countryside.Access@nottscc.gov.uk. Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. licences@viaem.co.uk If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottscc.gov.uk. If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. <http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit> and also ensure that the RoW can still be accessed appropriately

by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic

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Planning Enforcement Report for 0216/2021



Report to Planning Committee

Reference Number: 0216/2021

Location: Ramper Covert Wood Mansfield Road Arnold.

Breach of Planning Control: Unauthorised change of use from woodland to events venue with associated erection of 2 no. joined tipi tents, erection of a stage and siting of a WC trailer, trailer mounted cabin and seating.

1 Background

- 1.1 In August 2020, the Council received a complaint alleging the site was being used for events without planning permission with associated buildings having been constructed and the access widened.
- 1.2 Upon investigation, the officer concluded that the events being undertaken met the parameters permitted under Schedule 2 Part 4 Class B of the General Permitted Development Order (GPDO) 2015, such that the temporary use of the land for events had not exceeded 56 days. The number of permitted days had temporarily increased from 28 days to 56 until 31st December 2020 under the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020. Furthermore, the officer concluded that the structures on site were temporary and moveable and were permitted under the GPDO. It was also concluded that a new access had not been created, but an old one reinstated. The file was closed due to there being no identified breach of planning control.
- 1.3 During the process of the 2020 enforcement investigation, planning application 2020/0552 was pending consideration. This application sought the change of use of the land to a 20 pitch campsite, a mobile WC block, communal tipi and alterations of existing access for a period up to 2023 (see below planning history).
- 1.4 On 13th April 2021, the Planning Officer dealing with a subsequent application (2021/0338) seeking permission for a change of use of the land and temporary siting of a double tipi and a WC trailer between May 31st and Oct 31st, emailed the owner of the site to clarify permitted development rights in relation to siting of the tipi and associated structures as part of a temporary use.

- 1.5 In May 2021, application 2021/0338 was refused and an appeal lodged in June 2021.
- 1.6 In June 2021 the Council received complaints relating to the erection of a tipi tent on site on 14th June. The Town and Country Planning (General Permitted Development) (England) (Amendment) Regulations 2020 extended the 56 day permitted development allowance until 31st December 2021. As such, the development was considered permitted until such time as the 56 days had expired. Until such time there would be no breach of planning control.
- 1.7 On 9th August 2021, the Council received confirmation from the complainant that the tipi tent was still present on site meaning it had been on site for 58 days. Between 14th June and 9th August, the Council had received regular updates from the complainant regarding the on-going presence of the tipi tent.
- 1.8 On 16th September 2021, the appeal against the refusal of application 2021/0338 was dismissed. The Inspector concluded that the proposals for the siting of the tipi, WC trailer and other associated features would have a degree of permanence and would have a moderate harmful effect on openness and also that the development would significantly harm highway safety. They also concluded that very special circumstances did not exist with regards to the proposals.
- 1.9 No further events are understood to have taken place on the site during 2021 after the date of the appeal decision.
- 1.10 On 11th February 2022, a planning application was received for change of use of land to form seasonal, green, carbon negative, wedding venue (1st June - 31st August inclusive) including the siting of two linked tipis, WC trailer and renewable energy system (2022/0172). The proposals were very similar in nature to those proposed in the 2021/0388 application. The only differences being the proposed use of a renewable energy trailer and the dates of use for the site.
- 1.11 On 24th April 2022, the Council received notification from a member of the public that a tipi had been erected on site on 23rd April, considered to be day 1 of the 28 days allowed under permitted development.
- 1.12 On 4th May 2022, Planning Contravention Notices (PCNs) were served on both the owners and the operator of the site.
- 1.13 Responses to the PCNs were received by the owner of the site and operator on 20th and 25th May 2022 respectively.
- 1.14 In summary, the PCN responses provided confirmation that the site has 12 bookings for 2022 for the period subject to planning application 2022/0172 (1st June-31 August 2022) and that at the time of the PCN being served no events

had taken place. However, they also confirmed that they had erected the tipi tents on site and had use of the WC trailer for use over the summer season. Events listed for 2021 indicated that the events on site had not been limited to weddings, having included yoga workshops, private corporate events, public music and food events.

- 1.15 On 16th June 2022, emails were sent to both the owner and the operator clarifying the permitted development status of the temporary use, which had exceeded the 28 days allowed under the GPDO for 2022. The emails instructed that all unauthorised structures and those associated with a temporary use of the land that have been on site for more than 28 days in total need removing from site as a matter of urgency. It also clarified that no further temporary uses can be implemented during 2022.
- 1.16 On 17th June 2022 the operator responded to the email disagreeing with the Council's assessment of the development under permitted development rights, stating that they should not be considered under the GPDO as the change of use and associated facilities had been applied for, with their appeal against refusal of application 2022/0172 still pending.
- 1.17 On 21st June 2022 the Council's Enforcement Officer and a Planning Officer visited the site and met with the site owner. On entering the site, there were 2 separate areas used for vehicle parking, adjacent to the A60 at the front of the site. The access track was laid with loose stone atop natural ground and guides visitors to the central part of the site where there is a clearing. A post and rail fence approximately 1.2m in height dissects 2 areas of clearing. 2 no. joined tipi tents, beige in colour and approximately 10m deep, 23m wide and 7.5m high were located in a clearing in the middle of the site. A stage of wooden construction with a wooden frame and canvas/tarpaulin covering with string lights was located immediately south of the tipi tents. The owner confirmed that he had not given consent for the erection of this. A small green coloured WC trailer was located to the west of the tipi tents close to the edge of the clearing. When asked, the owner said this was for the sole use of the operator for their events. A timber cabin with glazed door set upon a trailer was positioned to the northern edge of the clearing. The owner said this was used for storage. Bench seating, tables and picnic benches were located in the clearing. The owner advised that the site had been prepared for a wedding later that day with seating and wooden archway present in the woodland to the north of the clearing. Lighting in the form of string lights wrapped around the internal support structure of the tipis and stage, and low level lighting was present on site. Signage was provided within the site denoting location of WCs, exit etc.
- 1.18 During the site visit, the owner advised that booked events for 2022 were not isolated to weddings. He advised that some limited camping takes place, mostly by those working on the site.

- 1.19 On 5th July 2022 emails were sent to the owner and operator of the site clarifying the Council's position with regards to potential enforcement action. The email acknowledged that the aim of the planning application and current appeal is to gain planning permission to operate the change of use, thus not relying on the permitted development 28 day rule. However that at the present time such permission does not exist for the site. Therefore, any activities on site are assessed against the 28 day permitted development allowance, currently being the only means of operating the business in an authorised manner on site. In addition there is a stage that has been erected to the side of the tipi that does not form part of the current planning appeal details.
- 1.20 Numerous complaints have been received on a rolling form of near daily emails from complainants documenting activity on site. The main points raised include:
- The tipi has remained on site since 23rd April 2022
 - Camper vans staying on site overnight
 - Advertising of camping provision on site by the operator
 - Road mounted lit signage on the A60 during events
 - Lighting in the proximity of the tipi tent visible from the A60
 - Loud music audible from residential properties until late in the evening
 - Circa 40+ vehicles on site at a time
- 1.21 The operator of the site advertises the venue on a dedicated website as well as via social media pages such as Facebook and Instagram. According to their website customers have exclusive hire of the whole venue and woodland including "use of our Giant Hat Tipis, rustic bench seating for up to 120 people, onsite toilets, lighting, electricity and water supply. Use of our bijou cabin and camping spaces is included in the price."
- 1.22 No further contact has been received from either the owner or the operator of the site. However the unauthorised use of the site and associated structures and facilities remains.
- 1.23 It is therefore necessary to consider enforcement action for the unauthorised change of use as an events venue with associated erection of 2 no. joined tipi tents, erection of a stage, siting of a WC trailer, trailer mounted cabin and seating.

2 Site Description

- 2.1 The site is located on the eastern side of the A60 Mansfield Road north of an existing lay bay. It is located approximately 1.5 miles from the northern edge of the urban area of Redhill. The site occupies an area of approximately 1 hectare.
- 2.2 The site is an area of mixed woodland consisting of trees protected by Tree Preservation Order 000129 (Ramper Covert) and a belt of trees running roughly

parallel with the A60 that are part of the Sherwood Estate/Kighill Road Tree Preservation Order N0005 and N0028.

- 2.3 The site is at a higher ground level with the land rising steeply to the East away from the A60. There is a large clearing to the centre of the site and smaller clearings to the west of the site on approach from the A60 access. There is an access laid to a thin layer of stone on the surface of the natural ground.
- 2.4 The site is located within the Nottingham-Derby Green Belt.

3 Planning History

2018/1172 – Planning permission for a change of use to site 15no. log cabins and 1no. reception/staff accommodation was refused 2nd August 2019 on the following summarised grounds:-

- The material impact on openness of the Green Belt in terms of built form, the formation of an access and urbanisation of the site by virtue of parked vehicles and associated infrastructure such as lighting and signage;
- Insufficient information submitted to fully assess the impact of the proposal and the access arrangements on the trees, particularly the trees that are protected by the Kighill Road Tree Preservation Order.

A subsequent appeal was dismissed on the 27th November 2019.

2019/0785 - Planning permission for a change of use to site 5no. log cabin holiday homes (mobile homes) and formation of vehicular access was refused 2019 on the following summarised grounds:-

- The material impact on openness of the Green Belt in terms of built form, the formation of an access and urbanisation of the site by virtue of parked vehicles and associated infrastructure such as lighting and signage;
- The traffic generated by the proposed development would have an adverse impact on through traffic and a likely source of unacceptable danger to other users of the highway, particularly because of the heavy volumes of traffic using A60 Mansfield Road; and
- Insufficient information submitted to fully assess the impact of the proposal and the access arrangements on the trees, particularly the trees that are protected by the Kighill Road Tree Preservation Order.

A subsequent appeal was dismissed on the 2nd June 2020.

2020/0549 – Planning permission was refused in March 2021 for the change of use of the land for a natural burial ground and modifications to the access was refused on the grounds of the proposals material impact on openness of the

Green Belt in terms of the formation of an access to meet Highway Authority requirements and urbanisation of the site by virtue of parked vehicles and associated infrastructure such as lighting and signage. No very special circumstances were demonstrated to outweigh such harm. A subsequent appeal was dismissed in September 2021 (appeal ref. APP/N3020/W/21/3272871)

2020/0552 – Planning permission was refused in March 2021 for the change of use of the land to a 20 pitch campsite, a mobile WC block, communal tipi and alterations of existing access for a period up to 2023 on the grounds of the proposals material impact on openness of the Green Belt in terms of the formation of an access to meet Highway Authority requirements and urbanisation of the site by virtue of parked vehicles and associated infrastructure such as lighting and signage. No very special circumstances were demonstrated to outweigh such harm. A subsequent appeal was dismissed in September 2021 (appeal ref. APP/N3020/W/21/3272020)

2020/0645- Planning permission was refused in April 2021 for the erection of a shed for the purposes of storage in relation to a proposed Woodland Management scheme on the following summarised grounds:-

- Its impact on and harm the openness of the Green Belt by virtue of the siting and scale of the proposed building and no very special circumstances were demonstrated to outweigh such harm; and
- Insufficient information submitted to fully assess the impact of the proposal on the trees, particularly the trees protected by Tree Preservation Order 000129 (Ramper Covert) and the Sherwood Estate/Kighill Road Tree Preservation Order N0005 and N0028.

A subsequent appeal was allowed in September 2021 (appeal ref APP/N3020/W/21/3272865).

2021/0338 – planning permission was refused in May 2021 for Change of use of the land and temporary siting of a double tipi and a WC trailer between May 31st and Oct 31st on the following summarised grounds:-

- The material impact on openness of the Green Belt in terms of the formation of an access to meet Highway Authority requirements and urbanisation of the site by virtue of parked vehicles and associated infrastructure;
- The traffic generated by the proposed development would have an adverse impact on through traffic and a likely source of unacceptable danger to other users of the highway, particularly because of the heavy volumes of traffic using A60 Mansfield Road; and
- Insufficient information submitted to fully assess the impact of the proposal on the trees, particularly the trees protected by Tree Preservation Order 000129 (Ramper Covert) and the Sherwood Estate/Kighill Road Tree Preservation Order N0005 and N0028.

A subsequent appeal was dismissed in September 2021. (appeal ref. APP/N3020/W/21/3276147).

2021/0422 – Planning permission was refused in July 2021 for the siting of a storage unit for forestry workings on the following summarised grounds:-

- Its impact on and harm the openness of the Green Belt by virtue of the siting and scale of the proposed building and no very special circumstances were demonstrated to outweigh such harm; and
- Insufficient information submitted to fully assess the impact of the proposal on the trees, particularly the trees protected by Tree Preservation Order 000129 (Ramper Covert) and the Sherwood Estate/Kighill Road Tree Preservation Order N0005 and N0028.

2021/0424 – planning permission was refused in July 2021 for the change of use of the site to natural pet burial ground on the following summarised grounds:-

- The traffic generated by the proposed development would have an adverse impact on through traffic and a likely source of unacceptable danger to other users of the highway, particularly because of the heavy volumes of traffic using A60 Mansfield Road given that there is no enforceable mechanism for the LPA to control access arrangements. Additionally, the proposed use of the nearby layby to provide parking to serve the site would also raise highway safety concerns as a result of vehicles hesitating to find a space to park. Its use would also promote pedestrian movements from the layby along the section of the A60 to the site which has no footway provision to the detriment of pedestrian safety; and
- Lack of information submitted in relation to the position of burial plots to allow full assessment of proposal on trees protected by Tree Preservation Order 000129 (Ramper Covert) and the Sherwood Estate/Kighill Road Tree Preservation Order N0005 and N0028.

A subsequent appeal was dismissed in February 2022 (appeal ref. APP/N3020/W/21/3283174)

2022/0172-Planning permission was refused on 11th April 2022 for the change of use of land to form seasonal, green, carbon negative, wedding venue (1st June-31st August inclusive) including the siting of two linked tipis, WC trailer and renewable energy system. The application was refused on the grounds summarised as:

- The proposal would result in a use that does not fall within the exceptions of development identified in the NPPF as being appropriate and in built form and ancillary structures in an area that there have previously been none. This will have a material effect on openness of the Green Belt
- Insufficient information in the form of an up to date Transport Statement, Speed Survey and Road Safety Assessment has been deposited with the application to fully assess the impact of the proposal on highway safety. Furthermore insufficient details have been provided to demonstrate that adequate off street parking could be provided within the application site.
- Insufficient information in the form of an up to date Ecology Survey relating to the application site submitted to fully assess the impact of the proposal ecology and biodiversity within the site.

An appeal against this decision has been made and is currently pending consideration by the Planning Inspectorate.

4 Assessment

- 4.1 Although development has occurred without planning permission and is therefore unauthorised, local planning authorities are required to consider government guidance when deciding whether to take planning enforcement action. Government guidance is found in the National Planning Policy Framework 2021 (NPPF) (Paragraph 59) and states that although effective enforcement is important as a means of maintaining public confidence in the planning system, ultimately enforcement action is discretionary and local planning authorities should act proportionately in responding to breaches of planning control.
- 4.2 The site is located within the designated Nottinghamshire Green Belt and therefore the main considerations when deciding whether to take enforcement action in this case are;
- whether the development constitutes inappropriate development in the Green Belt;
 - the effect of the development on the openness of the Green Belt and the character and appearance of the surrounding area;
 - whether the harm caused by inappropriateness and any other harm are clearly outweighed by other considerations and if so, whether very special circumstances exist that justify the granting of planning permission.
 - the impact on residential amenity
 - highway safety
 - whether the Local Planning Authority is within the statutory time limit for taking action for unauthorised development.

Planning considerations

4.3 The following policies are relevant to the application:

National Planning Policy Framework

- Section 2 Achieving Sustainable Development summarised as summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- Section 6 Building a Strong Competitive Economy which identifies the need to allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- Section 9 Promoting Sustainable Transport which outlines the need to consider transport issues.
- Section 12 Achieving Well-Designed Places sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- Section 13 (Protecting the Green Belt) outlines at paragraph 137 the importance the Government attaches to Green Belts and the aim of Green Belt policy to prevent urban sprawl and to retain its essential openness and permanence.

Aligned Core Strategy

4.4 At a local level, Gedling Borough Council at its meeting on 10th September 2014 adopted the Aligned Core Strategy (ACS) for Gedling Borough (September 2014) which is now part of the development plan for the area. The adopted ACS forms Part 1 of the new Local Plan for Gedling Borough. It is considered that the following policy of the ACS is relevant:

- ACS Policy 1: Climate Change states that all development will be expected to mitigate against and adapt to climate change including with respect to flood risk.
- ACS Policy 2: The Spatial Strategy states that sustainable development will be achieved through a strategy of urban concentration with regeneration.
- ACS Policy 3: (The Green Belt) establishes the principle of retaining the Nottingham Derby Green Belt.
- ACS Policy 4 – (Employment Provision and Economic Development) states that the economy of the area will be strengthened and diversified by encouraging economic development of an appropriate scale to diversify and support the rural economy.
- ACS Policy 10: (Design and Enhancing Local Identity) sets out the criteria that development will need to meet with respect to design considerations.

- ACS Policy 13: Culture, Tourism and Sport which sets out that tourism facilities of more local importance would be supported providing they are located in or adjoining town or district centres or existing facilities improved
- ACS Policy 16: Green Infrastructure, Parks and Open Space sets out the strategic approach to the delivery, protection and enhancement of Green Infrastructure

Local Planning Document

4.5 In July 2018 Gedling Borough Council adopted the Local Planning Document (LPD). The following LPD policies are relevant to this breach of planning control:

- LPD18 – Protecting and Enhancing Biodiversity - sets out that proposals should be supported by an up to date ecological assessment. Any harmful impact should be avoided through design, layout and mitigation or compensation. Where possible, development proposals will be expected to take opportunities to incorporate biodiversity in and around the development and contribute to the establishment of green infrastructure
- LPD 19 - Landscape Character and Visual Impact states that planning permission will be granted where new development does not result in significant adverse visual impact or significant adverse impact on the character of the landscape.
- LPD23 – Greenwood Community Forest and Sherwood Forest Regional Park sets out that permission will be granted which supports the aims and objectives of the Greenwood Community Forest and Sherwood Forest Regional Park.
- LPD24 – Tourist Accommodation sets out that planning permission will be granted for tourist accommodation providing that it is not in the Green belt or accords with green Belt policy and it would not have a significant impact on the amenity of neighbouring properties.
- LPD 32 (Amenity) states that planning permission will be granted for development proposals that do not have a significant adverse impact on the amenity of nearby residents or occupiers, taking into account potential mitigation measures.
- LPD 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.

Green Belt

- 4.6 Crucial in the consideration of the principle of this development is paragraph 137 of the NPPF with regard to protecting Green Belt Land and the following issues are relevant and require addressing. Paragraph 149 of the NPPF specifies that construction of new buildings in the Green Belt should be regarded as inappropriate. Furthermore paragraph 147 states that “inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances”.
- 4.7 Paragraph 149 provides an exception for the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) providing it would not have a greater impact on the openness of the Green Belt than the existing development or would not cause substantial harm to the openness of the Green Belt.
- 4.8 Paragraph 150 at sub paragraph e) of the NPPF also identifies that material changes of use of land (such as changes of use for outdoor sport and recreation) may be considered appropriate development in the Green Belt again providing that they preserve the openness and do not conflict with the purposes of including land within the Green Belt.
- 4.9 In their appeal decision relating to refusal of 2021/0338, the Inspector determined that the proposals, which mirror those subject to the enforcement case, would not be inappropriate development unless it would have a greater impact on the Green Belt openness and purposes. It is therefore important to assess impact on openness.
- 4.10 Whilst there is no specific definition of openness in the NPPF, there are numerous high court decisions that have explored this area. Openness has both a spatial and visual aspect. Interpretation of spatial openness naturally includes the absence of built form. Openness and visual impact have different meanings and any development can harm the openness of the Green Belt regardless of its aesthetic appearance or obtrusiveness. In summary openness can be seen as the lack of built form and not by development that is screened from view.
- 4.11 The Inspector concluded that the proposals for the siting of the tipi, WC trailer and other associated features would have a degree of permanence and would have a moderate harmful effect on openness. As such in line with paragraph 147 and 148 of the NPPF substantial weight should be given to such harm unless very special circumstances are demonstrated which would outweigh the harm.

Very Special Circumstances

- 4.12 In determining whether very special circumstances exist, the following need to be assessed;
- Any individual factor taken by itself which clearly outweighs the harm caused to the Green Belt,
 - Whether some or all the factors in the case when taken as a combination clearly outweigh the harm caused to the Green Belt

- 4.13 The case must be decided on the planning balance and for very special circumstances to exist the benefits must be demonstrated to clearly outweigh the harm to the Green Belt that is inherent in its development. As part of the 2022/0172 application, the applicant put forward what they consider to be the social, economic and environmental benefits of the proposal which they consider would outweigh the harm to the Green Belt identified above. These include economic benefits to the local economy by virtue of supporting local businesses, facilities, services and attractions the creation of employment, and the provision of low carbon facilities.
- 4.14 Although there may be some economic benefits from an increase in visitors to the Borough, based on the 2022/0172 proposals for the current unauthorised use, this would only be for a three month period each year. The commercial activity provides employment generation, this would again be very modest and for a limited period of the year. When balanced against harm to the Green Belt setting of the site and the reasons for including the land within it, the benefits of the unauthorised use and associated operational development would not be so significant to outweigh the identified harm to the Green Belt by virtue of the development being inappropriate. The development is therefore in conflict with the principals of the NPPF, ACS Policy 3 and LPF 15, which aims to maintain openness.
- 4.15 The material change of use and associated operational development does not fall within any of the exceptions given in paragraphs 149 or 150 of the NPPF and must therefore be considered as inappropriate development and by definition, harmful to the Green Belt. It results in unacceptable encroachment contrary to the five purposes that Green Belt serves as set out in paragraph 138 of the NPPF and to ACS Policy 3. This conclusion is supported by the Inspectors comments in relation to the 2021/0338 appeal.

Impact on residential amenity

- 4.16 The unauthorised change of use on site has introduced a potential source of noise and disturbance from events held on site and associated vehicle movements. The Council has received complaints regarding noise emanating from the site as a result of at least 2 separate events held at the site, whereby music was alleged to be heard at volume at the complainant's property until 11pm in the evening. Whilst this has not been verified by the Council, it is possible that amplified music such as this would be heard at a large event and would be audible beyond the site boundary and further afield. The topography on site largely protects against noise transmission but would not completely negate the need for consideration of noise levels during events. The site owner indicated during the site visit, that the majority of events held on site utilised acoustic or low noise music choices. However, there is no indication this has been a requirement of event bookings or accounts for all past and future bookings.

Impact on Character and Appearance of the Area

- 4.17 The change of use of the site and associated operational development has had the effect of urbanising an area that has no such element. Whilst the woodland remains on site to offer some screening, there are still views into the site to the structures, associated activities, vehicle parking areas and associated lighting.
- 4.18 Taking this into account it is considered that the development has resulted in undue harm to the landscape character and wider landscape setting of the site and is contrary to Section 12 of the NPPF, Policy 10 of the ACS and LPD 19.

Highway Safety

- 4.19 The Highway Authority have raised concerns with regards to the recent planning application 2022/0172 as well as previous application including 2021/338. Concerns related to parking provision and highway safety. The Inspector, in the decision relating to application 2021/0338 was in agreement with this position, stating “in the absence of substantive evidence to the contrary, the appeal scheme would give significant rise to potential vehicular conflict on the A60, particularly due to the high volume of traffic and the associated speeds, and the lack of any improvements to the existing access, including the provision of a ghost island on the carriageway that are required to provide necessary mitigation.”
- 4.20 It has therefore been concluded that the unauthorised development would have an unacceptable adverse impact on highway safety contrary to Section 9 of the NPPF (2021), Policies LPD 57 and LPD 61 of the LPD (2018).

Time Limits

- 4.21 The statutory time limit for taking action for operational development is 4 years from when the development is substantially completed and ten years for a material change of use. In this case it is considered the Council is within time to commence enforcement proceedings such as issuing an enforcement notice requiring the unauthorised development to be removed and for the unauthorised use of the site to cease.

Human Rights

- 4.22 Under the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a right under the European Convention on Human Rights (the Convention). In this instance under Article 1 of the First Protocol of the Convention: Protection of Property, every person is entitled to the peaceful enjoyment of their possessions except in the public interest and subject to conditions provided for by law. Furthermore under Article 8 of the Convention all individuals enjoy the right to respect for their private and family life, their home and their correspondence except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

- 4.23 In considering whether to take any enforcement action, the Council has to consider the proportionality of its actions. In other words whether the proposed action would be proportionate to the objective being pursued – here the enforcement of planning control in support of National and Local Planning Policies. It is recognised that issuing an enforcement notice, or pursuing formal proceedings in the Magistrates Court if the notice is not complied with, will result in interference with the recipients' rights. However, it is considered that issuing an enforcement notice and pursuing Court action if the enforcement notice is not complied with, would be a proportionate response to the breach of planning control.

Equalities

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

Crime and disorder

- 4.26 The Crime and Disorder Act 1998 places a duty on the Local Planning Authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on the integrity of the planning system and the setting of a precedent if action is not taken is therefore a material consideration in the authorisation of enforcement proceedings.

5 Conclusion

- 5.1 A breach of planning control has been identified. The development has resulted in significant harm to the openness of the Green Belt, adverse impact on highway safety and harm to residential amenity.
- 5.2 The breach conflicts with both national and local policies. Failure of the Council to act in these circumstances will result in an unauthorised change of use and associated operational development.

- 5.3 Evidence available to the Council indicates the unauthorised change of use commenced within the last 10 years and associated operational development completed within the last 4 years. Furthermore there are no very special circumstances that exist to justify the change of use or operational development of this site within in the Nottinghamshire Greenbelt.
- 5.4 The Council should now commence enforcement action without delay by issuing a planning enforcement notice requiring the cessation of the unauthorised change of use of the site as an events venue and removal of all associated structures and facilities including 2 no. joined tipi tents, wooden framed stage, trailer mounted timber cabin, WC trailer, seating, tables and wooden archway.

6 Recommendation

- 6.1 **That the Head of Development and Place, in conjunction with the Head of Governance and Customer Services, be authorised to take all relevant planning enforcement action including the service of any necessary enforcement notices and issue of proceedings through the courts, if required, to ensure the cessation of the unauthorised change of use of the site as an events venue and removal of all associated structures and facilities including 2 no. joined tipi tents, wooden framed stage, trailer mounted timber cabin, WC trailer, seating, tables and wooden archway.**



Report to Planning Committee

Subject: Houses in Multiple Occupation (HMOs) in the Netherfield Ward

Date: 14 July 2022

Author: Mike Avery, Head of Development and Place

Wards Affected:

Netherfield

Purpose:

To note Cabinet's resolution on the suitability of implementing an Article 4 direction to introduce a requirement for planning permission to change from a C3 Dwellinghouse (family dwelling) to a C4 HMO (3-6 unrelated people who share facilities) in the Netherfield Ward.

Recommendation(s)

THAT Planning Committee note the resolution of Cabinet to :

- 1) Share residents' concerns about a potential increase in the number of HMOs in the Netherfield Ward, notes actions already taken by the Council to implement HMO Licensing across the borough and introduce Selective Licensing in Netherfield in 2018.**
- 2) Endorse the Leader of the Council writing to government calling for a reversal of legislation introduced in October 2010 which removed the requirement for planning permission for HMOs and opened up the risk of proliferation of HMOs without adequate input from local communities; and**
- 3) Requests officers to report back to Cabinet within six months with a further update to allow Cabinet to further consider and determine if there is sufficient evidence to demonstrate an Article 4 Direction and/or other measures local amenity or well-being of the Netherfield ward.**

The attached cover report and appendices 1 and 2 were considered by Cabinet on 16 June 2022. Cllr Payne proposed an amended motion, seconded by Cllr Hollingsworth as detailed above.

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Report to Cabinet

Subject: Houses in Multiple Occupation (HMOs) in the Netherfield Ward

Date: 16 June 2022

Author: Mike Avery, Head of Development and Place

Wards Affected:

Netherfield

Purpose:

The report is to inform Members of the suitability of implementing an Article 4 direction to introduce a requirement for planning permission to change from a C3 Dwellinghouse (family dwelling) to a C4 HMO (3-6 unrelated people who share facilities) in the Netherfield Ward.

Key Decision: No

Recommendation(s)

THAT Cabinet:

- 1) Agree that there is currently insufficient evidence to demonstrate that an Article 4 direction is necessary to protect local amenity or the well-being of the Netherfield Ward.**
- 2) Agree that the overall number of HMOs in the Netherfield Ward should be monitored.**

1 Background

- 1.1 On 20 April the Council resolved to refer the principle of making of an Article 4 Direction to remove permitted development rights for change of use from Use Class C3 (dwelling house) to Use Class C4 (house in multiple occupation) covering the Netherfield area, to Cabinet. The Council also called upon the government to reverse the legislation it introduced in September 2010 that removed a requirement for planning permission for HMOs, and resolved to write to local members of parliament accordingly.

- 1.2 Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application.
- 1.3 An Article 4 direction is a direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which enables the Secretary of State or the local planning authority to withdraw specific permitted development rights across a defined area. The National Planning Policy Framework (NPPF) advises that the use of Article 4 directions to remove national permitted development rights should be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area and in all cases, be based on robust evidence, and apply to the smallest geographical area possible.

2 Proposal

- 2.1 As detailed above, this report is referred to Cabinet in accordance with the Council resolution on 20 April 2022.
- 2.2 An analysis of the suitability of implementing an Article 4 direction is attached at Appendix 1 of the report. The report considers the current evidence available to the Council including the following:
- An assessment of planning applications proposing 7 bedroom HMOs at 56 Meadow Road, 45 Ashwell Street and 112 Victoria Road. The applications have been determined to be compliant with the NPPF, Greater Nottingham Aligned Core Strategy (Part 1 Local Plan), Local Planning Document and the Parking Provision for Residential Developments – Supplementary Planning Document.
 - Concerns raised at a residents meeting held on 03 March 22 at St Georges Church, Victoria Road Netherfield. None of the concerns either singularly or in combination would merit suitable justification to progress an Article 4 direction.
 - A written submission by Tom Randall MP received by the Leader of Gedling Borough Council on 20 April 2022 detailing the results of a survey undertaken by the MP and a County Councillor. The data indicates that the respondents have concerns about HMOs, and whilst these may be valid concerns, this does not demonstrate that an Article 4 direction is justified.
 - An analysis of applications made by Landlords for a HMO Licence under the Housing Act 2004. In Netherfield, there has been 1 licence granted at 1A Meadow Road. The Council has received HMO license applications for 6 further properties which are still being processed. The precise number of smaller HMOs accommodating 3 or 4 or unrelated individuals sharing is unknown but it is understood to be low.

- Comments from the Community Protection Manager. Their comments confirm that antisocial behaviour levels reported to the Council in respect of known HMOs in Netherfield is low.

2.3 There are 2915 residential properties within the ward of Netherfield. An assessment of the composition of the housing stock in Netherfield concludes that only **0.24%** (7 properties) is comprised of HMOs accommodating 5 or more unrelated individuals and this could rise to **0.27%**, should a further pending planning application be granted.

2.4 The overall conclusion of the assessment having regard to the requirements set out in the NPPF and the PPG is that there is currently insufficient evidence to demonstrate that an Article 4 direction is necessary to protect local amenity or the well-being of the Netherfield ward. The situation should however be monitored to ensure that a proliferation of HMOs does not emerge, in any particular locality or the Netherfield ward as a whole which might then justify further that consideration of an Article 4 direction is required.

3 Alternative Options

3.1 An alternative option would be to implement either an Article 4 direction to remove permitted development rights for change of use from Use Class C3 (dwelling house) to Use Class C4 (house in multiple occupation) covering the Netherfield ward which takes effect immediately, or a non-immediate Article 4 direction which would result in permitted development rights being withdrawn upon confirmation of the direction, following local consultation. These options would not however be evidenced based and would not comply with the NPPF and the Planning Practice Guidance (PPG).

4 Financial Implications

4.1 There are no direct financial implications arising from the recommendations in this report. Should either of the alternative options be pursued this may give rise to a liability to compensate, as detailed in paragraph 5 Legal Implications, for which there is no budgetary provision.

5 Legal Implications

5.1 The statutory power and policy requirements in relation to the making of Article 4 directions are set out in the report at paragraph 1.2. The making of such a direction without the necessary justification and evidence as specified in the NPPF could result in the order being challenged. The withdrawal of development rights by an Article 4 direction may give rise to liability to compensate where permission is sought and refused.

6 Equalities Implications

6.1 There are no direct equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

8 Appendices

- 8.1 Appendix 1 - Article 4 Directions and the suitability of implementation in the Netherfield Ward to introduce a requirement for planning permission to change from a C3 Dwellinghouse (family dwelling) to a C4 HMO (3-6 unrelated people who share facilities)
- 8.2 Appendix 2 – Submission from Tom Randall MP

9 Background Papers

- 9.1 National Planning Policy Framework (2021) [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/publishing.service.gov.uk)
- 9.2 Planning Practice Guidance [Planning practice guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-practice-guidance)
- 9.3 Adopted Local Plan and Policy Documents [Adopted local plan and policy documents - Gedling Borough Council](#)
- 9.4 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2015/1017/contents/make)

10 Reasons for Recommendations

- 10.1 Insufficient evidence exists to support an Article 4 direction to introduce a requirement for planning permission to change from a C3 Dwellinghouse (family dwelling) to a C4 HMO (3-6 unrelated people who share facilities) in the Netherfield Ward.
- 10.2 To ensure continued monitoring of the position.

Statutory Officer approval

Approved by:
Date: 08 June 2022

Chief Financial Officer

Approved by:
Date: 08 June 2022

Monitoring Officer

Appendix 1

Article 4 Directions and the suitability of implementation in the Netherfield Ward to introduce a requirement for planning permission to change from a C3 Dwellinghouse (family dwelling) to a C4 HMO (3-6 unrelated people who share facilities)

1.0 Background

- 1.1 In April 2010, changes were made to planning regulations involving the introduction of a new C4 HMO Use Class (applicable to residential properties occupied by between 3 and 6 unrelated people who share facilities). Prior to this, there had been no distinction in planning terms between such properties and those occupied as a family home. The April 2010 changes also introduced a requirement for planning permission to be obtained for a material change of use from a C3 Dwellinghouse (family dwelling) to a C4 HMO (3-6 unrelated people who share facilities). The result of this was that, it became possible to assess the merits of individual proposals against local plan policies and any other material considerations such as traffic impacts and antisocial behaviour. Planning permission could either be granted with conditions or refused.
- 1.2 The changes were welcomed by many local authorities, particularly those with high student populations where there is often a significant demand for HMOs.
- 1.3 In June 2010, the coalition government announced its intention to introduce further amendments to the regulations governing HMOs that would introduce a permitted development right to change the use of a C3 Dwellinghouse to a C4 HMO thereby removing the newly introduced requirement to obtain planning permission for this change of use. The changes were subsequently implemented and took effect in October 2010.
- 1.4 Local Planning Authorities wishing to reinstate this requirement would then be required to implement provisions under Article 4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GDPO"). This article allows Local Planning Authorities to withdraw "permitted development" rights for specified development which would otherwise be permitted where it considers it is expedient that the development should not be carried out unless permission is granted for it on an application.

2.0 The Use of Article 4 Directions

- 2.1 The National Planning Policy Framework (NPPF) at paragraph 53 advises that the use of Article 4 directions to remove national permitted development rights should be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area and in all cases, be based on robust evidence, and apply to the smallest geographical area possible. The advice is reaffirmed in the Planning Practice Guidance (PPG) at Paragraph 038,

Revision date 20 08 2021. Local Planning Authorities can therefore only make article 4 direction where it can justify both its purpose and extent. Use of article 4 directions should be limited to situations where it is necessary to protect the local amenity or wellbeing of the area and the Local Planning Authority should clearly identify the potential harm the direction is intended to address.

- 2.2 An article 4 direction does not prevent development but means that an application for planning permission must be made prior to any development taking place. If a Local Planning Authority makes an article 4 direction it can be liable to pay compensation to those whose development rights have been withdrawn.
- 2.3 Two types of article 4 direction can remove permitted rights to change from a C3 Dwellinghouse to a C4 HMO. Firstly, an article 4 direction may take effect immediately but this must be confirmed by the local planning authority following consultation within six months or it will lapse. Secondly, a non-immediate article 4 direction may be made which results in development rights being withdrawn only upon confirmation of the direction following local consultation. The Secretary of State has the power to cancel any direction.
- 2.4 The legal requirement for a non-immediate direction is that the local planning authority considers it is expedient that the development should not be carried out unless permission is granted for it on an application. For an immediate direction the local planning authority must also consider that the development to which the direction relates would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. Local authorities can elect to make a non-immediate direction in instances where it would be legally possible to make an immediate direction. The immediacy of the threat and compensation liability may be considerations in determining which to use.
- 2.5 A direction coming into effect immediately would have the clear advantage of straight away requiring a C4 HMOs to require planning permission. However, it would also expose the Council to potentially very high levels of compensation liability in cases where applications submitted within the first 12 months of the removal of the permitted development rights were refused or granted subject to conditions, such compensation being based, in part, on the difference in property values arising from the Council's decision.
- 2.6 A non-immediate direction with a prior notice period of 12 months would avoid compensation liability and also allow the results of local consultation to be taken into account in advance of the Council deciding to confirm the direction removing permitted development rights.
- 2.7 As detailed above, any article 4 direction must be evidenced based to comply with the requirements of the NPPF and the PPG and applied in a measured and targeted way.

3.0 Current Evidence

3.0 Recent Planning Applications

3.1 Over the past 5 years, there have been 3 determined applications for planning permission in Netherfield to change the use of a property from a dwelling to a HMO proposing the occupation of the property by more than 6 unrelated people sharing basic amenities.

3.2 These applications are detailed below:

2020/0484

56 Meadow Road, Netherfield

Single storey extension to rear elevation and change of use from C3 to sui-generis, 6 bedrooms, 7 occupants House in Multiple Occupation

The proposal was refused planning permission contrary to officer recommendation. A revised scheme was subsequently implemented under permitted development comprising 6 bedrooms.

2020/0630

45 Ashwell Street, Netherfield

Change of use from C3 dwellinghouse to seven bedroom (Sui Generis) HMO including loft dormer extension.

The proposal was refused planning permission by the Borough Council, contrary to officer recommendation. An appeal was subsequently made by the applicant to the Planning Inspectorate. The appeal was allowed and permission was granted.

2020/0789

112 Victoria Road, Netherfield

Proposed change of use from existing residential apartments C3 to a large HMO sui generis

The proposal was granted planning permission under delegated authority, following consultation with the Planning Delegation Panel.

3.3 The three determined applications were each considered in light of the relevant policies contained within the NPPF, Greater Nottingham Aligned Core Strategy (Part 1 Local Plan), Local Planning Document and the Parking Provision for Residential Developments – Supplementary Planning Document.

3.4 The principle of the proposed use, impact upon residential amenity, highway safety, flood risk and other issues were fully considered by officers in each report and no conflict was found with any of the Councils adopted planning policies or national policies.

- 3.5 In relation to highway safety, advice was sought from the Highways Authority prior to determining each application and no objections were received. There is no evidenced highway safety risk identified by the Highway Authority which would indicate that existing and proposed HMOs in the Netherfield ward would result in undue highway safety issues. Dwellings in this locality are situated in close proximity to the Netherfield designated shopping area where there are a number of amenities, shops etc. which are within walking distance and the wider area is well served by public transport.
- 3.6 There are no highway safety grounds identified through the determination of recent planning applications which would support an Article 4 direction.
- 3.7 The analysis of planning applications over the past five years indicates that HMOs requiring planning permission are in full conformity with national and local planning policies and no harm has been identified by officers or the Planning Inspectorate.
- 3.8 There is also 1 pending application detailed below:
2022/0153
49 Chandos Street, Netherfield
Proposed change of use from dwelling (C3) to 7 bedroom HMO including rear dormer loft conversion
- 3.9 This application will be assessed against the same national and local policies.
- 4.0 Residents Meeting
- 4.1 A residents meeting was held at 7pm on 03 March 2022 at the St Georges Church, Victoria Road, Netherfield. The meeting was arranged and chaired by a local resident, and the purpose was to discuss the pending planning application at Chandos Street (detailed above) and HMOs/Article 4 directions more generally. The meeting was attended by approximately 50 residents.
- 4.2 The key concerns raised are detailed below and each concern is assessed in relation to the relevant planning considerations, which have been established through appeal decisions and case law.
- Loss of private rented accommodation

Comment: HMOs have the potential to increase the level of private rented accommodation and diversify the stock of private rented accommodation.
 - Loss of family homes

Comment: There has undoubtedly been a loss of some larger properties which are suitable for families. Planning permission has however been granted for 830 new homes at Teal Close and there have already been a significant number of completions. There is also a resolution to grant

planning permission for the redevelopment of the Kendon Packaging site and other housing is anticipated to be delivered in the wider area.

- Waste bins on pavements

Comment: it is accepted that (larger) HMOs have the potential to generate more litter but there is no evidence to suggest that this is causing an undue problem or that it cannot be managed.

- Drainage and water supply

Comment: There is no evidence to suggest that HMOs are causing problems with drainage or the supply of water.

- Impact upon property values

Comment: This is not a material planning consideration.

- Loss of community cohesion

Comment: The numbers are low and there is no evidence that there is a significant concentration of HMOs or grouping on any particular street.

- Highway safety concerns

Comment: As detailed above, no concerns have been raised by the Highway Authority.

- Loss of car parking

Comment: As above.

- No demand for further HMOs as some of the rooms within the recently converted accommodation have not been let.

Comment: If there is an over-supply to meet demand, this is likely to reduce the number of future HMOs coming forward in Netherfield. The demand for a particular housing product cannot usually be given significant weight in the overall planning balance when determining a policy compliant application for planning permission.

- Some of the rooms are being advertised at £700 per calendar month

Comment: This is not a planning consideration and rents will be determined by the market.

- Insufficient school places in the Netherfield area.

Comment: A new primary school has been constructed at Teal Close, with the first intake of students expected in September 2022.

- An Article 4 direction should be implemented to deter investors from targeting properties in Netherfield.

Comment: This is no justification for an Article 4 direction.

4.3 From a planning perspective, none of the concerns either singularly or in combination would merit suitable justification to progress an Article 4 direction. No subsequent submissions have been made by residents in support of the concerns following the meeting, with the exception of further objections to planning application 2022/0153.

5.0 Submission from Tom Randall MP

5.1 A written submission was however received by the Leader of Gedling Borough Council on 20 April 2022, detailing the results of a survey undertaken by the MP and a County Councillor. It is stated that there were 111 respondents. A copy of this submission is contained in appendix 2.

5.2 The following data is included in the covering letter:

- Of those surveyed, 93% said they would like to see Gedling Borough Council introduce an Article 4 direction in Netherfield.
- 40% said that an increase in HMOs in Netherfield is removing family homes off the market and resulting in the community not knowing their neighbours
- 68% said an increase in HMOs is adding to issues around lack of on street-street parking.

5.3 Appended to the covering letter is are the survey questions:

- How does the increase in HMOs in Netherfield affect you?
- Are you aware of any HMOs in Netherfield?
- Have HMOs always been in the area?
- How do you feel about an increase in HMOs in Netherfield?
- Gedling Borough Council could introduce an Article 4 direction that will require property owners to apply for planning permission should they wish to convert their property into a HMO. Would you like to see this introduced in Netherfield?

5.4 No details have been provided in relation to how the data was collected or the overall number of residents/properties surveyed. It would however appear to be primary data collected in the local area which reflects the views of the respondents. The data indicates that the respondents have concerns about HMOs, but it does not demonstrate any demonstrable harm which needs to be addressed by implementing an Article 4 direction.

6.0 Applications made by Landlords for a Licence under the Housing Act 2004.

6.1 From the 01 October 2018 the Government has extended the scope of mandatory HMO Licensing throughout England. All HMOs in the Gedling

Borough with 5 or more tenants who do not form a single household require a licence under the Housing Act 2004 and any licences granted include conditions relating to mandatory national minimum sleeping room sizes and waste disposal requirements.

- 6.2 In Netherfield, there has been 1 licence granted at 1A Meadow Road. The Council has received HMO license applications for 6 further properties which are still being processed:

46 Chandos Street

5 Matlock Street

56 Meadow Road

112 Victoria Road

72-76 Station Road

45 Ashwell Street

The Council has a 12 month timescale for issuing HMO licences. The licence holders have met their legal duty when submitting the application.

- 6.3 The number of smaller HMOs accommodating 3 or 4 or unrelated individuals sharing is unknown but in the opinion of our Environmental Heath team who deal with the Selective Licensing applications for all rented properties in Netherfield, the number of 3 and 4 person HMOs is considered to be low.

7.0 Antisocial Behaviour

- 7.1 The Community Protection Manager has advised that between all of the known HMOs in Netherfield, antisocial behaviour levels reported to the Council have been very low or non-existent so far. The bulk of complaints are generated by renovation works needed to convert the properties into HMOs, but typically no diary sheets were ever returned and builders generally worked between reasonable hours so no further action could be taken anyway. Additionally, there seems to be a running theme of complaints about the state of bins which can and has led to pest control complaints and concerns about residents parking, as the streets that HMOs are typically on are terraced with no driveways. The car parking concerns have not however generated any objections from the highways authority on safety grounds. In relation to noise, litter and antisocial behaviour, these matters can be controlled through other legislation and do not require an Article 4 direction.

8.0 Composition of the Netherfield Housing Stock

- 8.1 There are **2915** residential properties within the ward of Netherfield and evidence available to the Council indicates that there are 7 confirmed HMOs providing accommodation for 5 or more unrelated individuals. There is a further property which could deliver a HMO, subject to planning/licensing approval. Therefore, currently **0.24%** of the housing stock in Netherfield is comprised of

HMOs accommodating 5 or more unrelated individuals and this could rise to **0.27%**. Furthermore, the existing HMOs appear to be distributed across the ward and at the current time there does not appear to be an over concentration in one particular locality.

9.0 Conclusion

- 9.1 The private rented sector is an important part of our housing market and HMOs form a vital part of this sector, often providing cheaper accommodation for people whose housing options are limited. The available information demonstrates that HMOs in Netherfield are distributed across the ward and comprise a low percentage of the overall number of residential properties.
- 9.2 Having regard to the requirements set out in the NPPF and the PPG, in my view there is currently insufficient evidence to demonstrate that an Article 4 direction is necessary to protect local amenity or the well-being of the Netherfield ward. The situation should however be monitored to ensure that a proliferation of HMOs does not emerge in any particular locality or the Netherfield ward as a whole.



HOUSE OF COMMONS

LONDON SW1A 0AA

Cllr John Clarke
Leader, Gedling Borough Council
Civic Centre
Arnot Hill Park
Arnold
Nottingham
NG5 6LU

20th April 2022

Dear Councillor Clarke,

HOUSES OF MULTIPLE OCCUPANCY (HMOs) IN NETHERFIELD

Thank you for letter dated 12th April 2022 in response to my letter dated 3rd March 2022 for an Article 4 Direction in Netherfield.

Since I wrote to you with that request, Netherfield's County Councillor, Mike Adams, and I surveyed Netherfield residents to evaluate how prevalent HMOs have become and how they are affecting the community. There were 111 respondents. I attach at Appendix 1 the results of that survey (note that some answers might have more than 111 responses as residents have chosen multiple options).

Of those surveyed, 93% said they would like to see Gedling Borough Council introduce an Article 4 Direction in Netherfield. 40% told us that an increase in HMOs in Netherfield is removing family homes off the market and resulting in the community not knowing their neighbours. 68% of those surveyed said an increase in HMOs is adding to the issues around lack of on-street parking.

As I originally wrote, most HMOs in Netherfield have been created by developers simply applying for a change of use from Class C3 single dwelling to a Class C4 HMO shared by up to six unrelated residents. This change is not subject to the usual full planning permission process, meaning Netherfield residents are not able to comment in support or object to the plans for individual property conversions and Gedling Borough Council's Planning Committee do not get to debate them.

As we have discussed, the Government has introduced powers to enable councils to activate an Article 4 Direction which requires property owners to apply for planning permission should they wish to convert a property into a HMO. The City of Nottingham and the Borough of Broxtowe have introduced an Article 4 Direction. I understand that Cllr Mike Adams will be tabling a motion during this evening's Full Council meeting of Gedling Borough Council, requesting that the Cabinet you lead introduces an Article 4 Direction in Netherfield.



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On behalf of Netherfield residents, I ask that you support this motion to enable the community of Netherfield to take back control of their neighbourhoods and help them continue to improve and I hope that this piece of work has been useful in helping to make a decision.

With best wishes,

A handwritten signature in black ink, appearing to read 'Tom', with a long diagonal line above it.

TOM RANDALL, MP
MEMBER OF PARLIAMENT FOR GEDLING

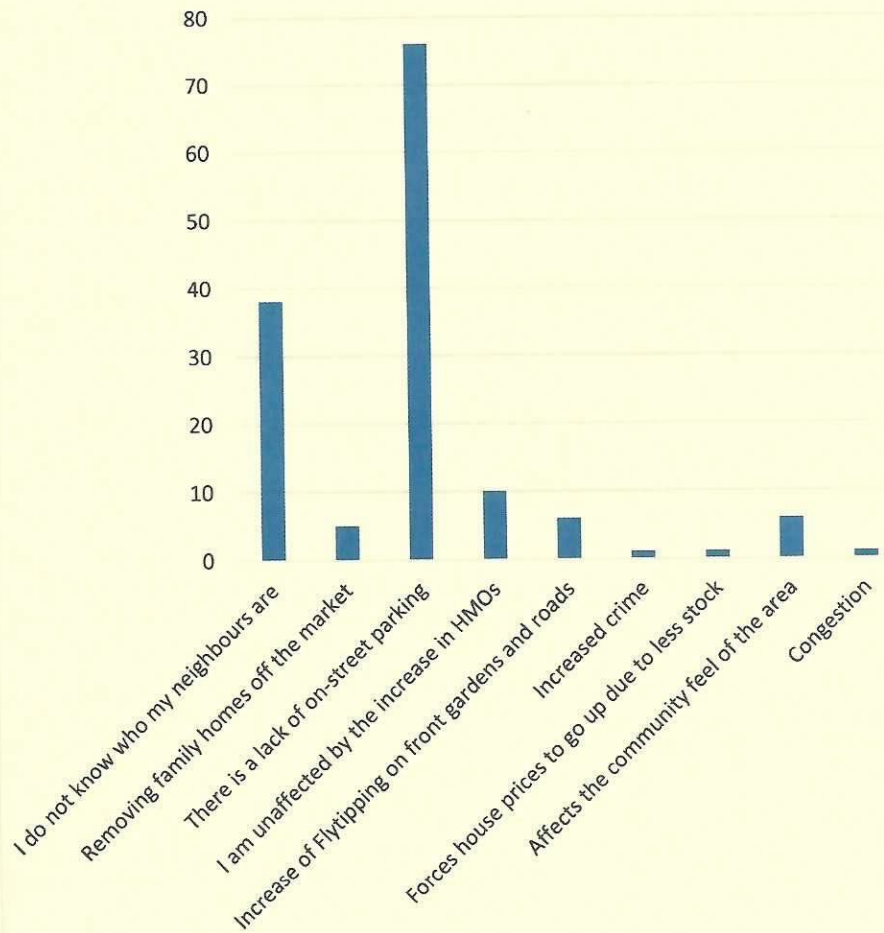


HOUSE OF COMMONS

LONDON SW1A 0AA

APPENDIX 1

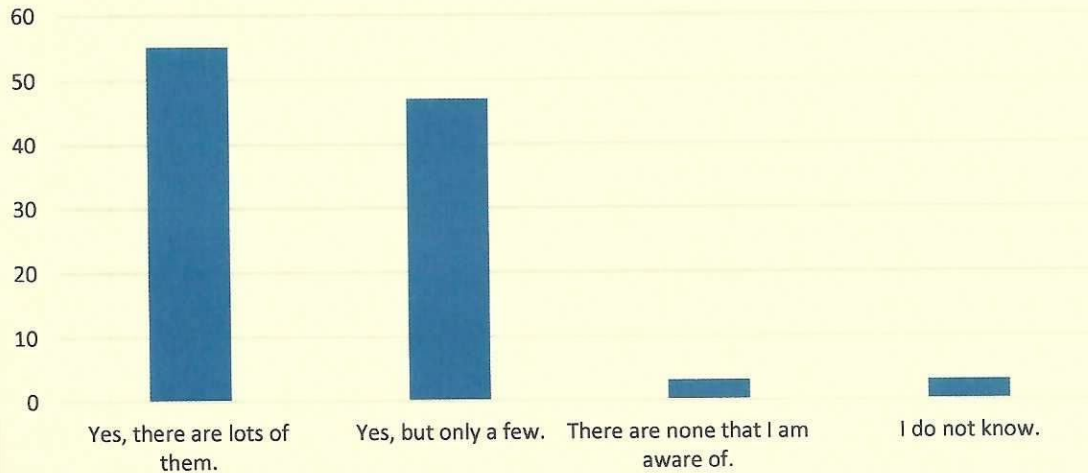
How does the increase in HMOs in Netherfield affect you?



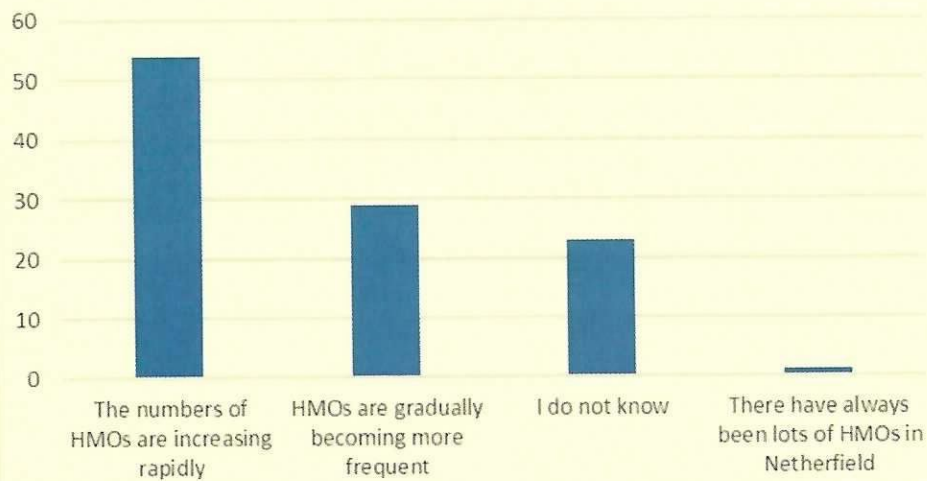


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Are you aware of any HMOs in Netherfield?



Have HMOs always been in the area?

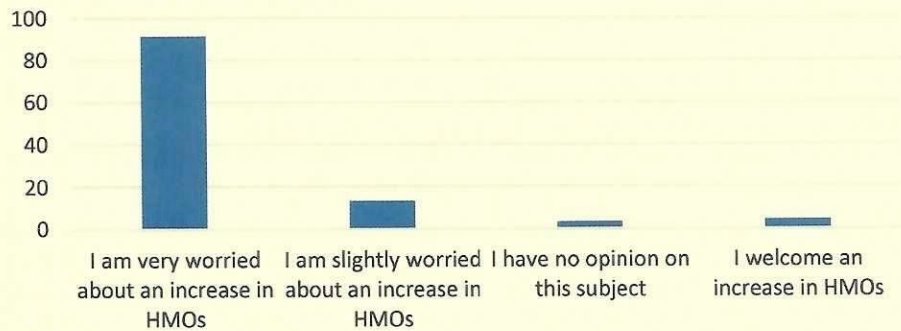




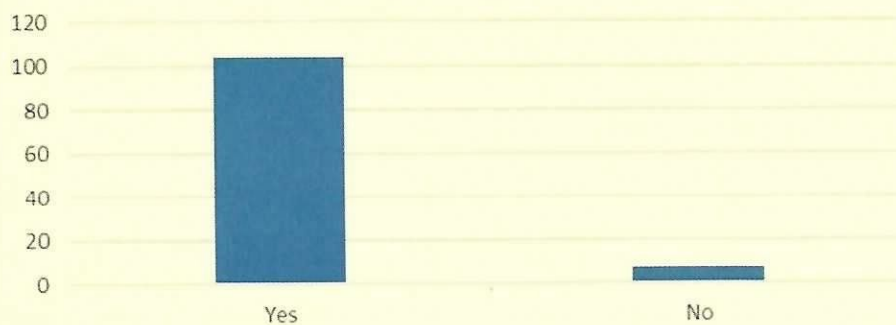
HOUSE OF COMMONS

LONDON SW1A 0AA

**How do you feel about an increase in HMOs in
Netherfield?**



Gedling Borough Council could introduce an 'Article 4 Direction' that will require property owners to apply for planning permission should they wish to convert a property into a HMO.
Would you like to see this introduced in Netherfield?



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Report to Planning Committee

Subject: Housing Delivery Action Plan 2022

Date: 27 July 2022

Author: Planning Policy Manager

Purpose

To note the Housing Delivery Action Plan 2022

Recommendation

THAT: Planning Committee

- **Notes the Housing Delivery Action Plan 2022 published in July 2022, attached as Appendix 1.**

1 Background

- 1.1 The Department for Levelling Up, Housing and Communities published the results of the Housing Delivery Test for 2021 on 14th January 2022. Paragraph 76 of the National Planning Policy Framework 2021 states where the Housing Delivery Test indicates that delivery has fallen below 95% of the housing requirement over the previous three years, the council should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years.
- 1.2 Housing delivery test results relating to the period 2018 to 2021 published in January 2022 indicate that performance improved to 85% from 68%. This means the Council should continue to prepare an action plan but a buffer of 20% no longer needs to be added to its five year housing land supply.
- 1.3 The Housing Delivery Action Plan 2022 provides an updated analysis of the key reasons for the under delivery of the Council's housing requirement and identifies the measures the Council intends to undertake to increase/maintain delivery of new housing in Gedling Borough. It includes a number of actions to help mitigate impacts of COVID-19 on housing

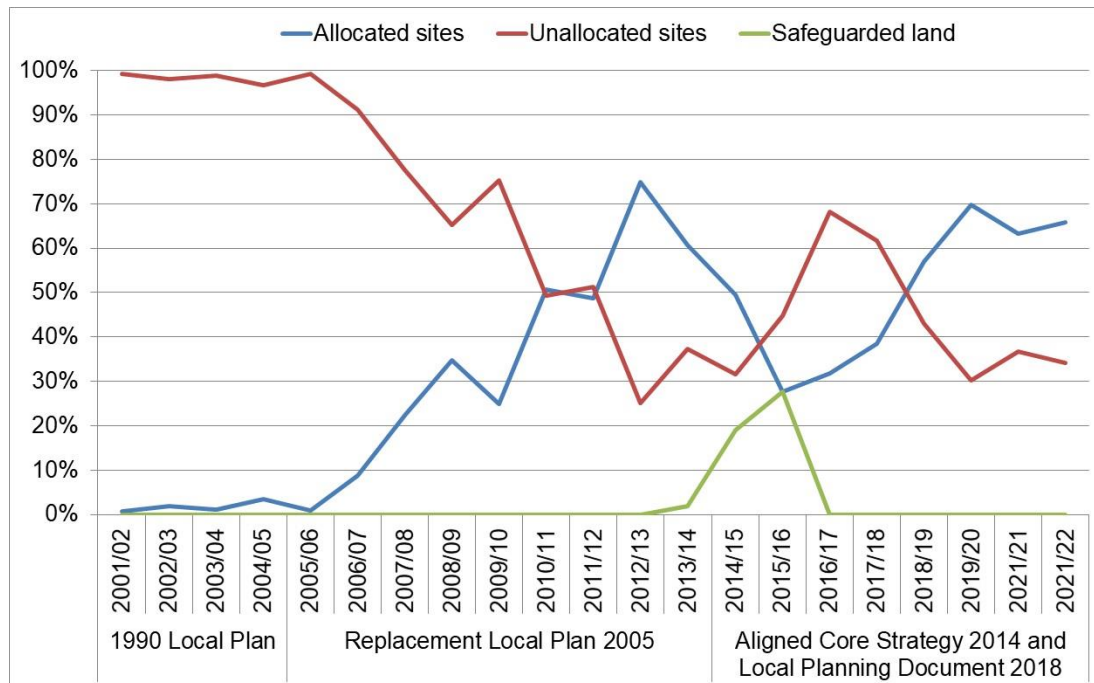
delivery. It also recognises that improving housing delivery is a long-term commitment and includes a review of the actions set out in the previous action plan.

Planning Policy Context

- 1.4 The Housing Delivery Test compares the net homes delivered (including communal accommodation) over the last three financial years to the homes required over the same period. In calculating homes required, the lower of two targets is used – the annual target from the most recent local plan or a calculation of household growth plus unmet need.

	Net housing completions	Net housing completions (cumulative)	Housing target	Housing target (cumulative)	% of housing target
2011/12	275	275	250	250	110 %
2012/13	227	502	250	500	100 %
2013/14	321	823	440	940	88 %
2014/15	311	1,134	440	1,380	82 %
2015/16	174	1,308	440	1,820	72 %
2016/17	198	1,506	440	2,260	67 %
2017/18	237	1,743	440	2,700	65 %
2018/19	286	2,029	480	3,180	64 %
2019/20	360	2,389	480	3,660	65 %
2020/21	310	2,699	458	4,118	66 %
2021/22	357	3,056	463	4,581	67 %

- 1.5 The graphic below shows the impact of adopting a local plan on housing delivery. It shows how the adoption of the 2005 Replacement Local Plan led to allocated sites being delivered quickly from 2006/07 onwards. This is because there is an inevitable time lag between the adoption of a local plan and the actual delivery of homes on sites. A similar pattern is being experienced now the Aligned Core Strategy and the Local Planning Document have been adopted.



- 1.6 Since 2011, the majority of housing completions have been on large sites with an average of 21% on small sites (up to 9 homes) and 79% completions on large sites (at least 10 homes). Completions on large sites include those allocated in the Replacement Local Plan 2005, Aligned Core Strategy 2014 and Local Planning Document 2018.
- 1.7 There are a large number of unimplemented plots with planning permission totalling 3,042 homes. These include both sites with full/reserved matters permission and those with outline planning permission. In the latter case it will be necessary to obtain the approval of reserved matters before housing delivery can commence. In this context, it is anticipated that housing delivery from sites with planning permission will increase over time. Since the previous 2021 Housing Delivery Action Plan was published the Council has granted planning permissions relating to a number of allocated sites. The Council's performance in terms of determining planning applications is not an issue and remains above the government targets for major, minor and other applications.

Housing Delivery Analysis – Site Specific Allocations

- 1.8 In general good progress is being made in terms of delivering the allocated housing sites. Three of the four large strategic housing sites (Gedling Colliery/Chase Farm, North of Papplewick Lane and Teal Close) are under the control of national housebuilders and are now delivering homes. Outline planning permission was granted in March 2022 for residential, business uses, local centre and associated infrastructure at the Top Wighay Farm site. Over the last year, significant progress has been made with the non-

strategic allocations and the majority of these now have planning permission and are currently under construction.

- 1.9 Section 5 of the Housing Delivery Action Plan highlights work already completed or on-going in terms of the preparation of development briefs, pre-application advice and the setting up of a number of working groups for specific sites in partnership with developers. Developer forums at both the local and Nottingham housing market area level have also provided useful fora for discussions and for generating potential solutions. The above mentioned fora have identified timely local plan delivery, adequate resources and solutions tailored to the individual sites as being particularly helpful actions.

Review of HDAP Actions

Greater Nottingham Strategic Plan

- 1.10 Work is progressing on the Greater Nottingham Strategic Plan, which was identified as a priority in the 2019 Housing Delivery Action Plan. The first stage of public consultation on the Growth Options Document commenced in July 2020 when social distancing measures were still in place. The partner councils agreed a consultation strategy that includes mitigation measures to address the potential disruptions of COVID-19 on the consultation process and this approach ensured that the Councils were able to progress the new plan. An extended consultation period took place between February and March 2021. As part of the preparation of the draft plan a series of member workshops have taken place, overseen by the Joint Planning Advisory Board, in order to consider housing numbers and the strategy for future growth of the Greater Nottingham area. Workshops took place in January, February, September and October 2021. Work has been ongoing to prepare the comprehensive evidence base that will be needed to support the draft plan and a 'Preferred Approach' version of the Strategic Plan focussing on the strategy, housing provision and the strategic sites will be consulted on in the Autumn, followed by publication of a full Pre-Submission version of the Strategic Plan in the summer of 2023'.
- 1.11 Good progress is also being made in a number of corporate actions, providing a more seamless planning service and proactive development management practices. These measures have been put in place and in many cases are on-going actions for the 2022 Housing Delivery Action Plan. The decision has been made to postpone the Council's review of its existing CIL charging schedule given the Levelling up and Regeneration Bill which proposes significant changes to the current planning system including CIL.

Progress on allocated sites

1.12 In addition to the progress of implementation of strategic sites set out above, planning permission has been granted for non-strategic site allocations. It is pleasing to report that the Gedling Access Road, now Colliery Way, has been completed and is now open to traffic. Since 1 April 2021:-

- Teal Close – reserved matters for the third and final housing phase of 255 homes granted in July 2022.
- North of Papplewick Lane – full planning permission for additional 18 homes granted in December 2021 and now currently under construction.
- Top Wighay Farm – outline planning permission for mixed-use development comprising 805 homes, 49,500 sq. m of B1 and B8, local centre and primary school and associated infrastructure granted in March 2022. The site has been acquired by a housebuilder and a reserved matters application is anticipated later in the year.
- H1 Rolleston Drive – full planning permission for 131 factory-built affordable homes granted in August 2021 and now currently under construction.
- H4 Linden Grove – reserved matters for 120 homes granted in October 2021 and now currently under construction.
- H9 Gedling Colliery / Chase Farm – reserved matters for the second housing phase of 433 homes granted in March 2022. Resolution to grant full planning application for 24 homes on the remainder part of the site in June 2022 subject to the signing of the s106.
- X2 Land West of A60 Site A – full planning permission for 72 homes now currently under construction.
- H11 The Sycamores – full planning permissions for total of 11 homes now currently under construction.
- H12 Westhouse Farm, Bestwood Village – reserved matters for 101 homes now currently under construction.
- H15 Main Street, Calverton – outline planning application for up to 79 homes granted in April 2021.
- H16 Park Road, Calverton – full planning permission for 351 homes on the majority of the site now currently under construction. Full

planning permission for 20 bungalows on the small part of the site (the car park at North Green) granted in August 2021.

- X4 Flatts Lane, Calverton – full planning permission for 82 homes now currently under construction.
- H19 Longdale Lane C, Ravenshead – full planning permission for 47 homes now currently under construction.
- X5 Kighill Lane A, Ravenshead – six homes on western part of the site (land of 22 Kighill Lane) was completed in April 2022. For the eastern part of the site (land adjacent to 16 Kighill Lane), outline planning application for up to seven homes was granted in May 2021.
- H20 Mill Field Close, Burton Joyce – site is now complete.
- H21 Orchard Close, Burton Joyce – reserved matters for 14 homes granted in August 2021.

New actions due to Covid-19 Pandemic

- 1.13 The 2020 Housing Delivery Action Plan included some new actions arising as a consequence of the Covid-19 pandemic and social distancing restrictions including the setting up of the virtual Planning Committee and virtual Member Planning Delegation Panel. Face to face meetings of Planning Committee resumed in May 2021. The consultation strategy for the Greater Nottingham Strategic Plan also made increased use of IT technology to help mitigate the impact of social distancing restrictions including the release of promotional video presentations direct to organisations or via social media and the setting up of a Twitter account attracted a significant number of followers.

2 Proposal

- 2.1 It is proposed that Planning Committee notes the updated Housing Delivery Action Plan 2022 attached at **Appendix 1** which has been approved by the Portfolio Holder for Growth and Regeneration.

3 Legal Implications

- 3.1 Paragraph 76 of the NPPF states that Local Planning Authorities should prepare an action plan in line with national guidance to assess the causes of under-delivery and identify actions to increase delivery in future years.
- 3.2 Paragraph 073 (reference ID: 3-073-20180913) of the PPG states that the action plan should be published within 6 months of the release of the Housing Delivery Test results. The results were released on 14th January

2022 meaning the deadline for the publication of the action plan was 14th July 2022.

4 Equalities Implications

- 4.1 An Equalities Impact Assessment has already been undertaken on the Council's proposed housing targets through the assessment of the adopted version of the Local Plan. The Action Plan would be intended to support the delivery of these targets.

5 Carbon Reduction/Environmental Sustainability Implications

- 5.1 Sustainability Appraisal is a legal requirement of plan preparation in order to consider economic, social and environmental objectives. The Housing Delivery Action Plan is intended to assist the implementation of the local plan and the planning process where sustainability issues have been considered through the preparation of the adopted Local Plan.

6 Appendices

- 6.1 Housing Delivery Action Plan 2022.

7 Background Papers

- 7.1 None.

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Housing Delivery Action Plan 2022

July 2022

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1. Introduction

1. The Department for Levelling Up, Housing and Communities published the results of the Housing Delivery Test for 2021 on 14 January 2022. The Housing Delivery Test is a percentage measurement calculated over a rolling three-year period taking into account the homes delivered in an area against the homes required.
2. Paragraph 76 of the National Planning Policy Framework 2021 states where the Housing Delivery Test indicates that delivery has fallen below 95% of the housing requirement over the previous three financial years, the council should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years.
3. The results are published on the Government's web page <https://www.gov.uk/government/collections/housing-delivery-test>. The table below shows the results for Gedling Borough Council since the first Housing Delivery Test result was published.

Housing Delivery Test measurement year	Published date of result	Result
2018	19 February 2019	51%
2019	13 February 2020	58%
2020	19 January 2021	68%
2021	14 January 2022	85%

4. The Housing Delivery Test result for 2021 for Gedling Borough Council is **85%** and is based on the three year period 1 April 2018 to 31 March 2021. This is an improved performance in comparison with 68% with the previous Housing Delivery Test result for 2020. Following the Housing Delivery Test results for 2018, 2019 and 2020, the Council was required to publish an Action Plan and a buffer of 20% was added to the supply of deliverable sites for the purposes of housing delivery assessment. Paragraph 74 of the National Planning Policy Framework 2021 states a 20% buffer should be applied where there has been significant under delivery of housing over the previous three years to improve the prospect of achieving the planned supply. The 20% buffer should be applied where delivery was below 85% of the housing requirement. The Housing Delivery Test result for 2021 means that the Council must continue to prepare an action plan and a buffer of 20% to its five year housing land supply is now no longer required.
5. A Housing Delivery Action Plan has been put in place which is being actively implemented and will assist in improving performance in future. The Action Plan is currently being monitored, reviewed and updated.

6. The Action Plan has been updated to include new information and reviewed in light of the COVID-19 pandemic which had an impact on housing delivery. The input from the SHLAA review is key to the monitoring and review of the Action Plan and sets out new actions to help mitigate some of the impacts of the COVID-19 pandemic on future housing supply.
7. The Action Plan provides an updated analysis of the key reasons for the under delivery of the Council's housing requirement and identifies the measures the Council intends to undertake to increase/maintain delivery of new housing in Gedling Borough. Many of the actions identified in previous versions of the Housing Delivery Action Plan have been implemented and a number of actions are on-going and are reviewed in Section 7: Key Actions.
8. The Council has an adopted Core Strategy which was produced in alignment with other Councils making up the Nottingham Core Housing Market Area. The Aligned Core Strategies were drawn up in recognition that there is a single housing market area and commonality of planning issues and need for cross boundary cooperation. It is also the case that other parts of the Housing Market Area have underperformed and certain issues relating to site delivery may be common.
9. The Action Plan looks at the planning policy context, provides an analysis of the past housing delivery (with regards to housing delivery past performance, site specific allocations, engaging with developers and viability and infrastructure issues) and identifies a number of key actions which aim to improve housing delivery.
10. The Council is committed to delivering growth but recognises that this is a complex process. A number of the actions identified in the Action Plan fall within the remit of the Council whilst other actions will need to be supported by other stakeholders involved in delivering housing in particular landowners and house builders.

2. Planning Policy Context

11. This section updates and summarises the planning policy context in relation to housing delivery within Gedling Borough.

The Local Plan

12. The Local Plan for Gedling Borough Council comprises the Aligned Core Strategy (Part 1 Local Plan) and the Local Planning Document (Part 2 Local Plan).
13. The Aligned Core Strategy was adopted in September 2014 and includes a housing requirement for Gedling Borough which is 7,250 homes for the plan period 2011 to 2028.
14. The Aligned Core Strategy allocates three strategic sites at Top Wighay Farm, Teal Close and North of Papplewick Lane and identifies Gedling Colliery/Chase Farm as a strategic location.
15. The Local Planning Document was adopted in July 2018 and allocates thirty housing sites.

Housing Need

16. The housing requirement in the Local Plan is considered out of date due to the fact that the Aligned Core Strategy is more than five years old and the housing requirement has now been replaced by a local housing need figure calculated using the standard method as required by the National Planning Policy Framework 2021.

Greater Nottingham Planning Partnership

17. The Greater Nottingham Planning Partnership covers the Hucknall wards of Ashfield and the administrative boundaries of Broxtowe, Erewash, Gedling, Nottingham and Rushcliffe. The six Councils along with Nottinghamshire and Derbyshire County Councils have worked collaboratively preparing a joint evidence base and fully aligned their Core Strategies. The Partnership has jointly delivered capital projects in excess of £10m and joint revenue projects over £1m. A key priority is to drive delivery of housing across the Nottingham Core Housing Market Area.
18. Gedling Borough Council is working together with Broxtowe Borough, Nottingham City and Rushcliffe Borough Councils on the review of the Aligned Core Strategies and preparing the Greater Nottingham Strategic Plan. The first stage of public consultation on the Greater Nottingham Strategic Plan

Growth Options took place between July and September 2020. An extended consultation period took place between February and March 2021. The Growth Options consultation document asked a series of questions on topics including housing growth. The Councils have agreed a consultation strategy that includes some mitigation measures to address the potential disruptions of COVID-19 pandemic on the consultation process and this approach has ensured that the Councils are able to progress the new plan. As part of the preparation of the draft plan, a series of member workshops have taken place overseen by the Joint Planning Advisory Board, in order to consider housing numbers and the strategy for future growth of the Greater Nottingham area. Workshops took place in January, February, September and October 2021. It had previously been agreed that proposing a preferred strategy was premature due to the Government's intention to revisit planning reform and ongoing uncertainty around HS2. However, it is recognised that there is a need to progress the Strategic Plan to ensure the strategic planning context remains up to date. The provisions of the Levelling up and Regeneration Bill are now anticipated to come into effect from 2024 onwards and work has also begun on responding to the Integrated Rail Plan. Work has been ongoing to prepare the comprehensive evidence base that will be needed to support the draft plan and a 'Preferred Approach' version of the Strategic Plan focussing on the strategy, housing provision and the strategic sites will be consulted on in the Autumn, followed by publication of a full Pre-Submission version of the Strategic Plan in the summer of 2023.

The Green Belt

19. Gedling Borough Council is a Green Belt authority with all land outside the urban area being part of the Nottingham-Derby Green Belt. The presumption against inappropriate development in the Green Belt means that there is no scope to permit more development in the Green Belt to address under delivery, unlike in non-Green Belt authorities, and the only option for increasing the supply of land is through policy preparation, more specifically a review of the local plan.
20. The National Planning Policy Framework 2021 states that altering Green Belt boundaries can only be justified by exceptional circumstances. Such exceptional circumstances may include any unmet quantitative need for housing that cannot be accommodated within the built up area as derived from using the standard method for assessing local housing need. However, it is not considered that exceptional circumstances would apply to removing land from Green Belt to overprovide for an unforeseen and unquantifiable amount of over provision for housing.

21. The Gedling Borough Local Planning Document has designated safeguarded land that is land removed from the Green Belt and protected from development in the plan period in order to meet longer term development needs. This potential supply of development land does provide a degree of flexibility for example; planning permission for residential development on safeguarded land has been permitted and developed in the past for example, the 113 homes on safeguarded land at the land between Main Street and Hollinwood Lane in Calverton was permitted in 2012 and fully built in 2014. In this case significant weight was attached to the fact that the Council did not have a five year supply of housing land at the time of the decision.

Other Council plans and strategies

The Gedling Plan

22. The Council updated the Gedling Plan in August 2020 and the Plan's priorities for 2020-2023 include:-
- Identify and facilitate the delivery of the identified housing priorities.
 - Drive the delivery of key housing sites.
 - Identify the opportunities for redeveloping vacant or underused sites for new affordable homes and temporary accommodation.
 - Explore the development of additional houses across the borough through appropriate models.
23. The Gedling Plan is available at the Council's web page
<https://www.gedling.gov.uk/council/aboutus/prioritiesplansandperformance/gedlingplan>.

Commercial Property Investment Strategy

24. Cabinet at its meeting on 19 March 2019 approved the Commercial Property Investment Strategy which provides a framework to enable investment opportunities that meet its requirement for financial returns, as well as other criteria including preference for a geographical location which is economically or socially beneficial to the Council, to be purchased and managed and if appropriate, disposed of. Further details on the Commercial Property Investment Strategy can be found under agenda item 100 at the following web link
<https://democracy.gedling.gov.uk/ieListDocuments.aspx?CId=127&MId=2322&Ver=4>.

Local Housing Company

25. Cabinet at its meeting on 19 March 2019 supported the preparation of a business case which will examine in detail different housing delivery models for the Council, including the option of establishing a Local Housing Company. Further details on the Local Housing Company can be found under agenda item 103 at the above web link.

SHLAA Review

26. The Council carries out an annual review of the Strategic Housing Land Availability Assessment (SHLAA) which provides a review of potential housing sites and its purpose is to help the Council to understand where and when housing could be built in the future. The SHLAA is reviewed annually to ensure that the latest information on site progress, developer intentions and any constraints is kept up to date.
27. The information gathered from the annual SHLAA review is also used to update the five year housing land supply. The SHLAA form that landowners and developers are required to complete as part of the annual SHLAA review specifically asks the question on how the Council can help to develop their sites.
28. The responses received over the last seven years (2015 to 2022) have been collated into broad categories and are set out in the **Appendix 1** together with actions identified for the Council. The actions set out in Section 7: Key Actions build on and maintain much of the above activities as well as identify specific new actions arising from the analysis of housing delivery and future supply in the next section.
29. A detailed SHLAA methodology has been agreed with the other Greater Nottingham Councils, which sets out the methodology for undertaking a SHLAA and calculates the future housing supply, is available at the Council's web page <https://www.gedling.gov.uk/shlaa>.

Implications of COVID-19 pandemic

30. Due to the COVID-19 pandemic, the whole country was in national, regional and local lockdown restrictions during 2020 and 2021. The housing delivery test is backward looking over a three year period meaning that the impact of COVID-19 pandemic affect Housing Delivery Test results. In response to the disruption to the construction sector caused by the first national lockdown in March 2020, the Government made a one-month (31 days) adjustment to the 2019/20 housing requirement as included in the previous Housing Delivery Test result for 2020 (which covered the period 1 April 2017 to 31 March

2020). This led to local authorities being assessed on their housing delivery for a 48 week period rather than the full 52 weeks in the 2019/20 period. The Government similarly applied a four-month (122 days) adjustment to the 2020/21 housing requirement. This means that the total number of homes required for the Housing Delivery Test result for 2021 is based on two year and seven month period instead the full three year period. The Housing Delivery Test result for 2022 due to be published in 2023, which will cover the three year period 1 April 2019 to 31 March 2022, would be substantially impacted unless the Government were to continue change its method of assessment to take into account the effects of COVID-19 pandemic. This Housing Delivery Action Plan will include actions to help mitigate impacts arising from the COVID-19 pandemic.

3. Housing Delivery Analysis – Past Performance

31. This section updates and provides an overview of housing delivery within Gedling Borough since 2011. As the Housing Delivery Test result for 2021 is based on the three year period 1 April 2018 to 31 March 2021 the information provided in this section includes data up to 31 March 2022, unless indicated otherwise.

Housing requirement and current rate of delivery

32. The table and graph below show how the Council is progressing against the housing target on an annual basis by comparing net homes delivered (excluding communal accommodation) since the beginning of the plan period. The annual housing targets from 2011/12 to 2019/20 are from the housing requirement in the Local Plan and those from 2020/21 to 2021/22 are based on local housing need. It should be noted that the Housing Delivery Test takes a different approach and compares the net homes (including communal accommodation) delivered over the last three financial years to the homes required over the same period. In calculating homes required, the lower of two targets is used – the annual target from the most recent local plan or a calculation of household growth plus unmet need.
33. The table below shows that the housing target has been reached in the first two years of the plan period (i.e. 2011/2012 and 2012/13) but since then the completions have been fairly erratic with a low point at 64% reached in 2018/19. 2019/20 has the highest completions and the COVID-19 pandemic has had an impact on house building as there has been a drop in the number of completions in 2020/21. However, it should be noted that there has been an increase in completions since, with the second highest completions figure recorded for 2021/22.

	Net housing completions	Net housing completions (cumulative)	Housing target	Housing target (cumulative)	% of housing target
2011/12	275	275	250	250	110 %
2012/13	227	502	250	500	100 %
2013/14	321	823	440	940	88 %
2014/15	311	1,134	440	1,380	82 %
2015/16	174	1,308	440	1,820	72 %
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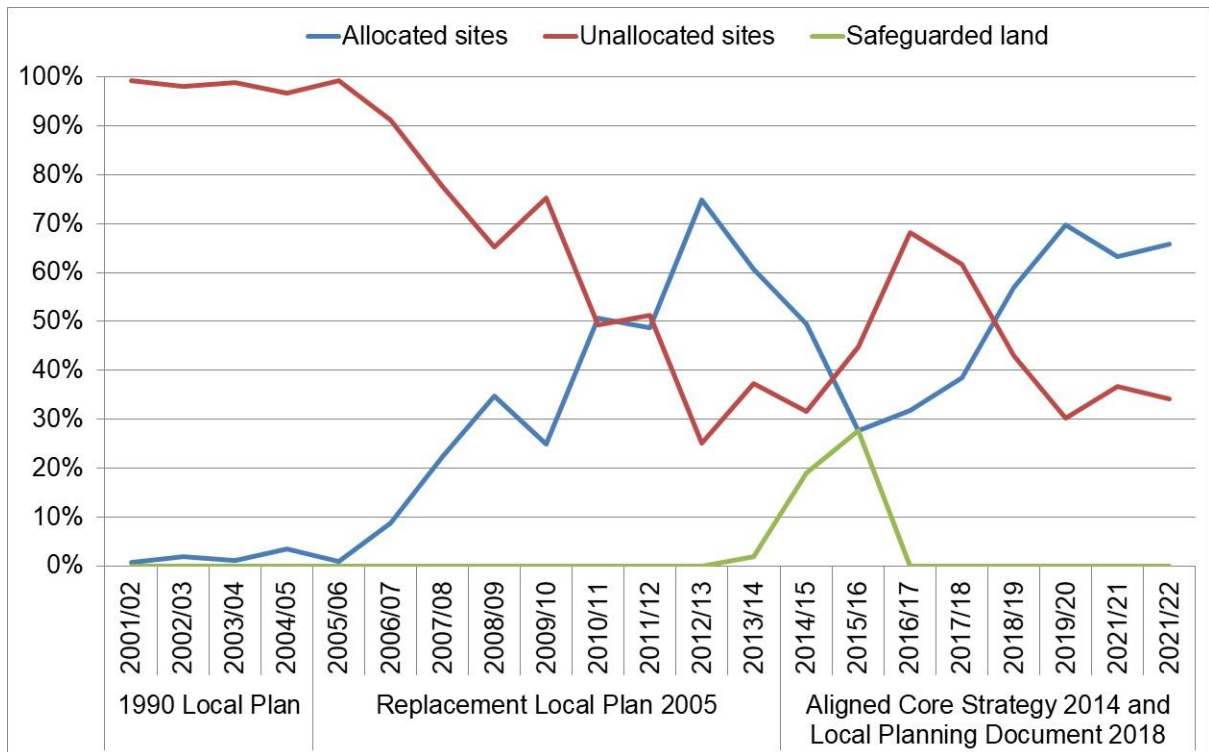


Five year supply of housing

34. The Council's Five Year Housing Land Supply Assessment 2021 was published in December 2021 and considers the Borough's supply of housing land against the housing target. The Council had a 6.32 year supply.

Delivery of Local Plan allocations

35. Allocated sites are those that are allocated for residential development in the Local Plan. Unallocated sites are those that are not allocated for residential development in the Local Plan, otherwise known as "windfall sites". Safeguarded sites are those that are designated as safeguarded land and protected from development during the plan period but will be considered for meeting longer term development needs through a review of the Local Plan.

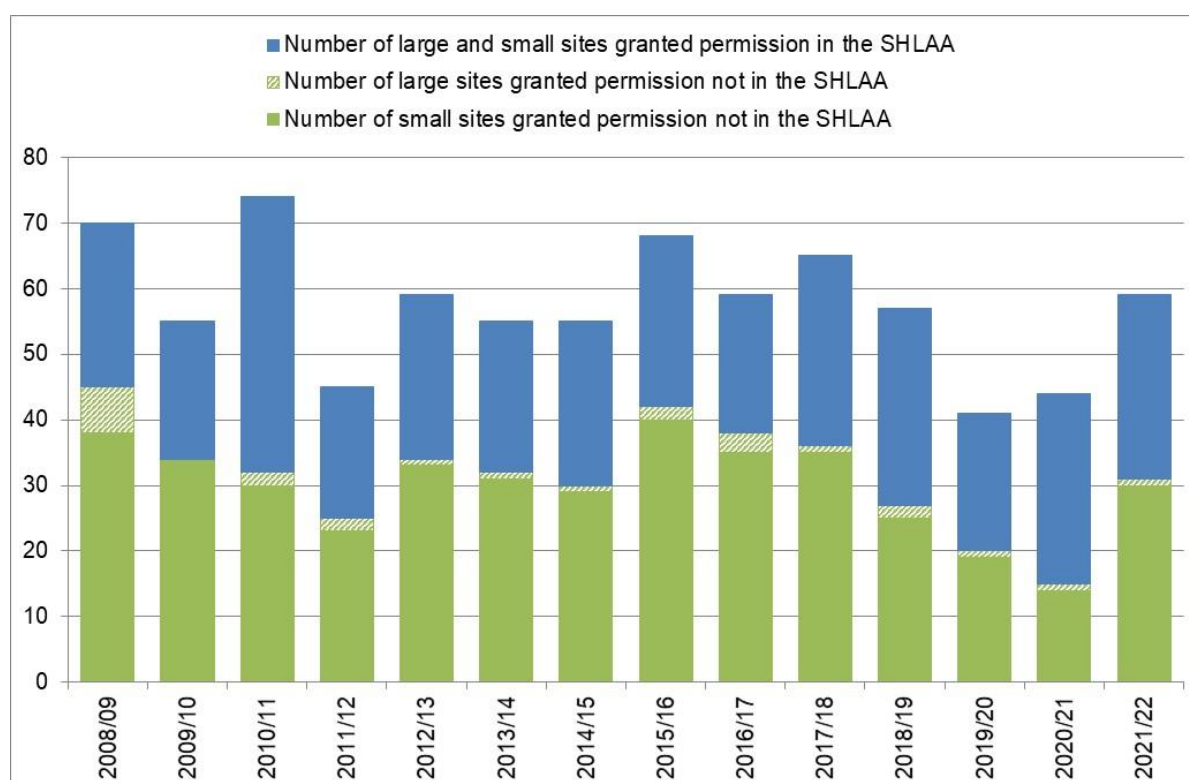


36. The above graph shows the percentage of homes built on allocated sites, unallocated sites and safeguarded land between 2001 and 2022. The graph shows that the majority of the completions before the adoption of the Replacement Local Plan in 2005 are on unallocated sites. The graph shows the impact of the Replacement Local Plan adopted in 2005 with allocated sites coming through from 2006/07 and dropping off after 2014/15 as most sites were built out. A similar pattern is expected to be seen over the next few years now the Aligned Core Strategy and the Local Planning Document have been adopted.

Data Analysis Conclusion 1:

37. The above analysis shows that completions increase following the adoption of the Local Plan. It is expected that the majority of completions on sites allocated in the Local Planning Document (adopted in 2018) will continue to come forward over the next few years and some sites have been granted planning permission and others are in the process of gaining planning permission.

New windfall sites that were not in the previous SHLAA database



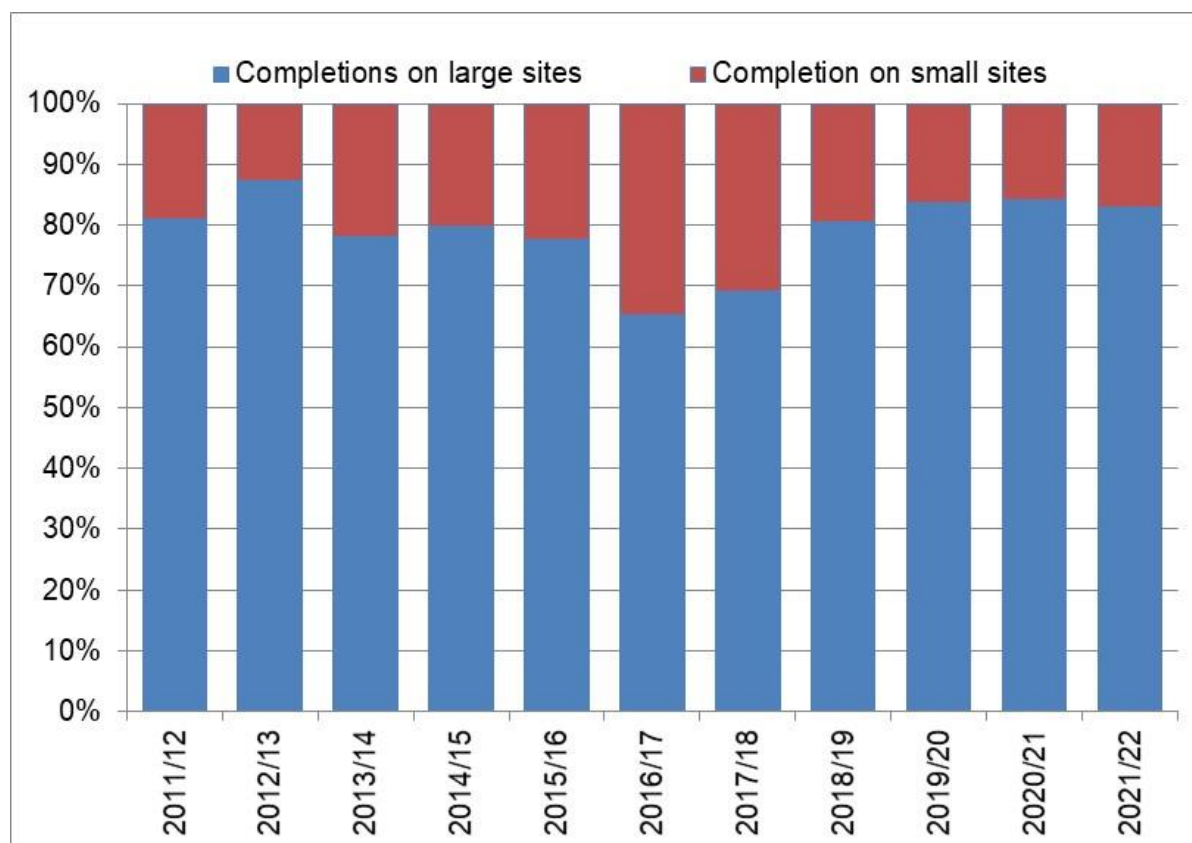
38. The above graph shows that new sites granted planning permission that were not previously included in the SHLAA are coming forward. This excludes permissions that have been superseded during the same year and replacement dwelling proposals. The number of new sites granted planning permission coming forward has varied over the years but for each year a large proportion of new sites granted planning permission have been on small sites (up to 9 homes). The number of new sites granted planning permission coming forward that were not previously included in the SHLAA has been higher than the number of SHLAA sites granted planning permission, except for the years 2010/11, 2018/19, 2019/20 and 2020/21. The graph shows there has been an increase of sites granted planning permission since 2019/20 and those granted planning permission that were not previously included in the SHLAA during 2021/22 were predominantly from small sites.

39. The new sites granted planning permission that were not previously included in the SHLAA comprise the following land uses:-

- Residential including the conversion of existing properties including outbuildings and redevelopment of residential garage courts;
- Conversion/redevelopment of offices, light industrial units and commercial buildings including shops and drinking establishments;
- Conversion/redevelopment of community centre/hall and church hall buildings;

- Conversion/redevelopment of agricultural buildings and barns;
- Development on vacant/underused land; and
- Other sources.

Housing completions on small and large sites



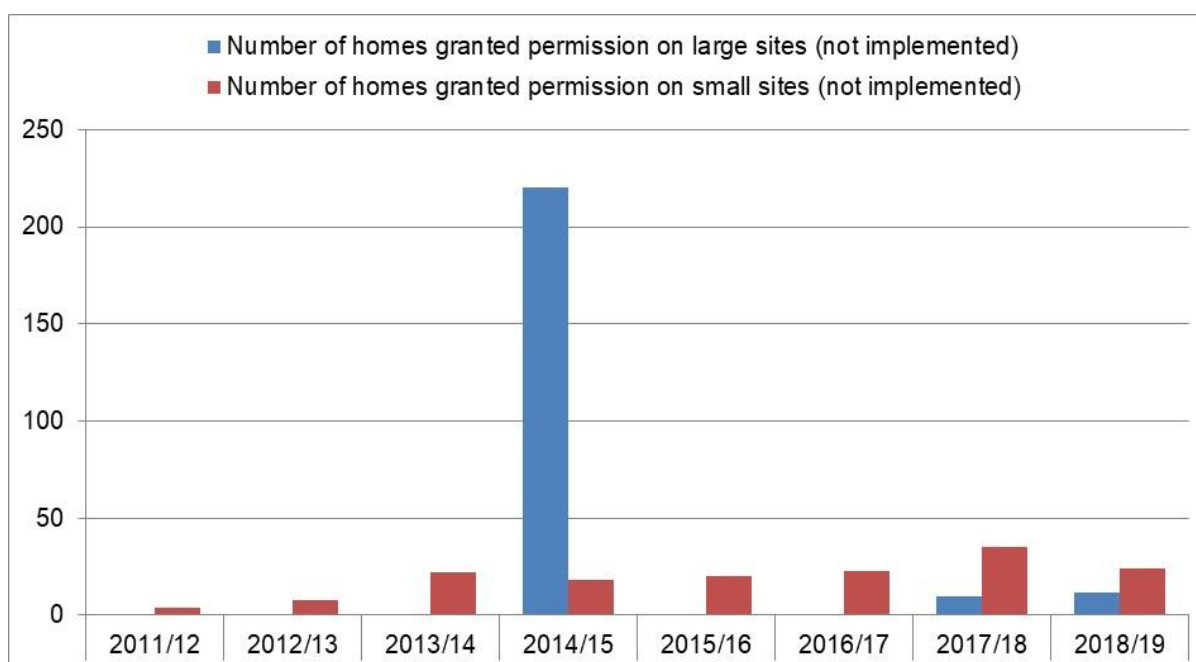
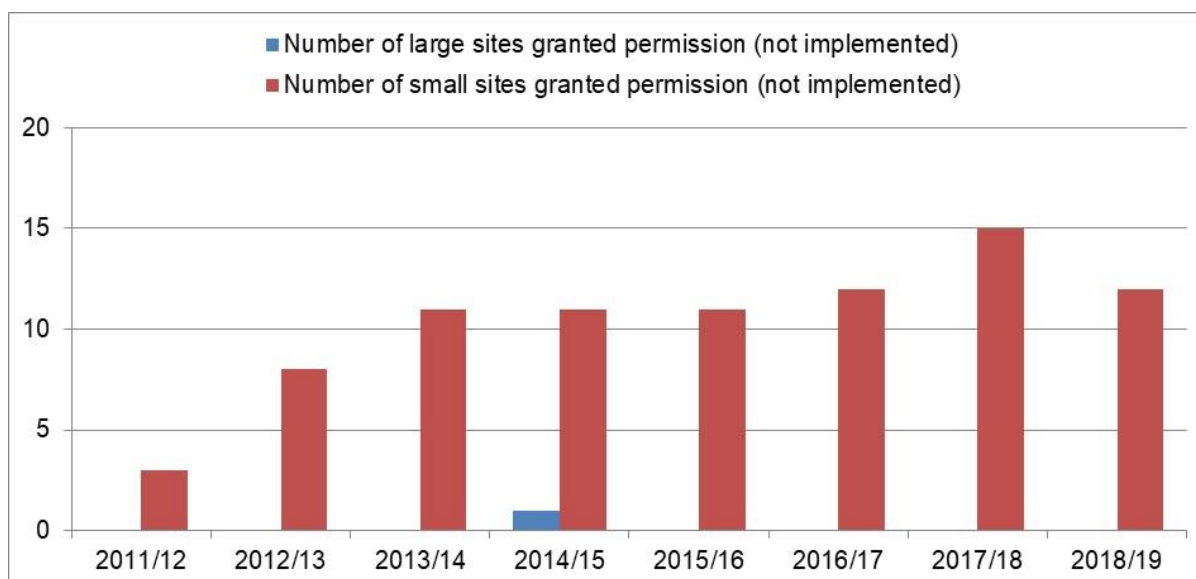
40. The above graph shows that since 2011 the majority of housing completions have been on large sites with an average of 21% on small sites (up to 9 homes) and 79% completions on large sites (at least 10 homes). Completions on large sites include those allocated in the Replacement Local Plan 2005, Aligned Core Strategy 2014 and Local Planning Document 2018.

Unimplemented homes on small and large sites

41. As at 31 March 2022, a total of 86 sites granted planning permission for residential development between 1 April 2011 and 31 March 2019 have not been implemented. Those granted permission since 1 April 2019 have up to 3 years to implement so this explains why the two graphs below do not show data for 2019/20, 2020/21 and 2021/22.
42. Out of the 86 sites, only three are large sites, one of which is site H13 Bestwood Business Park which was granted permission in March 2015 before it was allocated in the Local Planning Document in July 2018. The two graphs

below clearly show that small sites (up to 9 homes) are less likely to progress to completion than large sites (at least 10 homes) and, over the period shown, a total of 154 homes on 83 small sites have not been implemented.

43. The two graphs below exclude the 14 small sites that were previously 'not implemented' and have now either been granted a further planning permission or come forward for development. As such, they are no longer 'not implemented'. For this reason, the graphs below cannot be directly compared with those in previous versions of the Housing Delivery Action Plan.

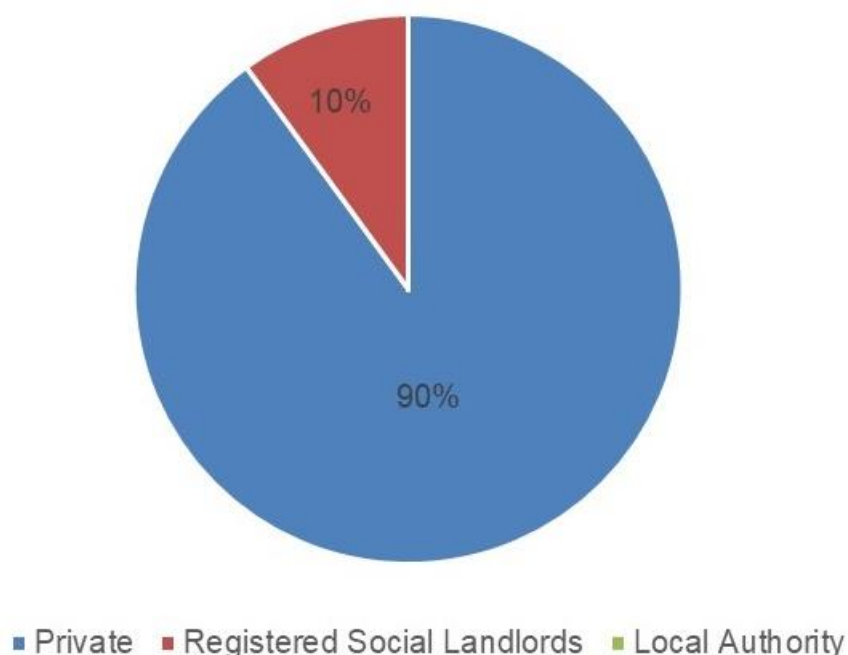


Data Analysis Conclusion 2:

44. The above analysis shows that whilst the majority of sites granted planning permission for housing are small sites, the contribution of large sites to housing delivery is more significant, in part because a greater proportion of small sites granted planning permission fail to come forward for development.
45. Consideration has been given as to whether a site is brownfield or greenfield has an impact on whether the site progresses or fails to come forward but no clear conclusions can be drawn in terms of impacts on delivery.

Housing completions by type of developer

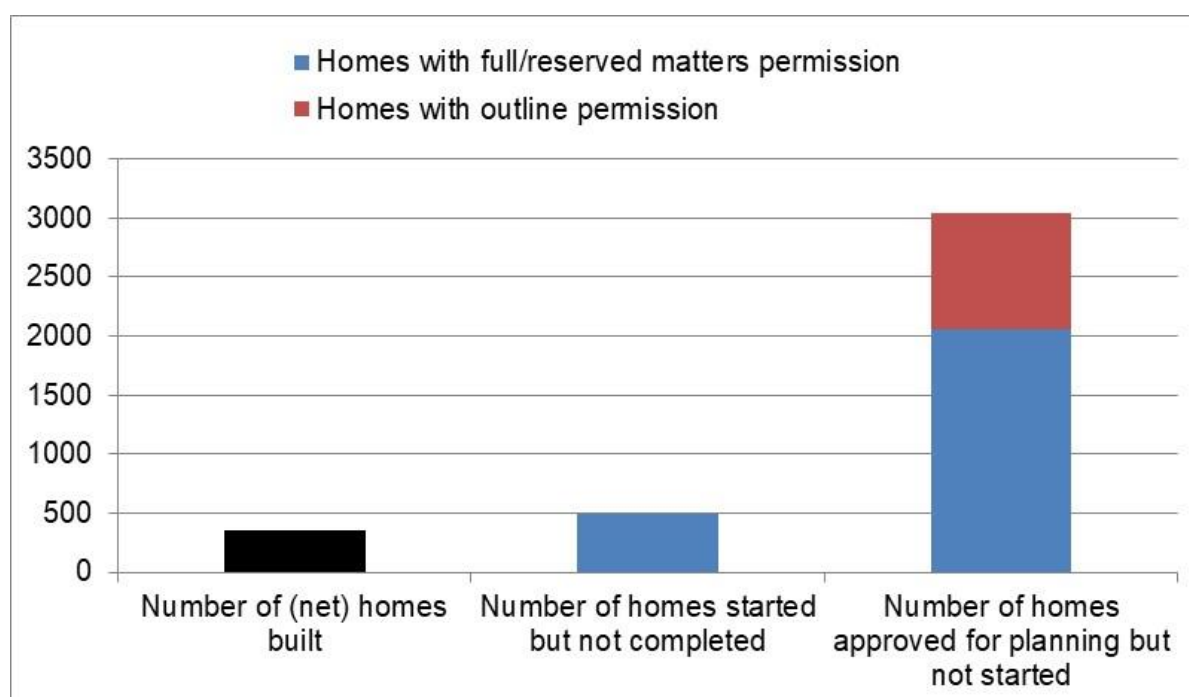
46. The below pie chart shows that since 2011 the private sector dominates housebuilding growth followed by registered social landlords such as housing associations. No homes have been built by the Council.



Data Analysis Conclusion 3:

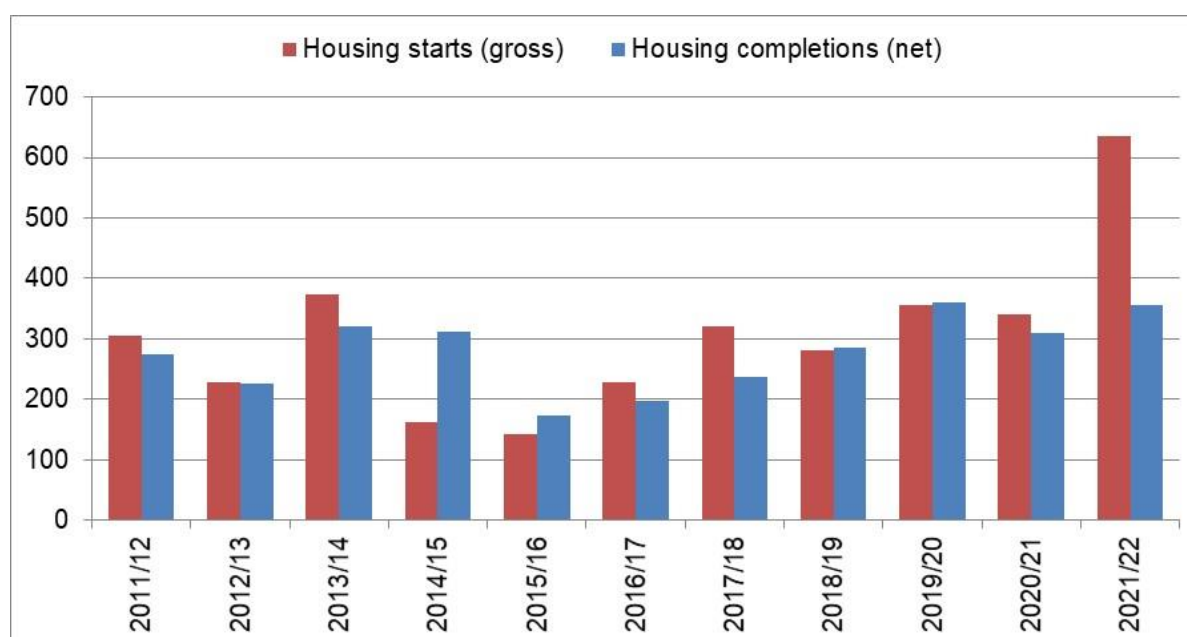
47. The above analysis shows that the private sector drives housebuilding growth within the Borough. The Council has not been building any houses.

Number of homes approved for planning but not yet built



48. The above graph shows that as at 31 March 2022 there are a large number of unimplemented plots with planning permission (3,042 homes) in comparison to those that have started but not yet fully built (492 homes) and those built during 2021/22 (357 homes). The 3,042 unimplemented plots approved for planning but not started are mostly those having full/reserved matters permission (2,056 homes). Inevitably for those sites going down the outline planning permission route there is a time lag between the grant of outline planning permission and the submission and approval of reserved matters applications or full applications.
49. It should be noted that the unimplemented plots include those allocated on three strategic sites and on some non-strategic sites. The table in **Appendix 2** briefly outlines progress on allocated housing sites.

New housing starts



50. The above graph shows the new housing starts (i.e. number of homes that have started but not yet fully built) in comparison to net completions over the years. 2021/22 saw the highest housing starts (635 plots) compared to previous years which indicates an increase in dwelling completions to come forward in future years.

Data Analysis Conclusion 4:

51. The above analysis shows there is a large number of unimplemented planning permissions and those that are currently under construction awaiting to be completed.

Percentage of planning applications granted within the statutory time limits

52. The Government sets statutory targets of 8 weeks for planning applications and 13 weeks for major applications for the determination of planning applications, unless the applicant for planning permission agrees to an extended period of time. The Government sets decision making thresholds of 60% for major planning applications and 70% for non-major planning applications. The Government publishes live tables on planning application statistics at their web page <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics>. Table P151 provides the speed of decision on planning applications for major development for county and local authorities and Table P153 provides the speed of decision on planning applications for non-major development for local authorities. For Gedling Borough Council, the percentage figure for major applications during

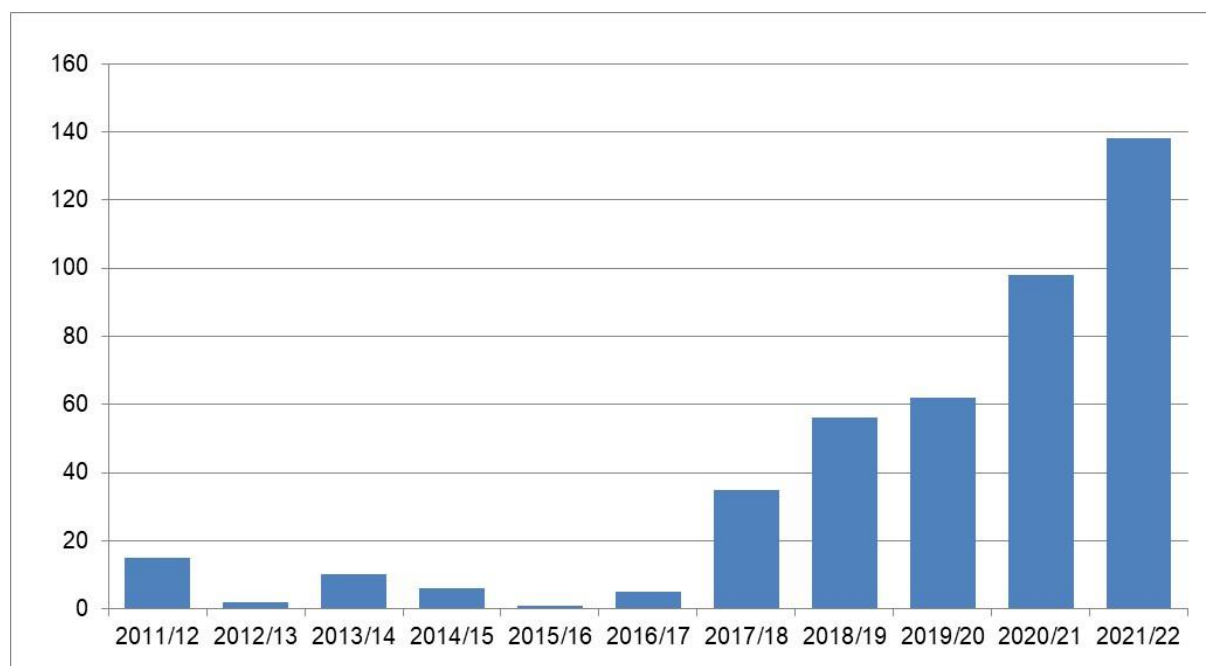
the 24-month period 1 April 2020 to 31 March 2022 is 97.5% and the percentage figure for non-major applications for the same period is 85.1%.

Data Analysis Conclusion 5:

53. The above analysis shows that the Council is performing well in meeting statutory targets and the speed of decision making is well above the thresholds set by the Government. During lockdown the Council facilitated the deployment of staff including Development Management working from home. Staff are now working on a hybrid basis, spending time working both at home and in the office. The Planning Committee was temporarily suspended from meeting due to the cancellation of Council meetings whilst arrangements were put in place to hold virtual meetings which were held each month from June 2020 to March 2021 and there has been no disruption to the service. Face to face Planning Committee meetings resumed in May 2021. The Members Delegation Panel has been meeting in a virtual form since early April 2020 continuing business as usual.

Empty homes

54. The Council takes a proactive approach to bringing empty homes in the Borough back into use. An Empty Homes officer has been in post since June 2017. The number of homes brought back into use each year is set out in the graph below.



Data Analysis Conclusion 6:

55. The above analysis shows that there has been a significant increase in the number of empty homes brought back into use since 2017/18.

4. Housing Delivery Analysis – Site Specific Allocations

56. This section updates and provides an overview on what has been happening on strategic sites allocated in the Aligned Core Strategy and non-strategic sites allocated in the Local Planning Document using up-to-date information from the SHLAA 2021 review.
57. The table in **Appendix 2** briefly outlines progress on allocated housing sites.

Strategic sites in the Aligned Core Strategy

58. Good progress has been made on Teal Close and North of Papplewick Lane sites which are both currently under construction.
59. Part of the Top Wighay Farm site has been completed (38 homes) and the remainder has outline planning permission for residential, business uses, local centre and associated infrastructure granted in March 2022. The Council helped secure public funding through the Accelerated Construction Fund which has been used to fund access improvements to site.

Non-strategic sites in the Local Planning Document

60. Of the non-strategic housing allocations good progress is also being made as a number have been granted planning permission or planning applications have been submitted. Details are set out in the table in Appendix 2 and in summary the current position is as follows:-

Sites built:-

- Two sites out of thirty are fully developed – H6 Spring Lane and H20 Mill Field Close, Burton Joyce.
- Total of seven plots built on part of X5 Kighill Lane A, Ravenshead.
- Plot 1 built on H23 Ash Grove, Woodborough.

Sites currently under construction:-

- H1 Rolleston Drive.
- H4 Linden Grove.
- 164 homes on the majority of H7 Howbeck Road/Mapperley Plans.
- First phase of 508 homes on H9 Gedling Colliery/Colliery Chase Farm.
- X2 Land West of A60 Site A.
- H11 The Sycamores, Bestwood Village.
- 101 homes on part of H12 Westhouse Farm, Bestwood Village.
- H14 Dark Lane, Calverton.

- 351 homes on the majority of H16 Park Road, Calverton.
- X4 Flatts Lane, Calverton.
- H19 Longdale Lane C, Ravenshead.
- Seven homes on part of X5 Kighill Lane A, Ravenshead.

Sites with full or reserved matters planning permission:-

- Second phase of 433 homes on H9 Gedling Colliery/Colliery Chase Farm.
- 20 bunaglows on part of H16 Park Road, Calverton.
- H21 Orchard Close, Burton Joyce.
- Plot 2 on H23 Ash Grove, Woodborough.

Sites with outline planning permission:-

- Up to 32 homes on part of H2 Brookfields Garden Centre.
- H15 Main Street, Calverton.

61. For H22 Station Road in Newstead, this site has a longstanding and on-going access issue and it is not assumed that this site would count towards future housing supply in the housing trajectory. It would however assist in regenerating the village and so remains an allocation and included within the Housing Delivery Action Plan.

Data Analysis Conclusion 7:

62. Gedling Borough Council has an up to date Local Plan. It is expected that, despite the delayed implications of the delivery of allocated sites due to the COVID-19 pandemic, the majority of completions on sites allocated in the Aligned Core Strategy and Local Planning Document will come forward over the remainder of the plan period and lead to an improved performance of housing delivery. Certain sites have not come forward as quickly as anticipated by their developers for various reasons which are picked up in Section 7: Key Actions.

5. Housing Delivery Analysis – Engaging with Developers

63. This section updates and provides an overview on engagement and collaboration with developers since March 2015.

Partnership working/supplementary planning policy and pre-application advice

64. Working groups involving both developers and other key stakeholders have been established for a number of housing sites, discussions held about the resolution of outstanding issues and to provide input to development briefs. The following development briefs or informal guidance has been prepared.

- Top Wighay Farm Development Brief adopted;
- Gedling Colliery/Chase Farm Development Brief adopted;
- Dark Lane, Calverton Development Brief adopted;
- Development Brief for the three sites north east of Arnold adopted;
- Willow Farm Development Brief (informal guidance) adopted; and
- Rolleston Drive informal planning guidance.

65. A collaborative approach is taken to working with developers. This has included the following actions:-

- Letters/e-mails sent to all developers of allocated sites in order to encourage the early submission of planning applications following adoption of the Local Planning Document in 2018 and assure determination in a timely manner;
- GBC Developers Forum meetings (see below for further information); and
- Greater Nottingham Housing Delivery Workshops (see below for further information).

Data Analysis Conclusion 8:

66. A lot of effort has been placed on engaging with developers through the provision of additional planning guidance, pre-application advice and working in partnership to unblock certain sites. In general this support has been well received and reciprocated by developers/landowners. The working groups are now well established and the key actions set in Section 7: Key Actions commit the Council to continue working with these groups as long as necessary in order to bring sites forward.

Developers Forum

67. The Developers Forum meets quarterly at Gedling Borough Council and involves representatives from house builders, developers, landowners and the registered housing providers. Representatives include national builders as well as regional builders. The Council is represented politically by the Leader of the Council, Portfolio Holder for Growth and Regeneration and at officer level by the Head of Development and Place, Head of Regeneration and Welfare and the Planning Policy Manager. The Developers Forum has been used to inform the preparation of planning policy documents, to promote funding opportunities such as Homes England and to seek feedback on the Planning Policy, Development Management and Economic Growth and Regeneration Service.
68. When the first Housing Delivery Action Plan was prepared in 2019, a draft version was subject to consultation with the Developers Forum and constructive feedback comments were received. This updated Housing Delivery Action Plan has not been subject to formal consultation with the Developers Forum but the Council has continued to have close dialogue.

Data Analysis Conclusion 9:

69. The Developers Forum is an important means of obtaining expert feedback on planning policy, planning performance and on the types of action that the Council could follow to help speed up delivery and has helped inform this Housing Delivery Action Plan.

Greater Nottingham Planning Partnership Workshops

70. On 12 October 2017 the Greater Nottingham Planning Partnership held a Housing Delivery Workshop which was well attended by developers, councillors and other housing stakeholders. An important outcome was the preparation of a Planning Protocol for Delivering Growth in Greater Nottingham. This is a voluntary arrangement but sets out a number of agreed commitments including timely local plan coverage and sufficient resources; and a raft of measures to provide a more proactive and consistent planning service.
71. A follow up workshop was held in February 2019 which reiterated the message about sticking to local plan timetables. In this context, the new requirement to publish a Statement of Common Ground was highlighted in terms of getting agreement between the various Council partners over the future distribution of housing between local authorities. Further useful

feedback reminded delegates that sites are unique and require bespoke solutions. The County Highways Authority indicated their intention to prioritise large strategic sites when giving highways advice.

72. A special workshop was held on 6 December 2019 specifically to consider the need to address climate change through the planning system. This included presentations from the Midlands Energy Hub (hosted by Nottingham City) on the Midlands Local Enterprise Partnerships Energy Strategies, the Royal Town Planning Institute on Rising to the Challenge of Climate Change, local authority perspectives from Nottingham City and Rushcliffe Borough on meeting local carbon reduction targets and developers perspectives on Designing a Better Way to Live. A particular theme for the workshops included raising the environmental sustainability standard of housing development facilitated by Arups consultants with feedback and learning points to take forward the climate change agenda in partnership and through local plan preparation.

Data Analysis Conclusion 10:

73. The under delivery of housing is not just a Gedling Borough Council issue but common to some Council partners across the Nottingham Housing Market Area. Key messages from the two Greater Nottingham Planning Partnership workshops include timely local plan preparation, committing appropriate resources, consistency in terms of dealing with planning applications across the Housing Market Area and for prioritising of consultee advice on strategic sites. An important point is that each site is unique and hence requires particular solutions. The site specific allocation actions set out in Section 7: Key Actions pick up this theme.

6. Housing Delivery Analysis – Viability and Infrastructure

74. This section updates and provides an overview on the relationship between housing delivery and viability and infrastructure.

Viability Issues

75. The [Plan Wide Viability Assessment](#) illustrates that, in general terms, housing developments proposed in all locations in the Borough are broadly viable taking account of all policy impacts, affordable housing delivery and Community Infrastructure Levy charges. Strategic sites allocated for development in the emerging Greater Nottingham Strategic Plan will similarly be subject to a Plan Wide Viability Assessment.
76. The Plan Wide Viability Assessment showed that at the time of writing that all greenfield sites in the initial 0-5 year delivery period were viable based on the adopted assumptions. A small number of brownfield sites demonstrated marginal viability in the 0-5 year delivery period but were still considered to be broadly viable and deliverable. Given this context, progress on brownfield sites H1 Rolleston Drive and X2 Land West of A60 Site A (as set out in Appendix 2) is noted.

Data Analysis Conclusion 11:

77. Viability is not considered to be particular barrier to site delivery within Gedling Borough.

Infrastructure

78. The Local Plan is supported by an Infrastructure Delivery Plan. The Infrastructure Delivery Plan concludes that there are no significant infrastructure constraints relating to the individual allocated sites that would act as showstoppers. Consideration will be given to new infrastructure needed to support future growth up to 2038 through an updated Infrastructure Delivery Plan prepared alongside the emerging Greater Nottingham Strategic Plan.
79. The funding package for the construction of the Gedling Access Road (GAR) with approximately £4.48 m provided through the Community Infrastructure Levy which prioritised the construction of the new road. The new road has been built, now known as Colliery Way, and opened to traffic on 22 March 2022.
80. Significant levels of up front infrastructure are also needed to support the strategic site allocation at Top Wighay. The site was subject to a successful

bid for Accelerated Construction Funding which has been used to fund improved highway access to the site. Other requirements include other significant highway and transport measures, a new primary school, contributions towards health facilities, open space and sustainable drainage systems.

81. Certain sites should contribute towards the provision of new primary schools. In the case of the Gedling Colliery/Chase Farm site and Westhouse Farm site in Bestwood Village, new primary schools have been granted permission and funding secured. The new primary school at Bestwood Village opened in 2020. Contributions from all the Arnold sites are expected towards the costs of additional primary school places within the Arnold catchment area on a pro rata basis in accordance with the Nottinghamshire County Council Developer Contribution Strategy. A new primary school at Teal Close is now complete and expected to open in September 2022.

Data Analysis Conclusion 12:

82. In general, infrastructure constraints are not a barrier to housing delivery. The Gedling Access Road is a major piece of infrastructure that has now been built.

7. Key Actions

83. This section updates and reviews the key actions to address the housing delivery issues highlighted in this document.

Housing Supply: Actions

Action/actor	Task description	Expected Outcome	Timescale	Progress
<p>Review of Aligned Core Strategy Local Plan (Greater Nottingham Strategic Plan).</p> <p>GBC Planning Policy.</p> <p>HMA officers.</p>	Review Aligned Core Strategies.	Submission for examination by December 2023.	On-going (subject to review of Local Development Scheme).	<p>Work commenced.</p> <p>Greater Nottingham Strategic Plan Growth Options Document consultation between 6 July – 14 September 2020. Extended consultation between 10 February – 23 March 2021.</p> <p>Work on-going on preferred approach.</p>
<p>Use of Council owned land and acquired sites in line with the GBC Commercial Property Investment Strategy.</p> <p>GBC Estates.</p>	Consider the potential to build new homes on Council owned land.	Accelerate housing delivery, increase affordable housing supply.	On-going.	<p>GBC sites re-assessed in SHLAA 2021 review.</p> <p>Pre-application advice being sought on a number of potential housing sites.</p> <p>Options for delivery for proposals for 17 dwelling units off Burton Road / Station Road are under review.</p>

Action/actor	Task description	Expected Outcome	Timescale	Progress
Feasibility of setting up Housing Company. GBC Economic Growth and Regeneration.	Prepare Outline Business Case.	Accelerate housing delivery, increase affordable housing supply.	On-going.	Work is ongoing to explore the options for the Council to deliver housing through alternative methods.
Review Community Infrastructure Levy (CIL). GBC Development Management.	Review of CIL.	Review of CIL. Preparation of annual Infrastructure Funding Statements.	On-going.	The Levelling up and Regeneration Bill proposes significant changes to the current planning system including CIL. As such, the decision has been made to postpone Gedling's review of its existing CIL charging schedule. See Infrastructure Funding Statement 2020/21.
Future SHLAA Review. GBC Planning Policy.	More detailed call for sites and more proactive approach to identifying potential sites.	Additional small sites identified.	2022 SHLAA Review.	A joint SHLAA methodology has been agreed with other Greater Nottingham councils. SHLAA based on joint methodology will inform the preparation of the Greater Nottingham Strategic Plan.

Site Specific Allocations: Actions

Site	Action/Task description	Expected Outcome	Timescale	Progress
Teal Close (allocated for 830 homes).	No action required.		On-going.	Phase 1 for 199 homes and phase 2 for 353 homes currently under construction. Reserved matters for the third and final housing phase of 255 homes granted in July 2022.
North of Papplewick Lane (allocated for up to 300 homes).	No action required.		On-going.	Site is currently under construction for 255 homes.
Top Wighay Farm (allocated for 1,000 homes).	No action required.	Planning application for reserved matters.	On-going.	Accelerated Construction Funding secured for access improvements to the site. Two new junctions from the A611 are currently under construction. Outline planning permission for 805 homes, 49,500 sq. m of B1 and B8, local centre and primary school and associated infrastructure granted in March 2022. Reserved matters application anticipated during 2022.

Site	Action/Task description	Expected Outcome	Timescale	Progress
H1 Rolleston Drive (allocated for 140 homes).	No action required.		On-going.	Site is currently under construction for 131 homes.
H2 Brookfields Garden Centre (allocated for 90 homes).	Please also see Infrastructure below for education contribution.	Issue decision notice. Planning application for reserved matters for phase 1 and planning application for phase 2.	On-going.	Outline permission for up to 32 homes on part of the site (phase 1) granted in March 2020.
H3 Willow Farm (allocated for 110 homes).	Regular dialogue with landowner/ developer. Determine planning application.	Issue decision notice. Planning application for remainder part of the site.	On-going.	Informal guidance adopted February 2020. Full planning application for 28 homes on part of the site pending consideration.
H4 Linden Grove (allocated for 115 homes).	No action required.		Ongoing.	Site is currently under construction for 120 homes.
H5 Lodge Farm Lane (allocated for 150 homes)	Secure education contributions (see Infrastructure below for education contribution). Sign off s106.	Issue decision notice. Planning application for reserved matters.	Ongoing.	Resolution to grant outline planning application for up to 148 homes in August 2019 subject to the signing of s106.
H6 Spring Lane (allocated for 150 homes).	No action required.			Site completed.
H7 Howbeck Road/ Mapperley Plains (allocated for 205 homes).	Encourage the remainder of the site to come forward.	Planning application for remainder part of the site.	On-going.	Majority of the site is currently under construction for 164 homes.

Site	Action/Task description	Expected Outcome	Timescale	Progress
H8 Killisick Lane (allocated for 230 homes).	Please see Infrastructure below for education contribution.	Planning application.	On-going.	On-going dialogue with landowners.
H9 Gedling Colliery/ Chase Farm (allocated for 1,050 homes).	Continue regular dialogue with developer as and when needed regarding progress and amendments to planning permissions etc. Sign off s106.	Updates on progress.	On-going.	Phase 1 (508 homes) currently under construction. Reserved matters for the second housing phase of 433 homes granted in March 2022. Resolution to grant full planning application for 24 homes on the remainder part of the site in June 2022 subject to the signing of the s106.
X1 Daybrook Laundry (allocated for 49 homes).	No action required.	Site to be sold to a house builder. Planning application.	On-going.	It is understood that the presence of an aquifer may affect how the site is disposed of.
X2 Land West of A60 Site A. (allocated for 72 homes).	No action required.		On-going.	Site is currently under construction for 72 homes.
X3 Land West of A60 Site B (allocated for 150 homes).	Determine planning application.	Issue decision notice.	On-going.	Full planning application for 157 homes pending consideration.
H10 Hayden Lane (allocated for 120 homes).	Determine planning application.	Issue decision notice.	On-going.	Full planning application for 135 homes pending consideration.
H11 The Sycamores,	No action required.		On-going.	Site is currently under

Site	Action/Task description	Expected Outcome	Timescale	Progress
Bestwood Village (allocated for 25 homes).				construction for 11 homes.
H12 Westhouse Farm, Bestwood Village (allocated for 210 homes).	No action required.	Planning application for phase 2.	On-going.	Part of the site is currently under construction for 101 homes (phase 1).
H13 Bestwood Business Park, Bestwood Village (allocated for 220 homes).	Meet with developer.	Assess future intentions for the site.	On-going.	No progress.
H14 Dark Lane, Calverton (allocated for 70 homes).	No action required.		On-going.	Site is currently under construction for 57 homes.
H15 Main Street, Calverton (allocated for 75 homes)	No action required.	Planning application for reserved matters.	On-going.	Outline planning permission for up to 79 homes granted in April 2021.
H16 Park Road, Calverton (allocated for 390 homes).	Determine reserved matters application.	Issue decision notice.	On-going.	Majority of the site is currently under construction for 351 homes. Reserved matters application for a re-plan which includes additional 13 homes pending consideration. Full planning permission for 20 bungalows on part of the site granted in August 2021.

Site	Action/Task description	Expected Outcome	Timescale	Progress
X4 Flatts Lane, Calverton (allocated for 60 homes).	No action required.		On-going.	Site is currently under construction for 82 homes.
H17 Longdale Lane A, Ravenshead (allocated for 30 homes).	No action required.	Planning application.	On-going.	Planning application anticipated in summer 2022.
H18 Longdale Lane B, Ravenshead (allocated for 30 homes).	Sign off s106.	Issue decision notice. Planning application for reserved matters.	On-going.	Resolution to grant outline planning application for up to 31 homes in August 2018 subject to the signing of the s106.
H19 Longdale Lane C, Ravenshead (allocated for 70 homes).	No action required.		On-going.	Site is currently under construction for 47 homes.
X5 Kighill Lane A, Ravenshead (allocated for 20 homes).	No action required.	Planning application for reserved matters.	On-going.	Total of seven homes built on part of the site. Outline planning permission for up to seven homes on the remainder part of the site granted in May 2021.
X6 Kighill Lane B, Ravenshead (allocated for 30 homes).	Determine planning application.	Issue decision notice.	On-going.	Full application for 11 homes on part of the site pending consideration.
H20 Mill Field Close, Burton Joyce (allocated for 20 homes).	No action required.			Site completed.
H21 Orchard Close, Burton Joyce	No action required.	Issue decision notice.	On-going.	Reserved matters for 14

Site	Action/Task description	Expected Outcome	Timescale	Progress
(allocated for 15 homes).				homes granted in August 2021.
H22 Station Road, Newstead (allocated for 40 homes).	Contact landowner.	Identify barriers to delivery.	On-going.	No progress.
H23 Ash Grove, Woodborough (allocated for 12 homes).	No action required.	Planning applications for remaining plots.	On-going.	Plot 1 built. Full permission for plot 2.
H24 Broad Close, Woodborough (allocated for 15 homes).	Sign off s106 for 2019/1079. Determine planning application 2019/1080.	Issue decision notices. Planning application for reserved matters.	On-going.	Resolution to grant full planning application for three homes on part of the site in August 2020 subject to the signing of the s106. Outline planning application for 11 homes on the remainder of the site pending consideration.
Relevant to all sites - Proactive Development Management Service.	Provision of Pre-application advice. Proactive management of planning applications updating developers of progress and identification of any issues early in the process.	Maintain performance in meeting statutory deadlines for dealing with planning applications.	On-going.	Pre-application advice has been provided on request. Performance has been maintained and above Government targets. Review of validation list for all planning applications to provide clarity to applicants.
Relevant to all sites -	Smooth handover of site allocations	Integrated service	On-going.	Planning policy observations

Site	Action/Task description	Expected Outcome	Timescale	Progress
Providing a more seamless planning service.	<p>from planning policy to DM on adoption of Local Plan.</p> <p>Planning Policy observations to meet required format and deadline set.</p> <p>More coordinated approach to delivering housing, economic and social benefits through planning policy, regeneration policy and projects and in implementing planning applications.</p>	<p>Discuss and review relevant projects and policy areas at department meetings (Planning Policy and DM).</p> <p>Weekly departmental meetings.</p>		<p>provided for all strategic sites and most non-strategic site planning applications by the deadlines set.</p> <p>Meetings held as and when required.</p>

Engagement with Developers: Actions

Action	Task description	Expected Outcome	Timescale	Progress
Review of unimplemented planning permissions (stalled sites).	To consider the scope to review unimplemented permissions including via contact with promoter or developer.	List of stalled sites. Prioritise sites and contact landowners.	On-going.	Initial sites identified assessment undertaken and landowners developers contacted.
Use of self-build and custom build register.	Promote sites where land owner has indicated a willingness to promote self-build/custom build on site by alerting people on the register to the site opportunity.	Number of sites promoted for self-build/custom build projects via alerts to people on register.	On-going.	Self-build matchmaker service set up which aims to inform those on the register about sites available for self-build/custom build projects.
Use of self-build matchmaker service.	Write to land owners of existing small sites with planning permission to notify them of the matchmaker service.	List of sites available for self-build/custom build projects.	On-going.	Implemented.
Speed up S106 negotiations.	Assess likely S106 contributions at pre-application stage if requested. Agree S106 Heads of Terms with applicants as part of the planning application process. Draft Legal Agreement prior to Planning Committee. Consider alternative approach to local	Less potential delay to signing S106.	On-going.	Developers are now alerted early on in the planning application process on likely S106 contributions. DM also involve GBC Legal team early on to commence drafting legal agreements. Review approach to local labour agreements through the

Action	Task description	Expected Outcome	Timescale	Progress
	labour agreements. Review approach to requirement for affordable housing.			preparation of an SPD. Respond to the requirement to deliver First Homes through the preparation of a new SPD. Approach to affordable housing to be reviewed through the review of the Local Plan.
Use of Brownfield register.	Promotion of smaller sites and engagement with SME builders. Use of brownfield register and Permission in Principle (PIP).	Increased planning applications on smaller sites. Add identified sites to part 2 of the brownfield register.	On-going.	Brownfield register updated December 2021. No change.

Infrastructure: Actions

Action	Task description	Expected Outcome	Timescale	Progress
All Arnold Housing Allocations (H1, H2, H5, H7, H8, X1 and X3).	Support the County Council in securing agreement between LEA and developers to fund land and build costs for new primary school needed to serve the Arnold Primary catchment area.	S106 Heads of Terms or S106 agreements agreed as relevant through DM process.	2019.	Matter resolved which allowed planning permission to be granted on certain sites with contributions towards education based on the Nottinghamshire County Council education contributions formula.

Action	Task description	Expected Outcome	Timescale	Progress
Gedling Access Road.	<p>Closely monitor progress against project milestones.</p> <p>Continue regular dialogue with VIA as and when needed regarding progress.</p> <p>Communicate how CIL and other funding is enabling GAR to potential developers to increase confidence scheme will be delivered.</p>	<p>Attend regular meetings.</p> <p>Regular progress reports.</p> <p>Communications Team Developers Forum progress report.</p>	On-going.	<p>Road built, now known as Colliery Way and opened to traffic on 22 March 2022.</p> <p>Ancaillary works ongoing. https://www.nottinghamshire.gov.uk/transport/roads/gedling-access-road </p>

COVID-19 pandemic: Actions

Action	Task description	Expected Outcome	Timescale	In-house progress
Review of the Statement of Community Involvement (SCI) in light of COVID-19 lockdown restrictions and prepare new Consultation Strategy for the Greater Nottingham Strategic Plan.	Progress the preparation of the Greater Nottingham Strategic Plan.	Consultation Strategy.	May 2020.	<p>Complete June 2020.</p> <p>Consultation strategy to be kept under review as lockdown restrictions are eased and changes to consultation will be advertised on the www.gnplan.org.uk website.</p> <p>Consultation strategy has been applied to the extended consultation 10 February to 23</p>

Action	Task description	Expected Outcome	Timescale	In-house progress
				March 2021 due to on-going COVID-19 restrictions.
Determining major applications. Development Management.	Facilitate continued meetings of the Member Planning Delegation Panel by electronic means. Face to face Planning Committee meetings resumed May 2021.	Facilitate continued meetings of the Member Planning Delegation Panel and Planning Committee.	On-going.	Member Planning Delegation Panel working electronically and by video call since early April 2020 and on-going. First virtual Planning Committee held on 15 June 2020 with face to face meetings resumed in May 2021.

Appendix 1 – SHLAA summary responses 2015 – 2022

This appendix summarises comments received through the SHLAA consultations between 2015 and 2022 in response to the request for suggested actions the Council could take to help bring sites forward.

Comment by broad category	Action undertaken
Carry out early review of the Local Plan.	Review of Aligned Core Strategy underway.
Promote/include site within emerging Local Plan and carry out early engagement with key stakeholders for draft allocations.	Consider through the preparation of the Local Plan.
Carry out timely engagement on delivery issues for allocated sites on adoption	Planning Policy to facilitate early engagement on delivery issues for allocated sites.
Grant planning application. Enter into Planning Performance Agreements.	Consider through DM process.
Speed up s106 process.	DM process.
Legal advice sought on land ownership	The Council cannot offer legal advice to private individuals.
Expedite reserved matters applications	DM process.
Pre-application advice and/or meetings with planning officers sought.	Advise applicant of pre-application advice service available.
Continue to engage in positive pre-application discussions.	The pre-application service seeks positive and continuous engagement through the process.
Site specific issues raised.	Response provided through SHLAA process.
Place site on brownfield register	The Council updates the Brownfield Land Register and considers additional sites on their merit against the relevant criteria.
Information sought on whether there is interest for self-build on the plot.	Use of self-build/custom build register. Work commenced in 2021 on a matchmaker service which aims to inform those on the register and others about sites available for self-build/custom build projects.
Identification of adjoining landowners and whether adjoining land is in the SHLAA.	The HM Land Registry can be used to search for land and property information. A map showing the location of sites included in the SHLAA is provided on the Council's website.

Comment by broad category	Action undertaken
Assistance with commercial relocation.	Refer to Economic Growth and Regeneration team.
Grant funding to facilitate development	The Council has no budget to grant fund direct. However, the Council has prepared bids for funding from relevant funding bodies such as Homes England and will consider this action on a case by case basis.
Ensure the Geding Access Road is complete on time.	The new road Colliery Way opened in March 2022.

Appendix 2 – Site Specific Allocations

This appendix briefly outlines progress on allocated housing sites. Where actions are required, they are highlighted in the Section 7: Key Actions. The “Units” column provides the number of dwellings allocated.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
	Teal Close	830	Allocated for mixed use in the Aligned Core Strategy Site has outline planning permission for residential development, employment uses and other uses (2013/0546). First housing phase of 199 homes is currently under construction (2017/0800). Second housing phase of 353 homes is also currently under construction (2019/0152). Reserved matters application for the third and final housing phase of 255 homes (2019/0560) granted in July 2022. Progress on the determination of the application for the final housing phase was delayed due to the Section 73 application (2019/0374) which was approved at Planning Committee on 13 October 2021 and the associated s106 agreement to be completed to the approved master plan for the site. The section 73 application revised the master plan to a single point of access off Colwick Loop Road not two as was originally indicated. The Section 73 application was granted on 13 June 2022 after the s106 agreement was complete.	No identified issues.	No.
	North of Papplewick Lane	Up to 300	Allocated in the Aligned Core Strategy. The site is currently under construction for 255 homes including additional 18 homes (2017/0201 and 2020/0258).	No identified issues.	No.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
	Top Wighay Farm	1,000	Allocated for housing and employment development in the Aligned Core Strategy. Development brief adopted February 2017 to provide clarity for developers. Part of the site for 38 homes (2014/0950) is built. Full planning permission for construction of a new access off Annesley Road (A611) and Wighay Road (B6011) roundabout junction (2008/0594) granted in June 2011. Work has started on the two new junctions at the site primarily funded by Accelerated Construction Funding. Outline planning permission for mixed-use development comprising 805 homes, 49,500 sq. m of B1 and B8, local centre and primary school and associated infrastructure (2020/0050) granted in March 2022. Information received indicates that site has been acquired by a housebuilder and a reserved matters application is anticipated later in the year.	No identified issues.	No.
H1	Rolleston Drive	140	Allocated in the Local Planning Document. The site is currently under construction for 131 factory-built affordable homes (2020/1054).	No identified issues.	No.
H2	Brookfields Garden Centre	90	Allocated in the Local Planning Document. Outline planning permission (including s106) for up to 32 homes on part of the site (2017/0155) granted in March 2020. No reserved matters application has been received. The site is one of a number required to contribute towards new primary school places to be located within the Arnold primary school catchment area. A development brief has been adopted for sites H2, H7 and H8. No planning	Phase 2 dependent upon the relocation of the garden centre. Contributions are needed towards primary school places from all allocated sites in the Arnold Primary Catchment in accordance	Yes.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
			application has been received for the remainder of the site.	with Nottinghamshire County Council's education contributions formula.	
H3	Willow Farm	110	Allocated in the Local Planning Document. Development brief (informal guidance) adopted in February 2020. The landowner has promoted a wider site, including the housing allocation, for residential development through the Greater Nottingham Strategic Plan Growth Options consultation. Information from the SHLAA 2021 consultation states that subject to both sites being allocated in the new Local Plan, and with the new Local Plan being in place in 2023, the earliest start date for the site will be 2026/27. Full planning application for 28 homes on part of the site pending consideration (2021/1398). No planning application has been received for the remainder of the site.	Landowner looking to bring forward allocation as part of a wider site that has not been allocated for development.	Yes.
H4	Linden Grove	115	Allocated in the Local Planning Document. The site is currently under construction for 120 homes (2021/0694).	No identified issues.	No.
H5	Lodge Farm Lane	150	Allocated in the Local Planning Document. Resolution to grant outline planning application for up to 148 homes (2018/0347) in August 2019 subject to the signing of s106. The landowner has promoted a wider site, including the housing allocation, for residential development through the Greater Nottingham Strategic Plan Growth Options consultation. No reserved matters application has been received.	Landowner looking to bring forward allocation as part of a wider site that has not been allocated for development.	Yes.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
H6	Spring Lane	150	Allocated in the Local Planning Document. The site is now fully built.	No identified issues.	No.
H7	Howbeck Road/ Mapperley Plains	205	Allocated in the Local Planning Document. Majority of the site is currently under construction for 164 homes (2019/0213). No planning application has been received for the remainder of the site. Information from the SHLAA 2022 consultation indicates that the land owner for the remainder of the site is seeking to sell the site to a house builder with a planning application anticipated later in the year.	No identified issues.	No.
H8	Killisick Lane	230	Allocated in the Local Planning Document. The site is one of a number required to contribute towards additional primary school places to be located within the Arnold primary school catchment area. A development brief has been adopted for sites H2, H7 and H8. The Local Planning Document includes a phasing policy to ensure that development of the site follows the extraction and progressive restoration of the adjoining quarry. Quarry extraction was scheduled to be complete by 2021, however due to COVID-19 the extraction of clay has been slower than expected and it is anticipated that extraction would now be completed by the end of 2022 with progressive restoration taking place following this.	Contributions are needed towards new primary school places from all allocated sites in the Arnold Primary Catchment in accordance with Nottinghamshire County Council's education contributions formula. Progress with extraction of clay has been slower than expected. Site owned by three landowners.	Yes.
H9	Gedling Colliery/ Chase Farm	1,050	Was previously allocated in the 2005 Local Plan. Identified in the Aligned Core Strategy as a strategic location and is allocated for housing and employment development in the Local Planning	Large site. Significant risks of contamination. Complete the signing of s106.	No.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
			<p>Document. Full planning permission for phase 1 (506 homes) and outline planning permission (2015/1376) granted for subsequent phases. Site is currently under construction for 508 homes on phase 1 (2015/1376, 2017/1018, 2017/1076, 2017/1275, 2018/0249, 2018/0392, 2019/0304, 2019/0586, 2019/0759 and 2020/0667). Reserved matters for the second housing phase of 433 homes (2021/1294) granted in March 2022. Total figure granted to date is 941 homes. Resolution to grant full planning application for 24 homes on the remainder part of the site (2022/0200) in June 2022 subject to the signing of the s106.</p> <p>The Gedling Access Road (now known as the Colliery Way) is now built.</p>		
X1	Daybrook Laundry	50	Allocated in the Local Planning Document. Information from the previous SHLAA 2021 consultation indicates that there is interest with site acquisition. No planning application has been received.	It is understood that the presence of an aquifer may affect how the site is disposed of.	Not yet.
X2	Land West of A60 Site A	70	Allocated in the Local Planning Document. The site is currently under construction for 72 homes (2016/0854).	No identified issues.	No.
X3	Land West of A60 Site B	150	Allocated in the Local Planning Document. Full planning application for 157 homes was submitted in January 2021 and pending consideration (2021/0072).	No identified issues.	No.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
H10	Hayden Lane	120	Allocated in the Local Planning Document. Full planning application for 135 homes was submitted in April 2022 and pending consideration (2022/0501).	No identified issues. Determine planning application	No.
H11	The Sycamores, Bestwood Village	25	Allocated in the Local Planning Document. The site is currently under construction for 11 homes (2018/0650 and 2019/0678).	No identified issues.	No.
H12	Westhouse Farm, Bestwood Village	210	Allocated in the Local Planning Document. Part of the site is currently under construction for 101 homes (2018/0823). No planning application for phase 2 has been received.	No identified issues.	No.
H13	Bestwood Business Park, Bestwood Village	220	Allocated in the Local Planning Document. Outline planning permission for up to 220 homes (2014/0214) lapsed in March 2018. No planning application has been received.	Owners see the Business Park as remaining as an employment site and contact required.	Yes .
H14	Dark Lane, Calverton	70	Was previously allocated in the 2005 Local Plan. Allocated in the Local Planning Document. The site is currently under construction for 57 homes (2017/1263).	No identified issues.	No.
H15	Main Street, Calverton	75	Allocated in the Local Planning Document. Outline planning permission for up to 79 homes (2018/0360) granted in April 2021. No reserved matters application has been received.	No identified issues.	No.
H16	Park Road, Calverton	390	Allocated in the Local Planning Document. The site is within the 'North West Quadrant Urban Extension' of the Calverton Neighbourhood Plan (2017) which effectively supports the principle of housing development in this area. Majority of the site is currently under construction for 351 homes (2020/0020). Reserved matters application for a re-	No identified issues. Determine reserved matters application.	No.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
			plan of reserved matters approval 2020/0020 which includes additional 13 homes taking the total number of units to 364 was submitted in May 2022 and pending consideration (2022/0584). Full planning permission for 20 bungalows on the small part of the site (the car park at North Green) (2018/0817) granted in August 2021.		
X4	Flatts Lane, Calverton	60	Allocated in the Local Planning Document. The site is within the 'North West Quadrant Urban Extension' of the Calverton Neighbourhood Plan (2017) which effectively supports the principle of housing development in this area. Site is currently under construction for 82 homes (2020/0822).	No identified issues.	No.
H17	Longdale Lane A, Ravenshead	30	Allocated in the Local Planning Document. No planning application has been received. Information from the SHLAA 2022 consultation states a full planning application is anticipated in summer 2022.	The development of site H17 is dependent on the delivery of the adjacent site H19 as access to site H17 can only be from site H19. Information from the SHLAA 2022 consultation indicates that a construction start on adjacent site H19 is planned for summer 2022 and this will facilitate the access to site H17.	No.
H18	Longdale Lane B, Ravenshead	30	Allocated in the Local Planning Document. Resolution to grant outline planning application for up to 31 homes (2014/0273) in August 2018 subject to the signing of the s106.	No identified issues. Complete the signing of s106.	Not yet.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
H19	Longdale Lane C, Ravenshead	70	Allocated in the Local Planning Document. Full permission for 47 homes (2017/1164) granted in December 2019. Information from the SHLAA 2022 consultation states that the construction of the site is currently underway.	No identified issues.	No.
X5	Kighill Lane A, Ravenshead	20	<p>Allocated in the Local Planning Document. The site has three separate land owners who supported a joint allocation through the Local Planning Document. Since the site was allocated, the three landowners have put forward planning applications:-</p> <ul style="list-style-type: none"> • The west part of the site (land of 22 Kighill Lane) for six homes was completed in April 2022 (2020/0741). • For the middle part of the site (land of 18 Kighill Lane) a new dwelling (i.e. 16 Kighill Lane) was built on part of the site in August 2019 (2018/1004). Full planning application for a new dwelling to the rear of 16 Kighill Lane was refused (2019/0129). Appeal logged (APP/N3020/W/19/3234515). Full planning application for three homes to the rear of 18 and 16 Kighill Lane submitted in September 2020 (2020/0888) was withdrawn in November 2021. • For the east part of the site (land adjacent to 16 Kighill Lane), outline planning application for up to seven homes (2020/1108) granted in May 2021. 	Given the number of landowners involved, it is likely that a reduced capacity could be delivered on site.	No.
X6	Kighill Lane B, Ravenshead	30	Allocated in the Local Planning Document. The site has three separate land owners who supported a joint allocation through the Local Planning	There are three separate landowners on the site which appears to be a barrier to	No.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
			Document. Full application for 11 homes on part of the site (owned by two land owners) was submitted in March 2022 and pending consideration (2022/0250).	development, particularly as the site forms residential garden land of existing dwellings. Section 106 contributions to be agreed prior to development. Determine planning application.	
H20	Mill Field Close, Burton Joyce	20	Allocated in the Local Planning Document. The site is now fully built.	No identified issues.	No.
H21	Orchard Close, Burton Joyce	15	Allocated in the Local Planning Document. Reserved matters application for 14 homes granted in August 2021 (2021/0301).	No identified issues.	No.
H22	Station Road, Newstead	40	Was previously allocated in the 2005 Local Plan. Allocated in the Local Planning Document but not included in housing supply due to uncertainty over delivery, in part due to difficulties regarding access. The public house on site was demolished in early 2018. No planning application has been received.	Due to the uncertainty as to whether the site will deliver 40 homes within the plan period, it is assumed that the site will be delivered after 2028, unless new information is provided.	Not yet.
H23	Ash Grove, Woodborough	10	Allocated in the Local Planning Document. Full planning permission (2007/0831) for 12 homes. Plot 1 (3 Ash Close) was built in May 2018 (2016/0888). Full planning permission for a dwelling on plot 2 (adjacent to 3 Ash Grove) (2019/1147) granted in March 2020. Work on the remainder plots have not started.	No identified issues. The owner is taking plot by plot approach.	No.
H24	Broad Close, Woodborough	15	Allocated in the Local Planning Document. Resolution to grant full planning application for three	Complete the signing of s106.	Yes.

Ref	Site name	Units	Planning status	Summary of key issues, challenges and barriers	Action?
			homes on part of the site to be accessed off Private Road (2019/1079) in August 2020 subject to the signing of the s106. Outline planning application for 11 homes on the remainder of the site to be accessed off Broad Close was submitted in November 2019 and pending consideration (2019/1080).	Determine planning application 2019/1080.	



Report to Planning Committee

Subject: Future Planning Applications

Date: 18/07/2022

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>
2021/1225	Nottinghamshire Fire And Rescue Headquarters Bestwood Lodge Drive Bestwood	Outline application with all matters reserved for the redevelopment of the existing Head Quarters site for residential development	TBC
2021/0934	Land next to Pepperpots, Mapperley Plains	Erection of 8 detached dwellings and 3 apartment building, comprising 32 units	TBC
2019/1080	Land At Broad Close Woodborough	Outline application for 11no. residential properties	TBC
2021/1398	Land at Grange View Road, Gedling	Erection of 28 four-bedroom 2.5 storey houses; associated parking and access road	TBC
2022/0501	Land Off Hayden Lane Linby	Full planning permission for 135 dwelling with access from Delia Avenue And Dorothy Avenue	TBC
2022/0584	Land North West Park Road Calverton	Application for the approval of reserved matters (layout, landscaping, scale and appearance) for the erection of 101 dwellings and associated infrastructure, pursuant to outline approval 2018/0607 (re-plan of reserved matters approval 2020/0020, which includes an additional 13 units taking the total number of units to 364)	TBC

Please note that the above list is not exhaustive; applications may be referred at short notice to the Committee by the Planning Delegation Panel or for other reasons. The Committee date given is the earliest anticipated date that an application could be reported, which may change as processing of an application continues.

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ACTION SHEET PLANNING DELEGATION PANEL - 17th June 2022

2021/1230

153 Lambley Lane, Burton Joyce, NG14 5BN

Single storey extensions to dwelling, loft conversion and granny annexe to replace garage and outbuilding.

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

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

Decision: Grant permission subject to conditions.

2022/0162

105 Wighay Road, Linby, Nottinghamshire

Erection of a New Gazebo to an existing rear garden for the therapeutic used a disabled user

The proposed development would respect the character of the area and residential amenity; with very special circumstances demonstrated to allow what would otherwise be considered inappropriate development within the green belt.

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

Decision: Grant permission subject to conditions.

2022/0192

Newstead Abbey Park, Phoenix, Nottingham Road, Ravenshead

Extensions and alterations

The proposed development would result in extensions over and above that allowed by pertinent policy and result in inappropriate development that would be detrimental to the openness of the green belt.

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

Decision: Refuse permission.

2022/0340

48 Bridle Road, Burton Joyce, Nottinghamshire

Two storey side; single storey rear extensions and new garden building and alterations to rear garden levels.

The proposed development would respect the character of the area, residential amenity, highway safety and not increase flooding in the area.

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

Decision: Grant permission subject to conditions.

2022/0558NMA

Land to the South of Burton Road Gedling

Alteration to rear fence line and height of plots 1, 3-22 (NMA to permission 2021/0694)

The proposed development would have a negligible impact on the character of the area and is a change that is considered to be non-material in scale.

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

Decision: Grant permission subject to conditions.

17th June 2022

Cllr John Truscott

Cllr Paul Wilkinson

Cllr Meredith Lawrence

Cllr David Ellis

Cllr Marge Paling

Cllr John Parr

Kevin Cartwright - Principal Planning Officer

Nigel Bryan – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL - 24th June 2022

2021/0117

West Lodge, Station Avenue, Newstead

Proposed construction of a green oak and glazed link corridor between existing C20 extension and outbuilding. Including the creation of door openings from the link to the adjacent extensions.

The proposed development would be inappropriate development within the Green Belt with no very special circumstances to justify the proposal, as well as having a detrimental impact on the character of the Listed Building

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

Decision: Refuse permission.

2021/0118

West Lodge, Station Avenue, Newstead

Proposed construction of a green oak and glazed link corridor between existing C20 extension and outbuilding. Including the creation of door openings from the link to the adjacent extensions.

The proposed development would result in a massing of connected rear extensions that would harm the primacy of the Grade II West Lodge, with no wider public benefit to override the harm caused.

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

Decision: Refuse Listed Building Consent.

2021/0761

19 Church Street, Lambley, Nottinghamshire

Partial change of use from domestic use to storage and assembly/dismantling of sale boards

The proposed development would have a detrimental impact on the character of the Conservation Area and residential amenity.

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

Decision: Refuse permission.

2021/0848

32A Forester Road, Carlton, NG3 6LP

Internal alterations and rear three storey extension and single storey extension to create 8 apartments. Replacement of roof with mansard roof and addition of 4 dormers to front elevation. External landscape alterations to rear of site creating 11 off street car parking spaces and garden space.

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

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

Decision: Grant permission subject to conditions.

2022/0127

Maple Lodge, Friday Lane, Gedling

First floor extension above detached garage with new stepped access

The proposed development would have a detrimental impact on the amenity of a neighbouring property given the scale of built form proposed and relationship between the two.

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

Decision: Refuse permission.

2022/0173

Land at Suntop Boarding Kennels and Cattery, 164 Spring Lane, Lambley,
Nottinghamshire

Full planning application for the demolition of existing buildings and replace with 5 No. Dwellings

The proposed development would result in the redevelopment of a previously developed site and not have a greater impact on the openness of the Green Belt than the existing development.

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

Decision: Grant permission subject to conditions.

2022/0196

30 Forest Lane, Papplewick, Nottinghamshire

Proposed two storey front extension to form two feature gables with glazed entrance infill, single storey side extension, two storey rear extension, alterations to rear roof above the proposed two storey rear extension to provide gable and alterations to roof from hip to gable - erection of front boundary wall with timber infill panels and gates

Withdrawn from the agenda

2022/0326

30 Roseleigh Avenue, Mapperley, NG3 6FH

Retention of garden room and 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.

2022/0468

34 Marlborough Road, Woodthorpe, Nottinghamshire

Construct 2 x 4 bedroom detached dwellings and 1 x 3 bed detached bungalow

The erection of the bungalow to the rear of the site would be out of character with the area.

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

Decision: Refuse permission.

2022/0543

2 Hucknall Road, Newstead, Nottinghamshire

New dropped kerb and erection of new raised driveway to front garden plus modifications to front boundary wall for access

The proposed access would be detrimental to highway safety.

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

Decision: Refuse permission.

2022/0545

34 Gardenia Grove, Carlton, Nottinghamshire

Proposed 5 new dwellings, parking and landscaping on the land to the rear of Nos. 31-37 Gardenia Grove. Widening of the existing access/creation of a new entrance from Gardenia Grove @ 35 Gardenia Grove.

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

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

Decision: Grant permission subject to conditions.

24th June 2022

Cllr John Truscott

Cllr Paul Wilkinson

Cllr Meredith Lawrence

Cllr David Ellis

Nigel Bryan – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL 1st July 2022

2022/0068

4 Woodthorpe Avenue Woodthorpe NG5 4FD

Side and Rear Extension - Demolition of current garage, car port and conservatory.

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.

2022/0229

44 Milton Drive Ravenshead Nottingham

Proposed rear lounge and side porch extensions and garage conversion.

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 subject to Conditions.

2022/0255

37 Shortcross Avenue Woodthorpe Nottingham

Single storey rear & side extension

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 subject to Conditions.

2022/0523

44 Lambley Lane Burton Joyce Nottinghamshire

Garden room, loggia and replacement balustrade

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 subject to Conditions.

2022/0547TPO

The Farm House Bank Hill Farm Bank Hill Woodborough
Removal of Lime Tree. Replanting of 12 trees.

The proposal whilst resulting in the loss of one tree would result in appropriate replacement planting that would ensure the longevity and integrity of the wider tree preservation order and ensure no significant impact on visual amenity.

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

Decision: Grant Consent subject to Conditions.

Video Conference Call Meeting

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

Kevin Cartwright – Principal Planning Officer

1st July 2022

ACTION SHEET PLANNING DELEGATION PANEL - 8th July 2022

2021/1466

1 Forester Road, Carlton, NG3 6LP

Change of use from residential dwelling to a registered children's home (retrospective).

The application site is in an area with good access to services, would not lead to a concentration of other similar uses in the locality and would provide a good level of amenity for occupiers.

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

Decision: Grant permission subject to conditions.

2022/0193

84 Chapel Lane, Ravenshead, Nottinghamshire

New dwelling

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

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

Decision: Grant permission subject to conditions.

2022/0196

30 Forest Lane, Papplewick, Nottinghamshire

Proposed two storey front extension to form two feature gables with glazed entrance infill, single storey side extension, two storey rear extension, alterations to rear roof above the proposed two storey rear extension to provide gable and alterations to roof from hip to gable - erection of front boundary wall with timber infill panels and gates

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

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

Decision: Grant permission subject to conditions.

2022/0280

36 Coningswath Road, Carlton, Nottinghamshire

Single storey rear extension and garden room at the end of rear garden

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

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

Decision: Grant permission subject to conditions.

8th July 2022

Cllr John Truscott

Cllr Paul Wilkinson

Cllr Meredith Lawrence

Cllr David Ellis

Cllr Marge Paling

Cllr John Parr

Kevin Cartwright - Principal Planning Officer

Nigel Bryan – Principal Planning Officer

ACTION SHEET PLANNING DELEGATION PANEL 15th July 2022

2019/1180

34 Main Street Calverton NG14 6FQ

Proposed demolition of existing dwelling and erection of 3 retail units at ground floor with 8 apartments over

The Panel recommended that the application be referred to Planning Committee due to the complexity of the policy considerations.

2022/0006

Land off Georges Lane Calverton

Change of use of agricultural land to a mixed traditional, natural and woodland burial ground, erection of facilities building and associated car park, landscaping and new access arrangements onto Georges Lane

The Panel recommended that the application be referred to Planning Committee due to the complexity of the policy considerations.

2022/0095

42 Chapel Lane Ravenshead NG15 9DA

First floor extension over existing garage.

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

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

Decision: Grant Planning Permission subject to Conditions.

2022/0474

31 Greendale Road Arnold Nottinghamshire

Erection of a proposed single storey front/side/rear extension and erection of pergola with solar panels (to replace an existing conservatory) to the SE elevation.

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

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

Decision: Grant Planning Permission subject to Conditions.

2022/0536

7 Thurlestone Drive Mapperley Nottinghamshire

Change of use of land from garage court to residential garden and the erection of a garden shed (retrospective)

The proposed development would have no undue impact on the character and appearance of the area, highway safety 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

Cllr John Truscott

Cllr Marje Palling

Cllr David Ellis

Cllr John Parr

Cllr Paul Wilkinson

Kevin Cartwright – Principal Planning Officer

Nigel Bryan – Principal Planning Officer

15th July 2022